

VILLAGE BOARD OF CLEVELAND, WISCONSIN
MONTHLY MEETING
TUESDAY, APRIL 11, 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 6:00pm on Tuesday, April 11, 2023, at the Cleveland Village Hall, 1150 W. Washington Ave., Cleveland, Wisconsin. Board Present: Jake Holzwart, Village President; John Ader (arrived 6:51pm); Jason Berdyck, Debi Cevaal, Jon Hoffman, Danielle LaLonde. Board Absent: Barry Nelson (excused). Staff Present: Stacy Grunwald, Director of Village Services; Julie Rusch, Deputy Clerk-Treasurer. Motion LaLonde/Hoffman to approve the agenda as posted; carried without negative vote.
- II. CITIZEN INPUT AND COMMUNICATIONS.** No one present offered input. Director Grunwald reported she received property maintenance complaint emails, and a complaint regarding barking dogs on Maple St. (The resident intends to take this complaint to the Police Department).
- III. MARCH 21, 2023, MINUTES.** Motion Cevaal/LaLonde to approve the minutes of the March 21, 2023, meeting; carried without negative vote.
- IV. PETITION FOR REZONING: DGI-Cleveland LLC (a/k/a Dollar General)**
- A. PETITION SUMMARY AND PLAN COMMISSION RECOMMENDATION.** Director Grunwald explained that DGI-Cleveland LLC/Frank Forner have petitioned to rezone from I-1 *Industrial District* to B-2 *Special Business District*, the vacant land on the northeast corner of Dairyland Dr and North Ave (two parcels), for the purpose of allowing commercial retail development.
- The Plan Commission found as follows:
1. The Petition for Rezoning **is required** for public necessity, convenience, general welfare or good zoning practice as the proposed zoning provides a greater opportunity for new business, as evidenced by the application filed to construct a Dollar General retail store; retail construction as encouraged in the B-2 district will increase tax base while providing less intensive uses for the neighborhood; and development permitted in the B-2 district is more consistent with the 20-Year Comprehensive Plan.
 2. The Petition for Rezoning **is consistent** with the Year 2020 Comprehensive Plan as it **supports** the objectives of the *Neighborhood Residential* classification by permitting less intensive uses than the current zoning district and by encouraging mixed commercial and residential uses.
- The Commission recommended unconditional approval.
- B. PUBLIC HEARING.** Motion Holzwart/Berdyck to open the floor; carried without negative vote. Al Forner, 1270 Franklin Dr. Asked if both parcels were to be rezoned, not just the parcel slated for the Dollar General Store? *Yes, that is what the petition stated.* Asked if needs owner approval? *The owner signed off on the petition.* Claimed not aware both parcels to be rezoned. Asked if he could step out to call Frank Forner to confirm approval of both lots being rezoned. (*Mr. Forner stepped out into the hallway to make the phone call.*) Al Forner confirmed that Frank Forner approved the rezoning. Motion Holzwart/Berdyck to close the floor; carried without negative vote.
- C. DISCUSSION/ACTION.** After discussion, motion Hoffman/Berdyck to adopt the findings of the Plan Commission and approve the Petition for Rezoning filed by DGI-Cleveland LLC on behalf of Frank Forner, Owner, to zone the two parcels at 1401 Dairyland Dr. to B-2 Special Business District based on our findings that the public necessity, convenience, general welfare, or good zoning practice require the change and the change is consistent with the 20-Year Comprehensive Plan; carried without negative vote.
- V. MONTHLY VOUCHER REPORT.** Motion LaLonde/Cevaal to approve the March 2023 monthly voucher report; carried without negative vote.
- VI. TRANSIENT HOUSING LICENSE ORDINANCE AMENDMENT.** Director Grunwald reviewed the key changes to the ordinance (property owner vs. manager vs operator and requirements, pool requirement updates to reflect State regulations, license period, prorating fees), and noted it was renamed “Short-Term Guest Licensing”. After discussion, motion Berdyck/Hoffman to amend the Code of Ordinances Title 7, Chapter 12, *Tourist and Transient Guest Housing Licenses*; carried without negative vote.
- VII. REPORTS.**
- A. POLICE DEPARTMENT.** President Holzwart noted the department’s March monthly report was not yet available, and that Casual Officer Lantagne’s onboarding process will begin soon.
- B. ADMINISTRATION.** Director Grunwald reported she posted the third operator job and is negotiating with someone who had an offer previously. In response to a question, she noted Superior Sewer & Water has not yet done any of the punch list work.
- C. PUBLIC WORKS AND UTILITIES COMMITTEE, 03/28/23.** Chair Berdyck noted the 2023 street projects bid award and public information hearing were delayed. The engineer and staff are working through the numbers.
- D. PLAN COMMISSION, 04/05/23.** Director Grunwald reported the Commission worked on a Lakeshore Dr. rezoning; the Sanders Trust Zoning Petitions; the Lions Shelter which will require a site plan; and the location where the marker awarded to the Village by the State Historical Society should be placed.
- VIII. ANNOUNCEMENTS AND EVENT REPORTS.**
- A. MON APR 17 PLAN COMMISSION, 6PM**

- B. TUE APR 18..... VILLAGE BOARD ORGANIZATIONAL MEETING, 6PM
- C. WED APR 19 MANITOWOC CO VILLAGE ASSN, REEDSVILLE, 5:30PM
- D. SAT APR 22..... ROOTS AWARD RECOGNITION, DAIRYLAND PARK, 10AM
- E. WED APR 26..... VILLAGE BOARD SPECIAL MEETING, 6PM
- F. MON MAY 1 MUNICIPAL COURT, 5PM
- G. MON MAY 1 VILLAGE BOARD SPECIAL MEETING, 6PM
- H. WED MAY 3..... PLAN COMMISSION, 6PM
- I. THU MAY 4..... VILLAGE BOARD SPECIAL MEETING, 6PM
- J. TUE MAY 16..... BOARD OF REVIEW, 6PM
- K. TUE MAY 16..... VILLAGE BOARD, 6:05PM
- 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 (1) Sec. 19.85 (1) (c), Wis. Stats., to consider employment, promotion, compensation, and performance evaluation data of any public employee over which the village board has jurisdiction; (2) Sec. 19.85 (1) (f), Wis. Stats., to preliminarily consider specific personnel problems and/or the investigation of charges against specific personnel which if discussed in public would likely have a substantial adverse effect upon the reputation of any person involved in such problems or investigations; and (3) Sec. 19.85 (1) (f), Wis. Stats., to consider the financial, medical, social, or personal history of personnel. Roll call: all ayes.

[The public and Deputy Clerk-Treasurer Rusch left the meeting – 7:07pm]

Director Grunwald updated the Village Board on its conditional offer for the Chief of Police position and relayed the candidate's question on paid leave not covered in the offer. Motion Berdyck/Ader acknowledging the candidate met the conditions of the offer; and directing the Director of Village Services to draft this acknowledgement in writing for the Board's review; and to relay the Board's response regarding paid leave and a suggested start date. Motion carried without negative vote. The Board also decided how and when the accepted offer would be shared with Police Department staff and the public.

[REDACTED]

The Village Board reviewed a draft motion addressing Director Grunwald's possible medical leave based on its guidance at the March 21, 2023, meeting.

- B. **RECONVENE IN OPEN SESSION pursuant to Sec. 19.85 (2), Wis. Stats.** Motion Holzwart/Berdyck to reconvene in open session pursuant to Sec. 19.85 (2), Wis. Stats. Roll call: all ayes. Motion carried.

[The public returned to the meeting—8:34pm]

- C. **ACT ON MATTERS (1), (2) or (3) DISCUSSED IN CLOSED SESSION.** A special meeting regarding the Chief of Police vacancy was set for April 13, 2023, at 6:15pm. Motion Hoffman/LaLonde that the personnel problems discussed in closed session did not warrant action by the Village Board at this time; carried without negative vote. Motion Ader/Cevaal to approve the proposal submitted by the Director of Village Services to work remotely until cleared to return to work by her medical provider in lieu of a formal medical leave. She is also authorized to update or acquire the remote office equipment and supplies necessary to be productive during her recuperation period. Motion carried without negative vote.

XII. ADJOURNMENT. Motion Berdyck/Hoffman to adjourn; carried without negative vote. The meeting adjourned at 8:36pm.

Respectfully submitted,
Julie Rusch
Deputy Clerk-Treasurer

Approved _____ 06/20/23