

MINUTES
REGULAR MEETING
VILLAGE OF CRIVITZ BOARD OF TRUSTEES
June 21, 2005

Public present: Greg, Rhonda & Amber Gocht, Glen & Diane Franzen, Don Witt, Marie Tomaszewski (Peshigo Times)

- 1) **Call to Order:** Pres. Deschane called the meeting to order at 7:30PM.
- 2) **Roll Call:** Members: President John Deschane Trustee Duane Swanson
 Trustee Kurt Kostuch Trustee Gene Golla
 Trustee Rich Porfilio Trustee Jo Di Volk
 Trustee Janis Porfilio
- Staff: Attorney Frank Calvert
 Clerk/Treasurer Marilyn Padgett

Pres. Deschane declared a quorum present for the meeting.

Employee Recognition: Employees Greg Gocht and Glen Franzen were presented with watches and plaques in recognition of each of their 20 years of service.

- 3) **Adoption of Agenda:** Motion by Trustee Janis Porfilio, seconded by Trustee Rich Porfilio, that the agenda be adopted as presented. Vote: Ayes: 6. Motion carried.
- 4) **Minutes Approval:** Motion by Trustee Janis Porfilio, seconded by Trustee Rich Porfilio, that the minutes of the regular meeting of May 17th, and Public Hearing and Special Meeting of May 25th be approved as presented. Vote: Ayes: 6. Motion carried.
- 5) **Financial Report:** Motion by Trustee Janis Porfilio, seconded by Trustee Rich Porfilio, to accept the financial reports for all funds for the month of May as presented. Vote: Ayes: 6. Motion carried.
- 6) **General Fund Vouchers:** Motion by Trustee Janis Porfilio, seconded by Trustee Rich Porfilio, to approve payment of general fund vouchers numbered 2261 through 2263 and 14329 through 14428. Vote: Ayes: 6. Motion carried.
- 6a) **Sewer Fund Vouchers:** Motion by Trustee Swanson, seconded by Trustee Golla, to approve payment of sewer fund vouchers numbered 3950 to 3960, and to transfer \$133.40 from the Clean Water Fund Replacement account to the sewer fund to cover eligible June expenses. Vote: Ayes: 6. Motion carried.
- Motion by Trustee Swanson, seconded by Trustee Golla, to approve payment from the sewer fund to Engineered Products for parts in the amount of \$689.21. Vote: Ayes: 6. Motion carried.
- 6b) **Water Fund Vouchers:** Motion by Trustee Swanson, seconded by Trustee Golla, to approve payment of water fund vouchers numbered 3141 through 3146. Vote: Ayes: 6. Motion carried.
- 6c) **Other Vouchers:** Motion by Trustee Swanson, seconded by Trustee Golla, to approve payment of TIF fund vouchers numbered 120 through 127. Vote: Ayes: 6. Motion carried.

7) **Committee Reports:** Due to the length of the agenda, copies of the committee reports were distributed, but not read. It was noted that the board is seeking citizen volunteers to serve on a planning committee and a parks committee. A notice will be placed in the Peshtigo Times.

Department Reports: Reports for May, 2005, were distributed.

8) **Comments from Pre-registered Citizens:** None.

9) **Dyer Business Park:** (Development) Motion by Trustee Volk, seconded by Trustee Golla, to accept the Declaration of Protective Covenants for Dyer Business Park. Discussion: Pres. Deschane commended the board, attorney and staff on the amount of effort put forth to finalize this document. Vote: Ayes: 6. Motion carried.

10) **Chaikowski Project:** (Development) Motion by Trustee Volk, seconded by Trustee Golla, to accept the developers agreement for the Chaikowski project, subject to a receipt of a more descriptive certified survey map. Vote: Ayes: 6. Motion carried.

11) **Harth Certified Survey Map:** (Development) Motion by Trustee Volk, seconded by Trustee Golla, to accept the certified survey map for the Franklin Harth property as presented by Rob Kamps Land Surveying. Vote: Ayes: 6. Motion carried.

12) **Park Planning Committee:** (Parks & Recreation) Motion by Trustee Kostuch, seconded by Trustee Swanson, to create a Citizen Park Planning Committee to provide input to the board on future park improvements, with Luke Westrich to act as chairman. Vote: Ayes: 6. Motion carried.

13) **5th Avenue Improvements:** Bypassed.

14) **Water Tower Painting Project:** Bypassed.

15) **Stormwater Control Projects:** Bypassed.

16) **Cyberzone Internet Offer:** Bypassed.

17) **CMAR Report & Resolution No. 195:** (Utilities) Motion by Trustee Swanson, seconded by Trustee Rich Porfilio, to accept Resolution No. 194: A Resolution Accepting the Compliance Maintenance Annual Report Dated 06/21/05 and Setting Forth Actions Necessary to Maintain Effluent Requirement Contained in the WPDES Permit for the Crivitz Wastewater Treatment Facility. Discussion: Glen Franzen noted that the 3.90 score indicates the plant is operating very well. Vote: Ayes: 6. Motion carried.

18) **Employee Handbook:** (Whole) Motion by Trustee Janis Porfilio, seconded by Trustee Golla, to accept the amendment to the employee handbook detailing the zero tolerance policy as prepared by Attorney Calvert. Motion amended: Motion by Trustee Rich Porfilio, seconded by Trustee Janis Porfilio, to amend the main motion to change the policy to strike the words “supervisor may” and replace them with “supervisor must”, with regard to directing drug or alcohol testing. Vote on amendment: Kostuch: No, Janis Porfilio: Yes, Rich Porfilio: Yes, Swanson: No, Volk: Yes, Golla: Yes. Motion carried. Motion made by Trustee Kostuch, seconded by Trustee Janis Porfilio, to refer the policy to the Public Safety Committee. This motion was withdrawn with no objection. Motion by Trustee Kostuch, seconded by Trustee Swanson, to refer the policy to the Committee of the Whole. Roll call vote: Kostuch: Yes, Janis Porfilio: Yes, Rich Porfilio: Yes, Swanson: Yes, Volk: Yes, Golla: Yes. Motion carried. Atty Calvert was requested to attend the committee meeting.

19) Employee Positions: (Public Works/Utilities/Finance) Motion by Trustee Golla, seconded by Trustee Swanson, to create the position of Employee Supervisor, approve the Job Description for the position and set the wage scale at an additional \$3.00 to \$8.00 per hour. Roll call vote: Kostuch: No, Janis Porfilio: Yes, Rich Porfilio: No, Swanson: Yes, Volk: Yes, Golla: Yes. Motion carried.

20) Employees – Fire Calls: (Public Works) Motion by Trustee Golla, seconded by Trustee Swansons, to pay employees who work in other departments at their highest level of pay when responding to fire calls during the work day. Motion amended: Motion by Pres. Deschane, seconded by Trustee Porfilio, to amend the main motion to strike "...at their highest level of pay.." and insert "...at the higher of their current level of pay or fire pay...". Vote on amendment: Ayes: 6. Motion carried. Discussion: It was clarified that if the employee is getting into overtime in any work period, response to a fire call will be paid at the fire call rate, not at overtime. Vote: Ayes: 6. Motion carried.

21) HIPAA Resolution No. 196: (Finance) Motion by Trustee Janis Porfilio, seconded by Trustee Rich Porfilio, to adopt Resolution No. 196: A Resolution Authorizing and Approving HIPAA Compliance. Vote: Ayes: 6. Motion carried.

22) Statewide Voter Registration: (Finance) Motion by Trustee Janis Porfilio, seconded by Trustee Rich Porfilio, to accept the Memorandum of Understanding with Marinette County for the statewide voter registration program. Vote: Ayes: 6. Motion carried.

23) Resolution No. 197: (Finance) Motion by Trustee Janis Porfilio, seconded by Trustee Rich Porfilio, to adopt Resolution No. 197: Initial Resolution Authorizing the Borrowing of Not to Exceed \$3,000,000.00; Providing for the Issuance and Sale of General Obligation Securities Therefore; and Levying a Tax in Connection Therewith. Discussion: Pres. Deschane explained that this resolution is in response to the impending property tax freeze that will limit the amount the village can raise the annual tax levy. This limitation does not apply to debt authorized prior to 7/1/05. The village is not necessarily going to borrow the amount authorized by the resolution. The resolution simply protects the village's ability to issue debt without affecting the tax levy freeze limitations. Vote: Ayes: 6. Motion carried.

24) License Renewals: (Finance): Motion by Trustee Janis Porfilio, seconded by Trustee Rich Porfilio, to renew Class B Liquor & Fermented Malt Beverage licenses for the term ending 6/30/06 for the following:

Trackside, LLC, Vito Congine Sr., Agent, for Trackside at 423 Hall Ave.
Fuzzy's Bar, Inc., Dennis Jahnke, Agent, for Fuzzy's Bar at 1115 F. J. St.
Dan Piasecki & Tim Bublitz, Owners, for Dan & Tim's Riverside at 1010 Main Ave.
Scott Busick, Owner, for Ellis Junction at 607 USH 141

Vote: Ayes: 6. Motion carried.

Motion by Trustee Janis Porfilio, seconded by Trustee Rich Porfilio, to renew the Class B Liquor & Fermented Malt Beverage license for the term ending 6/30/06 for Crivitz Gateway, Ltd., Scott Busick, Agent for Crivitz Gateway at 706 USH 141, with issuance contingent upon receipt of documentation of compliance with state regulations. Vote: Ayes: 6. Motion carried.

Motion by Trustee Janis Porfilio, seconded by Trustee Rich Porfilio, to renew the Class A Retail Liquor & Fermented Malt Beverage license for the term ending 6/30/06 for Witt's Foods, Inc., Nicholas Witt, Agent, for Witt's Piggly Wiggly at 214 USH 141. Vote: Ayes: 6. Motion carried.

Motion by Trustee _____, seconded by Trustee _____, to renew Class A Retail Fermented Malt Beverage licenses for the term ending 6/30/06 for the following:

Corner Convenience, Inc., Barbara Hock, Agent, for T & B One Stop at 717 USH 141
Krist Oil Col, Inc., Joy Weber, Agent, for Citgo Quik Food Mart at 403 USH 141
LaFaive Crivitz Co., Shane Ellison, Agent, for Northland Mini-Mart at 216 Henriette Ave.

Vote: Ayes: 6. Motion carried.

Motion by Trustee Janis Porfilio, seconded by Trustee Golla, to renew the Class A Retail Fermented Malt Beverage license for the term ending 6/30/06 for Richard Porfilio, Owner, of Crivitz 141 Shell at 13 S. USH 141. Vote: Ayes: 5, Abstentions: 1(R. Porfilio). Motion carried.

Motion by Trustee Janis Porfilio, seconded by Trustee Rich Porfilio, to issue a temporary Class B Fermented Malt Beverage license for July 4, 2005, to the American Legion, Claire Bolander, Commander, for the Summer Celebration event at Crivitz Community Veteran's Park, and to waive any associated license fees. Vote: Ayes: 6. Motion carried.

Motion by Trustee Janis Porfilio, seconded by Trustee Rich Porfilio, to issue cigarette licenses effective 7/1/05 through 6/30/06 to the following:

Fuzzy's Bar at 1115 F.J. St.
Dan & Tim's Riverside at 1010 Main Ave.
Witt's Piggly Wiggly at 214 USH 141
T & B One Stop at 717 USH 141
Trackside Saloon at 423 Hall Ave.
Northland Mini-Mart at 216 Henriette Ave.
Citgo Quik Food Mart at 403 USH 141

Vote: Ayes: 6. Motion carried.

Motion by Trustee Janis Porfilio, seconded by Trustee Golla, to issue a cigarette license effective 7/1/05 through 6/30/06 to Crivitz 141 Shell at 13 S. USH 141. Vote: Ayes: 5, Abstentions: 1 (R. Porfilio). Motion carried.

25) Operator's Licenses: (Finance) None.

OLD BUSINESS:

TIF Boundary: The Joint Review Board passed a resolution approving amendment of the TIF Boundary to include the Chaikowski property.

Wolverine Lettering: The Wolverine lettering on the water tower will be paid for by the C-Club, with Wolverine Backers support.

NEW BUSINESS:

Assessment Roll: Pres. Deschane reported that the 2005 assessment roll is open for public inspection in the clerk's office and urged taxpayers to check the assessed value of their properties for the upcoming tax roll.

CORRESPONDENCE:

Marinette County: A schedule for public listening sessions was distributed.

Luke Westrich: A letter of resignation as Sister City liaison was received and referred to the Parks and Recreation Committee for replacement.

President's Corner:

Pres. Deschane commended Gene Golla and employees for cleaning up downed trees from a recent storm. Also, Joyce Carriveau, who went out and helped clear neighboring streets.

Pres. Deschane commended Bill Keller for planting and maintaining the hall flowers.

Pres. Deschane commended Wiedemeier Sawmill and the Crivitz Youth Baseball organization for putting new boards on the bleachers at the ball field.

Pres. Deschane congratulated Duane Swanson on his retirement from the Marinette County Highway Department.

QUESTIONS FROM THE FLOOR: None.

ADJOURNMENT: Motion by Trustee Rich Porfilio, seconded by Trustee Golla, that the meeting be adjourned at 8:45pm. Vote: Ayes: 6. Motion carried.

Respectfully submitted,

John J. Deschane
President

Marilyn L. Padgett
Clerk/Treasurer