

TOWN OF RIB MOUNTAIN
Regular Town Board Meeting
January 15, 2013

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 Pete Kachel, Fred Schaefer and John Sybeldon, a quorum. Excused: Supervisor Jim Legner.

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

On January 11, 2013 copies of the meeting notice were made available to the media, Town Board, Town Attorney and posted at the Rib Mountain Municipal Center.

Supervisor Pete Kachel led the Pledge of Allegiance.

Minutes: **Motion by Schaefer/Sybeldon to approve the minutes of the 12/18/12 regular Town Board meeting. Questioned and carried 4:0.**

Approval to Participate in Discover Wisconsin – Darien Schaefer of the Wausau / Central Wisconsin Convention Visitors Bureau made a presentation to the Town Board. Discover Wisconsin would like to feature the Town of Rib Mountain in one segment. The cost of a 4-5 minute segment is \$6,500. Darien noted that Discover Wisconsin could film other aspects of the community for Town promotion of its recreational opportunities and quality of life in other marketing venues. **Motion by Kachel/Sybeldon to approve the Town’s participation in the Discover Wisconsin program with the \$6,500 cost to come from the Tourism Fund. Questioned and carried 4:0.**

Plan Commission Report & Recommendations –

Docket #12-29: Merle & Rachael Farkas requesting conditional use approval to allow for keeping of horses (and fencing containment) as a function of “animal husbandry” per RMMC 17.035(2)(d)2.c at 2503 Foxglove Road. The Plan Commission recommended approval to allow keeping horses with a maximum of five permanent horses and subject to working with Staff to determine the fencing materials that will be used in order to be compliant with the Rib Mountain fencing code. Inspector Dziadosz noted the request is for an eight acre parcel with five of them to be fenced. **Motion by Schaefer/Sybeldon to approve the recommendation of the Plan Commission to allow keeping horses as a function of “animal husbandry” per RMMC 17.035(2) (d) 2.c. Questioned and carried 4:0.**

Docket 13-01: Town of Rib Mountain requesting a modification of the Town of Rib Mountain Zoning Code relating to “Detached Energy Systems”, specifically modifying RMMC 17.056(8)(x) – Outdoor Wood Burning Unit (OWU) to include requirements for windmill structures, poles & towers, and permanently placed generators or similar energy producing devices. The Plan Commission recommended approval of adoption of this recommended zoning text amendment as proposed. Inspector Dziadosz commented many people are now considering permanently installed generators with transfer switches. **Motion by Schaefer/Sybeldon to approve the adoption of the zoning amendment as recommended by the Plan Commission. Questioned and carried 4:0.**

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Schedule Meeting for Joint Plan Commission and Town Board: Chairman Opall scheduled a special Town Board meeting for 5:30 p.m. on Tuesday, February 19, 2013, to meet with the Rib Mountain Plan Commissioners.

Approval of Contract for Animal Control Officer – Administrator Rhoden reviewed the proposed agreement drafted by Attorney Terry for animal control services with Mr. James Behrendt. An article will be placed in the next Town Beat newsletter to apprise residents of the protocol for dog complaints. **Motion by Kachel/Schaefer to approve the agreement with Mr. Jim Behrendt for animal control services. Questioned and carried 4:0.**

New Hires – Administrator Rhoden and Clerk-Treasurer Jahns recommended hiring Kelly Stegmann as the replacement Office Assistant effective January 17, 2013 at the hourly rate of \$11.86 subject to a satisfactory pre-employment physical and criminal background check. **Motion by Schaefer/Sybeldon to approve hiring Kelly Stegmann as the replacement Office Assistant effective January 17, 2013 at the hourly rate of \$11.86 subject to satisfactory pre-employment physical and criminal background check. Questioned and carried 4:0.**

Administrator Rhoden and Code Enforcement Officer Hursh recommended hiring Nancy Stokes and Richard Zabawa as Crossing Guards at the hourly rate of \$10.79. **Motion by Kachel/Schaefer to approve hiring Nancy Stokes and Richard Zabawa as Crossing Guards at the rate of \$10.79/hour. Questioned and carried 4:0.**

Subordination of CDBG Loan File #305 - Protocol for subordination of a Community Development Block Grant Loan requires Town Board action. **Motion by Schaefer/Kachel to approve the subordination of Community Development Block Grant Loan #305 to Advantage Community Bank. Questioned and carried 4:0.**

Resolution 13-01: One Time Expenses Paid from General Fund Balance – Budget discussions included paying for one-time expenses from the General Fund balance vs. the operating budget. **Motion by Kachel/Schaefer to adopt Resolution 13-01 approving the expenditure of \$52,735 for one-time expenses listed in the resolution from the General Fund balance. Questioned and carried 4:0.**

Operator License Applications – Attorney Kevin Terry commented on the background checks of the operator license applicants and recommended approval of Michael W. Spencer and Christopher J. Walkoe. **Motion by Schaefer/Sybeldon to approve operator licenses for Michael W. Spencer and Christopher J. Walkoe. Questioned and carried 4:0.**

Discussion of Refuse Hauler Contract – Administrator Rhoden apprised the Board that Veolia Environmental sold its North America Solid Waste services to ADS Waste Holdings of Florida. Veolia Manger Todd Mitchell indicated nothing will change with the Town's contract for refuse/recycling services and he will remain the local contact person. Attorney Terry commented this is an opportunity for the Town to seek

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competitive bids if it desires to contract for these services elsewhere. However, if the Town is satisfied with its current contract, no action is required other than a letter to confirm the transfer and expectation to continue to perform.

Payment of Bills and Approval of Journal Entries and Transfers – Motion by Schaefer/Sybeldon to approve payment of general checks 40738 through 40959 and Journal Entries 12-138 through 12-149. Questioned and carried 4:0.

Reports

Town Board – Supervisor Schaefer complained that crushed refuse is being left on the road and requested this be reported to Public Works. He inquired about the Plan Commission’s proactive zoning along Rib Mountain Drive, specifically houses located with a navigable stream on the property located near the intersection of Oriole Lane and Rib Mountain Drive. Inspector Dziadosz commented on the habitable condition of the structure at 3205 Rib Mountain Drive. He was directed to send a certified letter to the owner requesting a formal inspection of the property and a response within 30 days.

Administrator Rhoden provided a written report. She reported she won an I-pad while attending a presentation and requested the Clerk now receive one along with the Town Board members for conversion of packets.

Fire Chief Paul Wirth provided a written report that included a brief comparison of 2011 and 2012 fire and EMS calls.

Building Inspector Dan Dziadosz provided a written report on monthly permit activity. It included his end of year permit report, consideration of a raze order for the house at 1602 Tulip Lane, completion of the energy management policy for the Focus on Energy Grant and attendance at a Marathon County Conservation, Planning and Zoning Committee with the Department of Natural Resources to discuss navigable streams and shore land zoning within the Town of Rib Mountain.

Inspector Dziadosz explained the permit for the house at 1602 Tulip Lane expired December 29, 2012 and he is considering a raze order. The raze order would be appealable to the Zoning Board of Appeals and the Town would still have to go to court to enforce the order. Inspector Dziadosz added the Town could provide notice of the permit’s expiration and raze order or start fining the owner for non-compliance.

Attorney Terry commented the goal is to get progress on the Tulip Lane property and recommended the Town exhaust every opportunity for compliance before issuing of a raze order. While issuance of a raze order is close, the owner should be given 30 days to submit a plan. Upon satisfactory submittal of a plan the owner could be issued a conditional permit that could be granted for less than two years. However, if no plan is submitted in 30 days, then the Town should issue a raze order.

Inspector Dziadosz was directed to send a letter to the owner with a copy to the mortgage lender and be given a 30 day response notice.

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Streets/Parks Superintendent Scott Turner reported on town roads and crew activities. The new one-ton pickup truck will be delivered in February. He will be reviewing Doepke Park costs and funding of expenses.

Clerk -Treasurer Patricia Jahns provided a written report. She noted the Town's work comp rating dropped to 1.03 and only incumbents filed nomination papers for the upcoming Town spring election.

Committee / Commission Reports

The Park Commission met and discussed the winter fisheree at Rookery Park on February 10, the winter recreation job descriptions and the winter program.

Public Comment Period – none

Adjourn – Motion by Kachel/Sybeldon to adjourn at 7:30 p.m. Questioned and carried 4:0.

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