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. O’Brien was absent. Also present were Mayor James Schmidt, Clerk Gurtner, DPW Harland Higley Jr, Engineer Mike Voss and citizens.

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

**Minutes** of the September 4th meeting were pre-read and reviewed. Motion was made by Hederer, seconded by Oestreich to approve the minutes as presented. Motion carried with a voice vote.

**Financial Statement and Bills** were discussed. Motion was made by T Schmidt, seconded by Hesgard to approve the financial statement and bills. Pay Request #13 to SD Ellenbecker in the amount of $48,984.72 is included in the bills. The amounts approved are as follows: General Fund $129,346.17; Water Department $22,251.67; Sewer Department $23,077.22; Net payroll $20,039.80. Motion carried with a voice vote.

**Public Comment:** Chief Bauer introduced Leichtnam, our new SRO officer to the council.

**Colby-Abbotsford Police Commission** met on September 10th.

The commission approved minutes and expenditures.

Click it or Ticket: The last couple of years when the department has participated in the Click it or Ticket program the Wausau PD has handled the administrative duties of participating in the program. This year Marathon County is not participating in the program but Clark County is. Clark County needs a municipal police department to take care of the administrative duties for the grant. The Colby/Abby PD was asked to be the administrator this year. The money collected from the state for participating would be sent to the department and would then be reimbursed to neighboring departments who participate. The commission approved a motion to give the department permission to be the administrator for the Click it or Ticket program in Clark County. Motion was made by T Schmidt, seconded by Hederer to approve allowing the department to be the administrator for the Click it or Ticket program for Clark County providing Chief Bauer gets the information together. Motion carried with a voice vote.

Vehicle Report: Chief Bauer distributed a report to the committee regarding the current status of all vehicles in the department and a timeline for future squad purchases. There is currently $33,578 in the auto fund for the purchase of a new squad. Bauer said he sees no need for a squad purchase between now and budget time next year; he anticipates the next vehicle purchase being in 2020 to replace the 2015 Durango. The committee discussed not contributing the normal $13,200 to the 2019 budget and pushing the proposed timeline for vehicle purchases back a year.

Computer Project: Jerry Kline, Head of IT at Marathon County, came to the department and looked at the current computers and server at the PD and determined what equipment would need to be replaced this year if the department chooses to stay with Marathon County for their computers. Marathon County is implementing a new software program this year and the PD needs to convert to their new system or stay with what they have but lose annual maintenance. Bauer stated that the officers are happy with their current software program and doesn’t see the need to change. The PD does pay an annual software maintenance fee of $5,694 for their current software. Bauer provided the committee with a list of equipment to be replaced and what the cost to the PD would be if they stayed with Marathon County. He also provided the cost of the same equipment being replaced by Computer TR and having them do their annual maintenance. The cost of continuing with Marathon County would be $48,140 for the initial cost of equipment with $18,946 of annual maintenance per year. The cost of keeping the current software and having Computer TR provide the necessary updated equipment would be $22,729. The committee asked where the money for the cost of new equipment would come from. Chief Bauer stated that there is currently a fund balance in the checking and the money could come from that. The commission approved recommending to the councils the purchase of the new computers and equipment in the amount of $22,729 from Computer TR. Motion was made by T Schmidt, seconded by Kaiser to purchase new computers and equipment in the amount of $22,729 from Computer TR with the cost coming out of the 2018 fund balance. Motion carried with a voice vote.

SRO Implementation: Both city councils passed the hiring of Pat Leichtnam as the School Resource Officer. Leichtnam will start tomorrow with a tour of the area and schools. The committee discussed getting Leichtnam recertified as an officer. His current lack of certification won’t affect him doing his job at the schools but he won’t be able to carry a weapon until recertified. Chief Bauer stated he is hoping to submit a waiver to the board of training and standards to get Leichtnam reinstated without going through the recruit academy again. Leichtnam will also be completing local training within our department and surrounding departments which will be beneficial to have when applying for the waiver. Bauer stated they would apply for the waiver in December and take comments from the schools and department supporting the waiver request. If the waiver is denied he will attend recruit school in the Summer of 2019.

2019 Budget: The committee looked over the proposed budget that Chief Bauer provided. The committee discussed using $25,000 in fund balance to offset the cost the cities would have to pay in 2019. The committee will review the revised budget for approval at the October commission meeting.

Chief’s Report: Chief Bauer presented the K9 and activity report. Bauer believes the SRO officer is going to a huge benefit in the schools and is hoping to see the number of citations issued by other officers in the department decrease as a result.

**Parks/Rec/Recycling Committee** met on September 17th.

Boy Scout Shelter Repairs: Tyler Paddock from the Boy Scout troop said that he has talked to other parent members of the Boy Scout troop and they thought that they would be able to do the repairs needed to the building themselves. He also thought that they would be able to get some of the materials donated. They also have some funding in their account to purchase some of the materials. He was wondering if the city would contribute anything toward the project. Kaiser said he would like the boy scouts to continue to maintain the building. The committee discussed that they would like to see the scouts write a letter to the city and present it to the council at the October 2nd council meeting. The council will have to amend the motion to allow for a different agreement with the scouts. The committee also asked the scouts to lay out the timeline for the project in the letter.

Tyler Paddack from the Colby Boy Scouts was in attendance at the city council meeting. He presented the council with a written agreement that stated that they would provide $4,500 to pay the materials for the repairs. Labor for the construction would be done by the city crew. They also asked for some documentation be provided that the scout shed would have exclusive use of the building. They agree to have that funding available by May 1, 2019. Motion was made by Kolden, seconded by Hesgard to accept the letter from Troop 383 as presented. Motion carried with a voice vote.

2019 Budget:DPW Higley created a list of items for the committee to discuss for the budget as follows.

Shelter Repairs $14,800

Lights for Volleyball $1,000

Ballpark Dug Out/Announce Stand Roof $750

Ballpark Fence $2,700

Seal Basketball/Tennis Court $1,200

Trees $600

Total Capital $21,050

Spray Ball Field $1,200 (maintenance)

The committee reviewed these items and discussed if there were any other items that would be necessary. Clerk Gurtner had stated that someone had asked about batting cages at the ballpark. The committee thought that we don’t have a good location at our park and we have flooding issues. It was suggested that they look at putting one at the baseball field behind the school. The committee approved the budget not to exceed $22,250 - $21,050 of capital and $1,200 of maintenance.

**Central Fire & EMS District** met on September 20th.

Minutes were provided in the council packet.

**City Planning Committee** met on September 26th.

City Hall Rental Policy: The city recently adopted a new park rental policy. Clerk Gurtner presented an updated draft of a policy that is similar for the rental of city hall. The policy describes usage, rental fees, reservations & cancellations, maintenance, group size & use restrictions, keys, tables & chairs and animal restrictions. Some changes from our previous policy include the rental fees and security deposits. Non-residents will be asked to pay more for usage and security deposit, but business meetings and trainings during the office hours of the clerk, will be charged less. The committee approved the recommendation of this policy to the council for approve. Motion was made by T Schmidt, seconded by Oestreich to approve the new city hall rental policy. Motion carried with a voice vote.

PDF Version of City of Colby Code of Ordinances for the Website: Clerk Gurtner contacted Community Code Services regarding an electronic posting of the code on the city website. Alan Harvey from Community Code Services advised the city that the website version legally does not replace the printed version, but is another tool to make information available to the public. He recommends a disclaimer on the website stating that the this in an informational service and may not contain the latest ordinance enactments. Even though the online version does not serve as a legal version of the code, it will be available to view and will save time in the clerk’s office when individuals request a copy for informational purposes. The cost for Community Code Services to prepare the PDF code version would be $795. The committee recommends to the council to hire Alan Harvey from Community Code Services to provide an electronic version of the code of ordinances for the website. Motion was made by T Schmidt, seconded by Kolden to hire Community Code Services at a cost of $795 to provide the city with a PDF code version for the website. Motion carried with a voice vote.

Ordinance 2018-7 Ordinance Relating to Restitution and Traffic Forfeitures: This ordinance would allow the city to include cost of damages of municipal property to a citation. Damage to city property has occurred numerous times in the past and this is an ordinance the Chief Bauer recommends the council to adopt the ordinance. The committee voted to recommend adoption of Ordinance 2018-7 Relating to Restitution and Traffic Forfeitures. Motion was made by T Schmidt, seconded by Solberg to adopt Ordinance 2018-7 Relating to Restitution and Traffic Forfeitures as presented. Motion carried with a voice vote.

Ordinance 2018-8 Notification to Registered Citizens Regarding Proposed Zoning or Comprehensive Plan Changes & Ordinance 2018-9 Comprehensive Plan Consistency Requirements and Conditional Use Permits: These ordinances address two new state laws. The first new state law requirement is that your local government must provide mailed or electronic notices to citizens who have registered to received such notices of any proposed zoning ordinance, or comprehensive plan change, which would “affect the allowable use of property”. Secondly, the new state law standard states that zoning conditional use permits need not be consistent with the local comprehensive plan. These ordinance amendments are necessary to comply with the new law changes. The committee voted to advance Ordinance 2018-8 to the council for consideration. Motion carried with a voice vote. The committee voted to advance Ordinance 2018-9 to the council for consideration. Motion was made by T Schmidt, seconded by Oestreich to approve Ordinance 2018-8 as present. Motion carried with a voice vote. Motion was made by T Schmidt, seconded by Hesgard to approve Ordinance 2018-9 as presented. Motion carried with a voice vote.

Ordinance 2018-10 A or B Ordinance Regarding Ordering & Curbside Pickup of Alcohol Beverages: This ordinance would either regulate the ordering and curbside pickup of alcohol beverages or prohibit it depending on with version of the ordinance update the city would consider. The committee would like more time to review this ordinance with Chief Bauer.

Ordinance 2018-11 Regarding Electronic Records Preservation: This ordinance eliminates any question as to whether an electronic version of a records can be considered and “original record”. This ordinance states that electronic records kept and preserved meeting the state standards shall be considered original records for all purposes. The committee voted to recommend Ordinance 2018-11 to the council for consideration. Motion was made by T Schmidt, seconded by Kolden to approve Ordinance 2018-11 Regarding Electronic Records Preservation. Motion carried with a voice vote.

Ordinance 2018-12 Regarding Public Deposits Exceeding Insurance: Bank deposits are insured up to $500,000. Any deposits over that amount must be secured with a pledge of US Treasury Notes or other security. This ordinance would allow for these deposits to be secured with an irrevocable letter of credit issued by a federal home loan bank, state bank, national bank, federal or state savings bank, federal or state credit union, or federal state savings and loan association. The committee voted to recommend Ordinance 2018-12 to the council. Motion was made by T Schmidt, seconded by Hederer to approve Ordinance 2018-2 Regarding Public Deposits Exceeding Insurance. Motion carried with a voice vote.

Ordinance 2018-13 Regarding Social Host Responsibility: This is an amendment to a previous ordinance presented from Community Code. Clerk Gurtner will do some more research to verify that we had adopted the previous ordinance before we consider this amendment.

Ordinance 2018-14 Regarding Notifications for Special Meetings of the Common Council: This ordinance would allow the Mayor to give notice to council members by means of telephone call, emails, text, etc rather than providing written notice delivered personally. The committee voted to recommend Ordinance 2018-14 to the council for approval. Motion was made by T Schmidt, seconded by Oestreich to approve Ordinance 2018-14 Regarding Notifications for Special Meetings of the Common Council. Motion carried with a voice vote.

Ordinance 2018-15 Ordinance on Excessive Parking Violations; Removal, Immobilization, Impoundment, or Disposal: Chief Bauer does not feel this ordinance is necessary for the City of Colby.

Ordinance 2018-16 Relating to Donation of Public Improvements: The clerk did not distribute a copy of this ordinance prior to the meeting, so the committee will review at the next meeting.

Amendments to Section 10-1-26 & 10-1-27 to Clarify Parking on North Second Street & High Street The parking lot at the Colby Middle/High School has been reconstructed and the district has asked us to consider some amendments to the limited parking and no parking sections of our ordinance. The changes clarify that starting and ending locations of the parking limitations and also added High Street to the prohibited parking zone. The committee voted to recommend Amendments to Section 10-1-26 & 10-1-27 to the council for approval. Motion was made by T Schmidt, seconded by Hesgard to approve Ordinance 2018-17 Amendments to Sections 10-1-26 & 10-1-27 to Clarify Parking on North Second Street & High Street. Motion carried with a voice vote.

Amendments to Section 7-1-8 & 7-1-6 to Clarify Restriction Animal on Public Grounds and Cemeteries: Section 7-1-8 and Section 7-1-6(e) are duplicate ordinance except for the statement “unless such dog or cat is on a leash and under control”. So, because of that statement, these two sections actually contradict each other. The committee voted to recommend the deletion of Ordinance 7-1-8 to the council. Motion was made by T Schmidt, seconded by Oestreich to approve Ordinance 2018-18 Repealing Ordinance 7-1-8 to Eliminate Duplication Regarding Restriction of Animals on Public Grounds. Motion carried with a voice vote.

**Finance Committee** met on September 26th.

Clerk Gurtner started by reviewing the entire 2019 budget with the committee. There are still a few numbers that we need in order to determine the budget. On the revenue side, we have not received the amount of transportation aids. On the expense side, we do not have the new health insurance premiums. The city’s debt is down approximately $60,000 in 2019 because North 3rd Street debt is paid in full. Some significant changes to this year’s budget include fire protection of $1,512, police of $9,187, and Library of $37,200. Clerk Gurtner will make adjustments to the budget if needed in order to qualify for the budget expenditure restraint program once she receives those numbers. The Finance Committee voted to use $28,742 from designated funds and cut the library budget from $99,000 to $61,800 to balance the budget. The designated funds used are: City Hall - $15,000, Street Lights - $9,091, Economic Development - $2,151, and Official Mapping - $2,500. Motion was made by T Schmidt, seconded by Kaiser to approve adding debt and street construction to the proposed budget for publication to discuss at the budget hearing. Motion carried with a voice vote.

**Mayor Schmidt**: Mayor Schmidt reported on the meeting of the United Communities of Clark County.

**Harland Higley**:The following building permits were issued: James Thieme, 201 S 4th Street, replace roof; Trevor Robida, 207 S 4th Street, new pitch on roof on back porch; Jonathon Block, 701 N 7th Street, windows.

DPW Higley reported on the wells and pumping gallons from the water department. Street sweeper is in town. We are painting the south water tower. Sludge is being hauled from the sewer plant. Concrete should be poured for the South 1st Street shelter next week.

**Engineer:** Mike Voss reported that MSA is working on the CDBG information for the well project. The environmental reports are at the state right now for approval.

**Operator’s License**:Motion was made by Hederer, seconded by Oestreich to approve the following operator’s licenses for Angela McCoy, 811 Summit St, Withee; Duane Webb, 515 N 3rd St, Colby; Allen Langteau, 610 N 3rd St #2, Abbotsford; Arianna Stumpner, 306 E Clark St, Spencer; Jamie Pichla, 531 E 4th St, Owen. Motion carried with a voice vote.

**Blacktop/Patchwork on North 6th Street:** DPW Higley proposed completing blacktop patchwork on North 6th Street to be completed by American Asphalt at a cost of $5,804. The money for the work would come from a surplus of funds in some of the other public works accounts. Motion was made by Hederer, seconded by Kaiser to approve the work on North 6th Street at a cost of $5,804. Motion carried with a voice vote.

**Designated Trick or Treat Hours:** Motion was made by Hederer, seconded by Oestreich to designate October 31st from 4 to 7 PM as trick or treat hours. Motion carried with a voice vote.

**Committee meetings for October:** Colby-Abbotsford Police Commission will meet on October 8th at 6:30 PM at the Police Department. Central Fire & EMS District will meet on October 18, 2018 at 7:00 PM at Dorchester.

**Adjourn:**  Motion was made by Hederer, seconded by Oestreich to adjourn at 7:31 PM. Motion carried with a voice vote.

Approved \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

James W Schmidt, Mayor

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