

September 4, 2012 **September 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, O'Brien, Thieme, Schraufnagel, Holtzhausen, Hederer and Kaiser. Todd Schmidt was absent. 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 August 7th meeting were pre-read and reviewed. Motion was made by Hederer, seconded by Schraufnagel 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 O'Brien to approve the bills. The amounts approved are as follows: General Fund \$211,042.38; Water Department \$22,080.76; Sewer Department \$29,591.27; TIF Fund \$2,293.32; Net payroll \$17,995.06. Motion carried with a voice vote.

Public Comment: John Svejda was present to represent citizens that have come to him to talk against the police department SUV purchase. He feels that the Colby-Abbotsford Police Department is not in need of another SUV and feels that the purchase of a SUV versus a car is a want rather than a need.

Colby-Abbotsford Police Commission met on August 13th.

The commission approved the minutes and expenditures.

Under Hiring part-time officers, it was stated that per State Statute hiring part-time officers needs Commission approval. The Spencer Chief, Sean Bauer (Officer Jason Bauer's brother) will be filling in for one or more days this month. The commission voted to hire Sean Bauer as a part-time officer.

Under discuss/approve purchase of a 2012/ 2013 vehicle, Chief Gosse recommended the Police Department purchase a larger vehicle for the ease of Officers getting in and out the vehicle with all their gear on. Voss commented she has seen the difficulty the officers have. Chief Gosse offered to take the committee into the garage so they could see the difficulties. Chief Gosse also stated that the resale value on an SUV is substantially higher than a car. It was mentioned that the City Public Works crew doesn't always have time to plow the Police Department and having SUV's would make it easier during those times. Our two cities are a high arrest area. The committee and others present went into the car garage. The steering wheel is damaged from the officer's equipment getting caught on it. Brent Faber claimed he had difficulty getting into the driver's seat. Henaman was asked to pretend he was handcuffed and got into the car and SUV. Schraufnagel also sat in the back of the SUV. T. Schmidt asked the price difference between a 2012 and a 2013 Ford Expedition. He also asked if the car traded price would go toward the Expedition. Gosse was not sure of the cost difference and explained that the trade would go toward the price. The next time the Police Department would have to purchase vehicles would be 2015. At that time the Department would need two new vehicles. At this time \$26,000 has been budgeted and the commission may have to budget more. Henaman questioned how much was budgeted last year for a vehicle; it was stated that \$15,600 was budgeted plus the cost of a trade in. Chief Gosse stated it was only an estimate. The commission approved the purchase of 2012 or 2013 Ford Expedition for \$28,229. Motion carried 5:1 (Henaman). Chief will have more numbers for the committee at the next meeting. Motion was made by Schraufnagel to purchase 2012 or 2013 Ford Expedition. Motion failed due to the lack of a second. Motion was made by Hederer, seconded by Holtzhausen to purchase a Dodge Charger from Colby Chrysler Center in the amount of \$23,344. Roll Call Vote: Ayes – Holtzhausen, Hederer, Kaiser, Henaman, O'Brien. Noes – Schraufnagel, Thieme. Motion carried.

Under discuss/approve the 2012-2013 budget, Gosse stated that wages and insurance will increase. The department may also have an employee join the insurance with a family plan at a cost of \$13,000 a year versus the opt out cost of \$4,200. Chief Gosse estimated the insurance cost rising about 8%, but that is still unknown at this time. Fuel costs have gone up and Gosse estimated \$21,000 for 2013.

Under discuss/approve Employee Retirement, it was stated that employees are paid 1/2 of their unused sick time up to 680 hours upon retirement. At this time it is calculated that the accrued benefits are underfunded about \$30,000. There is \$22,000 in the budget currently, however if all four retirement aged employees retire there will be not be enough money. Last year the department moved \$10,000 from the Metal Plate Fund into the retirement fund; however, this year Chief Gosse said he has equipment to purchase and can't recommend the commission to roll more funds from the Plate Fund. Chief Gosse also discussed the audit coming up in 2013. The Department has a full audit every three years and there's not enough budgeted for a full audit. T. Schraufnagel questioned what was being purchased under miscellaneous expenses. It was explained that printing, necessary work on computers, batteries, drug tests, med fax, and Marshfield Clinic bills for new hires are included in that line item. Mayor Rachu said this year Chief Gosse spent \$770 from budgeted money. Chief Gosse stated in 2011 he spent \$3,200 so it was increased. T. Schmidt questioned the heat expense. 2011 was an estimate for the new building. T. Schraufnagel asked Chief Gosse if there was anywhere he could make some cuts in the budget. Chief Gosse said he cut everything he could. T. Schmidt suggested we take \$1,500 out of the miscellaneous line item and put it into the audit line. T. Schraufnagel asked about computer software. Chief Gosse said they have a 3% increase every year. Chief Gosse also stated that we do not have any money budgeted for vehicle or office computers. T. Schmidt questioned the balance in the Metal Plate Fund. Kevin O'Brien asked about the possibility of all four employees retiring at the same time. Chief Gosse explained he wanted to get the budget out early so the commission could have time to review it and allow both councils time also. T. Schraufnagel questioned if a full audit was needed. It was explained that every three years it has been done and both City Clerk's go through it between audits. The motion was made approved to send

budget for approval to both City Councils with the changes of moving \$1500 from miscellaneous fund into the audit fund.

Under discuss the Chief's report, it was stated that the 2008 Chevy's fan keeps running and it's draining the battery; it was taken to Sebold's Chevrolet for repair. At this time, all other vehicles are fine.

At this time it the department is unsure when R. Rannow will return to work, as he has an appointment August 21st. Due to being short one employee, Chief Gosse has to ask some officers to carry over their vacations.

T. Schmidt said he had conflicts with meetings on Monday nights. Next month's meeting is scheduled for Wednesday night, September 12th.

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

Board of Appeals met on August 20th.

The variance was requested by Kurt Kulas to allow for the construction of a two car garage within the lot line set back area at 310 S 3rd Street on the North side of the property. The home owner and building "believe" that the current garage is 4-6 feet from the lot line. The committee granted the variance with the same footprint of the current garage from the North lot line.

City Planning Committee met on August 22nd.

All-Terrain Vehicles and Off-Road Motor Vehicle Operation Ordinance: State statute states that you may not run ATV's on public streets. A city may enact an ordinance for ATV's to run on streets for snow removal and the DNR rules regarding ATV's were read aloud. The mayor also found out that you may designate routes for ATV's in the city but they have to be posted and then the routes need to be approved by the DNR. The committee discussed the issue and decided to leave the ordinance as is.

Review Colby-Abbotsford Police Ordinance: The current Colby-Abbotsford Police Ordinance was reviewed. The ordinance needs to be updated and the changes the committee would like to make were discussed. The first revision will be to change the section that states that the police books will switch each year between the two cities. A motion made back in 2010 by both city councils approved the Colby City Clerk's office to keep the books permanently. The second revision would be to have in writing a procedure of what would happen if one city council votes yes on an item and the other council votes it down. The committee decided that if an item is approved by one council and rejected by the other it shall go back to the police commission. The third revision would be to include a section stating that the police books shall be audited by an outside firm every three years. The final revision is raising the limit of purchasing something without prior approval from the councils from \$1,000 to \$2,500.

The committee approved these recommended changes to be discussed to the Colby-Abbotsford police commission ordinance and will be presented to the police commission for approval also.

Ordinance 2012-6 Amendment for State Law Changes Regarding Land Divisions: The changes recommended by community code service regarding this ordinance were discussed. Motion was made by Schraufnagel, seconded by O'Brien to approve Ordinance 2012-2 the amendment for state law changes regarding land divisions, as presented. Motion carried with a voice vote.

Ordinance Amendment for Unregistered Motor Vehicles: Our current ordinance was read and the changes recommended by Community Code Service regarding this ordinance were discussed. The committee agreed that our current ordinance, Sec. 10-5 is sufficient.

Ordinance 2012-7 Amendment for Graffiti Removal: The ordinance amendment was read and discussed. Motion was made by Schraufnagel, seconded by Hederer to approve Ordinance 2012-7 the graffiti removal ordinance as presented. Motion carried with a voice vote.

Ordinance 2012-8 Amendment for Possession or Use of Intoxicating Substances and Related Paraphernalia: The amendment was read and discussed. Motion was made by O'Brien, seconded by Hederer to approve Ordinance 2012-8 for Possession or Use of Intoxicating Substances and Related Paraphernalia to full council for approval. Motion carried with a voice vote.

Ordinance Amendment for State Law Change Regarding Public Works Bidding: The ordinance was discussed at the last meeting and the committee decided to not change our current ordinance.

2013 Budget Items: Budget items regarding grants and economic development were discussed for 2013.

Public Works Committee met on August 29th.

Sewer Bill Forgiveness for Mrs. Alvin Krueger: Mrs. Alvin Krueger had left her hose on and her usage was 7,000 gallons rather than her regular amount of 1,000 gallons. She is asking for forgiveness of the sewer portion of the additional usage. The amount is \$73.90 assuming her normal usage was 1,000 gallons. The committee approved the forgiveness of the sewer portion of her bill in the amount of \$73.90.

Adams Street Project Update: The binder coat of black top has been applied. One manhole has been replaced and two manholes have been raised to grade. DPW Higley is unsure when they will come to do the final coat. Peterson and Sons still needs to complete the highway portion by the railroad. DPW Higley doesn't expect the road to be completely open until October.

Highway 13 Project Update: All utilities have been installed and are functioning. The projected completion is November.

2013 Budget: The committee reviewed all budget items for 2013 including maintenance, future street projects and other capital expenses. The committee decided to propose the construction of the entire North 3rd Street. The Clerk will look into getting information from the auditors about using TIF funding for part of the project.

Mayor Schmidt: Mayor Schmidt appointed Nancy O'Brien to serve on City Planning Committee, Parks/Rec Committee and Public Works Committee. Motion was made by Holtzhausen, seconded by Hederer to approve the appointments. Motion carried with a voice vote.

Mayor Schmidt reported on the meeting with WISCAP that we discussed Library construction financing.

He also reported that Marathon County Extension is hosting tech fairs.

Mayor Schmidt reported that the State of Wisconsin has notified the city that the Colby Fire Department has fulfilled the requirements need to close out the orders issued from the March 2012 incident.

Clerk Gurtner: Clerk Gurtner reported on her training through WMCA. She also reported that she will be attending the MTAW conference at the end of the month.

DPW Harland Higley: The following building permits were issued: Steve Hunsader, 306 N 6th Street, replace wind damaged shingles; Duane & Dorothy Webb, 515 N 3rd Street, roof repair; Audrey Stieber, 216 S 3rd Street, re-roof; Mark Frey, 500 Carol Street, re-shingle house; Francine Donahue, 510 W North Street, roofing/re-shingling; Jenny Weber, 501 N 4th Street, windows, insulate and drywall, re-model bath; Manny Firnstahl, 702 E Monroe, new kitchen cabinets.

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

The crew had to repair a water main leak on S 1st Street. The library steps are going to be repaired, weather permitting, tomorrow.

Engineer Mike Voss: Voss tried to contact Steen to get a date for the final coat of asphalt. They will do a walk through with DPW Higley on the project before final payment.

Operator's License: The following application was received for an operator's license: Mason Rachu, 500 N 2nd Ave, Abbotsford - motion was made by Holtzhausen, seconded Schraufnagel by to approve. Motions carried with voice vote.

Committee meetings for September: Colby-Abbotsford Police Commission will meet on September 12th at 6:00 P.M. at the Police Department. Finance Committee will meet on October 1st at 6:30 PM. Parks/Rec/Recycling Committee will meet on September 11th at 6:00 PM.

Adjourn: Motion was made by Schraufnagel, seconded by Hederer to adjourn at 7:45 P.M. Motion carried with a voice vote.

Approved _____
James W Schmidt, Mayor

Attest _____
Connie Gurtner, Clerk