

VILLAGE BOARD OF CLEVELAND, WISCONSIN
MONTHLY MEETING
TUESDAY, MAY 21, 2019
MINUTES

- I. CALL TO ORDER/PLEDGE OF ALLEGIANCE/ROLL CALL/AGENDA APPROVAL.** Village President Kathy Stolzmann called the meeting to order and led the Pledge of Allegiance at 7:00pm on Tuesday, May 21, 2019, at the Cleveland Village Hall, 1150 W. Washington Ave., Cleveland, Wisconsin.

Board Present: Kathy Stolzmann, President
John Ader
Jason Berdyck
Jonalee DeNoble
Jacob Holzwart
Andy Williams
Louis Wilmot

Board Absent: None

Staff Present: Stacy Grunwald, Director of Village Services
Julie Rusch, Deputy Clerk-Treasurer

Motion Williams/Holzwart to approve the agenda as posted; carried without negative vote.

- II. CITIZEN INPUT AND COMMUNICATIONS, INC. NOISE COMPLAINT AT VFW CLUBHOUSE.** No communications were reported.

Scott and Jackie Mayer, 841 S. Maple St. Concerns with noise, traffic, and trespassing during evening events at the VFW Clubhouse, 1221 Park Ln. *Referred to Human Resources and Public Safety Committee.*

Tom Erdman, 1135 W. Jefferson Ave. Suggested the Village Board replace the sanitary sewer main as part of the street reconstruction. He was informed main replacement was included in the project scope.

- III. PETITIONS TO AMEND THE ZONING ORDINANCE**

A. PETITION 2019-PTA-01

B. PETITION 2019-PTA-02

C. STAFF REPORT AND PLAN COMMISSION RECOMMENDATION. Director Grunwald summarized the petitions and reported the Plan Commission recommended approval of both.

D. PUBLIC HEARING AND CORRESPONDENCE. President Stolzmann opened the public hearing. Director Grunwald summarized comments from owners of affected properties prior to and at an informational meeting on the petitions, and those submitted directly to the Plan Commission at its May 1 meeting.

Joshua MacDonald, 1532 North Ave. Requested what it meant for a house to be nonconforming. Director Grunwald explained that generally a nonconforming residential use in B-1 could continue indefinitely provided there was no break in that use greater than 12 months. A nonconforming residential structure in B-1 lost to an event such as fire, wind, mold, etc., could be rebuilt within its existing footprint. Nonconformity would limit the ability to expand a residential structure, however.

August Richter, Heritage Real Estate. Requested whether a warehouse could be built on the vacant lot south of 1272 N. Westview St. (the former restaurant) if the petitions were approved. He indicated the owner was concerned his assessment would be overstated with the ordinance change. Director Grunwald replied a warehouse would no longer be a permitted use on the lot; he should check with the assessor, but assessed values are generally not based on the range of uses in a zoning district.

There being no further comment, President Stolzmann closed the floor.

E. POSSIBLE ACTION ON ITEM III.A. AND ITEM III.B.

Motion Ader/Williams to adopt the findings of the Plan Commission and approve Petition 2019-PTA-01 to repeal a single-family dwelling as a permitted use in the B-1 General Business District, and repeal contractor storage and warehousing establishments as permitted uses in the B-2 Special Business District; carried without negative vote.

Motion Holzwart/DeNoble to adopt the findings of the Plan Commission and approve Petition 2019-PTA-02 to add and define noncommercial storage as a permitted use in the I-1 Industrial District and I-2 Industrial District, and add contractor storage as a permitted use in I-2; carried without negative vote.

- IV. REVIEW OF DRAFT TOURIST AND TRANSIENT HOUSING LICENSING ORDINANCE**

A. STAFF REPORT AND COMMITTEE/COMMISSION RECOMMENDATION. Director Grunwald summarized the Staff Report and the recommendations for approval from the Plan Commission and Human Resources and Public Safety Committee. She reviewed public comment received to date, including a summary of correspondence distributed to the Village Board immediately before the meeting, and noted she and the attorney continued work to clarify some of the requirements.

B. PUBLIC COMMENT. President Stolzmann noted the Village Board received in its meeting packet correspondence from Lakeshore Dr. property owners supporting the licensing process. A letter received that morning that also supported licensing was distributed. President Stolzmann opened the floor for public comment.

Ms. Judith Perlman, 1241 Lakeshore Dr. Reported a new out-of-state property owner purchased with the intent to offer the property as a rental throughout the year and had no intention to live at the property. She also learned a second home on the lakefront would be listed with VRBO for much of the year. The acoustics at the lake were also different than typical in that sounds carry in unexpected directions or are oddly amplified. Supported the proposed ordinances.

Ms. Karen Abassi, 1801 Lakeshore Dr. Expressed concern with the Village's ability to effectively respond to noise complaints. Asked what benefits there were to allowing tourist rooming houses. President Stolzmann responded the Plan Commission and Village Board saw benefit to having people see the beauty of the community while still protecting it. Trustee Ader added the use cannot be stopped, but the Village Board hoped to have some control over it. There was also incentive to maintain a property to continue its rental. Ms. Abassi thanked the Board for its work.

Mr. Brian Schroeder, 1325 Lakeshore Dr. Thanked the Board for its work on the issue.

There being no further comment, President Stolzmann closed the floor.

- C. **REFERRAL TO JUNE 18, 2019, VILLAGE BOARD MEETING.** Motion Williams/DeNoble to hold over the tourist and transient housing licensing ordinance to the June 18, 2019, Village Board meeting; carried without negative vote.

V. LICENSING AND PERMITS

- A. **AMPLIFIED SOUND REQUEST.** Motion Holzwart/DeNoble to grant the amplified sound request submitted by Rebecca Jost Hofmann to use speakers at the VFW Clubhouse from 1pm-10pm on Saturday, June 15, 2019; carried without negative vote.
- B. **OPERATOR'S LICENSES.** Staff recommended approval. Motion Ader/Williams to grant an Operator's license through the period ending June 30, 2019, to Thomas J. Albright, Leanne M. Boers, and James H. Worley; carried without negative vote.

VI. MEETING MINUTES

- A. **APRIL 9, 2019, REGULAR MEETING.** Motion Wilmot/DeNoble to approve the minutes of the April 9, 2019, Village Board regular meeting; carried without negative vote.
- B. **APRIL 16, 2019, ORGANIZATIONAL MEETING MINUTES.** Motion Holzwart/Williams to approve the minutes of the April 16, 2019, Village Board organizational meeting; carried without negative vote.
- C. **APRIL 16, 2019, SPECIAL MEETING MINUTES.** Motion Wilmot/Holzwart to approve the minutes of the April 16, 2019, Village Board special meeting; carried without negative vote.

VII. FINANCIALS

- A. **MONTHLY VOUCHER REPORT.** Motion Williams/DeNoble to approve the April 2019 voucher report; carried without negative vote.
- B. **RESOLUTION IN SUPPORT OF MANITOWOC CO. 0.5% SALES TAX ORDINANCE.** The Village Board discussed comments and information from the public input session hosted by Manitowoc County Supervisor Kevin Behnke. Motion Ader/DeNoble to approve the Resolution in Support of the Manitowoc County .5% Sales Tax as Revenue for All Local Governments; carried without negative vote. [Resolution No. 2019-R-02]

- VIII. COMPLIANCE MAINTENANCE ANNUAL REPORT REVIEW AND RESOLUTION.** Director Grunwald reviewed the report results and acknowledged the work of Operators Chris Jost and Bill Hibbard to ensure the Village's compliance with its WPDES permit requirements. Motion DeNoble/Holzwart to approve the Compliance Maintenance Resolution; carried without negative vote. [Resolution No. 2019-R-03]

- IX. SEVERE WEATHER SHELTERING AGREEMENT: LAKESHORE TECHNICAL COLLEGE.** The agreement was requested by Lakeshore Technical College to address occasions when mobile home park residents are provided access to a building during severe weather events. Motion Wilmot/Williams to approve the Memorandum of Understanding between the Village and Lakeshore Technical College to formalize the understanding and expectations of both parties in relationship to severe weather sheltering for Village residents; carried without negative vote.

- X. POLICY TO EXTEND PARK HOURS FOR SPECIAL EVENTS.** Director Grunwald reported a local club asked the Village to consider allowing its event to end at 12 midnight, essentially extending park hours from 11pm. The Board discussed the impact on neighboring properties if it were to extend park events, whether with or without amplified sound. By consensus, the Village Board declined to extend park hours due to the proximity of the parks to residential neighborhoods.

XI. STAFF AND COMMITTEE REPORTS.

- A. **POLICE DEPARTMENT.** In the absence of Chief Barber, Director Grunwald reported Officer Jacob Schweigl attended training to become a Drug Recognition Expert. This was very involved and intensive training that included hours of studying, testing, and field experience. The Village Board commended Officer Schweigl and directed that he receive a letter of appreciation from the Village President once his successful completion of the class was confirmed.
- B. **ADMINISTRATION.** Director Grunwald reported on the street and bridge projects, SCADA, the League insurance conference, and her temporary assistance with the Village of Howards Grove.
- C. **PLAN COMMISSION, 05/01/19.** President Stolzmann reported the Commission completed the initial planning work for the comprehensive plan update; continued work on the sign ordinance and rezoning of parcels formerly in Tax Increment District No. 1; and filed petitions related to the tourist and transient housing zoning amendments.
- D. **HUMAN RESOURCES AND PUBLIC SAFETY COMMITTEE, 05/02/19.** Chair Holzwart reported the Committee determined the insurance carrier provided sufficient employee resources in the event of a critical incident and requested information from the Cleveland Fire Department relative to prioritizing its capital replacement list.

XII. ANNOUNCEMENTS AND EVENT REPORTS.

- A. WED APR 17..... MANITOWOC CO VILLAGE ASSN, FRANCIS CREEK**
- B. TUE JUNE 4..... MUNICIPAL COURT, 4:30PM**
- C. TUE JUNE 4..... VILLAGE BOARD SPECIAL MEETING w/EHLERS, 6PM**
- D. WED JUNE 5..... PLAN COMMISSION, 6PM**
- E. THU JUNE 6..... HUMAN RESOURCES AND PUBLIC SAFETY COMMITTEE, 6PM**
- F. TUE JUNE 11..... FINANCE AND BUDGET COMMITTEE, 6PM.** The meeting was moved to Monday, June 10.
- G. TUE JUNE 18..... VILLAGE BOARD, 6PM.** Trustee DeNoble indicated she would be unavailable for the meeting.
- H. SCHEDULE PUBLIC WORKS AND UTILITIES COMMITTEE MTG.** The Public Works Committee scheduled its next meeting to begin at 7pm on May 29, 2019.
- I. ANY OTHER ANNOUNCEMENTS/EVENTS.** None.

XIII. ADJOURNMENT. Motion Ader/DeNoble to adjourn; carried without negative vote. The meeting adjourned at 8:54pm.

Respectfully submitted,

/S/ Stacy Grunwald

Stacy Grunwald
Director of Village Services

Approved on 06/18/19

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