

**TOWN OF RIB MOUNTAIN**  
**Public Works Committee**  
**February 23, 2016**

Chairman Fred Schaefer called the meeting of the Public Works Committee to order at 5:00 p.m. at the Town of Rib Mountain Municipal Center, 3700 North Mountain Road. Present were Fred Schaefer Supervisors Pete Kachel and Chairman Opall. Supervisor Gerry Klein was excused

Also present were Supervisor Jim Legner, Town Administrator Gaylene Rhoden, Streets/Parks Superintendent Scott Turner, Director of Community Development Steve Kunst, Attorney Kevin Terry and Mike Heyroth from the Rib Mountain Sanitary District.

Resident attendees included: Gary Senner (4002 North Lakeshore), Charlie Allen (3911 North Lakeshore), Tom Bosman (3909 North Lakeshore), Ron Allen (3903 North Lakeshore), Warner Pope (3907 North Lakeshore), Ken Kobart (3901 North Lakeshore), Joseph Kobart (3901 North Lakeshore), Gary Zimbric (4011 North Lakeshore), Scott Pagenkopf (4104 North Lakeshore), Don Junion (4005 North Lakeshore), Dale Waraska (4007 North Lakeshore) and Ken Dvorak (4003 North Lakeshore).

**Approval of Minutes from November 17, 2015 – Motion by Kachel/Opal to approve the minutes of November 17, 2015 Public Works meeting. Questioned and carried 3:0.**

Discussion on North Lakeshore Drive Floodplain– Committee Chair Schaefer informed the attendees that Superintendent Turner would present some information and then we would open up the meeting for discussion.

Scott Turner began a presentation on the history of North Lakeshore. In 2012 Marathon County and the Department of Natural Resources began to review the area. Lidar data was used. The revised maps were adopted by Marathon County in 2014, which resulted in areas being moved from flood fringe to floodway. This change now limits the ability to issue building permits to those property owners whose property is in the floodway. Also, North Lakeshore Drive no longer provides residences with dry-land access as the road was found to be in the floodway.

Scott Turner further explained the need to conduct a floodway encroachment study before any road project could be completed. The study would show the effective areas where the flood fringe and floodway would be. Another encroachment study would be finished to determine what impact raising the road would have on the area.

Resident Scott Pagenkopf referenced Wisconsin Act 55 and the elimination of restrictions by county and municipal governments for shoreland zoning areas. He also referenced NR 117 and his conversations with Department of Natural Resources Secretary Cathy Stepp. He discussed the permitted uses under NR 117.

It was asked whether it really makes sense to raise the road if this does not help the homeowner. Will homeowners be able to rebuild if dry-land access is established with North Lakeshore Drive? Who will pay for the road? Last time the road was raised, Zimbrics paid for a portion of the costs.

There was a brief discussion on the impact of emergency services. Because there has not been any flooding, emergency equipment can reach this area without problems. The sheriff's department and Fire/EMS services have signed off previously that they can serve the area. This acknowledgement was signed prior to the new maps.

With the review of the cover memo from Superintendent Turner, the concerns of the lift station location were addressed. Sanitary District Director, Mike Heyroth, confirmed that the lift station is in compliance.

A few residents mentioned an exemption possibility. This was discussed at a Marathon County public meeting. Attorney Kevin Terry would look into the exemption for homeowners.

Committee Chair Schaefer expressed concern about the money involved with the study and improvement costs for the road. He stated that other residents outside of this area may question the Town Board about spending a large amount on this project. He also said that Gary Zimbric paid for a portion of the road last time. The Town may be turning to residents to pay for the road through special assessments. The Town staff would look into grant funding to help offset any costs.

Resident Gary Senner did not agree with the methodology for mapping the roads. He has a study available that he can share with the Town showing his property in the flood fringe. He also encouraged the Town to seek incorporation in order to avoid County jurisdiction.

The Committee discussed the height of the road needed. It was noted that Zimbric's property was built three feet above. With the position of the manholes, the road may need to be raised fifteen inches.

Somebody brought up the lack of mowing done on a property on North Lakeshore Drive. These matters require a complaint filed to the Code Enforcement Office.

Mr. Don Junion expressed concern over the lack of response from the Town Assessor regarding the value of his property. Mr. Junion would need to work with the Assessor and would have an opportunity to object his assessment through the Board of Review process.

The Committee discussed the next steps and what needs to be answered. The following was identified:

1. Town needs to determine whether an encroachment study is needed.
2. Is dryland access needed for emergency services or do current conditions suffice?
3. Once we know the answer to this, what study needs to be done next? Staff needs to find what, if any, grants are available.
4. If the road is raised and defined as dryland access, what does that do for the homeowner/property owner?
5. Attorney Kevin Terry needs to review the "exemption" that was mentioned.
6. If the road is raised, what will happen to the garages? This would be the homeowners' concern.

Supervisor Legner asked if the road is raised, would this not mean it might make the road wider. If it would be wider, would this require the purchase of road right-of-way? Scott Turner said this might happen but we can work through easements. The current road is 22'.

Scott Turner stated the process of raising the road is complex and involves a series of steps.

Chairman Opall reminded the residents that government moves slowly and this might take time.

The next step is to research the issues mentioned tonight and bring a report back to a Public Works Committee.

**Adjourn - Motion by Kachel/Opall to adjourn at 6:11 p.m. Questioned and carried 3:0.**

Respectively Submitted,  
Gaylene S. Rhoden, Administrator

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