

MINUTES
REGULAR MEETING
VILLAGE OF CRIVITZ BOARD OF TRUSTEES

Public present: Janis Porfilio & Stewart Swanson

1) **Call to Order:** Pres. Deschane called the meeting to order at 7:00pm.

2) **Roll Call:** Members present: President John Deschane Trustee Duane Swanson
 Trustee Kurt Kostuch Trustee Shirley Keller
 Trustee Dick Kaminski Trustee Fred Franzen

 Also present: Attorney Frank Calvert
 Clerk/Treasurer Marilyn Padgett

Pres. Deschane declared a quorum present for the meeting.

Method of Filling Board Vacancy & Term: Pres. Deschane stated he would exercise his voting privileges due to 4 votes being required to fill the Trustee vacancy. He felt it was important to fill the vacancy immediately, but stated he would not vote to create a tie. Motion by Trustee Kaminski, seconded by Trustee Kostuch, to fill the vacant Trustee position by nomination for the term ending 04/21/2015 and to hold a special election in April, 2015 to fill the remaining year of the unexpired term. Vote: Ayes: 5. Motion carried.

Nominations to Fill Board Vacancy:

Trustee Keller nominated Janis Porfilio.

Trustee Kaminski nominated Stew Swanson.

Pres. Deschane asked 3 times for more nominations and none were forthcoming.

Roll call vote: Keller: Porfilio, Franzen: Swanson, Swanson: Swanson, Kaminski: Swanson,
 Kostuch: Porfilio, Deschane: Swanson.

Pres. Deschane declared Stew Swanson as the new Trustee. Stew was sworn in and immediately assumed the duties of his position.

3) **Adoption of Agenda:** Motion by Trustee Kaminski, seconded by Trustee Kostuch, that the agenda be adopted as presented. Vote: Ayes: 6. Motion carried.

4) **Minutes Approval:** Motion by Trustee Kaminski, seconded by Trustee Kostuch, that the minutes of the regular meeting of April 15, 2014, be approved as presented. Vote: Ayes: 6. Motion carried.

5) **Financial Report:** Motion by Trustee Kaminski, seconded by Trustee Kostuch, that the financial reports for April for all funds be approved as presented. Vote: Ayes: 6. Motion carried.

6) **General Fund Vouchers:** Motion by Trustee Kaminski, seconded by Trustee Kostuch, to approve payment of general fund vouchers numbered 2677 through 2679, 4053, 6035, 23758 through 23816, and V5914 through V5932. Vote: Ayes: 6. Motion carried.

Motion by Trustee Kaminski, seconded by Trustee Kostuch, to approve payment from the general fund to Wiedemeier Garage for Fire Dept. vehicle repairs in the amount of \$735.32. Vote: Ayes: 6. Motion carried.

6a) **Water Fund:** Motion by Trustee Keller, seconded by Trustee Franzen, to approve payment of water fund vouchers numbered 3852 through 3857. Vote: Ayes: 6. Motion carried.

Motion by Trustee Keller, seconded by Trustee Franzen, to approve payment from the water fund to the Peshtigo Times for publication of the Consumer Confidence Report in the amount of \$528.20. Vote: Ayes: 6. Motion carried.

- 6b) **Sewer Fund:** Motion by Trustee Keller, seconded by Trustee Franzen, to approve payment of sewer fund vouchers numbered 4947 through 4956. Vote: Ayes: 6. Motion carried.
- 6c) **Other Vouchers:** Motion by Trustee Kostuch, seconded by Trustee Kaminski, to approve payment of TIF fund voucher number 366. Vote: Ayes: 6. Motion carried.
- 7) **Committee & Department Reports:** Copies were distributed to board members prior to the meeting - there were no questions.
- 8) **Comments from Pre-registered Citizens:** None.

2013 AUDIT REPORT - BRAD WALTERS: Brad Walters, Unger & Walters, presented the 2013 audit report to the board and distributed copies. He noted that there were losses in both utility funds, some due to depreciation. Shenck has begun work on the water rate increase. He also noted that some of the SEI Investments in the TIF and General Fund exceed the 7 year limit set by state law and must be sold to bring the investments into compliance. Also, the internal investment policy needs to be amended to allow all investments allowed by state statutes.

- 9) **Weed Commissioner Appointment:** Motion by Trustee Stew Swanson, seconded by Trustee Kaminski, to accept the appointment of Greg Gocht as Weed Commissioner for a 1 year term beginning May 1, 2014. Vote: Ayes: 6. Motion carried.
- 10) **Ordinance No. 2014-03: Amending Louisa Street Parking:** (Public Works) Bypassed to a future meeting.
- 11) **Resolution No. 260: 2013 Compliance Maintenance Annual Report Resolution:** (Utilities) Motion by Trustee Keller, seconded by Trustee Franzen, to adopt Resolution No. 260 accepting the 2013 Compliance Maintenance Annual Report for the Crivitz Wastewater Treatment Facility. Vote: Ayes: 6. Motion carried.
- 12) **2014 Road Projects:** (Public Works) Motion by Trustee Franzen, seconded by Trustee Keller, to advertise for bids for FJ. to Robert St. paving and Wisner Ave. construction projects. Vote: Ayes: 6. Motion carried.
- 13) **Floor Maintenance:** (Public Works) Motion by Trustee Franzen, seconded by Trustee Keller, to contract with Ultra Floor Care for floor maintenance in the Fire Station, Village Hall and Wastewater Treatment Facility at a cost not to exceed \$1,500.00. Vote: Ayes: 6. Motion carried.
- 14) **F Alley Drainage Project:** (Public Works) Motion by Trustee Franzen, seconded by Trustee Keller, to repair a sink hole in F Alley at a cost not to exceed \$10,000.00 and to fund the expense from the undesignated balance. Discussion: Trustee Franzen explained that if the problem is being caused by runoff from a nearby building the committee may seek a cost share with the building owner. Vote: Ayes: 6. Motion carried.
- 15) **Engineering Firm for USH 141 Utility Repairs & Hydrant Replacement:** (Utilities) Motion by Trustee Keller, seconded by Trustee Franzen, to contract with Kaempfer & Associates for USH 141 Utility Repairs and Hydrant Replacement engineering at a total cost not to exceed \$22,700.00 Vote: Ayes: 6. Motion carried.
- 16) **Water Utility - Thawing Frozen Lines:** (Utilities) Motion by Trustee Keller, seconded by Trustee Franzen, to approve payment from the water fund to Richlen Excavating in the amount of \$18,506.48 for thawing frozen water lines. Vote: Ayes: 6. Motion carried.

- 17) **Water Utility - Property Clean-up & Restoration:** (Utilities) Motion by Trustee Keller, seconded by Trustee Franzen, to contract with Richlen Excavating for property clean-up and restoration due to frozen water lines in an amount not to exceed \$8,000.00 to be paid from the water fund. Discussion: Trustee Kostuch expressed concern that competitive quotes were not sought, even though Richlen does provide good work. Vote: Ayes: 5, Nays: 1 (Kostuch). Motion carried.
- 18) **Wages Raises - Sally Hastings & Brian Scheuer:** (Public Works) Motion by Trustee Franzen, seconded by Trustee Keller, to approve .50 cent per hour wage raises effective 05/19/2014 to both Sally Hastings and Brian Scheuer who have both received satisfactory 30-day employee reviews. Vote: Ayes: 6. Motion carried.
- 19) **Fire Dept. - Unit #6 Repairs:** (Public Safety) Motion by Trustee Duane Swanson, seconded by Trustee Franzen, to contract with Rennert's Fire Equipment Services for Fire Dept. Unit #6 repairs at a cost not to exceed \$30,000.00, to be funded from the Fire Vehicle Savings fund. Vote: Ayes: 6. Motion carried.
- 20) **Fire Dept. - JC Powersports/Yamaha ATV Program:** (Public Safety) Motion by Trustee Duane Swanson, seconded by Trustee Franzen, to authorize the Fire Dept. to participate in the JC Powersports/Yamaha ATV program. Discussion: Under the program the department will be provided with an ATV which will be changed out every 90 days. The village will be required to carry insurance on the vehicle. Vote: Ayes: 6. Motion carried.
- 21) **Fire Dept. - Cascade/Storage Tank Hydro Testing:** (Public Safety) Motion by Trustee Duane Swanson, seconded by Trustee Franzen, to have 10 cascade air storage tanks hydro tested at a cost not to exceed \$800.00. Discussion: Trustee Duane Swanson clarified that Aladdin is the vendor. Vote: Ayes: 6. Motion carried.
- 22) **Fire Chief Annual Conference:** (Public Safety) Motion by Trustee Duane Swanson, seconded by Trustee Franzen, to authorize the Fire Chief and Assistant Fire Chief to attend the 2014 annual Fire Chief's Conference in June in Milwaukee and to reimburse the Crivitz Firefighters Association \$687.00 for the registration fee. Discussion: The village will pay all expenses for the conference, including lodging, mileage and meals. Vote: Ayes: 6. Motion carried.
- 23) **Fire Dept Savings Schedule Update:** (Public Safety) Motion by Trustee Duane Swanson, seconded by Trustee Franzen, to approve the updated Fire Dept. savings schedule. Vote: Ayes: 6. Motion carried.
- 24) **July 4th Parade - Street Use Permit:** (Public Safety) Motion by Trustee Duane Swanson, seconded by Trustee Franzen, to issue a street use permit to the American Legion for the July 4, 2014, parade for the route indicated in the request dated April 22, 2014. Vote: Ayes: 6. Motion carried.
- 25) **2014 Budget Adjustment #1:** (Finance) Motion by Trustee Kaminski, seconded by Trustee Kostuch, to approve 2014 budget adjustment #1 for the TIF and General funds. Vote: Ayes: 6. Motion carried.
- 26) **Wage Scale Amendments:** (Finance) Motion by Trustee Kaminski, seconded by Trustee Kostuch, to approve the wage scale amendment changing the scale for the Court Clerk/Deputy Clerk to \$7.25 - \$15.00 per hour and adding Court Clerk to the Village Clerk/Utilities Clerk/Treasurer title. Vote: Ayes: 6. Motion carried.
- 27) **2014/15 Alcohol & Beer License Renewals:** (Finance)

Motion by Trustee Kaminski, seconded by Trustee Kostuch, to renew Class B Liquor & Fermented Malt Beverage licenses for the term 07/01/14 through 06/30/15 for:

Fuzzy's Bar, Inc., Dennis Jahnke , Agent, for Fuzzy's Bar,
Crivitz Gateway, Ltd., Scott Busick , for Crivitz Gateway,
Dan & Tim's Riverside, LLC, Daniel Piasecki, Agent, for Dan & Tim's Riverside,
Charlie's Island Café, LLC, Charlie DeSmidt, II, Agent for Hot Stone Pub,
Charlie's Island Café, LLC, Charlie DeSmidt, II, Agent for Charlie's Island Café.

Vote: Ayes: 6. Motion carried.

Motion by Trustee Kaminski, seconded by Trustee Kostuch, to renew Class A Retail Liquor & Fermented Malt Beverage licenses for the term 07/01/14 through 06/30/15 for:

Witt's Foods, Inc., Nicholas Witt, for Witt's Piggly Wiggly,
Rechner, LLC, Martha M. Rechner, Agent, for On a Whim, Boutique Wines & Gifts,
DolgenCorp, LLC, Jack Fehrmann, Agent, for Dollar General Store #6637,
Falling Waters Winery, LLC, Joseph Callow, Agent, for Falling Waters Winery.

Vote: Ayes: 6. Motion carried.

Motion by Trustee Kaminski, seconded by Trustee Kostuch, to renew "Limited Class A" Liquor & Fermented Malt Beverage licenses for the term 07/01/14 through 06/30/15 for:

Lori Myszka, Agent, for Pine Cone Home Décor, Inc.,
KEAM 2000, LLC, Keith Hofkens, Agent, for Little Bit Products.

Vote: Ayes: 6. Motion carried.

Motion by Trustee Kaminski, seconded by Trustee Kostuch, to renew Class A Retail Fermented Malt Beverage licenses for the term 07/01/14 through 06/30/15 for:

Corner Convenience, Inc, Barbara Hock. Agent, for T & B One Stop,
LaFaive Crivitz Co., Shane Ellison, Agent, for Northland Mini-Mart,
Richard E. Porfilio, Owner, for Crivitz 141 Shell,
Krist Oil Company, Cynthia Wilund, Agent, for Krist Food Mart.

Vote: Ayes: 6. Motion carried.

Motion by Trustee Kaminski, seconded by Trustee Kostuch, to renew a Class B Fermented Malt Beverage license for the term 07/01/14 through 06/30/15 for Jeffrey Nelson & James Nelson, Owners, for Sky Harbor 2 Go. Vote: Ayes: 6. Motion carried.

28) 2014/15 Cigarette License Renewals: (Finance) Motion by Trustee Kaminski, seconded by Trustee Kostuch, to renew cigarette licenses for the term 07/01/2014 through 06/30/2015 for:

Crivitz 141 Shell
Witt's Piggly Wiggly
T & B One Stop
Northland Mini-Mart
Krist Food Mart
Family Dollar Store
Dollar General Store

Vote: Ayes: 6. Motion carried.

29) Picnic License - American Legion July 4th: (Finance) Motion by Trustee Kaminski, seconded by Trustee Kostuch, to issue a Temporary Class B Fermented Malt Beverage License to the American Legion for July 4, 2014, at the John Shaffer Pavilion, provided that wristbands be issued to identify patrons of legal age for the purchase of beer. Vote: Ayes: 6. Motion carried.

30) Picnic License - Crivitz Firefighters Association July 12: (Finance) Motion by Trustee Kaminski, seconded by Trustee Kostuch, to issue a Temporary Class B Fermented Malt Beverage License to the Crivitz Firefighters Association for July 12, 2014, at the John Shaffer Pavilion, provided that wristbands be issued to identify patrons of legal age for the purchase of beer. Vote: Ayes: 6. Motion carried.

- 31) **Phase I Study Invoice:** (Development/Finance) Motion by Trustee Kaminski, seconded by Trustee Swanson, to reimburse Stephenson Bank \$666.66 for the Phase I study done by Robert E. Lee on the Falling Waters Winery property in Dyer Business Park. Vote: Ayes: 4, Nays: 2 (Kostuch & Keller). Motion carried.
- 32) **Operator's Licenses:** (Finance) Motion by Trustee Kaminski, seconded by Trustee Kostuch, to grant operator's licenses effective from 05/20/14 through 06/30/14 to Deborah Womack, Alaisha Gribben, Angelique Tarantola, and Monica Flint, who have received satisfactory background checks. Vote: Ayes: 6. Motion carried.
- 33) **Recess to Closed Session:** Motion by Trustee Kostuch, seconded by Trustee Swanson, to recess to closed session for the purpose of conferring with legal counsel regarding current and future potential litigation. Vote: Ayes: 6. Motion carried.

Pres. Deschane stated that the closed session is in accordance with WI Statute sec. 19.85(1)(g) which states that "...any meeting of a...governmental body, upon motion duly made and carried, may be convened in closed session under one or more of the exemptions provided in this section...(g)...conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved."

- 34) **Reconvene in Open Session:** Motion by Trustee Kostuch, seconded by Trustee Duane Swanson, to reconvene in open session and announce action taken in closed session, if any. Vote: Ayes: 6. Motion carried. The board reconvened in open session at 8:12pm and Pres. Deschane announced that there was no action taken in closed session.

OLD BUSINESS:

Pres. Deschane announced that the first Flea Market is Thursday, May 22nd.

NEW BUSINESS:

Presidents Corner:

Pres. Deschane reported that the Little League is adding a field to the east of the current field and he had given Jeff Lieuwens permission to remove some trees from the August St. right of way, provided he first determine that they are actually in the right of way. He presented gifts from the Crivitz, Germany, burgermeister which were received for the 10th anniversary of the Sister City signing and obtained the board's permission to donate a picture to the school. He welcomed 2 new businesses to the village - Falling Waters Winery and Pelkin's Smokey Meats. He also asked committee chairs to be detailed in their meeting notes so that the Clerk can decipher what the chair needs motions to state.

CORRESPONDENCE: None.

QUESTIONS FROM THE FLOOR: None.

ADJOURNMENT: Motion by Trustee Kaminski, seconded by Trustee Keller, that the meeting be adjourned at 8:17pm. Vote: Ayes: 6. Motion carried.

Respectfully submitted,

John J. Deschane
President

Marilyn L. Padgett
Clerk/Treasurer