

June 1, 2010 Council Minutes

The regular meeting of the Colby Common Council was called to order at 6:30 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 May 4, 2010 council meeting were pre-read and reviewed. Motion was made by Hederer, seconded by Beisner to approve the minutes as corrected. Motion carried with a voice vote.

Financial Statement and Bills were discussed. Motion was made by Hederer, seconded by Schraufnagel to approve the bills. The amounts approved are as follows: General Fund \$144,906.96; Water Department \$285,169.12; Sewer Department \$38,416.20; TIF Fund \$56,923.67; Net payroll \$17,419.98. Motion carried with a voice vote.

Colby-Abbotsford Police Commission met on May 10th.

The commission approved the minutes and bills.

Under Health/Dental Insurance Deduction Changes, Connie Gurtner gave a presentation to the committee about how the dental/health premiums were done incorrectly for the officers. The dental was not taken out after the books changed hands. It was found when two out of five employees had some major changes in health insurance going from single to family plans in January 2010. It was felt by the majority that it would be easier if one entity kept the books. Gurtner was asked by Mayor Sossaman if Colby had time to keep the books. Gurtner said there would not be a problem with time. Consistency would be the benefit. No-one did anything wrong Gurtner added, it was just an oversight. Colby had the books at the time changes took place and without reading all the minutes and changes, Abbotsford would not have known.

Lange commented that it is just easier to start fresh with the correct payments. Motion Raatz/Schraufnagel that Abbotsford relinquish the books on a permanent basis, motion failed due to it not being on the agenda. Next month on the agenda will be a vote to send a recommendation to both City Councils that the books be kept in Colby with Abbotsford looking over the books every 6 months or whenever deemed necessary. Averages were done with the dental premiums for the rates given to the employees (enclosure).

Under paying 80% of Randy Kocian's Medicare Premium, Chief Gosse explained that he put it on the agenda because Sandy Kocian asked him. The City pays 80% of an employee's health insurance and asked if the city would pay Randy Kocian's Medicare because we cover employees and their families. Voss said we offer health insurance to our employees and they have the choice of taking that insurance or not. She felt uncomfortable with paying for the Medicare bill for other family members. The commission voted to deny paying additional spouse insurance of a non-employee. Chief Gosse said that two party combo insurance would cost \$316.13 Medicare supplement plus \$781.81 single health policy.

Under Election of officers- for Secretary, Lange/Kilty to nominate Voss. Motion Lange/Kilty to make Voss secretary. Kilty-Yes, Schraufnagel-Yes, Raatz-Yes, Lange-Yes, Voss-No. Voss is secretary.

For President, Raatz nominated Lange. Motion Raatz/Schraufnagel to make Lange President. Motion carried without negative vote. Lange is president.

Under Chief's report, The Chevy is in need of wheel bearings.

Under Public Safety building report (enclosure)-there is approximately \$1600 left in the account. Chief Gosse bought some shelving and ordered a couple tables from Wittmer Industries. Raatz asked if he needed printers yet and could pick some up for \$89.00. Chief has some and is seeing how they work.

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

Board of Review met on May 18th.

The Board of Review met on May 18th and reviewed both the Marathon and Clark County assessment rolls and found no errors and omissions. There was no testimony heard by the Board of Review this year.

Parks/Rec/Recycling Committee met on May 25th.

Status of Ongoing Projects: We had two trees that died and DPW Higley contacted Johnson Nursery and they gave the trees to us at 50% off of what the cost of the trees would have been. The tennis court fence is up at the South First Street Park. The loudspeaker system for the ball field is ordered.

Purchase of Groomer and Agreement with Colby Booster Club: Sam Hayes emailed the agreement of the purchase of the groomer to Clerk Gurtner. A copy of the agreement was provided to the committee members to review. It was decided that the more expensive groomer was the better purchase. The price of the groomer is \$10,989 with a 2 year warranty. DPW Higley suggested that the city be the sole owner and the booster club donate their half of the money for the purchase of the groomer. The city will take responsibility of the maintenance and repairs of the groomer. The agreement should state that if the city sells the groomer half of the proceeds would then go back to the booster club. Sam Hayes was

contacted and he agreed that the items discussed above would be fine with the Booster Club. The committee approved the purchase. Motion was made by Hederer, seconded by Holtzhausen that we authorize the purchase of the groomer up to \$5,500, and approve the agreement with the Colby Booster Club as amended. Motion carried with a voice vote.

New Ball Field at East Street Park: Higley has made contact with the DNR office numerous times about the potential East Street ball field to see if it is a wetland and if the ball field could be constructed. The DNR was supposed to get back to Higley and they have not returned any of his phone calls. It was suggested that the Mayor email the DNR to see if he could get a response. It was asked if there was enough room to construct a ball field and it was stated that there is plenty of room for one.

Concrete for North Shelter in the North First Street Park: The north shelter on North 1st Street needs new concrete. There was an estimate from Podevels Construction for labor and materials at \$396.00. Higley figured that he would need \$300.00 for concrete, for a total of \$696.00. Motion was made by Kaiser, and seconded Hederer to replace the concrete in the north shelter on North First Street not to exceed a cost of \$800.00. Motion carried with a voice vote.

Land Donation for Park from Ed Beino: Ed Beino has not replied to the questions that the committee had about the potential park. It was asked what he would want to see in the park and what restrictions he would have on the park. It was also asked what the park could be used for and it was suggested that the park could be a nature/walking trail. There were concerns of the maintenance of the park and gaining access to the park. It was suggested that if it is decided the land has no use that he could donate some money to one of the other parks (ball field, South Sixth Street Park) in the city and it could be in his Grandson's name. The committee will wait to hear more information from Ed Beino.

City Planning Committee met on May 25th.

Updated Light Fixtures in the City Garage: Higley stated that he got an estimate from Energy Solutions LLC for new light fixtures. They came in and performed an audit and made recommendations on improving the lighting in the shop. The bill to replace the lighting in the shop would be \$4,699.72 after rebates. With the savings you would have a 6.46 year payback if you replace the lighting. Motion by Beisner, seconded by Kaiser to update the lights for \$4,699.72. Motion carried with a voice vote.

Updating the City's Capital Improvement Plan: Our last improvement plan was updated in August 2006. Most of the items on the list are completed. Mayor Schmidt suggested we put a wish list of what we would like to see done in the future together and then go out and get estimates and plans for these projects. Projects the committee would like to see completed are: 1st street from North Street to Clark Street. North 3rd Street, (Spence Street to Adams Street). 2013 portion of Hwy 13 (North Street to City Limits). Washington Street has to be done with curb and gutter by 2014 we should go from 3rd to 6th. South 5th Street Curb and gutter. East Street curb and gutter. New Dump Truck. Lieders Street milling and repaving. Well #8 on North Sixth Street. Drainage ditch/storm sewer on the west side of south Sixth Street. New sidewalks for safe route to school - project should be grant eligible. New Library Plan remodeling/new building. Clerk Gurtner received info from Rural Development and right now they will fund up to 35% of the cost of municipal building or up to \$200,000. Later it will only be \$50,000. It was suggested that the District Center building in town would be a good location for a new library. The city should look into getting a plan together for a new library. We should also look more into Rural Development. All these are considered capital improvement projects. We can always add to the list at a later time.

No-Smoking Legislation and Possible City Ordinance: We received some paperwork from Bill Beil in Abbotsford regarding their smoking ordinance. They are looking at updating their smoking ordinance because of the July 5th smoking ban and they are wondering what we are going to do. We looked at our ordinances and the language of our ordinance covers us based on state statutes. The committee decided to not take any action at this time since we are covered by state statutes.

Water/Sewer/Streets Committee met on May 27th.

The city opened bids yesterday at 4:00 P.M. for the Well #13 Treatment. We received five bids. They are Earth Inc for \$346,666.66, Howard Bros Inc for \$360,000, Staab Construction Corp for \$372,400, August Winter & Sons Inc for \$435,000 and Springlake Contracting for \$446,000. Mike Voss checked on reference and found nothing that should prevent the city from accepting the low bid from Earth Inc. Motion was made by Holtzhausen, seconded by Hederer to award the bid to Earth Inc at a cost of \$346,666.66. Motion carried with a voice vote.

DPW Higley received an estimate from Podevels Concrete & Construction for a box culvert on the North side of Adams Street near the railroad tracks. Motion was made by Hederer, seconded by Beisner to approve the proposal from Podevels in an amount not to exceed \$1,500. Motion carried with a voice vote.

The VFW has talked to DPW Higley about blacktopping their parking lot. By the city's ordinance they are required to drain the runoff from the parking lot into the city's storm sewer. There is storm sewer located on Spence Street just Northeast of the lot. The cost to connect would be \$1,600 and the VFW is asking the city to pay for this connection. Motion was made by T Schmidt, seconded by Kaiser to reimburse the VFW for the cost of materials to install storm sewer from their parking lot. Roll Call Vote: Ayes - Kaiser, Schmidt. Noes - Raatz, Schraufnagel, Holtzhausen, Hederer, Lange, Bisner. Motion failed.

DPW Higley received an estimate to paint the box of the dump truck, vehicle #12. Motion was made by Holtzhausen, seconded by Schmidt to approve the estimate from Frane Body Shop not to exceed \$1,200. Motion carried with a voice vote.

Closed Session Per State Statutes 19.85(1)(e) to negotiate possible land purchase for future well development.

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

Mayor Schmidt also reported on the branding and municipal agreements that were discussed at the McDevco meeting.

Mayor Schmidt appointed Irene Flink and Cathy Johnson for a three year term on the Library Board of Trustees. Motion was made by Hederer, seconded by Beisner to approve the appointment. Motion carried with a voice vote.

DPW Harland Higley: The following building permits were issued: Robbie Smazal, 109 S 1st Street, enclosing porch; Eric Krause, 512 N 6th Street, fence; Kevin Wiese, 408 N 7th Street, reface kitchen cabinets; Dick Brandl, 309 S Main Street, new kitchen cabinets; James Rickard, 505 N 2nd Street, siding, roof, porch; Jason Wasinack, 108 E Marathon, re-roof; Ed Strathmann, 208 N 3rd Street, re-roof; Tyler Hardrath, 206 N 7th Street, deck & patio; Theresa Soback, 305 W Broadway, siding garage & new doors; Monica Groth, 608 N Division Street, remodeling; Marcella Herrick, 227 S 1st Street, repair porch; Libertine Enterprises LLC, 206 E Clark Street, renovations to house & garage.

DPW Higley reported on the ongoing Spence Street project.

DPW Higley asked that all council members help in reporting long weeds.

Engineer Voss: Voss reported that Earth Inc will be working on the Well #13 Project and plan to order items with long lead times so the project is not delayed.

Operators ♦ Licenses ♦ June 1st List: Motion was made by Beisner, seconded by Hederer to approve the June 1st List of Operators ♦ Licenses. Motion carried with a voice vote.

Liquor Licenses: Motion was made by Hederer, seconded by Holtzhausen to approve the City of Colby list of Liquor License to expire June 2011. Motion carried with a voice vote.

Lease Agreement with Abbotsford Colby Area Chamber of Commerce for Track Location Property: The lease was drawn up by the chamber and it was submitted to the city's attorney. Bill Gamoke made some changes to the agreement. It was questioned what the rent plus 10% of the proceeds of the site would all include. Todd Schmidt said it will be 10% of the total (everything) revenue from the site. It was asked if that 10% will include proceeds made by nonprofit organizations and it would not include their proceeds. They would pay a set fee up front to rent space. Sub leasing was brought up and it is not included in the agreement but based on the way the agreement is drawn up now any event held out there the city will get 10% of the profits. There will be rental agreements with whoever sub leases the site. The chamber will monitor all the insurance with any sub leases and all will be required to have insurance. It was asked if it should be included in the agreement about protecting the well head out on the property because of the fuel from the pulling track. Motion was made by Schraufnagel, seconded by Raatz to approve the lease agreement with the Abbotsford/Colby Area Chamber of Commerce. Motion was made by Raatz, seconded by Hederer to amend the motion to cut the rental fee by striking words 10% of profits from the contract. Roll call Vote on the amendment motion, Ayes ♦ Schraufnagel, Hederer, Lange, Raatz, Noes ♦ Holtzhausen, Kaiser, Beisner. Schmidt abstained. Motion carried. Roll call Vote on the amended motion, Ayes ♦ Holtzhausen, Hederer, Lange, Beisner, Raatz, Schraufnagel, Noes ♦ Kaiser. Motion carried.

CMAR Resolution 1-2010: Motion was made by Holtzhausen, seconded by Hederer to approve the CMAR Resolution 1-2010 as follows. Motion carried with a voice vote.

COMPLIANCE MAINTENANCE RESOLUTION 1-2010

RESOLVED that the City of Colby informs the Wisconsin Department of Natural Resources that the following actions were taken by the Colby Common Council.

Reviewed the Compliance Maintenance Annual Report which is attached to this resolution.

Set forth the following actions necessary to maintain effluent requirements contained in the WPDES Permit:

(a) NO ACTION NECESSARY

Signed: Mayor James Schmidt
Attest: Connie Gurtner, Clerk

Committee meetings for June: Colby-Abbotsford Police Commission will meet on June 14, 2010 at 6:00 P.M. at the Colby-Abbotsford Police Department. Water/Sewer Committee will meet on June 22, 2010 at 6:30 P.M.

Adjourn: Motion was made by Raatz, seconded by Hederer to adjourn at 7:55 P.M. Motion carried with a voice vote.

Approved _____
James W Schmidt, Mayor

Attest _____
Connie Gurtner, Clerk