

**Board of Trustees Meeting Minutes**  
**August 3rd, 2020 - 7 PM at Village Hall**



**Roll Call:** Meeting called to order at 7:00 PM

**Board Attendees:** President Roger Mellem, Trustee Paul Schroeder, Trustee Rick Cermak, Constable Kristin Wright, Clerk Dori Panthofer

**Excused:** Treasurer Robert O'Brien

**Public Attendees:** Paul Oemig (3513 Chatham St.), Rocco Castellano (30 Vincennes Cr.), John Frey (3636 Hennepin Pl.)

**Public Comment |** President Mellem read aloud the Public Comment Guidelines.

- Paul Oemig (3515 Chatham St) | At 7:03 PM, Mr. Oemig commented on three topics:
  - 1) Regarding trees on public land on Chatham and North that are marked with ribbon, Mr. Oemig asked to only remove dead trees and nothing else.
  - 2) Mr. Oemig referred to a variance issued to the owner of 305 S Vincennes Circle that allowed the installation of a plastic shed in 2016. Mr. Oemig appeared at a 2015 Board Meeting where he agreed to allow the installation with the stipulation the owner would landscape to hide the shed from Mr. Oemig's view. Mr. Oemig stated that "nothing has been done about that as of yet." A dead tree recently had to come down. Will anything happen with the berm? Will anything happen to the vegetation that was agreed to by the board?
  - 3) At 3505 Chatham Street, a green construction fence was installed 9 months ago and it's still there and "I think that's against code." At 7:06 PM. Mr. Oemig concluded his Public Comment.

President Mellem thanked Mr. Oemig for his comment and stated the Village will get back to you with a response. No other Public Comments were presented.

**Approval of the July 13th, 2020 Board of Trustees Meeting Minutes |** Motion to approve the July 13th, 2020 BOT Meeting Minutes made by Trustee Cermak and seconded by Trustee Schroeder. All in favor, none opposed. Motion approved at 7:07 PM.

Trustee's Report (1) – Paul Schroeder

- Village Hall - In preparation for Election Day, the Clerk requested that Village Hall be professionally cleaned and sanitized following the August 3rd meeting. In the past, Village Hall was cleaned quarterly, or. after the Spring Village Social. At this time, a cleaning schedule is not in place.
  - Motion to approve Merry Maids pre-voting clean up in the amount of up to \$240 following today's meeting made by Constable Wright and seconded by Trustee Cermak. All in favor, none opposed. Motion approved at 7:08 PM.

- Storm Damage to street light by downed tree limb
  - Streetlight Repair | Estimate to repair instead of replace the damaged street light is \$100.
  - After Affordable removed the downed tree limb, another branch began to give way.
- Tree Removal by Zone | A proposal to remove dead trees by zone will be distributed before September 14th, 2020.

Trustee's Report (2) – Rick Cermak

- Trustee Cermak observed on August 3rd while approximately a dozen surfers were surfing along the North Bay shoreline, shoreline rocks were absorbing the wave action.
- Lighthouse Drive Stormwater Management | Per Mark Kolczaski of Baxter Woodman, his work is expected to be ready by the middle of next week. President Mellem asked if Mr. Kolczaski will submit plans and drawings and Trustee Cermak stated “I believe so. That is what we/he agreed to. He agreed to recommend contractors and a proposed plan.”

Sarah Pasquesi, an Engineer from Stormwater Solutions Engineering, LLC, hired by Karen Horwitz, inquired if the Village had any information about the drainage tile on 3733 Lighthouse Drive. Trustee Cermak responded that any information has already been provided to the homeowner, meaning the drawings of the catch basin. Per President Mellem, at the Homeowner's request, all this is now being handled by the attorneys and both attorney's agreed to this.

- Shoreline Erosion Control is on hold, pending information from Baxter Woodman.
- Sanitary & Storm Sewer System Maintenance | Jetting and post-jetting televising in areas not recently televised is due this year. Green Bay Pipe and Visu-Sewer submitted proposals. Green Bay Pipe satisfactorily jetted North Bay's sewer system in 2016 and their current estimate is similar to the 2016 rate. Visu-Sewer's estimate is substantially higher. Televising is recommended to determine if repairs are needed.

Motion to proceed with Sanitary & Storm Sewer System Maintenance that includes jetting and post-jetting televising not to exceed \$6,000 with Green Bay Pipe made by Trustee Schroeder and seconded by Constable Wright. All in favor, none opposed. Motion approved at 7:20 PM.

**Constable's Report – Kristin Wright**

- Constable Wright emailed this report to the Board which will be filed with the minutes.
- Overnight parking issue | Earlier this year, Police Chief Von Drasek moved up the hours of patrol from 4PM to 1AM presumably without knowing the contracted hours are 6 PM to 3 AM. North Bay's overnight parking is prohibited between 2 AM - 6 AM and the shift change resulted in no enforcement of the ordinance. Chief Von Drasek restored the contracted patrol hour schedule.

Temporary overnight parking permission can only be granted by the Wind Point Police Department. When asking for overnight parking permission, the Homeowner must provide the start and end date as well as the vehicle/equipment description to the Wind Point Police. Permission will be granted as long as it's not long term storage.

Per President Mellem, the Village needs to avoid a situation where the Village may be perceived as treating people differently. Recently, a resident felt singled out after being notified to stop

parking on the street overnight after having done so for quite some time. The lack of enforcement caused by the unauthorized shift change resulted in the misunderstanding. To avoid future misunderstandings, the Village must treat every resident the same.

Several weeks ago, WPPD Officer Strauss asked Constable Wright about an unlicensed trailer parked in front of 3737 Lighthouse Drive. She suggested he talk with the Contractor about the expired license and Overnight Parking Ordinance. Trustee Schroeder asked if the gravel placed in the road (for a landscaping project) was impeding traffic. Clerk Panthofer stated the gravel was no longer there and had only been on the road for a short time and was not an issue. Constable Wright will contact WPPD to notify the contractor that the trailer has been on the street too long and it must be moved off the street.

- The North Bay park closes at dusk. A North Bay resident approached people who were in the park after dark to alert them that the park was closed. For safety, Trustee Cermak encouraged the resident to call the Wind Point Police Department to enforce the hours.
- Animal Welfare, no incidents. The official report will be emailed to the Village next week.
- Racine Health Department and Central Racine County Health Department (CRCHD). COVID update provided. CRCHD is struggling financially and it may be fiscally necessary to merge with the Racine Health Department with Racine County to consolidate and eliminate duplication of service. Additional details appear in the Constable's Report.
- Noise complaint follow up (305 S Vincennes Cr) | Treasurer O'Brien and Constable Wright were unable to identify the source of the sound. The owner of 305 was advised to talk with the neighbors

#### **Treasurer's Report – Bob O'Brien - No report.**

#### **President's Report – Roger Mellem**

- Opiate Litigation | Big pharma class action lawsuit that involves municipalities and North Bay was asked to sign on to a consolidation claim. President Mellem signed on.
- EMS Fire Contract | Wind Point and North Bay both received proposals for the coming year from City of Racine Chief Hansen's office. Wind Point Clerk Casey Griffiths released an RFP to both the City of Racine and Caledonia. President Mellem reviewed North Bay's current agreement with Caledonia which ends on December 31st, 2021. President Mellem determined that Wind Point and North Bay are on the same EMS Fire Contract cycle. President Mellem will retain the City of Racine proposal for review at renewal time in 2021.

#### **Clerk's Report – Dori Panthofer**

- The Clerk report was emailed before the start of tonight's meeting and will be filed with the minutes.
- Election Update
- Permits
  - i. Monthly Permit Report
  - ii. Returned/NSF Check
  - iii. Plumbing Inspector request
- November insurance renewal forms will be filed by August 31st, 2020.

- Recycling Grant application is due October. Quarterly recycling reports document recycling tonnage over past years.
- Directory & Recycle Can Survey is under construction.

### **Accounts Payable - August 2020 Motion to approve \$5349.11**

Anticipate amendments to this month's A/P because not all bills have been received.

Motion to approve the August 2020 Accounts Payable totaling \$5,349.11 made by Constable Wright and seconded by Trustee Schroeder. All in favor, none opposed. Motion passed at 7:49 PM.

### **Old Business**

- Village Hall Sign | Mr. Castellano provided concepts for the Village signs on Main Street and Village Hall. The Village can salvage the art for woodcut signs and display it inside Village Hall. The Main Street sign is 2 sided with the speed limit on one side. A durable and affordable product that uses high quality paints is the best strategy. The next step is to present the concept as is, and obtain final options for review next month.
- Mailbox | Per Mr. Castellano, architecturally, the current mailbox needs to be moved. Clerk Panthofer stated the current mailbox is not waterproof and asked the Board to consider upgrading to a waterproof keyed box.
- Street Light Project 11 Month Warranty Walkthrough | Mr. Castellano will schedule this with Greg Sadowski of PowrTek.

### **New Business**

- Garbage Contract Proposal | Johns Disposal added a new paragraph (Section T Excused Non-Performance. If a party is unable, in whole or in part, to carry out its obligations under this Agreement because of a Force Majeure Event, such party's obligations, to the extent affected thereby, will be reduced or suspended during the continuance thereof and the party claiming the Force Majeure Event shall use reasonable efforts to remedy such Force Majeure Event as promptly as commercially practicable after such event occurs and at the time that it is no longer applicable. The party affected by the Force Majeure Event shall give the other party notice as soon as commercially practicable after such event occurs and at the time that it is no longer applicable. If a Force Majeure Event lasts for more than sixty (60) calendar days, the party not claiming the Force Majeure Event may terminate this Agreement immediately upon providing written notice to the other party. "Force Majeure Event" means the occurrence of an act of God, act of governmental authorities (through no fault of a party), war, riot, fire, drought, flood, explosion, natural disaster, national emergency, facility slowdowns, curtailments or closures, logistics disruptions, or any other circumstances, whether or not similar in nature, beyond the reasonable control of the party seeking to be excused from performance hereunder; provided, however, economic conditions do not constitute a Force Majeure Event and a Force Majeure Event will not relieve a party of its payment obligations.)

Excused non-performance invalidates the agreement and as it was written, North Bay could not do anything about it. North Bay could be left with all the trash and we'd have to wait 60 days for alternate arrangements. Johns Disposal accepted Attorney Geary's request to remove Section T

from the new contract.

The new proposed contract runs 1/1/2021 to 12/31/2025. The old rate was \$111.80 and the new rate is \$131.40, a difference of \$19.60. The old rate for recycling was \$72 per unit and the new rate is \$90 per unit, an \$18 difference. The new contract provides bi-weekly recycling. Johns Disposal agreed to allow residents to choose between either a 96 or 48 gallon cart. Yard Waste pick up will continue on a weekly basis from April through November.

Resident John Frey asked a question. President Mellem stated that this is not the time for a discussion. Residents will be given a choice between 2 cart sizes.

Motion to approve the Johns Disposal Contract proposed by Johns Disposal and revised by Attorney Geary effective 1/1/2021 to 12/31/2025 made by Trustee Schroeder and seconded by Constable Wright. All in favor, none opposed. Motion approved at 8:14 PM.

- **Minute format** | Clerk Panthofer asked if the Board prefers more detailed minutes over less detailed. Constable Wright stated the detail is preferred so future trustees can reference past decisions.

**Adjourn** Motion to adjourn made by Constable Wright and seconded by Trustee Cermak. All in favor, none opposed. Meeting adjourned at 8:19 PM.