

March 6, 2012 **March 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: Beisner, T Schmidt, Schraufnagel, Holtzhausen, Hederer and Kaiser. Raatz arrived at 6:35. 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 February 7th council meeting were pre-read and reviewed. Motion was made by T Schmidt, seconded by Hederer to approve the minutes as presented. Motion carried with a voice vote.

Financial Statement and Bills were discussed. Motion was made by Hederer, seconded by Beisner to approve the bills as corrected. The amounts approved are as follows: General Fund \$615,881.82; Water Department \$17,909.09; Sewer Department \$32,388.78; TIF Fund \$250.00; Net payroll \$18,336.70. Motion carried with a voice vote.

Public Comment: Jim Colby attended the meeting. He stated that Jim Flood has done the final inspection on his property and there were a few items that needed to be completed. Jim Colby completed this work and called the inspector last Sunday for the final inspection and he has not heard back from him as of this date. Mayor Schmidt will contact Jim Flood to see when he plans to contact Jim Colby for the final inspection.

Colby-Abbotsford Police Commission met on February 13th.

The commission approved the minutes and expenditures.

The Chief was unable to attend the meeting so the discussion of hiring for a clean position will be on next month's agenda.

Under Chief's report: Officer Rennie gave the report for the Chief. The Police Department has taken ownership of a Ford 2003 truck that Officer Rennie seized 6 kilos on last year. It could possibly be used to transport animals. The department is going to get rid of the Crown Victorian car. The equipment is being transferred from the old Chevy. It was stated that one of the radar guns needs to be replaced. In January 2011 the canine dog (Jango) and Officer Rennie had 5 arrests. Officer Rennie noted that Jango probably only has one year left as a canine for the department. Jango is eleven years old, and has been on arthritis medicine for a year. Ten years is the average retirement age for a drug dog. Officer Rennie would like to apply for the canine position. A new canine would cost between \$13,000-\$15,000.

The commission approved the carry over funds of \$9,042.04 in the plate fund.

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

Parks/Rec/Recycling Committee met on February 29th.

Billboard Advertising: These are the panels along the outside of the ball field. Beisner had contacted Atwood Park regarding how they handle their advertising contracts. Some committee members felt they didn't want to take any advertising revenue away from the Atwood field by asking for advertising at our new field. The Colby Pullers also have advertising panels surrounding the pulling track.

Ballpark Contract: Beisner brought up a question about the daily fee for the ballpark rent and why we don't charge a non-profit organization to use the park. She thought that those people that pay taxes have to pay to use it and so should others. The committee also discussed the concern with the Colby Booster Club's inventory in the building while others rent the facility. The committee would like to look at other contracts to see how we could amend ours in order to make it fair.

Memorial Markers: We received some information on memorial markers to use to recognize individuals that donate money for a tree. Beisner showed the committee a natural fieldstone option at a cost of \$30. DPW Higley has a concern with mowing and also theft of these markers. Motion was made by Hederer, seconded by Raatz to purchase two of the natural fieldstone markers - one "In Memory of Harland Higley Sr." and the other "In Memory of Raymond Juedes". Motion carried with a voice vote.

Red Ball Clay for Ball Field: The city received two bids for ball field products. The first is from Bryan Rock Products for red ball clay at a cost of \$38/ton and the second is from Waupaca Sand and Solutions for quick pitch red limestone mix at a cost of \$33.87/ton. The committee would like to have DPW Higley check if other communities use this limestone product and if it works as well as the red ball clay before they decide on a product. He is also going to call for a sample of the product. Motion was made by Schraufnagel, seconded by Holtzhausen to approve the purchase of the quick pitch red limestone from Waupaca Sand and Solutions at a cost of \$33.87/ton. Motion carried with a voice vote.

Seeding for the Ball Field: The city has \$10,000 budgeted for seeding the ball field. Beisner received a bid to plow/level/seed the ball field at a cost \$6,750. Lime, fertilizer and seed are included in this price. This bid does not include mulching. Motion was made by Hederer, seconded by T Schmidt to award the bid of \$6,750 to plow/level/seed the ball field to Abegglen Landscape Construction LLC. Motion carried with a voice vote.

Fence for Ball Field: Security Fence submitted an estimate of \$17,527 which includes a backstop and all sideline and

outfield fencing. Kaiser asked the committee to consider at least a 10' sideline fence on the third base side of the field. The committee approved the bid of \$17,527 with Security Fence with the option to negotiate an additional 140' of 10' fence rather than 8' fence on the left side (third base line) side of the field. DPW Higley contacted Security Fence about the additional higher fence. The new bid includes an additional 100' of 10' fence on each side and the new bid amount is \$19,182. Motion was made by T Schmidt, seconded by Hederer to approve the bid from Security Fence at a cost of \$19,182. Motion carried with a voice vote.

2012 Park Projects: DPW Higley asked about ordering trees for this summer. He would like to put some in the area of the new ball park. He also asked the committee to consider the purchase of a new refrigerator at the ball park.

City Planning Committee met on February 29th.

Ordinance Regarding Disorderly Conduct and Public Indecency: Alan Harvey from Community Code Services had asked the council to consider the new ordinance regarding disorderly conduct and public indecency. Chief Gosse reviewed our current ordinance and the new ordinance and stated that our ordinance does not include some of the items that are in the presented ordinance. Motion was made by T Schmidt, seconded by Schraufnagel to approve Ordinance 2012-2 Regarding Disorderly Conduct and Public Indecency as present. Roll Call Vote: Ayes – Kaiser, Schmidt, Raatz, Schraufnagel. Noes – Holtzhausen, Hederer, Beisner. Motion carried.

Ordinance Relating to Statutory References: Clerk Gurtner had asked Alan Harvey of Community Code Services how much this update would cost. He estimated that a simple code change like this would cost less than \$100. Motion was made by Schraufnagel, seconded by Beisner to approve Ordinance 2012-3 Relating to Statutory References as presented. Motion carried with a voice vote.

Lease of Pulling Track Property: The Colby Pullers Club has asked the city to consider leasing the land to the Colby Pullers Club rather than to the Abbotsford-Colby Chamber of Commerce. Scott Oestrich said that the group is concerned that the club is not getting support of the Abbotsford-Colby Chamber of Commerce. Beisner stated that she thought that the pulls and the Abbotsford First City Days being held on the same weekend should be looked at as a benefit and should be promoted together. The committee discussed liability insurance and rental costs with the club. Todd Schmidt asked the club to wait until after the chamber meets on March 7th and see if they approve the sub-lease to the club. He also feels that many of the chamber members are supportive of both events. This item will be discussed again after the chamber meeting.

Library Carpet Bids: The city received two bids for the replacement of carpet in the library. The bids are as follows:

The city has to also consider the cost of moving the books and furniture from Graebel Moving and Storage of \$8,075.00. Motion was made by Schraufnagel, seconded by T Schmidt to approve the library carpet project at a total cost of \$21,914.00. This includes the carpet bid from Perrin's and the moving bid from Graebel Moving and Storage. Motion carried with a voice vote.

Review of the Colby-Abbotsford Police Commission Ordinance: The committee was present with a copy of Police Commission ordinance to review for further discussion. The ordinance does give the commission authority to pay expenditures under \$1,000 without approval of the city councils. Some council members are concerned with how the commission approves expenditures. The checks are mailed after approval from the commission which makes it too late for the council to question any expenditure. This ordinance will be reviewed at a future meeting.

Streets/Equipment/Water/Sewer Committee met on March 1st.

Deborah Korbisch-Service/Access to Lot 19 Dalton's Ridge: Deb Korbisch would like to utilize the back part of her lot by adding another building. In order to do that she needs 100 feet of street frontage to make it buildable. The city map was looked at and options for access to the back of the lot discussed. She does have the option of talking to an adjoining land owner and discussing the option of the landowner giving the city an easement for extending the road past her lot. She will speak with the land owner and contact DPW Higley with any other questions.

Purchase of Snow Blower for F935: The F935 tractor needs a bigger snow blower. Tractor Central will give a \$200 trade in for the old plow, making the price for the new one \$3,500.00. Motion was made by Hederer, seconded by T Schmidt to the purchase of a new snow blower for the F935 in the amount of \$3,500.00 from Tractor Central. Motion carried with a voice vote.

Bids for Adams Street Project: Six bids came in for the Adams Street Project. The low bidder was Steen Construction in the amount of \$177,240.50. Engineer Mike Voss recommends approving the bid from Steen. Motion was made by T Schmidt, seconded by Hederer to approve the bid from Steen Construction for the Adams Street project in the amount of \$177,240.50. Motion carried with a voice vote.

Utility Tractor Bid Correction: The utility tractor price that was approved at the February council meeting was off by \$3,000.00. The correct amount should have been \$24,950.00. The motion for the purchase of the tractor will need to be amended at the March Council Meeting. Motion was made by Hederer, seconded by T Schmidt to approve an additional \$3,000 for the purchase of the tractor from the February meeting. The amount was off by the one trade-in amount. Motion carried with a voice vote.

Water System Connection/ Well Abandonment Ordinance: DPW Higley presented the updated ordinance for Water System Connection/Well Abandonment. The updated ordinance meets all of the DNR's new requirements regarding wells in the city and water system connection. The committee also discussed adding to the ordinance that a home that has a grandfathered well on the property will have to hook up to city water service when the property transfers ownership. Motion was made by Hederer, seconded by T Schmidt to approve Ordinance 2012-4 Water System Connection/Well Abandonment which updates Ordinance Section 9-1-8 as presented. Motion carried with a voice vote.

DNR Sanitary Inspection Report for Water System: In January of this year Glen Falkowski of the DNR inspected the city's water system. There were three things that need to be corrected and deadlines given for the completion of these items. The last item on the tonight's agenda will correct one of these items. All the items will be corrected before the deadlines.

Reconstruction of North 3rd St: North 3rd Street re-construction is on the five year street plan to be done in 2 sections, with the first half in the summer of 2013. DPW Higley recommends getting plans for the whole street to be re-constructed but you can still do the project in two halves. Re-constructing the street all at once was discussed and may be able save the city money. The committee discussed going out for bids for the design of the project.

Street Sweeping: Two bids came in for this year's street sweeping. Wisconsin Property Maintenance and Whirlwind Sweeping both submitted bids. Wisconsin Property Maintenance's bid was for \$4,200 for 2 sweepings, one in the spring and one in the fall. There will also be a fuel surcharge if fuel goes over \$4.20 per gallon. Whirlwind Sweeping's bid was for \$4,800 for 2 sweepings, one in the spring and one in late summer; a surcharge may also be added if fuel exceeds \$3.80. Motion was made by Hederer, seconded by Beisner to accept the bid from Wisconsin Property Maintenance in the amount of \$4,200 for 2 street sweepings. Motion carried with a voice vote.

Leaf Pick Up: Whirlwind Sweeping submitted a bid in the amount of \$5,900.00 for the fall leaf pick up. Motion was made by Hederer, seconded by Kaiser to accept the bid from Whirlwind Sweeping for leaf pick up in the amount of \$5,900.00 for the leaf pickup. Motion carried with a voice vote.

Lane Tank Bid for Water Tower Inspection: The city is behind on the inspection of the north water tower. The DNR gave us a deadline to complete this and it needs to complete by July 1, 2012. Lane Tank submitted a bid for doing the inspection of the north tower in the amount of \$1,500.00. The work would be done in the late fall of 2012 but DPW Higley did not see this being a problem with the DNR. Motion was made by T Schmidt, seconded by Kaiser to approve the bid from Lane Tank for the water tower inspection in the amount of \$1,500.00. Motion carried with a voice vote.

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

Mayor Schmidt appointed Annette Scharp as an election inspector. Motion was made by Beisner, seconded by Raatz to approve the appointment. Motion carried with a voice vote.

Mayor Schmidt reviewed the Library Annual Report with the council.

Clerk Gurtner: Clerk Gurtner informed the council of an election training she is holding at the Colby City Hall on March 23, 2011. All election inspectors will be invited from the City of Colby, Town of Hull, Town of Frankfurt and the City of Abbotsford.

DPW Harland Higley: The following building permits were issued: Chad & Katie Harris, 106 S 3rd Street, replace windows & siding; Shon Marcott, 308 W North Street, roof.

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

Engineer Mike Voss: Mike Voss reported that the city has until 2015 to convert the Well No. 8 replacement test well into a municipal production well. MSA recommends that the City proceed with the plans to put this well into production and then look into grant and loan monies in a future round of SDWLP funding.

Resolution 2-2012 Preliminary Resolution Declaring Intent to Levy Special Assessment for West Adams Street Reconstruction: Motion was made by Beisner, seconded by Hederer to approve Resolution 2-2012 as presented. Motion carried with a voice vote.

RESOLUTION 2-2012
PRELIMINARY RESOLUTION DECLARING INTENT TO LEVY SPECIAL ASSESSMENTS
UNDER MUNICIPAL POLICE POWER PURSUANT TO §66.0703 STATE STATS.

RESOLVED, by governing body of Colby, Wisconsin:

1. The governing body hereby declares its intention to exercise its police power under §66.0703, Stats., to levy special assessments upon property in the assessment district hereafter described for benefits conferred upon such property by reason of the following public work and improvements:

Adams Street Reconstruction

Concrete curb and gutter construction.

2. The property to be assessed lies within the following described assessment district:

All property fronting upon both sides of West Adams Street from Division Street to North 2nd Street.

3. The total amount assessed against the properties in the described assessment district shall not exceed the total of the cost of the improvements.

4. The governing body determines that the improvements constitute an exercise of the police power for the health, safety and general welfare of the municipality and its inhabitants.

5. The municipal engineer shall prepare a report which shall consist of:

- a. Preliminary plans for the improvements.
- b. An estimate of the entire cost of the proposed improvements.
- c. Schedule of proposed assessments.

6. When the report is completed, the municipal engineer shall file a copy of the report with the municipal clerk for public inspection and, if state property is to be assessed, shall mail a copy of the report to the responsible state agency and, for assessments of \$50,000 or more, to the Wisconsin state building commission.106

7. Upon receiving the report of the responsible officer or body, the clerk shall cause notice to be given stating the nature of the proposed improvements, the general boundary lines of the proposed Assessment District, (including a small map thereof,) the time and place at which the report may be inspected, and the time and place of the public hearing on the matters contained in the preliminary resolution and the report. This notice shall be published as a class 1 notice under ch. 985, Stats, and a copy shall be mailed, at least 10 days before the hearing, to every interested party whose address is known or can be ascertained with reasonable diligence.

8. The hearing shall be held in the City Hall at the following address:
211 West Spence Street at a time set by the clerk in accordance with §66.0703, Stats.

9. The assessment against any parcel may be paid in a lump sum or in annual installments the number of which shall be determined at the public hearing on the proposed assessments.

Signed: Mayor James W Schmidt
Attest: Clerk Connie Gurtner

Clarification of Wage Approval for Employees with Certification Wages: The motion for raises at last month's meeting wasn't clear for those employees that were union members and received additional wages for certification if the raise is on the base wage or total wage. Motion was made by Hederer, seconded by Beisner to approve a 1% wage increase for those employees on their total wage rather than the base wage. Roll Call Vote: Ayes – Hederer, Kaiser, Beisner, Schmidt, Schraufnagel, Holtzhausen. Raatz abstained. Motion carried.

Committee meetings for March: Colby-Abbotsford Police Commission will meet on March 12, 2012 at 6:00 P.M. at the Police Department. Water/Sewer/Streets Committee will meet on March 26, 2011 at 6:30 PM.

Adjourn: Motion was made by Hederer, seconded by Raatz to adjourn at 8:04 P.M. Motion carried with a voice vote.

Approved _____
James W Schmidt, Mayor

Attest _____
Connie Gurtner, Clerk