

December 2, 2014 **December 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, Clerk Connie Gurtner, DPW Harland Higley Jr, Mike Voss from MSA and citizens.

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

Minutes of the November 4, 2014 council meeting were pre-read and reviewed. T Schmidt noted that "Motion carried with a voice vote" be added to the first paragraph on the top of Page 2. Motion was made by Schmidt, seconded by Schraufnagel to approve the minutes as corrected. 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 \$329,158.21; Water Department \$40,374.13; Sewer Department \$51,156.36; Net payroll \$18,014.00. Motion carried with a voice vote.

Colby-Abbotsford Police Commission met on November 6th and November 10th.

On November 6th the commission met in closed session to conduct interviews for the Chief of Police position.

On November 10th the commission approved minutes and expenditures.

Delta Dental Renewal for 2015: The premium for Delta Dental in 2015 increase from \$391.25 a month to \$422.55 a month. The commission approved without negative vote.

Security Health Plan Renewal for 2015: The premium for Security Health Plan for 2015 increased 6.07% to \$5,031.02 a month. The commission approved without negative vote.

Waiving the Remainder of Chris Brandner's Probationary Period: Officer Brandner's probationary period is due to expire in March of 2015. Chief Gosse would like to see the department purchase a dog now in order to get the dog/officer trained before vacations are taken in the summer but the commission doesn't want to purchase a dog until Brandner is off of probation. Schraufnagel doesn't feel that it is good practice to waive a probationary period. Werner wondered if it would be a contract issue. The commission decided not to waive the probationary period.

Purchase of a K-9: The commission doesn't feel the need to rush the purchase of a K-9 and would like to get through all the changes that are happening right now.

The remainder of this meeting was held in closed session to develop a contract for the Chief of Police position.

Motion was made by Schraufnagel, seconded by Henaman to approve the Colby Abbotsford Police Union Contract changes as follows. Motion carried with a voice vote.

Article 8, Section 1  
2% wage increase for each year of the 3 year contract

Article 8, Section 5  
Raise night differential from \$.95 to \$1.00

Article 9, Section 1  
Raise clothing allowance from \$500 to \$600 per year

Article 10, Section 4  
Increase to the requirement to use vacation in block weeks after 85 hours was raised to 127.5 hours

Article 11, Section 4  
Raising the maximum hours from 680 to 700 hours for accumulated sick time payout

Public Works Committee met on November 20th.

Sewer Department Non Compliance Letter: The DNR sent us a letter stating that we had violations. Our monthly average effluent Ammonia was in violation in January, February and March in 2014. Also, our monthly effluent Phosphorus was in violation in December 2013 and January 2014. One of the reasons for these violations was because one of our mixers was done and also because of the cold weather. Roger Ried responded to the DNR with a letter.

Well #14 and #15 Updates: Municipal Well and Pump has completed construction and testing on both wells. Neither well meets specs as far as alignment. We could make the contractor re-drill, but there is a fear that the next well that is dug would not produce the same amount of water. There was also discussion about getting a long term guarantee from the contractor that we won't have issues with the well in the future.

South 1st Street Construction Updates: The stair rails should be done this week. The mailboxes have been put back.

Bidding for Equipment Purchase: DPW Higley is asking for permission to start the bidding process for the equipment purchase that is budgeted in 2015. It was determined to bid them in February so that we can pay them in March after tax collections.

Bidding for Concrete Crushing: This needs to be done in the winter months, so DPW Higley will get bids to be approved at the January council.

Bidding for Ditch Mowing: DPP Higley suggested doing the bidding for ditch mowing at the same time as the equipment purchase, so we have someone selected by summer.

Milling of Streets for 2015: The city budgeted to do street milling in the 2015 budget. DPW Higley did an assessment and determined that these streets be done: Industrial Park, Dolf Street – 7th to 4th, North 2nd – High School parking lot to Dolf, W Adams – 2nd to 7th, 4th Street – Dolf to Adams.

Wausau Street Re-Construction 2015: Wausau Street between 2nd and 3rd is scheduled for 2015. The estimate is \$64,900 for construction and with engineering is \$87,605.50. DPW Higley suggests getting pricing from our two engineering firms, so that we can get plans done.

Equipment Rates: West Central Regional Planning had suggested that we adopt the DOT equipment rates in order to keep our rates current in case of any FEMA claims. It was discussed to create a resolution to adopt those rates, but include mowing and snow removal in the resolution separate as a fee. It was determined to charge \$150/hour for mowing and \$50/100 feet and \$50 for each additional 100 feet or part thereof for snow removal. Motion was made by T Schmidt, seconded by O'Brien to approve Resolution #4-2014 as presented. Motion carried with a voice vote.

#### RESOLUTION # 4-2014

A Resolution Adopting the  
State Approved Equipment & Vehicle Rates and  
Ordinance Violation Assessments  
For The City of Colby, Clark/Marathon County, State of Wisconsin.

WHEREAS, the Wisconsin Department of Transportation establishes a Schedule of Classified Equipment and Vehicle Rates that are updated annually; and

WHEREAS, the City of Colby uses these State Equipment Rates when issuing invoices that include charges for the use of the City of Colby's owned equipment; and

WHEREAS, the adoption and use of these State Equipment and Vehicle Rates assists the City of Colby in receiving reimbursement from the Federal Emergency Management Agency (FEMA) and the Wisconsin Emergency Management Agency for work performed by the City during emergency situations;

THEREFORE, BE IT RESOLVED, the City of Colby does hereby adopt the State Equipment and Vehicle Rates for the use of City's owned equipment and vehicles that are listed in these rates; and

Be it further resolved that as the labor costs of the equipment operator(s) are not included in the equipment rates, each operator's actual hourly wage including benefits shall be assessed separately from, and in addition to, the equipment costs in each case; and

Be it further resolved that the City of Colby does charge One Hundred Fifty Dollars (\$150.00) per hour for lawn mowing as referenced in City of Colby Ordinance 8-1-6(e);

Be it further resolved that the City of Colby does charge Fifty Dollars (\$50.00) for any lot up to one hundred (100) feet frontage, plus an additional Fifty Dollars (\$50.00) for each additional one hundred (100) feet or part thereof for snow and ice removal as referenced in City of Colby Ordinance 6-2-7(b)(2).

Signed: James W Schmidt, Mayor

Attest: Connie L Gurtner, City Clerk

Snow Removal Ordinance 6-2-7: It was determined to take out of the ordinance the actual cost for snow removal and include it in a resolution. Motion was made by Hederer, seconded by O'Brien to amend Ordinance #2014-6, Amendment to Sec. 6-2-7 Snow and Ice Removal. Motion carried with a voice vote.

Ordinance #2014-6  
Amendment to Sec. 6-2-7  
Snow and Ice Removal  
Amend as follows:

(b) Removal.

(2) Such letter shall be addressed to the homeowner or property owner at the homeowner's or property owner's last known address and mailing by the City Clerk-Treasurer by regular mail, postage prepaid thereon, shall constitute

presumptive evidence of receipt of such notice. If within twenty-four (24) hours after notice, the City maintenance crews or City employees shall arrange for the clearing of the sidewalk at a rate of Twenty-five Dollars (\$25.00) for any lot up to one hundred (100) feet frontage, plus an additional Twenty-five Dollars (\$25.00) for each additional one hundred (100) feet or part thereof, established by the City of Colby and shall be revised from time to time as the City deems appropriate.

2015 Budget: T Schmidt asked why the utility tax was increase so much this year. The auditors pointed out that we were getting behind in the tax to the General Fund, so we are catching up on the tax. Motion was made by Hederer, seconded by T Schmidt to approve the 2015 Water and Sewer Budget. Motion carried with a voice vote.

Mayor Schmidt: United Communities of Clark County was cancelled.

Clerk Gurtner: Clerk Gurtner reported on the Clark and Marathon County tax rates. Both went down slightly from last year.

DPW Harland Higley: The following building permits were issued: Jack Abney, 101 E Graves, install a window; Lloyd Kuehling, 502 W Spence St, furnace.

DPW Higley reported on the precipitation and flows for November 2014 at the STP. He also reported on the pumpage of water for November 2014.

Engineer Mike Voss: The railings on the steps in the South 1st Street project are half done. MSA will be sending a letter to Switlick & Sons collecting liquidated damages because they are past the deadline for the project. Motion was made by Hederer, seconded by Oestreich to amend the motion to approve the General Fund bills by decreasing the payment to Switlick and Sons by \$24,000 to cover liquidated damages to December 2nd. Motion carried with a voice vote.

It was determined that Municipal Well and Pump will be putting in some shrouds to help with the issue of alignment in Well #15. The city is concerned that we may not get a good producing well nearby and this well is producing a good amount of water for the city, so we would like to keep it.

Operator's License: An operator's license was received from: Kimberly Schilling, 300 W Pine St, Abbotsford, WI - motion was made by Kaiser, seconded by Hederer to approve. Chad Kilty, 108 S 3rd St, Colby, WI - motion was made by Hederer, seconded by Oestreich to approve. Motion carried with a voice vote

Security Health Plan Renewal: The rate for 2015 Security Health Plan increase by 6.69% to \$10,313.03. Motion was made Schraufnagel, seconded by Thieme to approve the Security Health Plan renewal. Motion carried with a voice vote.

Office Closing on Friday, December 26th: Motion was made by T Schmidt, seconded by Schraufnagel to approve the closing of the office on Friday, December 26th. Motion carried with a voice vote.

Johnson Block 2014 Audit Contract: The renewal rate for the 2014 audit is \$14,530. Motion was made by Schraufnagel, seconded by Kaiser to approve the 2014 audit contract with Johnson Block at a cost of \$14,530. Motion carried with a voice vote.

Employee Christmas Gifts: Motion was made by Hederer, seconded by O'Brien to give the employees a \$25 Abbotsford Colby Area Chamber of Commerce gift certificate. Motion carried with a voice vote.

General Insurance Rates/Coverages: Motion was made by T Schmidt, seconded by Oestreich to go with the proposal for insurance from the League of Wisconsin Municipalities at a total of \$21,373. Motion carried with a voice vote.

Committee meetings for December: Colby-Abbotsford Police Commission will meet on December 8, 2014 at 6:30 P.M. at the Police Department. Personnel/Labor Relations will meet on Tuesday, December 16, 2014 at 6:30 P.M.

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

Approved \_\_\_\_\_  
James W Schmidt, Mayor

Attest \_\_\_\_\_  
Connie Gurtner, Clerk