

May 1, 2012 **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: Henaman, T Schmidt, Thieme, Schraufnagel, Holtzhausen and Kaiser. Hederer was absent. Also present were Mayor James Schmidt, Clerk Connie Gurtner, DPW Harland Higley Jr., Chief Ron Gosse, Officer Rennie and Engineer Mike Voss.

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

Minutes of the April 17th re-organizational meeting were pre-read and reviewed. Motion was made by T Schmidt, seconded by Kaiser to approve the minutes as presented. Motion carried with a voice vote.

Financial Statement and Bills were discussed. Motion was made by Holtzhausen, seconded by Schraufnagel to approve the bills. The amounts approved are as follows: General Fund \$143,299.46; Water Department \$56,952.84; Sewer Department \$233,014.11; TIF Fund \$194,547.60; Net payroll \$17,526.50. Motion carried with a voice vote.

Public Comment: John Svejda spoke in opposition to the K-9 purchase. He asked the council to consider all costs and liability in relation to the K-9.

Colby-Abbotsford Police Commission met on April 9th.

The commission approved the minutes and expenditures.

Purchase of a new K-9: There are two different options to purchase a new K-9. Vonlich Kennel's is where we purchased D'Jango from and has a six week training course. Little Rock K-9 Academy has only a two week training program. The cost for Little Rock K-9 kennels, located in Arkansas, is \$8,250 for the dog and the training course plus the cost of meals and a 2 night hotel stay while in Arkansas. The cost for Vonlich Kennels is around \$6,000 more. Officer Rennie is comfortable having only the two week training course. Most of these companies have warranty periods of 1-2 years for a new dog. It was mentioned about looking into insurance coverage. The commission approved the purchase a K-9 through Little Rock K-9 Academy for up to \$9,050.00; this includes 2 week training, 2 night hotel stay and meals.

Posting of the Cleaning Position: Chief Gosse researched the statue on hiring and found we do not have to post the position. Gosse was told by former commission chair Joe Lange that as long as it was within budget Chief Gosse did not have to post it. Abbotsford's mayor does not feel it needs to be posted because it is only 2 hours per week.

Chief's Report: Chief Gosse stated that they sold the Ford car for \$2,550 and the Chevy Impala for \$5,500 on an online auction. This was more than he figured we would get. The money was put back into the car fund. There is nothing to report on Vehicle maintenance.

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

City Planning Committee met on April 24th.

Conditional Use Permit for Hair Salon at 406 S 4th St: Nicole Boyer spoke and stated that she would like to put a one chair salon in the part of her garage that is finished. The conditional use permit will not expire unless the property would change hands.

The committee approved the conditional use permit for the hair salon at 406 S 4th St, with no expiration unless the property would change ownership. Motion was made by T Schmidt, seconded by Kaiser to approve the conditional use permit for the hair salon at 406 S 4th Street with no expiration unless the property would change ownership. Motion carried with a voice vote.

Overage on Carpet Bid for Additional Tile of \$1,780: When the bids came back for the library carpeting job, tiling around the checkout station was not included in the price of the bids. The committee approved paying the overage of \$1,780 for the additional tile that was replaced in the library. Motion was made by T Schmidt, seconded by Schraufnagel to approve the overage on the carpet bid at a cost of \$1,780. Motion carried with a voice vote.

Ordinance 2012-5: Amendments to Ordinance 2-2-5 Standing Committees: The Mayor would like to combine the Water/Sewer and Streets/Equipment committees into one and call this committee the Public Works Committee. The committee voted to recommend the amendment to Section 2-2-5, Ordinance #2012-5 as presented. Motion was made by Holtzhausen, seconded by Henaman to approve the Amendment to Ordinance 2-2-5. Motion carried with a voice vote.

Ordinance Amendment for State Law Changes Regarding Land Divisions: The committee reviewed the changes regarding land divisions. The committee will review the amendment and review at a later date.

Ordinance Amendment for Unregistered Motor Vehicles: The current ordinance was reviewed and the changes presented in the amendment discussed.

Ordinance Amendment for Graffiti Removal: This amendment will be reviewed further and discussed at another time.

Ordinance Amendment for Possession or Use of Intoxicating Substances and Related Paraphernalia: They discussed the

changes in this amendment and will discuss this at another time.

Ordinance Amendment for State Law Change Regarding Public Works Bidding: The committee reviewed the amendment regarding public works bidding and concluded that this amendment did not affect a community our size.

Mayor Schmidt: Mayor Schmidt has no report from the United Communities of Clark County meeting. He did report on the RuderWare seminar that he had attended on April 30th.

DPW Harland Higley: The following building permits were issued: Eric Hill, 509 N 3rd Street, re-shingle roof; David Deslover, 408 S Main Street, sidewalk along side of garage and small deck; Amy Malovrh, 305 S 6th Street, portion brick exterior; Lony Oestreich, 201 N 3rd Street, siding and window.

DPW Higley reported on the precipitation and flows for April 2012 at the STP. He also reported on the pumpage of water for April 2012. We have done some sewer jetting in the city recently. The ball field has been completed but will not be ready for use until next year.

Engineer Mike Voss: The city has three projects going on right now. North 1st Street will be completed with the final layer of black top this month. Adams Street project is anticipated to start on July 6th. The Highway 13 Utility project will be starting tomorrow with staking.

Cigarette License: The city received two applications for cigarette licenses from Family Dollar Inc. One for the remainder of this license period and one for the July 1, 2012 – June 20, 2013 license period. Motion was made by T Schmidt, seconded by Holtzhausen to approve the licenses. Motion carried with a voice vote.

Picnic License: The city received an application for a picnic license from Hope for Hunter Benefit for May 20, 2012 at the Lions Shelter. Motion was made by Kaiser, seconded by Schraufnagel to approve the license. Motion carried with a voice vote.

Committee meetings for May: Colby-Abbotsford Police Commission will meet on May 14, 2012 at 6:00 P.M. at the Police Department. Board of Review will be held on May 17, 2012 from 4-6 PM. Public Works Committee will meet on May 30, 2012 at 6:30 P.M. Parks/Rec/Recycling Committee will meet on May 15, 2012 at 6:30 P.M.

CLOSED SESSION Per State Statues 19.85(1)(g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. Purpose: Review Letter from Francis Melvin Inc Regarding Spence Street Project

Motion was made by Holtzhausen, seconded by Schraufnagel to go into closed session to confer with legal counsel to review letter from Francis Melvin Inc.

Roll Call Vote: Ayes – Henaman, T Schmidt, Thieme, Schraufnagel, Holtzhausen, Kaiser. Noes – none. Hederer was absent. Motion carried.

Adjourn in closed session: Motion was made by Holtzhausen, seconded by T Schmidt to adjourn in closed session at 9:03 P.M. Motion carried with a voice vote.

Approved _____
James W Schmidt, Mayor

Attest _____
Connie Gurtner, Clerk