

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 and Dan Knoeck of MSA Professional Services.

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

Minutes of the April 16th meeting minutes were pre-read and reviewed. Motion was made by Hesgard, 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 \$322,535.19; Water Department \$39,741.76; Sewer Department \$24,868.66; TIF Fund \$27,993.00; Net payroll \$26,945.29. Motion carried with a voice vote.

Karen Hurd – Candidate for 69th Assembly: Karen Hurd introduced herself to the council.

Joe Mueller from Central Fire & EMS: Joe Mueller brought up to the council that the Central Fire & EMS District is asking the city to consider changing the name on the Colby emergency service building to Central Fire & EMS

Library Annual Report: Vicky Calmes of the Colby Community Library reviewed the 2023 Annual Report with the council. She reviewed the services, programs and resources provided by the library along with statistics. She shared information about a new passport program in the Clark County Libraries. It is a passport that can be stamped at the libraries in Clark County to qualify for prizes.

Colby/Abbotsford Police Commission met on April 8th.

The commission approved minutes and expenditures.

Transfer of \$4,368 from K-9 Account for Outdoor K-9 Kennel: The commission voted to recommend to the Abbotsford and Colby city councils transferring \$4,368 from the K-9 Account for construction of an outdoor K-9 kennel. Motion was made by Schmidt, seconded by Baumgartner to approve the transfer and kennel construction. Motion carried with a voice vote.

Constructing an Outdoor K-9 Kennel at Officer English's Residence: Chief Bowman presented a proposal to construct an outdoor K-9 kennel at Officer English's residence on South 6th Street in Colby. He said it would eliminate the liability of the K-9 jumping over a shorter fence. He said the City of Colby would

prepare the site and the City of Abbotsford would pour the cement slab. Hogden asked if it would be a concern with the K-9 barking, because the site is near the Colby Community Library. Bowman said the door would be shut between the kennel and the garage during library events. He also noted the K-9 is fitted with a remote control collar. The commission voted to recommend to the Abbotsford and Colby city councils construction of an outdoor K-9 kennel at Officer English's residence on South 6th Street at a cost not to exceed \$4,368.

Discussion Regarding a Joint Colby/Abbotsford Municipal Court: Chief Bowman reported on the current process of handling non-criminal citations by the municipalities. Colby's citations go through either Clark County Circuit Court or Marathon County Circuit Court, while Abbotsford's citations are handled by Abbotsford Municipal Court. He recommended creating a Joint Colby/Abbotsford Municipal Court. He said the Edgar Police Department and the Spencer Police Department have joint municipal court agreements with other municipalities. He said Colby is one of the last cities in Marathon County to process citations through Marathon County Circuit Court. Bowman said court proceedings are held on the third Monday of the month. A court fee is charged, and an officer has to be sent, creating overtime costs. In 2023, there were 572 Abbotsford citations and 291 Colby citations processed. Total citations were \$44,791 for Abbotsford and \$12,982 for Colby. Bowman said Colby paid \$9,802 for court costs. Currently, Police Secretary Jessica Weich handles all the paperwork for Abbotsford Municipal Court. Judge Judy Kalepp currently receives \$3,000 per year and Weich receives \$4,200 per year from the City of Abbotsford for handling the Abbotsford Municipal Court. He said an increase of 33% in their compensation would be required to handle the Joint Municipal Court proceedings. He noted the total increase of approximately \$5,200 was much less than the total court costs paid by the City of Colby in 2023. The CAPD would also save the expenses of sending an officer to the county court proceedings. Bowman said the process of handling citations would be streamlined and standardized, with them all going to the same place. He said payments of all citations would be handled at Abbotsford City Hall or the CAPD office. No vote was taken, but CAPD members all spoke in favor of having Colby and Abbotsford pursue creating a Joint Municipal Court.

Review of CAPC Activities from the Past Year: Schmidt made a few observations about CAPC and CAPD activity in the past year, noting that municipal reorganizational meetings were coming up and that this may be the last meeting of current CAPC members. He said the CAPC has worked well with the CAPD and city governments. He thanked everyone for their dedicated service. Schmidt listed the following accomplishments in the past year: continued review of financials and operations of the CAPD; study of CAPD financing options and adjustments made; transition of Chief Bauer's status as police chief, from accepting his retirement to interviewing applicants and selecting Alex Bowman as the new police chief; purchasing two new squad cars; designating two full-time School Resource officers for Abbotsford and Colby schools; keeping staffing

schedules in place (8,642 total activities reported in 2023); transition to the CORE Technology Reporting System; putting together a responsible 2024 CAPD budget; streamlining the system of processing invoices and payments; hiring two new patrol officers; approving the lieutenant and K-9 officer positions; and retiring K-9 Dodge and acquiring and training new K-9 Hemi.

Chief's Report: Bowman said Lieutenant Wagner was working on a search warrant for a local drug house. He said new officers Fuentes Ramirez Ana and Goodwin were doing well. Officer English will graduate from K-9 school on May 12, with K-9 Hemi coming on duty next week. There were 864 total CAPD activities reported for the month of March 2024. There have been 2,442 total activities reported for the first three months of 2024, compared to 2,225 total activities reported for the first three months of 2023.

Central Fire & EMS District met on April 18th.

The commission approved minutes and bills.

John Austin was present and shared information regarding several used tanker trucks that were recently viewed by the truck committee and Larry Oehmichen. Discussion had been held by the truck committee on possibly switching the old ladder truck over to a tender which would have an approximate cost of \$50,000. The ladder truck will be advertised for sale for \$40,000.

Mayor Schmidt: Mayor Schmidt reported on his meeting of the Clark County Economic Development.

Mayor Schmidt appointed Bev Schilling and Katie Stoll as Election Inspectors. Motion was made by Hederer, seconded by Hesgard to approve the appointments. Motion carried with a voice vote.

He informed the council that the city had heard that we were awarded \$760,000 from Local Road Improvement funding. He also said the DOT is going to raise some storm sewer manholes that are low on Highway 13 through the city. They did not plan to do the sanitary sewer manholes at this time. He also thanked the VFW Auxiliary for the flag donation.

Clerk Gurtner: Clerk Gurtner reported on her meeting of the Wisconsin Municipal Treasurer's Association.

DPW Higley: Sign Master/Fourmen's, 102 Hodd Drive, new signage; Clark Marathon Vet Service, 102 N Division St, re-roof; Kris Woik, 503 W Adams St, master bathroom remodel; Lyle Johnson, 201 N 1st St, re-roof shed/garage.

DPW Higley reported on the precipitation and flows for April 2024 at the STP. He also reported on the pumpage of water for April 2024.

He thanked Loos Machine for the donation of stainless steel for serving area at the ballpark.

Engineer Dan Knoeck: He explained the LRIP grant program and the city's award of \$760,000 for East Street. The GPS/GIS Mapping project is well on its way. The next step will be to sort the GPS data into layers and put them into the maps.

Hire Summer Help: Harland Higley recommend hiring Brady Kalepp as the city's summer help at a wage of \$15/hour. Motion was made by Hederer, seconded by Schmidt to approve the recommendation. Motion carried with a voice vote.

Bids for Construction of Unnamed Roads on Venzke Property: The city received five bids for the project: Haas Sons - \$545,998.30; McCabe Construction - \$557,486.00; Switlick & Sons - \$638,500.00; Earth Inc - \$667,627.50; A-1 Excavating - \$669,669.00. Motion was made by Schmidt, seconded by Lindeman to approve the bid from Haas Sons in the amount of \$545,998.30 pending DOT approval of the street opening permit. Motion carried with a voice vote.

Resolution 4-2024 Naming Streets on CSM #19790 – Connector Street & Frontage Rd on Venzke Property: The city purchased this property that was owned by James and Audrey Venzke. Motion was made by Schmidt, seconded by O'Brien to approve Resolution 4-2024 as follows with a correction to the spelling Connie Gurtner's name. Motion carried with a voice vote.

CITY OF COLBY RESOLUTION NO. 4-2024

A RESOLUTION NAMING STREETS IN CERTIFIED SURVEY MAP #19790 AS VENZKE DRIVE AND EAST FRONTAGE ROAD

WHEREAS, Certified Survey Map #19790 has been recorded in the Office of the Register of Deeds in Marathon County, Wisconsin as Document #1897464 on April 24, 2024, which Certified Survey Map contains unnamed streets that travel East-West and North-South as depicted therein and which Certified Survey Map lies entirely within the City of Colby as located in Marathon County;

AND WHEREAS, the City of Colby desires to name said dedicated roads as depicted in said Certified Survey Map;

NOW THEREFORE, be it resolved that the dedicated street extending from the east line of the Certified Survey Map #19790 to the west line of said Certified Survey Map as depicted in said Certified Survey Map shall be named Venzke Drive, and that the remaining dedicated street and right-of-way running North from the south line of said Certified Survey Map #19790 to its intersection with Venzke Drive shall be named East Frontage Road.

James W Schmidt, Mayor

Connie Gurtner, Clerk

Authorizing Resolution 2-2024 for Urban Forest Grant and Urban Forestry Catastrophic Storm Grant Program: Motion was made by O'Brien, seconded by Lindeman to approve Resolution 2-2024 as follows. Motion carried with a voice vote.

*Authorizing Resolution #2-2024
For Inflation Reduction Act (IRA) Urban Forestry Grant*

*WHEREAS, the applicant, City of Colby, is interested in obtaining a grant from Wisconsin Department of Natural Resources for the purpose of funding urban and community forestry projects specified in Ch. NR 47, Wis. Adm. Code;
WHEREAS, the applicant attests to the validity and veracity of the statements and representations contained in the grant application; and
WHEREAS, the applicant requests a grant agreement to carry out the project;
NOW, THEREFORE, BE IT RESOLVED, the applicant, City of Colby, will comply with all local, state, and federal rules, regulations and ordinances relating to this project and the agreement.*

BE IT FURTHER RESOLVED, the applicant will budget a sum sufficient to fully and satisfactorily complete the project and hereby authorizes and empowers the Director of Public Works, its official or employee, to act on its behalf to:

- 1. Sign and submit the grant application*
- 2. Sign a grant agreement between applicant and the DNR*
- 3. Submit interim and/or final reports to the DNR to satisfy the grant agreement*
- 4. Submit grant reimbursement request to the DNR*
- 5. Sign and submit other required documentation*

James W Schmidt, Mayor

Connie Gurtner, Clerk

Compliance Maintenance Resolution 3-2024 for Report Year 2023: Motion was made by Lindeman, seconded by Hesgard to approve Compliance Maintenance Resolution 3-2024 as follows. Motion carried with a voice vote.

CMAR Report Year 2023

COMPLIANCE MAINTENANCE RESOLUTION 3-2024

RESOLVED that the City of Colby informs the Wisconsin Department of Natural Resources that the following actions were taken by the Colby Common Council.

Reviewed the Compliance Maintenance Annual Report which is attached to this resolution.

Set forth the following actions necessary to maintain effluent requirements contained in the WPDES Permit:

None

James W Schmidt, Mayor

Connie Gurtner, Clerk

Contract for Engineering Services with MSA for Wastewater Discharge

Permit: Motion was made by Hederer, seconded by Lindeman to approve a services agreement with MSA for the WPDES Permit Renewal in the amount of \$2,800. Motion carried with a voice vote.

CSM Creating Outlot #1 on Existing Lot 2 and Lot 3 of CSM #19393 on SCS

Property: Motion was made by Hederer, seconded by Hesgard to approve the CSM creating Outlot #1 (which would be city owned) on Existing Lot 2 and Lot 3 of CSM #19393 on SCS Property. Motion carried with a voice vote.

Maintenance Agreement for Stormwater Retention Pond with SCS: The city does not have a copy of the maintenance agreement at this time. Motion was made by Hederer seconded by Hesgard to give Mayor Schmidt, DPW Higley, MSA and Attorney Gamoke authority to review the agreement and allow Mayor Schmidt to sign. Motion carried with a voice vote.

Purchase Agreement Extension with SCS: S C Swiderski presented and amendment to the offer to purchase extending the closing date from May 8, 2024 to May 29, 2024 and noting the CSM and maintenance to be signed and recorded at closing. Motion was made by O'Brien, seconded by Lindeman to approve the amendment to the offer to purchase. Motion carried with a voice vote.

Committee meetings for May: Colby-Abbotsford Police Commission will meet on May 13, 2024 at 6:30 P.M. at the Police Department. Central Fire & EMS District will meet on May 16, 2024 at 7:00 P.M. at Station 2. City Planning Committee will meet May 21, 2024 at 6:00 PM and June 3, 2024 at 5:30 PM.

Adjourn: Motion was made by Hederer, seconded by Schmidt to adjourn at 7:50 P.M. Motion carried with a voice vote.

Approved _____
James W Schmidt, Mayor

Attest _____
Connie Gurtner, Clerk