

**VILLAGE BOARD OF CLEVELAND, WISCONSIN  
SPECIAL MEETING  
THURSDAY, MAY 4, 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 6:05pm on Thursday, May 4, 2023, at Lakeshore Technical College, Cleveland Training Room, 1290 North Ave., Cleveland, Wisconsin.

Board Present: Jake Holzwart, Village President  
Jon Hoffman  
Danielle LaLonde  
Barry Nelson  
Barrett Paasch  
Tom Warosh

Board Absent: John Ader (excused)

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

Also Participating: Dan Rammer, Village Engineer, MSA Professional Services

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

**II. ZONING ORDINANCE and 20-YR COMPREHENSIVE PLAN AMENDMENTS**

**A. Philip and Donna Wiemerslage, Zoning Amendment, 979 Lakeshore Dr.** Director Grunwald explained the property was purchased in 1997 for the purpose of constructing a single-family residence. The current zoning, C-1 *Conservancy District*, did not allow this construction. The property has water and sewer laterals, and there are single family homes directly north and west, which could indicate development of some type was intended. The applicants are requesting to change the zoning to R-4 *Resort Residential District*, which is the zoning of the properties immediately north. The vacant property to the south is Village owned, and there are no plans to use or improve the property. The applicants have also requested an amendment to change the classification in the 20-Year Comprehensive Plan from *Environmental Preserve* to *Shoreline Residential* (which cannot be completed until after the May 16, 2023, public hearing).

The Board discussed issues raised at the Plan Commission meeting and reviewed its findings. Motion Nelson/LaLonde to adopt the findings of the Plan Commission that the change in zoning at 979 Lakeshore Dr to R-4 *Resort Residential District* was required for public necessity, convenience, general welfare, or good zoning practice; and to approve the petition filed by Philip and Donna Wiemerslage in anticipation the Year 2020 Comprehensive Plan classification will be changed to *Shoreline Residential*. Motion carried without negative vote. [Ordinance No. 2023-O-04]

**B. TST Cleveland IRF LLC and The Sanders Trust, B-2 Zoning District Amendment.** Director Grunwald reported the Village has a proposal to develop a rehabilitation hospital on vacant land adjacent to I-43. The current zoning, B-2 *Special Business District*, does not allow this type of use. Rather than change the zoning to an Industrial District, the developer is requesting to amend the permitted uses in the B-2 District, which is a better option for the community and consistent with the 20-Year Comprehensive Plan.

The Board discussed issues raised at the Plan Commission meeting and reviewed its findings. Motion LaLonde/Nelson to adopt the Plan Commission's findings that the amendment is required for public necessity, convenience, general welfare, or good zoning practice and is consistent with the Year 2020 Comprehensive Plan, and to approve the petition filed by TST Cleveland IRF LLC and Sanders Trust LLC to add hospitals or medical clinics as permitted uses in the B-2 *Special Business District*; carried without negative vote. [Ordinance No. 2023-O-05]

**III. SITE DEVELOPMENT PLAN: DGI-Cleveland LLC (Dollar General), 1401 Dairyland Dr.** Director Grunwald explained the Board had previously approved a certified survey map to create the lot to be purchased by DGI-Cleveland LLC, and a petition to zone the property B-2 *Special Business District*, based upon the condition of site development plan approval. The Plan Commission recommended approval at their meeting the night before. The Board discussed issues raised at the Plan Commission meeting and reviewed its findings. Motion Hoffman/Warosh to adopt the findings of the Plan Commission, and to approve the site development plan submitted by Dollar General Inc. to install a retail store per the terms of its application, 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 the 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.

**IV. 2023 STREET PROJECTS (*Linden St, Maple St., W Washington Ave*)**

**A. REVIEW PUBLIC HEARING COMMENTS on PRELIMINARY SPECIAL ASSESSMENTS.** The Board discussed key concerns raised by the public, including the inclusion of curb and gutter, the project cost, the lack of maintenance on W. Washington, and whether the assessment policy had been implemented evenly over the years. Engineer Rammer estimated completing a design for ditches on W. Washington Ave. would cost approximately \$40,000 and take two months since they were in construction season, meaning bids would be reissued in August at the earliest. Typically, a late issue results in fewer bidders (or no bidders, as the Village

experienced in 2019.) The contractor might be able to install utilities, but paving would not happen this year. One goal for any street project is to keep street runoff in the right-of-way; curb and gutter would protect properties on the north side of the street. There was also concern that delaying the project would only increase costs.

Motion Holzwart/Hoffman to open the floor; carried without negative vote. Comments/questions and responses by Village Board and staff are grouped by resident and not in the order of discussion.

*Robert Luedtke, 853 Maple St.* C. Costs are getting out of control. People may have to sell their homes. Can the policy be changed to get bids up front for both curb and gutter and ditches? R. This would require the engineer to prepare two designs, adding to the project cost. Contractors may also charge more in their bids because of the selected design would be unknown. C. If curb and gutter are not installed, does that mean ditches would have to be installed? R. The water must be removed from the street; if not by curb and gutter, then with ditches. The current street profile wouldn't remain.

*Keith Grupe, 1239 W. Washington Ave.* C. The assessment policy needs to be changed. People are going to move, which will cause property values to decrease. People cannot afford it. Just because it's been done in the past doesn't mean it has to be done in the future. R. What would you suggest? Special assessments or taxes? The Board has struggled with this decision for years. C. Are sidewalks being put in on Maple St.? R. Only on the corner of Maple and W. Washington, which is a replacement of the existing sidewalk. This can be removed from the project scope if you as the owner don't want the sidewalk replaced. C. What if something horrific is found once the projects start? Does everyone pay more, or just those on the respective street? R. The Village Board will be asked to review those costs before they are treated as assessable.

*Sheryl Nehls, 1424 Webster Ln.* C. Are the initial assessment numbers accurate, or do they tend to increase? R. There's always the possibility they will go up; they are just an estimate based on the bid.

Board members expressed concern with people's ability to pay the assessments and the need to address failing and aging infrastructure. Engineer Rammer noted it wouldn't make sense to fix the infrastructure but not the street as the street would be damaged during the process, and it would be much more expensive to replace the street later.

Motion Holzwart/Hoffman to close the floor; carried without negative vote.

**B. PROJECT FINANCING.** Director Grunwald reported there were not enough funds in the 2022 bond proceeds to cover the 2023 project costs. She was pending numbers from the Village accountant to determine how much of the shortfall fell on the general fund and water utility. She could not present a plan with financing options until it was known how much was needed by each fund.

**C. BID AWARD.** The bid documents included a base bid for the reconstruction of Linden St. from W. Washington Ave. south to the Wildwood Ln. intersection; S. Maple St. from W. Washington Ave. south to the intersection with Park Ln.; and W. Washington Ave. from the intersection with Westview St. west to the corporate boundary; and replacement of ductile iron water main on North Ave. from Dairyland Dr. west to the corporate boundary. The bid documents also included Alternate 1, replacement of the Veterans Park west parking lot, and Alternate 2, extension of water, sanitary, and storm main on N. Westview St., north of North Ave.

Bids were received from Triple P Inc. dba Peters Concrete Company, \$2,410,014.00 total bid (base plus both alternates); Kip Gulseth Construction Company Inc., \$2,529,255.90; Buteyn-Peterson Construction Company, \$2,708,739.25; and Dorner Inc., \$2,728,479.00. Trustee Paasch was concerned with imposing assessments under current economic conditions. Trustee Warosh believed the Village should have a better understanding of the project financing prior to approval.

After discussion, motion Holzwart/Hoffman to award the 2023 Street and Utility Improvement Project to Triple P Inc. dba Peters Concrete Company with the intent the Village Board will revisit the Special Assessment Policy; carried with two negative votes (Paasch and Warosh). Motion Holzwart/Nelson to accept Alternate 1 (reconstruction of the VFW parking lot), and to decline Alternate 2 (Westview water/sanitary sewer extension); carried without negative vote. The awarded bid amount with Alternate 1 was \$2,259,655.70.

**D. CONSTRUCTION RELATED SERVICES AGREEMENT: MSA Professional Services.** Engineer Rammer noted the cost for estimated inspection services included Alternate 2, which the Village Board did not approve, so the actual agreement cost should be lower. Motion Warosh/Hoffman to accept the MSA Professional Services Construction Related Services Agreement; carried without negative vote.

## XI. CLOSED SESSION

**A.** Motion Holzwart/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 I-43. Roll call— all ayes. Motion carried.

[The public and Deputy Clerk-Treasurer Rusch left at 8:30pm.]

Director Grunwald provided an update on the rehabilitation hospital project.

**B. RECONVENE IN OPEN SESSION pursuant to Sec. 19.85 (2), Wis. Stats.** The Board did not reconvene in open session.

**C. ACT ON MATTERS DISCUSSED IN CLOSED SESSION.** Not applicable.

**V. NEXT MEETING: TUESDAY, MAY 16, 2023, 6PM**

**VI. ADJOURNMENT.** Motion Holzwart/Warosh to adjourn; carried without negative vote. The meeting adjourned at 9:00pm.

Respectfully submitted,

Julie Rusch  
Deputy Clerk-Treasurer