

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

**Public present:** Steve Klein, Bill Clyma (Peshigo Times)

- 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  
  Trustee Stew Swanson

                                  Also present:           Attorney Dick Boren  
  Clerk/Treasurer Marilyn Padgett

Pres. Deschane declared a quorum present for the meeting.

- 3) **Adoption of Agenda:** Motion by Trustee Kaminski, seconded by Trustee Stew Swanson, that the agenda be adopted as presented. Vote: Ayes: 6. Motion carried.
- 4) **Minutes Approval:** Motion by Trustee Kaminski, seconded by Trustee Stew Swanson, that the minutes of the regular meeting of May 19, 2015, be approved as presented. Vote: Ayes: 6. Motion carried.
- 5) **Financial Report:** Motion by Trustee Kaminski, seconded by Trustee Stew Swanson, that the financial report for the month of May, 2015, be approved as presented. Vote: Ayes: 6. Motion carried.
- 6) **General Fund Vouchers:** Motion by Trustee Kaminski, seconded by Trustee Stew Swanson, to approve payment of general fund vouchers numbered 2718 through 2720, 4066, 6048, 24679 through 24749, V6192 through V6210. Vote: Ayes: 6. Motion carried.

Motion by Trustee Kaminski, seconded by Trustee Stew Swanson, to approve payment from the general fund for the following:

Barbara Uhl to attend the UWGB Clerk's Institute in July - not to exceed	\$985.00
Cardmember services for supplies & repairs for various departments	\$565.23

Vote: Ayes: 6. Motion carried.

- 6a) **Water Fund:** Motion by Trustee Keller, seconded by Trustee Franzen, to approve payment of water fund vouchers numbered 3943 through 3951. Vote: Ayes: 6. Motion carried.
- 6b) **Sewer Fund:** Motion by Trustee Keller, seconded by Trustee Franzen, to approve payment of sewer fund vouchers numbered 5058 through 5066. Vote: Ayes: 6. Motion carried.

Motion by Trustee Keller, seconded by Trustee Franzen, to approve payment from the sewer fund to the following:

DeGroot for manhole work on USH 141	\$2,150.00
WDNR for 2015 environmental fees	\$1,355.23

Vote: Ayes: 6. Motion carried.

- 6c) **Other Vouchers:** Motion by Trustee Kostuch, seconded by Trustee Franzen, to approve payment of TIF fund voucher number 1015. Vote: Ayes: 6. Motion carried.

Motion by Trustee Kostuch, seconded by Trustee Franzen, to approve payment from the TIF fund to John Guarisco Appraisal Services for appraisal of the KSC International property in the amount of \$500.00. Vote: Ayes: 6. Motion carried.

- 7) **Committee & Attorney Reports:** Committee reports were distributed prior to the meeting. Attorney Boren gave a presentation regarding Wisconsin Open Meetings Law, with particular emphasis on walking and negative quorums. He also distributed a recent League of Wisconsin Municipalities article for board members reference.
- 8) **Comments from Pre-registered Citizens:** None.
- 9) **Ordinance No. 2015-01:** (Development) Motion by Trustee Kostuch, seconded by Trustee Stew Swanson, to adopt Ordinance No. 2015-01: An Ordinance Regulating Animal Control - Chickens & Ducks - Within the Municipal Code of Ordinances for the Village of Crivitz. Vote: Ayes: 6. Motion carried.
- 10) **Resolution No. 265:** (Utilities) Motion by Trustee Keller, seconded by Trustee Franzen, to adopt Resolution No. 265: A Resolution Accepting the Compliance Maintenance Annual Report Dated June 16, 2016, and Setting Forth Actions Necessary to Maintain Effluent Requirement Contained in the WPDES Permit for the Crivitz Wastewater Treatment Facility. Vote: Ayes: 6. Motion carried.
- 11) **Resolution No. 266:** (Finance) Motion by Trustee Kaminski, seconded by Trustee Stew Swanson, to adopt Resolution No. 266: A Resolution Opposing the Elimination of the Wisconsin Legislative Audit Bureau. Vote: Ayes: 6. Motion carried.
- 12) **Extension of TIF Developers Agreement for Pelkin's Smokey Meat Market:** (Development) Motion by Trustee Kostuch, seconded by Trustee Franzen, to extend the construction deadline of the TIF Developers agreement with Pelkin's Smokey Meat Market to May 21, 2015. Vote: Ayes: 6. Motion carried.
- 13) **Crivitz & Marinette County Regional Guide Advertising:** (Development) Motion by Trustee Stew Swanson, seconded by Trustee Franzen, to advertise in both the Crivitz and Marinette County Regional Guides for one year at a total cost not to exceed \$1,200.00, to be paid from the TIF fund. Vote: Ayes: 5, Nays:1 (Kostuch). Motion carried.
- 14) **TIF 2015 Budget Adjustment:** (Development) Motion by Trustee Kostuch, seconded by Trustee Franzen, to approve TIF 2015 budget adjustment #1. Vote: Ayes: 6. Motion carried.
- 15) **Sewer Main & Manhole Cleaning:** (Utilities) Motion by Trustee Keller, seconded by Trustee Franzen, to contract with Great Lakes TV Seal to clean sewer mains and manholes on USH 141 at a cost not to exceed \$2,520.00. Vote: Ayes: 6. Motion carried.
- 16) **Cross Connection Inspection Contract Extension:** (Utilities) Motion by Trustee Keller, seconded by Trustee Franzen, to extend the contract with HydroCorp for cross connection inspections to add 40 utility accounts at a cost not to exceed \$6,600.00, to be paid from the water fund. Vote: Ayes: 6. Motion carried.
- 17) **Fire Hydrant Replacements:** (Utilities) Motion by Trustee Keller, seconded by Trustee Franzen, to contract with Richlen Excavating to install new fire hydrants at a cost not to exceed \$2,300.00, to be paid from the water fund. Vote: Ayes: 6. Motion carried.
- 18) **Employee Wage Increase:** (Public Works) Motion by Trustee Franzen, seconded by Trustee Keller, to approve a .50 cent per hour raise for Sally Hastings retroactive to April 13, 2015. Vote: Ayes: 6. Motion carried.
- 19) **Kenny Drive Improvements:** (Public Works) Motion by Trustee Franzen, seconded by Trustee Keller, to contribute \$1,000.00 to the Town of Stephenson for materials for improvements at the north end of Kenny Drive. Vote: Ayes: 6. Motion carried.

- 20) **2015/16 Cigarette Licenses:** (Finance) Motion by Trustee Kaminski, seconded by Trustee Stew Swanson, to issue cigarette licenses effective July 1, 2015 through June 30, 2016 to the following businesses:

Crivitz 141 Shell  
Northland Mini-Mart  
Dollar General Store #6637

Witt's Piggly Wiggly  
Krist Food Mart

T & B One Stop  
Family Dollar Store #6028

Vote: Ayes: 6. Motion carried.

- 21) **Dollar General - Change of Agent:** (Finance) Motion by Trustee Kaminski, seconded by Trustee Stew Swanson, to approve changing the agent for the Class "A" retail liquor and fermented malt beverage license for Dollar General to Deb Jopek effective June 16, 2015. Vote: Ayes: 6. Motion carried.

- 22) **Falling Waters Winery - Class "B" License:** (Finance) Motion by Trustee Kaminski, seconded by Trustee Stew Swanson, to grant a Class "B" liquor and fermented malt beverage license to Falling Waters Winery, LLC, Joseph Callow, Agent, effective July 1, 2015 through June 30, 2016. Vote: Ayes: 6. Motion carried.

- 23) **Class "B" Liquor & Fermented Malt Beverage License Renewals:** (Finance) Motion by Trustee Kaminski, seconded by Trustee Stew Swanson, to renew Class "B" Liquor & Fermented Malt Beverage licenses effective July 1, 2015 through June 30, 2016 to the following:

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.  
Charlie's Island Café, LLC, Charlie DeSmidt, II, Agent for Charlie's Island Café,

Vote: Ayes: 6. Motion carried.

- 24) **Class "A" Retail Liquor & Fermented Malt Beverage License Renewals:** (Finance) Motion by Trustee Kaminski, seconded by Trustee Stew Swanson, to renew Class "A" Liquor & Fermented Malt Beverage licenses effective July 1, 2015 through June 30, 2016 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,  
Dolgenercorp, LLC, Deb Jopek, Agent, for Dollar General Store #6637

Vote: Ayes: 6. Motion carried.

- 25) **Class "A" Retail Fermented Malt Beverage License Renewals:** (Finance) Motion by Trustee Kaminski, seconded by Trustee Stew Swanson, to renew Class "A" Fermented Malt Beverage licenses effective July 1, 2015 through June 30, 2016 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, 303 Selden Rd., Iron River, MI, Cynthia Wilund, Agent, for Krist Food Mart,  
Pelkin's Smokey Meat Market, LLC, Dennis Pelkin, Agent, Pelkin's Smokey Meat Market

Vote: Ayes: 6. Motion carried.

- 26) **"Limited Class "A" Retail Liquor License Renewal:** (Finance) Motion by Trustee Kaminski, seconded by Trustee Stew Swanson, to renew "Limited Class "A" Liquor license effective July 1, 2015 through June 30, 2016 for Pine Cone Home Decor, Inc., Lori Myszka, Agent, for Pine Cone Home Decor. Vote: Ayes: 6. Motion carried.
- 27) **Temporary Class "B" Fermented Malt Beverage License - St Mary's Church:** (Finance) Motion by Trustee Kaminski, seconded by Trustee Stew Swanson, to grant a temporary Class "B" fermented malt beverage license to St. Mary's Church effective from 10:00am to 11:59pm on August 9, 2015, for the church picnic in the parking lot of St. Mary's Church, provided wristbands are issued and grounds monitored to control underage drinking. Vote: Ayes: 6. Motion carried.
- 28) **Operators License - Brett Plumley:** (Finance) Motion by Trustee Kaminski, seconded by Trustee Stew Swanson, to deny the operators license application submitted by Brett Plumley due to an unsatisfactory records check in accordance with current policy. Vote: Ayes: 6. Motion carried.
- 29) **Operators License - Tiffany Sanders:** (Finance) Motion by Trustee Kaminski, seconded by Trustee Stew Swanson, to grant an operators licenses effective 6/16/15 through 6/30/16 to Tiffany Sanders, who has received a satisfactory records check. Vote: Ayes: 6. Motion carried.

#### **OLD BUSINESS:**

**Littleland Park Cleanup Day:** Pres. Deschane reported that there were approximately 30 volunteers in attendance for the park cleanup day and commended the group on an excellent job.

#### **NEW BUSINESS:**

**July 4th Events:** Pres. Deschane reported that all events were scheduled for Saturday, July 4th, including the biggest fireworks show Crivitz has ever experienced, thanks to the Witt's Piggly Wiggly 100th anniversary donation.

**Presidents Corner:** Pres. Deschane reported that all funds raise from the Red, White & Music festival will be donated to the park improvement fund, thanks to the Fire Department and community. He also reported that the WDNR served him with a notice of substantial violation regarding cross connection inspections. He explained that when HydroCorp was hired they were given 113 accounts to inspect, which was 40 short of the actual amount. The utility is now in violation and will need to send direct notice to all customers. Pres. Deschane provided assurance that the drinking water is completely safe and he is confident the Utility has taken the steps necessary to cure the violation.

#### **CORRESPONDENCE:** None.

- 30) **Recess to Closed Session:** Motion by Trustee Kaminski, seconded by Trustee Stew Swanson, to recess to closed session in accordance with WI Statute sec. 19.85(1)(g) for the purpose of discussing litigation strategy in the drainage ditch lawsuit with Attorney Dick Boren. Vote: Ayes: 6. Motion carried.

Pres. Deschane stated: 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."

- 31) **Re-convene in Open Session:** Motion by Trustee Kostuch, seconded by Trustee Kaminski, to reconvene in open session at 8:25pm and announce action taken in closed session, if any. Vote: Ayes: 6. Motion carried.
- 32) **Drainage Ditch Lawsuit:** No action.

**QUESTIONS FROM THE FLOOR:** None.

**ADJOURNMENT:** Motion by Trustee Kostuch, seconded by Trustee Kaminski, that the meeting be adjourned at 8:26pm. Vote: Ayes: 6. Motion carried.

Respectfully submitted,

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John J. Deschane  
President

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Marilyn L. Padgett  
Clerk/Treasurer