

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 MSA Mike Voss.

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

Minutes of the May 2nd meeting minutes were pre-read and reviewed. Motion was made by Hederer, seconded by Lindeman to approve the minutes as presented. Motion carried with a voice vote.

Financial Statement and Bills were discussed. Motion was made by Schmidt, seconded by Hesgard to approve the financial statement and bills. The amounts approved are as follows: General Fund \$98,090.27; Capital Fund \$37,958.60; Water Department \$41,293.19; Sewer Department \$25,639.78; Net payroll \$22,995.27. Motion carried with a voice vote.

Motion was made by Hederer, seconded by Hesgard to approve pay request #1 to Switlick & Sons for \$399,788.75. Motion carried with a voice vote.

Colby/Abbotsford Police Commission met on May 8, 2023

President Schmidt called for a moment of silence to recognize St. Croix County Sheriff's Department Deputy Kaitie Leising, who was killed in the line of duty on Saturday near Glenwood City. President Schmidt welcomed back all the familiar faces to serve on the CAPC for another year. He thanked the municipalities for having confidence in the members appointed to the CAPC.

Minutes and Expenditures were approved by the commission.

President: Todd Schmidt

Vice President: Dan Hederer

Recording Secretary: Todd Schmidt

Chief's Report: Chief Bauer said the K-9 squad car was still out of service for repair work. He said the unit should be on the road by next week. He said the K-9 was not involved in any arrests last month, as the K-9 officer was kept busy investigating domestic incidents and conducting traffic enforcement. The STH 13 construction area has been presenting many challenges. Construction work is scheduled to be completed by the third week of July. President Schmidt said the June agenda should include further discussion about the CAPD funding percentages between the municipalities. Chief Bauer stated that he intended to retire as police chief at the end of 2023. The following timetable was discussed for the interview process: advertise for the position as soon as possible, conduct interviews in closed session at the August meeting, select a new police chief at

the September meeting, review/interview for the lieutenant position at the October meeting. There were 786 total CAPD activities reported for the month of April, 2023. There have been 3,011 total CAPD activities reported for the first four months of 2023, compared to 2,896 activities for the first four months of 2022.

Central Fire & EMS District met on April 20th.

Nancy O'Brien reported on the meeting of Central Fire & EMS. The commission approved minutes and bills. The municipalities had voted unanimously to give the department permission to purchase a used platform truck up to \$400,000.

City Planning Committee met on April 18th.

Public Hearing for Conditional Use Permit to Allow for Kennel License for Melissa Harrel @ 518 N Division St: Melissa Harrel is asking for a conditional use permit to allow for a kennel license for allow for her three dogs at 518 N Division Street. The committee approved the recommendation of a permit with certain conditions to the council. Motion was made by O'Brien, seconded by Baumgartner to approve the conditional use permit to allow for the three dogs now until her elderly dog passes. If she decides to add a third dog again, the city planning committee would meet and consider approval again, but without holding another public hearing. Motion carried with a voice vote.

TIF Policy and Application: Clerk Gurtner created a policy and application that provides and outlines TIF development incentives. The policy uses \$40,000/acre and a 7 year property tax payback as a starting point for the city to use as a policy to new developers. The committee approved recommending the policy and application to the council. Motion was made by T Schmidt, seconded by Hesgard to approve the TIF Policy and Application as presented. Motion carried with a voice vote.

Land Division of City Lots on Division Street: The city has had some interested in the Division Street Property to create more desirable lots for development. Currently, there is one driveway to the 7 acre parcel and the DOT will not allow another entrance. One option would be to construct a road through the property running east to west where the current driving is located and create three lots. The city will not do the subdividing at this point, but have this idea as an option depending on development. The committee approved the recommendation of this preliminary plan to the council. Motion was made by Schmidt, seconded by O'Brien to approve the land division of city lots on Highway 13 as presented. Motion carried with a voice vote.

Loos Machine Improvements and TIF Incentive: The city has been working with Loos Machine regarding TIF Incentives for improvements that they made to the PCA property. They have cleaned up and improved the PCA property and our

assessor has increased the assessed value of that property by \$730,000. The annual property tax increase per year is estimated at \$21,488. The city is offering an incentive of 5 years of taxes. Motion was made by Schmidt, seconded by Hesgard to approve a TID Incentive to Loos Machine of \$107,440. Motion carried with a voice vote.

Lease Agreement with Indianhead Community Action Agency: Clerk Gurtner presented an updated. The new terms are \$1,004.73/month from July 2023 for 14 months, then \$1,070.46/month for 12 months. The contract will auto renew with a 5% increase annually unless terminated by either party. The committee voted to recommend approved of the lease agreement with Indianhead Community Action Agency as presented. Motion was made by Schmidt, seconded by Lindeman for approval of the lease agreement with Indianhead Community Action Agency as presented. Motion carried with a voice vote.

Update on Developers Agreement with S C Swiderski: Clerk Gurtner reported that S C Swiderski has reviewed the terms of the Developer's Agreement and are in agreement. They had asked for the signer for SCS to be updated. Clerk Gurtner had updated the agreement and emailed it to them earlier this week. They also said that they had reviewed the city's ordinance regarding tree planting and landscaping and it meets their specifications.

Mayor Schmidt: Mayor Schmidt appointed Kris Woik and Nancy O'Brien 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 reported that the City of Colby held the Board of Review meeting this month and the city has had an increase in the city of \$899,100. The city will have to do a full assessment next year.

Clerk Gurtner: Clerk Gurtner reported on the first night of "Just Another Music Monday". It seemed to go really well and she estimated that there was 75 people there.

DPW Higley: The following building permits were issued: Zackary Buss, 512 N 6th St, widen driveway; Clay Thieme, 702 W Carol St, windows; William & Monica Tesmer, 217 S 2nd St, new driveway off S 2nd St; Don Leichtnam, 407 N Main St, re-roof; Brooke Bruesewitz, 702 E Monroe St, 30' x 40' detached garage; Mark Calmes, 406 N 2nd St, replace driveway; Melissa Johnson, 223 S 1st St, sidewalk, fence; Peggy Kraschnewski, 601 W Dolf St, razing barn; David Strathmann, 300 Lieders St, cement patio slab, eaves on house and garage.

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

The cold storage building construction has started behind the shop. The new city lot “for sale” signs are up on the Division Street property. The city paving projects will be starting soon. The DOT Highway 13 paving project is a little behind the timeline originally proposed.

Engineer Mike Voss: The final layer of asphalt is completed on Community Drive, but not on N 2nd Street. There are areas on N 2nd Street that the concrete workmanship is not acceptable to the city. MSA has been trying to get a meeting between the city with Melvin’s, SD Ellenbecker and County Materials scheduled to discuss the concrete issues and get the sidewalk repairs completed. Voss presented a letter to the city that they would like to the city to sign to send to Melvin’s asking for the concrete issues to be remedied immediately and for the project to be completed on time.

Operator’s Licenses: Motion was made by Lindeman, seconded by Hesgard to approve the operator’s license list dated June 6, 2023. Motion carried with a voice vote.

Number	Name	Address	Location
1	Michelle Strathmann	300 Lieders St, Colby, WI	
2	David Strathmann	300 Lieders St, Colby, WI	
3	Zachary Brockhaus	401 S Division St, Colby, WI	Provision
4	Carmen Heart	104034 Cty Rd P, Unity, WI	Provision
5	Sarah Cliver	W936 Starks Rd, Unity, WI	Provision
6	Skyler Pribbernow	411 N Main St, Colby WI	Provision
7	Jami Vittallo	607 E 2nd St, Owen, WI	Mega Coop
8	Trevor Ellenbecker	317 N 3rd St, Abbotsford	Mega Coop
9	Tremaine Jones	310 E Pine St, Abbotsford, WI	Mega Coop
10	Donna Woellner	536 N Paul Ave, Owen, WI	Mega Coop
11	Bonnie Brodhagen	204 N 2nd Ave, Abbotsford, WI	Mega Coop
12	Nicole Bernt	109189 Wuertzburg Rd, Abbotsford	VFW
13	Julie Neubauer	402 N Beaver St #30, Loyal, WI	VFW
14	Dawn Roewe	509 N 5th St, Colby, WI	VFW
15	Kieth Roewe	509 N 5th St, Colby, WI	VFW
16	Patrick Mateer	N15286 Estate Dr, Abbotsford WI	VFW
17	Kent Schilling	300 W Pine St, Abbotsford, WI	VFW
18	Sandra Seiler	824 Community Dr, Colby, WI	VFW
19	Christina Bores	827 N 2nd Ave, Wausau WI	Hunter's Choice
20	Deborah Olson	205 E Spence St, Apt B, Colby, WI	Hunter's Choice
21	Leighton Drolshagen	502 W Spence St, Colby, WI	Hunter's Choice
22	Jessie Hederer	212 S 3rd St, Colby, WI	Hunter's Choice
23	Hallie Solie	511 W Wausau St, Colby, WI	Hunter's Choice
24	Scot Baumgartner	305 S East St, Colby, WI	Tesmer's
25	Tom Firnstahl	704 E Monroe St, Colby, WI	Tesmer's

26	April Schulz	34 Huron St, Neillsville, WI	Tesmer's
27	Elizabeth Baumgartner	305 S East St, Colby, WI	Tesmer's
28	John Feiten	419 N 2nd St, Colby, WI	
29	Connie Gurtner	100693 Elderberry Rd, Colby, WI	
30	Dan Hederer	212 S 3rd St, Colby, WI	Hunter's Choice

Liquor Licenses: Motion was made by Hesgard, seconded by Hederer 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 16, 2023

Name: Cenergy LLC
Agent: Erin Bergman
Address: 1210 N Division Street
Type of License: Class A Combination
Date Filed: May 9, 2023

Name: Robbie Smazal
Trade Name: Smazal's Hunter's Choice
Address: 109 S 1st Street
Type of License: Class B Combination
Date Filed: May 12, 2023

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 12, 2023

Name: Timothy Shannon
Trade Name: Tim's Northside Bar & Grill
Address: 102 E Adams Street
Type of License: Class B Combination
Date Filed: April 26, 2023

Name: Randel J Tesmer
Trade Name: Tesmer's Town & Country Bar
Address: 121 S 1st Street
Type of License: Class B Combination
Date Filed: May 3, 2023

Name: Bowl-Winkles Two LLC

Agent: Tyler Messman
Address: 506 N Division Street
Type of License: Class B Combination
Date Filed: May 3, 2023

Picnic Licenses – Colby Cheese Days: Motion was made by Lindeman, seconded by Hesgard to approve the picnic licenses for Abby-Colby Crossing Chamber for the Colby Cheese Days beer tents. Motion carried with a voice vote.

Picnic License – Colby Lions for Ballpark at Cheese Days: Motion was made by Hesgard, seconded by Lindeman to approve the picnic license for the Colby Lion's Club for the Colby Cheese Days ball tournament. Motion carried with a voice vote.

Resolution 3-2023 Declaring Official Intent to Reimburse Expenditures from Proceeds of Borrowing: Motion was made by O'Brien, seconded by Schmidt to approve Resolution 3-2023 as presented. Motion carried with a voice vote.

Resolution #3-2023

Declaring Official Intent to Reimburse Expenditures from Proceeds of Borrowing

WHEREAS, City of Colby, Clark/Marathon County, Wisconsin (the "Municipality") plans to undertake watermain replacement on STH 13 (the "Project"); and WHEREAS, the Municipality expects to finance the Project on a long-term basis by issuing tax-exempt bonds or a promissory notes (the "Bonds"); and WHEREAS, because the Bonds will not be issued prior to June 6, 2023, the Municipality must provide interim financing to cover costs of the Project incurred proper to receipt of the proceeds of the Bonds; and WHEREAS, it is necessary, desirable, and in the best interests of the Municipality to advance moneys from its funds on hand on an interim basis to pay the costs of the Project until the Bonds are issued. NOW, THEREFORE, BE IT RESOLVED by the Common Council of the Municipality, that:

Section 1. Expenditure of Funds. The Municipality shall make expenditures as needed from its funds on hand to pay the costs of the Project until Bond proceeds become available.

Section 2. Declaration of Official Intent. The Municipality hereby officially declares its intent under Treas. Regs. Section 1. 150-2 to reimburse said expenditures with proceeds of the Bonds, the principal amount of which is not to expected to exceed \$680,000.00.

Section 3. Unavailability of Long-Term Funds. No funds for payment of the Project from sources other than the Bonds are, or are reasonably expected to be, reserved, allocated on a long term basis, or otherwise set aside by the Municipality pursuant to its budget or financial policies.

Section 4. Public Availability of Official Resolution. This Resolution shall be made available for public inspection at the Clerk's office within 30 days after its

approval in compliance with applicable State law governing the availability of records of official acts including Subchapter II of Chapter 19, and shall remain available for public inspection until the Bonds are issued.

Section 5. Effective Date. This Resolution shall be effective upon its adoption and approval.

Signed: James W Schmidt, Mayor

Attest: Connie L Gurtner, Clerk

Resolution 4-2023 Compliance Maintenance Resolution for Sewer Treatment Plant: Motion was made by Schmidt, seconded by Hesgard to approve Resolution 4-2023 as presented with compliments to our city employees. Motion carried with a voice vote.

CMAR Report Year 2022

COMPLIANCE MAINTENANCE RESOLUTION 4-2023

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

Signed: Mayor James Schmidt

Attest: Connie Gurtner, Clerk

Committee meetings for June: Colby-Abbotsford Police Commission will meet on June 12, 2023 at 6:30 P.M. at the Police Department. Central Fire & EMS District will meet on June 15, 2023 at 7:00 P.M. at Station 2. The Joint Review Board will hold the annual meeting on June 22, 2023 at 3:00 P.M. Jason Lindeman is attending the Downtown Building Renovation Workshop tomorrow. July Council meeting will be July 11, 2023 at 6:30 PM.

Adjourn: Motion was made by Hederer, seconded by Lindeman to adjourn at 7:34 P.M. Motion carried with a voice vote.

Approved _____
James W Schmidt, Mayor

Attest _____
Connie Gurtner, Clerk