

VILLAGE BOARD OF CLEVELAND, WISCONSIN
MONTHLY MEETING
TUESDAY, MARCH 21, 2023
MINUTES

- I. CALL TO ORDER/PLEDGE OF ALLEGIANCE/ROLL CALL/AGENDA APPROVAL.** President Jake Holzwart called the meeting to order and led the Pledge of Allegiance at 6:07pm on Tuesday, March 21, 2023, at the Cleveland Village Hall, 1150 W. Washington Ave., Cleveland, Wisconsin.

Board Present: Jake Holzwart, Village President
John Ader (arrived 6:49pm)
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
Jacob Schweigl, Police Officer

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

- II. CITIZEN INPUT AND COMMUNICATIONS, including LAKESHORE DR TRAFFIC SPEED.**

Barrett Paasch, 1232 Franklin Dr. Believed the January 17, 2023, Village Board minutes attributed information from the Director of Village Services that was not stated at the meeting; the Village Board disagreed and by consensus allowed the minutes to remain as approved. Questioned whether the Village was the subject of the IRS audit; Director Grunwald answered the Village and the receiving entity were responding to the audit, with the receiving entity responsible for most of the information requested.

Becky Paasch, 1232 Franklin Dr. Noted it was sometimes difficult to hear what was being said.

The Village received emails concerning a deer/car collision on Lakeshore Dr. and a resident's belief the driver was speeding and aiming for the herd of deer. Officer Ed Wick was directly behind the driver at the time and knew from his own observation the vehicle was not speeding and had attempted braking to avoid the deer. Officer Schweigl noted there will be increased patrols on Lakeshore Dr.

- III. FEBRUARY 23, 2023, MINUTES.** Motion Berdyck/LaLonde to approve the minutes of the February 23, 2023, meeting; carried without negative vote.

- IV. URBAN FORESTRY MANAGEMENT PLAN PRESENTATION.** Kelli Tuttle, President of Bluestem Consulting, gave a brief overview of the *Urban Forestry Plan & Tree Inventory Analysis* prepared for the Village. Ms. Tuttle noted she did our first inventory in 2001. Key points she noted are as follows:

- Approximately half of the 481 trees inventoried and 22 of the stumps are in parks.
- Fifty-four trees were recommended for removal, of which 31 are ash.
- Ash trees make up 12.9% of the tree population; 31 were recommended for treatment (with treatment being recommended only if the trees are in excellent condition.)
- Six trees need to be pruned for safety reasons or for cleaning/dead branches.
- The pine plantation at Veterans Park needs to be thinned as trees are starting to decay.
- Six genera are overrepresented in Cleveland's tree population so should not be used as replacement to existing trees.
- 76.7% of the Cleveland's trees are in excellent, good or fair health.
- The average cost of recommended contracted work and product for the next 5 years is \$20,561/yr.

Ms. Tuttle praised the Village Board and staff for the work that's been done managing the tree inventory, as well as the pricing and work from arborist Tim Bull. She offered to assist Village staff with plan implementation if needed as she'll be working in Two Rivers this summer and will be easily accessible.

V. CERTIFIED SURVEY MAP: Dollar General Inc. The Village Board reviewed the Plan Commission's conditions for approval and expressed concerns with potential traffic issues. Director Grunwald noted traffic and driveway location would be part of the site plan process. Motion Berdyck/Hoffman to adopt the findings of the Plan Commission as amended and approve the Certified Survey Map filed by Dollar General Inc. to merge and subdivide the parcels at 1401 Dairyland Dr. for the purpose of purchasing Lot 2 for commercial retail development, with the following conditions:

1. Lot 1 of the CSM will be updated to include the Sewer Easement for Village of Cleveland as recorded in Vol 2090 Pg 44, Manitowoc Co. Register of Deeds.
 2. The Board's approval is effective if and when the change in zoning on Lots 1 and 2 to B-2 Special Business District is effective.
 3. A CSM will be prepared consistent with our findings and conditions and submitted to the Zoning Administrator within 45 days of the Board's decision.
 4. Failure to meet the conditions of this approval within 120 days from the date of approval will result in the CSM being denied.
 5. The Board's approval is effective if and when the site development plan is effective.
- Motion carried without negative vote.

VI. VFW CLUBHOUSE COMPLAINT: Jackie Mayer. After discussion, motion Nelson/Berdyck to amend the VFW Clubhouse Reservation form to add regulation No. 12 allowing Village employees and/or law enforcement the ability to terminate the contract and remove the respective parties from the premises if they violate any terms in the reservation form; carried without negative vote.

VII. FINANCIALS

A. MONTHLY VOUCHER REPORT. Motion Ader/LaLonde to approve the February 2023 monthly voucher report; carried without negative vote.

B. 2022 STREET PROJECTS

1. **FINAL PAY REQUEST: Superior Sewer & Water.** Based upon the fact any additional work to be done (landscaping, repair of the sinkhole at the intersection of Citrus Ln and E. Washington Ave., and any repairs to cracked concrete) will be warranty work, motion Berdyck/Hoffman to approve the final payment to Superior Sewer & Water for the balance of the contract retainage (\$20,705.41); carried without negative vote.
2. **CLOSE-OUT PROJECT COSTS FOR SPECIAL ASSESSMENT PURPOSES.** Motion Holzward/Berdyck to declare the 2022 street project expenses closed for purposes of assessment, allowing no additional costs beyond the last payment to Superior Sewer & Water to be included in the calculation of special assessments; carried without negative vote.

C. CLEVELAND ATHLETIC CLUB CONTRIBUTION REQUEST

1. **RECONSIDER REFERRAL TO FINANCE AND BUDGET COMMITTEE.** Motion Berdyck/Nelson to rescind referral of the Cleveland Athletic Club contribution request referral to Finance and Budget Committee; carried without negative vote.
2. **DETERMINATION re FINANCIAL CONTRIBUTION TO PROJECT.** The Village Board noted the purchase of Vets Park playground equipment was not included in the Capital Improvement Plan or the 2023 budget. Since Village staff was authorized to purchase the equipment with reimbursement from the Club and to assist with site prep and equipment installation, it was decided by consensus the Village will not provide a direct financial contribution for the Veterans Park playground equipment.

VIII. RETAIL CLASS "B" FERMENTED MALT BEVERAGE LICENSE. Motion LaLonde/Berdyck to grant a Retail Class "B" Fermented Malt Beverage license to the Cleveland Athletic Club, Inc., to license the concession stands, ball diamonds, pavilion, and grounds between and around the diamonds on the west end of Veterans Park for the period April 30, 2023, through October 29, 2023; carried without negative vote.

IX. PUBLIC STREET ORDINANCES

- A. CUL-DE-SACS AND DEAD-END STREETS.** Motion Berdyck/Ader to create Section 4-2-12 of the Village of Cleveland Code of Ordinances *Cul-de-sacs and dead-end streets*; to amend Section 10-4-2 Definitions to add (n) *Stub Street*; and to amend Section 10-4-6 *Design Standards – Streets* to add *Cul-de-sacs and dead-end streets*; carried without negative vote. [Ordinance No. 2023-O-02]
- B. HEAVY TRUCK ROUTE.** Motion Berdyck/Hoffman to create Section 8-1-27 of the Village of Cleveland Code of Ordinances *Heavy truck routes*; carried without negative vote. [Ordinance No. 2023-O-03]

X. REPORTS.

- A. POLICE DEPARTMENT.** Officer Schweigl reported two of the three new casual officers have been onboarded; Clerk Deehr has been soliciting contributions for the bike helmets; and he received a grant to merge the Sleet software into the Talon software.
- B. ADMINISTRATION.** Director Grunwald reported she is currently working on a potential development at I-43, a rezoning petition, a commercial building site plan, new home plans, the next phase of the water meter replacements, and the water rate case application. She also reported there has been a change in staff at our accounting firm which has delayed work on the 2022 financials.
- C. PUBLIC WORKS AND UTILITIES COMMITTEE, 02/28/23.** The 2023 street project public information meeting was held at LTC. The Village engineer attended, and there was good discussion.
- D. PLAN COMMISSION, 03/01/23.** The Commission discussed the Dollar General zoning, as well as pursuing a new boat launch at Hika versus construction of a harbor.
- E. HUMAN RESOURCES AND PUBLIC SAFETY COMMITTEE, 03/09/23.** All items were on this agenda.

XI. ANNOUNCEMENTS AND EVENT REPORTS.

- A. TUE MAR 28..... PUBLIC WORKS AND UTILITIES COMMITTEE, 6PM**
- B. TUE APR 4 SPRING ELECTION**
- C. THU APR 6..... HUMAN RESOURCES AND PUBLIC SAFETY COMMITTEE, 6PM**
- D. WED APR 5 PLAN COMMISSION, 6PM**
- E. FRI APR 7..... STAFF HOLIDAY (1/2-DAY)**
- F. MON APR 10..... MUNICIPAL COURT, 5PM**
- G. MON APR 10..... PRELIMINARY SPECIAL ASSESSMENT HEARING, LTC, 6PM**
- H. TUE APR 11 VILLAGE BOARD, 6PM**
- I. TUE APR 18..... VILLAGE BOARD ORGANIZATIONAL MEETING, 6PM**
- J. WED APR 19 MANITOWOC CO VILLAGE ASSN, REEDSVILLE, 5:30PM**
- K. SAT APR 22..... ROOTS AWARD RECOGNITION, DAIRYLAND PARK (tentative)**
- L. SCHEDULE OTHER MEETINGS AS NEEDED.** None needed.
- M. ANY OTHER ANNOUNCEMENTS/EVENTS.** No report.

XI. CLOSED SESSION

- A.** Motion Holzwart/Berdyck to convene in closed session pursuant to Sec. 19.85 (1) (f), Wis. Stats. to consider the financial, medical, social or personal history of personnel. Roll call: all ayes.

[The public, Officer Schweigl and Deputy Clerk-Treasurer Rusch left the meeting—8:51pm]

- B. RECONVENE IN OPEN SESSION pursuant to Sec. 19.85 (2), Wis. Stats.** The Board did not reconvene in open session.
- C. ACT ON MATTER DISCUSSED IN CLOSED SESSION.** Not applicable.

XII. ADJOURNMENT. Motion LaLonde/Nelson to adjourn; carried without negative vote. The meeting adjourned at 9:24pm.

Respectfully submitted,

/S/ Julie Rusch

Julie Rusch
Deputy Clerk-Treasurer

Approved on 4-11-2023