

August 7, 2012 **August Council Meeting**

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, Hederer and Kaiser. O'Brien was absent. Also present were Mayor James Schmidt, Deputy Clerk Jessie Polivka, DPW Harland Higley Jr., Engineer Mike Voss and citizens.

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

Minutes of the July 2nd 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. Hederer questioned check number 12241 to Ayers and Associates. It was explained the check is for the gathering of information for the possible litigation against Melvin Company. Holtzhausen questioned check number 12253 to Mid Wisconsin Beverage. It was explained that it is not a monthly expense and it is for the pop purchased for the vending machine. Motion was made by Hederer, seconded by Schraufnagel to approve the bills. The amounts approved are as follows: General Fund \$236,107.21; Water Department \$28,043.24; Sewer Department \$36,454.16; Net payroll \$27,367.47. Motion carried with a voice vote.

Public Comment: none

Colby-Abbotsford Police Commission met on July 9th.

The commission approved the minutes and expenditures.

Under Cleaning position:

Chief explained to the committee that Colby's Mayor Schmidt asked him to put this on the agenda because the position was not advertised. The Chief stated there is no statute saying you have to post it. Chief said he was told by Chairman Lange to hire the position. Voss stated she remembered discussing it at a meeting, and Chairman Lange giving Chief Gosse the approval to hire the position. Mayor Schmidt stated that Colby has a policy to post all positions because it is paid by the tax-payers. Chief Gosse said the cleaning person has a key. He needs to have someone that is trustworthy and keeps things confidential. Chairman Schraufnagel asked if the Abbotsford Mayor had a problem with the hiring the position. Voss states that to her knowledge Mayor Radhu was fine with not advertising for the position. Chairman Schraufnagel went around the table and asked each member if they felt the committee should re-post the position. Kilty felt for a two hour a week position, it was not worth re-posting, Faber agreed with Kilty. Henaman said if there's not a statute, we don't have to force it. T. Schmidt said there should be a firmer policy in place. It was noted that next time the committee should seek applications to keep the transparency in government.

Under Chief's report: Officer Rannow is off with shoulder surgery for about 6-8 weeks for sure, possibly 3 months. Chief stated they will have to hire part-time help and our Officers will possibly incur overtime. The Officers may have some 12 hour shifts. \$1300 in donations has come in for the canine. Mayor Schmidt asked if thank you cards are sent out. Chief Gosse said they will be sent.

Vehicle report: One of the vehicles has 101,000 miles on it. In the bills it is the one that had the alternator and battery replaced. The Chief will be bringing prices on new vehicles to the next meeting. At the next meeting he will also have replacement years on vehicles after this one.

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

Mayor Schmidt: Mayor Schmidt reported on his meeting with the Department of Commerce regarding the Fire Department Compliance Update. Chief Rannow also commented on the status of the compliance updates. Mayor Schmidt also reported on his meeting at McDevoo.

Mayor Schmidt appointed Lee Kachinshka and Linda Hart as Chief Election Inspectors. Motion was made by Holtzhausen, seconded by Hederer to approve the appointment. Motion carried with a voice vote.

DPW Harland Higley: The following building permits were issued: Jennifer and Peter Weber, 501 N 4th Street, storage shed; Mike Wiese, 218 S 2nd Street, patio; Janet Gurtner, 207 N 6th Street, concrete driveway; Phyllis Berg, 210 S 4th Street, replace concrete in garage; Austin Neumann, 313 S 2nd Street, roof; Doug's Buy Rite Auto, 401 S Division Street, tear down shed.

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

Engineer Mike Voss: Voss reported on the progress of Adams Street. He also reported on the progress of the Highway 13 project.

Picnic Licenses: The following applications were received for picnic licenses: Knights of Columbus (St. Mary's Fall Festival) – motion was made by Hederer, seconded by Kaiser to approve. Colby Pullers Club – motion was made by Hederer, seconded by Kaiser to approve. Motions carried with voice vote.

Abandonment of Test Well #14 and Possible Sale of the Lot: Test well #14 did not perform as expected and will be abandoned. There was discussion of putting the lot up for sale for what the city originally purchased it for. Motion was made by Holtzhausen, seconded by Hederer to approve the abandonment of test well #14 and putting the lot up for sale. Motion carried with a voice vote.

Recycling Consolidation Grant: The benefits of the recycling consolidation grant were discussed. Motion was made by Holtzhausen, seconded by Schraufnagel to approve the recycling consolidation grant with Marathon County.

Change Order #1 and Pay Request from Steen on Adams Street Construction: Change order #1 was discussed. The change order was for a negative amount, -\$442.00. Voss recommended paying the pay application to Steen in the amount of \$93,489.50. Motion was made by Schmidt, seconded by Henaman, to approve change order #1 from Steen. Motion carried with a voice vote.

MSA Change Order for Additional Hours on Highway 13 Utilities: Voss reported on the change order that MSA is requesting for the Highway project. They currently have 252 hours invested in the observation hours. The original amount of hours in MSA's bid was for 175 hours. The change order amount that MSA is requesting is \$8,134.00. Voss estimated that this number could double if the contractor keeps the current pace for installing the utilities. DPW Higley stated that Al Raatz could help with observation. Motion was made by Hederer, seconded by Schmidt to approve up to an additional \$8,000 for observation on the Highway 13 utility project. Motion carried with a voice vote.

Committee meetings for August: Colby-Abbotsford Police Commission will meet on August 13th at 6:00 P.M. at the Police Department. Parks & Rec Committee will meet on August 21st at 6:00 P.M. Public Works Committee will meet on Wednesday, August 29th at 6:00 P.M. City Planning will meet on Wednesday, August 22nd at 6:30 P.M.

Hederer was excused at 7:25

CLOSED SESSION Per State Statutes 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: Discuss Action with Attorney Regarding Francis Melvin Inc and the Spence Street Project Motion was made by Schmidt, seconded by Holtzhausen to go into closed session.

Roll Call Vote: Ayes – Schmidt, Thieme, Schraufnagel, Holtzhausen, Kaiser, Henaman. Hederer and O'Brien were absent. Motion carried.

Adjourn in closed session: Motion was made by Holtzhausen, seconded by Schraufnagel to adjourn at 7:40 P.M. Motion carried with a voice vote.

Approved _____
James W Schmidt, Mayor

Attest _____
Connie Gurtner, Clerk