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, O’Brien, T Schmidt, Kolden, Oestreich, Hederer and Kaiser. Hesgard was absent. Also present were Clerk Gurtner, DPW Harland Higley Jr, Engineer Mike Voss and citizens.

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

**Minutes** of the May 7th council meeting were pre-read and reviewed. Motion was made by Hederer, seconded by Solberg to approve the minutes as presented. Motion carried with a voice vote.

**Financial Statement and Bills** were discussed. Motion was made by T Schmidt, seconded by Hederer to approve the bills including payment to August Winter pay request #5 for Well 14 Rehab. The amounts approved are as follows: General Fund $81,139.96; Water Department $46,429.44; Sewer Department $25,704.98; Revolving Loan Fund $120.00; TIF Fund $3,825.00; Net payroll $31,293.87. Motion carried with a voice vote.

**Comments from the Public:** Paige Smith handed out some information to the council regarding dog limitations from the neighboring communities. Lyn Mueller spoke on behave of Paige and said she doesn’t feel that increasing the dog limit will make all of the residents go out and get three dogs. Nancy and Ed Berry were also in attendance and spoke about their neighbor dog that is on a leash but barks all day and would like the ordinance reviewed and see an increase in enforcement.

**Colby-Abbotsford Police Commission** met on May 13th.

The commission approved minutes and expenditures.

Election of Officers: The commission elected Todd Schmidt as President and Dan Hederer as Vic President.

Police Commission Ordinances: President Schmidt pointed out several differences in the City of Colby and the City of Abbotsford’s CAPC ordinances. There needs to be some updating done in both ordinances to match what is currently in practice by the CAPC regarding: the position of President/Vice President; designating which municipality handles the accounting for the CAPD; and having the CAPC designate a Recording Secretary for meetings. President Schmidt also suggested adding the City of Abbotsford’s section 5-1-3 regarding the Maintenance of Personnel Records and Performance Evaluations to the City of Colby’s ordinance. President Schmidt offered to do a draft ordinance with the updates and changes discussed. The draft ordinance will be done in time for approval at the June meetings of both city councils. The commission will review further and will be considered at July’s meeting.

Audit: Deputy Clerk Polivka reviewed the audit with the CAPC and reported on the changes that will be made based on the recommendations by the auditors. President Schmidt said the audit report was overall a very positive document. He said the cost was reduced as the audit was conducted in concert with the City of Colby's full audit. He said the CAPC should conduct the audit in similar fashion every three years.

The commission voted to accept the audit report as presented, including the proposed Policy 710 regarding Cash Handling, Security and Management.

Chief’s Report: Chief Bauer reported on the K9 activity for the month of April, which resulted in 12 total activities and eight arrests. Total documented officer and office-related activities were 909 during the month of April. The aging video cameras in the squad cars are having issues. Chief Bauer and Lieutenant Bowman are currently researching options for replacement cameras. Chief Bauer stated that it has been a very busy month for the CAPD. The CAPD currently has one officer on administrative duty resulting from an officer-involved shooting. The DOJ is currently investigating. Chief Bauer stated he will be covering shifts as needed. The overtime expense for the CAPD for the year is going to be higher than budgeted because of all the activity, including the current daycare investigation.

**Central Fire & EMS** met on May 16th.

Nancy O’Brien reported on the May meeting of the Central Fire & EMS.

**City Planning Committee** met on May 30th.

Public Hearing Regarding the Direct Legislation Filed in Relation to Dog Limits: Clerk Gurtner had reviewed the process required for the direct legislation. Paige Smith has asked the council to consider changing our ordinance to allow for three dogs rather than two dogs. She has filed a direct legislation petition. No citizen where in attendance at the public hearing. The council will vote on the direct legislation petition at the June Council meeting.

Motion was made by T Schmidt to accept the direct legislation petition and adopt the ordinance. Motion failed for a lack of a second. Motion was made by Hederer, seconded by O’Brien to take this direct legislation request to a referendum question on the April ballot. Roll Call Vote: Ayes – Hederer, Kaiser, Kolden, O’Brien, Oestreich, Solberg. Noes – T Schmidt. Motion carried.

Rental of Old Library Space at City Hall: Indianhead has approached the city with interest to rent the old library space. The space measures approximately 3,050 square feet. The committee voted to charge $1,000/month – which would include utilities for the rent of the old library space. Kolden motioned to set the rate at $3.50/sq foot, $3.75/sq foot in year two and $4.00/sq foot in year three of a three year contract. This would include the utilities. William Gamoke will write up a lease agreement for the council to review at the July Council meeting. Motion carried with a voice vote.

**Board of Review** met on May 30th.

Clerk Gurtner reported that the Board of Review met and reviewed the assessment roll for errors and omissions. The city had an increase of total assessed value of $562,000. No citizens filed objections to the Board of Review.

**Mayor Schmidt:** Mayor Schmidt appointed Cathy Johnson and Lee Kaschinska to serve on the Colby Community Library Board of Trustees for a three year term. Motion was made by O’Brien, seconded by Kolden to approve the appointment. Motion carried with a voice vote. Motion was made by Kolden, seconded by Oestreich to appoint Mike Solberg as a Board of Appeals member for a three year term and Mark Kaiser for a one year term. Motion carried with a voice vote. Mayor Schmidt reported on the meeting of United Communities of Clark County.

**DPW Higley:** The following building permits were issued: Randy Uhlig, 303 N 3rd St, new roof; Clay Thieme, 702 W Carol St, deck; Steve Reynolds, 209 S 4th St, 30 x 36 garage; Kelli Kilburg, 204 E Spence St, storage shed; Judith Koffarnus, 410 N 7th St, remodel bathroom; Jason Lindeman, 404 N Division St, mini storage building; Hipolito Cruz Lopez, 125 S 1st St, re-roof house; Dennis Koch, 603 E Terrace St, driveway improvements; Ed Berry, 207 N 2nd St, metal roof.

DPW Higley reported on the precipitation and flows for May 2019 at the STP. He also reported on the pumpage of water for May 2019.

South 4th Street re-construction has started with temporary water services to residents. Well #9 & #12 transmission project is in progress. Roof has been replaced at the South 6th Street Park. That park was vandalized again last night and this has been ongoing. The vandals had also did some damage in the South 1st Street Park.

**Engineer Dave Krugler:** Engineer Krugler reviewed the status of our Well projects.

**Operators’ Licenses – List Dated 6/4:** Motion was made by Kolden, seconded by T Schmidt to approve operators’ licenses from the list dated 6/4/2019 as follows. Motion carried with a voice vote.



**Liquor Licenses – List Dated 6/4:** Motion was made by Hederer, seconded by Solberg to approve Liquor Licenses – List Date 6/4 as follows. Motion carried with a voice vote.

Name: ProVision Partners

Agent: Deborah Schoelzel

Address: 702 S Division Street

Type of License: Class A Beer/Cider

Date Filed: May 6, 2019

Name: Cenergy LLC

Agent: Samantha Thornton

Address: 1210 N Division Street

Type of License: Class A Combination

Date Filed: May 3, 2019

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, 2019

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: April 30, 2019

Name: Timothy Shannon

Trade Name: Tim’s Northside Bar & Grill

Address: 102 E Adams Street

Type of License: Class B Combination

Date Filed: April 30, 2019

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, 2019

Name: Bowl-Winkles Two LLC

Agent: Matthew Taves

Address: 506 N Division Street

Type of License: Class B Combination

Date Filed: May 1, 2019

Name: PJ’s Tropical Paradise Wine & Beer LLC

Agent: Jubel Arnold

Address: 120 Dehne Drive

Type of License: Class A Combination

Date Filed: May 10, 2019

Name: Back to Bliss LLC

Agent: Monica Groth

Address: 608 N Division

Type of License: Class B Combination

Date Filed: April 22, 2019

**Picnic License – AbbyColby Crossings/Colby Cheese Days:** Motion was made by Kolden, seconded by O’Brien to approve the picnic licenses for AbbyColby Crossing/Colby Cheese Days for July 18-22nd, 2019. Motion carried with a voice vote.

**Resolution 3-2019 Compliance Maintenance Resolution for Sewer Treatment Plant:** Motion was made by Hederer, seconded by O’Brien to approve Resolution 3-2019 Compliance Maintenance Resolution for Sewer Treatment Plant as follows. Motion carried with a voice vote.

*COMPLIANCE MAINTENANCE RESOLUTION 3-2019*

*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:*

*We built a coverall building over the oxidation ditches to limit heat loss. The building was completed in October 2018.*

**Handicap Ramp and Landscaping for Clerk’s Entrance at City Hall:** DPW Higley suggested to the council that the city considers a ramp entering the city clerk’s office. The ramp would be 8’ wide from the sidewalk to the front stoop. Clerk Gurtner had also suggested that we landscape the front of the city hall to avoid having railings on the ramp. The total cost for the concrete ramp, landscaping and automatic door is $11,000. The automatic door is $6,000 of the cost. Clerk Gurtner is concerned that the cost of the ramp will take money away from future renovations of the clerk’s office that would include security and storage solutions. The council wanted the DPW and clerk to get pricing on office renovations and they will look at all of the projects together. Also, we are currently in negotiation to rent the old library space and this would provide addition revenue.

**Date and Time for July Council Meeting/Office Closing on July 5th:** Mayor Schmidt proposed meeting on July 9th for the July Council meeting rather than July 2nd because of Independence Day. The council agreed that July 9th would work better. Clerk Gurtner had asked the council if the office could be closed on Friday, July 5th if both the Clerk and Deputy Clerk wanted vacation. Motion was made by O’Brien, seconded by Oestreich to close the clerk’s office on Friday, July 5th with Clerk and Deputy Clerk taking vacation days.

**Committee meetings for June:**  Colby-Abbotsford Police Commission will meet on June 10, 2019 at 7:00 P.M. at the Police Department. Central Fire & EMS District will meet on June 20, 2019 at 7:00 PM at Station 2.

**Adjourn:**  Motion was made by Kolden, seconded by Hederer to adjourn at 7:39 P.M. Motion carried with a voice vote.  
  
Approved \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

James W Schmidt, Mayor

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