

**MINUTES**  
**REGULAR MEETING**  
**VILLAGE OF CRIVITZ BOARD OF TRUSTEES**

**Public present:** None.

- 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 Fred Franzen  
                                                          Trustee Dick Kaminski
- Members absent:           Trustee Janis Porfilio  
                                                          Trustee Shirley Keller
- Also present:            Attorney Frank Calvert  
                                                          Clerk/Treasurer Marilyn Padgett

Pres. Deschane declared a quorum present for the meeting and indicated that he would vote on all motions due to the limited number of board members present.

- 3) **Adoption of Agenda:** Motion by Trustee Kaminski, seconded by Trustee Kostuch, that the agenda be adopted as presented. Vote: Ayes: 5. Motion carried.
- 4) **Minutes Approval:** Motion by Trustee Kaminski, seconded by Trustee Kostuch, that the minutes of the regular meeting of April 16<sup>th</sup> be approved as presented. Vote: Ayes: 5. 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: 5. Motion carried.
- 6) **General Fund Vouchers:** Motion by Trustee Kaminski, seconded by Trustee Kostuch, to approve payment of general fund vouchers numbered 2638 through 2641, 4040, 6023, 22955 through 23018 and V5686 through V5707. Vote: Ayes: 5. Motion carried.

Motion by Trustee Kaminski, seconded by Trustee Kostuch, to approve payment from the general fund to Stewart Swanson in the amount of \$540.66 for fire training and equipment. Vote: Ayes: 5. Motion carried.

- 6a) **Water Fund:** Motion by Trustee Franzen, seconded by Trustee Swanson, to approve payment of water fund vouchers numbered 3770 through 3776 . Vote: Ayes: 5. Motion carried.

Motion by Trustee Franzen, seconded by Trustee Swanson, to approve payment from the water fund to

Graese Electric for USH 141 water leak repairs	\$2,001.07
Sessler Plumbing for installing large meters	\$ 560.00
Total Energy Systems for load bank test	\$ 733.00

Vote: Ayes: 5. Motion carried.

- 6b) **Sewer Fund:** Motion by Trustee Franzen, seconded by Trustee Swanson, to approve payment of sewer fund vouchers numbered 4831 through 4839. Vote: Ayes: 5. Motion carried.

- 6c) **Other Vouchers:** Motion by Trustee Kostuch, seconded by Trustee Kaminski, to approve payment of TIF Fund vouchers numbered 338 through 342. Vote: Ayes: 5. Motion carried.

- 7) **Committee & Department Reports:** Copies distributed.
- 8) **Comments from Pre-registered Citizens:** None.
- 9) **Committee Appointments:** Bypassed – placed on agenda in error.
- 10) **Annual May Appointments:** Motion by Trustee Kaminski, seconded by Trustee Kostuch, to accept the following appointments for two year terms beginning May 21, 2013:

Attorney:	Frank Calvert
Health Officer:	Mary Rosner
Assessor:	Mel Raatz, R & R Assessing Services
Building Inspector:	Jane Meissner

Vote: Ayes: 5. Motion carried.

- 11) **Utilities Policy, Procedure & Lab QA Manual:** (Utilities) Motion by Trustee Franzen, seconded by Trustee Swanson, to amend the manual to include a section on emergency chlorination of the water system as presented by the Utilities Operator. Vote: Ayes: 5. Motion carried.
- 12) **Sewer Main Televising & Cleaning:** (Utilities) Motion by Trustee Franzen, seconded by Trustee Swanson, to contract with Great Lakes TV & Seal to televise and clean 1 mile of sewer main at a cost not to exceed \$6,250.00. Vote: Ayes: 5. Motion carried.
- 13) **Witt Ford Expansion Project – TIF Agreement:** (Development) Motion by Trustee Kaminski, seconded by Trustee Franzen, to approve the TIF District No. 1 Developers Agreement with Witt Ford for an expansion project with a value of \$350,000.00 wherein the TIF Fund will provide an Economic Development Grant of \$1,250.00 per year for a period of 3 years. Discussion: Atty Calvert will forward a written developers agreement, which will commence in 2015. Vote: Ayes: 4, Nays: 1 (Kostuch). Motion carried.
- 14) **Dennis Pelkin Project – TIF Agreement:** (Development) Motion by Trustee Kostuch, seconded by Trustee Kaminski, to approve the TIF District No. 1 Developers Agreement with Dennis Pelkin for land acquisition and the outstanding balance of the Smitty's Used Car agreement, not to exceed \$76,250.00, for development of a Meat Processing Facility and Retail Store for a term of 11 years at 5% interest per year. Discussion: Atty Calvert explained that this agreement will not be presented to Dennis Pelkin until he actually gains ownership of the property. Vote: Ayes: 5. Motion carried.
- 15) **2013 TIF Budget Amendment:** (Development) Motion by Trustee Kostuch, seconded by Trustee Kaminski, to approve 2013 TIF budget amendment #1. Vote: Ayes: 5. Motion carried.
- 16) **Oakwood Haven Apartment Building:** (Development) Bypassed.
- 17) **1407 Main Ave – Razing Assessment 2011 Tax Roll:** (Development) Bypassed.
- 18) **Fire Department Ladder Testing:** (Public Safety) Motion by Trustee Kostuch, seconded by Trustee Franzen, to approve Fire Department ladder testing by Paul Conway Shields at a cost not to exceed \$500.00. Vote: Ayes: 5. Motion carried.
- 19) **Police Radar Units:** (Public Safety) Motion by Trustee Kostuch, seconded by Trustee Deschane, to repair the Durango radar unit at a cost not to exceed \$1,250.00 and to send the Tahoe radar unit to the manufacturer to be tested to determine if it can be repaired at the same cost and if not, to purchase a new radar unit for the Tahoe at a cost not to exceed \$2,500.00, with the total cost to be funded from the General Equipment Savings fund. Vote: Ayes: 5. Motion carried.

- 20) **Crivitz Men's Softball League:** (Parks & Rec) Motion by Trustee Kaminski, seconded by Franzen, to allow the Crivitz Men's Softball League to use the softball field at the request of Dale Guarniere per the schedule submitted. Vote: Ayes: 5. Motion carried.
- 21) **Park Irrigation Contracts – M & M Irrigation:** (Parks & Rec) Motion by Trustee Kaminski, seconded by Trustee Franzen, to contract with M & M Irrigation for park irrigation maintenance in the amount of \$225.00. Vote: Ayes: 5. Motion carried.
- 22) **Charlie's Island Café: Class B Liquor & Fermented Malt Beverage License Application:** (Finance) Motion by Trustee Kaminski, seconded by Trustee Kostuch, to grant a Class B Liquor & Fermented Malt Beverage License to Charlie's Island Café LLC, Charlie DeSmidt, Agent, for the term of 07/01/13 through 06/30/14. **Motion amended:** Motion by Trustee Kaminski, seconded by Trustee Kostuch, to amend the main motion to read to grant a Class B Liquor & Fermented Malt Beverage License to Charlie's Island Café LLC, Charlie DeSmidt, **II**, Agent, for the term of 07/01/13 through 06/30/14. Vote on amendment: Ayes: 5. Motion carried. Vote on main motion as amended: Ayes: 5. Motion carried.
- 23) **Liquor & Beer License Renewals:** (Finance) Motion by Trustee Kaminski, seconded by Trustee Kostuch, to renew Class B Liquor & Fermented Malt Beverage Licenses effective 07/01/13 through 06/30/14 to the following:

Trackside, LLC, Jacqueline Kaminski, Agent, for Trackside  
Fuzzy's Bar, Inc., Dennis Jahnke, Agent, for Fuzzy's Bar  
Crivitz Gateway, Ltd., Scott Busick, Agent, 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

Vote: Ayes: 5. Motion carried.

Motion by Trustee Kaminski, seconded by Trustee Kostuch, to renew Class B Fermented Malt Beverage License effective 07/01/13 through 06/30/14 to Jeffrey Nelson and James Nelson, Owners, for Sky Harbor 2 Go. Vote: Ayes: 5. Motion carried.

Motion by Trustee Kaminski, seconded by Trustee Kostuch, to renew Class A Retail Liquor & Fermented Malt Beverage Licenses effective 07/01/13 through 06/30/14 to the following:

Witt's Foods, Inc., Nicholas Witt, Agent, 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

Vote: Ayes: 5. Motion carried.

Motion by Trustee Kaminski, seconded by Trustee Kostuch, to renew Class A Fermented Malt Beverage Licenses effective 07/01/13 through 06/30/14 to the following:

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 Wiland, Agent, for Citgo Quik Food Mart

Vote: Ayes: 5. Motion carried.

Motion by Trustee Kaminski, seconded by Trustee Kostuch, to renew Limited Class A Retail Liquor & Fermented Malt Beverage Licenses effective 7/1/13, through 6/30/14 to the following:

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

Vote: Ayes: 5. Motion carried.

- 24) Cigarette License Renewals:** (Finance) Motion by Trustee Kaminski, seconded by Trustee Kostuch, to renew cigarette licenses effective 07/01/13 through 06/30/14 to the following:

Crivitz 141 Shell  
Witt's Piggly Wiggly  
T & B One Stop  
Northland Mini-Mart  
Citgo Quik Food Mart  
Family Dollar Store #6028  
Dollar General Store #6637

Vote: Ayes: 5. Motion carried.

- 25) American Legion July 4<sup>th</sup> Picnic License:** (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, 2013, at the Shaffer Park Pavilion, provided that wristbands be issued to identify patrons of legal age for the purchase of beer. Vote: Ayes: 5. Motion carried.

- 26) Reallocation of Committed Funds:** (Finance) Motion by Trustee Kaminski, seconded by Trustee Kostuch, to approve reallocation of Committed Funds as presented. Vote: Ayes: 5. Motion carried.

- 27) Officemax Supply Purchases:** (Finance) Motion by Trustee Kaminski, seconded by Trustee Kostuch, to approve payment to Officemax in the amount of \$655.09 for supplies for various departments. Vote: Ayes: 5. Motion carried.

- 28) 2013 Street Projects:** (Public Works): Bypassed.

- 29) Community Service Program:** (Public Works) Motion by Trustee Swanson, seconded by Trustee Franzen, to accept the Community Service Policy & Program as presented. Vote: Ayes: 5. Motion carried.

- 30) Catch Basin on Henriette Ave:** (Public Works) Motion by Trustee Swanson, seconded by Trustee Franzen, contract with Richlen Excavating to install a catch basin across from the Village Hall at a cost not to exceed \$7,000.00. Vote: Ayes: 5. Motion carried.

- 31) Plow Truck Repair:** (Public Works) Motion by Trustee Swanson, seconded by Trustee Franzen, to purchase a new plow with controls from Elias Auto at a cost not to exceed \$5,551.00, including installation. Vote: Ayes: 5. Motion carried.

- 32) Operators License Applications:** (Finance) Motion by Trustee Kaminski, seconded by Trustee Kostuch, to issue operators licenses effective 5/21/13 through 6/30/14 to Morgan Schwarz and Tiffany Upson, both having received satisfactory records checks. Vote: Ayes: 5. Motion carried.

**33) Recess to Closed Session:** Motion by Trustee Kaminski, seconded by Trustee Kostuch, to recess to closed session for the purpose of conferring with legal counsel regarding current and future potential litigation. Vote: Ayes: 5. Motion carried.

Chair to state: "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 Kaminski, seconded by Trustee Kostuch, to reconvene in open session and announce action taken in closed session, if any. Vote: Ayes: 5. Motion carried.

**OLD BUSINESS:** None.

**NEW BUSINESS:**

**Presidents Corner:** None.

**CORRESPONDENCE:** None.

**QUESTIONS FROM THE FLOOR:** None.

**ADJOURNMENT:** Motion by Trustee Swanson, seconded by Trustee Kostuch, that the meeting be adjourned at 8:03pm. Vote: Ayes: 5. Motion carried.

Respectfully submitted,

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John J. Deschane  
President

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Marilyn L Padgett  
Clerk/Treasurer