

**BOT Meeting Minutes**  
**7:00 PM Monday, October 12th, 2020**



**Roll Call | Board Attendees** | President Roger Mellem, Trustee #1 Paul Schroeder, Trustee #2 Rick Cermak, Constable Kristin Wright, Treasurer Robert O'Brien, Clerk Dori Panthofer

**Public Attendees** | Wind Point Police Chief Rick Von Drasek, Scott Hansing (3664 North Bay Drive)

**Call to Order** | President Roger Mellem called the meeting to order at 7:00 PM.

**Public Comment** | President Mellem opened up Public Comment.

Scott Hansing (3664 North Bay Drive) | As a follow up to the 9/28/2020 email addressed to the Board of Trustees expressing disappointment that the Board cancelled 2020 Trick or Treat, Mr. Hansing asked the Board of Trustees to consider reversing the decision. President Mellem stated that with Wisconsin ranked in the top states with COVID infections, the Village will not reverse the decision.

With no further comment presented, Public Comment closed at 7:02 PM.

**Approval of the September 14th, 2020 Board of Trustees (BOT) Meeting Minutes**

Motion to approve the September 14th, 2020 BOT Meeting Minutes made by Trustee Cermak and seconded by Constable Wright. All in favor, none opposed. Motion passed at 7:03 PM.

**Approval of the September 18th, 2020 BOT Stand Up (SOM) Meeting Minutes**

Motion to approve the September 18th, 2020 BOT SOM minutes made by Trustee Cermak and seconded by Trustee Schroeder. All in favor, none opposed. Motion passed at 7:08 PM.

**Approval of the September 24th, 2020 Board of Trustees Stand Up Meeting Minutes**

Motion to approve the September 24th, 2020 BOT SOM minutes made by Constable Wright and seconded by Trustee Cermak. All in favor, none opposed. Motion passed at 7:09 PM.

**Trustee's Report (1) – Paul Schroeder**

Trustee Schroeder's Village Hall updates include: 1) Sconce lighting boards trimmed to relocate file cabinets to make space for the Clerk workstation; 2) Pick up and installation of the Clerk work station; 3) Ceiling lights rotated to deflect light downward to improve lighting on for electors and poll workers on election night); 4) Swept ceilings for cobwebs; 5) Due to damage caused by their recent lawn care application, Reliable slit-seeded public grass at no cost to the Village.

**Trustee's Report (2) – Rick Cermak**

- Lighthouse Drive stormwater management & Lakeshore Erosion are essentially one project. The Village received two estimates, which Trustee Cermak forwarded to Attorney Geary, who will communicate with Attorney John Bjalajec, legal counsel for Karen Horwitz (owner of 3733 Lighthouse Drive).

President Mellem reported that at 5:40 PM today, October 12th, 2020, Attorney Chris Geary called President Mellem to seek Board permission to contact Mr. Lingurman R. Mullagur (3702 North

Bay Drive) in reference to the damage of the drainage basin located at 3702 North Bay Drive and to request a new easement to cover the scope of work proposed by Baxter & Woodman. President Mellem asked for a motion by the Board to allow Attorney Geary to contact Mr. Mullagar regarding a new easement.

Present Mellem stated that the current easement allows the Village to maintain the original design. It does not allow the Village to build a new berm, hence the reason to request a new easement. The proposed berm runs north and south and channels the flow to the big storm drain.

President Mellem stated there is an open dialogue regarding this matter between Attorneys Geary & Bjalajec.

Trustee Cermak stated during rainfall that he observed waterflow down Lighthouse Drive into the area that has been washing out and when the brick was off the circle, a portion of the water would flow into the secondary drain and run onto 3733 Lighthouse Drive. Most of the water flows the other direction. It's currently not the way it was originally designed because he (Mr. Mullagur) allowed "a little bit to go there."

Due to the change in season, Trustee Cermak is concerned that contractors will be unable and/or unwilling to perform work this year and the project(s) will be deferred until next year.

Motion to authorize Attorney Chris Gear to initiate contact with Mr. Lingurman R. Mullagur to discuss the possibility of establishing an easement on 3402 North Bay Drive made by Trustee Schroeder and seconded by Constable Wright. All in favor, none opposed. Motion passed at 7:26PM.

A summary of the lakefront erosion discussion appears below:

- Constable Wright referred to a previous Vincennes Circle bridge report prepared by Graef Engineering, erosion isn't coming just from the lake, it's coming through and under the road. The report called for protecting this from both ways. The current proposed material will hold for a while but erosion will continue.
- President Mellem stated that the original scope was to prevent people from falling into the hole.. Constable Wright stated that's all it is and asked "you're not trying to do anything with the erosion?" President Mellem stated no, it was just to keep people safe. Trustee Cermak obtained a "band-aid" fix proposal due to board concerns over the costs of an engineered solution.
- Trustee Schroeder stated that solutions discussed with contractors included fabric beneath the fill. Constable Wright did not see that in the proposal. Per Trustee Schroder, that may be a wording issue. Both companies were informed that fabric was a key part of the solution. Trustee Cermak stated the scope is fixing a little spot that is washed away; "this is just a band-aid." Per President Mellem, this will keep people from falling into the hole for a small investment.

- Due to weather and legal delays, Trustee Schroeder said it makes sense to separate the proposal into two projects, and proceed now with the lakefront. Doing so could change the costs.
  - Trustee Cermak said he could contact the Contractor about proceeding with the Lakefront portion of the proposal.
  - If Geary obtains a prompt response from Mr. Mullagur, it may be possible to add it back.
  - Per President Mellem, we must hold everything in abeyance regarding the Lighthouse Drive project until the easement is resolved and the lawyers are in agreement.
- PowrTek Warranty Report Update
    - The light programming function to update the on/off hours for Pole #11 (North Bay Dr/Shore Acres) failed. Treasurer O'Brien stated the light is on all day and all night, it never turns off. Trustee Cermak plans to call the Help Desk to troubleshoot.
    - Pole #2, #10 & #12 require backfill. Trustee Schroeder will complete the light landscaping work to bring up the soil level and seed it.

**Constable's Report – Kristin Wright**

The report emailed to Board Members will be filed in the Minute Binder and on Google Drive. Topics include: Wind Point Police Department (citations, case reports, police activity. Overall, activity is down since September); Animal Welfare (no incidents); Central Racine Health Department (CRCHD).

The consolidation of the CRCHD with the Racine County Health Department is proceeding. COVID numbers are rising.

Chief Von Drasek | Drug possession charges are stemming from traffic stops. Speeding citations are up. A traffic stop resulted in a brief pursuit. WPPD does not pursue. The driver was later located and charged with felony fleeing. A few citations were issued at the beach in addition to few parking citations.

**Treasurer's Report – Bob O'Brien**

The August & September financials were distributed and filed in the minute binder and on the Treasurer's Google Drive. The September financials include a \$7,300 miscellaneous revenue line item which represents receipts to date from residents for the Ash Borer treatment. We didn't have a comparable billing to put it against and when the Village pays Affordable this month, it will balance out and will go away because it will be reclassified. Substantial expenses include the Village Hall signage deposit, village hall desk and printer.

Treasurer O'Brien is working on the 2020 tax bills. The 2021 Preliminary Budget will be presented at the October 26th BOT meeting. Treasurer O'Brien stated residents must be alerted of upcoming expenses. Like in the past, it may be necessary to bring in the resources such as the Army Corps of Engineers and DNR, etc., regarding the lakefront and/or bridge projects.

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

- Effective 1/1/2021, Racine Water & Wastewater rates are increasing 9.1%.
- President Mellem is continuing to communicate with Attorney Geary regarding Lighthouse Drive stormwater management.

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

Topics included in the monthly Clerk report emailed to the Board include: Directory update, General Election, monthly (building) permits, newsletter topics, recycle cart survey update & resident communication. Old business notes related to Municipal Insurance and the Recycle Grant were also included. [Click here](#) to view the full report, which is also filed in the Minute binder and saved in Google Drive.

Immediately following the September 14th, 2020 meeting, Richard Scmitt (3740 Lighthouse Drive) expressed concern that he was unable to present Public Comment (PC) related to live-streaming or recording BOT Meetings. During the September 12th meeting, President Mellem opened Public Comment and invited attendees twice to present Public Comment but attendees did not respond to the invitation to speak and President Mellem closed Public Comment.

### **Accounts Payable - October 2020 | \$27,383.51**

The October Accounts Payable excludes Reliable Property Services fees because a bill was not received. Trustee Cermak stated that the Green Bay Pipe bill was substantially less than anticipated.

Motion to approve the October 2020 accounts payable in the amount of \$27,383.51 made by Trustee Schroeder and seconded by Trustee Cermak. All in favor, none opposed. Motion passed at 8:04 PM.

### **Amended September 2020 | Final \$33,762.53**

The final September accounts payable included the new mailbox, Village Hall sign deposit and work station. Motion to accept the amended September 2020 accounts payable in the amount of \$33,762.53 made by Trustee Cermak, seconded by Trustee Schroeder. All in favor, none opposed. Motion passed at 8:05 PM.

### **Old Business**

- **Leaf pick up / yard waste** | Trustee Schoeder spoke with a few residents who were mixing yard waste with leaves to alert them of proper disposal methods. Reliable uses a skid steer to pick up leaves. Village policy is to bag/bundle and tag yard waste for weekly pick up from April through November by Johns Disposal.
- **Municipal Insurance Renewal** | The Clerk forwarded the renewal proposal dated 9.15.2020 to the Board. Bill King retired. Nancy Wuenne assumed the Village account following Bill King's retirement. [Click here](#) to refer to the Clerk Report that includes renewal details. Both Mr. King & Ms. Wuenne strongly recommended that the Village buy Cyber Crime Coverage and Clerk Panthofer asked the Board to consider adding it. President Mellem does not feel there is that

much risk. Treasurer O'Brien stated the financial accounts are locked down. Clerk Panthofer stated that if any information is compromised, paper or electronic, the Board is legally obligated to notify all parties of a potential breach of information. President Mellem stated "I don't know that we have enough exposure to warrant the expense." Trustee Schroeder commented that the premium and deductible seem high.

Motion to renew the Village of North Bay with the exact same coverage and limits for the quoted premium of \$4,470 and to decline Cyber Crime protection made by Trustee Cermak and seconded by Trustee Schroeder. All in favor, no voting Board members opposed. Motion passed at 8:22PM.

- **Recycling Grant Application** | The Clerk electronically submitted the grant application on September 28th, 2020.
- **Public Comment** | Public Comment check in will occur at the new Work Station instead of the back of the room. The President and/or Clerk will use the checklist when opening Public Comment.
- **Trick or Treat** | Decision to cancel stands.

#### **New Business**

- **General Election Village Hall Sanitization with Merry Maids** | Motion to approve Village Hall cleaning and sanitization by Merry Maids prior to the November 3rd General Election with fees not to exceed \$150 made by Trustee Cermak and seconded by Trustee Schroeder. All in favor, none opposed. Motion passed at 8:23 PM.

#### **Adjournment**

Motion to adjourn made by Constable Wright and seconded by Trustee Schroeder. All in favor, none opposed. Motion passed at 8:24 PM.

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