

TOWN OF RIB MOUNTAIN  
***Regular Town Board Meeting***  
***November 18, 2014***

Chairman Allen Opall called the November 18, 2014 regular meeting of the Rib Mountain Town Board to order at 6:31 p.m. at the Rib Mountain Municipal Center, 3700 North Mountain Road, Wausau, WI. Supervisors present were Fred Schaefer, Jim Legner, Peter Kachel and Gerry Klein; a quorum.

Also present were Town Attorney Kevin Terry, Administrator Gaylene Rhoden, Building Inspector/Zoning Administrator Dan Dziadosz, Assistant Zoning Administrator/Building Inspector Jeff Kussow, Streets/Parks Superintendent Scott Turner, SAFER District Fire Chief Steve Meilahn, SAFER District Deputy Fire Chief Matt Savage and Rib Mountain Sanitary District Utility Director Mike Heyroth.

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

Approve Minutes of 10/21/14 Regular Town Board Meeting & 10/28/14 Special Town Board Meeting – **Motion by Schaefer/Legner to approve the minutes of the 10/21/14 Regular Town Board meeting & 10/28/14 Special Town Board Meeting. Questioned and carried 5:0.**

Plan Commission Report & Recommendations

Plan Commission DRAFT Minutes of November 12, 2014 (Review Purposes Only) – Supervisor Schaefer questioned the Plan Commission agenda item regarding the “U-Haul” business on North Mountain Rd. Dan Dziadosz stated that staff will be preparing a list of questions for the attorney at Plan Commission’s direction. Mr. Dziadosz and Supervisor Schaefer discussed the nonconforming use and various options.

Town of Rib Mountain requesting Zoning Text Amendments of the following Rib Mountain Municipal Code (RMMC) Sections: 17.056(3)(a) – Passive Outdoor Public Recreational, 17.056(3)(b) – Active Outdoor Public Recreational and 17.024 – Definitions; And to create the new RMMC Section 17.056(3)(c) – Active Outdoor Public Recreational, High Intensity; to update the Municipal Code regarding outdoor public recreational land uses within the Town; PC Docket #2014-04 – Supervisor Schaefer reviewed *Sections 17.024 - Definitions and 17.056(3)(a) – Passive Outdoor Public Recreational* and saw now major issues. Supervisor Schaefer asked staff to explain *Section 17.056(3)(b) – Active Outdoor Public Recreational, Low Intensity*. Jeff Kussow explained the conditional use regulation regarding the maximum percentage of area that can be used for active recreational uses. Supervisor Schaefer questioned and commented on the other regulations, and Mr. Kussow explained. Supervisor Schaefer stated that his only issue was with the minimum 10 acre park area requirement for dog/animal parks. Supervisor Klein questioned why Plan Commission wanted the minimum 10 acre regulation. Mr. Kussow explained it was included to prevent dog/animal parks in small neighborhood parks and public nuisances. The Board questioned and commented on the dog/animal park minimum acreage requirement. Mr. Kussow explained *Section 17.056(3)(c) – Active Outdoor Public Recreational, High Intensity*. The Board questioned and commented on the ordinance modifications, specifically the dog/animal park conditional use regulation. Supervisor Legner stated that he feels a dog/animal park does not need to be located in a minimum 10 acre park. Dan Dziadosz stated that Plan

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Commission discussed the issue extensively and felt the 10 acre minimum was needed. The Board questioned and commented. – **Motion by Klein/Legner to send the Zoning Text Amendments back to the Plan Commission for public hearing and modify the conditional use regulations 17.056(3)(b)f. & 17.056(3)(c)e. regarding the minimum 10 acre park size for dog/animal parks. Questioned with Klein and Legner voting yay; Opall and Kachel voting nay; and Schaefer abstained. Motion failed 2-2-1.**

**Motion by Opall/Kachel to approve the Zoning Text Amendments as proposed. Questioned with Opall and Kachel voting yay; Klein and Legner voting nay; and Schaefer abstained. Motion failed 2-2-1.**

Amendment to Resolution 14-08 Acceptance of Right-Of-Way for Wintergreen Road Project – Scott Turner explained that there was an error in the approved resolution regarding the address. – **Motion by Schaefer/Klein to approve the Resolution 14-08 Acceptance of Right-Of-Way for Wintergreen Road Project amendment. Questioned and carried 5:0.**

Resolution 14-10 Renewal of Marathon County Stormwater Memorandum of Agreement – Scott Turner explained that the Town, Cities, & Villages had an agreement that expired in March 2013 and are seeking to renew the agreement. Mr. Turner explained the agreement. – **Motion by Kachel/Legner to approve Resolution 14-10 renewal of Marathon County Stormwater Memorandum of Agreement. Questioned and carried 5:0.**

Recommend & Possible Approval of Adoption of Performance Evaluation Policy – Section 170 – Gaylene Rhoden explained the recommendation by the Finance & Personnel Committee for the Performance Evaluation Policy. Ms. Rhoden explained that the policy was review by the Town Attorney, and reviewed and approved by the Finance & Personnel Committee. – **Motion by Schaefer/Legner to approve the adoption of Performance Evaluation Policy – Section 170. Questioned and carried 5:0.**

Recommend & Possible Approval of Revised Organizational Chart – Gaylene Rhoden explained the revised organizational chart. She explained the major changes were the elimination of the Fire & EMS department and title change of “Lead Man” to “Foreman”. Supervisor Kachel questioned if more changes will be needed as a result of the 11/18/14 Special Town Board Meeting discussions. Ms. Rhoden stated that changes may need to be made. Supervisor Schaefer suggested tabling the agenda item. The Board questioned and commented. **No action taken.**

Approval of Rib Mountain Pedestrian and Bicycle Safety Committee members – Chairman Opall stated that the two new members to submit for the Rib Mountain Bicycle & Pedestrian Committee are Brad Conklin and Curt Deininger. He stated that the new members will be replacing Bob Henning and Gerry Klein. – **Motion by Schaefer/Legner to approve the appointments of Brad Conklin and Curt Deininger as members of the Bicycle & Pedestrian Committee, subject to background checks. Questioned and carried 5:0.**

Approval of Town of Rib Mountain FY 2015 Budget/Capital Plan – Gaylene Rhoden explained the levy, general debt, total levy and total highway budget that was discussed at the Fiscal Year 2015 Budget public hearing. She explained the tax rate at \$3.33 and the 5 year capital plan. The

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Board questioned and commented. – **Motion by Legner/Kachel to approve the Town of Rib Mountain FY 2015 Budget/Capital Plan. Questioned and carried 5:0.**

Approval of SAFER FY 2015 Budget – Gaylene Rhoden explained the 2015 SAFER budget which has been discussed and presented. The Board questioned and commented. Steve Meilahn explained modifications and capital equipment. – **Motion by Kachel/Schaefer to approve the SAFER FY 2015 Budget with Capital Equipment. Questioned and carried 5:0.**

Approval of Operator License – Attorney Kevin Terry stated that there were three applicants and none of the applicants had criminal activity that would prohibit approval. The Board questioned and commented. **Motion by Legner/Kachel to approve the Operator Licenses for Melissa S. Butler, Eddie J. Jones and Jade D. Luckman. Questioned and carried 5:0.**

Reports

Town Board – Supervisor Schaefer commented on snow plowing and shoveling; Supervisor Klein thanked Jeff Kussow for his service to the Town. Chairman Opall questioned the policy for picking up stray cats. Gaylene Rhoden explained the Animal Control Officer.

Other Agencies –

Rib Mountain Sanitary District – Mike Heyroth explained snow plows hitting valves and manholes, and how the issue is being addressed. He explained the water use of the ski hill for snow production. The Board questioned and commented. Mr. Heyroth explained the Rib Mountain Sanitary District budget with the levy and rates staying the same. He explained that the reservoir tank on Tulip Lane was cleaned. He explained that the Sanitary District is working with a company to provide solutions to fix various groundwater issues. The Board questioned and commented.

SAFER District – Steve Meilahn provided a report. Fred Schaefer questioned inter-facilities and the new Battalion Chiefs. Steve Meilahn explained.

Town Attorney – Attorney Kevin Terry explained the Petro-mart wall issue. He explained the violation notification to the property owner. He also explained the property owner's response with the State stating he is in compliance regarding the tank and the property potentially being sold. Attorney Terry explained that the tank inspector determined that the tank is not in immediate danger, but did not comment on the wall structure. Attorney Terry stated that he will work with staff to determine the course of action. The Board questioned and commented. Dan Dziadosz explained the State inspector's determination and response. Mr. Dziadosz explained concerns of the Town and the need for an engineer's determination on the wall structure. Attorney Terry explained the need to determine the next course of action to alleviate concerns. The Board questioned and commented.

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Town Administrator – Gaylene Rhoden provided a report. She explained the Town’s health insurance renewal rates. Supervisor Schaefer stated that if there is an increase next year, the staff should look into other plans.

Building Inspector – Dan Dziadosz provided a report. He stated that he is also working on getting new lighting for the front of the municipal building to provide additional lighting near the front entry. The Board questioned and commented.

Street-Parks Superintendent – Scott Turner provided a report. He explained calls from residents. He also explained a reverse eminent domain topic that was discussed at the American Public Works conference. The Board questioned and commented.

Clerk-Treasurer – None

Code Enforcement Officer – None

Park Commission – Scott Turner stated that the meeting was cancelled last week.

Finance Personnel – None

Public Safety Committee – None

Public Works Committee – None

Walkable Community Committee – None

General Comments – None

Adjourn – **Motion by Kachel/ Schaefer to adjourn at 7:34 p.m. Questioned and carried 5:0.**

Respectfully Submitted,  
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.