

**Minutes | May 12th, 2025 | 7:10 PM | Village Hall
Board of Trustees (BOT) Meeting**



NOTE: The 2025 Board of Review first meeting immediately preceded this meeting.

1. **Call to Order:** President Mark J. Schall called the meeting to order at 7:05 PM.
2. **Roll Call:** President Mark J. Schall, Public Works Trustee #1 Paul Schroeder, Water & Wastewater Trustee #2 Rick Cermak, Constable Trustee #3 Constable, Treasurer Robert E. O'Brien, Clerk Dori A. Panthofer

Public Attendees:

Rick Henning	88 N Vincennes
Rondi Rork	545 Cross Creek
Jeff Leavell	301 N Vincennes Cr
Georgia Herrera	301 N Vincennes Cr
Bruce Peppich Lisa Englander	3621 N Bay Dr
Tiffany Behrends & Lilah Behrends	312 N Vincennes Cir
Roger & Conne Mellem	116 S Vincennes Cir
Carolin Jung	221 N Vincennes Cir
Ben & Jen Rode	3505 Chatham (arrived at 7:11PM)

3. **Public Comment:** President Schall read VNB's Public Comment Guidelines.

During a village meeting, residents expressed strong opposition to a variance application that would allow a residentially zoned property to be used for business purposes. Jeff Leavell, a long-time resident, argued that this could negatively impact the community's residential character and property values. Mr. Leavell noted the applicant bears the burden of proof and asks the Board of Appeals to hold them strictly to that burden of proof. The UWM Madison Extension guidebook on zoning talks about variances of use. They're very rare and the reason is that the burden is so high that very few people can meet it.

Mr. Leavell also stressed the importance of the Board of Appeals having legal counsel for variance decisions to avoid future litigation. Other residents, including Bruce Pepich, Rick Henning, Rondi Rork, and Caroline Jung, echoed similar concerns, emphasizing the village's residential nature and the potential for a "slippery slope" if the use variance were to be granted.

Ben Rode, the applicant, apologized for the stress caused and explained their desire to stay in the community, highlighting their family and homeschooling needs. He described their proposed business as low-impact, involving only a few three-hour sessions per week with minimal traffic.

President Schall clarified that the meeting was not the official hearing and that the Board of Appeals would conduct due diligence. Clerk Panthofer raised concerns about the possible incompleteness of the variance application and the need for legal counsel to draft the public notice to avoid legal issues.

After further discussion, Mr. Rode expressed willingness to withdraw the application to ease community concerns, stating he did not anticipate such strong opposition. Residents,

particularly Jeff Leavell, insisted that any withdrawal be in writing and include a clear commitment not to operate a business at the specified residential address. President Schall agreed to follow up with Mr. Rode for written confirmation. The discussion concluded with President Schall emphasizing that the meeting was a "mini-focus group" and not a legal proceeding, while residents reiterated the importance of adhering to existing ordinances.

4. **Approval of the April 14th, 2025 BOT Meeting minutes and May 1st, 2025 Stand Up Meeting minutes:** Motion to approve the April 14th, 2025 BOT Minutes and May 1st, 2025 SUM minutes as written made by Constable Castellano and seconded by Trustee Cermak. All in favor, none opposed. Motion carried.
5. **Trustee's Report (1) – Paul Schroeder**
 - a. Aspen Spring Clean Up - VNB was already billed for spring clean up. Trustee Schroeder will follow up with Aspen to address additional spring clean up
 - b. Ayres proposal / public road repairs/maintenance & drainage for North Bay Drive (if available) - deferred, not received.
6. **Trustee's Report (2) – Rick Cermak**
 - a. 3-Phase power & generator update - see Old Business
 - b. Source of 4" pipe flowing into the Lighthouse Dr lift station - see Old Business
7. **Constable's Report – Interim Constable Rocco Castellano**
 - a. Wind Point Police Department - reports distributed.
 - b. Caledonia Fire Department - reports distributed.
 - c. Wisconsin Humane Society animal sheltering statistics - zero reports.
8. **Treasurer's Report – Bob O'Brien**
 - a. Financial Reports distributed; Due to higher than usual bills for 2024-2025 snow removal, the Village may wish to consider a new source for snow removal for the upcoming season.
 - b. 2025 assessment facts: The overall increase averaged 13.75% to bring up the equalized value to align the state of Wisconsin figures. A recent transaction sold for 48% over assessed value, a house on N Main sold for 16% over assessed value. One sold for 7% under assessed value.
9. **President's Report – Mark Schall**
 - a. Lawsuit settlement discussion. This topic was deferred to a later date for a closed session.
 - b. Coyote-control Q&A with UW-Madison. Dr. David Drake from UW Madison is available to present a free session at Village Hall on May 29th, 2025. The Trustees agreed to schedule the session and President Schall will schedule a Town Hall Meeting on the evening of May 29th, 2025. Residents will be notified via email and the Clerk will post a meeting notice.
 - c. Confirmation of Planning Commission resident members | All current Planning Commission resident members agreed to serve another term ending on the second Monday of May 2027. The names are: Bill Cosban, Mark Hyde, Thomas LaFave, and Kari McGauhey
10. **Clerk's Report – Dori Panthofer**

A hard copy of the clerk report was distributed to the elected officials.

 - a. LWMMI Spring Conference (4/28-4/29) report. Key takeaways were orally shared. Topics included increased frequency and severity of storms, recent higher interest income is helping offsetting rising costs, public works, roads, processing Board of Appeals applications for a variance, life of a claim, WI DNR stewardship grant potential source for lakefront project, LWM is creating a free volunteer liability waiver form, public project bidding thresholds are scheduled to increase in 2025 & 2026, the LWM safety grant begins

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- July 1st, 2025, technology and modernizing municipal websites.
- b. Permit Applications (New, Closed, Incomplete/returned)
- c. Deputy Clerk of Elections appointment / Propose reappointing Susan Hamilton
 Motion to appoint Susan Hamilton as Deputy Clerk of Elections made by Constable Castellano and seconded by Trustee Cermak. All in favor, none opposed. Motion carried.
 The Trustees accepted Clerk Panthofer's recommendation to apply a cost of living adjustment of 4.5%, which is commensurate with the increase for elected officials.
- d. June Newsletter to be released before the June 14th, 2025 Lighthouse Run
 - i. Stand alone email blast for the 2025 Board of Review, Town Hall meeting and YMCA Lighthouse Run.
- e. Upcoming Village meetings. Meetings are held at Village Hall.
 - i. BOR Reconvenes - 5PM-7PM Monday, June 16th, 2025
 - 1. The June BOR is scheduled to reconvene at Village Hall. The Village does not have a formal policy or ordinance regarding conducting virtual meetings. Attorney Eric Larson previously advised the Village that to routinely conduct virtual Village meetings, the Village should create an ordinance to allow it, and to invest in the technology needed to comply with open meeting law regarding public access. Since COVID, when no appeals are received by the 5 PM Friday deadline for the BOR reconvenes, the Village has changed the venue from Village Hall to Zoom.
 - ii. BOT Meeting - 7 PM Monday, June 16th, 2025 (7:05PM if the BOR reconvenes via Zoom).

11. Accounts Payable

- a. AP April 2025 final in the amount of \$ 21,296.61
- b. AP May preliminary in the amount of \$ 47,656.92

Motion to approve the AP reports as noted above made by Trustee Cermak and seconded by Trustee Schroeder. All in favor, none opposed. Motion carried.

12. Old Business

- a. 3 Phase Power at Village Hall (Trustee Cermak)
 - i. WE Energies work request 5052604 dated February 26th, 2025 in the amount of \$8,807.92. This includes a \$483 savings for work performed in the months of April through November.
 Motion to approve WE Energies request 5052604 made by Trustee Schroeder and seconded by Constable Castellano. All in favor, none opposed. Motion carried.
 - ii. Updated bid with 2 generator options from Premier Power Professionals Inc. Based upon Board discussion, there are no changes to the previously approved project.
- b. Source of 4" pipe flowing into the Lighthouse Dr lift station (Trustee Cermak): Based upon the findings from United Mechanical's recent push camera inspection of approximately 129 feet of pipe running north of the Lighthouse Drive lift station, the source of the water appears to original from 3737 Lighthouse Dr (Randall Johnson). ACTION: Trustee Cermak will notify Mr. Johnson that the Village tracked the source of the water flow being pumped into the Lighthouse Drive from the privately owned lift station located on his property.
- c. GZA results | Defer until next meeting
- d. Chapter 2 Section 7 Planning Commission Appointments due in May (President Schall) Done
- e. Village of North Bay signage on N Main St (Trustee Schroeder) - Deferred

- f. BOR Open Book by appointments with Assessor Henke at Village Hall slated for May 12th through May 15th, 2025
- g. North Bay Marriage Business 3505 Chatham St BOA recommendation - No action, Board of Appeals did not meet.
- h. Status of City of Racine Water and Sewer Expired Contracts - Per Mark Schall, no updates.

13. New Business

- a. Backup power for Lighthouse Drive Lift Station (Trustee Cermak) | We've never come close to an overflow, defer until 4" pipe output source is received
 - b. 2025 YMCA Lighthouse Run June 14th, 2025
 - c. Update to Board of Appeals application form | Regarding the list of residents within 200 feet of a property, Eric Larson suggests changing the form to specify North Bay Village limits.
14. **Adjourn:** Motion to adjourn the BOT meeting made by Constable Castellano and seconded by Trustee Cermak. All in favor, none opposed. Meeting adjourned at 8:25 PM.