

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, DPW Harland Higley and Clerk Connie Gurtner.

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

**Minutes** of the January 2<sup>nd</sup> meeting minutes 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 Hesgard to approve the financial statement and bills. The amounts approved are as follows: General Fund \$617,411.19; Capital Fund \$57,267.05; Water Department \$38,600.92; Sewer Department \$55,474.65; Net payroll \$27,614.28. Motion carried with a voice vote.

**Colby/Abbotsford Police Commission** met on January 9<sup>th</sup>.

The commission approved minutes and expenditures.

Resolution 1-2024 Amending the 2023 Budget: Amendments to the 2023 budget were presented as follows: Revenues: Metal Plate Income, \$98,000, Temp Plate Income, \$60,000; Expenses: Fuel, +\$5,000, Water, +\$1,000, Health Insurance, - \$21,000, Auto Maintenance, -\$5,000, State Retirement, +\$10,000, Equipment, - \$5,000, Investigations, +\$3,000, Drug Dog, +\$2,000, Metal Plate, +\$94,000, Temp Plate, +\$64,000. President Schmidt said this budget amendment is a standard process every year and that he had reviewed the details with Chief Bauer. The commission voted to approve Resolution 1-2024 as presented.

Chief's Report by Lieutenant Alex Bowman: Lieutenant Bowman said activity has been hectic, with a number of traffic stops and OWI arrests. In just one weekend there were six OWI arrests. Officers assisted with a drug investigation chase. K-9 Dodge found two of the three suspects hiding in the woods. K-9 Dodge will be officially retiring on his 11th birthday Feb. 12. A presentation from the CAPD will be made at the CAPC meeting that evening. Donations to the K-9 Fund have been received from Colby Chrysler and Loos Machine. Officer Eric English has been named K-9 Officer. He will be attending K-9 training for four weeks in Mid-March, at the cost of \$15,000. A dual purpose Dutch Shepherd dog (included in the training cost) will be picked out. The new K-9 squad car is all set up. Background investigations have been completed for the two new officers. Noemi Fuentes-Ramirez Ana will be starting Jan. 17 and Kaden Goodwin will be starting Feb. 7. The full-time SRO positions started Jan. 2 in the Abbotsford and Colby school districts. Officer Nelson (assigned to the Colby School District) will be attending Basic SRO Schooling in February 2024. The K-9 was deployed 11

times in December, resulted in eight arrests. There were 756 total CAPD activities reported for the month of December 2023. There were 8,642 activities reported for the year of 2023, compared to 9,560 activities for the year of 2022.

**City Planning Committee** met on January 15<sup>th</sup>.

Minutes from September 13, 2023: Todd Schmidt pointed out that the motion to adjourn should not say in closed session. Motion was made by O'Brien, seconded by Lindeman to approve the minutes from 9-13-23 with the correction. Motion carried with a voice vote.

Recap of Meeting 1 Items: Susan Badtke reviewed the goals for the meeting and recapped information from the previous meeting.

Community Survey Results: The city had 56 responses to the survey. The survey was available electronically and in hard copy in English and Spanish. The deadline was November 20, 2023. Susan reviewed the results with the committee.

Draft Vision Statement: The committee discussed the 2044 City of Colby Vision Statement. Some bullet points were: safe, growing and welcoming community, thriving economy, celebrate its history, have housing options to meet the needs of all people, be known for its recreational opportunities, utilize its strengths to create a sense of place. The committee had some suggestions to add to the vision statement.

Populations and Housing Element: Susan reviewed the current populations statistics. The committee discussed using the DOA projected populations in the plan versus using an alternate projection of 2.5% growth every 5 years. The committee discussed in great detail Sections 2.7 Housing Goals & Objectives and 2.8 Housing Policies & Recommendations.

Economic Development Element: The committee reviewed the current commercial and industry in the community. They also brainstormed types of businesses and industries that we would like to see develop in Colby. Section 6.9 Economic Development Goals and Objectives and Section 6.10 Economic Development Policies and Recommendations were then discussed for updates and recommendations.

Cultural/Historic Resources Element: This topic will be discussed at the next meeting.

Next Steps and Meeting Date: Outstanding items from meeting #2, Discuss Transportation Element, Discuss Utilities & Community Facilities Element. The committee will meet on March 4, 2024 at 6:00 PM.

**Central Fire & EMS District** met on January 18<sup>th</sup>.

Minutes were distributed to the council.

**Colby Economic Development Corp** met on January 17<sup>th</sup>.

Meeting Details: The revised CEDC By-laws were reviewed. The committee voted to approve the revised CEDC By-laws as presented. J. Schmidt distributed copies of the Loyal Economic Development Corporation By-laws. He said many of the provisions were "boiler plate" for economic development corporations. He said the Loyal organization will be disbanding soon. J. Schmidt said Loos Machine had received an economic development achievement award. The committee voted to add Connie Gurtner and Harland Higley as CEDC members. Motion carried with a voice vote. Potential new CEDC members suggested included Kevin Hanson, Eric Mertens, Mark Viegut and Shannon Grewe. T. Schmidt said he would check with Heather Jeske at Nicolet Bank and Superintendent Patrick Galligan of the Colby School District to determine their interest in joining. Lindeman and T. Schmidt have both discussed CEDC membership with Grewe. CEDC membership representation was suggested in the areas of housing, medical, publishing, legal and community organizations. T. Schmidt said good prospects could come from the Abby Colby Crossings Chamber of Commerce membership list. CEDC meetings will be scheduled quarterly, with additional meetings called as needed. Discussion was held on marketing, growth and development, future funding sources for the CEDC, designing letterhead and the situation with the Marshfield Clinic Health System. Gurtner said she would check into government filing requirements for the CEDC and liability insurance coverage for the CEDC and its board of directors. She also volunteered to develop a basic CEDC membership application form. J. Schmidt said he would look into minutes from previous CEDC meetings. It was decided to hold the next CEDC meeting on Wednesday, April 10, at 5:00 pm at Colby City Hall. Snacks will be offered. T. Schmidt said he would prepare a press release and flyer about the meeting and the CEDC seeking to add new members and becoming more active.

Financial Report: Checking account balance: \$2,754.15; Certificate of Deposit (CD) balance: \$21,755.95. The CD at Nicolet Bank earns 2.48% interest and matures on 07/11/24.

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

**DPW Higley:** The following building permits were issued: Loos Machine & Automation, 101 S 1<sup>st</sup> St, interior remodel; Michael & Katherine Leader, 515 N 5<sup>th</sup> St, remodel bathroom; Audrey/Jeff Wickersham, 311 S 6<sup>th</sup> St, new shower & tile; Candy Strey, 204 E Monroe St, reside house & repair garage; Randy Hesgard, 600 W Dolf St, siding on house and shed.

DPW Higley reported on the precipitation and flows for January 2023 at the STP. He also reported on the pumpage of water for January 2023.

**Operator's License:** The city received the following operator's licenses: Pascual Alvarez Zarza, W5257 Hickory Rd, Withee; Miguel Zavala, 116E 3<sup>rd</sup> Ave, Stanley. Motion was made by Hederer, seconded by Lindeman to approve. Motion carried with a voice vote.

**Liquor License:** The city received an application for a Class B Combination license from El Derbi LLC, Agent: Pascual Alvarez Zarza for 121 S 1<sup>st</sup> Street, Colby, WI. Motion was made by Hederer, seconded by Lindeman to approve. Motion carried with a voice vote.

**Picnic License – St. Mary's Knight of Columbus:** The city received the following picnic license – St Mary's Knights of Columbus Fish Boil 2/23, 3/8, 3/22. Motion was made by Hesgard, seconded by Hederer to approve. Motion carried with a voice vote.

**Retainer Agreement with Dempsey Law Firm for Francis Melvin Dispute:** The city is in a dispute with Francis Melvin over payment on North 2<sup>nd</sup> Street. The city's attorney William Gamoke has a conflict of interest and has asked the city to contact a different attorney. The city has retained Lee Turone from Dempsey Law. Motion was made by Schmidt, seconded by Baumgartner to approve the retainage contract. Motion carried with a voice vote.

**Resolution 7-2023 Vacating of Streets in Rahm Estates:** Motion was made by Schmidt, seconded by Lindeman to approve Resolution 7-2023 to vacate and discontinue all of Herman Street and Hazel Drive and the North 144.95 feet of Lieders Street and the South 122 feet of Jackson Street in the Replat of Rahm Estates. Motion carried with a voice vote,

**Bids for Chip Sealing of S 6<sup>th</sup> Street:** The city received 2 sealed bids for chip sealing S 6<sup>th</sup> Street – Fahrner Asphalt Sealers for \$39,337 and Scott Construction Inc for \$46,855. Motion was made by Hederer, seconded by Hesgard to approve the bid from Fahrner Asphalt Sealers in the amount of \$39,337. Motion carried with a voice vote.

**Committee meetings for February:** Colby-Abbotsford Police Commission will meet on February 12, 2024 at 6:30 P.M. at the Police Department. Central Fire & EMS District will meet on February 15, 2024 at 7:00 P.M. at Station 2. City Planning Committee will meet on March 4, 2024 at 6:00 P.M.

**Closed Session:** Motion was made by Schmidt, seconded by Hesgard to go into Closed session per Wisconsin State Statute 19.85 (1)(e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or

conducting other specified public business, whenever competitive or bargaining reasons require a closed session. PURPOSE: Negotiate the Sale of 2 acres on N Division St. Roll Call Vote: Ayes – Baumgartner, Hederer, Hesgard, Lindeman, O'Brien, Schmidt. Noes – none. Motion carried.

**Reconvene in Open Session for Action from Closed Session:** Motion was made by Schmidt, seconded by Baumgartner to reconvene in open session. Roll Call Vote: Ayes – Baumgartner, Hederer, Hesgard, Lindeman, O'Brien, Schmidt. Noes – none. Motion carried. Motion was made by Hederer, seconded by O'Brien to approve the Purchase and Sale Contract and the First Amend to the Purchase and Sale Contract from The Overland Group LLC to purchase 2 acres of land owned by the city fronting North Division Street for \$80,000 with the understanding that they will agree to construct real estate with a minimum square footage of 10,640 sq feet within 3 years. Motion carried with a voice vote.

**Adjourn:** Motion was made by Hederer, seconded Schmidt by to adjourn at 7:14 P.M. Motion carried with a voice vote.

Approved \_\_\_\_\_  
James W Schmidt, Mayor

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