

VILLAGE BOARD OF CLEVELAND, WISCONSIN
MONTHLY MEETING
TUESDAY, MAY 19, 2020
MINUTES

- I. CALL TO ORDER/PLEDGE OF ALLEGIANCE/ROLL CALL/AGENDA APPROVAL.** Village President Kathy Stolzmann called the meeting to order at 6:09pm on Tuesday, May 19, 2020, by video conference at <https://global.gotomeeting.com/join/972666077>. All attended remotely except Director of Village Services Stacy Grunwald, who participated from the Cleveland Village Hall, 1150 W. Washington Ave., Cleveland, Wisconsin.

Board Present: Kathy Stolzmann, Village President
John Ader
Jason Berdyck
Jonalee DeNoble
Al Forner
Jake Holzwart
Louis Wilmot

Board Absent: None

Staff Present: Timothy Barber, Chief of Police
Stacy Grunwald, Director of Village Services

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

- II. CITIZEN INPUT AND COMMUNICATIONS.** Director Grunwald reported the Village received a recycling grant award of \$3057.47, of which roughly \$190.00 is payable to Manitowoc County. Resident Dale Wagner (attending remotely) asked if Veterans Park would be opening in time for League play by the first week of June; he was asked what the Club was willing to do at the Park with regard to sanitizing. He indicated the Club was meeting on Thursday, May 21, and would do what they needed to do to start play. *Consideration of Cleveland Athletic Club maintenance plan for League play referred to next special meeting of the Village Board.*
- III. MARCH 10, 2020; MARCH 31, 2020; APRIL 14, 2020; AND APRIL 21, 2020, MEETING MINUTES.** Motion Wilmot/DeNoble to approve the minutes of the March 10, 2020 meeting; carried without negative vote. Motion Holzwart/Wilmot to approve the minutes of the March 31, 2020 meeting; carried without negative vote. Motion Berdyck/DeNoble to approve the minutes of the April 14, 2020 meeting; carried without negative vote. Motion Berdyck/Ader to approve the minutes of the April 21, 2020, meeting; carried without negative vote.
- IV. SITE PLAN AMENDMENT: 1272 N WESTVIEW ST., DANIEL AND TRACY KADERABEK**
- A. SUMMARY; STAFF REPORT; PLAN COMMISSION RECOMMENDATION.** Director Grunwald summarized the site plan amendment submitted by Daniel and Tracy Kaderabek to excavate and grade for drainage; install fencing, curbing, and a turnaround area using fill from the site; and eliminate the driveway and rely upon an access easement through the Bonde property to the north. Plan Commission recommended approval, with conditions including a requirement that staff contact the Bonde property owners to confirm they were aware of the proposed changes. In response to that contact, the Village received a letter from the owner of Bonde's expressing concern that utilizing the Bonde access as the sole point of entry had not been the intent of the easement, and support for fencing as this would shield from view the outside storage on the property.
- B. VILLAGE BOARD DETERMINATION.** The Board discussed the closure of the driveway when the interpretation of the access easement appeared to be in dispute. Ultimately, the Board decided to give the parties time to work through their disagreement before making a decision on the driveway and curbing. Motion Ader/Forner to adopt the findings of the Plan Commission and amend the Daniel and Tracy Kaderabek Site Development Plan for 1272 N. Westview St. to authorize: installation of the drainage swales and transmission piping in the rear yard and along the south property line; installation of fencing in the rear and side yards; and grading and excavation in the rear and side yards as this relates to installation of the stormwater system components. The following conditions were imposed:
1. All work must conform to the terms of the submitted application materials, including the narrative, site plan drawing, and drainage system details; and any conditions placed on construction permits to be issued for the project. All work must conform to Federal, State, County and Local code requirements.
 2. Any and all variation between development and/or land use activity and the approved site plan is a violation and shall be subject to all applicable enforcement mechanisms and penalties.
 3. The Village shall review any proposed change prior to implementation of the change, to ensure compliance with applicable standards.

The curbing installation; grading and addition of fill material in the front yard; and removal of the driveway would be considered at the next regular meeting if the Kaderabeks were able to provide evidence of an undisputed and recorded perpetual agreement with Bonde's Quik Mart Inc. for vehicular access to their property across the Bonde property. Motion carried without negative vote.

V. FINANCIALS

- A. MONTHLY VOUCHER REPORT.** Director Grunwald answered questions regarding payments for SCADA, park planning, copier charges, health insurance, sludge reduction, and a server firewall. Motion DeNoble/Wilmot to approve the April 2020 voucher report; carried without negative vote.
- B. 2020 STREET RECONSTRUCTION PAY REQUEST #1: BUTEYN-PETERSON.** Motion Wilmot/Ader to approve Pay Request #1 to Buteyn-Peterson for the 2020 Street and Utility Improvements (\$198,303.21); carried without negative vote.

VI. CAPITAL PROJECTS

- A. SEASONAL STREET BANNER ORDER AND LOCATIONS.** Trustee Ader reported he was ordering the banners May 20, 2020. There was a two-week lead time and Temple Display agreed to hold the original price quote. There were 20 holiday and 20 off-season banners.
- B. WATER TOWER MAINTENANCE BID SCOPE.** Motion Holzwart/Berdyck to approve the revised bid scope for the water tower maintenance project; carried without negative vote.
- C. WATER METER ENDPOINT REPLACEMENT PROGRAM.** Motion Wilmot/Ader to approve the purchase of cellular endpoints for the Village's water meters; carried without negative vote.

VII. POLICIES

- A. COVID-19 POLICIES, INCLUDING VILLAGE HALL AND PARK/VFW OPERATIONS AND RESTRICTIONS.** The Human Resources and Public Safety Committee recommended Village Hall and park buildings, including the bathrooms and VFW, remain closed until July 1, 2020, with monthly review by the Committee and Village Board. The Board discussed the timing of park opening and request by the Cleveland Athletic Club. Director Grunwald reminded those present the parks themselves were never closed by Board action. People were allowed to use them provided they met the State's requirements for social distancing. The playgrounds were closed by the State; with the decision by the Wisconsin Supreme Court to overturn the extension of 'Safer at Home' to May 26, the Board needed to decide when the bathrooms, concessions, and playgrounds could open.

After discussion, the Village Hall, park buildings and playgrounds remained closed until July 1, 2020, by consensus, with agreement to consider at the next special meeting any COVID-19 plan submitted by the Athletic Club.

Also by consensus, the Board allowed Village Hall to be open for Municipal Court on June 2, 2020, if the Court took responsibility for sanitizing afterward.

- B. EMPLOYEE HANDBOOK: BREASTFEEDING POLICY.** Motion DeNoble/Wilmot to approve the breastfeeding policy as recommended by the Human Resources and Public Safety Committee; carried without negative vote. [Policy 506, Employee Handbook]

VIII. ORDINANCES

- A. AUTHORIZE CLERK TO ISSUE AMPLIFIED SOUND PERMIT.** The Human Resources and Public Safety Committee recommended the Village Board amend Sec. 7-10-1, Code of Ordinances, to allow staff to authorize the use of amplified sound when the request involves systems with little likelihood of adverse neighborhood impacts, and where the applicant does not have a history of complaints or violations. Motion DeNoble/Berdyck to authorize the village clerk to approve the use of an amplified sound system on Village property as recommended by the Human Resources and Public Safety Committee; carried without negative vote. [Ord. 2020-O-02]
- B. AUTHORIZE CLERK TO ISSUE OPERATOR LICENSE.** The Human Resources and Public Safety Committee recommended the Village Board amend Sec. 7-2-28, Code of Ordinances, to allow staff to issue operator's licenses where local and state standards allow. Motion DeNoble/Berdyck to authorize staff to issue operator's licenses in accordance with local standards and Sec. 125.17, Wis. Stats.; carried without negative vote. [Ord. 2020-O-03]

IX. COMMITTEE REFERRAL REPORTS.

- A. VILLAGE REALTOR SELECTION PROCESS.** No report; Finance Committee did not meet.
- B. USE OF VILLAGE HALL AS A REST STOP.** The request was withdrawn due to COVID-19.

X. STAFF, COMMITTEE, AND REFERRAL REPORTS.

- A. POLICE DEPARTMENT.** Chief Barber reported the Village was awarded a \$4000 grant that will be used to purchase two laptops for the squads. The State Patrol will install temporary stoplights at the Dairyland Dr. / W. Washington Ave. intersection during the Ryder Cup.
- B. ADMINISTRATION.** Director Grunwald reported the 2019 Form C (financial report to the state) and 2019 PSC annual report (water utility financial report) were filed; answered questions on building permits; and discussed driveway permitting, the contract with Heritage Real Estate, and infiltration and inflow issues with the Village's sanitary sewer system.
- C. PLAN COMMISSION, 05/06/2020.** In addition to review of the Kaderabek site plan previously discussed, the Plan Commission filed a petition to rezone the properties at 1039 N. Linden St. and 1040 Juniper St. to MS-1 *Main Street District*.
- D. PUBLIC WORKS AND UTILITIES COMMITTEE, 05/11/2020.** Chair Berdyck reported the Committee finished its review of street sweeping and received updates on the Public Works facility site selection and other public works projects.
- E. HUMAN RESOURCES AND PUBLIC SAFETY COMMITTEE, 05/12/2020.** Chair Holzwart reported the Committee denied a request to establish a snowmobile trailhead on Village property and the use of Village parks by snowmobiles; hold over issues related to tree infestations; discussed licensing for short-term transient and tourist housing; and denied a full-time employee's request to waive the half-hour meal break to shorten the standard work day.

XI. ANNOUNCEMENTS AND EVENT REPORTS.

- A. WED JUN 3..... PLAN COMMISSION, 6PM
- B. THU JUN 4..... HUMAN RESOURCES AND PUBLIC SAFETY COMMITTEE, 6PM
- C. MON JUN 8..... PUBLIC WORKS AND UTILITIES COMMITTEE, BID REVIEW, 6PM
- D. TUE JUN 16..... VILLAGE BOARD, 6PM
- E. MON JUN 29..... PUBLIC WORKS AND UTILITIES COMMITTEE, 6PM
- F. SCHEDULE FINANCE AND BUDGET COMMITTEE MEETING. 06/10/2020, 6pm
- G. ANY OTHER ANNOUNCEMENTS/EVENTS. 05/26/2020, 6pm, Village Board Special Meeting

XII. ADJOURNMENT. Motion DeNoble/Ader to adjourn; carried without negative vote. The meeting adjourned at 8:17pm.

Respectfully submitted,

/S/ Stacy Grunwald
Stacy Grunwald
Director of Village Services

Approved on 6/16/2020

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