

TOWN OF RIB MOUNTAIN
Regular Town Board Meeting
August 19, 2014

Chairman Al Opall called the meeting of the Rib Mountain Town Board to order at 6:35 p.m. at the Rib Mountain Municipal Center, 3700 North Mountain Road. Present were Supervisors Fred Schaefer, Gerry Klein and Pete Kachel and Jim Legner a quorum.

The Pledge of Allegiance was cited by Pete Kachel.

Also present were Town Attorney Kevin Terry, Administrator Gaylene Rhoden, Assistant Zoning Administrator Jeff Kussow, Streets/Parks Superintendent Scott Turner, SAFER Deputy Fire Chief Steve Mielahn and Clerk/Treasurer Connie Beyersdorff and one Town resident.

On August 15, 2014 copies of the 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 8/5/14 regular Town Board Meeting –
Motion by Schaefer/ Kachel to approve the minutes of the 8/5/14 regular Town Board meeting. Questioned and carried 5:0.

Approve Minutes of the 8/5/2014 Special Town Board Meeting - Springsted Compensation Study Presentation – **Motion by Schaefer/ Kachel to approve the minutes of the 8/5/14 Special Town Board meeting for Springsted Presentation. Questioned and carried 5:0.**

Review of DRAFT Minutes of August 13, 2014 – No comments

Approval of Custom Classic Homes, LLC Certified Survey Map, 6304 Magnolia Avenue – Assistant Zoning Administrator Jeff Kussow discussed that Custom Classic Homes LLC has submitted a revised Certified Survey Map for Plan Commission approval for a minor subdivision of two lots on Magnolia Avenue into four lots. A storm water management plan has been submitted to the Town and approved by the Street/Parks Superintendent Scott Turner. The agreement outlines items discussed by staff and developer regarding construction and maintenance by the Town of the storm water management facilities. This agreement is similar to the agreement made between Trim Crafters and Town for the minor subdivision on Magnolia Avenue. **Motion by Schaefer/ Legner to approve the Developers Agreement with Custom Classic Homes, LLC. Questioned and carried 5:0.**

Approval of Resolution #14-06 Acceptance of Right-of-Way for Roets Development Project– Assistant Zoning Administrator Jeff Kussow discussed that the Marathon County rejected the previous Roets (d.b.a. Custom Classic Homes, LLC) certified survey map, because of its failure to meet a 5 to 1 length to width ratio. After consideration of

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alternatives, the developer suggested dedicating enough space to account for the ratio, and grant the town the right-of-way area which will be in part used for the storm water management areas of the lots. Marathon County is requesting approval from the Town Board to accept the right-of-way by resolution. The resolution was reviewed and recommended by the Plan Commission. **Motion by Schaefer/ Kachel to approve the recommendation of the Plan Commission approving the Custom Classic Homes, LLC certified survey map including accepting the right-of-way. Questioned and carried 5:0.**

Approval of Developers Agreement for Roets Development – Assistant Zoning Administrator Jeff Kussow discussed that with consideration of alternatives, the developer would grant the town the right-of-way area which will be partly used for the storm water management areas of the lots. The acceptance of the developers’ agreement specifying the terms of development and how the storm water will be managed is needed to continue construction. Attorney approved with minor changes. **Motion by Schaefer/ Kachel to approve the resolution #14-06 for acceptance of Right-of-Way for Roets Development Project subject to attorney approval. Questioned and carried 5:0.**

Approval of Resolution #14-07 Acceptance of Right-of-Way for Bio-Life Development Project – Assistant Zoning Administrator Jeff Kussow indicated that Marathon County requires the Bio-Life certified survey map dedicates the right-of-way to be officially accepted by the Town. The Plan Commission recommended the site plan and certified survey map approval. **Motion by Schaefer/ Legner to approve accepting the revised certified survey map and Resolution #14-07 for acceptance of Right-of-Way for Bio-Life Development Project. Questioned and carried 5:0.**

Approval to Enter into Contract for Refuse/ Recycling beginning January 1, 2015 – Administrator Gaylene Rhoden provided a copy of the breakdown of proposals for the refuse/recycling services. The staff was requested to send out a request for Proposals this past July. The Town’s current contract with Advanced Disposal will expire December 31, 2014. Three proposals were received from Advanced Disposal, Harter’s and Waste Management. The Public Works Committee met on August 18, 2014 to review and discuss the proposals. The committee requested that Staff receive more information in regards to the landfill in Cranberry Creek and if the Marathon County Landfill would give the Town a better discount on the tipping fees. Supervisor Schaefer discussed that the committee would like to keep the 45 and 90 gallon container options. The recycling container will have a different colored lid. The disposal of oil is a separate piece of the proposal as it is a scheduled event as the trucks cannot hold the oil on a regular scheduled pickup. The scheduled pickup times will remain the same.

Meleesa Johnson from the Marathon County Landfill was in attendance. The Town currently receives \$1800 in grant funds for being in the agreement with the Marathon

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County Landfill. The funds are used towards education and scholarships. Meleesa indicated that the DNR has cut back on the funding for the recycling program. This money can be used towards education in recycling. The money comes from the tipping fees that are charged at the Landfills. Having staff answer the questions from our town eliminates the calls to the municipal center. Supervisor Schaefer would like the phone number for the Marathon County Landfill to be added to the Town website.

Meleesa Johnson indicated that the medicated drop box program was created by Marathon County Landfill and they work with police and the health department to protect community. The sand and dirt from street sweeping is managed properly with this program and reused on public works projects. The tipping fees are invested back into the communities that use the service of the Marathon County Landfill for community programs. The tipping fees are preferred rates and will be increasing to \$43 a ton for 2015. No other municipality pays a lower tipping fee. The earnings are invested back into the community. Supervisor Schaefer is concerned about the liability issues that could arise with Cranberry Creek Landfill. If something happens to the groundwater, the contributors to the landfill will be liable. Marathon County Landfill is a stable facility and will never go away. Supervisor Klein questioned Advanced Disposal if there are any issues with the Town. The only concern is residents not recycling and the overflow of garbage spilling over on the roads. Advanced Disposal commented that it is difficult to regulate and some will have to have a second cart based on the overflow of garbage and recycling. There is a charge for a second cart. It is difficult to tag the individuals that are abusing the system. The Town would like to be notified of any of these incidences. Advanced Disposal representative Todd Mitchell indicated that they proposed the Cranberry Creek Landfill as just another rate if using the site. Todd mentioned that Marathon County landfill is a great facility to use.

Motion by Klein/Schaefer to enter into contract for refuse/recycling services for single stream recycling with container sizes of 45/90 gallons with Advanced Disposal using Marathon County landfill beginning January 1, 2015 based on proposals submitted. Questioned and carried 5:0.

Approval of Revised Sick Leave Policy – Administrator Gaylene Rhoden provided a revised sick leave policy, section 350 in the Personnel Manual for review. The changes have been discussed over several meetings in the last few months with the Finance and Personnel Committee. The most notable change to the policy includes the elimination of payout of sick leave at retirement. Employees who were hired prior to January 1, 2015 will be allowed to freeze one half of their sick leave balance at their 2014 wages. The beginning balance will be carried over to 2015. The balances will be kept on record and will ONLY be paid when an employee retires or dies while employed with the Town. If the employee terminates their employment with Rib Mountain in any other manner, the sick leave balances will be forfeited. Other changes include the addition of a “donation” account that will allow other employees to give vacation time to assist the employee in need of paid time off. All references to Fire/EMS have been removed from the policy. Attorney Terry requested an effective date and to notify all employees of

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when this change will take effect. Supervisor Klein is opposed to the revised policy and would like to leave the policy as is or go to a PTO policy. **Motion by Legner/Schaefer to approve the attached changes to Section 350 Sick Leave Policy of the Personnel Manual effective January 1, 2015. Questioned and carried 4:1.**

Approval of Revised Vacation Policy - Administrator Gaylene Rhoden provided a revised vacation policy, Section 360 in the Personnel Manual. The changes have been discussed over several meetings in the last few months with the Finance and Personnel Committee. The most notable change to the policy is shifting to an accrual basis instead of vacation given upfront. The policy would become effective January 1m 2015. The amount of vacation received does not change. Employees will still receive the equal amount of vacation based on years of service. The change is that employees could lose vacation time if they max out and do not use it. Other changes are the reference to Fire/EMS has been removed. The definition of termination has been revised as follows: "Upon retirement or resignation in good standing from the Town of Rib Mountain, regular full-time employees shall be paid for all accrued but unused vacation. Employees must work the last day before their official resignation/termination from the Town in order to receive vacation accrual. The last working day is defined as the last day an employee is physically on the job". The vacation rollover will be an exception this year due to the accrual process starting January 1, 2015. The Attorney reviewed the draft and indicated that it may be hard to implement this uniformly if someone is unable to work the last day. Attorney approved the policy as drafted. **Motion by Schaefer/ Klein to approve the attached changes to Section 360 Vacation Policy of the Personnel Manual effective January 1, 2015. Questioned and carried 5:0.**

Approval of Operator License - Attorney Kevin Terry commented on the background checks of the operator license applications noting that nothing in their background checks precludes issuance of operator license for Tara Crotteau, Jason Heyne, Shirley Kastner and Dawn Miller. **Motion by Schaefer/ Legner to approve the above operator licenses. Questioned and carried. 5:0.**

Payment of Bills and Approval of Journal Entries - Supervisor Schaefer commented that the Board and Staff will need to watch the expenditures as we are in the second half of the year for the budget. The municipal building budget is over budget due to the work that was performed by the Public Works employees on the roof project, concrete and stripping work that was not budgeted for. Supervisor Klein would like the amount of overtime that the employees are working reflected on the next months report. **Motion by Kachel/ Legner to approve payment of general checks #43316 through #43430 and Journal Entries #14-0069, #14-0080 through #14-0099. Questioned and carried 5:0.**

Reports

Town Board - Chairman Al Opall discussed a new appointment for the Plan Commission. He would like to welcome Harlan Hebbe Jr. to the Plan Commission.

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Motion by Kachel/Legner to approve hiring Harlan Hebbe Jr. as a member of the Plan Commission. Questioned and carried 5:0.

Supervisor Legner questioned when the new trail will be constructed. Streets/Parks Superintendent Scott Turner commented that the construction of the trail will begin this fall.

SAFER District – Fire Chief Paul Wirth provided a detailed written report. SAFER Deputy Fire Chief Steve Mielahn reported that the tragic accident on Hwy 52 this past week involved the assistance of the SAFER District Fire Department. The accident was 19 miles from station 1 and 25 miles from station 2. Within 6 minutes the first critical patient was airlifted to Marshfield and all other patients were transported from scene within 1 hour. The Department did an excellent job.

Sanitary District – Mike Heyroth has indicated that all the fire hydrants in the designated district area are painted red. This was a 5 year goal and competed internally due to cost of hiring out. The District is working on the water valves and sewer jetting and making an effort to get the valves logged into GIS. In the process of working on the budget for 2015 which is all being transferred to the accounting software under workhorse. Currently working on repairing manholes with Public Works department to be completed before the start of school. There have been a lot of complaints regarding residents having sediment in their water and looking for treatment. Department is looking at ways to have better quality water. Updating ordinances such as private well programs – language and code references updated.

Town Attorney- Kevin Terry reviewed the conditional use permit issued to State Park Speed way. The Town will need to monitor the night of unsanctioned events. The Town does not have any current restrictions on the track. In 2010 it is indicated that they are not exceed 20 events per year. This does not give the Town enough leverage to have them stop the additional practice trial times during the week. It is requested that the Town engage in conversation with the owner of the track and discuss the usage of facility on non- event evenings. Inform the owner that the Town will be enforcing the ordinance and issuing citations if needed in regards to the noise ordinance and violation of the permit. State Park Speedway can request to come back to Town Board to renegotiate the conditional use permit. All complaints should be monitored and documented.

Town Administrator - Provided a detailed written report. There has been an outbreak of Oak Wilt that has spread into the state park from a private property. The Town has been asked to discuss this issue with the resident as these trees will be need to disposed of to prevent any further spreading. The Board members are invited to attend an end of summer potluck at the Town Municipal Center on August 26, 2014 at Noon.

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Zoning Administrator/Building Inspector - Provided a detailed written report.

Streets/Parks Superintendent - Provided a detailed written report.

Clerk -Treasurer - Provided a detailed written report.

Code Enforcement Officer - None

Park Commission - A meeting on held on Tuesday August 12, 2014. Currently working on the 5 year recreation and active use plan.

Finance & Personnel Committee - A closed session meeting is scheduled for September 2, 2014 following the Town Board meeting. The meeting is for discussion on future hours of the Zoning/Building Inspector. The review of Administrator goals will be on the agenda for the next scheduled meeting.

Public Safety Committee - A meeting is scheduled for September 2, 2014.

Public Works Committee - A meeting was held on Monday August 18, 2014. The committee discussed the refuse and recycling contract.

Walkable Community Committee - A meeting is scheduled for Thursday April 21, 2014.

General Comments - None

Adjourn - **Motion by Kachel/ Legner to adjourn at 8:08 p.m. Questioned and carried 5:0.**

Connie Beyersdorff
Clerk/ Treasurer