

**MINUTES**  
**SPECIAL MEETING**  
**VILLAGE OF CRIVITZ**  
**BOARD OF TRUSTEES**  
**March 24, 2005**

Public Present: Kurt Kostuch, Frank & David Harth

- 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 Gene Golla    Trustee Richard Porfilio  
  
Members Absent: Trustee Janis Porfilio (out of town)  
Trustee George Gocht (out of town)  
Trustee Luke Westrich  
  
Also present: Clerk/Treasurer Marilyn Padgett

Pres. Deschane declared a quorum present for the meeting.

- 3) **Adoption of Agenda:** Motion by Trustee Rich Porfilio, seconded by Trustee Golla, that the agenda be adopted as presented. Vote: Ayes: 3. Motion carried.
- 4) **TIF Report – Glen Franzen**

**Bebr Grant:** Glen Franzen reported that the environmental phase I & II work at Dyer Business Park must be done as soon as possible so the Bebr grant application can be submitted to the Department of Commerce. The Bebr grant process may delay construction, but could cover up to 75% of the costs, excluding land purchase and other expenses prior to the date of award. The total project cost estimate is currently \$612,000.

**Dyer Business Park Project:** Glen Franzen reported that sewer, water, de-watering and road construction will all be bid separately. Curb, gutter and storm sewer will be included with the road construction portion of the bid.

**Dyer Business Park Drainage:** Glen Franzen reported that 1-1/3 to 2 acres are needed for retaining ponds in accordance with DNR rules for drainage and runoff. One option is to put in perimeter drainage, which would consist of “puddles” or “mini-ponds” at the rear of all lots, all draining to a main pond. Drainage from the west, ELS Railroad property, should also be considered. Pond sizes are contingent on the area of impervious ground. Less impervious ground equals larger ponds.

Reducing the size of parking lots by planning angle parking on the street would help. Parallel parking on one side of the street and angle parking on the other would alleviate concerns as to parking of vehicles towing boats trailers, etc. The mini-ponds would be allowed to encroach into the setback area and would have to be lined, although the main pond would. The village would build the lot contours for the ponds and the property owners would maintain the grass. Ayres will prepare several drainage options for the board.

**State Park Route & TIF Impact:** Pres. Deschane reported that the County Highway committee has stated they will seek CTH X for the main route to the park. There will be a county public hearing prior to a formal decision. Pres. Deschane would like to have a local hearing prior to the county hearing. This matter was referred to Duane Swanson to schedule a hearing and plan.

**ELS & Crivitz Community Property:** Pres. Deschane reported that Don Clewley, MCABI, is working with ELS to sell their land to the village. There was nothing new to report on the Crivitz Community, Inc., property, although Pres. Deschane noted that purchasing that property would require an affirmative vote of 51% of the shareholders.

- 5) **Recess to Closed Session:** Motion by Trustee Rich Porfilio seconded by Trustee Golla, to recess to closed session for the purpose of discussing terms, restrictions and sales of lots in Dyer Business Park. Vote: Ayes: 3. Motion carried. Pres. Deschane stated that the closed session procedure is in compliance with Wisconsin Statute section 19.85(1)(e) 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...(e) deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session."
- 6) **Re-convene in Open Session:** Motion by Trustee Gene Golla, seconded by Trustee Rich Porfilio, to return to open session. Vote: Ayes: 3. Motion carried.
- 7) **TIF District Actions:**

**Lot Sales:** Motion by Trustee Rich Porfilio, seconded by Trustee Golla, to sell Lot #4 in Dyer Business Park to Kurt Kostuch, contingent upon receipt of an executed developers agreement. Roll call vote: Trustee Rich Porfilio: Yes, Trustee Swanson: Yes, Trustee Golla: Yes. Motion carried.

Pres. Deschane noted that Frank Harth had withdrawn his offer to purchase Lot #9 and his check was returned. Also, that a future meeting will be scheduled with Eric Mysczka, who is interested in purchasing Lot #6.

**Bebr Grant Application–Ayres:** Motion by Trustee Rich Porfilio, seconded by Trustee Golla, to accept the quote from Ayres & Associates for Bebr grant application services in an amount not to exceed \$8,000.00. Vote: Ayes: 3. Motion carried.

**Dory Developers Agreement:** Motion by Trustee Golla, seconded by Trustee Swanson, to accept the developer's agreement with Dory Investments, LLC, for John Dory's USH 141 property. Discussion: The project includes sewer, water, road, and curb and gutter drainage from the end of the current blacktopped road to the east side of the property. *Motion amended:* Motion by Trustee Golla, seconded by Trustee Rich Porfilio, to amend the main motion to include that Mr. Dory be informed in writing that no building permits will be issued until a subdivision plat is approved by the board. Vote on amendment: Ayes: 3. Motion carried. *Vote on main motion as amended:* Ayes: 3. Motion carried.

**TIF Boundary Amendment:** Motion by Trustee Rich Porfilio, seconded by Trustee Golla, to begin proceedings to amend the TIF boundary to include parcel #121-00414-009, and to advertise for bids for extending water and sewer utilities to this parcel. Vote: Ayes: 3. Motion carried.

**Adjournment:** Motion by Trustee Swanson, seconded by Trustee Rich Porfilio, that the meeting be adjourned at 9:42pm. Vote: Ayes: 3. Motion carried.

Respectfully submitted,

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John J. Deschane  
President

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Marilyn L. Padgett  
Clerk/Treasurer