

VILLAGE BOARD OF CLEVELAND, WISCONSIN
MONTHLY MEETING
TUESDAY, NOVEMBER 22, 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 6:00pm on Tuesday, November 22, 2022, at the Cleveland Village Hall, 1150 W. Washington Ave., Cleveland, Wisconsin.

Board Present: Jake Holzwart, Village President and Acting Police Chief
John Ader (arrived 6:08pm)
Jason Berdyck
Jon Hoffman
Danielle LaLonde
Barry Nelson

Board Absent: Debi Cevaal (excused)

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

Also Participating: Dan Rammer, Engineer, MSA Professional Services

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

II. CITIZEN INPUT AND COMMUNICATIONS

- A. REQUEST FOR SANITARY UTILITY CREDIT: Sheryl Nehls.** Motion Nelson/LaLonde to refer to Finance Committee Sheryl Nehls' request for sanitary utility credit; carried without negative vote.
- B. REQUEST TO ELIMINATE THREE-WAY INTERSECTION at NORTH/DAIRYLAND.** Motion Berdyck/Hoffman to refer to Human Resources and Public Safety Committee the request to change the three-way-stop intersection at North/Dairyland; carried without negative vote.
- C. REQUEST FOR ADDITIONAL LIGHTING ON WOODLAND DR: Charles Pockat.** Motion Holzwart/LaLonde to refer to Human Resources and Public Safety Committee the request for additional lighting on Woodland St.; carried without negative vote.

Sandy Brost, 1040 Elm St. Concerned with junk in yards in her neighborhood (especially some rental properties owned by someone from Sheboygan), and the Village as a whole. Suggested putting names and addresses of violators in Village newsletter or mailing out letters. Asked if Village was doing leaf pick up.

- III. OCTOBER 18, OCTOBER 24, NOVEMBER 14, AND NOVEMBER 15, 2022, MINUTES.** Motion Berdyck/LaLonde to approve the minutes of the October 18, October 24, November 14 and November 15, 2022, meetings; carried without negative vote, one abstention (Ader).

- IV. SITE DEVELOPMENT PLAN: Lakeshore Technical College.** Director Grunwald explained Lakeshore Technical College was proposing to construct a 3900 ft² addition to the Lakeshore Building to modernize the Health and Human Services instructional area. She noted no new access drives would be needed. The Plan Commission made the following findings:

- The application promoted the health, safety, prosperity, aesthetics, and general welfare of the Village of Cleveland. LTC was integral to the community. Its programs brought in people that could work, live, and spend money here. Maintaining and modernizing its facilities would draw students and teachers and bring credibility to the Village.
- The educational use of the property was legally nonconforming. The proposed addition was consistent with the area and height restrictions of the A-1 zoning district.
- The application comported to the Comprehensive Plan's *Governmental/Institutional/Utilities* classification. Development maintained the functionality, visual appearance, and stature of the existing governmental/institutional facilities on the property.
- The application comported to the Official map as there were no planned rights-of-way or other potential conflicts.

Motion LaLonde/Ader to adopt the findings of the Plan Commission, and to approve the site development plan submitted by Lakeshore Technical College to construct a 3,900ft² addition to the Lakeshore Building to modernize the Health and Human Services instructional area, per the terms of its application and with the following additional requirements.

1. The building permit must be requested and approved within 12 months of approval, or this approval shall be withdrawn and the applicant must reapply to the Village as if requesting a new project.
2. All lighting shall utilize downward-projecting fixtures.
3. Applicant shall receive a permit prior to installation of any signage that is subject to the regulations of the Sign Ordinance.
4. Grading, erosion control, and stormwater plans acceptable to staff shall be submitted prior to approval of a building permit.

Motion carried without negative vote.

- V. STREET AND UTILITY PROJECTS.** Motion Ader/Berdyck to open the floor to Dan Rammer, MSA Professional Services; carried without negative vote.

- A. **2022 PROJECT UPDATES AND TIMELINE.** Mr. Rammer reported that the 2022 projects are basically wrapped up. All the streets are paved. There is some utility work remaining to be done on E. Jefferson; the contractor should be in the Village in the next week or two. There is a punch list of items to discuss, and the bigger items will be addressed next week. The contractor would like to do restoration in the spring. Curb concrete cracking will be addressed. There is a one-year warranty on the project work. Overall, the project completion was a little slower than estimated, taking 80 days vs. 50-60. The Village has been holding back a 2.5% retainage on the Superior Sewer & Water pay requests. They asked if the Village would hold back 1.0%-1.5% instead.
- B. **2022 STREET PROJECT PAY REQUEST #5: Superior Sewer & Water.** After discussion, motion Holzwart/Ader to approve Superior Sewer & Water Pay Request #5, and to authorize retaining 1.5% of contracted costs, as amended; carried without negative vote.
- C. **2022 CERTIFICATE OF SUBSTANTIAL COMPLETION.** Mr. Rammer noted the 2022 Street and Utility Improvement projects are substantially completed per the plans and specifications (thru paving and restoration). Both MSA and Superior Sewer and Water signed off on the Certificate. Once approved, the one-year warranty will start. Motion Hoffman/Berdyck to authorize the Director of Village Services to sign the Certificate of Substantial Completion; carried without negative vote.
- D. **2023 SCOPE OF WORK.** MSA will revise the 2023 scope of work to include an estimate for the 1144 Park Ct. driveway repair; and pulverizing, asphalt paving, and striping the Vets Park east parking lot within its existing footprint.
- E. **2023 BIPARTISAN INFRASTRUCTURE LAW FUNDING APPLICATION.** Mr. Rammer explained the 2023 funding is hard to get without a project that stands out from other and would require WisDOT design standards and studies. Thus, the project could potentially cost more than the grant award. Trustee Berdyck asked if the grants could be used to master meter the mobile home community. MSA's funding team will research. After discussion, by consensus, the Board decided not to pursue the 2023 bipartisan infrastructure funding for its 2023 street and utility projects.
- F. **WATER TOWER PAY REQUEST #1 (FINAL): LC United.** Motion Berdyck/Ader to approve LC United Painting Co. pay request #1 (final request); carried without negative vote.
- G. **2020 DRIVEWAY REPAIR: Craig Lallensack Cost Share Request.** Motion Berdyck/Ader to approve a 50/50 cost split with Mr. Lallensack to repair his driveway, not to exceed \$600, and to be administered by Staff based on receipts. As long as the cost is \$600 or less, it will not require additional Committee or Village Board review. Motion carried without negative vote.
Motion Ader/Nelson to close the floor to Dan Rammer; carried without negative vote.

VI. SNOWMOBILES

- A. **RECONSIDERATION OF OCT 18, 2022, REFERRALS re SNOWMOBILES.** Motion Berdyck/Ader to reconsider referral of topics relating to the operation of snowmobiles in the Village to the Human Resources and Public Safety Committee; carried without negative vote.
- B. **SNOWMOBILE USE OF DAIRYLAND DR PARKING LOT.** Motion LaLonde/Berdyck to approve use of Dairyland Park parking lot by snowmobilers for short-term parking and congregating during the 2022-23 snowmobile season, with the condition that the snowmobiles and support vehicles remain within the parking lot and trail limits. Use of the parking lot for these purposes is not deemed a violation of Sec.8-3-6 (a), Village of Cleveland Code of Ordinances; carried without negative vote.
- C. **SNOWMOBILE TRAIL ON LINCOLN AVE.** The Cleveland Snowhawks are attempting to create a new snowmobile trail on the vacant farmland east of Birch St., and want to use Lincoln Ave. to connect this trail to Hika Bay Tavern. After discussion, motion Berdyck/Nelson to deny the Cleveland Snowhawks request to use Lincoln Avenue as a snowmobile route since Hika Bay Tavern is currently closed due to a fire. The request would be revisited if the tavern should reopen. Motion carried without negative vote.

- VII. **FLOODPLAIN ORDINANCE: Public Hearing and Adoption.** Motion Holzwart/Ader to open the floor for the public hearing; carried without negative vote. There was no public comment, and Director Grunwald noted no comments were submitted. Motion Holzwart/Ader to close the floor; carried without negative vote. Motion Ader/Nelson to accept the recommendation of the Plan Commission and adopt the updated Floodplain Ordinance and FIRM maps; carried without negative vote.

VIII. FINANCIALS

- A. **MONTHLY VOUCHER REPORT.** Motion Berdyck/Hoffman to approve the October 2022 Monthly Voucher report; carried without negative vote.
- B. **LINE OF CREDIT RENEWAL: Cleveland State Bank.** Motion Nelson/LaLonde to renew the \$500,000 line of credit at Cleveland State Bank and authorize the Village President and the Director of Village Services to act as necessary to implement the decision; carried without negative vote.
- C. **MANITOWOC CO COURTHOUSE PROPOSAL.** Trustee Berdyck requested this be on the agenda to make the Board aware of the proposed 5%-6% property tax increase to fund the third phase of the Manitowoc County Courthouse dome and facility improvements.
- D. **YEAR 2023 BUDGET PREPARATION.** Director Grunwald reported she reached out to the Cleveland Fire Department at the Board's request to obtain a copy of their mortgage documents; she also offered to meet outside of a public meeting to discuss the Board's concerns. They declined on both counts. They will provide information on their mortgage which will be shared with the Board. She also reported the real estate property tax rate will be 0.07% less than last year, and the lottery credit has decreased about \$30 from last year.
YEAR 2022 PROPERTY TAX LEVY. Motion Holzwart/Nelson to adopt the policy that the Village of Cleveland issue a check for the excess of the amount escrowed by a taxpayer and paid to the taxation district by December 31 over the amount of taxes due within 15 days after the amount is paid to the Village; carried without negative vote. Motion Ader/Nelson to levy and assess upon all the taxable property, real and personal, in the Village of Cleveland, Wisconsin, for the year 2022, the sum of \$679,974.00 as and for corporation taxes; carried without negative vote. [Resolution No. 2022-R-11]

IX. STAFF AND COMMITTEE REPORTS AND BOARD REFERRALS.

- A. POLICE DEPARTMENT.** Report on file. In the absence of Officer Schweigl, Acting Chief Holzward gave a summary of last month's activities.
- B. ADMINISTRATION.** No updates requested.
- C. PUBLIC WORKS AND UTILITIES COMMITTEE, 10/25/22.** All items on Board agenda.
- D. PLAN COMMISSION, 11/02/22.** The Commission is still working on accessory structure regulations.

XI. ANNOUNCEMENTS AND EVENT REPORTS.

- A. WED OCT 19..... MANITOWOC CO VILLAGE ASSN, VALDERS.** County Executive Bob Ziegelbauer discussed the Courthouse renovation project, and there was a presentation on the Dogs 2 Dog Tags program.
- B. NOV 24-25..... HOLIDAY; STAFF OFF**
- C. TUE NOV 29..... PUBLIC WORKS AND UTILITIES COMMITTEE, 6PM**
- D. MON DEC 5..... MUNICIPAL COURT, 5PM**
- E. TUE DEC 6..... VILLAGE BOARD SPECIAL MEETING (CANCELLED)**
- F. WED DEC 7..... PLAN COMMISSION, 6PM.** W. F. Baird will present their Hika Wave Study analysis.
- G. MON DEC 12..... FINANCE AND BUDGET COMMITTEE, 6PM**
- H. WED DEC 14..... HUMAN RESOURCES AND PUBLIC SAFETY COMMITTEE, 6PM**
- I. DEC 23, 26 HOLIDAY; STAFF OFF**
- J. TUE DEC 27 PUBLIC WORKS AND UTILITIES COMMITTEE, 6PM**
- K. FRI DEC 30 HOLIDAY; STAFF OFF (AFTERNOON)**
- L. MON JAN 2 HOLIDAY; STAFF OFF**
- M. SCHEDULE DECEMBER VILLAGE BOARD MEETING AND BUDGET HEARING.** Scheduled for Monday, December 19.
- N. ANY OTHER ANNOUNCEMENTS/EVENTS**

- X. CONVENE IN CLOSED SESSION.** Motion Holzward/Nelson to convene in closed session pursuant to Sec. 19.85 (1) (e), Wis. Stats., where competitive or bargaining reasons require a closed session to develop strategies to advance an economic development project in the vicinity of the I-43 interchange. Roll call: all ayes.

[The public and Deputy Clerk-Treasurer Rusch left the meeting—9:12pm]

Director Grunwald provided an update and received guidance on the proposed project.

- XII. ADJOURNMENT.** Motion LaLonde/Nelson to adjourn; carried without negative vote. The meeting adjourned at 10:00pm.

Respectfully submitted,

/S/ Julie Rusch

Julie Rusch

Deputy Clerk-Treasurer

Approved on 12-19-2022