

**VILLAGE BOARD OF CLEVELAND
SPECIAL MEETING
MONDAY, MAY 1, 2023
MINUTES**

- I. CALL TO ORDER/ROLL CALL/AGENDA APPROVAL.** Village President Jake Holzwart called the meeting to order at 6:02pm on Monday, May 1, 2023, in Centennial Hall, Lakeshore Technical College, 1290 North Ave., Cleveland, Wisconsin. Board Present: Jake Holzwart, President; John Ader, Jon Hoffman, Danielle LaLonde, Barry Nelson, Barrett Paasch, Thomas Warosh. Board Absent: None. Staff Present: Stacy Grunwald, Director of Village Services; Julie Rusch, Deputy Clerk-Treasurer. Also Participating: Dan Rammer, Village Engineer, MSA Professional Services. Motion Warosh/Nelson to approve the agenda as posted; carried without negative vote.
- II. 2023 STREET PROJECTS - Linden St., Maple St., W. Washington Ave.**
- A. SCOPE OF WORK and SPECIAL ASSESSMENT PROCESS.** Dan Rammer, Village Engineer, MSA Professional Services, explained all three streets would be a full reconstruction with curb and gutter, and new storm sewer. Where needed, water service, storm laterals, and sanitary laterals would be replaced.
- President Holzwart opened the floor to allow attendees to ask questions related to the engineering or assessment process. Comments/questions and responses by the engineer, Village Board and staff are grouped by speaker and not in the order presented.
- Robert Luedtke, 858 Maple St.* C. Will core samples be done to test for contamination? R. No. Following DNR guidance, no testing is required since there is no known contamination in the project vicinity.
- Kim Geiser, 1018 N. Westview St.* C. There is no curb and gutter on Westview St. Will the W. Washington ditches be filled? R. Yes, it will transition from ditches on Westview to curb and gutter on W. Washington. C. How long will the reconstructed roads last? R. A street should last 25-30 years. C. Only 12 or so cars travel on W. Washington, so why does the Board think curb and gutter is necessary? R. Water is the most damaging element affecting street longevity; curb and gutter captures and moves water off the street, extending its useful life. C. Why didn't Westview St. have curb and gutter installed? R. That was a decision made at the time of the project, so information wasn't available.
- Glenn Geiser, 1018 N. Westview St.* C. Why curb and gutter? R. It helps maintain the condition of the road, it gets water off the road more efficiently, and it protects the edge of the road. The road should last longer before reconstruction is needed. C. So curb and gutter is not necessary? R. No, it is not necessary. C. Is the 20% increase in longevity for the road worth the increased cost due to curb and gutter? R. That's a policy decision for the Village Board. C. Historically, how accurate are the based-on bid numbers vs. final? R. That information is not available but adjustments for major anomalies are reviewed by the Village Board to determine whether the additional cost will be assessable.
- David Leonhard, 1609 W. Washington Ave.* C. Will the drain tile be connected to the storm sewer? R. It can be connected if it is located and feasible. C. Does the Village know what is under the road on W. Washington? R. No. C. What happens if major problems are found under the surface? Is this built into the cost estimate? R. No, the cost would be inflated by trying to address what could be under the road. The design is much stronger than the existing road. If major issues are found, they will be addressed, and the cost could increase. C. Where will the storm sewer on W. Washington run? R. The storm sewer will terminate near the creek at varying depths.
- Tammy Chimileski and daughter, 1629 W. Washington Ave.* C. Where will the road reconstruction stop? Will it go as far as the last house on W. Washington? R. The last house is in the Town of Centerville and the project will not extend beyond the Village limits. C. Do we know the difference in the cost of curb and gutter vs. ditches? R. No, we do not have a cost comparison. Curb and gutter is the best avenue to keep water moving off the road, which is why the Village Board adopted a policy requiring it. Ditches result in more frequent street reconstruction. Doing an estimate for ditches would require the engineer to design two plans instead of one, which would increase the assessments as property owners would pay for both plans no matter which one is used. Halting this project to design the reconstruction with ditches will result in higher engineering costs and possibly materials costs, as the project would be delayed until 2024. C. The reconstruction will move the road closer to her house. R. That may be true, but the street will remain within the existing right-of-way.
- Kyle Wallender, 782 Linden St.* C. How far south will the curb and gutter extend. R. It will go to the north edge of Wildwood Ln (or his southern property line). C. The swamp behind his property is taking out his garage, driveway, blacktop, yard, etc. The only place for the water to go is across his front yard. R. Mr. Wallender had indicated he was going to regrade his property. The engineering includes area drains, ditches, etc., to collect the water and move it off his property as best it can. [Mr. Wallender and the engineer agreed to discuss the topic further after the meeting, since the questions were specific to the property.] C. How many contractors bid? What was the price range? R. The Village received three bids, ranging from approximately \$2.2 million to \$2.7 million. C. Can payments be made ahead and/or any time? R. Yes, any payments made outside the property tax process will be applied directly to the principal. C. Are all three streets being done at the same time? R. The order and timing of the construction is the contractor's decision. Work will begin at the contractor's discretion but is required to end on or before October 31.
- Keith Grupe, 1239 W. Washington Ave.* C. Are traffic studies done before reconstructing a road? Or are all roads built to the same standard? R. Traffic studies, which typically look at types and volume of traffic, are not typically done for local roads. Village streets are not designed to the highest or lowest standard. They are all similar roads, with not a lot of traffic and not a lot of trucks. There is a minimum standard to make them last longer. C. Most of the traffic on Maple St. is going to the park, Village owned property, and the Village is not paying for anything. R. The Village pays 25% of the costs plus utility work. C. Do the assessment percentages vary? Are property owners paying different percentages now than in years past? R. No. The percentages have been the same for years. C. The church doesn't pay taxes, but they will pay assessments? R. Yes, the Village will invoice the church.
- Mark Wiegand, 1632 W. Washington Ave.* C. How far west will the storm sewer be extended? R. To a point east of the Village limit but far enough to install laterals to the existing structure on his property. C. Why should I pay for storm sewer when it will not

service the west side of his property? R. There is an issue with topography on the west side but that side of the property could be serviced with a pump.

Dan Bartz, 805 Linden St. C. He is looking at the different columns in the assessment tables. Why do they vary? What are the key factors that cause variations? R. The numbers vary because they are based on frontage. Individual property owners have varying frontages.

Director Grunwald explained the Special Assessment process. The contractor does the work; once completed, the projects are closed out and final assessments are calculated. Letters will be sent out with the final figures, and property owners will have until October 1, 2024, to pay in full, make a down payment, or put the entire amount on the tax roll. The first payment, if not paid in full, will be due by January 31, 2025, with the property tax payment. It was emphasized that the figures distributed now are preliminary, based on the bid amount. Final figures will be calculated after all the work is done.

Larry Schetter, 1522 W. Washington Ave. C. Since the amount is added to the tax roll, is it tax deductible? R. That is a question for an accountant.

- B. PRELIMINARY RESOLUTION AUTHORIZING SPECIAL ASSESSMENTS.** It was noted there will be another public hearing on May 16, 2023, since the notice did not meet publication requirements. The Resolution will be updated to reflect the new date, as well as the location. Trustee Paasch noted this is a Preliminary Resolution, indicating it is not a contract, and it does not mean the projects will be done. Motion Nelson/Hoffman to adopt and approve the Preliminary Resolution declaring intent to levy special assessments under municipal police power pursuant to Sec. 66.0703, Wis. Stats (for Linden St., Maple St., and W. Washington Ave. reconstruction); carried without negative vote. [Resolution No. 2023-R-07]

- C. PUBLIC HEARING on the PRELIMINARY SPECIAL ASSESSMENTS.** President Holzwart opened the floor for the public hearing.

Kyle Wallender, 782 Linden St. C. Are there any Federal or State dollars available to offset costs? R. There is a small grant for the project but to apply for the larger ones, the projects would have to be redesigned to Wisconsin Department of Transportation standards which would substantially increase costs. Grants are applied to the Village's portion to benefit the entire Village. C. Will property values go up (for property tax purposes) due to the curb and gutter, new road, etc.? R. That is a question for the assessor.

Keith Grupe, 1239 W. Washington Ave. C. Does the Village have the money to pay the contractor since the assessments get paid over several years? R. The Village has bond proceeds, but there is a shortfall due to increased prices and additional tasks. There needs to be a discussion as to where to get the shortfall. Special assessments, debt levy and the utilities all pay a portion of the debt payments.

Tammy Chimileski and daughter, 1629 W. Washington Ave. C. Is it reasonable to delay the W. Washington reconstruction to compare the cost of ditches vs. curb and gutter? R. It seems likely project cost could increase substantially due to increasing prices and inflation. C. Too bad both options weren't designed so they could be compared. R. The project costs would include two different engineering designs, raising costs for everyone.

XI. CLOSED SESSION

- A.** Motion Holzwart/Ader to convene in closed session pursuant to (1) 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; (2) 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; and (3) to review closed session minutes from special meetings held January 30, February 8, February 22, February 27, March 6, March 7, and March 20, 2023. Roll call—all ayes. Director Grunwald assumed responsibility for the minutes.

[The public, Village Engineer, and Deputy Clerk-Treasurer Rusch left the meeting at 7:44pm. The meeting was moved to the I.D.E.A. Lounge at LTC.]

[REDACTED]

Director Grunwald obtained guidance from the Board on the rehabilitation hospital project.

The Board reviewed the closed session minutes for the posted meetings.

- B.** Motion Holzwart/Nelson to reconvene in open session pursuant to Sec. 19.85 (2), Wis. Stats. Roll call—all ayes. Motion carried.

- C. ACT ON MATTERS (1) or (2) DISCUSSED IN CLOSED SESSION.** No action was taken on Matters 1 or 2.

XII. MINUTES: January 30, February 8, February 22, February 27, March 6, March 7, and March 20, 2023, special meetings. Motion Nelson/Ader to approve the minutes of the January 30, 2023; February 8, 2023; February 22, 2023; February 27, 2023; March 6, 2023; March 7, 2023; and March 20, 2023, meetings; carried without negative vote, two abstentions (Paasch, Warosh).

III. NEXT MEETING: THURSDAY, MAY 4, 2023, 6PM

IV. ADJOURNMENT. Motion LaLonde/Hoffman to adjourn; carried without negative vote. The meeting adjourned at 9:58pm.

Respectfully submitted,
Julie Rusch
Deputy Clerk-Treasurer