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 and Engineer Dave Krugler.

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

**Minutes** of the July 9th and July 30th meetings were pre-read and reviewed. Motion was made by Hederer, seconded by T Schmidt 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 Hesgard to approve the financial statement and bills including a pay request for Switlick & Sons for $198,590.38. The amounts approved are as follows: General Fund $283,147.39; Water Department $51,378.38; Sewer Department $30,957.26; Net payroll $21,414.86. Motion carried with a voice vote.

**Comments from the Public**: Mike Kreciak said that since April 2nd until this date there have been 16 different occurrences regarding his neighbors’ dogs. He has also contact the Police Department and they have been at the residence. He said that the daughter is still living there with a third dog. He asked the something to be done about it.

Marty Kaiser has two concerns – first one with the ATV’s in town. He said with school starting this can be a risk. He suggested maybe publishing the ordinance again in the paper. His second concern is at Division/Adams and the stop light. He said that there are a lot of speeders at the intersection including semi trucks.

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

The commission approved minutes and expenditures.

Click it or Ticket: Lieutenant Bowman said the Click it or Ticket project would run from July to October 2019. CAPD officers would be running 4-hour overtime shifts in coordination with the Marshfield and Spencer police departments. The Marathon County Sheriff's Department is the fiscal agent for the grant funds. The $10 citation fees are directed to the Abbotsford Municipal Court or to Clark County, depending if the citations are written in Abbotsford or Colby.

Chief’s Report: Lieutenant Bowman reported on the K9 activity for the month of June, which resulted in four arrests (two THC related and two methamphetamine related). Total documented officer and office-related activities were 847 during the month of June, resulting in a total of 5,118 activities to date in 2019, compared to 5,331 activities through June 2018. Bowman said several drug investigations were being done as a team effort with the assistance of confidential informants. Bowman said the Marathon District Attorney had cleared CAPD Officer Jolin in the officer-involved shooting incident. He said Jolin had completed the counseling phase and would be returning to work shifts July 15. Bowman said the Marathon County District Attorney would be issuing a press release on the subject later in the week. He noted an officer on leave could be given administrative assignments when not on duty for a work shift. Discussion was held on law enforcement activity at the North Side Apartments. Bowman said two officers are on duty most evenings for shift coverage. Bowman said private security work would be an option to assist with the high level of activity at the North Side Apartments. He explained how data bases are searched for background checks. Bowman stated the Clark County District Attorney was working on the day care case. Motion was made by Hederer, seconded by Kramer to receive and file the Chief's Report. Motion carried with a voice vote.

Police Commission Ordinances: President Schmidt reviewed several differences in the City of Colby and the City of Abbotsford’s CAPC ordinances. Attorney Alan Harvey will review and format the revised Police Ordinances as recommended by the CAPC. He has suggested a few updates to the 50-year old ordinances, which are being considered tonight. Harvey will incorporate whatever changes we agree upon in new ordinances prepared for consideration by both city councils in August.

Changes approved thus far: Election of officers, President/Vice President; Having the CAPC designate which municipality handles the accounting for the Colby-Abbotsford Police Department (CAPD); Having the CAPC designate a Recording Secretary for meetings; Adding the City of Abbotsford's section regarding the Maintenance of Personnel Records and Performance Evaluations to the City of Colby ordinance; and fixing several typos identifying the City of Abbotsford and the City of Colby in their respective ordinances.

New Change #1: Clear up section on which officials are authorized to sign checks regarding CAPD and CAPC expenditures. Checks drawn on the account of the Colby-Abbotsford Police Department and the Colby-Abbotsford Police Commission shall require two signatures. Checks may be signed by the President or Vice-President or Mayor of the municipality designated to handle the accounting of funds for the year payment is being made and the Clerk or Deputy Clerk of the municipality designated to handle the accounting of funds for the year payment is being made. The commission approved this change.

New Change #2: Current ordinances call for termination of the joint agreement with only 60 days notice, which could occur prior to May 1 of each calendar year. Change agreement to be effective from now until Jan. 1, with annual renewal Jan. 1 to run with calendar and budget years to minimize fiscal disruptions. In addition, change 60-day notice to a one-year notice so proper planning and budgeting can be done to make any future transition smoother. The commission approved this change.

New Change #3: Current ordinances do not spell out the ownership of CAPD equipment/vehicles and how ongoing financial obligations are to be addressed in the event of nonrenewal of the agreement. Change agreement to allow the municipality which did not give the nonrenewal notice to keep the CAPD equipment and vehicles and to require the terminating municipality to pay for its fair share of debt or other obligations. The commission approved this change.

Motion was made by T Schmidt, seconded by Kolden to approve Ordinance Regarding Enforcement, The Colby-Abbotsford Police Department and the Colby-Abbotsford Police Commission as presented. Motion carried with a voice vote.

**Central Fire & EMS District** met on July 19th.

The minutes for the meeting were provided to the council.

**Mayor Schmidt:** Mayor Schmidt reported on the meeting of the United Communities of Clark County. He said that they are working on a contract with Advanced Disposal for another three years.

**Harland Higley:** The following building permits were issued: Manuel & Brock Widmann, 102 S East St, driveway and sidewalk; Marian Wibben, 102 S Main St, roof garage; Barb McCarron, 506 N 3rd St, metal roof/paint house; Cedar Lane, 206 S Division St, new windows; Shawn Schmitt, 205 N 7th St, 12 x 20 storage shed; Mike McCarron, 201 Green Acres, metal roof; Jim Hagen, 218 S 4th St, kitchen cabinets/countertops; Jonathon Block, 701 N 7th St, bathroom remodel.

DPW Higley reported on the water pumpage and well levels. The North water tower is back on, but still needs to be insulated and some punch list items finished. DPW Higley is meeting with Pember (Well #9 & #12 transmission) to finish up the project. August Winters (Well #14 treatment) has not been sent final payment for the project; we are still waiting for payroll info. The south lift station by Smith Bros needs new pumps and repairs at a cost of approx $24,000. The street project on South 4th/Clark/Broadway is underway.

**Operator’s Licenses:** The city received the following applications for operator’s licenses: Jessica Hazen, N6602 Meads Ave, Greenwood - Motion was made by Kaiser, seconded by Hederer to approve. Motion carried with a voice vote. Max Martyn, 404 E Wausau St, Colby – Motion was made by Hederer, seconded by Oestreich to approve. Motion carried with a voice vote.

**Leak Adjustment Policy:** This past winter there were two properties that had pipe freezing and excessive water used. Each of the bills calculated to be more than $4,500 for the water and sewer. It is regulated by the PSC that none of the water portion of the bill can be forgiven. The clerk’s office did some research to find some sample policies from other municipalities. The council found that the Johnson Creek, Stratford and Monticello policies all had wording that they would like to incorporated into a policy for the city. One of the suggestions was to increase the percent above the customer’s average usage before considering an adjustment. The Johnson Creek policy says 150% - so if my bill is normally $100, my bill would have to be $250 before I could be considered for an adjustment. The committed discussed changing that to 200% or 300% - which would limit the amounts of claims and keep the claims to catastrophic events. Also, the council discussed not reimbursing the first claim 100%, but instead a smaller percent – i.e. 75% for the first claim, 50% for the second claim, etc. It was also discussed that this policy be for residential properties. The clerk’s office re-wrote a policy. DPW Higley suggested adding an example explaining how the 200% usage overage would be calculated. Motion was made by T Schmidt, seconded by Hederer to approve the Policy of Forgiveness of Sewer Charges/Leak Adjustment Policy. Motion was made by Solberg, seconded by T Schmidt to change the wording “encouraged to apply” to “required to apply”. Motion to amend approved with a voice vote. Amended motion was approved with a voice vote.

**Committee meetings for August:**  Colby-Abbotsford Police Commission will meet on August 12, 2019 at 6:30 P.M. at the Police Department. Central Fire & EMS will meet on Thursday, August 15, 2019 at 7:00 P.M. at Station 1. Parks/Rec/Recycling Committee will meet on Monday, August 26, 2019 at 6:30 PM.

**Adjourn:**  Motion was made by Hederer, seconded by Hesgard to adjourn at 7:12 PM. Motion carried with a voice vote.  
  
Approved \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

James W Schmidt, Mayor

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