

**VILLAGE OF CLEVELAND, WISCONSIN
SPECIAL MEETING OF THE VILLAGE BOARD**

MONDAY, MARCH 14, 2022

MINUTES

- I. CALL TO ORDER/ROLL CALL.** Village President Jake Holzwart called the meeting to order at 6:01pm on Monday, March 14, 2022, at Centennial Hall, Lakeshore Technical College, 1290 North Ave., Cleveland, Wisconsin.

Board Present: Jake Holzwart, Village President
John Ader
Jason Berdyck
Debi Cevaal
Al Forner
Jon Hoffman
Barry Nelson

Board Absent: None

Staff Present: Stacy Grunwald, Director of Village Services

II. SPECIAL ASSESSMENTS: W JEFFERSON AVE AND PARK CT STREET PROJECTS

- A. STAFF REVIEW.** Director Grunwald reviewed the general process for calculating special assessments, including the determination of general and special benefit on each parcel, and basic provisions of the special assessment policy. She explained that the Village's primary funding mechanisms for street projects are debt, which is paid through a debt levy on real estate taxes, and special assessments. The Village also applies for grants to offset costs, but the grant most often obtained by the Village averages about \$10,000 and is only available every two years. Grants are applied to the Village's portion of project costs, so the benefit is shared by all taxpayers, and only used to reduce assessable costs in those rare cases where the Village's share is paid in full. Therefore, for planning purposes it should be assumed any decrease in a special assessment will need to be offset by an increase in property taxes to pay the debt service. The special assessment policy was amended by the Village Board in 2020 to remove or change some assessable project costs. An overarching concern for the Board was the equity of shifting costs to property taxes for residents who were already paying or had recently paid special assessments.
- B. PUBLIC HEARING.** Motion Berdyck/Forner to open the public hearing; carried without negative vote. Comments/questions and responses by the Village Board and staff are grouped by resident and not listed in the order given during the meeting.

Christine Gabsch, 1130 W. Jefferson Ave. C. What grant amount was received by the Village for this project? R. About \$10,000. C. Noted the lawn restoration at her property continued to be a problem; what more was the Village going to do? R. The Village had completed work on the lawns. C. Why did the special assessment calculation formula include a 1% administrative fee? R. To offset the costs to administer the program, which include calculating and updating interest, balances, and payoffs, extending costs to the tax roll, collecting and processing payments, and answering inquiries.

Greg and Cheryl Howard, 1145 Park Ct. C. Why do some roads have curb on only one side? R. The engineering standards may have been different at the time of construction. C. Why was the roadwork done on Park Ct. when no one requested it? R. The Board determined it was more cost effective to complete a less expensive rehabilitation of Park Ct. now rather than waiting until the street had degraded to a point where a more expensive reconstruction was required. C. Why had the Village not done something about the poor condition of Park Ln. [at the intersection with Linden St.]? R. This area will be reconstructed as part of the Linden St. project in 2023 and the Board did not want to invest money in repairs that would be ripped out in two or three years. C. Why were the residents on Park Ct. told water and sewer would be redone and nothing was replaced? R. A rehabilitation project does not include the depth of work that would be needed to replace utility mains. The sanitary sewer televising on Park Ct. showed the condition of the main was sound and there was no history of water main breaks on the street to indicate replacement was necessary. C. Installation of the curb and gutter has made stormwater problems worse on her property. She didn't have water backing up on her yard years ago. Why was curb and gutter added? R. Curb and gutter moves stormwater off the street; this helps extend the life of the street. Heavy, short-duration rain events have been more frequent in recent years, resulting in a faster accumulation of water in greater volume than was generally experienced years ago. This

resulted in higher creek levels and more water to move off the street than typical, meaning more of the creek's floodplain was utilized for temporary water storage. C. Why did the roadwork on the county roads end at the Village limits? R. Work within the boundaries of a village or city requires more coordination for the County than working on town roads, increasing project complexity and cost. The County Board decided to focus on its rural highways first. The County roads in the Village are on the County's five-year capital improvement plan now, however. C. Will property owners pay any of the project costs on a county road? R. It depends on which county road and the work that is performed. There are often assessable costs for a county project within the municipal limits, but these would not include the driving lanes, which are the County's responsibility. C. Cleveland was a community 27 years ago where people talked with each other. Now there is no transparency and there hasn't been for a long time. R. The Village Board has the goal of improving communication between the local government and the public. C. Did the Village apply for grants? R. The Village received about \$10,000 in a biennial grant but the large cost-share grants were awarded to other communities. C. Does LTC pay property taxes? R. No. C. Can the property owners see the invoicing for each street? R. A property owner can inspect or obtain copies of the billing, but the billing is not issued by street. The costs are allocated to each street by the engineer based on the engineering plans, change orders, and other information that is collected during the project. C. How long was the project out to bid [in 2019, when no bids were received]? Why wasn't the bid deadline extended? Why didn't the Village modify the bid request to allow the work to be done the following year? R. The bid response time would have been the standard timeframe of 3 to 4 weeks. Conversations with the contractors indicated their schedules were too full to take on the project so extending the deadline would have been unlikely to achieve a different result. Contractors generally do not hold their prices for longer than 90 days to avoid bidding materials at one cost and then incurring higher costs in the following year. C. Is the Village going to fill the Police Chief vacancy? R. Yes, but that subject is not a topic for this meeting. You are welcome to attend meetings where it is on the agenda.

Tim and Cindy Hundt, 1120 W. Jefferson Ave. C. What will the Village do differently on its next project? R. More communication ahead of time and more communication during the project. The Village is exploring options on how that communication will happen.

Craig and Lanae Lallensack, 1140 W. Jefferson Ave. C. How can a contractor not show up for two months? R. The contractor is given a timeframe to complete the work and certain requirements to meet, but generally the flow of the work within that timeframe is up to the contractor. Setting more specific requirements could reduce the number of bidders, increase the project cost, or both. C. I understand costs went up [between the first bid release and the second] but I had to work on my lawn at least five times. There were a lot of weeds. R. The materials used were within contract specifications, but the summer weather killed much of the new grass. Weed growth prior to the lawn establishing is normal. The Village had the contractor take extra steps within the terms of the contract, and the Village found the restoration sufficient for new lawns before closing the project. C. The water tastes bad and has rust problems ever since the project. They installed a whole house filter to address the issue and the filters are orange in two months. R. The Village has been flushing the W. Jefferson Ave. hydrant more often to try alleviating the issue. C. No one told homeowners how to manage the landscaping. The lawn had to be reseeded five times. When they first moved to Cleveland, the Village didn't take responsibility for a septic tank in their front yard that wasn't properly abandoned. Now, they will not get their extra costs back from the Village for this project either. Somebody from the Village should supervise street projects daily. R. The Village is contracting with its engineer to have extended oversight of the upcoming projects. C. The assessment for the driveway is \$4000 and there is a hollow spot under it where the rain settled out the base. R. The Public Works Committee will look at the driveway. C. [Neighbor] issues [on W. Jefferson Ave.] have not been addressed by the Police Department. Are we supposed to call the County now? R. Calls can be directed to the Cleveland PD or the Manitowoc County Sheriff's Department.

Robert Prigge, 905 Linden St. C. The Board should issue a referendum asking the voters to end special assessments. Things are changing and people would support this. R. A referendum costs money and doesn't seem a good investment since those paying or having paid assessments would be unlikely to support moving the costs to the property taxes. C. Village Hall should have been opened two years ago. R. The Board is scheduled to discuss reopening at its next regular meeting. C. What was the date of the informational meeting? R. Most likely spring or summer of 2019. C. Driving around the Village, one sees abandoned vehicles and homes. The Village is not doing good job. There is one police officer who will not enforce the [winter parking] rules since people will get mad. R. Some residents receive permission from the Police Department to park vehicles on the street in the winter due to a lack of off-street parking. The Department also issues compliance letters for abandoned vehicles.

Allen and Eunice Stolzmann, 861 Linden St. C. When will Linden St. be done? R. 2023.

Additional Village Board comments offered in general discussion and not in response to a specific question follow.

Landscaping. Landscaping may be pulled from the bid request and awarded separately to avoid having the general contractor perform the work. The size of the 2020 projects made it more difficult to draw in a professional landscaping company.

Communication. Virtual meetings have made communication more difficult, but this should improve once the Village returns to in-person meetings and staff shortages are alleviated.

Construction Standards. The Public Works Committee discussed at length the policies for street reconstruction and cost savings. The decision was made to require curb and gutter on every street where it can be installed since it extends the life of the street and helps control damage from erosion and frost. This should help the street last 10-15 years longer. The goal is to make the extra investment now to fix things that were done wrong 20 years ago and to make that extra investment last longer through improved design and maintenance.

Financing. The work will be paid through issuance of debt. Debt is issued in a lump sum to obtain a better interest rate.

Special Assessments. Any resident with an idea on how to end special assessments and still be fair to people who paid an assessment in the last 15 years should bring that idea to the Board's attention. The Village hasn't found a fair and balanced way to pay for the projects when someone is still paying an assessment.

PASER Report. The Village had its engineer prepare a pavement rating report called the PASER report. A copy is available from the Village for those interested. The report rates the quality of each street section in the Village and includes photos.

Village Board Membership and the Director of Village Services. Joining the Board is eye-opening once you learn what really happens to make government work. The Village needs to do the same work as larger municipalities, but we have one person in the Director of Village Services, not multiple people. She does what we direct her to do. The Board takes a position to try making things better and instead we get yelled at and told we've taken sides. This isn't 'us vs. them.' We live here, too.

Economic Development. A Sheboygan pastor is interested in building in Cleveland, stating it is a nice, quiet community.

Deer and Feral Cats. Deer and feral cats are a recognized nuisance in the Village but there are limited options available to reduce the population of either.

Motion Berdyck/Ader to close the floor; carried without negative vote.

- C. **VILLAGE BOARD DISCUSSION.** Director Grunwald reported Phyllis Hickmann, 1144 Park Ct., was unable to attend the hearing but had a concern with spalling on her new driveway. After discussion, the Village Board referred deer management to the Human Resources and Public Safety Committee and inspection of the Lallensack and Hickmann driveways to the Public Works and Utilities Committee.

III. NEXT MEETING: TUESDAY, APRIL 12, 2022, 6PM, PUBLIC HEARING AND DECISION

- IV. **ADJOURNMENT.** Motion Nelson/Fornier to adjourn; carried without negative vote. The meeting adjourned at 8:41pm.

Respectfully submitted,

/S/ Stacy Grunwald

Stacy Grunwald
Director of Village Services

Approved on 04/12/2022