

**BOT Meeting Minutes**  
**7 PM Monday, September 14th, 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.

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

**Public Attendee(s) arriving after the Call to Order** | Residents Richard Schmitt, Karen Horwitz, Hector Izzaguire, Rocco Castellano. The Clerk invited late arrivals to sign in if they planned to make Public Comment. Mr. Schmitt signed in.

**Public Comment** | At 7:01 PM, President Mellem opened up Public Comment with no response. President Mellem asked a second time, "Is anyone here for Public Comment?" There was no response. President Mellem stated, "There being none, we'll move along."

**Approval of the August 3rd, 2020 Board of Trustees Meeting Minutes**

Motion to approve the August 3rd, 2020 Board of Trustees Meeting Minutes made by Constable Wright and seconded by Trustee Schroeder. Motion passed at 7:02 PM

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

- Tree removal | Trustee Schroeder presented a 3 zone proposal by Affordable Tree Care for the removal of dead village owned trees totalling \$9,225.00. Per Treasurer O'Brien, the full annual \$10,000 budget allocation is available. To remove the fall hazard to several resident homes and avoid unnecessary additional equipment charges from breaking up the job by zone, Trustee Schroeder recommends proceeding to contract all 3 zones as one job. Trustee Cermak suggested that annual trimming be performed at the same time.

Motion to approve the Affordable Tree Care proposal of all 3 zones totalling \$9,225 made by Trustee Cermak and seconded by Constable Wright. All in favor, none opposed. Motion passed at 7:08 PM.

- Storm damaged resident tree limb removal fees charged by Wind Point | North Bay address 3645 Nicolet Place (owners Autumn Latimore & Gregory Schienke). Per Trustee Schroeder, to be consistent with past practices, fees charged by Wind Point Public Works for storm clean of resident owned downed trees/tree limbs are the responsibility of the tree owner. Clerk Panthofer will invoice the owner.

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

- **Lighthouse Drive stormwater management** | Baxter Woodman's Project No 201102 to repair the catch basin located at 3402 North Bay Drive was presented to the Board. Of the four landscaping firms Trustee Cermak contacted to bid for the job, one said no, one never called back, Reeseman out of Burlington committed to present a proposal by Friday, September 18th. Trustee Schroeder and Trustee Cermak met with two of the firms.

Trustee Cermak & Trustee Schroeder asked the same landscape contractors to provide an estimate to add rock behind the armour-stone for lakeshore erosion control.

Regarding lakeshore erosion control, Constable Wright asked if the Board will see a proposal in advance. Trustee Cermak stated yes and that he hopes to have at least one lakeshore erosion control proposal to present for review so the Board can make a decision.

In response to President Mellem's question, Trustee Cermak confirmed he presented both projects (Lighthouse Drive stormwater management and North Bay Beach erosion control) to the contractors to bid out together.

Constable Wright requested that the proposal shared with the Board in advance for time to review it prior to any vote.

- Sanitary & storm sewer jetting is complete. Televising was performed on the ductile iron pipes that were originally thought to be cast iron pipes on the other side of Main Street as well as some sections of previously lined pipes to determine condition. The report is pending. The homeowners of 450 South Creek (Daniel & Kristin Widmar) were notified that roots were growing in their private lateral near a manhole cover and recommended that the homeowner address the issue to avoid problems.
- Streetlight 1 year warranty report 8.26.2020 | Per Greg Sadowski's 8/26/20 report issued 8/27/2020, the programming of the time clock adjacent to pole 11 (North Bay & Shore Acres) needs verifying because the light is on during the day. Trustee Cermak confirmed he reprogrammed the timer today and that he didn't do it earlier due to poor weather conditions and then had forgotten about it until the September Board meeting was approaching.
- City of Racine resident owner Molly Mathew of 310 Johnathon Dr requested the Village investigate a drainage concern, claiming that North Bay stormwater is flowing into her garden. Trustee Cermak stated that water flows to a drain located in the area, and a culvert is under the road. Another nearby drain appears to flow into the city storm sewer. Trustee Cermak observed that Molly Mathew discards debris (branches, leaves, building material) over the fence of her chicken coop along the edge of North Bay Drive, which may exacerbate the drainage. Trustee Cermak committed to return to the site during a significant rainstorm to observe. The slope of 310 Jonathon is downhill and the owner planted her garden in the low spot of her yard.
- The annual CMAR report was filed in late August. The flow numbers were up and Cermak identified that an erasable programmable read-only memory (EPROM) chip had failed. This will also impact next year's numbers.
- Lighthouse Drive pit | A crack was identified in the pit which will be repaired by United Mechanical this week. The pump is offline every day until it is repaired, but is still available for an emergency.
- North Bay's Wisconsin state satellite sewage permit is expiring. Trustee Cermak will submit the required form.

#### **Constable's Report – Kristin Wright**

- The Constable's report was emailed to the Board and filed with the minutes.
- The Wind Point Police Chief was invited to speak. Chief Von Drasek stated that case reports are up. The increase can be attributed to increased traffic stops and the reopening of the jails. President Mellem asked for additional details with the intent of identifying patterns that may be occurring in the Village, or if there is something seasonal, to alert residents to be extra vigilant. Chief Von Drasek referred to the monthly detailed Activity & Case report sent to Constable Wright & Clerk Panthofer that are more informative than in the past. The Chief is in regular contact with Constable Wright. The Chief stated that the Wind Point Officers have been more visible in both communities since COVID started. Constable Wright stated there aren't any identifiable patterns.
- Animal Control | No incidents.

- 2020 Halloween Trick or Treat | Constable Wright, Trustees Schroder & Cermak, Treasurer O'Brien and President Mellem discussed public safety concerns due to COVID and agreed that Trick or Treating should be cancelled. When asked by Present Mellem for input, Clerk Panthofer opted not to comment. Based on the Board majority's concern, the Village will not offer Trick or Treating this year.
- COVID Racine County | Confirmed cases are rising.
- Health Department Consolidation | A PowerPoint pertaining to the consolidation of the Racine County Public Health Department and Central Racine County Health Department was forwarded to the Board by Clerk Panthofer at Constable Wright's request. At this time, Wind Point and Elmwood do not want to become part of the Racine County Health Department. Due to COVID, the workload increased exponentially. Racine County Executive Jonathan Delegrave assisted CRCHD with COVID related demands. To consolidate, per state statute, all 14 municipal members of the CRCHD must vote to disband. The merger stabilizes and reduces redundancies, thus improving efficiencies and economies of scale. The actual merger will not occur until 2022. This gives CRCHD one year to work with the County to prepare for the merger. Village fees for Health Department services will increase by 2% per year from 2022 until 2026. In 2027, the County overall will reduce the Village fees 20%. It is likely that the Board will lose a seat on the Board because North Bay is a small residential only community. The Village will be required to update the Ordinance and Margaret Gesner will provide recommended language. If all 14 do not vote to disband, the consolidation will not be allowed.

When asked by President Mellem if there was a down-side, Constable Wright stated she did not see one. The one most noticeable would be the fact we may not have representation on the board, but our communication is very effective with Margaret, thus she does not see this as an issue. Trustee Cermak stated we should trust Constable Wright's recommendation. North Bay and all CRCHD members must send a letter of intent to withdraw. Margaret Gesner provided the language for the letter of intent to withdraw which Clerk Panthofer has prepared for President Mellem's signature tonight.

Motion to disband the Central Racine County Health Department to consolidate with Racine County Health Department made by Constable Wright and seconded by Trustee Schroeder. All in favor, none opposed. Motion passed at 7:41 PM.

#### **Treasurer's Report – Bob O'Brien**

- August 2020 financial reports by Clifton Larson & Allen are not ready and will be forwarded to the Board as soon as possible.
- North Bay received the settlement from Racine County; the Village garnered everything that was anticipated.
- In preparation for preliminary 2021 budgeting, Treasurer O'Brien proposed moving the November meeting to November 2nd. Clerk Panthofer stated November 2nd is not viable due to the General Election on Tuesday, November 3rd and suggested October 26th. The December meeting must be moved up to November 30th for final budget approval to ensure property tax bills are mailed in compliance with state statutes.

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

- On August 20th, an email response was sent by President Mellem to Paul Oemig, owner of 3515 Chatham Street, regarding Mr. Oemig's August 3rd claim that landscaping terms for approval of a 2016 variance to construct a shed at 305 S Vincennes Cr by owner Allen Roscoe were not met.

Treasurer O'Brien submitted site visit photos to the Board that documented Mr. Roscoe fulfilled the landscaping requirement and no action was required by the Village.

- 3733 Lighthouse Drive site with Village attorney Chris Geary, at least one or more Village of North Bay Board members, owners Karen Horwitz & Hector Izzaguire and their attorney, John Bjelajac. This site visit is an informational meeting for discovery that will be scheduled between September 25th - 27th. To comply with state statutes regarding a potential Quorum of Board, the Clerk will issue and post a formal Notice of Public Meeting. No action will be taken at this time.

To date, the Village is aware that Karen Horwitz retained John Bjelajac but the Village has not received a formal notification of litigation.

Trustee Cermak stated that "the last significant rainfall we had, I remember the date, it was within the last month or so when we had several inches of rain, I took photos (of the catch basin located at 3402 North Bay Drive) and the system is working the way it's supposed to." The basin was full and debris was present at the edge of the highest water level. "It was holding a lot of water, and the next morning, it (the water) was gone." Flow is limited to the pipe size. "I also took a video of the waterfall showing the significant water coming from the north". My observation, we know where the pipe comes out from Mullagar's property (3402 North Bay Drive) and there was no turbulence there, no indication of excessive flow."

The pond located on the south side of 3733 Lighthouse Drive is supposed to flow into the lake, however it is currently silted in. With Lake Michigan's current high water level, there is significant ebb and flow resulting from wind driven waves along the shoreline. 3733 Lighthouse Drive is the lowest spot in the entire Village of North Bay.

Constable Wright asked if everything is working, why are we doing any landscaping. President Mellem responded that there are two separate issues: 1) The owner of 3402 North Bay Drive (Mullagar) dug an unauthorized trench on the easement to intersect with the driveway drain installed by the Johnson's at 3737 Lighthouse Drive that channels across and sheet flows down to 3733 Lighthouse Drive. Trustee Schroeder stated that the debris occasionally plugs the drain. Two letters have been sent to Mullagar, the first in 2018, the second, earlier this year, and a third will go out to seek restitution for the cost of repairs to restore the catch basin. To date, engineering fees to restore the basin exceed \$2,600. A proposal from Reesman's Excavating and Grading is expected to be received by Friday, September 18th.

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

Topics included in the monthly Clerk report emailed to the Board include: General Election, monthly (building) permits, directory survey, recycle cart survey, resident communication to/with the Clerk, newsletter topics, Village printer, Village of North Bay Public Health & Safety website page update and 2021 League of Wisconsin dues. The full report is filed in the minute binder.

### **Accounts Payable - September 2020 \$30,022.11**

- Motion to approve the September 2020 Accounts Payable in the amount of \$30,022.11 made by Constable Wright and seconded by Trustee Schroeder. All in favor, none opposed. Motion passed at 8:11 PM:
- July and August Accounts Payable were amended and shared with the Board. A summary of the amended totals are: August 2020 final amendment on 8/31/2020 totalled \$14,840.56 (routine bills received after the August 3rd BOT meeting and poll worker wages paid) and July 2020 final amendment on 7/20/2020 totalled \$14,214.40 (routine bills received after the July 13th BOT

meeting, including CliftonLarsonAllen, United Mechanical & US Treasury for payroll taxes). Treasurer O'Brien stated to confirm that the Board previously authorized the Clerk and Treasurer to amend current Accounts Payable reports and to issue payments for routine or previously board authorized expenditures to avoid late fees. All final amended Accounts Payable reports are distributed to the Board and recorded at a regularly scheduled Trustees meeting .

### **Old Business**

- Village Hall Sign | On August 26th, resident Rocco Castellano emailed the bid for all 3 signs that totaled \$12,937.70 to President Mellem. During the meeting, Mr. Castellano forwarded the bid to the entire board for review. President Mellem recommended proceeding with the Village Hall sign but defer the two signs totalling \$7,558.86 that would be placed on North Main Street. The Clerk will forward the tax exempt certificate to FastSigns. Fabrication time is 6 weeks.

Motion to approve the fabrication and installation of the Village Hall sign not to exceed \$5400 made by Trustee Cermak and seconded by Trustee Schroeder. All in favor, none opposed. Motion passed at 8:23 PM.

- Dual Purpose Weatherproof Mail & Drop Box | Trustee Schroeder located a USPS approved vendor located in Brookfield. Trustee Schroeder has tools to install the pedestal to the sidewalk. Clerk Panthofer will review the options and schedule a stand up meeting for final selection, approval and placement.
- Recycling Grant Application | The Clerk will submit the application by 10/1/2020

### **New Business**

#### **New Fence Permit Application**

- 3617 North Main St (Doherty) | The application is to replace with like kind the deteriorating fence. Motion to approve the Fence Permit Application made by Trustee Schroeder and seconded by Trustee Cermak. All in favor, none opposed. Motion passed at 8:30 PM.
- 3612 Hennepin Pl (Hardin) | The application is to install an L-shaped privacy wood corner fence on the southwest corner of the lot. Motion to approve the Fence Permit application made by Trustee Cermak, seconded by Trustee Schroeder. All in favor, none opposed. Motion passed at 8:33 PM.
- 3515 Chatham St (Oemig). Following the August 20th email from President Mellem regarding the 2016 shed variance at 305 S. Vincennes Cr., Mr. Oemig inquired about a fence permit. The Clerk directed him to review Village Ordinances published on the website. President Mellem notified Mr. Oemig that a fence could be built on the lot line, but not on the Village land that he currently has permission to landscape, and that a plat of survey would be required with the fence location clearly marked. To date, Mr. Oemig has not applied for a fence permit.
- Clerk Work Station for Village Hall | The Board agreed to the Clerk's request to shop for a used L-shaped workstation that will provide a designated workspace inside Village Hall and eliminate the need to bring Village records to/from home.

**Adjournment** | Motion to adjourn made by Constable Wright and seconded by Trustee Cermak. All in favor, none opposed. Meeting adjourned at 8:40 PM