

May 3, 2011 **May 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 and Kaiser. Hederer was absent. Also present were Mayor James Schmidt, Clerk Connie Gurtner, DPW Harland Higley Jr and Mike Voss from MSA.

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

Minutes of the April 19, 2011 re-organizational meeting were pre-read and reviewed. Motion was made by Schraufnagel, seconded by Beisner to approve the minutes as presented. Motion carried with a voice vote.

Financial Statement and Bills were discussed. The amounts approved are as follows: General Fund \$110,999.91; Water Department \$35,303.37; Sewer Department \$209,578.96; TIF Fund \$25,199.44; Net payroll \$18,513.07. Motion was made by T Schmidt, seconded by Lange to approve the bills as presented. Motion carried with a voice vote.

Public Comment: none

Colby-Abbotsford Police Commission met on April 11th.

The commission approved expenditures and minutes.

Motion was made by Lange, seconded by Beisner to approve the actions and expenditures for April. Motion carried with a voice vote.

Water/Sewer/Streets Committee met on April 19th.

Private Well Regulations and Testing: The DNR in our annual water report required action with our private well abandonment regulations. The city must develop a testing program for any private wells located in the city. The city currently has eight private wells in the city and they are owned by Doug Blunt, Adolph Dums, Herman Gosse, Ross Rannow, Charles Smith, Randy Smith, Audrey Venske and the Medford Vet Clinic. These individuals would be required to test the well every two years. The committee discussed how these samples would be taken ♦ by the individuals or by the city. The city will have to adopt an ordinance putting this regulation into effect. DPW Higley and Operator Allan Raatz will contact the DNR in order to get the ordinance written for adoption and determine the testing process. Mayor Schmidt would like someone from the DNR to come to a meeting to help the committee write this correctly.

Mutual Aid Agreements for Public Works: EMC Insurance has told us that we have liability coverage when our employees are working in another municipality. We have another sample mutual aid agreement to review. DPW Higley will look at the current agreement and compare it to the existing agreement to make sure we have a complete contract.

Cross Connection Inspections: DPW Higley received an estimate for Cross Connection Inspections in the city from HydroDesign. The cost would be \$2,484.00 annually for 36 non-residential sites. The inspections would take two years at a total cost of \$4,968.00. DPW Higley would like to invite HydroDesign to the next Water/Sewer meeting to discuss the proposal.

Charlotte and Brian Haines ♦ Tree Removal in the Boulevard: Charlotte and Brian Haines had asked to be on this agenda because they are upset that a large tree in the boulevard outside of their home has been removed. DPW Higley had removed it because of some dead branches and the possible risk to the city. If branches from this tree would break off and hit a vehicle or their home the city is liable for damages. Haines were not in attendance at this meeting. Our current ordinance does not allow new tree planting in the city boulevard. There was some discussion on how we could help and encourage residents to plant more trees in their yards outside of the boulevard.

Purchase of a Gas Detector: The current gas detector that the city has doesn't work properly. DPW Higley got an estimate for a GasAlert Max XT Gas Detector with the space kit and alarm check gas kit for a cost of \$1,459.05. DPW Higley wants to negotiate more with Safe-Fast Inc and will have a complete price at the final council meeting. Motion was made by Holtzhausen, seconded by Kaiser to approve the purchase of this meter at a new negotiated cost of \$979.06 from Safe-Fast Inc. Motion carried with a voice vote.

City Planning Committee met on April 26th.

TIF Incentive Financing Policy: Kirk Skoog from MSA presented a draft TIF Incentive Policy for the committee to review. We reviewed the policy with Kirk Skoog. Motion was made by T Schmidt, seconded by Schraufnagel to recommend the policy to the council for approval. Motion failed with a voice vote. The committee members are asked to review the plan further and submit changes to Kirk to be re-written.

Colby Fire Department Request to Build a Fire Training Facility: Fire Chief Ross Rannow presented a plan to the city to construct a fire training facility on the East side of the property near the Sewer Treatment Plant. During a recent inspection for ISO rating it was determined that the department could really use more training to improve their ISO rating. This facility would help with this need. The Colby Fire Department would construct and maintain the facilities. Mayor Schmidt suggested that the city investigate if the DNR would have any concerns with the construction near the Sewer Treatment facility. Motion was made by Beisner, seconded by Lange to approve the request of the Colby Fire Department to construct

a fire safety training facility near the STP. Motion carried with a voice vote.

Colby Pullers/Abby-Colby Chamber Rental Agreement for East Spence Street Site: The Abby-Colby Chamber just met with the Colby Pullers to discuss a sub-lease of this property to their club. The committee does not have any concerns with the sub-lease.

Building Codes/Ordinances: William Gamoke wrote a new ordinance for our building codes. The authority of the city building inspector was discussed. The section covering the minor repairs should be deleted. It was also determined to increase the minimum amount from \$3,000 to \$5,000. The ordinance will be re-written again and presented to the full council for approval.

Weed Ordinance: Clerk Gurtner asked to change the ordinance to read that the clerk will make notice to the residence rather than mail all property owners notice of this section. DPW Higley asked how the city should enforce this ordinance fairly amongst all property owners. The committee will look at other ordinance and discuss further.

Mayor Schmidt: Mayor Schmidt reported on the Clark County Economic Development Annual meeting. He also reported that the annual meeting is April 25th and the speakers will be representatives from the three newest developments in Clark County.

Mayor Schmidt reported that MSA will be refunding the city for a sewer lateral problem on South 3rd Street that the city had paid to have corrected.

DPW Harland Higley: Building permits issued were: Harry Untiedt, 206 Lieders Street, screened porch over existing deck; Lee Kaschinska, 506 E Terrace Street, bathroom remodel; Candi Gamillo, 410 S Division Street, heat, electric, plumbing; Darvin Petznick, 108 S 2nd Street, re-roof garage; Dave Hennes, 501 E Terrace, re-roof; Larry Decker, 402 S Main Street, extension of deck; Samantha Penry, 207 S 3rd Street, re-roof; Virginia Hederer, re-roof garage; Cesar Torres, 406 W Spence Street, concrete slab.

Roger Ried did find some manhole repairs to help with the infiltration.

The city sold the dump truck at auction for \$9,750 and the blade for \$2,000.

Trees have been removed on North 1st Street in anticipation of the street project.

6 month Class B Beer License: An application for a 6 month Class B Beer License, David Smith- Agent, East Street Ball Park was received. The license request has been made to allow for a softball tournament on May 20-22nd. Motion was made by Schraufnagel, seconded by Kaiser to approve. Motion carried with a voice vote.

State/Municipal Agreement for Highway Improvement Project ♦ 2012 Highway 13 Project: This is an agreement with the DOT outlining all the terms for the project. It also states the city's cost of utilities - \$204,084 and street lighting - \$77,200. Motion was made by Holtzhausen, seconded by Beisner to approve the agreement. Motion carried with a voice vote.

Adams Street Engineering and Design Bid Approval: The city requested bids from MSA, Ayres Associates and Kapur for the engineering on the Adams Street Engineering and Design. The bids were Ayres - \$45,800, MSA Engineering - \$35,000, Kapur & Associates ♦ \$33,028. Motion was made by Holtzhausen, seconded by T Schmidt to approve the MSA Engineering at a cost of \$35,000. Motion carried with a voice vote.

Award Bids for North 1st Street Construction: The bids received for the construction of North 1st Street are as follows:

Motion was made by Lange, seconded by T Schmidt to award the bid to Steen Construction at a cost of \$327,634.85. Motion carried with a voice vote.

Committee meetings for May: Colby-Abbotsford Police Commission will meet on May 9, 2011 at 6:00 P.M. at the Colby-Abbotsford Police Department. City Planning Committee will meet on May 19, 2011 at 6:00 P.M. Water/Sewer/Street Committee will meet on June 1, 2011 at 5:30 P.M.

Adjourn: Motion was made by Raatz, seconded by Beisner to adjourn at 7:15 P.M. Motion carried with a voice vote.