

**VILLAGE BOARD OF CLEVELAND, WISCONSIN
TUESDAY, AUGUST 20, 2024**

MINUTES

- I. CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE/AGENDA APPROVAL.** Village President Jake Holzwart called the meeting to order and led the Pledge of Allegiance at 6:00pm on Tuesday, August 20, 2024, at the Cleveland Village Hall, 1150 W Washington Ave, Cleveland, Wisconsin.

Board Present: Jake Holzwart, Village President
John Ader
Rob Burkhard
Jarrod Jackett
Barrett Paasch
Becky Paasch
Tom Warosh

Board Absent: None

Staff Present: Eric Fisher, Chief of Police
Stacy Grunwald, Director of Village Services

Motion Tom Warosh/John Ader to approve the agenda as posted; carried without negative vote.

- II. CITIZEN INPUT AND COMMUNICATIONS.** *Referred to Finance Committee:* Accurate Appraisal LLC quote for assessment services agreement extension and options from Spectrum to extend high-speed internet to N Maple and W Madison. *Filed without action:* request from Clint Ward to bow hunt at the yard waste site and an announcement from the Manitowoc County Public Safety Committee about a free public presentation on common scams and frauds targeting seniors. Trustee Jackett reported that resident Pam Waak supported the ATV/UTV ordinance and the high potential costs for signage could be funded through donations.

Atty. Steve Frassetto, representing Kurt and Jennifer Brandt. Requested the Village Board act constructively and avoid litigation over the development of self-storage units on the Brandts' Alpine Ct. property.

Jennifer Brandt, 1048 W Washington Ave. Read a statement summarizing the history behind their purchase of the Alpine Ct property and efforts to develop it.

The following persons participated in discussion related to the Brandt development. An asterisk indicates the person responded when the audience was asked who was present in support of the Brandts.

Theresa Ohlrogge, 1231 W Madison Ave.

Larry Schetter, 1522 W Washington Ave.

Tracy Kaderabek, 1278 Alpine Ct.

Kurt Brandt, 1048 W Washington Ave.

**John T Wagner, 1316 Marshall Ave.*

Scott Ohlrogge, 1231 W Madison Ave.

Daniel Kaderabek, 1278 Alpine Ct.

**Scott Henschel, 1224 N Westview St.*

Nila Born, 1407 Webster Ln.

**William Knoener, 1412 Jackson Dr.*

**Crissy Hemb, 1450 Meadowbrook Dr.*

**Sheryl Nehls, 1424 Webster Ln.*

Nate Toller, 1278 Alpine Ct.

**Michael Mattfield, 1455 Marshall Ave.*

**Bob Bauer, 776 Westview St.*

**Allen Stolzmann, 861 Linden St.*

**Sandy Brost, 1040 Elm St.*

**Ann Gutoski, 1127 Hazel St.*

**Lydia Slotke, 1302 W Washington Ave.*

**Carl Hemb, 1450 Meadowbrook Dr.*

**Wally Hemb, 924 Polk Ln.*

**Ken Schnell, 1315 Marshall Ave.*

**Rebecca Jost, 904 Linden St.*

**Owen Jost, 904 Linden St.*

**Wayne Johnson, 1123 Hazel St.*

**Ken Vogel, 1105 Elm St.*

**Gary Van de Loo, 894 Center St.*

**Sandy Hemb, 924 Polk Ln.*

**Aggie and Dan Deehr, 336 E Jefferson Ave.*

**Marlyn Brandt, 1322 Marshall Ave.*

**Laverne Brandt, 1322 Marshall Ave.*

**Ed Johnson, 1019 Juniper St.*

**Marybeth Herman-Bauer, 776 Westview St*

**Cheryl and Jeff Jackett, 929 Citrus Ln.*

Elle Kaderabek, 1278 Alpine Ct.

Kyle Wallander, 782 Linden St.

**Christine Gabsch, 1130 W Jefferson Ave.*

**Jessica Alvarado, 1020 Oak St.*

Christine Gabsch. Spoke against allowing ATVs and UTVs on village streets due to the risk to pedestrians and children on bicycles; noise; and tire damage on new streets. She also objected to receiving four letters in 3.5 weeks to change her water meter and suggested people should be notified at the beginning of the year.

Willie Knoener. Suggested the Board look at issuing building permits timelier. President Holzwart noted the part-time employee who processed the permits retired and the position was vacant.

III. PETITION FOR REZONING. Matt and Sheryl Schwochert had an accepted offer to purchase Lots 10 and 11 in Parkview Subdivision (located on the north side of W. Madison Ave, with frontage on both Linden St and N Maple St. One of the conditions for the purchase was to amend the zoning ordinance to allow construction of a single-family ‘barndominium’ style home, which was the purpose for their petition. Additional property uses were inside workshop, RV, and vehicle storage and an exterior concrete parking pad with electrical hookup for visiting RVs to park overnight.

President Holzwart read the petition summary. The Board informed the applicant that overnight guests should stay in their home, as sleeping in the camper wasn’t permitted under local ordinances. Motion Jake Holzwart/Rob Burkhard to open the public hearing; carried without negative vote.

Scott Ohlrogge. Suggested better internet would have allowed the two lots to be developed consistent with the current industrial zoning.

Theresa Ohlrogge. Questioned the impact of the surrounding industrial uses to a residential property and whether this would trigger complaints from the homeowners or limit sales opportunities for existing businesses. Suggested the properties could have been marketed more aggressively for industrial uses and was concerned with the impact on internet service, which was vital to their business.

Daniel Kaderabek. Stated he had the same internet problem at his property and suggested using internet through a specific vendor; the village was not the issue.

Trustee Ader noted the terrain on the lots wasn’t conducive to most business uses, and anyone building a residential use in the neighborhood would be aware of potential impacts from existing industrial properties. President Holzwart reported he had positive communication with a Spectrum representative regarding the provision of high-speed internet to the businesses in the area.

Motion Jake Holzwart/Rob Burkhard to close the public hearing; carried without negative vote.

Trustee Jackett questioned whether any development would need to return to Plan Commission or Village Board prior to construction; Director Grunwald responded the B-2 district did not require any application beyond a building permit.

Motion Jake Holzwart/Rob Burkhard to open the floor; carried without negative vote.

Theresa Ohlrogge. Noted the lots were marketed as one and were sold inexpensively as a result, and the marketing implied they would be developed as one lot. Director Grunwald clarified there was no requirement to merge the lots as part of the accepted offer. As soon as sold, the owners could apply for a building permit for either or both lots.

The Village Board closed the floor. Trustee Jackett stated a barndominium-style building would match the neighborhood and the use shouldn’t be a problem as long as the village stays on top of complaints regarding already-existing industrial properties. Trustee Burkhard added there was an ordinance in place to address potential rentals of camper space on the exterior concrete pad. The Village Board reviewed the findings of the Plan Commission:

The Petition for Rezoning was required for public necessity, convenience, general welfare, or good zoning practice as the village needs more housing; there are residences across the street already; and the use will require water and sanitary sewer services, provide tax base, and spur other development.

The Petition for Rezoning was consistent with the 20-Year Comprehensive Plan because it supported the recommendations of the Neighborhood Residential classifications as the project levels a steep lot, benefiting the neighborhood with improved water movement and landscaping; the property will be in active use since residential; and the use is consistent with neighboring lots and will require water and sanitary sewer services, provide tax base, and spur other development.

Motion John Ader/Rob Burkhard to adopt the findings of the Plan Commission and approve the petition filed by Matt and Sheryl Schwochert to zone Lots 10 and 11, Parkview Subdivision, as R-2 Single- and Two-Family Residential District to allow single-family residential use of the property including sufficient personal inside storage space and a workshop to keep and maintain a recreational vehicle and an exterior concrete pad with electrical hookup for temporary parking of a recreational vehicle, all of which shall be subject to Village building and zoning ordinances. The following condition shall apply: the R-2 zoning will become effective at 8:00am the day after Matt and Sheryl Schwochert become legal owners of Lot 10 and Lot 11, Parkview Subdivision. Motion carried without negative vote. [Ordinance No. 2024-O-03]

IV. JULY 16, 2024; JULY 23, 2024; AND JULY 25, 2024, MINUTES. Motion Jarrod Jackett/Barrett Paasch to approve the July 16, 2024; July 23, 2024, and July 25, 2024, Village Board meeting minutes; carried without negative vote.

V. ATV/UTV STREET USE ORDINANCE. Members of the Human Resources and Public Safety Committee explained the ordinance provisions and suggested routes. It didn't include golf carts as these would require local registration but these could be added later. Medical scooters could be driven now, the same as a lawn tractor, and would not be regulated by the ordinance. Trustee Barrett Paasch was concerned there was insufficient notice to the public. The Village Board directed an insert be included with the next water/sewer bill notifying residents of the potential change. It was noted that several ATVs/UTVs are already using village streets due to Town of Centerville opening many of its roads. Trustee Jackett questioned the village board funding the boat launch for boaters but not signage for ATV/UTV riders.

Motion Jarrod Jackett/Tom Warosh to open the floor; carried without negative vote.

Scott Ohlrogge. Suggested ATVs and UTVs would be no more trouble than people or cars. He was somewhat in favor since his company (Racing in the Dirt) made the ATVs/UTVs better.

Jeff Jackett. Stated non-owners didn't understand; ATVs/UTVs were no different than cars.

Sheryl Nehls. Noted this would add more traffic and the village had no police officers.

Theresa Ohlrogge. Believed there were more issues with people failing to stop than there would be trouble with ATV and UTV users.

Motion Jarrod Jackett/Rob Burkhard to close the floor; carried without negative vote. Motion Jarrod Jackett/Tom Warosh to refer the ordinance to the Village Attorney for review and to the Finance and Budget Committee to determine the appropriate Municipal Court deposits and signage financing; carried without negative vote.

VI. KURT AND JENNIFER BRANDT'S REQUEST THAT THE VILLAGE BOARD CONSIDER OPTIONS TO ALLOW SELF-STORAGE FACILITIES ON ALPINE CT. Trustee Ader noted the Plan Commission already denied a request to change the zoning on the property to allow self-storage units. Trustee Becky Paasch questioned whether the Brandts had been asked if they would sell; Director Grunwald said this hadn't been discussed with the Brandts recently. Trustee Warosh stated there needed to be a resolution to this issue and suggested a special meeting of the parties for the Board to make a decision. Motion Becky Paasch/Tom Warosh to have a special meeting with both parties and their legal counsels present to see if we can come to some conclusion on this. Roll call: all ayes. Motion carried. The Village Board tentatively set a special meeting for Tuesday, August 27, 2024, if the Village Attorney was available.

VII. FINANCIALS

A. MONTHLY FINANCIAL REPORTS. Motion Rob Burkhard/Jarrod Jackett to approve the July financial reports; carried without negative vote.

B. FEE SCHEDULE AMENDMENTS: ADMINISTRATIVE FEES. Held over.

C. TECHNOLOGY SERVICES PROPOSALS. Trustee Becky Paasch wanted BCS present to answer questions regarding the services offered for the village on the taxpayers dollar. The Village Board discussed the need to hire a vendor soon to continue monitoring security and provide assistance to staff. Motion Jarrod Jackett/Becky Paasch to move forward with BCS; carried without negative vote. Director Grunwald will request a contract and invite a BCS representative to the next Board meeting.

D. MSA PROFESSIONAL SERVICES: 2023 Street and Utility Improvements Invoice 005741. After discussion, motion Tom Warosh/Rob Burkhard to approve a payment of \$50 to MSA for Invoice 005741; carried without negative vote.

VIII. REQUEST FROM TRUSTEE BARRETT PAASCH TO RESIGN AS PUBLIC WORKS COMMITTEE CHAIR; POSSIBLE APPOINTMENT OF NEW CHAIR AND/OR SECRETARY.
Trustee Paasch stated he had worked out a deal with the former Deputy Clerk-Treasurer to obtain financial statements and other things to make sure the utilities are operating properly. He had nobody to work with since she left employment and suggested Trustee Jackett be offered the position; he would return to the position of secretary. President Holzwart questioned why Trustee Paasch couldn't work with staff when the others could and questioned putting a new Board member in the position of Chair. When asked, Trustee Jackett stated he would accept the position to keep Village business moving. President Holzwart appointed Trustee Jackett as Chair and Trustee Barrett Paasch as secretary of the Public Works and Utilities Committee. Motion Tom Warosh/John Ader to approve the President's appointments; carried without negative vote, one abstention (Jackett).

IX. STAFF AND COMMITTEE REPORTS AND REFERRALS

A. POLICE REPORT. Report on file. Chief Fisher provided an update on recent activities.

Motion Jarrod Jackett/Tom Warosh to refer to Finance and Budget Committee consideration of escalating fees per offense for junk storage; carried without negative vote.

B. DIRECTOR'S REPORT. Building permit report on file. Director Grunwald provided an update on recent activities.

C. COURT REPORT. Director Grunwald reported Court Clerk Rhonda Deehr was focused on activities related to the August 15 session but continued to work on restoring the missing data as time allowed.

D. BOARD OF REVIEW, 07/31/24. Chair Barrett Paasch reported no objections were filed.

E. FINANCE AND BUDGET COMMITTEE, 08/06/24. Chair Ader reported a public works operator was testing a Cellcom phone before the Committee would make a decision on the unsolicited proposal.

F. HUMAN RESOURCES AND PUBLIC SAFETY COMMITTEE, 08/14/24. Chair Warosh reported the Committee discussed Cleveland Elementary school zone designation and speed limit signage on Birch St; Franklin Dr house fire; 2025 PD staffing expectations; VFW reservation stay; citation authority ordinance; Hika boat launch signage; short-term housing ordinance; and a records request.

X. ANNOUNCEMENTS AND EVENT REPORTS

A. TUE AUG 20..... CLEARSKY HEALTH GROUNDBREAKING, 10:30AM

B. MON AUG 26 PUBLIC WORKS COMMITTEE MEETING, 6PM

C. MON SEP 2 LABOR DAY (STAFF HOLIDAY)

D. WED SEP 4 PLAN COMMISSION, 6PM

E. MON SEP 9 FINANCE COMMITTEE MEETING, 6PM

F. WED SEP 11..... HUMAN RESOURCES AND PUBLIC SAFETY COMMITTEE, 6PM

G. TUE SEP 17 VILLAGE BOARD MEETING, 6PM

H. ANY OTHER ANNOUNCEMENTS/EVENTS. None.

XI. TOPIC SUGGESTIONS FOR FUTURE MEETINGS. None.

XII. CLOSED SESSION

Motion Jake Holzwart/John Ader to convene in closed session pursuant to Sec. 19.85 (1) (c), Wis. Stats., for the purpose of considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility— Director of Village Services/Clerk-Treasurer/Director of Public Works. Roll call: all ayes. Motion carried.

[Chief Fisher, Director Grunwald, and the public left the meeting—9:47pm]

President Holzwart assumed responsibility for the minutes.

The Village Board discussed a document related to the purpose for the closed session. The Board did not reconvene in open session.

Motion Tom Warosh/Jarrod Jackett to adjourn; carried without negative vote. The meeting adjourned at 10:17pm.

Respectfully submitted,

Stacy Grunwald
Director of Village Services