

October 6, 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: Lange, Beisner, T Schmidt, Raatz, Schraufnagel, Holtzhausen, Hederer and Kaiser. 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 September 1st council meeting were pre read and reviewed. Motion was made by T Schmidt, seconded by Hederer to approve as presented. Motion carried with a voice vote. Holtzhausen abstained from voting.

Financial Statement and Bills were discussed. Motion was made by Schraufnagel, seconded by Beisner to pay the bills as presented. The amounts approved are as follows: General Fund \$151,296.50; Water Department \$39,833.36; Sewer Department \$42,644.31; Net payroll - \$26,326.91. Motion carried with a voice vote.

Parks/Rec/Recycling met on September 9th.

The status of the 2009 completed and ongoing projects was presented. The discussion of the 2010 budget included a list of initial projects with information provided by the chair and potential projects provided by the committee members. Mr. Hayes provided information surrounding the usage of the ball diamonds by the Booster Club and others and the potential needs to maintain and expand the facilities. Upon consideration of information provided, discussion of the value of the projects and a motivation on the part of the committee to reduce the budget at least 25%, a unanimous consensus was reached for the 2010 budget. This proposed budget will be presented to council for approval with a 31.25% reduction from 2009 budget.

City Planning Committee met on September 9th.

Electronic Billboard ♦Rules of Use♦

Clerk Gurtner presented a suggested ♦Rules of Use♦ for the new electronic billboard on the new Welcome to Colby sign. Motion was made by Hederer, seconded by T Schmidt to approve as presented. Motion carried with a voice vote.

Truancy Ordinance 11-5-7 Amendments

Clerk Gurtner passed out a copy of the City of Abbotsford Truancy Ordinance that Chief Gosse proposed to the City of Colby for adoption. The committee will review and possibly approve at the council meeting.

Colby-Abbotsford Police Commission met on September 14th.

The commission approved the minutes and bills.

Under discuss/approve Police Chief♦s car, Chief Gosse explained that he had a difficulty finding a used car that would be functional for a squad car. Chief Gosse looked for newer ones that would offer that functional abilities and found a few cars; a crown Victorian 2010 for \$22,360, Chevy 2010 for \$19,510.24, Dodge Charger 2010 for \$20,626, and a 2010 Dodge Charger at Chrysler in Colby for \$19,413. Lange asked Gosse how much was left in the auto fund after the Police Department purchase Officer Rennie♦s squad car. Gosse explained that there was \$17,900 and the fund will have \$23,000 in December. In June 2011, Rannow and Schreiber will need new cars and in February/March 2012, Bauer and Schmidt will need new cars. Motion was made by Schraufnagel, seconded by Lange to purchase the Dodge Charger from Colby Chrysler for Chief Gosse♦s new car as soon as the budget allows for the cost of \$19,413. Motion carried with a voice vote.

Under discuss/approve wages for part-time help; Gosse explained that the Department needs someone to help pack up and move from the old building to the new building. There is a lady who already works for the Department hauling the animals. She is paid \$25 per trip to transport the dogs. Lange mentioned that it would be a good idea to type up a job description of what she would be doing while in the office, making it easier for an evaluation and training. Gosse questioned what he would pay her while she was in the office. Kilty asked if she would be temporary help until everything was moved into the new building. Gosse explained that she will most likely be temporary. Lange explained that you have to put an end date on her temporary job description. The commission approved a beginning wage of an \$8.50/hour until a job description is established. The council decided to allow the commission to review this request further at the next commission meeting.

Under discuss approve WRS benefits for Officer Brian Popp-part-time employee. Popp wanted to put all of his wages into State retirement. WRS explained that unless he is working full time somewhere else in law enforcement he is not allowed to contribute.

Under discuss/approve 2010 budget, Gosse reviewed the budget and made changes to a few of the items. Changes are; part-time wages, \$4,000 was added in, Auto equipment transfers, it was \$3,000 but the insurance copy decided to pay for the equipment that goes into the Chief♦s car, Gosse was able to take out \$1,300 from that account to allocate somewhere else. The janitorial added \$1,800 to the budget. This is based on 10 hours/week. Lange stated that the Department is about 4% over budgeted from 2009. Gosse explained that they are 1% under on operating budget. Gosse also explained that after talking to the Abbotsford City Clerk that the department needed to increase its allocated water amount from \$400 to \$1,200. Beisner pointed out that this budget is up approximately \$100,000 from 2007 and wanted the council to

realize this when discussing this budget. Motion was made by Schraufnagel, seconded by Lange to approve the 2010 Police budget in the amount of \$606,965. Motion carried with a voice vote.

Under discuss Chief's report, vehicle maintenance-the check for Officer Rennie's squad car, it has been approved the check can be printed and picked up at the Abbotsford City hall. Gosse announced that the department will be participating in a drop off prescription drug drop box. It will be a locked container and will be exposed of properly. It will cost \$3/lb.

Voss stated that there was an out of state Minnesota resident that dealt with Nathan Schreiber on some horses that were left behind, and wanted to report how good of a job he did and how pleasant, professional and polite he was to work with.

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

Personnel/Labor Relations met on September 15th, September 21st and September 28th.

The committee met in closed session at each of these meeting to interview candidates for the position of Deputy Clerk/Treasurer. Motion was made by Raatz, seconded by Lange to approve hiring Jessie Polivka for the Deputy Clerk/Treasurer position at a wage of \$12.00. Motion carried with a voice vote.

Water/Sewer/Street Committee met on September 29th.

#### 2010 Budget

The committee reviewed the 2010 budget in great detail. One item that was discussed was Machinery and Equipment Capital. It was decided to take the \$30,000 left over from 2009 and deposit into designated funds for a plow truck. It was also decided to budget \$20,000 for a pick up truck and \$35,000 for a mower and to add an additional \$20,000 to be designate at the end of 2010 toward the plow truck. The total budgeted amount in Machinery and Equipment will be \$75,000.

#### Spence Street Re-Construction- Bidding of Engineering

The city has to complete the Spence Street utilities and other work during 2010 while Clark County re-constructs County Road N. The committee discussed how to get the most competitive bids for the engineering on this project. Options such as hiring a firm we trust without bidding, hiring a firm to write bid specifications in order to get fair comparable bids or possibly getting a percentage estimate were all discussed. The committee talked about meeting with five different engineering firms to discuss the projects and determine what the best solution may be. Motion was made by Hederer, seconded T Schmidt to advertise to get bids specifications for Spence Street Re-Construction and Dehne Drive Blacktop Projects. Motion carried with a voice vote.

#### Treatment of Well #13

DPW Higley received a bid from Municipal Well and Pump to try and enhance the current 45 gpm flow through mechanical surging and chemical cleaning of possible native silts. Motion was made by Hederer, seconded by Beisner to hire Municipal Well and Pump to complete this project at a cost of \$8,355. Motion carried with a voice vote.

#### Bidding for Well House Development

Motion was made by T Schmidt, seconded by Lange to bid out the engineering of the development of the Well House and treatment of Well #13. Motion carried with a voice vote.

#### Mowing/Drainage of Ditch West of South Sixth Street

The cost for pipe for the drainage ditch West of South Sixth Street would be around \$50,000 for materials alone. The committee felt this was too much money to spend for storm sewer at this time.

Finance Committee met on September 29th.

Many budget items were discussed by the committee. We had a surplus in the budget of approximately \$130,000 which \$100,000 will go towards the construction of County Highway N and \$30,000 will be placed in contingency. We would borrow the remainder required for this project and having the loan paid back from TIF and from General Fund.

Mayor Schmidt: Mayor Schmidt reported on the United Communities of Clark County Meeting. He also reported on the Municipal Agreement Meeting held by McDEVCO.

Harland Higley Jr: The following building permits were issued: Jacob Smith, 513 N 2nd Street, re-roof; Clifford Downey, 506 W Adams Street, re-roof; Danne Mellenthin, 314 N 3rd Street, roof; Danne Mellenthin, 219 S Division Street, roof; Ken Pollack, 407 N 7th Street, windows; William Franz, 112 S 3rd Street, garage repairs; Joann Habeck, 204 Green Acres, re-roof; Northcentral Construction Corp, 10 unit apartment building; Northcentral Construction Corp, 8 unit apartment building; Northcentral Construction Corp, 6 unit apartment building; John Bonacker, 521 N 3rd Street, kitchen cabinets, bathroom remodel; Carol Subera, 203 N 3rd Street, re-build 18 x 24 garage, driveway.

Sludge has been hauled out of the STP. DPW Higley reported that the new Welcome to Colby signs should be installed in November.

Engineer Mike Voss: Voss distributed the project update. He reported that Well #13 will require treatment and the

treatment options are being determined at this time. Voss reported that there should be additional stimulus money next year and he suggested applying for more SDWLP funding in 2010.

Operator's License: Application were received for operator's licenses for the following: Kristalin Leonhardt, W3126 County Hwy N, Owen motion was made by Hederer, seconded by Holtzhausen to approve. Beth Schaefer, 214 Dehne Dr, Colby motion was made by Holtzhausen, seconded by Schraufnagel to approve. Motions carried with a voice vote.

Trick or Treat Hours: Motion was made by Beisner, seconded by Hederer to hold Trick or Treat Hours from 4 P.M. to 7 P.M. on October 31, 2009. Motion carried with a voice vote.

CSM for Colby-Abbotsford Senior Village: Point of Beginning created a new CSM for the Colby-Abbotsford Senior Village. This CSM takes Lots 1 & 2 from CSM #14050 and Lots 1, 2, 6, 7, 8, 9, 10 of Oakwood Park Subdivision and combines them into one lot. Motion was made by T Schmidt, seconded by Beisner to approve the new CSM. Motion carried with a voice vote.

Resolution 9-2009 Establishing TID Charges Relating to the City Water Utility: Motion was made by Schraufnagel, seconded by Beisner to approve the resolution as follows. Motion carried with a voice vote.

#### RESOLUTION NO. 9-2009

#### A RESOLUTION ESTABLISHING TAX INCREMENTAL DISTRICT CHARGES RELATING TO THE CITY WATER UTILITY

WHEREAS, the Common Council of the City of Colby intends to adopt a resolution authorizing the issuance of revenue bonds to pay for projects improving the municipal water utility, and

WHEREAS, the Common Council has determined that such improvements benefit the City Tax Incremental District #2,

NOW THEREFORE, BE IT RESOLVED:

1. A Tax Incremental District charge is hereby imposed upon the City for the costs of Well # 13 construction, and STH 13 Water Utilities work which are allocable to improvements undertaken which benefit the City Tax Incremental District #2. The charge against the Tax Incremental District #2 for the above referenced project is \$485,419 minus any SDWLP Grant monies received for said projects.
2. A tax incremental district payment shall be issued semi-annually directly to the municipal water utility checking account prior to the debt service date(s). This obligation shall only apply to the debt incurred due for the costs of Well # 13 construction, and STH 13 Water Utilities work. Upon final debt service payment by the water utility for the Well # 13 construction, and STH 13 Water Utilities work then this ordinance shall be repealed.
3. This resolution is effective immediately upon adoption and is a continuing resolution.

James W. Schmidt  
Mayor

Attest:  
Connie Gurtner  
City Clerk/Treasurer

Commitment Letter Regarding Water Transmission Line from Wausau: Commitment letter from municipalities supporting the water transmission line to send to the Wausau Water Utility to vote in agreement with this plan and to the Marathon County Board of Supervisors in order to get permission to run the line in the right of way of the county roads. Motion was made by T Schmidt, seconded by Schraufnagel to approve the committal letters regarding the water transmission line from Wausau. Motion carried with a voice vote.

Excess Train Horn Used During Night Hours: Mayor Schmidt reported that the city has received numerous calls regarding the excess train horns that sounds late into the night. He also reported that the city could pay to have a study done in order to determine if the whistle is necessary. There is no solution to the situation at this time.

Engineering for the Feasibility of Old Clinic Building for Library Use: The city has discussed the option of utilizing the old Colby Clinic building for our library. The current space for the library is too small. Ratsch Engineering submitted the only bid to do the feasibility study and his estimated cost is \$1,000. Motion was made by Holtzhausen, seconded by Hederer to hire Ratsch Engineering to do the study. Motion carried with a voice vote.

FEMA Flood Plain Map: The city has received an updated Flood Plain Map from FEMA. We have had the maps available for viewing in the clerk's office and held a public hearing prior to this council meeting for public to view the new maps. Motion was made by Hederer, seconded by Beisner to approve the FEMA Flood Plain Map. Motion carried with a voice vote.

Committee meetings for October: Colby-Abbotsford Police Commission will meet on October 12, 2009 at 6:00 P.M. at the Colby-Abbotsford Police Department. Personnel/Labor Relations will meet on October 15, 2009 at 5:15 P.M. and November

11, 2009 at 5:15 P.M. Board of Appeals is meeting on October 8, 2009 at 7:00 P.M.

CLOSED SESSION State Stats 19.85(1)(e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.

PURPOSE: DISCUSSION WITH POTENTIAL LANDLORD REGARDING BUILDING LEASE FOR LIBRARY SPACE

Motion was made by Holtzhausen, seconded by Hederer to convene in closed session per State Stats 19.85 (1)(e). Roll Call Vote: Ayes ♦ Raatz, Schraufnagel, Holtzhausen, Hederer, Kaiser, Lange, Beisner, Schmidt Noes - none. Motion carried.

Adjourn in Closed Session: Motion was made by Hederer, seconded by Holtzhausen to adjourn at 9:05 P.M. Motion carried with a voice vote.

Approved \_\_\_\_\_ Mayor \_\_\_\_\_

James W Schmidt

Attest \_\_\_\_\_

Connie Gurtner, Clerk