

MISHICOT VILLAGE BOARD  
Regular Meeting  
January 15, 2019

The January 15, 2019, regular meeting of the Mishicot Village Board was called to order by President Samz at 7:00 p.m. in the village hall. Roll call indicated Trustees Franz, Haack, Kliment, Krause, Valenta and Scheuer were present. Chief Paul Granger and John Tulachka were also present.

President Samz led all those in attendance in the Pledge of Allegiance.

Trustee Kliment moved to approve the minutes of the January 3, 2019. Motion seconded by Trustee Valenta. Motion carried. The clerk notes here that there was an error on the January 15, 2019, agenda with regard to the reason for the closed session. The clerk amends the January 15 agenda closed session wording as follows: "Closed session: The Committee will then go into closed session pursuant to Wis. Stat. § 19.85(1)(c) to consider employment, promotion, compensation or performance evaluation of public employees over which the Village exercises responsibility, namely, ~~an interview with the primary applicant,~~ discussion and possible decision regarding a new hire for the Village Office."

Andrea Novak of Crow Bar and Joe Baril and Travis Kronforst of "Bikers Against Bullying Chapter 12" were present to talk with the board about the possibility of having a ride supporting bullying prevention. The Mishicot Parents Group would be the recipient of the ride proceeds. The ride is being planned for Saturday, June 15, 2019, and is expected to end in Mishicot. There will be antique cars in addition to the bikers. The Crow Bar and The Wolfe's Den would like to host the event. Andrea is requesting that the village close N. Rockway Street and they would like to have a band outside until 10 p.m. and an outside band from 9-12 p.m. at the Wolfe's Den. Andrea felt the street could open back up about 10 p.m. They also wish to plan traffic control with the Police Department. After discussion, an option was presented to have an outside band at Crow Bar from 5-8 p.m. and an outside band from 8-11 p.m. at the Wolfe's Den and street closure until 9 p.m. The board asked that the requests be placed on the February 5 agenda.

Jerome Puta addressed the village board. There was a VFW meeting the previous night. They discussed flags and would like to purchase a flag for the cemetery, and they would like to see the flag flown there year round. President Samz agreed that we could do that. Mr. Puta said they would also like to give the village \$100 for the lighting at the VFW. The \$100 shall be placed in the Flag Fund. The clerk notes that a 10x15 Poly Max flag was purchased for the cemetery in 2018 at a cost of \$181.50 from the State's Vendor Net program. The board also asked that a note be put in the MAGIC newsletter requesting donations to the flag fund.

Jim Eells, Al Beranek, Ivan Konsela, and Theresa Becker were also in attendance as visitors.

Police Chief Paul Granger gave a report on the department's activities.

John Tulachka reported that the 2018 sewage flows to the City of Two Rivers were 2,400,000 gallons less than in 2018, but closer to the three-year average. He further noted that each week his department checks all the lift station hours of each pump. Some of the pump hours are higher than typical. The lift stations at Laduron, E. Church, and the pump under the river have the top three lift station pump hours in that order. The next one is Lift Station 5, at W. Church Street. John notes that given the area that lift station serves, it raises the question of infiltration. While this area is not part of the 2019 scheduled televising, John suggested that it be moved up to this year. The board agreed. John will discuss it with Fox Hills.

John further reported that the loader and snow blower are back in Green Bay so that the plow can be initially installed and wired.

Trustee Krause noted that there was no Progress Lakeshore meeting in January and that they will only be meeting every other month now. The next meeting will be scheduled for February. Trustee Krause also mentioned the need to clear obstructions from the East Twin River to make it a passable river trail. The board discussed the need to find some help with the job. It is not easy to do and we would need permission to cross properties. The biggest obstructions occur between the school and the Steiners Corners area. It was noted that this part of the river has many bends, most likely contributing to the obstructions. An email was once received by the DNR about what can and cannot be cleared from the river, since some of the downed trees create fish habitat. The clerk will search for that email. The clerk notes that the email was located and will be passed on to the village board members for next board meeting.

The clerk presented a claim received by Mark Kornely for refund an overpayment of taxes on Parcel No. 035-005-003-007.00 for the years 2016 and 2017 in the amount of \$760.32. The request is being made under Wisconsin Statutes 74.35. The reason for the claim is an error in the description of the property, which caused a misrepresentation of the actual acreage of the parcel, resulting in an inadvertent over assessment of the property and thus an over taxation. The error is considered a “palpable” error and is described under 74.33(1)(a). Trustee Valenta moved to grant the refund of the overpayment of taxes for the years 2016 and 2017, including interest at 0.8% per month computed from the date of the filing of the claim as allowed under Wisconsin Statutes 74.35(4). Motion seconded by Trustee Kliment. Roll call indicated the following: Ayes – 7; Nays – 0. Motion carried.

Trustee Kliment moved to adopt Resolution No. 2019-01, Application for a Full Water Rate Case to the PSC. Motion seconded by Trustee Scheuer. Roll call indicated the following: Ayes – 7; Nays – 0. Motion carried.

RESOLUTION NO. 2019-01  
RESOLUTION APPROVING APPLICATION TO PSC FOR A FULL WATER RATE CASE

WHEREAS, the Village of Mishicot Municipal Water Utility has realized that current revenues are not sufficient to meet current expenses and that a rate increase is necessary to address the existing deficiency in present rates,

WHEREAS, the increase is further necessary to generate debt payment revenue for reconstruction of water mains, valves, hydrants, and services to the rights of way as part of the E. Church Street reconstruction project scheduled for 2019,

WHEREAS, the Village of Mishicot Water Utility has not had a full rate case study by the PSC since 1999,

NOW, THEREFORE, BE IT RESOLVED, the Village of Mishicot Municipal Water Utility will file an application with the Public Service Commission of Wisconsin (PSC); and

BE IT FURTHER RESOLVED THAT, the Village of Mishicot will publish a notice of rate increase when known. The rate study is expected to take a minimum of six months to complete; and,

BE IT FURTHER RESOLVED THAT, the Village of Mishicot Municipal Water Utility has contracted with Ruekert and Mielke for technical assistance with filing the application.

Dated this 15<sup>th</sup> day of January, 2019.

Bernie J. Samz, Village President

Attest: Connie Tesarik, Village Clerk-Treasurer

The board chose February 5, 2019, 6:00 p.m., at village hall, for a meeting to continue review of the outdated village ordinances. This is being done in conjunction with the recodification of the entire village code in preparation for electronic internet access to the ordinances.

The village board has been increasingly dissatisfied with the website company contracted for village website redesign, particularly the progress and the quality of the product

being presented thus far. Trustee Krause has done some investigation into another potential company called CivicPlus. The clerk has gathered several clerk reviews of the company and has found nothing negative thus far. The matter will be placed on the February 5 agenda. It is hoped that a quote will be received from CivicPlus by that date.

The Clerk presented for approval by the board Operator License application No. 65, Brooke Gauger, 3012 Prairie Street, Two Rivers, and Operator License No. 66, Ann Marie Kimbro, 18714 Harpt Lake Road, Denmark. Motion made by Trustee Kliment to approve Operator License Nos. 65 and 66 as presented by the clerk. Motion seconded by Trustee Franz. Motion carried.

President Samz introduced general fund claims in the amount of \$55,202.01, water utility fund claims in the amount of \$505.63, and sewer utility fund claims in the amount of \$8,583.45 for Board action. A motion was made by Trustee Franz to accept the claims as presented and posted. Motion seconded by Trustee Krause that claims totaling \$64,291.09 be approved and the Treasurer be authorized to issue same. Roll call indicated the following: Ayes – 7; Nays – 0. Motion carried.

Trustee Kliment moved to accept the 2019 renewal of the Joint Powers Agreement between Manitowoc County JDC and the Village of Mishicot. Motion seconded by Trustee Valenta. Motion carried.

There was no further discussion regarding snow removal complaints on E. Main Street. No members of the public attended the meeting to discuss the subject.

Trustee Samz requested a motion to enter into closed session. Trustee Haack moved to go into closed session under Wisconsin Stats. 19.85(1)(c) regarding employment, promotion, compensation or performance evaluation of public employees over which the Village exercises responsibility; namely, discussion and possible decision regarding new hire for the Village Office. Mr. Haack requested the motion include a short ten-minute break. Motion seconded by Trustee Krause. Motion carried by unanimous roll call vote. The board adjourned at 8:15 p.m. and returned to session at 8:25 p.m. Board entered closed session at 8:25 p.m. Trustee Haack moved to return to open session under Wisconsin Stats. 19.85(2). Motion seconded by Trustee Scheuer. Board returned to open session at 9:14 p.m. by unanimous roll call vote. Motion carried.

During closed session, the board determined it will meet again on January 22 at 6:00 p.m. as a Committee of the Whole, in closed session under Wisconsin Stats. 19.85(1)(c) to further discuss current office staffing and employment.

With all communications having been read and with no further current business before the Board, a motion was made by Trustee Kliment and seconded by Trustee Krause that the regular meeting of the Mishicot Village Board adjourn to the next regular meeting to be held at 7:00 p.m. on Tuesday, February 5, 2019, at the village hall. Motion carried by acclamation, and the Board stood adjourned at 9:15 p.m.

Minutes posted February 2, 2019.

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Connie Tesarik, Village Clerk-Treasurer