

VILLAGE BOARD OF CLEVELAND, WISCONSIN

TUESDAY, JUNE 18, 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, June 18, 2024, at the Cleveland Village Hall, 1150 W Washington Ave, Cleveland, Wisconsin.

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

Board Absent: Rob Burkhard (excused)

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

Also Participating: Dane Checolinski, NAI Pfefferle, Village Realtor (left 7:15pm)

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

- II. CITIZEN INPUT AND COMMUNICATIONS.** The Kristin Dewar single-family residence at 1181 Franklin Dr was destroyed by fire and the occupants sent an email asking for permission to temporarily live in their camper on the property until the home was reconstructed; President Holzwart requested referral of the request to the Human Resources and Public Safety Committee. Motion Tom Warosh/Barrett Paasch to deny the referral since there was no provision in Village ordinances for temporary use of a camper trailer for residential purposes, and to accept the communication for filing; carried without negative vote. No other communications were reported.

*Daniel Kaderabek, 1272 N Westview St.* Daniel Kaderabek suggested the Village purchase a laser copier from a retail office supply store and avoid paying for a maintenance agreement as he found those machines were sufficient for his businesses. He withdrew the suggestion after learning there were several features utilized by the Village that would not be included in the type of machine he proposed.

- III. APRIL 9, 2024; MAY 21, 2024; AND JUNE 4, 2024, MINUTES.** Motion John Ader/Barrett Paasch to approve the minutes of the April 9, 2024; May 21, 2024; and June 4, 2024, meetings; carried without negative vote, two abstentions (Becky Paasch, who was not present at the April 9 meeting, and Jarrod Jackett, whose meeting packet did not include the minutes.) Motion carried.

**IV. CLOSED SESSION**

- A.** Motion Jake Holzwart/John Ader to CONVENE IN CLOSED SESSION pursuant to Sec. 19.85 (1) (e), Wis. Stats., where competitive or bargaining reasons require a closed session (1) to consider the Immig offer to purchase Lots 20 and 21, Parkview Subdivision, Linden St.; and to consider the expenditure of public funds (2) to acquire street and utility access from Daniel and Theresa Kaderabek to service Tax Incremental District No. 2. Roll call: all ayes. Motion carried. Realtor Checolinski and Director Grunwald remained for the duration of the closed session.

*[Chief Fisher and the public left the meeting—6:08pm]*

Realtor Checolinski reviewed the Immig offer to purchase land from the Village and completed a counteroffer to the Kaderabeks to incorporate with the Village's initial offer to purchase land.

- B.** Motion Tom Warosh/Jarrod Jackett to RECONVENE IN OPEN SESSION pursuant to Sec. 19.85 (2), Wis. Stats. Roll call: all ayes. Motion carried.
- C. ACT ON ITEMS DISCUSSED IN CLOSED SESSION.** (1) Motion John Ader/Becky Paasch to accept the WB-13 Vacant Land Offer to Purchase submitted by Raimund Immig and Jake M Immig to buy Lots 20 and 21, Parkview Subdivision, as presented; carried without negative vote. (2) Motion Barrett Paasch/Tom Warosh directing Realtor Checolinski to prepare and present a counteroffer to Daniel and Theresa Kaderabek consistent with the Board's discussion and authorizing the Village President and Director of Village Services to execute documentation as needed; carried without negative vote.

- V. CERTIFIED SURVEY MAP: Greg and Gail Grube, 936 Lakeshore Dr.** President Holzwart read the analysis and Plan Commission findings from the Staff Report. The Board accepted the findings without change. Motion Tom Warosh/Barrett Paasch to approve the Certified Survey Map filed by Greg and Gail Grube to merge the two vacant lots they own at the northwest corner of the E Jefferson Ave and Lakeshore Dr intersection based on the findings that the CSM is consistent with the Zoning Ordinance, Subdivision Ordinance, 20-Year Comprehensive Plan, and Official Map; carried without negative vote. [Resolution No. 2024-R-03]

**VI. REFERRALS TO FINANCE AND BUDGET COMMITTEE, 05/21/24**

- A. MONTHLY VOUCHER REPORTS: APRIL AND MAY 2024.** Trustee Becky Paasch reported she reviewed each invoice reported on the check registers and bank statements, and her questions had been answered by staff. She would likely follow the same process for the June vouchers but was also interested in learning more about the monies coming in. Director Grunwald indicated she and the Finance Committee would receive receipt registers with the check registers for the July Committee meeting. Finance Chair Ader asked the Village Board if there were particular types of invoices or payments they were interested in seeing, since the matter had been raised at the May board meeting. Trustee Jackett responded that his primary interest was to see the breakdown of non-recurring, large dollar expenditures. The Finance Committee recommended approval of the voucher reports. Motion John Ader/Jarrod Jackett to approve the April 2024 and May 2024 monthly voucher reports; carried without negative vote.

**B. FORESTRY SERVICES**

- 1. PROPOSAL SELECTION.** The Finance Committee recommended approval of the Hoppe Tree Service proposal. Motion Jake Holzwart/John Ader to approve Proposal 56124 submitted by Hoppe Tree Services in the amount of \$27,966; carried without negative vote.
- 2. YEAR 2024 BUDGET AMENDMENT.** The Finance Committee recommended amendment of the Year 2024 budget to draw an additional \$20,000 from the Public Buildings and Grounds committed fund. Motion Jake Holzwart/John Ader to amend the Year 2024 budget to reflect an additional \$20,000 withdrawal from the Public Buildings and Grounds committed fund for forestry contracted services, bringing the total 2024 authorized withdrawal from the committed fund to \$30,000 and the total 2024 Forestry/Contracted Services expenditure to \$32,500. Roll call: all ayes. Motion carried. [Resolution No. 2024-R-04]

**VII. REFERRALS TO FINANCE AND BUDGET COMMITTEE, 06/04/24**

- A. REPLACEMENT MULTI-FUNCTION COPIER: PROPOSAL SELECTION.** The Finance Committee recommended approval of the James Imaging proposal and purchase rather than lease. The Board considered the anticipated operating expenses for each firm and noted the Village received added value from continuity of service and the satisfactory working relationship with James Imaging for the last 20+ years.

- B. FEE SCHEDULE AMENDMENTS: COMMERCIAL BLDG PERMITS, INSPECTION FEES**
- 1. COMMITTEE RECOMMENDATION and STAFF REPORT.** The Finance Committee recommended the Village revert to the 2020 fee schedule for commercial projects. The Village Board discussed balancing permit fees and support for commercial development, and the recommendation of the building inspector to simplify the commercial permit fee schedule. Motion Tom Warosh/Barrett Paasch directing Finance Committee to determine a new commercial permit fee schedule after input from Building Inspector Jane Drager; carried with one negative vote (John Ader) and one abstention (Becky Paasch). Trustee Barrett Paasch asked that the Committee provide a comparison of total fees based on the different fee schedules.
  - 2. BUILDING PERMIT FEE AMENDMENT.** The Finance Committee recommended the inspection fee be changed to \$55 due to the increase in inspector compensation. Motion Tom Warosh to retain the current \$50 fee and absorb the \$5 increase; failed for lack of a second. After further discussion, motion John Ader/Jarrold Jackett to amend the fee schedule and set the inspection fee at \$55 per inspection; carried with two negative votes (Tom Warosh and Becky Paasch). [Resolution No. 2024-R-05]
- C. VFW SECURITY DEPOSIT FORFEITURE FOR FAILURE TO COMPLY WITH AMPLIFIED SOUND, TIME LIMITS, AND OTHER REQUIREMENTS.** The Finance Committee determined security deposits couldn't be withheld under the current form language if a party uses amplified sound without a permit or stays beyond the allotted hours. They will look at form amendments if the Village Board decides to allow reservations.
- D. INVOICING FOR WATER MAIN BREAK REPAIRS.** The Finance Committee recommended the Village Board take no action on invoicing for water main breaks resulting from structure fires, even in situations where the fire was intentionally set. Members believed it would be difficult to convey to the public when a break would trigger an invoice; hydrant fees cover repairs to the system; billing couldn't occur until the legal process had run its course, which could be years; and the cause for the break may be unknowable. The Village Board decided by consensus to continue current practice based on the Committee's findings.
- VIII. BULK GOODS EVENT REPORT; RECOGNITION FOR VOLUNTEER SERVICES: Robert Baer, Daniel Deehr.** Trustees Jarrod Jackett, Barrett Paasch, Becky Paasch, and Tom Warosh worked at the event, noting it was well received and busy. Several changes will be considered if the event is held again. The Village Board recognized Robert Baer and Daniel Deehr for their assistance.
- IX. REFERRALS TO HUMAN RESOURCES AND PUBLIC SAFETY COMMITTEE, 05/21/24**
- A. EMERGENCY SHELTERING AT LAKESHORE TECHNICAL COLLEGE.** Jason Ebert of LTC attended the Human Resources and Public Safety meeting. An existing memorandum of understanding between the college and village committed the police department to opening the LTC shelter in storm emergencies. The part-time status of the department meant this service could no longer be performed. Motion Tom Warosh/Barrett Paasch to abrogate the terms of the Memorandum of Understanding between Lakeshore Technical College and the Village of Cleveland for emergency sheltering services; carried without negative vote.
  - B. VFW CLUBHOUSE REGULATIONS AND STAY IN FURTHER RESERVATIONS.** Chair Tom Warosh reported the Committee was concerned there was insufficient police presence to monitor rentals and address noise and disorderly conduct issues at the VFW Clubhouse. They thought the building could possibly be leased to a local organization for its use, without the ability to rent it to the public. Motion Tom Warosh/Jarrold Jackett authorizing the Human Resources and Public Safety Committee to contact the Cleveland Athletic Club and/or Cleveland Lions Club for their interest in a long-term lease for the clubhouse building; carried without negative vote.
- X. REFERRALS TO HUMAN RESOURCES AND PUBLIC SAFETY COMMITTEE, 06/04/24**
- A. PARKING ON W MADISON AVE.** Chair Tom Warosh reported the Committee recommended parking be eliminated on the south side of W Madison Ave at the multi-family developments. Motion Tom Warosh/Becky Paasch to declare 'no parking' on W Madison Ave from the Linden St intersection, east 350 feet; carried without negative vote. [Resolution No. 2024-R-06]
  - B. CHIEF OF POLICE WORK HOURS.** The Human Resources and Public Safety Committee recommended Chief Fisher's hours be tracked on a calendar year basis since he is eligible for participation in the Wisconsin Retirement System. Motion Tom Warosh/Jarrold Jackett to limit Chief Fisher's work hours to 1200 per calendar year, with up to 40 hours per work week allowed in 2024; carried without negative vote.
- XI. PUBLIC WORKS**
- A. COMPLIANCE MAINTENANCE ANNUAL REPORT.** Director Grunwald noted the wastewater treatment plant was operating at Grade A, having experienced no significant issues or system overflows in 2023. Motion John Ader/Barrett Paasch to accept the Compliance Maintenance Annual Report; carried without negative vote. [Resolution No. 2024-R-07]
  - B. STORM SEWER MAINTENANCE.** Director Grunwald noted the storm system should be televised prior to the Manitowoc County Street reconstruction. Motion Tom Warosh/Barrett Paasch to approve the proposal from Green Bay Pipe & TV to inspect and clean the storm sewer mains in the Manitowoc County Street reconstruction area at an estimated cost of \$6830.00; carried without negative vote.
- XII. CIGARETTE AND TOBACCO LICENSE RENEWALS**
- A. DOLGENCORP LLC dba Dollar General Store #25448.** Motion Tom Warosh/Jarrold Jackett to grant a cigarette and tobacco license to Dollar General Store per the terms of its application for the period July 1, 2024, through June 30, 2025; and appoint John E Greene as agent. Motion carried without negative vote.
  - B. BONDE'S QUIK MART ACQUISITION LLC.** Motion Becky Paasch/Barrett Paasch to grant a cigarette and tobacco license to Bonde's Quik Mart Acquisition LLC per the terms of its application for the period July 1, 2024, through June 30, 2025; and appoint Russell Bonde as agent. Motion carried without negative vote.
- XII. FERMENTED MALT BEVERAGE AND INTOXICATING LIQUOR RETAIL LICENSES**
- A. NEW "CLASS A": Dolgencorp, LLC dba Dollar General Store #25448**  
Motion Tom Warosh/Jake Holzwart to grant a "Class A" retail license for the sale of fermented malt beverages and intoxicating liquors to Dolgencorp LLC per the terms of its application for the period July 1, 2024, through June 30, 2025; and appoint John Greene as agent. Motion carried without negative vote.
  - B. RENEWAL "CLASS A": Bonde's Quik Mart Acquisition LLC/Russell Bonde, Agent.** Motion Becky Paasch/Jarrold Jackett to grant a "Class A" retail license for the sale of fermented malt beverages and intoxicating liquors to Bonde's Quik Mart Acquisition LLC per the terms of its application for the period July 1, 2024, through June 30, 2025; and appoint Russell Bonde as agent. Motion carried without negative vote.
  - C. RENEWAL "CLASS B": Highland Lodge LLC/Elouise Kaderabek, Agent; Terable TS LLC dba Rupps Supperclub/Tera Castillo, Agent; and Hika Bay Tavern LLC/Richard J Gadzinski, Agent.** Motion Tom Warosh/John Ader to grant a "Class B" retail license for the sale of fermented malt beverages and intoxicating liquors for period July 1, 2024, through June 30, 2025, for Highland Lodge LLC and appoint Elouise Kaderabek as Agent; and Terable TS LLC dba Rupps Supperclub and appoint Tera Castillo as Agent; and conditionally grant a "Class B" retail license for the sale of fermented malt beverages and intoxicating liquors for the period July 1, 2024, through June 30, 2025, for Hika Bay Tavern LLC per the terms of its application and with the same conditions as the current license. Motion carried without negative vote
  - D. OPERATOR LICENSE, 07/01/24-06/30/25.** After discussion, motion John Ader/Barrett Paasch to grant an Operator's License to Christine Rae Grunow; carried without negative vote.
- XIII. STAFF AND COMMITTEE REPORTS AND REFERRALS.**
- A. POLICE REPORT.** Activity report on file. Chief Fisher reviewed the activity report and provided an update on enforcement activities at properties on Beech St and Hazel St.
  - B. DIRECTOR'S REPORT.** Building permit report on file. Director Grunwald answered questions from the Board.
  - C. COURT REPORT.** Director Grunwald provided an update on Court financial reporting and difficulties experienced by the Court Clerk to connect remotely.

- D. **PLAN COMMISSION, 06/05/24.** All items on this agenda.
- E. **FINANCE AND BUDGET COMMITTEE, 06/10/24.**
  - 1. **FEE SCHEDULE AMENDMENT: Administrative Fee.** Held over at staff request. *Referred to Finance and Budget Committee, 05/21/24*
  - 2. **TECHNOLOGY SERVICES PROPOSALS.** President Holzwart and Director Grunwald were scheduled to meet with BCS IS/IT to review the Village's technology needs. *Referred to Finance and Budget Committee, 06/04/24*
- F. **HUMAN RESOURCES AND PUBLIC SAFETY COMMITTEE, 05/23/24, 06/11/24: Short-Term Housing Ordinance Amendment.** Director Grunwald will schedule a meeting with stakeholders in the fall or early winter. *Referred to Human Resources and Public Safety Committee, 05/21/24*

**XIV. ANNOUNCEMENTS AND EVENT REPORTS**

- A. **TUE JUN 24... PUBLIC WORKS COMMITTEE MEETING, 6PM**
- B. **MON JUL 8 ... FINANCE COMMITTEE MEETING, 6PM**
- C. **WED JUL 10..HUMAN RESOURCES AND PUBLIC SAFETY COMMITTEE, 6PM**
- D. **TUE JUL 16... VILLAGE BOARD MEETING, 6PM.** President Holzwart cannot attend. The Board opted to have a chair appointed for the meeting rather than reschedule.
- E. **TOPIC SUGGESTIONS FOR FUTURE MEETINGS.** None.
- F. **ANY OTHER ANNOUNCEMENTS/EVENTS.** None.

**XV. CLOSED SESSION**

- A. Motion Jake Holzwart/Tom Warosh to CONVENE IN CLOSED SESSION pursuant to Sec. 19.85 (1) (e), Wis. Stats., where competitive or bargaining reasons require a closed session or to consider the expenditure of public funds for the (1) Brandt request for self-storage development on Alpine Ct; and (2) MedCore/ClearSky development agreement for a medical rehabilitation facility on North Ave.; and pursuant to Sec. 19.85 (1) (f), Wis. Stats., (3) to consider personnel problems which, if discussed in public, would have a substantial adverse effect on the reputation of persons involved in such problems. Roll call: all ayes. Motion carried.  
  
The Board considered the request from the Brandts regarding the Village's zoning decision and the request from ClearSky Health and MedCore regarding terms for a development agreement. President Holzwart and Director Grunwald will proceed on both matters consistent with the Board's discussion.
- B. **RECONVENE IN OPEN SESSION pursuant to Sec. 19.85 (2), Wis. Stats.** The Board did not reconvene in open session.
- C. **ACT ON ITEMS DISCUSSED IN CLOSED SESSION.** No action.

- XVI. **ADJOURNMENT.** Motion Tom Warosh/John Ader to adjourn: carried without negative vote. The meeting adjourned at 10:20pm.  
Respectfully submitted,

Stacy Grunwald  
Director of Village Services

Approved on 7-16-24