

**MINUTES**  
**REGULAR MEETING**  
**VILLAGE OF CRIVITZ BOARD OF TRUSTEES**  
**Nov. 15, 2007**

**Public present:** None.

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

Pres. Deschane declared a quorum present for the meeting.

- 3) **Adoption of Agenda:** Motion by Trustee Janis Porfilio, seconded by Trustee Rich Porfilio, that the agenda be adopted as presented. Vote: Ayes: 5. Motion carried.
- 4) **Minutes Approval:** Motion by Trustee Janis Porfilio, seconded by Trustee Rich Porfilio, that the minutes of the regular meeting of October 18<sup>th</sup> be approved as presented. Vote: Ayes: 5. 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 October as presented. Vote: Ayes: 5. Motion carried.
- 6) **General Fund Vouchers:** Motion by Trustee Janis Porfilio, seconded by Trustee Rich Porfilio, to approve payment of general fund vouchers numbered 2429 through 2430, and 16953 through 17032. Vote: Ayes: 5. Motion carried.

Motion by Trustee Janis Porfilio, seconded by Trustee Rich Porfilio, to approve the following payments from the general fund:

Crivitz Youth Center for WPS Donation	\$ 500.00
National Fire Protection Assoc for Fire Prevention Week supplies	\$1547.03
(\$773.51 to be reimbursed from Stephenson Fire Dept)	

Vote: Ayes: 5. Motion carried.

- 6a) **Water Fund:** Motion by Trustee Swanson, seconded by Trustee Kaminski, to approve payment of water vouchers numbered 3304 through 3308. Vote: Ayes: 5. Motion carried.
- 6b) **Sewer Fund:** Motion by Trustee Swanson, seconded by Trustee Kaminski, to approve payment of sewer vouchers numbered 4209 through 4217. Vote: Ayes: 5. Motion carried.

Motion by Trustee Swanson, seconded by Trustee Kaminski, to approve payment from the sewer fund to CTW Corporation for emergency pump repairs in the amount of \$1,736.61. Vote: Ayes: 5. Motion carried.

- 6c) **Other Vouchers:** None.
- 7) **Committee & Department Reports:** Copies distributed.
- 8) **Comments from Pre-registered Citizens:** None.
- 9) **Downtown Redevelopment Committee Chair:** Motion by Trustee Volk, seconded by Trustee Janis Porfilio, to accept the appointment of Rudi Jensen as Chair of the Downtown Redevelopment Committee, replacing Michael Dama who resigned as chair but will remain a member of the committee. Vote: Ayes: 5. Motion carried.
- 10) **Ordinance No. 2007-10:** (Development) Motion by Trustee Volk, seconded by Trustee Janis Porfilio, to adopt Ordinance No. 2007-10: An Ordinance Annexing Property to the Village of Crivitz, Wisconsin. Vote: Ayes: 5. Motion carried.
- 11) **Ordinance No. 2007-11:** (Public Works) Motion by Trustee Kaminski, seconded by Trustee Rich Porfilio, to adopt Ordinance No. 2007-11: An Ordinance Amending the Provisions of the Village of Crivitz Code of Ordinances Relating to Road Weight Limits. **Discussion:** There was an extended discussion of driveways constructed along Spur Street to access ELS Railroad property and of the failure to follow the proper procedure in submitting the proposed driveways to the committee, with no permit actually issued. It was decided to attempt passage of the ordinance, which lifts weight limit restrictions from Spur Street and have Glen Franzen physically inspect the driveways to determine whether or not they are in compliance with the driveway ordinance. **Roll call vote:** Kaminski: Yes, Volk: Yes, Swanson: No, Rich Porfilio: Yes, Janis Porfilio: No, John Deschane: Yes. Motion carried.
- 12) **Resolution No. 218:** Motion by Trustee Janis Porfilio, seconded by Trustee Rich Porfilio, to adopt Resolution No. 218: A Resolution Adopting the 2008 Budgets and Corresponding Tax Levies for the Village of Crivitz General Fund and TIF District No. 1 Fund, with the TIF tax levy to be increased to \$150,920.00. Vote: Ayes: 5. Motion carried.
- 13) **Introduction of Resolution No. 219:** (Development): A Resolution Authorizing the Discontinuance of Roadway Property Owned by the Village of Crivitz. A public hearing on this resolution has been scheduled for January 15, 2008.
- 14) **Introduction of Resolution No. 220:** (Development) Bypassed.
- 15) **Unique Transitions DBP Lot Purchase Refund:** (Development) Motion by Trustee Volk, seconded by Trustee Janis Porfilio, to refund \$10,000.00 to Sarah Magnusek, Unique Transitions, for the purchase of lots 7 and 8 in Dyer Business Park, and to retain the remaining \$5,000.00 for additional work that must be completed, and to assess a penalty of \$1,000.00 per month for each month past the deadline of December 1, 2007, that the parking lot fence is not completed. Discussion: Trustee Volk explained some of the details of the committee decision regarding the breakdown of the amount withheld and specific work items remaining. Vote: Ayes: 5. Motion carried.
- 16) **New Street Lights:** (Public Works/Development) Motion by Trustee Volk, seconded by Trustee Janis Porfilio, to add a 3<sup>d</sup> light and pole on Witt Avenue to be paid by the TIF fund. Discussion: It was noted that a pole would be required at a cost of \$559.00, regardless of whether or not a light was put on the pole. The committee agreed to add the light at a cost of \$23.00 per month. Vote: Ayes: 5. Motion carried.
- 17) **Mira Ave Project:** (Public Works) Motion by Trustee Kaminski, seconded by Trustee Rich Porfilio, to approve change order #2, which adds \$501.25 to the Mira Ave. project contract with Pott's Construction, and to release final payment in the amount of \$2,309.05 less \$ 399.42 for expenses incurred by the village to remove blacktop left in the roadway. Discussion: Atty Calvert advised that it is allowable for the village to

withhold a portion of the payment for specific expenses from the final payment offer. The contractor would decide whether to accept this offer. Vote: Ayes: 5. Motion carried.

- 18) **Gehm/Shubert Drainage Ditch & Retaining Wall:** (Public Works) Bypassed.
- 19) **Public Works Depreciation Schedules:** (Public Works) Motion by Trustee Kaminski, seconded by Trustee Rich Porfilio, to accept depreciation schedules for Public Works Vehicles, Village Hall Heating, and Sidewalks. Vote: Ayes: 5. Motion carried.
- 20) **Village Hall Tables & Chairs:** (Public Works) Motion by Trustee Kaminski, seconded by Trustee Rich Porfilio, to discontinue allowing persons or groups to borrow tables and chairs from the village hall. Vote: Ayes: 4, Nays: 1 (Volk). Motion carried.
- 21) **Witt Ave. Drainage Project:** (Public Works) Motion by Trustee Kaminski, seconded by Trustee Rich Porfilio, to accept the proposal from Richlen Excavating in the amount of \$2,995.00, with the TIF District to pay this expense that represents the total village financial obligation on the Witt Ave. drainage project. Vote: Ayes 4, Nays: 1 (Janis Porfilio). Motion carried.
- 22) **2008 Recycling Coalition Fees:** (Public Works) Motion by Trustee Kaminski, seconded by Trustee Rich Porfilio, to accept the 2008 Northwoods Recycling Coalition fee of \$5.00 per capita. Discussion: Trustee Swanson noted that this per capita increase replaces the previously proposed user fee. Vote: Ayes: 5. Motion carried.
- 23) **Cemetery Project Change Order & Project Financing:** (Parks & Recreation) Motion by Trustee Kaminski, seconded by Trustee Swanson, accept the change order to the contract with Richlen Excavating to remove the north road from the project, and fill, topsoil, seed and mulch the area at an additional cost of \$2,666.00. Vote: Ayes: 5. Motion carried.
- 24) **Well #2 Chlorination:** (Utilities) Motion by Trustee Swanson, seconded by Trustee Kaminski, to purchase a scale for Well #2 from Hanson Chemicals, not to exceed \$2,000.00. Vote: Ayes: 5. Motion carried.
- 25) **Wastewater Treatment Facility Chlorination & De-chlorination:** (Utilities) Bypassed.
- 26) **“Focus on Energy” Grant Program:** (Utilities) Bypassed.
- 27) **Sludge Hauling & Incorporation Contracts:** (Utilities) Bypassed.
- 28) **Computer Use Policy:** (Finance) Motion by Trustee Janis Porfilio, seconded by Trustee Rich Porfilio, to accept the Computer, Electronic Mail, Internet & Cell Phone Use Policy. Vote: Ayes: 5. Motion carried.
- 29) **Addendum to Network Service Contract:** (Finance) Bypassed.
- 30) **2007 Budget Adjustments:** (Finance) Motion by Trustee Janis Porfilio, seconded by Trustee Rich Porfilio, to accept 2007 budget adjustments #26 through #27. Vote: Ayes: 5. Motion carried.
- 31) **“On a Whim” License Transfer”:** (Finance) Motion by Trustee Janis Porfilio, seconded by Trustee Rich Porfilio, to approve transferring the Class A Retail Liquor license for “On a Whim” from 910 Main Ave. to 907 USH 141N, effective in the spring of 2008, as requested by Martha Rechner. Vote: Ayes: 5. Motion carried.
- 32) **Operators Licenses:** (Finance) None.

**OLD BUSINESS:**

**TIF Boundary Amendment:** Pres. Deschane explained that the amendment has been put on hold, as it was discovered the state would use the 2008 equalized value to redetermine the TIF base value, which would put the district over the 12% maximum. He intends to pursue a possible exception via Sen. Roger Breske. He felt the board should wait to hear details from the developer before considering any future plans to assist with the development.

**NEW BUSINESS:**

**President's Corner:** Pres. Deschane mentioned a newspaper article reporting that Cruisers will be adding 50 employees to their facilities in Oconto and Crivitz. He heard at the Economic Development conference that they are talking about expanding the Crivitz plant. He congratulated the High School football team for winning the M & O Conference championship, and Duane Hartkopf, who won the state most valuable rusher award.

**CORRESPONDENCE:**

**Marinette County:** A letter regarding two parcels of land in the village that are owned by the county was referred to the Committee of the Whole.

**QUESTIONS FROM THE FLOOR:** None.

**ADJOURNMENT:** Motion by Trustee Rich Porfilio, seconded by Trustee Kaminski, that the meeting be adjourned at 8:24pm. Vote: Ayes: 5. Motion carried.

Respectfully submitted,

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John J. Deschane  
President

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Marilyn L. Padgett  
Clerk/Treasurer