The regular meeting of the Colby Common Council was called to order at 6:30 P.M. by Mayor James Schmidt. On roll call: Solberg, T Schmidt, Kolden, Hesgard, Oestreich, Hederer and Kaiser. Kaiser arrived at 6:36 p.m. O’Brien was absent. Also present were Mayor James Schmidt, Deputy Clerk Jessie Polivka, DPW Harland Higley Jr., Engineer Mike Voss and Dave Rasmussen from MSA.

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

**Minutes** of the April 17th re-organizational meeting were pre-read and reviewed. Motion was made by Hederer, seconded by Schmidt to approve the minutes as presented. Motion carried with a voice vote.

**Financial Statement and Bills** were discussed. Motion was made by Schmidt, seconded by Hesgard to approve the financial statement and bills. The amounts approved are as follows: General Fund $181,484.27; Water Department $88,660.39; Sewer Department $46,900.40; TIF Fund $148,735.76; Net payroll $19,834.15. Motion carried with a voice vote.

**Colby-Abbotsford Police Commission** met on April 8th.

The commission approved minutes and expenditures.

Under Audit update, it was stated that Johnson Block provided two options for audit services. Option 1 is a basic agreed upon procedures at a price of $1,400 - $1,700 and Option 2 is a full regular audit at a cost of $4,900 - $5,700. The committee vote to recommend to the city councils a small agreed upon service audit, at a cost not to exceed $1,700 for the 2018 fiscal year with the audit completed in 2019.

Under School Resource Officer, Chief Bauer stated he has spoken with the two school districts regarding this position and both districts have expressed interest. It was stated the typical funding would be 25% from the Police Department, and 75% from the School Districts. Adding this position would enhance security at the schools and include enforcing the law. Goals of this position would be to mentor children and to work on relationship building. Currently the Officers are in the schools regularly, but this would be a dedicated Officer to the schools. The Department of Justice has a one-year grant for school safety, but typically positions are not funded with this grant. When school is not in session, the Officer would be available to work with the Police Department. The grant is open for a 30-day period, but only school districts qualify for the funding. It is estimated that the new position will cost between $68,000 and $80,000 per year. The commission voted to continue the School Resource Officer discussions with the school districts and the city councils.

Under Voluntary Forfeiture it was stated that if a person admits that possession of money was gained by drug proceeds, they can voluntary give the funds to the police department. Typically, these funds are then deposited into the investigation line item and are used for further drug investigations.

Under Chief’s Report,Chief Bauer stated that the overtime may be a little higher this month as Officers have been attending training. It was stated that the vehicles are in good repair with the oldest Durango receiving new brakes this month. The new squad has been ordered. Jessica Weich will begin Ordinance patrol on Wednesdays again this summer. The K9 had 12 deployments which led to three arrests. The K9 will be gone one week for recertification in Michigan. The recertification consists of 36 hours of training and costs $100.

**Central Fire & EMS District** met on April 18th.

The minutes from the April 18th Central Fire & EMS District were distributed.

**Personnel/Labor Relations Committee**will meet on May 1st.

The Personnel/Labor Relations Committee is meeting immediately following this meeting and would like the authority to hire summer help. Motion was made by Hederer, seconded by Hesgard to give the personnel committee the authority to hire the summer help. Motion carried with a voice vote.

**Mayor Schmidt:** Mayor Schmidt reported on the annual meeting of the Clark County Economic Development Corp.

**Harland Higley:** The following building permits were issued: Kelley Supply, 704 Industrial Drive, commercial steel frame warehouse addition; Kent Frome, 112 S Main St, new garage and patio; Rural Arts Museum, 206 N 2nd St, excavation & concrete work for museum barn, fire house buildings.

DPW Higley reported on the wells and pumping gallons from the water department.

Mike Voss and Dave Rasmussen spoke on the Well project and the status of the CDBG grant application process. Rasmussen stated that they have applied for a variance with the DOA, this will allow the City to purchase the equipment needed for the project and still be able to use it towards matching funds. Rasmussen also stated that they have been looking into the CDBG emergency assistance program. If the City qualified for this they wouldn’t have to wait until the grant is awarded in July to start the project, it is also a little different in that it is a 75% grant and 25% fund match.

**Operator’s Licenses:** An Operators’ License was received from Patrick Krahn, W709 Pine Rd, Apt D, Abbotsford, WI. Motion was made by Oestreich, seconded by Hesgard to approve. Motion carried with a voice vote.

**Resolution 5-2018 CDBG Citizen Participation Plan:** Motion was made by Kolden, seconded by Hederer to approve Resolution 5-2018 as follows. Motion carried with a voice vote.

*Resolution 5-2018*

*CDBG Citizen Participation Plan*

*WHEREAS, the City of Colby has applied for a Community Development Block Grant (CDBG); and*

*WHEREAS, the State of Wisconsin Department of Administration (DOA) and the U.S. Department of Housing and Urban Development (HUD) require recipients of Community Development Block Grant (CDBG) monies to have in place a Citizen Participation Plan; and*

*WHEREAS, the Citizen Participation Plan shall encourage citizen participation (especially by persons of low to moderate income), provide citizens reasonable and timely access to local meetings and information, provide for technical assistance, provide for public hearings, provide for complaint procedures, and accommodate non-English speaking residents; and*

*WHEREAS, the City of Colby has prepared and publicly reviewed a Citizen Participation Plan;*

*NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Colby officially adopts the Citizen Participation Plan.*

**Resolution 6-2018 CDBG Authorizing Submission:** Motion was made by Hederer, seconded by Oestreich to approve Resolution 6-2018 as follows. Motion carried with a voice vote.

*Resolution 6-2018*

*AUTHORIZING RESOLUTION  
FOR THE SUBMISSION OF A  
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) APPLICATION*

*Relating to the City of Colby’s participation in the Community Development Block Grant-Public Facilities (CDBG-PF) program;*

*WHEREAS, Federal monies are available under the Community Development Block Grant (CDBG) program, administered by the Wisconsin Department of Administration (DOA) Division of Housing (DOH) for the provision or improvement of public facilities (CDBG-PF); and,*

*WHEREAS, after public meeting and due consideration, the City Council has recommended that an application be submitted to DOA for the following project:*

*City of Colby Well Improvements*

*and,*

*WHEREAS, it is necessary for the City Council to approve the preparation and filing of an application for the City to receive funds from this program; and,*

*WHEREAS, the City Council has reviewed the need for the proposed project(s) and the benefit(s) to be gained there from.*

*NOW, THEREFORE, BE IT RESOLVED, that the City Council does hereby approve and authorize the preparation and filing of an application for the above named project; and that the Mayor is hereby authorized to sign all necessary documents on behalf of the City of Colby; and that authority is hereby granted to the City Council to take the necessary steps to prepare and file the application for funds under this program in accordance with this resolution.*

**Resolution 7-2018 CDBG Guarantee of Matching Funds:** Motion was made by Schmidt, seconded by Hederer to approve Resolution 7-2018 as follows. Motion carried with a voice vote.

*Resolution 7-2018*

*CITY OF COLBY  
RESOLUTION PROVIDING A GUARANTEE OF MATCHING FUNDS  
FOR THE CDBG-PF APPLICATION*

*Relating to the City of Colby’s participation in the Community Development Block Grant (CDBG) Program.*

*WHEREAS, federal monies are available under the CDBG Annual Public Facilities Competition, administered by the State of Wisconsin, Department of Administration, for the purpose of the provision or improvement of public facilities; and*

*WHEREAS, after public meeting and due consideration, the City Council of the City of Colby has recommended that an application be submitted to the State of Wisconsin for the following project(s):*

*City of Colby Well Improvements*

*WHEREAS, the City Council of the City of Colby has reviewed the need for the proposed public facilities projects, and the benefits to be gained therefrom; and*

*WHEREAS, an adequate local financial match must be provided for the proposed public facilities project by the City of Colby.*

*NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Colby does hereby authorize the commitment of $400,000 to be used as outlined in the CDBG Application.*

**Resolution 8-2018 SDW Authorized Representative to File Application:** Motion was made by Kolden, seconded by Hesgard to approve Resolution 8-2018 as follows. Motion carried with a voice vote.

*Resolution 8-2018*

*CITY OF COLBY*

*AUTHORIZED REPRESENTATIVE TO FILE APPLICATIONS FOR*

*FINANCIAL ASSISTANCE FROM*

*STATE OF WISCONSIN ENVIRONMENTAL IMPROVEMENT FUND*

*WHEREAS, it is the desire of the City of Colby, Wisconsin, a municipal corporation, to file several applications for state financial assistance for its Wells #9, #12, and #14 turbidity, nitrate, and uranium treatment, and all other related upgrades under the Wisconsin Environmental Improvement Fund (ss. 281.58, 281.60, and 281.61, Wis. Stats.);*

*WHEREAS, it is necessary to designate a representative for filing said applications;*

*BE IT THEREFORE RESOLVED by the Council of the City of Colby that the Mayor is hereby appointed as an authorized representative for the City of Colby for the purpose of filing these applications, and that the representative is further authorized and empowered to do all necessary things and take all necessary steps in connection with said applications.*

**Resolution 9-2018 SDW Intent to Reimburse Expenditures:** Motion was made by Oestreich, seconded by Hederer to approve Resolution 9-2018 as follows. Motion carried with a voice vote.

*Resolution 9-2018*

*CITY OF COLBY*

*RESOLUTION DECLARING OFFICIAL INTENT*

*TO REIMBURSE EXPENDITURES*

*WHEREAS, the City of Colby, Clark and Marathon Counties, Wisconsin (“the City”) plans to make several improvements to its Wells #9, #12, and #14 turbidity, nitrate, and uranium treatment, and other related facilities (“the Project”); and*

*WHEREAS, the City expects to borrow funds and incur debt from one or more possible sources on a long-term basis by issuing tax-exempt bonds, promissory notes, DNR EIF Funds, or other ‘debt’ to finance the Project (“the Loan”); and*

*WHEREAS, because proceeds of the debt which will provide project financing will not become available prior to commencement of the Project, the City may need to provide interim financing to cover costs of the Project incurred prior to receipt of the Loan; or other debt proceeds; and*

*WHEREAS, it is necessary, desirable, and in the best interests of the City to use moneys from its funds on an interim basis until the Loan becomes available.*

*NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Colby, Clark and Marathon Counties, Wisconsin, that:*

*Section 1. Expenditure of FundsTheCity shall make expenditures as needed from its funds to pay the costs of the Project until loan proceeds become available.*

*Section 2.Declaration of Official Intent. The Council of the City of Colby hereby officially declares its intent under 26 CFR Section 1.150-2 to reimburse said expenditures with proceeds of the debt, the principal amount of which is not expected to exceed $800,000.*

*Section 3.Effective Date. This Resolution shall become effective upon its adoption and approval.*

**Ordinance 2018-2 Amending the Fair Housing Ordinance:** Motion was made by Hederer, seconded by Kolden to approve Ordinance 2018-2 as follows. Motion carried with a voice vote.

*Ordinance 2018-2*

*Ordinance to Amend the Fair Housing Ordinance*

*AN ORDINANCE TO AMEND SECTION 15-3 OF THE MUNICIPAL CODE*

*OF THE CITY OF COLBY*

*ADOPTING WISCONSIN STATUTES, SECTION 106.50, AS AMENDED,*

*RELATING TO THE EQUAL RIGHTS OF ALL PERSONS TO FAIR HOUSING, AND*

*PROVIDING MEANS FOR THE IMPLEMENTATION AND ENFORCEMENT THEREOF.*

*THE CITY OF COLBY DOES ORDAIN AS FOLLOWS:*

*Section 15-3 is amended to read as follows:*

*FAIR AND OPEN HOUSING*

*WHEREAS, the Council of the City of Colby recognizes its responsibilities under Section 106.50, Wisconsin Statutes, as amended, and endorses the concepts of fair and open housing for all persons and prohibition of discrimination therein;*

*THEREFORE, BE IT ORDAINED THAT:*

*1) The Council of the City of Colby hereby adopts Section 106.50, Wisconsin Statutes, as amended, and all subsequent amendments thereto.*

*2) The officials and employees of the City of Colby shall assist in the orderly prevention and removal of all discrimination in housing within the City of Colby by implementing the authority and enforcement procedures set forth in Section 106.50, Wisconsin Statutes, as amended.*

*3) The Municipal Clerk shall maintain forms for complaints to be filed under Section 106.50, Wisconsin Statutes, as amended, and shall assist any person alleging a violation thereof in the City of Colby to file a complaint thereunder with the Wisconsin Department of Work Force Development, Equal Rights Division, for enforcement of Section 106.50, Wisconsin Statutes, as amended.*

**Chip Seal Bids**: The City received three bids for chip sealing. A1 Services was the low bid for a single chip seal but they do not use fiber crack seal which was requested in the bid specs. The bids are as follows:

|  |  |  |
| --- | --- | --- |
| **A1 Services** | Single Chip Seal | $20,840.64 |
|  | 30% Double Seal | $22,365.00 |
|  | 40% Double Seal | $23,760.50 |
| **Scott Construction** | 30% Double Seal | $23,619.00 |
|  | Add on: seal gutter pan on Dehne | $986.00 |
| **Fahner** | 50% Double Seal | $25,802.00 |

Motion was made by Kolden, seconded by Hederer to approve the bid from Scott Construction in the amount of $23,619.00 with the option to add the sealed gutter pan on Dehne Dr for $986.00 if DPW Higley deems it necessary. Motion carried with a voice vote.

**Committee meetings for May:**  Colby-Abbotsford Police Commission will meet on Monday, May 14that 6:30 P.M. at the Police Department. Central Fire & EMS will meet on Thursday, May 17that 7:00 P.M. at Abby City Hall. Parks & Rec Committee will meet on Monday, May 14th at 6:30 P.M.

**Adjourn:**  Motion was made by Hederer, seconded by Oestreich to adjourn at 7:13PM. Motion carried with a voice vote.  
  
Approved \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

James W Schmidt, Mayor

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