



## **MINUTES May 2, 2011**

Minutes of the regular meeting of the Board of Trustees of the Village of Elkhart Lake held on Monday, May 2, 2011 at the Grashorn Memorial Civic Center in the Village of Elkhart Lake with the agenda having been duly posted on Friday, April 29, 2011 between the hours of 1:55 P.M. and 2:25 P.M. at National Exchange Bank and Trust, the Elkhart Lake Post Office, Community Bank and Trust and the Municipal Office and posted on the Village website at 12:15 P.M. on April 29, 2011.

President Rudnick called the meeting to order at 7:02 P.M. with the following Trustees present: Mike Wolf, Rola Ann Klahn, Steve Kapellen, and Richard Sadiq. Trustees Pam Garton and Lynn Shovan were absent.

Others in attendance included: Jeanee Moersch; James Moersch; Vickie Hall; Scott Martin; Troy Conrad; Pat Zorn; Bob Busse; Betty McCartney; Emmitt Feldner; Randy Boeldt; Jeanette Moioffer, Clerk; Jessica Potter, Deputy Clerk-Treasurer.

The Pledge of Allegiance was recited.

The Board decided to move items X. E & C and XI. A. & B. before the annual reports.

Approval of Minutes –

(Kapellen/Sadiq) moved to approve the Minutes of April 4<sup>th</sup>, 18<sup>th</sup>, and 19<sup>th</sup>, 2011.

Motion Carried Unanimously

Treasurer's Report –

The approval of the Treasurer's Report was tabled until the next meeting.

Public Comment – None

## **UNFINISHED BUSINESS:**

### Weather Warning Sirens

Rudnick asked Kapellen to report on the weather warning sirens discussion from the Protection of Person and Property Committee meeting. Kapellen reported that James and Jeanne Moersch attended the Committee meeting and asked the siren at Arbor Drive be moved and until it can be moved, they asked that it be turned off.

James Moersch states that the siren damages their hearing and in 1 minutes you can lose some of your hearing. Boeldt asked where would you relocate the siren? Wolf stated you could move it near or in the school forest. Wolf estimated that would move the siren about 200 to 300 feet from its current location.

Rudnick stated that the Village will look at alternative sites for the weather warning siren.

James Moersch stated he would be happy if the sound was reduced to 80 decibels near his house.

Moioffer asked about what would happen if there were complaints at the other locations. Where would the Village be able to move the sirens? Moioffer also inquired about the cost to move the siren. Rudnick stated that this was the only location with complaints and if other locations have complaints they will also be addressed.

Kapellen stated the Protection of Person and Property Committee will have another meeting to discuss how much money it may cost to move the siren, as well as alternative locations for the siren.

### **NEW BUSINESS**

#### Community UCC Brat Fry Depot- Vintage Weekend, July 15<sup>th</sup> and 16<sup>th</sup>

Martin stated he is the adult leader of the church's youth group and would like to hold a brat fry by the Depot during the Brian Redman races on July 15<sup>th</sup> and 16<sup>th</sup>. Moioffer stated that Community UCC has been holding a brat fry at the Depot on vintage weekend for about 5 years.

(Wolf/Kapellen) moved to approve Community UCC holding a brat fry on July 15<sup>th</sup> and 16<sup>th</sup> at the Depot.

Motion Carried Unanimously  
By a roll call vote

#### Letter of Support – Glacial Lakes Conservancy- Chris Krieg & Vickie Hall

Hall discussed the proposed Grasshopper Hill Preserve. Hall explained that the Glacial Lakes Conservancy role as a land trust. Glacial Lakes Conservancy has applied for a Sheboygan County Stewardship Fund Grant to help purchase the 25 acres.

(Klahn/Sadiq) moved to approve the letter of support for the Glacial Lakes Conservancy's grant application for a Sheboygan County Stewardship Fund Grant to help purchase Grasshopper Hill Preserve.

Motion Carried Unanimously  
By a roll call vote

### **UNFINISHED BUSINESS:**

#### Fire Truck Purchase

Rudnick asked Kapellen to report on the action of the Protection of Person and Property Committee. Kapellen reported that the Committee voted to recommend the purchasing of the fire truck with the quote from Custom Fire of \$352,343.00. Kapellen reported that the Village would pay \$350,000.00 with the fire department paying \$2,343.00.

Sadiq asked if this was the cost of entire truck and if this price was all-inclusive. Zorn explained they would still need to outfit the truck with hoses, air packs and other equipment. Zorn stated this would cost about \$30,000 for all the equipment, but could be done for about \$15,000 if they use the air packs from the van.

Wolf inquired if the fire truck has everything the fire department will need or want? Zorn stated the truck should have all needed items. Wolf further questioned if any items that were cut from the truck would be needed in the next few years because if that is the case, would it be cheaper to have these installed on the truck now, as opposed to in 3 years? Zorn stated they are receiving exactly what they need on this fire truck.

Wolf also asked if the Village could receive a price reduction if we pay for the fire truck up front. Zorn stated he would check with Custom Fire on this.

(Klahn/Kapellen) moved to approve the purchase of the Custom Fire truck at a price of \$352,343.00 with the fire department paying \$2,343.00 of the total price and the Village using \$350,000.00 from TIF funds, as well as Zorn checking to see if we could get a discount by paying for the fire truck up front.

Motion Carried Unanimously  
By a roll call vote

## **ANNUAL REPORT**

### *ELKHART LAKE LIBRARY – McCartney*

McCartney provided the Board with an overview of the 2010 accomplishments. These accomplishments included: creating a new website, extending Saturday hours in the summer, creating a storytime collection, transition to a new library director, and revising the internet policy.

McCartney also stated some of her goals for 2011, which include completing a 5-year Strategic Plan, upgrading the restrooms, creating a children's reference collection, cross training staff, involving local businesses in library programming, updating the photocopier, and continuing to update and improve the library's website.

McCartney distributed brochures on the summer reading programs and movies the library has scheduled. These include animals coming from the zoo, cooking with Lynn Shovan, games, and many other fun activities.

## **COMMITTEE REPORTS**

### *APRIL BUILDING PERMIT REPORT – Moioffer*

The Board received the April building permit report by email.

### *ADMINISTRATION AND FINANCE COMMITTEE – Klahn*

- 1) The Committee approved the April 1, 2011 meeting minutes.
- 2) The Committee met before the Board meeting and tabled the CDA appropriation, canceled the employee benefits contract, decided to stay with the current insurance provider, and set a date of May 20, 2011 for the employee handbook review.

### *JOINT FIRE STATION COMMITTEE – Kapellen*

- 1) The Committee approved the February 22, 2011 meeting minutes.
- 2) The Committee met on April 21, 2011 and discussed Millhome Nursery providing Spring cleanup, the leaks in the roof of the fire station, and Neumann Plumbing & Heating's checking the HVAC at the fire station.

- 3) The Committee noted that there are problems with the blacktop at the fire station and that Selmar will be contacted about these issues.
- 4) Kapellen stated that the Committee is looking at the possibility that the weather warning siren at the Fire Station is running at low voltage and that it was incorrectly wired or installed.
- 5) It was reported that Rhine had paid their 1<sup>st</sup> quarter expenses and Zorn reported that a new combination lock was placed on the First Responder's Office.

*PUBLIC WORKS – Wolf*

- 1) The Committee approved the minutes from March 28, 2011 and Wolf discussed the Highlights from the April 19<sup>th</sup>, 28<sup>th</sup>, and 29<sup>th</sup> meetings.
- 2) Wolf reported that a dumpster attendant has been hired, as well as Zorn as the part-time public works staff.
- 3) The Committee heard from Andrew Aslesen of Wisconsin Rural Water regarding future steps that can be taken to help implement the wellhead protection plans.
- 4) The Committee decided that the major economic development projects for the Village are the development of an industrial park, the resurfacing S. Lake Street and Osthoff Avenue, the Sargento Expansion Project, the renovation of the old fire station, and extending sewer and water to the north shore of the lake.
- 5) The Committee approved sandblasting the yellow paint on the curbs across from the Old Fire Station and on Osthoff Avenue and replacing the paint with no parking signs.
- 6) The Committee discussed the blacktopping of Moraine Drive and Lakeshore Drive, as well as the equipment replacement schedule, and sidewalk inspection.
- 7) The Committee also voted (2-1) against currently repairing the storm sewer area near where Moraine and Crestwood meet. The Committee did not see it in the budget for this year.

*PLANNING COMMISSION – Rudnick*

- 1) The Planning Commission approved the March 23, 2011 minutes and Rudnick provided highlights from the April 20<sup>th</sup>, 2011 meeting.
- 2) The Commission recommended changes to the sign ordinance, zoning ordinance, and a rezoning of Victory Elkhart LLC's property from R-1 to C-1. Rudnick reported that a hearing on these changes will be held before the next Board meeting.

*PROTECTION OF PERSON AND PROPERTY – Kapellen*

- 1) The Committee approved the March 18, 2011 minutes and Kapellen provided highlights from the May 2<sup>nd</sup>, 2011 meeting.
- 2) Kapellen provided his report from the May 2, 2011 Committee meeting earlier in the Board Meeting.

*TOURISM COMMISSION – Rudnick*

- 1) The Board received the minutes from the March 16, 2011 meeting and Rudnick provided highlights from the April 20<sup>th</sup>, 2011 meeting.
- 2) Rudnick discussed the Midwest Golf Classic and the Culinary Tour that is in Elkhart Lake this week. This was put on by the State Department of Tourism.
- 3) The tourism breakfast will be in Elkhart Lake on May 11<sup>th</sup> and the Secretary of the Department of Tourism will be the featured speaker.
- 4) Tourism is starting their summer campaign.

*PRESIDENT'S REPORT – Rudnick*

Rudnick reported on the Local Heads of Government Meeting. He stated that many municipalities' budgets are in far worse shape than that of the Village.

**UNFINISHED BUSINESS:**

Economic Development Donation

The Board discussed the possibility of contributing to the Sheboygan County Economic Development Corporation (SCEDC). The Board did not see what services the SCEDC could provide to the Village. With the tight budgets, the Board sees that \$500 could be better used by the CDA to help businesses in the Village.

(Sadiq/Klahn) moved to provide no contribution to the Sheboygan County Economic Development Corporation in 2011.

Roll Call Vote:

ayes: Sadiq, Kapellen, Rudnick, Klahn

nays: Wolf

Motion Carried

Resolution 8-2011 Commendation of Rosemarie Lauer

The Board tabled this item as Rosemarie was not in attendance.

Memorial Day Celebration – Close Chicago Street and Dispensation of No Drinking on Street Ordinance

Moioffer explained that on May 28<sup>th</sup>, the Village and Lions Club will host a Memorial Day Celebration.

(Klahn/Kapellen) moved to close Chicago Street and allow dispensation of the no drinking on the street ordinance on May 28<sup>th</sup> for the Memorial Day Celebration.

Motion Carried Unanimously

by a roll call vote

Fireworks Contract

Rudnick stated the Village needs to approve a permit for the shooting off the fireworks.

(Wolf/Klahn) moved and seconded to approve a permit to shoot off the fireworks.

Motion Carried Unanimously

by a roll call vote

Well Monitoring-Submitting Closure Papers

Moioffer reported that Kapur & Associates is working on submitting closure papers on the well that is on West Street.

**NEW BUSINESS:**

Approval of Agent-Linda Schmitt, Schmitt Family Park LLC-Firemen's Park

(Sadiq/Kapellen) moved to approve Linda Schmitt as the agent for Schmitt Family Park LLC (Firemen's Park).

Motion Carried Unanimously

by a roll call vote

Class “A” Beer License – Schmitt Family Park LLC, Linda Schmitt, Agent for Firemen’s Park (Klahn/Sadiq) moved to approve a Class “A” Fermented Malt Beverage License be granted to Schmitt Family Park LLC, Linda Schmitt Agent for Firemen’s Park for the licensing year expiring June 30, 2011.

Motion Carried Unanimously  
by a roll call vote

Operator’s License – Tami Ausloos, Michael Miller, Nancy Reindl – Marshall’s One Stop (Wolf/Klahn) moved Tami Ausloos, Michael Miller, Nancy Reindl – Marshall’s One Stop be granted operators’ licenses for the licensing year expiring June 30, 2012.

Motion Carried Unanimously  
by a roll call vote

Operator’s License – Amanda Cain, Daniel Schmitt, Danielle Weyker, and Sloan Pfeifer – Firemen’s Park

(Klahn/Wolf) moved Amanda Cain, Daniel Schmitt, Danielle Weyker, and Sloan Pfeifer – Firemen’s Park be granted operators’ licenses for the licensing year expiring June 30, 2012.

Motion Carried Unanimously  
by a roll call vote

### **TRUSTEE REPORTS**

Kapellen asked about removing the phone booth neat the beach. Moioffer stated she will check into the removal.

Wolf stated he is checking on possible sponsorships for the dog stations.

Wolf also stated that he met with Jeanne and James Moersch in regards to the visibility of the Verizon power boxes. Wolf stated that when the power boxes were being installed there was a discussion that Verizon would pay for some screening. Wolf reported that a line of trees on the south side of the Village lot would help to screen the power boxes and building. Wolf stated he thought 6 to 8 trees may be all that is needed.

### **COMMUNICATIONS**

The Board had received copies of the communications via email throughout the month. Moioffer read a Thank you card from Kathleen Eickhoff for the display provided at her mother’s funeral.

### **CLERK’S REPORT**

Moioffer reported that the recycling report for 2010 has been filed and the Arbor Day Celebration was a success.

Moioffer also stated that the Open Book will be held on June 22, 2011 from 2:00 pm to 4:00 pm and the Board of Review will be held on July 13<sup>th</sup>, 2011 from 6:00 pm to 8:00 pm.

(Wolf/Kapellen) moved that the meeting be adjourned at 8:21 p.m.

Motion Carried Unanimously

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Jeanette L. Moioffer, Clerk-Treasurer

Prepared by: Jessica Potter, Deputy Clerk-Treasurer/Administrator

**MINUTES May 16<sup>th</sup>, 2010**

Minutes of the regular meeting of the Board of Trustees of the Village of Elkhart Lake held on Monday, May 16<sup>th</sup>, 2011 at the Grashorn Memorial Civic Center in the Village of Elkhart Lake with the agenda having been duly posted on Friday, May 13, 2011 between the hours of 2:26 P.M. and 3:00 P.M. at National Exchange Bank and Trust, the Elkhart Lake Post Office, Community Bank and Trust and the Municipal Office. The agenda was posted on the Village website at 3:15 P.M. on May 13, 2011.

President Rudnick called the meeting to order at 7:00 P.M. with the following Trustees present: Mike Wolf, Pam Garton, Steve Kapellen, Richard Sadiq, and Lynn Shovan. Trustee Rola Ann Klahn was absent.

Others in attendance included: Gary Roeh, Lola Roeh, Tod Hellmann, Rob Schmidt, Rosemarie Lauer, Pat Zorn, Mark Landgraf, Scott Lawrence, James Moersch, Jeanne Moersch, Emmitt Feldner; Jeanette Moioffer, Clerk; Jessica Potter, Deputy Clerk-Treasurer/Administrator.

The Pledge of Allegiance was recited.

The Board decided to move items VIII. A., C., D., and G. to after public comments.

Public Comment –  
There was no public comment.

Treasurer’s Report –  
(Kapellen/Sadiq) moved to approve the April’s Treasurer’s Report.

**UNFINISHED BUSINESS**

Resolution of Commendation – Rosemarie Lauer

Rudnick read and presented Lauer with a Resolution of Commendation. Lauer also thanked the Board for the time and effort they spend dealing with issues in the Village.

Trustee Wolf introduced Resolution Eleven 2011-Resolution of Commendation.

(Kapellen/Shovan) moved and seconded to approve Resolution Eight 2011-Resolution of Commendation for Rosemarie Lauer.

Motion Carried Unanimously  
by roll call vote

**RESOLUTION ELEVEN - 2011  
VILLAGE OF ELKHART LAKE  
SHEBOYGAN COUNTY, WISCONSIN**  

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**RESOLUTION OF COMMENDATION**

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**WHEREAS, Rosemarie Lauer** has left her position on the Elkhart Lake Planning Commission; and

**WHEREAS, Rosemarie Lauer** has served on the Elkhart Lake Planning Commission for 10 years from 2001 to 2011; and

**WHEREAS, Rosemarie Lauer's** efforts have been selfless and above and beyond the call of duty and have taken many hours of her personal time;

**NOW THEREFORE, BE IT RESOLVED**, that the Board of Trustees of the Village of Elkhart Lake publicly commend and thank **Rosemarie Lauer** for her dedicated service; and

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to **Rosemarie Lauer**.

Attest:

Adopted and approved this  
16<sup>th</sup> day of May, 2011

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Alan S. Rudnick, President

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Jeanette L. Moioffer, Clerk

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Michael Wolf, Trustee

Weather Warning Sirens

Kapellen stated that the Protection of Person and Property met tonight, and in regards to the siren on Arbor Drive, the Committee voted to leave the siren as is.

Wolf asked if the Committee looked at an alternate location at the meeting. Kapellen stated they looked at a location that would move the siren 208 feet to the other edge of the property, but according to an email sent by the Moerschs' they stated that moving the siren to the other side of the property would not be acceptable. The map was completed a week ago, but was not discussed with the Moerschs'. Shovan stated it had been discussed with them previously and they stated that if the Village moved the siren to the corner of the lot it still was not acceptable. James Moersch stated he had not heard from the Village since the previous Board meeting.

(Kapellen/Shovan) moved to leave the sirens in their current locations and to continue to test the siren every other week for two minutes.

Wolf stated it is a question, if it was discussed with the Moerschs'. Rudnick stated that he would tend to agree with Wolf. Kapellen stated they had discussed it with them at the last meeting, and in their email the Moerschs' stated it was not acceptable.

Shovan also stated that the only way to think about moving the siren would be to fill out an application with We Energies and then they will provide a price to move the siren. The application can take 3 or 4 months with We Energies. Shovan also noted that the siren above the Civic Center is louder than the one on Arbor Drive and there have been no complaints about this siren. Shovan explained that the committee looked at other communities and thought about shortening the length of the siren. Shortening the length the siren sounds becomes an issue because the length of time the siren sounds during a test, is the length of time the siren will sound during a weather emergency. Kapellen stated that the siren had been in that location for a number of years.

Jeanne Moersch asked what weight the Board gives to promises made by previous Boards? She asked the Board to remember the information she brought before the Board two weeks prior on hearing damage. She also stated that not only are they susceptible to hearing damage, anyone that comes on their property is subject to hearing damage.

Roll Call Vote:  
ayes: Shovan, Sadiq, Kapellen, Garton  
nays: Rudnick & Wolf  
Motion Carried

Ordinance 551 – Zoning Map Change from R-1 to C-1 – Victory Elkhart LLC.

Rudnick stated the rezoning appears to be something that was missed during the creation of the new zoning ordinance over the last 10 years. The Planning Commission recommended to the Board to change the zoning from R-1 to C-1. Garton stated that this area is labeled commercial on the Future Land Use Plan in the Village’s Comprehensive Plan.

Trustee Sadiq introduced Ordinance 551-Zoning Map Change from R-1 to C-1 for Victory Elkhart LLC.

(Wolf/Garton) moved and seconded to approve Ordinance 551-Zoning Map Change from R-1 to C-1 for Victory Elkhart LLC.

Motion Carried Unanimously  
by roll call vote

**ORDINANCE 551**  
**VILLAGE OF ELKHART LAKE**  
**SHEBOYGAN COUNTY, WISCONSIN**

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**ZONING CHANGE**

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**WHEREAS**, The Board of Trustees of the Village of Elkhart Lake, Sheboygan County, Wisconsin, does hereby ordain as follows:

That pursuant to the Municipal Code of the Village of Elkhart Lake, Section 16.27, and after considering the recommendation of the Planning Commission, and after hearing the public’s comments at a legally noticed public hearing held on May 16, 2011, the zoning map affecting the property described below is hereby amended as follows:

That the following-described property is rezoned from a present zoning designation of Single Family Residential (R-1) to a zoning designation of General Commercial (C-1).

That the property located in the Village of Elkhart Lake, County of Sheboygan, State of Wisconsin, is described as follows:

Beginning at the South ¼ corner of said Section 20, thence S 89-28-45 E along the south line of the SE ¼ of said Section 20, 13.57’, thence N 0-37-50 E, 153.00’ to the south line of a C.S.M. recorded in Volume 21, Pages 261-264; thence N 89-28-45 W, along said south line,

19.40' to the west line of said C.S.M.; thence N 0-31-15 E along said west line, 468.28'; thence continuing along said C.S.M., S 88-08-59 W, 86.17', thence northwesterly, 171.72' along the arc of a curve to the right, having a radius of 130.00', and bearing a chord of N 54-00-33 W, 159.50', thence N 16-10-05 W, 100.92', thence northwesterly 90.49' along the arc of a curve to the left, having a radius of 70.00' and bearing a chord of N 53-11-58 W, 84.32'. thence S 89-46-09 W, 91-04', thence S 0-14-56 W, 120.00; thence S 89-46-09 W, 59.93', thence S 0-14-56 W, 398.92', thence N 89-06-05 E, 184.60', thence S 0-37-08 W, 332.86' to the south line of the SW ¼ of said Section 20, thence S 89-06-05 E along said south line, 282.96' to the point of beginning, being a tract of land containing 6.42 acres; and

Attachment A provides a map of the area to be rezoned.

**BE IT RESOLVED**, that this ordinance will become effective upon its publication and posting.

Attest:

Approved and Adopted this  
16<sup>th</sup> day of May, 2011

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Alan S. Rudnick, President

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Jeanette L. Moioffer, Clerk

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Richard Sadiq, Trustee

Ordinance 554 – Create Zoning Ordinance 16.94 – Polystructures

Rudnick stated it is a recommendation of the Planning Commission to not allow polystructures within the Village. Sadiq asked if any were currently located in the Village. Rudnick stated there are currently none in the Village, but there have been a few requests. Rudnick stated there were a few up on Highway 67 during the garage sale. Potter stated they can be a car port or car canopy.

Trustee Wolf introduced Ordinance 551-Zoning Map Change from R-1 to C-1 for Victory Elkhart LLC.

(Garton/Kapellen) moved and seconded to approve Ordinance 554-Create Section 16.94 Polystructures in the Zoning Ordinance.

Motion Carried Unanimously  
by roll call vote

**ORDINANCE 554  
VILLAGE OF ELKHART LAKE  
SHEBOYGAN COUNTY, WISCONSIN**

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**CREATING 16.94 POLYSTRUCTURES OF THE ZONING ORDINANCE**

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**WHEREAS**, The Board of Trustees of the Village of Elkhart Lake, Sheboygan County, Wisconsin, does hereby ordain as follows:

That pursuant to the Municipal Code of the Village of Elkhart Lake, Section 16.27, and after considering the recommendation of the Planning Commission, and after hearing the

public's comments at a legally noticed public hearing held on May 16, 2011, Section 16.94 Polystructures will be created in Chapter XVI of the Elkhart Lake Zoning Ordinance as follows:

**16.94 POLYSTRUCTURES**

(1) Purpose. This section prohibits the use and placement of polystructures in the Village.

(2) Defined. A "polystructure" is defined as a freestanding enclosure, not regulated by building codes, and intended for storage having a frame of steel or some other material, and covered with various types of plastic, polyurethane, vinyl canvas, sheet metal or other flexible sheeting materials. Temporary greenhouses, utility sheds, or screen houses are not referred to under this category.

(3) General Conditions. Polystructures constitute a temporary accessory building.

(a) Duration. Poly structures are not allowed within the Village of Elkhart Lake at any time.

(4) Compliance. All existing polystructures must be removed within 30 days of the enactment of the ordinance and are prohibited in the Village for any future use.

**BE IT RESOLVED**, that this ordinance will become effective upon its publication and posting.

Attest:

Approved and Adopted this  
16<sup>th</sup> day of May, 2011

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Alan S. Rudnick, President

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Jeanette L. Moioffer, Clerk

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Steven R. Kapellen, Trustee

**COMMITTEE REPORTS**

*LIBRARY BOARD* – Klahn

Klahn was absent from the meeting, so this item will be discussed at the next Board meeting.

*ADMINISTRATION AND FINANCE* – Sadiq

- 1) The Committee met on May 6<sup>th</sup> and approved the check for the fire truck purchase for a price of \$345,000.00. The discount in price was due to the fact the Village paid in full for the fire truck.

*COUNTY SHORELAND STAKEHOLDERS MEETING* – Garton/Potter

Potter stated the committee discussed the definition of impervious surfaces and what constitutes an impervious surface.

*CDA* – Rudnick

- 1) The Board had received the minutes from the March 31<sup>st</sup>, 2011 meeting and the following are highlights from the May 4<sup>th</sup>, 2011 meeting.
- 2) The CDA is working on developing a strategic plan and has decided to have Lola Roeh lead a strategic planning session, including a SWOT analysis, on June 15<sup>th</sup>.

*PLANNING COMMISSION – Rudnick*

- 3) The Board had received the minutes from April 20<sup>th</sup>, 2011 meeting and the following are highlights from the May 11<sup>th</sup>, 2011 meeting.
- 4) The Commission is reviewing possible lighting regulations for signs, residences, and businesses.
- 5) The Commission continued its review of the subdivision ordinance and also reviewed zoning ordinance fees.
- 6) The Commission also recommends extending the moratorium on subdivisions for 60-days.

*NORTHERN MORAINES UTILITY – Moioffer*

The Board had received the minutes from March 14<sup>th</sup>, 2011 meeting and agenda for the April 11<sup>th</sup> meeting.

*PROTECTION OF PERSON & PROPERTY – Kapellen*

- 1) The Board had received the minutes from May 2<sup>nd</sup>, 2011 meeting and the following are highlights from the May 16<sup>th</sup>, 2011 meeting.
- 2) The Committee discussed the weather warning sirens and recommended to the Board that all weather warning sirens should be left as they are.

*PRESIDENT'S REPORT – Rudnick*

Rudnick reported that he had attended the Tourism breakfast on May 11<sup>th</sup> and the guest speaker was Department of Tourism Secretary, Stephanie Klett. She provided a lively report on tourism in the state, as well as explained how the State's tourism budget will hopefully increase over the next few years.

**UNFINISHED BUSINESS**

Resolution Extending the Moratorium on Subdivisions

Rudnick reported that the Planning Commission needs more time to make the changes to the subdivision ordinance; therefore, the Planning Commission is recommending an extension of the moratorium.

Trustee Wolf introduced Resolution Nine 2011-Extension of the Moratorium on Subdivisions.

(Shovan/Garton) moved and seconded to approve Resolution Eight 2011-Resolution of Commendation for Rosemarie Lauer.

Motion Carried Unanimously  
by roll call vote

**RESOLUTION NINE - 2011  
VILLAGE OF ELKHART LAKE  
SHEBOYGAN COUNTY, WISCONSIN**

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**EXTENSION OF THE MORATORIUM ON SUBDIVISIONS**

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**WHEREAS** the State of Wisconsin has passed Wisconsin Act 376 and Wisconsin Act 399 revising language in the statutes relating to subdivisions; and

**WHEREAS** the Village of Elkhart Lake finds it necessary to revise Village Ordinance Chapter 32 which also relates to subdivisions; and

**WHEREAS** the Planning Commission is in the process of revising Village Ordinance Chapter 32, Subdivisions and expect that it will take some time to finish this revision of Chapter 32 to be in compliance with Wisconsin Act 376 and Wisconsin Act 399;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees of the Village of Elkhart Lake declares a 60-day extension of the moratorium and suspension on the filing of subdivision plans for the Village of Elkhart Lake; and

**BE IT FURTHER RESOLVED**, that the 60-day timeframe may be extended or shortened by order of the Village of Elkhart Lake Board of Trustees.

Attest:

Adopted and approved this  
18<sup>th</sup> day of May, 2011.

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Alan S. Rudnick, President

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Jeanette L. Moioffer, Clerk

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Michael Wolf, Trustee

Ordinance 552 – Changes to Zoning Ordinance 16.15 and 16.30 through 16.71 – Attached Garages

Rudnick stated it is the Planning Commission’s recommendation to make this change. The Planning Commission would like attached garages attached by a common wall. Potter stated this issue had come up as a few properties are attaching garages with footings and have two story garages with living quarters including kitchens and bathrooms. Rudnick stated it is the intention to close this loophole.

Trustee Sadiq introduced Ordinance 552- Revising Zoning Ordinance Sections 16.15 and 16.30b through 16.71 dealing with attached garages.

Wolf stated one of the many changes made is that even though attached garages could be up to 35 feet in height, they can be no taller than the height of the principal structure.

(Garton/Kapellen) moved and seconded to approve Ordinance 552-Revising Zoning Ordinance Sections 16.15 and 16.30b through 16.71 dealing with attached garages.

Motion Carried Unanimously  
by roll call vote

**ORDINANCE 552  
VILLAGE OF ELKHART LAKE  
SHEBOYGAN COUNTY, WISCONSIN**

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**REVISING ZONING ORDINANCE SECTIONS 16.15, 16.30-16.60  
ATTACHED GARAGES**

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**WHEREAS**, The Board of Trustees of the Village of Elkhart Lake, Sheboygan County, Wisconsin, does hereby ordain as follows:

That pursuant to the Municipal Code of the Village of Elkhart Lake, Section 16.27, and after considering the recommendation of the Planning Commission, and after hearing the public's comments at a legally noticed public hearing held on May 16, 2011, the zoning ordinance affecting Sections 16.15, 16.30, 16.31, 16.32, 16.33, 16.40, 16.41, 16.42, 16.43, 16.50, 16.51, 16.52, & 16.60 dealing with attached and detached garages is hereby amended as follows:

**16.15 Garage - Private, Attached.** A large enclosed space that is typically used for the storage of personal property, including motor vehicles. The space must open directly onto the rest of the dwelling, while being connected by a common wall. An attached garage constitutes part of a principal building and cannot exceed the height of the principal structure or 35 feet, whichever is less; and;

**16.30(6)(b) Maximum Accessory Building & Detached Garage Height.**

Fifteen (15) feet; and,

**16.31(6)(b) Maximum Accessory Building & Detached Garage Height.**

Fifteen (15) feet; and,

**16.32(6)(b) Maximum Accessory Building & Detached Garage Height.**

Fifteen (15) feet; and,

**16.33(7)(b) Maximum Accessory Building & Detached Garage Height.**

Fifteen (15) feet; and,

**16.40(6)(b) Maximum Accessory Building & Detached Garage Height.**

Twenty (20) feet; and,

**16.41(6)(b) Maximum Accessory Building & Detached Garage Height.**

Twenty (20) feet; and,

**16.42(6)(b) Maximum Accessory Building & Detached Garage Height.**

Twenty (20) feet; and,

**16.43(6)(b) Maximum Accessory Building & Detached Garage Height.**

Twenty-five (25) feet; and,

**16.50(6)(b) Maximum Accessory Building & Detached Garage Height.**

Twenty (20) feet; and,

**16.51(6)(b) Maximum Accessory Building & Detached Garage Height.**

Twenty-five (25) feet; and,

**16.52(6)(b) Maximum Accessory Building & Detached Garage Height.**

Twenty-five (25) feet; and,

**16.60(6)(b) Maximum Accessory Building & Detached Garage Height.**

Twenty-five (25) feet.

**BE IT RESOLVED**, that this ordinance will become effective upon its publication and posting.

Attest:

Approved and Adopted this  
16<sup>h</sup> day of May, 2011

\_\_\_\_\_  
Alan S. Rudnick, President

\_\_\_\_\_  
Jeanette L. Moioffer, Clerk

\_\_\_\_\_  
Richard Sadiq, Trustee

Ordinance 553 – Changes to Zoning Ordinance 16.90 – Signs

Rudnick stated these changes were recommended by the Planning Commission. Potter reviewed the changes to the sign ordinance including the changes to the sandwich board signs and the contractor signs.

Garton asked if that will change the areas where the sandwich boards were permitted. Potter stated that they currently are not allowed on sidewalks or in the rights-of-ways, it was just never enforced. Wolf stated the Planning Commission changed the dimensions allowed.

Trustee Shovan introduced Ordinance 553-Revising Ordinance 16.90 dealing with Signs.

(Wolf/Garton) moved and seconded to approve Ordinance 553- Revising Zoning Ordinance Section 16.90 dealing with Signs.

Motion Carried Unanimously  
by roll call vote

**ORDINANCE 553  
VILLAGE OF ELKHART LAKE  
SHEBOYGAN COUNTY, WISCONSIN**

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**REVISING ZONING ORDINANCE SECTION 16.90 - SIGNS**

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**WHEREAS**, The Board of Trustees of the Village of Elkhart Lake, Sheboygan County, Wisconsin, does hereby ordain as follows:

That pursuant to the Municipal Code of the Village of Elkhart Lake, Section 16.27, and after considering the recommendation of the Planning Commission, and after hearing the public's comments at a legally noticed public hearing held on May 16, 2011, the zoning ordinance affecting Section 16.90-Signs is hereby amended as follows:

- 16.90(4)(a)(17)** Sandwich Board signs limited to one (1) per business or tenant and not exceeding eight (8) square feet per side display area, with a maximum of twenty-four (24) inches, shall not be placed in the street right-of-way, on sidewalks, or in any other public right-of-way, and can only be displayed during regular business hours; and,
- 16.90(5)(f)** Signs in the C-1, C-2, C-3, and C-4 Districts shall only advertise on-site businesses and events. In instances where the property owner or business tenant wishes to erect a sandwich board, refer to the regulations for sandwich board signs under 16.90(4)(a); and,
- 16.90(10)(a)(3)** Contractor/subcontractor signs no larger than six (6) square feet may be erected for a maximum of the length of time the contractor is performing work at the site, but not to exceed 90 days.

**BE IT RESOLVED**, that this ordinance will become effective upon its publication and posting.

Attest:

Approved and Adopted this  
16<sup>th</sup> day of May, 2011

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Alan S. Rudnick, President

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Jeanette L. Moioffer, Clerk

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Lynn Shovan, Trustee

## **NEW BUSINESS**

### Operator's License – Christopher Wilson – The Osthoff Resort

(Sadiq/Garton) moved Christopher Wilson – The Osthoff Resort be granted operators' licenses for the licensing year expiring June 30, 2012.

Motion Carried Unanimously

### 2011-2012 Property & Liability Insurance

Rudnick stated that the property & liability insurance is up about \$1,200 from this year. Moioffer reported that we were delivered a check for a dividend on workmen's compensation for over \$3,000. The workers compensation insurance premium has increased.

(Sadiq/Shovan) moved to approve the 2011-2012 property and liability insurance proposal they were provided, for a total annual estimate of \$47,663.

Motion Carried Unanimously  
by a roll call vote

### League of Wisconsin – 2011 Annual Meeting

Moioffer reported that the League of Wisconsin 2011 Annual Meeting would be held on May 19<sup>th</sup>. She asked if anyone would be interest in attending, and if not if the Village should vote proxy. It was the consensus of the Board to vote proxy.

## **TRUSTEE REPORTS**

Shovan reported that on May 24<sup>th</sup>, Lake Street Café will be having a dinner for a local charity and will be placing tables on the sidewalk north of the building, but not blocking the sidewalk, for about 1 hour.

Shovan also reported that the SCCA runoff committee throws a \$20,000 party, and will be looking to see if the Village could make a donation to this, even if it was by placing the banners on the street posts.

Garton stated that the Beautification Committee is hard at work to ensure the Village puts its best face forward with the writers coming to the Village. Julie Bins from the committee will work on the mulch during the last week of the month.

Wolf stated he would like Steve Rautmann to locate the water lines at the Arbor Drive water tower because he would like the Village to look into putting trees along the property line with the Moerschs' to screen some of the buildings.

## COMMUNICATIONS

The Board had received copies of the communications via email throughout the month. Moioffer did make a note that “The Researcher” a publication by the Sheboygan County Research Center had a nice article on the history of Quit-Qui-Oc.

## CLERK’S REPORT

Moioffer stated that the County is finishing up their redistricting plan, so the Village will soon have to split the Village into wards. The Memorial Day Celebration will be held on Saturday, May 28<sup>th</sup> at 11:00 am at Memorial Park.

Moioffer reported that the State Financial Report and TIF Certification were filed.

The Administration and Finance Committee meeting will need to be rescheduled, as Klahn cannot attend the meeting on Friday. The member present stated they would like to meet on May 27<sup>th</sup> at 8:00 am.

## VOUCHER APPROVAL

The following library vouchers were approved by the Library Board and presented to the Board for payment:

V-231	Bankcard Services	Library videos, Milwaukee Journal sub, etc.	\$538.86
V-235	WE Energies	Library Mar. power & light	276.18
V-242	Baker and Taylor	Library books, audio books	1,543.98
V-246	CEC	Library elevator monitor, fire monitoring	72.71
V-247	Clerk’s Petty cash	Library cleaning supplies	10.79
V-250	Eastern Shore Library	Library-Tumblebooks	203.49
V-253	Frontier	Library phone service	78.41
V-256	Globalcom	Library long distance service	7.68
V-259	Bruce Hetzler	Library Program	325.00
V-263	Michelle Galloway	April cleaning	225.00
V-265	New Zoo of Brown Cty	Library program	210.00
V-274	Sue Staum	Library Mileage	20.00
V-277	Terminix	Library-pest control	26.50
V-279	Mary Tooley	Library program	125.00
V-282	Wis. Public Service	Library natural gas	91.18
	Total library		\$3,810.86

(Shovan/Sadiq) moved that the Library vouchers be paid as presented.

Motion Carried Unanimously

The following Water Department vouchers were presented to the Board for approval and payment:

WV-077	Village of Elkhart Lake	Sewer Col	\$10,547.73
WV-078	U.S. Cellular	Water cell phone	36.27
WV-079	WE Energies	Power & Light	993.47
WV-080	Village of Elkhart Lake	Sewer Col	21,033.67
WV-081	Village of Elkhart Lake	Sewer Col	1,695.61
WV-082	AWWA	Water annual dues	75.00

WV-083	Banyon Data System	Water Computer support	770.00
WV-084	Clerks petty Cash fund	Water postage	20.50
WV-085	Diggers Hotline, Inc.	Diggers hotline fees	22.62
WV-086	Ferguson Enterprises	Hydrant, meter/backflow preventer	1,790.52
WV-087	Frontier	Water phone & internet serv.	54.45
WV-088	Globalcom Inc. USA	Water long distance	6.22
WV-089	Hawkins Water Treatment	Water Chlorine	10.00
WV-090	HD Supply Waterworks LD	1 ½ meter, gasket & wire	1,303.47
WV-091	Rich Solek	Water-battery back up	44.99
WV-092	Village of Elkhart Lake	Water wages-April	5,855.84
WV-093	Wisconsin Public Service	Water Natural Gas	59.16
WV-094	Village of Elkhart Lake	Sewer Col	2,094.52
WV-095	Jack Douglas	Water utility overpay refund	237.83
WV-096	Village of Elkhart Lake	Sewer Col	1,146.73
	Total water bills		\$47,798.60

(Wolf/Garton) moved that the Water Utility vouchers be approved and paid as presented.  
Motion Carried Unanimously

The following CDA vouchers were presented to the Board for approval and payment:

V-261	Kapur & Associates	Monitoring Well	\$1,428.75
	Total C.D.A. bills		\$1,428.75

(Sadiq/Kapellen) moved that the CDA vouchers be approved and paid as presented.  
Motion Carried Unanimously

The following general vouchers were presented to the Board for approval and payment:

V-231	Bankcard Services	Police uniform, reader/usb etc	\$1,298.86
V-232	Citgo	Garage/Police gas	1,089.29
V-233	U.S. Cellular	PW & Tourism cell phone	96.34
V-234	Verizon Wireless	Police Broadband	74.82
V-235	WE Energies	Power & Light – April	7,601.53
V-236	Custom Fire Apparatus, Inc.	New Fire Truck	345,000.00
V-237	A & M Trees, LLC	Tree Com.-Three (3) Trees	1,085.00
V-238	Adcom Technologies	Clerk-computer support	25.00
V-239	ADP screening & selection	Police employment service	10.10
V-240	Aurora Medical Group	Police physical-Agnew	96.00
V-241	B & M Waste Service, Inc.	Memorial Day-porta potties	130.00
V-243	Banyon Data Systems	Clerk com. support-pay & acct.	770.00
V-244	Benefit Advantage	Flex plan monthly fee	35.00
V-245	Cal & Gus Motor	Police & garage vehicle maint.	79.42
V-246	CEC	Fire Monitoring	47.14
V-247	Clerks petty cash fund	Postage, cleaning supplies, etc.	48.19
V-248	Dept. of Administration	State code updates	44.00
V-249	D.Genkes Overhead Doors	Garage door Opener	940.00
V-251	Edgerton, St. Peter & Petak	Village Legal Service	351.00

V-252	Elkhart Lake Postmaster	Clerk postage	176.00
V-253	Frontier	Phone Service & Internet	533.53
V-254	Feed Mill Market	Election & Arbor Day food	57.70
V-255	Principal Life	Employee life insurance	102.76
V-256	Globalcom	Long distance service	52.22
V-258	Hawley, Kaufman & Kautzer	Police legal services	270.00
V-260	JT Construction, LLC	Replace chamber door	1,184.00
V-262	Larry's Hauling	Refuse & recycling Coll.	4,998.67
V-263	Michelle Galloway	April Cleaning	225.00
V-264	Neumann Plumbing & Heat	Cross Connect. Test-Vollrath park	100.00
V-266	Northern Moraine Utility	Sewage Treatment	17,763.40
V-267	Rent-A-Flash of Wis.	Street Signs	207.37
V-268	Alan Rudnick	Mileage-LWM conference	111.00
V-269	Marcia Schamberger	Memorial Day Fees	185.00
V-270	Rob Schmidt	FR conference exp.	327.00
V-271	Sheb. County Treasurer	Court Assessments-April	235.40
V-271	Sheb. County Treasurer	Police-crime maint.	880.70
V-272	Center for land use education	Board of Appeals training	175.00
V-273	Staples	Clerk & F.D. Office supplies	160.24
V-275	State of Wisconsin	State Court Assessments	815.26
V-276	Temple Display, LTD	Christmas Decorations	3,061.80
V-277	Terminix	Pest control	79.50
V-278	Timeless	Storm water drain	425.00
V-280	UW Law School	Police annual subscription	75.00
V-283	U.S. Cellular	Police cell phone	83.02
V-281	Wisc. Newspress	Publish legals Liq. Licenses	67.70
V-282	Wisconsin Public Service	Natural gas	744.83
	Total General checks		\$391,918.79
	Total May Payroll Expenses		\$50,826.62
Total			\$442,745.41

(Wolf/Shovan) moved and seconded that the May vouchers be approved and paid as presented.  
Motion Carried Unanimously

(Garton/Kapellen) moved and seconded to adjourn the meeting at 7:40 p.m.  
Motion Carried Unanimously

\_\_\_\_\_  
Jeanette L. Moioffer, Clerk

Prepared by: Jessica Potter, Deputy Clerk-Treasurer/Administrator

# ANNOUNCEMENTS

The following is the schedule for regular meeting of the Board of Trustees of the Village of Elkhart Lake and **tentative** meetings of the Planning Commission and CDA:

**CHECK OUT THE VILLAGE WEB SITE [www.elkhartlake.com](http://www.elkhartlake.com)**

WEDNESDAY, June 22, 2011 – 2:00 – 4:00 P.M.	OPEN BOOK
MONDAY, July 5, 2011 – 7:00 P.M.	BOARD OF TRUSTEES
WEDNESDAY, July 13, 2011 – 6:00 P.M. – 8:00 P.M.	BOARD OF REVIEW
MONDAY, July 18, 2011 – 7:00 P.M.	BOARD OF TRUSTEES

The Village of Elkhart Lake requests persons requiring auxiliary aids and service for participation in the above meeting contact the Clerk twenty-four (24) hours prior to the meeting. All meetings are held in the general meeting room of the Grashorn Memorial Civic Center, located at 84 North Lake St. in Elkhart Lake unless noted.

THE DEADLINE FOR BEING PLACED ON THE AGENDA FOR ANY REGULAR BOARD MEETING WILL BE AT 5:00 P.M. ON THE WEDNESDAY PRIOR TO THE REGULAR MEETING MONDAY AND ONE WEEK PRIOR TO A COMMITTEE OR COMMISSION MEETING.

Municipal Office is located in the Grashorn Memorial Civic Center and is open on Monday through Friday from 9:00 a.m. to 12:00 noon and 1:00 to 4:30 p.m. The office is also open at 6:00 p.m. prior to all regular board meetings. Please call and make an appointment for special needs.

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## VILLAGE BOARD MEMBERS

**PRESIDENT:** Alan Rudnick (611 Otto Way) 876-3113

**TRUSTEE:** Mike Wolf (POB 506) 876-3100

**TRUSTEE:** Steven Kapellen (POB 271) 876-2177

**TRUSTEE:** Pam Garton (674 Birchwood Drive) 876-2376

**TRUSTEE:** Richard Sadiq (POB 188) 876-3732

**TRUSTEE:** Lynn Shovan (POB 86) 876-2056

**TRUSTEE:** Rola Ann Klahn (POB 14) 876-2513

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## OPEN BOOK AND BOARD OF REVIEW

Open Book will be held on Wednesday, June 22nd, 2011 between the hours of 2:00 P.M. to 4:00 P.M. in the general meeting room of the Grashorn Civic Center located at 84 North Lake Street in the Village of Elkhart Lake.

The Board of Review for the Village of Elkhart Lake shall hold its meeting on Wednesday, July 13th, 2011 from 6:00 P.M. to 8:00 P.M., in the general meeting room of the Grashorn Memorial Civic Center.

Objection forms are available at the Clerk's Office located at 40 Pine Street in the Village of Elkhart Lake. To appear before the Board on Wednesday, July 13<sup>th</sup>, 2011 objection forms or notice of intent to appear must be filed with the Clerk by 4:30 P.M. on Monday, July 11th, 2011.

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## YARD WASTE DUMPSTER



A DUMPSTER IS PROVIDED AT THE VILLAGE GARAGE FROM **APRIL THRU OCTOBER**. CURRENT HOURS ARE WEDNESDAYS FROM 2 P.M. to 6 P.M. and SATURDAYS FROM 8:30 A.M. to 3 P.M. **This is for yard waste only, not lake waste!** YARD WASTE, LEAVES/BRUSH/GARDEN DEBRIS ETC. WILL NOT BE PICKED UP CURBSIDE. A TRUCK FOR LARGE BRUSH OR TREES CAN BE OBTAINED BY CALLING THE VILLAGE GARAGE AT 876-2231.



**Garbage pickup will be delayed by one day  
the week of July 4<sup>th</sup>.**

**Garbage pickup will be on Thursday, July 7<sup>th</sup>, 2011.**

*Larry's Hauling large item pick up,  
appliance pick up, and electronic pick up.*

Larry's will pick up large items (such as Furniture, carpet, and non-freon appliances) every week, free to Village residents.

- Freon Appliances will be accepted for a fee of \$25.00 per item, which will be billed to the resident.
- Tires will be accepted for a fee billed to the resident that varies by the size of the tire.
- Electronic Items for a fee billed to residents who use the service.
  - TVs: Small-\$30.00 Large \$35.00-\$65.00
  - Computer Monitor: \$30.00
  - Keyboards: \$15.00
  - Towers: \$15.00
  - Batteries: \$10.00
  - Other items: call for current pricing.



***For any of these pick-ups you must call ahead to 920-467-1919  
to notify Larry's Hauling.***

YOU MUST RECYCLE OR YOUR REFUSE WILL BE TAGGED!! CLEAR BAGS MUST BE USED FOR GARBAGE! BLUE BAGS MUST BE USED FOR RECYCABLES! CARDBOARD MUST BE FLTTENED AND BUNDLED OR PLACED IN BROWN PAPER BAGS. BLACK BAGS WILL NOT BE PICKED UP!!

**DOG OWNERS:**

**VILLAGE ORDINANCE 8.32 ANIMAL FECES.** Any person owning or having control of any animal shall **CLEAN UP** the feces of such animal immediately and dispose of it in a sanitary manner when the animal has defecated on the property of another or on **PUBLIC PROPERTY**. PLEASE BE AWARE, THE SIDEWALK, THE AREA BETWEEN THE SIDEWALK AND STREET (PARKWAY), THE STREET, LAKE STREET WALKWAY, AND ALL PARKS AND PARKING LOTS **ARE PUBLIC PROPERTY!!**



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**WEATHER WARNING SIRENS** located at the 40 Pine Street (Village Hall), 511 E Rhine Street (near Charlene's), and 633 Arbor Drive are back in operation. The Sirens will be tested every other Wednesday at 11:00 am for 2 minutes.  
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## ***FIREMAN'S PICNIC***

### **FRIDAY, JULY 1<sup>st</sup>, 2011:**

6:00 PM: GATES OPEN AND FOOD  
AVAILABLE

8:00 PM: MUSIC PROVIDED BY THE TOYS

9:30 PM: FIREWORKS

### **SATURDAY, JULY 2<sup>nd</sup>, 2011:**

FOOD AVAILABLE ALL DAY

8:00 P.M. MUSIC PROVIDED BY ROADTRIP

### **SUNDAY, JULY 3<sup>rd</sup>, 2011:**

11:30 AM: PARADE WITH THE

UW-MADISON MARCHING BAND

JERRY SCHNEIDER ORCHESTRA WILL

FOLLOW THE PARADE  
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