

February 7, 2012 **February 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, Schraufnagel, Holtzhausen, Hederer and Kaiser. Raatz arrived at 6:40 PM. Also present were Mayor James Schmidt, 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 January 3rd and January 10th council meeting were pre-read and reviewed. Motion was made by Schmidt, seconded by Hederer to approve the minutes as presented. Motion carried with a voice vote.

Financial Statement and Bills were discussed. The check #5306 in the Water Department will be voided and re-issued from the Sewer Department. Motion was made by Hederer, seconded by Schraufnagel to approve the bills as corrected. The amounts approved are as follows: General Fund \$398,041.97; Water Department \$23,449.69; Sewer Department \$50,340.13; Net payroll \$27,274.06. Motion carried with a voice vote.

Public Comment: Ms. Ploekelman from the Colby School District horticulture class asked the city to consider allowing the class to do a landscaping project at city hall. The class will present the city with three options at a future meeting.

Colby-Abbotsford Police Commission met on January 9th.

The commission approved the minutes and expenditures.

Under contract to hire cleaning service, Abbotsford City Hall's cleaning person was not interested and Colby City Hall's person said they would do it for \$75/week. The budgeted amount is \$1,600. An ad will be placed in the Tribune. Chief Gosse will ask Abbotsford City Halls cleaning person to fill in until they can find a replacement.

Under carryover balances, the commission approved to carry over balances shown of \$9,892.34. The balance will be an agenda item for next month as well as the metal plate fund.

Under concealed carry law ordinance, Lange commented that the Police Commission has no authority to act on concealed carry law ordinance and that it would need to be put on both City Council agendas.

Under Chief's report, Officer Rennie and Bauer are going to take Spanish Classes online.

Motion was made by Schraufnagel, seconded by Lange to approve the actions and expenditures of the Police Commission for January. Motion carried with a voice vote. Beisner and Hederer voted no.

City Planning Committee met on January 17th.

Jim Colby Request for Extension on Building Permit at 507 N Fifth Street: Jim Colby is requesting the city to talk to Newport Home Inspection and ask them to waive the renewal fee for his building permit. Jim Colby is asking for this extension because of a medical bill. Mayor Schmidt will contact Jim Flood to ask if he would be willing to waive that fee. Motion was made by T Schmidt, seconded by Lange to extend the permit for Jim Colby and waive the permit fee. Roll Vote: Ayes – Lange, Schmidt, Schraufnagel, Hederer, Kaiser. Noes – Beisner, Raatz, Holtzhausen. Motion carried.

Contributions to the Cemetery Association: The committee all agree that the City of Colby is not willing to pay the cemetery associations fees based on equalized value, but instead, want to keep it as equal payments with the Town of Colby and the Town of Hull. The city has discussed billing for snow plowing in the future if this contribution distribution would change. The Mayor read a letter at the council meeting from Larry Oehmichen stating that the Colby Town will pay the \$2,500 for 2012, but will switch to the percentage rated payment effective immediately following that payment.

Ordinance 2012-1 Regulating Open and Concealed Firearms and Weapons Ordinance: Chief Gosse worked with Alan Harvey from Community Code to create an ordinance that would work best for the City of Colby. Lange asked if the dollar amount for the bond could be less for the first offense. The committee approved the recommendation to the council the open and concealed firearms and weapons ordinance and the adjustment of the first offense fee to a \$20 bond (which is approximately \$160 fine). Motion was made by T Schmidt, seconded by Beisner to approve Ordinance 2012 -1 Regulation Open and Concealed Firearms and Weapons Ordinance and to adjust the first offense fee to a \$20 bond (which is approximately \$160 fine). Motion carried with a voice vote. Hederer voted no.

Synthetic Cannabinoid Ordinance: A synthetic cannabinoid are manufactured compounds that have the same or similar effects of marijuana, a controlled substance. The new ordinance would prohibit the sale, possession and use of the synthetic cannabinoid products. The committee decided not to adopt the new ordinance.

Ordinance Regarding Disorderly Conduct and Public Indecency: The committee reviewed the ordinance and looked at our old ordinance and determined that they would like to take some more time to review the changes.

Ordinance Relating to Statutory References: The statutes that are referenced in the ordinance book need to be updated on a regular basis. The clerk was asked to check on the cost to print this update ordinance.

Personnel/Labor Relations met on January 9th and 30th.

Both meetings were held in closed session to discuss the employee handbook and wages increases.

Motion was made by Kaiser, seconded by Hederer to amend the Employee Personnel Manual by adding a Section 6. Under Article 6) Vacations stating that - Effective 1/1/2012 the current Clerk/Treasurer and Deputy Clerk/Treasurer will accrue vacation using their existing vacation schedule. Roll Call Vote: Ayes - Schmidt, Schraufnagel, Hederer, Kaiser. Noes - Beisner, Holtzhausen, Lange. Raatz abstained. Motion carried.

Motion was made by Kaiser, seconded by Hederer to amend Article 8) Holiday, Section 4. to read "(Work on Holidays) Any employee who is required to work on any of the above mentioned holidays shall receive pay at the time and one-half (1/2) rate for hours worked, in addition to the holiday pay. Roll Call Vote: Ayes - Schmidt, Schraufnagel, Hederer, Kaiser. Noes - Holtzhausen, Lange, Beisner. Raatz abstained. Motion carried.

Motion was made by Beisner, seconded by Hederer to approve the final Employee Personnel Manual with the addition of the words "wastewater certification" added at the end of Paragraph C. under Article 19) Certification Requirements/Wages. Roll Call Vote: Ayes - Schraufnagel, Holtzhausen, Hederer, Kaiser, Lange, Beisner, Schmidt. Noes - none. Raatz abstained. Motion carried.

Motion was made by Hederer, seconded by T Schmidt to approve a 1% raise for all employees other than the Deputy Clerk/Treasurer and to give Deputy Clerk/Treasurer a raise of \$.50. Roll Call Vote: Ayes - Schraufnagel, Hederer, Kaiser, Schmidt. Noes - Holtzhausen, Lange, Beisner. Raatz abstained. Motion carried.

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

Clerk Gurtner: Clerk Gurtner reported on the 2011 tax collection.

DPW Harland Higley: The following building permits were issued: Terry Jasmer, 317 N 1st Street, windows, doors, siding, deck; Larry Decker, 402 S Main Street, basement bathroom; St Mary's School, 205 S 2nd Street, add 2nd level to stage for storage.

DPW Higley reported on the precipitation and flows for January 2012 at the STP. He also reported on the pumpage of water for January 2012.

The pump went out on Well #9 and is being repaired under warranty.

Engineer Mike Voss: Adams Street construction is currently being advertised.

Operator's License: The city received the following operator's license: Lynn Cichon, 205 S Cedar Street, Stetsonville, WI 54480 - motion was made by Hederer, seconded by Schraufnagel to approve. Motion carried with a voice vote.

Resolution 1-2012 Adopting the City of Colby Fund Balance Policy: Motion was made by Beisner, seconded by Holtzhausen to approve Resolution 1-2012 as presented. Motion carried with a voice vote.

Resolution 1-2012
Resolution to Adopt the City of Colby Fund Balance Policy

WHEREAS, the Government Accounting Standards Board (GASB) has issued Statement No. 54 - Fund Balance Reporting and Governmental Fund Type Definitions, which changes the terminology used for fund balance reporting on balance sheets of Governmental Funds, AND:

WHEREAS, the City of Colby Common Council has reviewed the new terminology, AND;

WHEREAS, the City of Colby Common Council authorizes the City Clerk/Treasurer to periodically assign fund balances and/or carryovers, for budgeting purposes within the General Fund, the Sewer Utility Fund, the Water Utility Fund, and the Debt Service Fund;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Colby adopts the City of Colby Fund Balance Policy;

Adopted by the City Council of the City of Colby on the 7th day of February, 2012.

Signed: Mayor James W Schmidt

Attest: Connie Gurtner, Clerk

Purchase of Utility Tractor: The city received bids for utility tractors as follows:

The total bids for the utility tractor are the cost minus the trade in value of the 4300 JD. Motion was made by Hederer, seconded by T Schmidt to approve the purchase of a JD 3520 from Tractor Central and to trade in the 4300 JD for a total cost of \$21,950. Motion carried with a voice vote.

Engineering Bids for Highway 13 Water/Sewer Observation/Staking: The city received bids from Kapur & Associates, MSA Professional Services and Ayres Associates for engineering. Kapur & Associates bid \$15,400, MSA Professional Services bid \$11,559 and Ayres Associates bid \$18,666.75. Motion was made by Holtzhausen, seconded by Schraufnagel to approve the bid for engineering for the Highway 13 Water/Sewer Observation/Staking with MSA Engineering at a cost of \$11,559. Motion carried with a voice vote.

Committee meetings for February: Colby-Abbotsford Police Commission will meet on February 13, 2012 at 6:00 P.M. at the Police Department. Parks/Rec/Recycling Committee will meet on February 21, 2012 at 6:00 P.M. City Planning Committee will meet on February 29, 2012 at 6:30 P.M. Streets/Equipment Committee will meet on March 1, 2012 at 6:00 P.M.

Adjourn: Motion was made by Beisner, seconded by Raatz to adjourn at 8:05 P.M. Motion carried with a voice vote.

Approved _____
James W Schmidt, Mayor

Attest _____
Connie Gurtner, Clerk