

TOWN OF RIB MOUNTAIN
Regular Town Board Meeting
October 21, 2014

Chairman Allen Opall called the meeting of the Rib Mountain Town Board to order at 6:33 p.m. at the Rib Mountain Municipal Center, 3700 North Mountain Road, Wausau, WI. Present were Pete Kachel and Fred Schaefer; a quorum. Gerry Klein and Jim Legner were excused.

Also present were Town Attorney Kevin Terry, Administrator Gaylene Rhoden, Assistant Zoning Administrator/Building Inspector Jeff Kussow, Streets/Parks Superintendent Scott Turner, SAFER District Fire Chief Steve Meilahn, and SAFER District Deputy Fire Chief Matt Savage.

On October 20, 2014 copies of the revised meeting notice were made available to the media, Town Board, Town Attorney and posted at the Rib Mountain Municipal Center.

Public Comment on Town Board Agenda Items - There was no public comment.

Approve Minutes of 10/7/14 Regular Town Board Meeting & 10/14/14 Special Town Board Meeting - **Motion by Kachel/Schaefer to approve the minutes of the 10/7/14 Regular Town Board meeting & 10/14/14 Special Town Board Meeting. Questioned and carried 3:0.**

Plan Commission Report & Recommendations - Assistant Zoning Administrator/Building Inspector Jeff Kussow stated there was not a Planning Commission meeting on October 8th, and explained the future Planning Commission agenda items.

Approval of Contract Renewal for the Marathon County Humane Society for Impound Services - Non-Dog Strays - Administrator Gaylene Rhoden explained the Humane Society proposal. She explained the stray cat count discrepancy and briefly explained the contract options presented by the Humane Society. She stated that the recommendation from the Public Safety Committee was to approve the \$5,000 option for unlimited non-dog strays subject to providing a report of cats received. The Attorney questioned if it was in the last contract. Gaylene Rhoden stated that it was not specifically mentioned in the contract, but it will be included in the next contract. Ms. Rhoden stated that there were 20 non-dog strays received at the Humane Society from Rib Mountain. She also explained that the Town will receive \$1,500 from Marathon County. **Motion by Kachel/ Schaefer to contract for the \$5,000 option subject to the Humane Society submitting a report of stray cats collected every month in 2015. Questioned and carried 3:0.**

Recommend & Possible Approval of Third Party Administrator for Section 125-Flex Ben - Fred Schaefer explained that this item was discussed at Finance and Personnel Committee. He stated that the Town was doing the administration for Section 125-Flex Ben themselves, but there are some confidentiality issues which require a third party

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administrator. He explained the quote from Benefit Advantage Inc. of Ashwaubenon, and stated that this was recommended by the Finance and Personnel Committee. Pete Kachel questioned if other communities are using the recommended vendor. Gaylene Rhoden stated that they are representing communities in other areas, but no other local communities go through this vendor. **Motion by Kachel/ Schaefer to approve Benefit Advantage Inc. as the third party administrator for Section 125-Flex Benefits. Questioned and carried 3:0.**

Approval of Agreement for Rib Mountain Drive Phase 2 Design Contract - Fred Schaefer explained that this item was discussed at the Public Works Committee meeting for the Phase 2 design contract. He explained that the proposal from AECOM includes all design for the project. He stated that it is a 2017 project with designing starting in 2015. He stated that the RFP was answered by two firms: MSA at \$199,400 and AECOM at \$144,995. He stated that both firms are qualified, but the AECOM cost was substantially less. **Motion by Kachel/ Schaefer to approve the agreement with AECOM for the Rib Mountain Drive Phase 2 Design Contract at the cost of \$144,995. Questioned and carried 3:0.**

Disallow Notice of Injury & Notice of Claim for Jennifer Youtsos - Scott Turner explained that there was a trip and fall on the 51/29 recreation trail and the person was injured. He stated that a claim was submitted against the Town for injury damages. The Town Board questioned and commented on the claim presented. Nathan Pezewski, from the Horton Group, explained the claim to the board. **Motion by Schaefer/ Kachel to disallow the Notice of Injury & Notice of Claim for Jennifer Youtsos. Questioned and carried 2:0 with Al Opall abstaining.**

Payment of Bills and Approval of Journal Entries - A report was submitted in the agenda packet by the Town Clerk/Treasurer Connie Beyersdorff. **Motion by Kachel/Schaefer to approve payment of bills and approval of journal entries. Questioned and carried 3:0.**

Reports

Town Board - Al Opall explained that the November 4, 2014 Regular Town Board Meeting is cancelled due to the elections occurring that night, but a Special Town Board Meeting is scheduled for Tuesday, October 28, 2014. Mr. Opall stated that he is reappointing the follow four Zoning Board of Appeals members to a three year term: 1) Joseph Mella, 2) Gordon Knoeck, 3) Ellis Peterson, & 4) Joseph Wachtel. **Motion by Schaefer/Kachel to approve the reappointments of Joseph Mella, Gordon Knoeck, Ellis Peterson & Joseph Wachtel to the Zoning Board of Appeals. Questioned and carried 3:0.**

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SAFER District – SAFER District Fire Chief Steve Meilahn provided a detailed written report and explained. He stated that SAFER is close to bringing on three new battalion chiefs which could be working as soon as November 10th. Fred Schaefer requested that inter-facilities be separated in the report. Chief Meilahn explained call history.

Town Attorney- Attorney Kevin Terry did not provide a report, but asked the Town to entertain a motion to item 9 on the agenda “Payment of Bills and Approval of Journal Entries” (See above for motion)

Town Administrator – Administrator Gaylene provided a detailed written report and explained.

Zoning Administrator/Building Inspector - A detailed written report was provided in the agenda packet by Zoning Administrator /Building Inspector Dan Dziadosz. Jeff Kussow explained the report. Mr. Kussow stated that they did not receive a Certified Mailing receipt indicating the recipient accepted the mail for the failing Petro-mart wall. Attorney Kevin Terry stated that the notice may need to be personally served by a process server. Attorney Kevin Terry explained the contents of the enforcement letter.

Streets/Parks Superintendent – Streets/Parks Superintendent Scott Turner provided a detailed written report and explained. Scott Turner discussed the current road project on Azalea Rd. and the Wintergreen/Foxglove project.

Clerk -Treasurer – A detailed written report was provided in the agenda packet by Clerk/Treasurer Connie Beyersdorff.

Code Enforcement Officer – None

Park Commission – Scott Turner stated that the 5 year Outdoor Recreation Plan was discussed at the October 14, 2014 meeting, which will be presented to the Town Board for final approval.

Al Opall stated that he spoke with the Sulzers which are the owners of the unfinished house on Tulip Lane. He stated that they wanted to make an appointment to discuss possibly parking a camper on the driveway for living while the contractor finishes the basement of the house for living area. He stated that he and Town staff have not heard from the Sulzers since. The Town Board questioned and commented on finishing the project and previous enforcement actions.

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Finance & Personnel Committee – Gaylene Rhoden stated items discussed at the October 21, 2014 meeting were TPA, organizational chart, performance review policy, and ambulance billing and past write-offs.

Public Safety Committee – Pete Kachel explained that the humane society contract was discussed at the last meeting.

Public Works Committee – Fred Schaefer explained that the Public Works Committee met and discussed the AECOM contract and vacation of Mountainberry Court.

Walkable Community Committee – Gaylene Rhoden stated that Bob Henning will be resigning from the Walkable Community Committee and that there has been interest expressed in the opening. Gaylene questioned if the Board wanted this item on the Town Board Agenda since there will not be a Public Safety Committee meeting for a while. The Board’s consensus was to place the appointment on the Town Board agenda.

Consider motion to adjourn into closed session pursuant to Wisconsin State Statute §19.85(1) (c) for the purpose of considering the employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility, specifically related to the employment of the Building Inspector/ Zoning Administrator and wage/ compensation for Operator 2 position. Motion by Kachel/Schaefer to adjourn into closed session at 7:07 p.m. pursuant to Wisconsin State Statute §19.85(1) (c). Questioned and carried 3:0.

Attendees in closed session included Chairman Opall, Supervisors Schaefer and Kachel, Administrator Rhoden, Attorney Kevin Terry and * Superintendent Turner.

Board members reviewed the employment contract for the Building/Zoning Administrator for working 80% time. The only change in the contract since the last discussion was the commencement date move to November 1, 2014. **Motion by Kachel/Schaefer to move forward with presented agreement with no earlier effective date than November 1, 2014. Questioned and carried 3:0.**

* *Turner entered closed session.* Discussion took place regarding the Operator 2 position held by Derek Wilichowski. Previous practice was to adjust the wage after twelve months. With the release of the Springsted study, there was question whether the adjustment would occur since Operators were group together. Current wage falls within recommended pay scale. **Motion by Schaefer/Kachel to adjust Mr. Wilichowski’s wage from \$18.82 to \$20.91 on his anniversary date next month with no merit adjustments occurring in 2015 and exclusion from the merit pay matrix. Questioned and carried 3:0.**

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Consider motion to convene back into open session pursuant to 19.85(2) of the Wisconsin State Statutes. **Motion by Kachel/Schaefer to convene back into open session at 7:25 p.m. pursuant to 19.85(2) of the Wisconsin State Statutes. Questioned and carried 3:0.**

Consider approval of any action taken in closed session – **Motion by Kachel/Schaefer to approve the actions taken in closed session. Questioned and carried 3:0.**

General Comments – None

Adjourn – **Motion by Kachel/Legner to adjourn at 7:30 p.m. Questioned and carried 3:0.**

Jeff Kussow
Assistant Zoning Administrator/Building Inspector

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