

August 4, 2015 **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: Hamm, O'Brien, T Schmidt, Thieme, Lynn, Hederer and Kaiser. Oestreich arrived at 6:33 P.M. Also present were Mayor James Schmidt, Clerk Connie Gurtner, DPW Higley and Engineer Mike Voss.

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

Minutes of the July 7 and July 15, 2015 council meetings were pre-read and reviewed. Motion was made by T Schmidt, seconded by Hederer to approve the minutes as presented. Motion carried with a voice vote.

Financial Statement and Bills were discussed. Motion was made by , seconded by to approve the bills in the amounts as follows: General Fund \$151,973.62; Water Department \$237,438.11; Sewer Department \$22,536.73; Net payroll \$25,594.81. Motion carried with a voice vote.

Public Comment: Mayor Schmidt introduced our new WWTP Operator Clint Smith. Bill Sweda asked if the new Ward IV Council Members have phone numbers in the book. He also asked how the manhole covers came out with the new blacktop.

Colby-Abbotsford Police Commission met on July 13th.

The commission approved minutes and expenditures.

Under Purchase department policies from Lexipol a packet was handed out to the commission detailing the services. After Lexipol reviewed the current policy handbook they determined that the Department would be better served by an hourly rate contract. Chief Bauer felt the policies could be online in 9 months. It was suggested to have the involvement of the officers during this process. The cost is estimated to be \$15,123. Chief Bauer stated that there is currently up \$11,000 in Plate fund and he would be comfortable utilizing \$7,000 of the \$11,000 in the fund and also utilizing \$2,500 in the K-9 fund 2015 budget item. It was also stated that there will be a surplus in the 2015 fuel line item and \$4,000 could be utilized from that budget line item. Motion was made by T Schmidt, seconded by Lynn to contract with Lexipol for the preparation of the Commissions policies at a cost of \$15,123; to be funded with \$7,000 from the plate fund, \$2,500 from the K-9 fund, and \$4,000 from the 2015 fuel budget line item surplus with budgeting for the continual annual cost of \$2,673 of surplus. Motion carried without negative vote.

Under request from Chief Bauer to Carryover un-used vacation beyond anniversary date, Chief Bauer stated that he is requesting 93 hours of vacation be carried over as he has been unable to utilize all of his time off. The commission approved allowing Chief Bauer to carry over his vacation in full beyond his 2015 anniversary date.

Under Chief's Report, Chief Bauer stated there is an officer out on medical leave for 3-6 weeks. It was stated that the Department's Ford Expedition is close to 100,000 miles and is beginning to cost the department money in continual maintenance. Officer Bauer suggested looking for a replacement vehicle in the near future and suggested a smaller SUV as there is no immediate plans to replace the K9 in the next 3 years. Currently there is \$41,000 in the Auto fund.

Mayor Schmidt: Mayor Schmidt reported on his United Communities of Clark County Meeting. Mayor Schmidt also reported that Assessor Greg Schmidt is starting the new evaluations of the city.

DPW Harland Higley: The following building permits were issued: Gary Fetting, 515 N 5th St, fence; Mike Wiese, 218 S 2nd St, re-do garage floor; David DeSloover, 408 S Main St, re-roof house & garage; Carlson Chiropractic, 111 S 1st St, roof; St Mary's, 205 S 2nd St, bathroom and small addition; Terry Dom, 301 N 3rd St, replace roof; Louis Young, 705 N 7th St, insulating basement/family room, David Decker, 201 E Adams St, deck; Mike Rahm, 303 E Adams St, concrete patio.

DPW Higley reported on the pumpage of water and well levels for July 2015

Operator's License: Two applications were received for Operators' Licenses: Kristin Sidenbender, 210 S Washington St, Unity, WI - motion was made by Kaiser, seconded by Hederer to approve; Wendy Fremming, 131 S 1st Street, Colby, WI - motion was made by Hederer, seconded by Oestreich to approve. Motions carried with a voice vote.

Picnic Licenses: The city received a picnic license application: Colby Pullers Club, Colby Ground, August 8-9, 2015. Motion was made by Hederer, seconded by Kaiser to approve the picnic licenses. Motion carried with a voice vote.

Resolution 9-2015 Establishing Application Fees and Permit Fees for Telecommunication Facilities: Motion was made by T Schmidt, seconded by O'Brien to approve the Resolution 9-2015 as follows. Motion carried with a voice vote.

A Resolution establishing Application Fees and Permit Fees for Telecommunication Facilities.

WHEREAS, the governing authority of the City of Colby established the City of Colby Ordinance Regarding Mobile Tower Siting on June 7, 2015 by City of Colby Ordinance 2015-2-2; and

WHEREAS, Section 13-1-182(c)(1) of said Ordinance 2015-2-2 requires the person, company or organization that will own and operate any proposed telecommunication facility to submit an application to the City Clerk-Treasurer or designee prior to the issuance of a building permit; and

WHEREAS, the City of Colby now desires to establish an application fee that must be paid by the applicant when submitting

an application for any proposed telecommunication facility; and
NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF COLBY AND IT SO RESOLVED BY THE AUTHORITY THEREOF: THAT when submitting an application for proposed telecommunication facility (except as may otherwise be provided herein), the applicant shall also submit a non-refundable application fee of \$2000.00 to the City of Colby, and the application shall not be accepted for consideration until the application fee is paid;
HOWEVER, if the applicant is submitting an application for placing an antennae on an existing telecommunication tower, then the non-refundable application fee shall be \$1,000.00, and the application shall not be accepted for consideration until the application fee is paid; and
IT IS FURTHER RESOLVED THAT this Resolution shall be retroactive and effective as of August 4, 2015.
IT IS RESOLVED THIS 4th day of August, 2015.

Signed: Mayor James Schmidt

Attest: Connie Gurtner, Clerk

Termination of the Property lease Agreement with AbbyColby Crossings Chamber of Commerce: The AbbyColby Crossing Chamber of Commerce has decided to terminate the contract with the city for the Colby Grounds property. In reviewing the contract, there should have been a 90 day notice prior to the term of the contract, but there is a breach of contract clause that we could enforce to terminate the contract. Motion was made by Lynn, seconded by Hamm to send a letter of default to the AbbyColby Crossings Chamber of Commerce. Motion carried with a voice vote.

Committee meetings for August: Colby-Abbotsford Police Commission will meet on August 10, 2015 at 6:30 P.M. at the Police Department. City Planning Committee will meet on August 26, 2015 at 6:30 P.M. Parks/Rec/Recycling Committee will meet on August 17, 2015 at 6:30 P.M.

Property at 110 S 2nd Street as Possible Library Location: Vicky Calmes, Library Director attended the meeting and voiced her concerns with the use of this property as a library location. She feels that the building would not offer enough space for a future library. The council along with Calmes discussed many library expansion options and would like to get some cost estimates on all options. The use of 110 S 2nd Street for a possible library location is contingent on the Library Board approval. The council did state that the city could not afford the construction and maintenance of a larger building, so this is an option that the city could afford.

Closed Session: Motion was made by O'Brien, seconded by Hederer to go into closed session per State Statute 19.85(1)(e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. PURPOSE: Offer to Purchase of 110 S 2nd Street

Roll Call Vote: Ayes – O'Brien, T Schmidt, Thieme, Oestreich, Hederer, Kaiser, Hamm. Noes – none. Motion carried.

Adjourn in closed session: Motion was made by Hederer, seconded by Hamm to adjourn in closed session at 8:47 P.M. Motion carried with a voice vote.

Approved _____
James W Schmidt, Mayor

Attest _____
Connie Gurtner, Clerk