

**VILLAGE BOARD OF CLEVELAND, WISCONSIN
MONTHLY MEETING**

TUESDAY, FEBRUARY 25, 2020

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 6pm on Tuesday, February 25, 2020, 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: Timothy Barber, Chief of Police
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, including POSSIBLE COMMITTEE REFERRALS:

- A. REQUEST TO RESCIND LICENSING REQUIREMENT FOR TRANSIENT HOUSING FACILITIES: TRACY KADERABEK.** Tracy Kaderabek presented her reasons for the request to rescind the application and fee for a transient housing license. *Referred to Human Resources and Public Safety Committee.*
- B. MID-STATE AMUSEMENT GAMES LLC: CLAIM OF UNLAWFUL TAX.** *Referred to Finance and Budget Committee.*

Director Grunwald reported Gary Schmitz submitted a letter thanking the Public Works Department for its response to a water main leak at the mobile home park.

III. JANUARY 21, 2020, MEETING MINUTES. Motion Wilmot/Ader to approve the minutes of the January 21, 2020, meeting; carried without negative vote.

IV. FINANCIALS

- A. MONTHLY VOUCHER REPORT.** Motion DeNoble/Williams to approve the January 2020 voucher report; carried without negative vote.
- B. SPECIAL ASSESSMENT POLICY AMENDMENT.** Director Grunwald answered questions from the Board. Motion Berdyck/Holzwart to approve the Special Assessment Policy as recommended by the Finance Committee; carried without negative vote.
- C. SANITARY UTILITY CREDIT REQUEST: DAVID PFAFFENBACH.** Mr. David Pfaffenbach's request for a Sanitary Utility credit had been referred to the Finance Committee. After the Committee meeting, Mr. Pfaffenbach withdrew the request. Due to the withdrawal, motion Holzwart/Williams to deny the request by David Pfaffenbach for a Sanitary Utility credit; carried without negative vote.
- D. REQUEST TO CONSTRUCT WEBSTER ST., EAST FROM DELTA ST: AL FORNER.** Mr. Al Forner's request that the Village construct Webster St., east from Delta St., had been referred to the Finance Committee. The Finance Committee considered the public monies and staff time previously spent on this project, and noted no property owners but one had expressed interest in the construction of Webster St. for 14 years. The Committee recommended the Village Board establish a policy there be no further public investment. Motion Wilmot/Ader to create the following policy: It is the policy of the Village Board of Cleveland that public funds will not be expended or debts, incurred to design, engineer, finance, survey, plan, replat, construct, or in any other manner provide professional and staff services related to Webster St. in Merit Acres Subdivision No. 1, other than those costs typically incurred for plan review, administration, and oversight when a plan for construction is submitted. Motion carried without negative vote.

- V. REQUEST TO DIVERT STORMWATER, 1261 N WESTVIEW ST: AL FORNER.** Mr. Al Forner's request that the Village assist with the diversion of stormwater from the property located at 1261 N. Westview St. had been referred to the Public Works Committee. The Committee noted Mr. Forner had purchased the property knowing it served as the direct path for stormwater to the creek; he had installed a grass waterway and drain tile system that functioned effectively until it was damaged by one of his renters; and the Village could find no information supporting Mr. Forner's contention that the public was responsible to divert the stormwater. Motion Berdyck/Williams to create the following policy: It is the policy of the Village Board of Cleveland that the Village will not expend public funds or resources, or consider the expenditure of public funds or resources, on the diversion of diffuse surface water or stormwater from the parcel located at 1261 N. Westview St. unless Village staff or the Village Board is in possession of a specific plan for development of the property, or there otherwise arises an obligation by the Village to reconsider this position. Motion carried without negative vote.

VI. CONTRACTS AND AGREEMENTS

- A. WPDES PERMIT PHOSPHORUS OPTIMIZATION PLAN AND EVALUATION REPORT: ENGINEERING SERVICES AGREEMENT, DONOHUE & ASSOCIATES.** Motion Williams/DeNoble to approve the Donohue & Associates, Inc., Engineering Services Agreement for Phosphorus Optimization Plan Action Items and Optimization Evaluation Report; carried without negative vote.
- B. GIS IMPLEMENTATION: MSA PROFESSIONAL SERVICES.** After discussion, motion Holzwart/DeNoble to approve the MSA Professional Services Six Phase Geographic Information System (GIS) Mapping Proposal, with Phase Five to be implemented at staff discretion; carried without negative vote.
- C. WATER TOWER MAINTENANCE AND PAINTING: MSA PROFESSIONAL SERVICES.** The Board discussed integrating the cathodic protection system maintenance performed by Corpro into the agreement. Director Grunwald noted MSA would attach the negotiated Terms and Conditions approved under the Master Agreement, rather than MSA's standard General Terms and Conditions. Motion Holzwart/Ader to approve the MSA Professional Services Agreement for Elevated Water Tank Conditioning with the requirement of coordinating the cathodic protection system maintenance with Village staff; carried without negative vote.

VII. ALCOHOL AND SPECIAL EVENT LICENSING

- A.** Motion DeNoble/Holzwart to grant a Retail Class "B" Fermented Malt Beverage License to the Cleveland Athletic Club for the concession stands, ball diamonds, pavilion, and grounds between and around the diamonds on the west end of the park at Veterans Park for the period May 3, 2020, through November 1, 2020; carried without negative vote.
- B.** Motion Holzwart/DeNoble to grant a Temporary Retail Class "B" Fermented Malt Beverage License to the Cleveland Volunteer Fire Fighters for the entire building located at 1274 W. Washington Avenue, Cleveland, Wisconsin, for April 19, 2020; carried without negative vote.
- C.** Motion Williams/Berdyck to grant a Temporary Operator's License to Andrew Herr and Dean Vogel for April 19, 2020; carried without negative vote.

VIII. REPORTS ON REFERRALS TO COMMITTEES: SEASONAL STREET BANNER LOCATIONS. Held over at committee level.

IX. STAFF, COMMITTEE, AND REFERRAL REPORTS.

- A. POLICE DEPARTMENT.** Report on file. Chief Barber noted Officer Schuessler is teaching DARE, the department bought two new Tasers, and he is looking for grant money to purchase vests.
- B. ADMINISTRATION.** Building permit and tax collection reports on file. Director Grunwald stated the Spring Primary Election went very well, Hika Park Master Plan citizen and local group interviews were scheduled, and the suggested Public Works Facility site may have a buyer. She answered questions regarding revetment, and the issue was referred to the Public Works and Utilities Committee. Director Grunwald also discussed recent legislation sent to the Governor's desk.
- C. PLAN COMMISSION, 01/22/20, 02/13/20.** Items discussed under Administration report.
- D. FINANCE AND BUDGET COMMITTEE, 02/11/20.** Chair Ader noted the Committee is working on the process to select a new Realtor.
- E. PUBLIC WORKS AND UTILITIES COMMITTEE, 01/27/20, 02/20/20.** Items held over at committee level.

X. ANNOUNCEMENTS AND EVENT REPORTS.

- A. TUE MAR 3..... MUNICIPAL COURT, 4:30PM**
- B. WED MAR 4..... PLAN COMMISSION, 6PM**
- C. THU MAR 5..... HUMAN RESOURCES AND PUBLIC SAFETY COMMITTEE, 6PM**
- D. TUE MAR 10..... FINANCE AND BUDGET COMMITTEE, 6PM.** The meeting will immediately follow a Village Board special meeting.
- E. MON MAR 23 PUBLIC WORKS AND UTILITIES COMMITTEE, 6PM**
- F. THU MAR 26..... VILLAGE BOARD, 6PM**
- G. SCHEDULE SPECIAL VILLAGE BOARD MEETING, TUE MAR 10, 6PM.** Special Board meetings scheduled for bid awards as follows: March 10, 6pm, street and utility improvements; March 31, 6pm, Linden Bridge construction.
- H. ANY OTHER ANNOUNCEMENTS/EVENTS.** No report.

XI. STAFF REPORT ON CHARGES AGAINST A PUBLIC EMPLOYEE AND FINAL DETERMINATION

- A. CLOSED SESSION.** The Village Board did not meet in closed session.
- B. RECONVENE.** The Village Board did not meet in closed session. Chief Barber and Director Grunwald reported three residents had filed complaints against one of the Village's Police Officers. With the approval of the Village President, an outside investigator was hired. He interviewed the parties involved and Village policies, and submitted a report exonerating the Officer and complimenting his performance and professionalism. Chief Barber determined no disciplinary action against the Officer was warranted, based on his own investigation and after consideration of the report's findings. The Chief's decision and a copy of the report were mailed to the complainants, as required by Village policy.
- C. ACTION.** No action by the Village Board was needed.

XII. ADJOURNMENT. Motion DeNoble/Holzwart to adjourn; carried without negative vote. The meeting adjourned at 7:19pm.

Respectfully submitted,
/S/ Julie Rusch
Julie Rusch
Deputy Clerk-Treasurer