

August 6, 2013 **August Council**

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, T Schmidt, Thieme, Schraufnagel, Oestreich, Hederer and Kaiser. Also present were Mayor James Schmidt, Deputy Clerk Polivka, DPW Harland Higley Jr, and Jeremy Haas from MSA.

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

Minutes of the July 2nd and July 22nd council meetings were pre-read and reviewed. Motion was made by Schmidt, 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 Oestreich to approve the bills. The amounts approved are as follows: General Fund \$138,285.46; Water Department \$30,905.93; Sewer Department \$73,883.20; Net payroll \$27,240.56. Motion carried with a voice vote.

Colby-Abbotsford Police Commission met on July 15th.

The commission approved the minutes and expenditures.

Reimbursement to Kocian for Medicare Premium: Sandy Kocian will be qualifying for Medicare and Security Health Plan will be taking her off of the regular single plan and adding her to the Medicare supplement plan. Kocian is asking to be reimbursed for 80% of her Medicare premium. Chief Gosse is currently getting this amount for his Medicare. The commission approved the reimbursement. Motion was made by Schraufnagel, seconded by Henaman to reimburse Kocian 80% of her Medicare premium. Motion carried without negative vote.

Chief Report: Chief Gosse reported that the department has been extremely busy. He distributed the K-9 arrest report.

Motion was made by Schraufnagel, seconded by O'Brien to approve the actions and expenditures of the Colby-Abbotsford Police Commission from July. Hederer voted no. Motion carried with a voice vote.

City Planning Committee met on July 22nd.

Conditional Use Permit for Jacob & Casey Smith to allow for 3 dogs: Jacob Smith was in attendance asking for permission to keep three dogs at their residence of 223 S 3rd Street. William McGhee asked if they would have more than 3 dogs. Kim Krueger said that she has had no problems with their dogs and was in favor of allowing them to have the permit. The committee approved the permit. Motion was made by Schmidt, seconded by Hederer to issue a conditional use permit to allow for a kennel license and have three dogs. Henaman voted no. Motion carried with a voice vote.

Ordinance 2013-1 Police Ordinance Amendment 5-1-1: The Police Commission re-wrote Ordinance 5-1-1. The changes were discussed and will be forwarded to the full council for approval. The committee approved the recommendation for approval to the full council. Motion was made by Schmidt, seconded by Henaman to approve the ordinance changes. Motion carried with a voice vote.

Mayor Schmidt: Mayor Schmidt gave a report on the Clark County Economic Development Committee meeting.

Harland Higley: The following building permits were issued: Kati Schoelzel, 206 N 6th Street, deck; Jackie Mueller, 222 S 2nd Street, fence; Dale Raatz, 205 S 6th Street, roof; Pat Fons, 205 N 1st Street, siding; Michael Kreciak, 105 S 6th Street, roof; Terry Hanson, 406 W Clark Street, kitchen cabinets; Park Properties, 115 S 1st Street, exterior repairs/windows; Larry Bartnik, 500 N 2nd St, Replace kitchen cabinets; Chad Heeg, 102 S East St, New Detached Garage.

DPW Higley gave water and sewer reports.

Operators' Licenses: The following Operator's Licenses were received: Sherry Viegut - motion was made by Oestreich, seconded by Schraufnagel to approve. Carla Blum - motion was made by Schraufnagel, seconded by Thieme to approve. Kari Helfert - motion was made by Hederer, seconded by Oestreich to approve. Terrance Scherer - motion was made by Kaiser, seconded by Hederer to approve. Motions carried with a voice vote.

Liquor Licenses: Motion was made by Kaiser, seconded by Hederer to approve a Class B Combination License for Bowl - Winkles 2, 506 N Division Street effective August 15, 2013 pending the surrender of the current license. Motion carried with a voice vote.

Picnic Licenses: Motion was made by Hederer, seconded by Kaiser to approve a picnic license to the Colby Pullers Association for the pulling track area on August 10-11, 2013. Motion carried with a voice vote

Resolution 3-2013 Budget Amendments: Motion was made by Schmidt, seconded by Kaiser to approve Resolution 3-2013 Budget Amendments as follows:

RESOLUTION 3-2013
APPROVING AMENDMENTS TO THE 2013 BUDGET

WHEREAS, certain authorized expenditures within the adopted 2013 Annual Budget need to be reallocated; and

WHEREAS, according to Wisconsin Statutes no appropriations may remain overexpended at year end within the annual budget;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Colby that the 2013 budget be amended as follows:

Reallocation Expenses as follows:

100-53300-211 Top Dress/Crack Fill -\$6,400.00
100-53300-230 Curb & Gutter +\$6,400.00

Mayor, James W Schmidt
Clerk, Connie L Gurtner

Committee meetings for August: Colby-Abbotsford Police Commission will meet on August 12, 2013 at 6:30 P.M. at the Police Department. Personnel Committee will meet on August 28, 2013 at 6:30 P.M. Public Works Committee will meet on August 26, 2013 at 6:30 P.M.

Closed Session: Motion was made by Schraufnagel, seconded by O'Brien to go into closed session per State Statute 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 be involved. Hederer left the meeting at 7:00 PM.

Purpose: Confer with legal counsel regarding strategy and options for City in litigation (City of Colby vs. Frances Melvin, Inc, et al., Clark County Case Number 12CV139)

Adjourn in Closed Session: Motion was made by Schmidt, seconded by Schraufnagel to adjourn in closed session at 7:50 PM. Motion carried with a voice vote.

Approved _____
James W Schmidt, Mayor

Attest _____
Jessie Polivka, Deputy Clerk