

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

**TUESDAY, APRIL 12, 2022**

**MINUTES**

- I. CALL TO ORDER/PLEDGE OF ALLEGIANCE/ROLL CALL/AGENDA APPROVAL.** Village President Jake Holzwart called the meeting to order and led the Pledge of Allegiance at 6:03pm on Tuesday, April 12, 2022, at the Cleveland Village Hall, 1150 W. Washington Ave., Cleveland, Wisconsin.

Board Present: Jake Holzwart, Village President and Acting Police Chief  
Jason Berdyck  
Al Forner  
Jon Hoffman  
Barry Nelson

Board Absent: John Ader (excused)  
Debi Cevaal (excused)

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

Motion Berdyck/Hoffman to approve the agenda; carried without negative vote.

- II. YEAR 2020 STREET PROJECTS: PUBLIC HEARING ON SPECIAL ASSESSMENTS.** Motion Holzwart/Nelson to open the floor; carried without negative vote. Comment/questions and responses by the Village Board and staff are grouped by resident and are not necessarily listed in the order given during the meeting.

*Cheryl Howard, 1145 Park Ct. C.* Are the water/sewer pipes new? Was told they had to be replaced but were not. Why not? R. The sewer pipes were televised and showed no issues with the infrastructure. The pipes are ductile and should be good for 80-100 years. The project would have cost much more if the pipes were replaced.

*Robert Prigge, 905 Linden St. C.* The topsoil that was put in is poor quality; still has strips never seeded, and rain has washed much of it away. Why hasn't this been rectified? R. The contract has been met. C. If the work satisfied the contract but not the homeowner, what is the Village's responsibility? It becomes a matter of infrastructure versus aesthetics.

*Kate Whitson, 112 Parkway St. C.* When the Village re-did some pipes in her yard, there were bad patches left. Even though she doesn't own the property, she will be on the hook for the repairs. R. The infrastructure is private, not owned by the Village, so we did not do the work she is referring to.

*Craig Lallensack, 1140 W. Jefferson Ave. C.* If he chooses to defer his special assessment over the allowable term, and later decides to make an additional payment earlier than required, or pay in full earlier than required, will he still have to pay the interest for the entire length of the term? R. No. Any payments will reduce the amount of interest to be paid; if paid full, all payments stop. C. If the contractor is not reputable, or the Village knows of issues, why do they still select them? R. The Village is obligated to take the lowest responsible bidder. There are different rules we must follow, unlike a private business or individual who can choose whomever they want.

Motion Nelson/Forner to close the floor; carried without negative vote.

- III. CITIZEN INPUT AND COMMUNICATIONS**

*Cheryl Howard, 1145 Park Ct.* Thanked the Board for their commitment. Questioned the proposed Organizational Chart and Director Grunwald's role. Questioned why external versus internal for the Police Chief search, and if there was a cost savings for doing an internal search. Asked if the Director of Village Services should be an elected position.

*Robert Prigge, 905 Linden St.* Expressed concern with the abundance of abandoned vehicles and unkempt yards in the Village.

*Craig Lallensack, 1140 W. Jefferson Ave.* Is having an issue with a neighbor's light shining into his living room. Are they in violation of an ordinance? Was working with former staff but did not get any answers.

*Tracy Kaderabek, 16317 Dairyland Dr.* Commended Director Grunwald for doing her job. Indicated there are ordinances and reasons why certain things are not allowable. Director Grunwald needs to follow the rules but finds way to make projects work if able to.

*Michelle Gellings, 807 Westview St.* Looked at the Village website, and had questions as to who was in each role and why? How was it decided? How are the Committees formed? President Holzwart indicated the committees are appointed at the organizational meeting and the Village President is automatically a member of most committees.

Trustee Berdyck reported on a resident's listening session that he attended. He was told our Tourist Rooming House ordinance required a pool to be secured but he didn't find that in the ordinance. He suggested Ms. Gellings meet with staff and, if necessary after that, the issue can be referred to the Human Resources and Public Safety Committee. There was interest in an increased police presence due to increased traffic at Vets Park in the summer. He was asked if there was a way residents could watch the Village meetings remotely.

President Holzwart had a discussion with the League of Wisconsin Municipalities about the lack of reliable broadband at the business lots on W. Madison Ave. and N. Maple St., and the lack of cell coverage on the lakefront, and was informed there may be grants available.

- A. **REQUEST FOR WAIVER OF RIGHT-OF-WAY PERMIT FEE: TDS Telecom.** *Referred to Finance Committee.*
- B. **REQUEST FOR CONSIDERATION DUE TO LOSS OF PROPERTY: Thomas Erdmann.** *Referred to Public Works and Utilities Committee.*
- C. **NOTICE OF CONTINUING DISCLOSURE FEE CHANGE: Ehlers and Associates.** The fee is increasing from \$750 to \$850.

Motion Forner/Berdyck to take a 10-minute recess; carried without negative vote. No Board discussion or action took place during the recess.  
Motion Holzwart/Nelson to reconvene; carried without negative vote.

- D. **44<sup>th</sup> ANNUAL PUBLIC OFFICIALS' SEMINAR, DE PERE: Davis Kuelthau Attorneys at Law.** Interested Board members should contact the Clerk's Office to be registered.

#### IV. ALCOHOL LICENSING

- A. **AMENDMENT TO SEC. 7-2-17 BEER GARDEN LICENSES.** Motion Nelson/Forner to amend the Sec. 7-2-17 Beer Garden Licenses, Code of Ordinances, to allow consumption of alcoholic beverages and amplified sound or music on any part of a hotel's licensed premises provided the licensed premises is located at least 100 feet from a structure used for residential purposes, except those residential uses occurring on the same lot as the licensed premises; carried without negative vote. [Ordinance No. 2022-O-01]
- B. **PREMISES DESCRIPTION AMENDMENT FOR "CLASS B" LICENSE: Highland Lodge.** Motion Berdyck/Nelson to amend the premises description as follows: basement bar and hall; public great room; locked pantry; southside deck and patio; the south lawn; and hotel office. The parking lot is excluded. Motion carried without negative vote.

- V. **FEB 15, MAR 14, MAR 15, MAR 22, MAR 29, AND MAR 31, 2022, MINUTES.** Motion Berdyck/Forner to approve the minutes of the February 15, 2022, monthly meeting; the March 14, 2022, special meeting; the March 15, 2022, special meeting; the March 22, 2022, monthly meeting; the March 29, 2022, special meeting; and the March 31, 2022, special meeting; carried without negative vote.

#### VI. FINANCIALS

- A. **MONTHLY VOUCHER REPORT.** Motion Forner/Hoffman to approve the March 2022 monthly voucher report; carried without negative vote.
- B. **FINAL RESOLUTION AUTHORIZING PUBLIC IMPROVEMENT AND LEVYING SPECIAL ASSESSMENTS AGAINST BENEFITTED PROPERTY IN CLEVELAND, WI: W. Jefferson Ave. and Park Ct.** Motion Holzwart/Berdyck to hold over the Final Resolution until the May 17, 2022, regular meeting; carried without negative vote.
- C. **DESIGNATION OF ENTITY ADMINISTRATOR FOR US GOVERNMENT SYSTEM FOR AWARD MANAGEMENT.** Motion Forner/Nelson to designate Director of Village Services Stacy Grunwald as the System for Award Management Entity Administrator; carried without negative vote.

- VII. **VETERANS PARK MEMORIAL TABLE: Wayne Vogel Family.** Director Grunwald explained the Wayne Vogel family wishes to install a memorial table in the playground area at Veterans Park. There was no information available on the memorial plaque, so the Plan Commission directed staff to only return the application to Plan Commission if the family's proposed plaque was largely different than the other plaques mounted on donated memorial furniture. The Plan Commission also determined, and the Village Board agreed, that sufficient concrete should be placed under the table to ensure its safe mounting and provide a surface the entire width of the installation so Public Works would not need to trim under the table or benches and to prevent mud from becoming an issue in the bench area.

The Plan Commission found as follows:

- 1.) The proposal was consistent with the purpose for the *Veterans Park Park Site Master Plan* as it improved the playground area by offering a table and seating for park users and reflected the Plan's vision for future development consistent with existing facilities.
- 2.) The proposal supported the future development plan by enhancing the playground area and protecting the open play area through its installation at the edge of the forested area.
- 3.) The proposal comported to the *Parks and Recreation* classification in the 20-Year Comprehensive Plan through its support for the continued use of the park as a recreational site, which in turn will help preserve the many natural features located within the park itself.
- 4.) The proposal comported to the Official Map in that the location of the table did not interfere with any planned rights-of-way or trails.

Motion Holzwart/Forner to adopt the findings of the Plan Commission and amend the *Veteran's Memorial Park Park Site Master Plan* to allow installation of a green, 46" round in-ground mount table and a concrete slab at least 81" in diameter to be located under or close to the east side of the playground area; motion carried without negative vote.

#### VIII. RE-OPENING VILLAGE HALL

- A. **VILLAGE HALL HOURS.** After discussion, by consensus, Village Hall will be open Mondays and Thursdays from 10am-2pm.
- B. **MUNICIPAL COURT LOCATION AND HOURS.** Officer Schweigl reported that Judge Kohl is requesting to bring court back to Village Hall with a start time of 4:30pm. President Holzwart will discuss with the Judge, and it will be added to the April 19, 2022, Organizational Meeting agenda for further Board discussion.

#### IX. PERSONNEL

- A. **SEC. 110 OUTSIDE OR OFF-DUTY EMPLOYMENT, EMPLOYEE HANDBOOK.** Motion Holzwart/Hoffman to hold over the *Outside or Off-Duty Employment* policy until the May 17, 2022, regular meeting; carried without negative vote.

**B. SWORN LAW ENFORCMENT HIRING AND PROMOTION POLICY**

- 1. POLICY ADOPTION.** Motion Nelson/Forner to adopt the *Police Chief and Sworn Law Enforcement Personnel Hiring and Promotion Policy*; carried without negative vote.
- 2. CANDIDATE RECRUITMENT.** President Holzwart reported the Village is going to pursue both an internal and an external search for Police Chief, with the assistance of a consultant.
- 3. AUTHORIZATION FOR CONSULTANT SOLICITATION.** President Holzwart will work with Atty. Kate Reynolds to get names of suggested consultants. Special board meetings will be scheduled if needed to keep the process moving. The intent is to have a consultant lined up by the end of May.

**X. STAFF AND COMMITTEE REPORTS.**

- A. POLICE DEPARTMENT.** Officer Schweigl reported he is working with BP on getting gas cards, and is looking into locking in a gas price. Clerk Deehr attended online Court Clerk training. A summer safety student assembly will be held at Cleveland Elementary on May 6. Cleveland is hosting the Law Enforcement Executive Meeting at the Fire Department. Officer Schweigl is continuing to do FEMA training. The TRaCs software has been updated, and hopefully the IT issues have been resolved. Acting Police Chief Holzwart has designated Officer Schweigl as Officer in Charge indefinitely.
- B. ADMINISTRATION.** Director Grunwald reported she received a Certified Survey Map to merge three lots in Merit Acres Subdivision, which will go to Plan Commission. The Spring Election went well. The Public Works candidate turned down the position, but Director Grunwald has since interviewed another candidate. Three street project related issues have recently arisen: part of Cherry Hill Dr. fronts on land in the Town of Centerville, so can't be assessed without Town approval; property pins on E. Jefferson Ave. do not reflect a consistent right-of-way width, affecting relocation of the light poles; and the WDNR determined a Ch. 30 permit is needed and rescinded the wetland permit. The Ch. 30 permit will take 60-90 days for review.
- C. PUBLIC WORKS AND UTILITIES COMMITTEE, 03/28/22.** Chair Berdyck reported they discussed free PFAS sampling offered by the DNR, and what the Village might do if the samples show contamination. They also discussed an infiltration and inflow study to be performed by Donohue. The Request for Proposals for solid waste and recycling services is targeted for June.
- D. HUMAN RESOURCES AND PUBLIC SAFETY COMMITTEE, 04/04/22.** The organizational chart has been tabled for 6 months.
- E. PLAN COMMISSION, 04/06/22.** All items on the agenda.

**XI. ANNOUNCEMENTS AND EVENT REPORTS.**

- A. FRI APR 15..... STAFF HOLIDAY (HALF-DAY)**
- B. TUE APR 19..... VILLAGE BOARD ORGANIZATIONAL MEETING, 6PM.** This will also be a special meeting of the Village Board.
- C. WED APR 20 ..... MANITOWOC CO VILLAGE ASSN, MISHICOT, 6:30PM**
- D. THU APR 21 ..... FINANCE AND BUDGET COMMITTEE, 6PM.** Cancelled. Will set a new date at the Organizational meeting.
- E. WED APR 27 ..... DAVIS KUELTHAU PUBLIC OFFICIALS SEMINAR, DE PERE.**
- F. WED MAY 4..... PLAN COMMISSION, 6PM**
- G. ANY OTHER ANNOUNCEMENTS/EVENTS.** None.

**XII. ADJOURNMENT.** Motion Nelson/Berdyck to adjourn; carried without negative vote. The meeting adjourned at 9:08pm.

Respectfully submitted,

/s/ Julie Rusch

Julie Rusch

Deputy Clerk-Treasurer

Approved on 05-17-2022