

TOWN OF RIB MOUNTAIN
Regular Town Board Meeting
July 17, 2012

Chairman Al Opall called the meeting of the Rib Mountain Town Board to order at 6:30 p.m. at the Rib Mountain Municipal Center, 3700 North Mountain Road. Present were Supervisors Jim Legner, Pete Kachel, Fred Schaefer and John Sybeldon, a quorum.

Also present were Town Attorney Kevin Terry, Town Administrator Gaylene Rhoden, Fire Chief Paul Wirth, Building/Zoning Inspector Daniel Dziadosz and Clerk-Treasurer Patricia Jahns.

On July 13, 2012 revised copies of the meeting notice were made available to the media, Town Board, Town Attorney and posted at the Rib Mountain Municipal Center.

The Pledge of Allegiance was led by Supervisor Pete Kachel.

Minutes: Motion by Schaefer/Legner to approve the minutes of the 6/19/12 regular and 6/26/12 special Town Board meetings. Questioned and carried 5:0.

Chairman Opall requested an update from Water Utility Director Darin Westover. Darin commented on the cause of the Rib Mountain Sanitary District sewer backup in a residence on Bellflower Street. This incident was followed by a similar backup on Eagle Avenue. RC Pavers is not providing good customer service in either instance. The Town hired a contractor to clean up the damages at the Bellflower residence and the District hired a contractor for the Eagle residence damages. It appears it will take time to process insurance claims.

Supervisor Schaefer commented that the Town and District must focus on the customer, be proactive, customer friendly and work together. Costs incurred by the Town and District will be tracked and collected prior to final payment to RC Pavers.

Plan Commission Report and Recommendations -

Docket #12-19: "Dimension of Horrors" request for conditional use approval for a haunted house as an Indoor Entertainment use at 905 Morninglory Lane. Dan Dziadosz reported the Plan Commission held a hearing on July 11, 2012 and recommended conditional approval of the indoor entertainment use for "Dimension of Horrors" subject to an 11 p.m. closing time, to be held only each Friday and Saturday beginning September 28, 2012 and ending on Halloween, October 31, 2012. The conditional use is subject to a parking agreement with an adjacent property for 100+ cars, is subject to building and fire inspections and compliance prior to opening, and the conditional use shall expire December 31, 2012.

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Dan Dziadosz commented that loud noises will be confined to the interior of the building. Supervisor Schaefer requested no on-street parking, that the Town be identified as hold harmless for any issues relating to the temporary occupancy and that the Town require a performance bond. Dan noted the zoning code gives options to charge an occupancy bond for a building permit and this could relate to any onsite issues. Supervisor Legner inquired if temporary no parking signs could be posted on the street.

Motion by Schaefer/Legner to approve the conditional use for a haunted house at 905 Morninglory Lane subject to the Town being identified as hold harmless for any issues relating to the temporary occupancy, a performance bond, an 11 p.m. closing time, operating only on Friday and Saturday beginning September 28, 2012 and ending on Halloween, October 31, 2012, a parking agreement with an adjacent property for 100+ cars, no on-street parking, satisfactory building and fire inspections with compliance prior to opening, and expiring December 31, 2012. Questioned and carried 5:0.

Docket #12-20: WE Energies Communication Tower zoning text amendment RMMC 17.056 (c) (c) 1 to change the minimum lot size from five acres to three acres in the RA-1-35, RA-2-35, OR-35 and RR-35 Districts. The Plan Commission recommended approval of the proposed ordinance change from five acres to three acres and recommended that the ordinance be revisited again within three months. Dan Dziadosz reported the Plan Commission held a hearing on July 11, 2012. Supervisor Schaefer asked why the Plan Commission wanted to revisit the issue in three months. Dan responded there are still towers in the municipality that will be in non-compliance and some Commissioners have strong opinions about adequate fall radiuses. **Motion by Kachel/Legner to approve the zoning code amendment per the Plan Commission recommendation. Questioned and carried 5:0.**

Approve AECOM Task Order for State Park Road Improvements - The Public Works Committee recommended approval of AECOM task order to add a paved shoulder adjacent to the west side of Violet Avenue between Fern Lane and Park Road to improve pedestrian safety to access the multi-use trail on Park Road. The cost for preliminary design analysis is \$5,500. Administrator Rhoden recommended funding from the General Fund. **Motion by Kachel/Schaefer to hire AECOM and approve Task Order No. 03 for Violet Lane at a cost of \$5,500. Questioned and carried 5:0.** Chairman Opall authorized a task order for the 2012 paving punch list.

Approve Magnolia Crossing Project - The Public Works Committee recommended moving forward with a short-term solution for approximately \$25,000 to install a small section of sidewalk, markings, signage and a curb-cut to

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facilitate crossing CTH N from Magnolia Avenue to Doepke Park. Administrator Rhoden was directed to find money in the 2012 budget or the 2013 budget with a cost-share to be determined by the Town Board. A special assessment could be spread out for a five to ten-year period.

Administrator Rhoden recommended the Town Board amend the Pedestrian/Bicycle map to include the long-term crossing as adopted policy that makes the developer responsible for putting in the crossing once the property to the east of Magnolia Avenue is developed.

Supervisor Schaefer reported the property owners agreed to take up a collection for funding the CTH N crossing from Magnolia Avenue to Doepke Park. The Town will accept contributions from property owners. The crossing will be recommended to the Bike/Ped Committee. The short term solution will be reviewed for functionality and possibly incorporated it in the long term solution.

Motion by Schaefer/Sybeldon to approve the Public Works Committee recommendation to approve the short-term crossing with the promise from residents to make voluntary contributions or sign a waiver of special assessments. Questioned and carried 5:0.

Approve New Hire: Streets/Parks Superintendent - The Interview Panel that included the Public Works Committee Chairman, a Town Supervisor, the Park Commission President, the Public Works Lead man, Town Administrator and an outside Engineer from the City of Marshfield recommended hiring Scott Turner as the Streets/Parks Superintendent at \$60,000 per year and starting with three weeks of vacation upon hire. Criminal backgrounds checks returned successful.
Motion by Schaefer/Legner to hire Scott Turner at an annual salary of \$60,000 with three weeks of vacation upon hire. Questioned and carried 5:0.

Appointment of Bob Henning as Chairman of Bicycle/Pedestrian Committee - The Rib Mountain Pedestrian and Bicycle Committee recommended Bob Henning's appointment as Chairman of its Committee. **Motion by Legner/Sybeldon to approve Bob Henning as the Chairman of the Rib Mountain Pedestrian and Bicycle Committee. Questioned and carried 5:0.**

Request for Letter of Support for US 51/STH 29 Sound Barrier - Jim Nauta, 728 E. Lakeshore Drive, made a request on behalf of signers of the petition for a formal resolution supporting a US51/STH29 sound barrier in conjunction with the upcoming Sunrise Bridge improvements. Many residents in attendance expressed frustration as their homes were there prior to the highway. Now the speed has increased from 55 to 65 mph and the noise from four lanes of vehicle traffic at 70 mph and engine compression braking echoes off Lake Wausau. The residents stated they pay taxes just like property owners in Milwaukee, Madison,

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Green Bay and New Berlin where sound barriers are located along the highways. Residents requested something aesthetically pleasing, like the noise barrier along CTH N, and additional law enforcement on the highway. Many of the residents volunteered to plant trees.

Supervisor Schaefer reported studies were done several years ago but didn't warrant a need for a sound barrier. The residents were strongly encouraged to contact their legislators as voters have a strong voice. Administrator Rhoden reported the Wisconsin Department of Transportation will hold public information meetings for the 2014 improvements and encouraged those in the audience to participate.

Motion by Schaefer/Legner to direct Staff to work with residents and send a formal request to the Wisconsin Department of Transportation supporting a US51/STH29 sound barrier, direct the Town Attorney to look into engine compression braking ordinances, and have Staff contact the County for increased enforcement of the speed limit along the STH 29 corridor east of US 51. Questioned and carried 5:0.

Request to Fund Liberty Park Playground Equipment Replacement – The Park Commission recommended the Liberty Park play structure be replaced as soon as possible as it is aged and in need of replacement. Administrator Rhoden reported funding of \$18,300 could come from the 2012 Contingency Account and \$3,588 from Park Impact Fees for a total of \$21,888. She noted the Town needs Sanitary District approval according to the Town's lease agreement.

Scott Miles commented on an injury occurred on the play structure that Lee Recreation described as out of date and worn. Administrator Rhoden reported the Town was proactive in removing the bridge on the aging structure. The new Streets/Parks Superintendent will oversee annual inspections of the Town play structures as Lee Recreation volunteered to do them at no charge.

Motion by Schaefer/Legner to approve funding for new playground equipment at Liberty Park for \$20,500 from Lee Recreation with money from the Contingency Account and park impact fees. Questioned and carried 5:0.

Use of Town Road Permit Approval – Wausau Marathon – The Wausau/Central Wisconsin Visitor Bureau applied for a Town road permit as part of the event will run through Rib Mountain. Richard Barrett from the Convention Visitors Bureau provided a Certificate of Insurance and paid the \$100 permit fee. **Motion by Schaefer/Kachel to approve a Town road permit for Wausau/Central Wisconsin Visitor Bureau and the Woodson YMCA for the Wausau Marathon to be held August 25. Questioned and carried 5:0.**

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Chairman's Appointment: Park Commission Vacancy - Chairman Opall reappointed George Snyder to the Rib Mountain Park Commission. His new term will expire July 2018. **Motion by Schaefer/Kachel to approve the Chairman's appointment of George Snyder to the Park Commission subject to acceptance of the reappointment. Questioned and carried 5:0.**

Motion by Schaefer/Legner to approve Chairman Opall's appointment of Ruth Wrynski, Helen Schmitt, James Legner and Susan Legner as Election Officials. Questioned and carried 5:0.

Approval of License Applications - Attorney Kevin Terry commented on background checks of the applicants. None preclude issuance of license but he recommended Tiffani T. Kohler, Mark L. Peterson and Kelsey M. Beasland be referred to the Town Chairman for an interview before approval of their licenses. **Motion by Schaefer/Kachel to approve operator licenses for Joseph G. Bangart, Kelsey M. Beasland, Kellee J. Berry, Ashley M. Dupuis-Bohman, Jonathon A. Ford, Leah A. Grabow, Holly M. Goralski, Jeffrey P. Howard, Randall G. Hull, Calvin P. Jenkins, Teresa J. Judd, Tiffani T. Kohler, Corrie A. Kordus, Stephanie J. Lashua, Karen L. Laska, Dylan J. Lemmer, Jenny R. Nienow, Regina A. Nievinski, Jeffrey S. Osswald, Mark L. Peterson, Joseph W. Pettitt, Austin T. Pozega, Charles H. Ouimette, Denice I. Richards, Rebekah E. Richards, Angie M. Schider, Jessica M. Schilling, Jaimie L. Schuster, Alec G. Sloma, Heather L. Spence, Kim E. Tessmer, Paul K. Van Dalen, Laurie J. Whetzel, Beth A. Wilson and refer Tiffani T. Kohler, Mark L. Peterson and Kelsey M. Beasland to the Chairman. Questioned and carried 5:0.**

Motion by Schaefer/Legner to approve amusement device licenses for Daniel J. Loomis at Hoffman House Wausau. Questioned and carried 5:0.

Payment of Bills and Approval of Journal Entries - **Motion by Legner/Sybeldon to approve payment of General Checks 40034 - 40142 and Journal Entries 12-67 through 12-69. Questioned and carried 5:0.**

Reports

Administrator Rhoden provided a written report.

Fire Chief Paul Wirth provided a written report noting Med 3 is in for repairs.

Building Inspector Daniel Dziadosz provided a written report on monthly permit activity. He noted a site permit was issued for the new Rib Mountain Green House but the owners have not yet applied for a building permit.

Clerk -Treasurer Patricia Jahns reported John Jurkovich appealed the Board of Review determination to the Wisconsin Department of Revenue. A joint meeting

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of the Town Board and Rib Mountain Sanitary District is scheduled for 5:30 p.m. on July 30. She received a complaint about the retaining wall at Petro Mart as it is in disrepair.

Chairman Opall welcomed Scott Turner, the Town's new Streets/Parks Superintendent.

Code Enforcement Officer Paul Hursh requested clarification on Use of Town Road Permits. Board members indicated they wanted to know about Road Use Permits.

Committee / Commission Reports

The Public Works Committee met prior to this Town Board meeting to discuss items and make recommendations to the Town Board.

The Walkable Community Committee will meet July 19.

Public Comment Period - None

Adjourn - Motion by Kachel/Legner to adjourn at 7:48 p.m. Questioned and carried 5:0.

Patricia J. Jahns, MMC/WCPC/CMTW
Clerk/Treasurer

Note: These minutes are not to be considered official until acted upon at an upcoming regular meeting, therefore, they are subject to revision.