

## August 4, 2009 Council Minutes

The regular meeting of the Colby Common Council was called to order at 7:30 P.M. by Mayor James Schmidt. On roll call: Beisner, T Schmidt, Raatz, Schraufnagel, Hederer and Kaiser. Lange and Holtzhausen were absent. Also present were Clerk Connie Gurtner, DPW Harland Higley Jr and Engineer Mike Voss.

Agenda was posted by the clerk. The agenda will stand as the order of the meeting.

Minutes of the July 7th council meeting were pre read and reviewed. Motion was made by Schmidt, seconded by Beisner to approve as presented. Motion carried with a voice vote.

Financial Statement and Bills were discussed. Motion was made by Schmidt, seconded by Schraufnagel to pay the bills as presented plus the additional bill from the DOT. The amounts approved are as follows: General Fund \$123,761.83; DOT Hwy 13 - \$171,838.76; Water Department \$17,100.30; Sewer Department \$39,345.96; Net payroll - \$19,028.36. Motion carried with a voice vote.

Colby-Abbotsford Police Commission met on July 13th.

The commission approved minutes and expenditures.

The commission determined that the police policies should be brought to the Police Commission for approval first then take it to the attorney.

The Mayor informed the commission that they should approve agenda items for the equipment required for the new police department building at the next Colby-Abby Police Commission meeting.

Motion was made by Schraufnagel, seconded by Hederer to approve the actions and expenditures of the Police Commission for July. Motion carried with a voice vote.

City Planning Committee met on July 27th.

### Outdoor Wood Burning Ordinance:

Julie from A to Z Town & Country proposed allowing Wood burning furnaces in Commercial zoning but not within 300 feet of a residence. The committee voiced concerns about the impact this would have on residence in these areas. Also a concern was the impact it could make on other commercial properties that may develop in the future. The smoke from the furnace would not dissipate in 300 feet. Mark Peissig from Bob's Dairy suggested the use of a tower of at least 40 feet. He also said they work with wood burning furnaces in communities often and there are solutions. The committee will take some more time to consider/develop/research other possible solutions.

### Sexual Offender Residency Ordinance:

Chief Gosse was not present to discuss this. However, a new ordinance was presented to the committee to review and discuss at a later date. This will be brought up for discussion in the August council meeting. Motion was made by Beisner, seconded by Schmidt to approve the Sexual Offender Residency Ordinance as presented with the only change being amending the wording that refers to 1,500 feet be changed to 750 feet. Some members of the council thought that we should keep the wording to 1,500 feet. Roll Call Vote: Ayes ♦ Beisner, Schmidt, Kaiser. Noes ♦ Raatz, Schraufnagel, Hederer. Mayor Schmidt vote aye to break the tie. Motion carried.

### Location of Tractor Pulls & Cheese Days:

Scott Oestreich proposed moving the Tractor Pulls and Cheese Days down near the East Side ball park north of the Industrial Park. The city has 29 acres that could be utilized. The highway construction is a great opportunity to create a clay track as the biggest expense will be transporting the materials to make it. Developing this track would have some expense in concrete blocks & lighting. Parking is also becoming an issue at the current location. Developing a clay track brings potential for much larger crowds and greater profit in future years. The Chamber could also save money on insurance if they go through associations for the pulls. DPW Higley will need to contact the DNR as there are a couple wells in the facility. The committee voted to research the option of moving the Cheese Days to the city land East of the ballpark.

### Bid Solicitation Process Ordinance:

Currently, the city is required to get formal bids for anything purchased over \$10,000. The state statute requires that for any construction project over \$25,000 be bid out. Lange says it is good practice to get bids and would like to leave it as is. It was suggested that all the ♦may♦ verbiage be changed to ♦shall♦ and raise the limit to \$25,000. Motion made by Schmidt, seconded by Schraufnagel to change the verbiage in the bid solicitation process from ♦may♦ to ♦shall♦ and up the limit to \$25,000. Motion carried with a voice vote.

### Library Re-Construction Timeline:

With the increase in number of patrons for the library, it is an increasing concern that the library is too small. There was discussion of constructing an addition to the existing library or relocating it. Just an addition would cost about \$600,000 for an additional 25 feet to the south. The council also suggested some funding drives where the community contributes some of the expense to the new building. The ♦old clinic♦ building was looked at by the DPW and Library Director and could be a possibility but would need renovating. Due to the department of transportation and their plans for Hwy N west of town,

the city needs to focus funding to the Spence Street project. The council acknowledges the need to expand but does not foresee it in the near future's budget.

Motion made by Hederer, seconded by Schraufnagel that the committee contact Raasch Engineering to see the feasibility of utilizing the old clinic building as an expansion option for the Colby Library at a cost not to exceed \$1000. Motion carried with a voice vote.

#### Accessory Building Ordinance:

Currently, if a resident has no attached garage they may have 1000 square feet of additional garage space. It was proposed that the committee consider a square footage approach to allowing for garage space (ie no more than 15% or 20% of your lots square footage). It is suggested that the city take a look at what is allowed in relation to lot sizes. The committee will review and discuss options at a later date.

#### Seno Company Development/Plan Review & Developers Agreement:

Bill Seno distributed the site plan for the development of the property by Dehne Drive. His project engineers do not prefer the use of curb and gutter. The engineers and Bill have adjusted the site plan to relieve some run-off issues by eliminating square footage of hard surface. The committee approved the preliminary site plan. Bill Seno has a concern about the gravel road and its impact on marketing. In a developer's agreement he would hope to see that the city pave the road. Schmidt questioned if the surfacing of the road would be eligible for TIF and it is. Seno would pay for curb and gutter on their side of the road. All buildings of the plan would be constructed in one phase and not three separate stages. Bill stated there would be an \$18,000 PILOT payment annually (annual taxes plus the difference to meet \$18,000.00) He also described how part of the property is taxable and another is non-taxable.

#### Sale of Real Estate (110 S Division Street) to Precision Builders of Central Wisconsin:

The Old Hotel property was taken over by the city under a tax deed. For 3 years after the sale, the previous owner still has right to come back and pay the taxes and regain ownership to the property. This was first learned when the city's attorney ran the title search. The bidders had no issue with this and agreed to wait until August of 2010 to take any further action on this. The committee would like to get a purchase agreement with the bidder. The committee approved establishing a purchase agreement with Precision Builders to notify the City if they change their mind on the property before August of 2010.

#### Parks/Rec/Recycling Committee met on July 27th.

The committee looked at pictures of both the Pine Ridge and the Community Bank property for the North City sign. The electrical cost for the sign at Pine Ridge is \$1,880 and at Community Bank is \$3,255, the difference being \$1,375. Motion was made by Beisner, seconded by Schmidt to approve Pine Ridge Location for the North city sign. Motion carried with a voice vote.

The cost for electrical for the South sign would be \$945 and the North sign would be \$1,880. These costs plus and legal fees would be less than the \$3,500. Motion was Raatz, seconded by Hederer to take from the table the motion to approve ancillary implementation costs for the sign of up to \$3,500. Motion carried to remove from the table with a voice vote. Motion carried by voice vote to approve the tabled motion.

#### Water/Sewer Committee met on July 27th.

Mayor Schmidt informed the committee that an old test well is located within 6 inches to the new location of Well #13. We had to get approval from the DNR to move the location of Well #13 by about 10 feet from the old well. The well should be drilled by the end of this week. We should have sample results back by the council meeting.

Travis and Nicole Boyer asked the committee to review property on South 3rd Street owned by Gene Wilde in order to get water and sewer to that property. The committee approved getting estimates for water/sewer main and street construction for a proposed South 4th Street from Washington Street to Disposal Road.

Rural Arts Museum and Burnett Bus Garage is asking the committee to review the installation of water/sewer to their properties. Burnett Bus Garage has discussed using the Lion's lift station to get sewer service. The committee discussed the need for a larger sewer line from the lift station to 2nd Street. DPW Higley thinks that the additional flow would be beneficial to that line and the 2" line should be sufficient. It was determined that getting water and sewer to the Rural Arts Museum from 2nd Street would be the best option. This would avoid any private easements.

Mayor Schmidt: Mayor Schmidt reported on the United Communities of Clark County Meeting.

Clerk Gurtner: Clerk Gurtner read a Thank You from the family of Rozelyn Steinmetz for the purchase and donation of books for the Colby Public Library in her memory.

Harland Higley Jr: The following building permits were issued: Candi Bunkelman, 204 W North Street, re-side; Dale Raatz, 205 S 6th Street, utility shed; Greg Sterzinger, 403 E Wausau Street, re-side/new windows; Ameristar Exterior, 308 W Wausau Street, re-roof; Bill Sweda, 702 W Adams Street, utility shed; Raymond Sobeck, 305 W Broadway Street, re-roof & siding; Evelyn Haas, 208 N 2nd Street, re-roof garage; Randy Smith, 108 E Monroe Street, roof, siding, windows; Julius Gerke, 404 W Spence Street, re-roof; Rose Zuber, 301 W Dolf Street, re-roof; Gary Thalacker, 504 W Carol Street, driveway & garage floor; Lony Oestreich, 201 N 3rd Street, re-roof; Carolyn Brossow, 226 Park Street, re-roof; Mike Kaiser, 108 S 6th Street, shingles & siding; John Suwalski, 104 N 2nd Street, erect 10 x 12 utility shed; Harmony Country Co-op, 103 E Wausau Street, warehouse.

Earth Inc quoted a price to crush concrete at \$3.50/ton. This will be considered at the next committee meeting.

Engineer Mike Voss: Engineer Voss presented a project update for Well #13, the STH 13 utility project including CDBG-PF Grant Award and Safe Drinking Water Loan Program.

Operator's License: Application were received for operator's licenses for the following: Dale Elliott, 5810 Schofield Ave, Weston motion was made by Schmidt, seconded by Beisner to approve. Kathy Lindgren, N12584 Owen Ave, Owen motion was made by Kaiser, seconded by Hederer to approve. Motion carried with a voice vote.

Picnic Licenses: Application was received from the Knights of Columbus for September 13, 2009. Motion was made by Hederer, seconded by Schraufnagel to approve the licenses. Motion carried with a voice vote.

City of Colby Year 2025 Comprehensive Plan: The council held a public hearing prior to this council meeting to hear all persons regarding the adoption of the Comprehensive Plan Ordinance. Motion was made Schmidt, seconded by Schraufnagel to approve the adoption of the City of Colby Year 2025 Comprehensive Plan Ordinance as published in the August 12, 2009 issue of the Tribune Phonograph. Motion carried with a voice vote.

Committee meetings for August: Colby-Abbotsford Police Commission will meet on August 10, 2009 at 6:00 P.M. at the Colby-Abbotsford Police Department. Street/Equipment and Water/Sewer Committee will meet jointly on August 20, 2009 at 7:30 P.M. City Planning Committee will meet on August 24, 2009 at 6:00 P.M. Board of Appeals Committee will meet on August 24, 2009 at 5:30 P.M.

Adjourn: Motion was made by Hederer, seconded by Beisner to adjourn at 9:20 P.M. Motion carried with a voice vote.

Approved \_\_\_\_\_ Mayor \_\_\_\_\_  
James W Schmidt  
Attest \_\_\_\_\_  
Connie Gurtner, Clerk