

The regular meeting of the Colby Common Council was called to order at 6:30 P.M. by Mayor James Schmidt. On roll call: O'Brien, T Schmidt, Baumgartner, Hesgard, Hederer and Lindeman. Also present were Mayor James Schmidt, Clerk Connie Gurtner, DPW Higley, Police Chief Alex Bowman and citizens at large.

Agenda was posted by the clerk. The agenda was amended to move items C.1 & 2 on the agenda to immediately follow the action on minutes and financial statement/bills.

Minutes of the May 7th meeting were pre-read and reviewed. Motion was made by 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 Hederer, seconded by O'Brien to approve the financial statement and bills. The amounts approved are as follows: General Fund \$77,932.41; Water Department \$31,421.77; Sewer Department \$28,202.59; TIF Fund \$14,354.00; Net payroll \$24,479.41. Motion carried with a voice vote.

Ordinance 2024-3 Creating a Joint Municipal Court with the City of Abbotsford: Clerk Gurtner reviewed the process and the effects of changing from the county circuit court to the municipal court system in the City of Abbotsford. The City of Abbotsford would collect the money for the citations and give the City of Colby the forfeiture amount plus the \$23 in court costs (\$33 court costs minus \$10 for collection). The committee voted to recommend Ordinance 2024-3 to the city council for approval. Motion was made by T Schmidt, seconded by O'Brien to approve Ordinance 2024-3 Creating a Joint Municipal Court with the City of Abbotsford as presented. Motion carried with a voice vote.

Agreement to Operate a Joint Municipal Court of the Cities of Abbotsford and Colby: This agreement would be between the City of Colby and City of Abbotsford defining the terms related to the City of Abbotsford collecting the citations and the payment for the Municipal Judge and Clerk of Court for additional time/wages. The increase in wages for the Municipal Judge is \$980.00 and for the Clerk of Courts \$2,040.00. This would be paid by the City of Colby from the court fees retained from the citation of \$23. The committee voted to recommend to the council the Agreement to Operate a Joint Municipal Court of the Cities of Abbotsford and Colby. Motion was made by T Schmidt, seconded by O'Brien to approve the Agreement to Operate a Joint Municipal Court of the Cities of Abbotsford and Colby as presented. Motion carried with a voice vote.

Public Comment: Louis and Joan Young attended the meeting to voice concerns regarding lighting at the Colby Colonial Center. They feel that the they

are using the wrong lights for the need and the current lights shine into their home.

Colby/Abbotsford Police Commission met on May 13th.

Comments from the Public: There were no comments from the public. President Schmidt welcomed back all the familiar faces to serve on the CAPC for another year. Officer English introduced the new K-9 Hemi and reviewed the training process that has been completed. Hemi is a 1-year old Dutch Shepherd from Holland. He is ready to go detecting numerous categories of drugs. RUSH training will be conducted with all CAPD officers on K-9 protocol.

Minutes and Expenditures were approved.

Election of Officers:

President – Todd Schmidt

Vice President – Dan Hederer

Recording Secretary – Todd Schmidt

Create Detective Position: Discussion was held on creating a detective position. Chief Bowman explained it would not add an additional officer, but would take one existing patrol position and designate it as a detective position. He said there would be no additional expense incurred to the CAPD. He said all the CAPD officers were in favor of the move. He said the work schedule could be easily adjusted to accommodate the change. Two officers would continue to be scheduled on Friday and Saturday nights. He said as the CAPD continues to protect a diverse and unique community and a detective position dedicated to investigations is needed. He noted there was an investigator position created in the past, and when the officer left the department, the position was never filled. Bowman said there was funding in the current budget for training costs. He said he would offer the opportunity to all current CAPD officers to apply for the detective position. President Schmidt asked if an addendum would be needed to the current Police Union Contract to address the detective position. Chief Bowman said he would check with the union about that issue. He said he would like to implement the detective position in July.

Joint Municipal Court Update: Chief Bowman said attorney Bill Gamoke has drafted an ordinance creating an Abbotsford/Colby Joint Municipal Court. Judge Judy Kalepp would serve the remainder of her 4-year term. Information is being gathered from other counties and the Village of Rothschild, which has seven different municipalities included in its Joint Municipal Court. Mayor Weix said the Abbotsford City Council has already approved the creation of a Joint Municipal Court, with a review after one year to see how it is working. Chief Bowman said a letter needs to be sent to the District Court for its approval following approval by the Abbotsford and Colby city councils. Chief Bowman plans to attend the June 4

Colby City Council meeting to address any questions about the Joint Municipal Court.

Chief's Report: Chief Bowman introduced the new PACKTRACK K-9 activity tracking program. The K-9 was deployed nine times in April, resulting in one arrest. He said the new K-9 kennel was being completed and is looking great. The roof still needs to be installed. The concrete for the project was donated by County Concrete. Chief Bowman outlined the execution of a recent search warrant that resulted in the collection of drug information and the apprehension of several suspects. The investigation included the utilization of the federal database to trace photos. Evidence led to a child pornography case. He said suspects were charged with eight felonies. Chief Bowman said the CAPD has a good reputation and a good working relationship with Clark and Marathon counties. There were 908 total CAPD activities reported for the month of April. There have been 3,350 total CAPD activities reported for the first four months of 2024, compared to 2,225 activities for the first four months of 2023.

Central Fire & EMS District met on May 16th.

Nancy O'Brien reported on the meeting of Central Fire & EMS. The commission approved minutes and bills.

City Planning Committee met on May 21st and June 3rd.

May 21st –

Recap of Meeting 4 Items: Susan Badtke reviewed the goals for the meeting, reviewed the timeline for the next meetings and recapped information from the previous meeting.

Draft Preferred Future Land Use Map: Susan presented a map of the preferred future land use that we determined at our last meeting. This includes areas of land just outside of the city limits. The committee reviewed land use demand and projections.

Implementation Element: Susan reviewed the City Council and Plan Commission's responsibility in the implementation of the plan. Plan amendment and update processes were discussed.

Next Steps and Meeting Date: Susan will prepare the draft plan for a hearing in September. The committee will meet on Monday, September 16, 2024 at 6:00 PM.

June 3rd –

Review Commercial and Downtown Zoning District: The committee reviewed a list of properties in the downtown and Highway 13 areas to be considered CG-2 Zoning that would not allow residential use on the first floor of structures in this district. There were properties that the committee felt should be included that were not included in our previous list. Clerk Gurtner will work on getting a complete list of all the properties for the next meeting.

Lettering of Fire Hall to Central Fire & EMS: Lynn Mueller was in attendance asking if the city would give consideration to the letting of the fire hall building located in the city. The committee was questioning why the city should pay for the cost when Central Fire & EMS are renters of the building. If the department would pay, then all municipalities would pay a share of the cost.

Plans for Remaining 12.73 Acres on Community Drive: Clerk Gurtner asked the committee if they think that residential development would be preferred use of that property. The committee thought it seemed like a good use for the land.

Excel Energy Connector Line Along Community Drive: Excel Energy is requesting permission to put power lines on the East side of Community Drive. The committee didn't think that overhead lines would look good down that street and would prefer to see underground lines rather than overhead. The committee voted to recommend to the council not to allow the overhead power lines on Community Drive. Motion was made by O'Brien, seconded by Lindeman to not allow the overhead power lines on Community Drive. Motion carried with a voice vote.

Mayor Schmidt: Mayor Schmidt appointed Julie Decker and Linda Filtzkowski to serve three year terms on the Colby Library Board. Motion was made by Hederer, seconded by Hesgard to approve the appointments. Motion carried with a voice vote.

Mayor Schmidt reported on his meeting of the United Communities of Clark County. He also reported on the Cemetery Board meeting.

Clerk Gurtner: Clerk Gurtner asked if we could close the office on Friday, July 5th. Motion was made by Schmidt, seconded by O'Brien to allow for the closing of the office on Friday, July 5, 2024. Motion carried with a voice vote.

DPW Higley: The following building permits were issued: Don Lilly, 107 S 6th Street, sidewalk, concrete patio; ND Real Estate Holdings, 500 Industrial Dr, 2,880 sq ft office building; Sharon Colby, 103 S 6th St, deck repairs, front doors, garage doors; Brian Haines, 111 S 3rd St, roof replacement; Colby Fire Association, 506 N 2nd St, Midget City Fire Dept sign; Grady Stoll, 305 E Adams St, fence; Isaac Raatz, 515 N 3rd St, roof on garage, interior remodeling.

DPW Higley reported on the precipitation and flows for May 2024 at the STP. He also reported on the pumpage of water for May 2024. He reported that the city crew did go to Unity to help with storm clean up.

Operator's Licenses: Motion was made by Hederer, seconded by Hesgard to approve the operator's license list dated June 4, 2024. Motion carried with a voice vote.

Name	Address	Location
Rafael Alvarez	112 N 1st St, Abbotsford, WI	El Derbi
Diana Sosa	318 N 5th St, Abbotsford, WI	El Derbi
Brandi Ashbeck	101274 Huckleberry Rd, Colby, WI	Hunter's Choice
Leighton Drolshagen	502 W Spence St, Colby, WI	Hunter's Choice
Renee Cardarelle	100575 Holton Rd, Abbotsford, WI	Hunter's Choice
Sierra Apfelbeck	103 S 6th St, Colby, WI	Hunter's Choice
Erin Hennes	501 E Terrace St, Colby, WI	Hunter's Choice
Jami Vittallo	607 E 2nd St, Owen, WI	Mega Coop
Donna Woellner	536 N Paul Ave, Owen, WI	Mega Coop
Rabecka Saal	201 River Road, Marathon, WI	Mega Coop
Bonnie Brodhagen	204 N 2nd Ave, Abbotsford, WI	Mega Coop
Tremaine Jones	310 E Pine St, Abbotsford, WI	Mega Coop
Ashley Puphal	W5568 Willow Rd, Withee, WI	Mega Coop
Amy Kingsley	401 S Main St, Colby, WI	Mega Coop
Sarah Cliver	W936 Starks Rd, Unity, WI	Provision
Skyler Pribbernow	411 N Main St, Colby WI	Provision
Carmen Heart	104034 Cty Rd P, Unity, WI	Provision
Zachary Brockhaus	401 S Division St, Colby, WI	Provision
Max Martyn	404 E Wausau St, Apt B, Colby	Provision
Trisha Vanderhoof	206 N 2nd St, Colby, WI	Provision
Sandra Seiler	824 Community Dr, Colby, WI	VFW
Tom Firnstahl	704 E Monroe St, Colby, WI	VFW
Nicole Bernt	109189 Wuertzburg Rd, Abbotsford	VFW
Julie Oestreich-Neubauer	605 N 2nd St, #13, Abbotsford, WI	VFW
Kent Schilling	300 W Pine St, Abbotsford, WI	VFW
Ashley Leader	406 W North St, Colby, WI	VFW
Connie Gurtner	100693 Elderberry Rd, Colby, WI	
Kimberly Hanson	215 S 2nd St, Colby, WI	
David Strathmann	300 Lieders St, Colby, WI	

Liquor Licenses: Motion was made by Hederer, seconded by Lindeman to approve the liquor license list as presented. Motion carried with a voice vote.

Name: ProVision Partners
Agent: Deborah Schoelzel
Address: 702 S Division Street
Type of License: Class A Combination
Date Filed: May 3, 2024

Name: Cenergy LLC
Agent: Brian Effinger
Address: 1210 N Division Street
Type of License: Class A Combination
Date Filed: April 30, 2024

Name: Robbie Smazal
Trade Name: Smazal's Hunter's Choice
Address: 109 S 1st Street
Type of License: Class B Combination
Date Filed: May 10, 2024

Name: Huber-Schmitt-Bruesewitz-Decker VFW Post 2227 Inc
Agent: Kent Schilling
Address: 104 S Division Street
Type of License: Class B Combination
Date Filed: May 15, 2024

Name: Timothy Shannon
Trade Name: Tim's Northside Bar & Grill
Address: 102 E Adams Street
Type of License: Class B Combination
Date Filed: April 25, 2024

Name: El Derbi LLC
Agent: Rafael Alvarez Zarza
Address: 121 S 1st Street
Type of License: Class B Combination
Date Filed: May 14, 2024

Picnic Licenses – CUDA: Motion was made by Hederer, seconded by Hesgard to approve the picnic licenses for CUDA on June 21st and 22nd for a baseball tournament. Motion carried with a voice vote.

CSM for Mark Calmes to Create Lot 1 in the Town of Colby/N 7th Street:
Motion was made by Schmidt, seconded by Baumgartner to approve the CSM Creating Lot 1 in the Town of Colby just off of North 7th Street as presented. Motion carried with a voice vote.

CSM Creating Lot 1 from Vacated Streets and Replat of Rahm Estates:
Motion was made by Hederer, seconded by Hesgard to approve CSM creating Lot 1 from vacated streets and replat of Rahm Estates. Motion carried with a voice vote.

Committee meetings for June: Colby-Abbotsford Police Commission will meet on June 10, 2024 at 6:30 P.M. at the Police Department. Central Fire & EMS

District will meet on June 20, 2024 at 7:00 P.M. at Station 2. The Joint Review Board will hold the annual meeting on June 11, 2024 at 3:00 P.M. Special Council Meeting will be held on June 27, 2024 at 5:30 PM and it will be decided if we will make that the July Council meeting also. Public Works Committee will tentatively be scheduled for July 9, 2024 at 6:00 PM.

Adjourn: Motion was made by Hederer, seconded by Lindeman to adjourn at 7:46 PM. Motion carried with a voice vote.

Approved _____
James W Schmidt, Mayor

Attest _____
Connie Gurtner, Clerk