



MINUTES November 7th, 2011

Minutes of the regular meeting of the Board of Trustees of the Village of Elkhart Lake held on Monday, November 7th, 2011 at the Grashorn Memorial Civic Center in the Village of Elkhart Lake with the agenda having been duly posted on Friday, November 4th, 2011 between the hours of 12:30 P.M. and 1:10 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 1:30 P.M. on November 4th, 2011.

President Rudnick called the meeting to order at 7:01 P.M. with the following Trustees present: Mike Wolf, Pam Garton, Rola Ann Klahn, Steve Kapellen, Richard Sadiq, and Lynn Shovan.

Others in attendance included: Peter Menne; David Martiny; Barbara Martiny; Yvonne Landgraf; Emmitt Feldner; Jessica Reilly, Assistant Clerk; Jeanette Moioffer, Clerk.

The Pledge of Allegiance was recited.

It was the consensus of the Board to move item VIII. A -Development Agreement-Sign Grant & New Business Start-up Loan after Public Comment.

Approval of Minutes –

(Wolf/Garton) moved to approve the minutes of October 3rd and October 17th, 2011.

Motion Carried Unanimously

Treasurer's Report –

(Kapellen/Sadiq) moved to approve the October Treasurer's Report.

Motion Carried Unanimously

Public Comment –

Yvonne Landgraf-106 S. Lake Street

Landgraf stated she looked at the book in the library in regards to the Glenna Goodacre statues. Landgraf wanted to know what the Village's plans were for a fence around the statue. Rudnick stated the Village is working with a donor on the idea of placing a fence around the statue. Rudnick stated that it would be a short fence. Landgraf stated the Village should contact other communities to see what they have done for fencing. Landgraf stated when she saw the picture of the children sitting by the statue she thought of their innocence and how they wanted to get up close and look into the statues eyes. Landgraf questions whether we really need a fence around the statue. Landgraf feels that those who want to vandalize the statue will do so with or without a fence. Landgraf also suggested developing a bookmark of the statue to place in the library. Rudnick thanked her for her comments.

UNFINISHED BUSINESS:

Development Agreement – Sign Grant & New Business Loan –David & Barbara Martiny

Rudnick stated that the CDA recommended approval of \$3350.00 for a start-up loan and \$443 for a sign grant. Reilly showed the Board pictures of the sign and explained that the \$443 would be for half the cost of the sign. The start-up business loan will help pay for rent, insurance, equipment, and inventory. Rudnick stated that the loan repayment schedule is for 5 years. Rudnick reviewed the loan repayment schedule.

(Sadiq/Shovan) moved to approve a business start-up loan for \$3,350 and a sign grant for \$443 to David Martiny for Lieutenant Dave's Area 51 Vintage Shop.

Roll Call Vote:

ayes: Wolf, Garton, Rudnick, Kapellen,
Sadiq, Shovan

abstain: Klahn

Motion Carried

COMMITTEE REPORTS

OCTOBER BUILDING PERMIT REPORT – Moioffer

The October Building Permit Reports were emailed to the Board.

JOINT FIRE STATION COMMITTEE – Kapellen

- 1) The Board was sent the minutes from the September 22nd, 2011 meeting.
- 2) Highlights of the October 20th, 2011 meeting were discussed.
- 3) The Committee has taken care of the roof leak, the cracking blacktop, and the sprinklers in the wrong positions.
- 4) The Fire Chief provided his report on the number of calls.
- 5) The cost of ladder testing was divided between the Village, Town, and the Osthoff.
- 6) The inventory has been completed.
- 7) The Committee is working on the timers for the lights at the fire station.
- 8) The Committee is working at the truck replacement schedule for the next 25 years.
- 9) The Committee reviewed the 2012 budget.

ADMINISTRATION AND FINANCE COMMITTEE – Sadiq

- 1) Highlights of the November 3rd, 2011 meetings were discussed.
- 2) The 2012 Budget had some slight revisions, due to the increase in cost for hydrant rentals.
- 3) The Committee reviewed the Tourism Commission's Strategic Plan, which calls for an increase in the room tax to 6%. Kathleen and Lola will be at the Board meeting on November 21st, 2011 to discuss the strategic plan and answer questions. The Board received copies of the proposed budget reflecting the 6% room tax.
- 4) The Committee discussed Mix & Mingle's rent payments. The Committee asked them to pay the full month's rent for September and October.

CDA – Rudnick

- 1) The Board was sent the minutes from the September 14th, 2011 meeting.
- 2) Highlights of the October 19th, 2011 meeting were discussed.
- 3) The CDA discussed their strategic plan.

- 4) The CDA recommended approval of a sign grant of \$443 and a business start-up loan of \$3,350 for David Martiny.
- 5) The CDA determined their 2012 Budget. Rudnick will distribute their budget at the next meeting.

PROTECTION OF PERSON & PROPERTY COMMITTEE – Kapellen

- 1) Highlights of the November 7th, 2011 meeting were discussed.
- 2) The Committee discussed the relocation of the weather warning sirens and its associated costs. The Committee stated staff should pursue adding a pole in the WisDOT right-of-way.
- 3) The Committee discussed building inspection in the Village. The Committee instructed staff to see if any Village employee was interested becoming a building inspector.

TROURISM COMMISSION – Klahn

- 1) Highlights of the October 25th, 2011 meeting were discussed.
- 2) The Commission developed a strategic plan, which includes a proposed increase in room tax to 6%.
- 3) The Commission developed their proposed 2012 budget.

PRESIDENT'S REPORT – Rudnick

- 1) Rudnick reported that the Heads of Government met and that every municipality has a tight budget and everyone is having to make cuts. The Heads of Government have agreed to work on implementation of the comprehensive plans. They will work together on the common areas.
- 2) Rudnick also reported that the Sheboygan County Economic Development Corporation (SCEDC) is holding its annual meeting on November 15, 2011 and if anyone would like to attend, Reilly will sign them up. All Board member received invitations. Rudnick and Reilly will be attending.

UNFINISHED BUSINESS:

Room Tax-Ordinance 560 Increase to 6% for 2012

Kapellen introduced Ordinance 560: Room Tax Rate Increase.

Ordinance 560 was given its first reading.

**ORDINANCE 560
VILLAGE OF ELKHART LAKE
SHEBOYGAN COUNTY, WISCONSIN**

ROOM TAX RATE INCREASE

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

Be it resolved that effective, January 1st, 2012 Section 3.06(2) of the Municipal Code of the Village of Elkhart Lake be hereby amended to read as follows:

3.06(2) IMPOSITION OF ROOM TAX.

(a) Pursuant to sec 66.75, Wis. Stats., a tax is hereby imposed on the privilege and service of furnishing, at retail, rooms or lodging to transients by hotel keepers, motel operators, bed & breakfast operators, and other persons furnishing accommodations available to the public, irrespective of whether membership is required for the use of the accommodations. Such tax shall be capped at the rate of six percent (6%) of the gross receipts from such retail furnishings of rooms or lodging. Such tax shall not be subject to selective sales tax imposed by sec. 77.52(2)(a) 1., Wis. Stats.

(b) The Elkhart Lake Tourism Commission is the principal organization for the purpose of promotion of convention and tourist business and shall receive all moneys collected from the six percent (6%) room tax minus the Village's cost of administration. The organization shall permit and allow inspections of its records pertaining to the use of the room tax funds upon request of the Village Board, at reasonable times.

Room Tax-Village's Administration Fees-Menne

Menne expressed displeasure on the amplification of the microphones. Rudnick noted his comments.

Menne wrote the Board a letter (See Attachment A). He wrote the letter because in he recalls that in 2008 there was questions raised about the portion of the room tax the Village would receive for administration. Menne stated that in 2008 the Village received 5 percent of the room tax and now receives 6 percent. Rudnick clarified that the Village was looking at increasing the overall room tax to 6 percent and leaving the Village's portion at 6 percent. Menne stated that the room tax upgrade would be less than \$1,000. Klahn clarified that it would increase the Village's share of the room tax by over \$4,000.

Menne stated that the Village needs to take a larger portion of the room tax dollars for use as a Village. Menne reported that room tax is only paid on the rooms, and not on other services provided by the resorts. Menne says the Village has a tight budget and thinks the Village Board should increase the Village's share of room tax. Menne proposed that the Village should take 30 percent of the room tax dollars, while still leaving a significant amount of money for the Tourism Commission. Rudnick stated the letter will be reviewed by Administration & Finance.

Sadiq stated that the Tourism Commission has prepared a strategic plan and that is why the Administration & Finance Committee recommended raising the overall room tax to 6 percent. Wolf asked what response from the Administration & Finance Committee was Sadiq referring to? Rudnick responded that the Administration & Finance recommended raising the room tax to 6 percent. Wolf stated there was no consideration of increasing the Village's portion of the room tax. Menne stated that the Tourism Commission has pleaded poverty for all these years, but have received a majority of the room tax since its inception. Menne stated he is not against Tourism, but feels they need to pay more. Rudnick stated that Tourism is a huge portion of our economy, and will be at the next Board meeting to review and answer questions on their proposal.

2012 Budget

Moioffer asked if there were any questions. Kapellen stated the Committee did a great job putting the budget together.

NEW BUSINESS

Appointment of Zoning Administrator

Moioffer reported that the Village needs to appoint a zoning administrator. Rudnick asked who could be appointed. Moioffer stated Reilly could be appointed.

(Klahn/Sadiq) moved to appoint Jessica Reilly Zoning Administrator.

Motion Carried Unanimously
by a roll call vote

TRUSTEE REPORTS

Wolf stated he thought Menne had some good points and that Tourism should not be a burden on the Village. Wolf stated the Village should be aggressive and request 1% increases a year on its portion for the next few years.

Rudnick asked about Menne's claim of 30 percent of the calls for police & fire were directly associated with the guests and events they are attending. Moioffer explained that Menne spoke with Chief Boeldt. Chief Boeldt stated that about 30 percent of the calls received maybe from visitors, but these include people from the Town of Rhine, Sheboygan and other nearby areas. It is not all resort/hotel guests. Chief Boeldt also stated that it may be 30 percent of the calls, but it does not mean that they take 30 percent of his time.

Sadiq stated that when the room tax was started the resorts asked to put the Tourism Commission together to help increase hotel night stays. Sadiq stated that it was not enacted to generate revenue for the Village. Shovan asked how he could write the letter on behalf of 95% of the Village, when they are not here. She saw no basis for the letter.

COMMUNICATIONS

They should have been emailed to the Board. Moioffer stated they received a letter from the Elkhart Lake Basketball Club asking for a donation. The Board had a consensus that they would love to support these groups, but they are unable as than they would have too many requests and it would be hard to draw the line.

CLERK'S REPORT

Moioffer reported that they have received the 1st quarter financial report an Moioffer continues to work on the 3rd quarter budget report.

(Klahn/Sadiq) moved that the meeting be adjourned at 7:39 p.m.

Motion Carried Unanimously

Jeanette L. Moioffer, Clerk-Treasurer

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

MINUTES November 21st, 2011

Minutes of the regular meeting of the Board of Trustees of the Village of Elkhart Lake held on Monday, November 21st, 2011 at the Grashorn Memorial Civic Center in the Village of Elkhart Lake with the agenda having been duly posted on Friday, November 18th, 2011 between the hours of 11:10 A.M. and 11:50 A.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 12:30 P.M. on November 18th, 2011.

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

Others in attendance included: Emmitt Feldner; Lola Roeh; Kathleen Eickhoff; Peter Menne; Jeanette Moioffer, Administrator-Clerk; Jessica Reilly, Deputy Clerk-Treasurer/Administrator.

The Pledge of Allegiance was recited.

The Board decided to move items VII. A. i. after public comments.

Public Comment –There was no public comment.

UNFINISHED BUSINESS

Tourism Commission - Strategic Plan-Kathleen Eickhoff & Lola Roeh

Eickhoff presented highlights from the Tourism Commission's Strategic Plan. The Tourism Commission would like to increase sales by 20 percent in the next 5 years, through a variety of marketing strategies. The increase of room tax by 1 percent will help to provide funding to strengthen and expand the Tourism Commission's marketing efforts.

Roeh stated that she also sits on the CDA and they have been discussing retaining and creating new businesses in the Village and part of the way to accomplish this is to make tourism as viable as possible in the Village. The goal of the Tourism Commission is to increase the volume of tourists coming to the Village, and to do so the room tax should increase to 6 percent.

Wolf inquired about the room tax rate in Kohler. Eickhoff stated she does not know the room tax rate in Kohler, but knows it is 8 percent in the City of Sheboygan. Eickhoff explained that room tax rates vary among municipalities. Eickhoff stated that the room tax was designed to be a replenishing marketing source.

Room Tax- Peter Menne

Menne stated that the Tourism Commission is pleading poverty and that the Village of Elkhart Lake is being shortchanged. Menne distributed an envelope to Roeh and Sadiq stating it is confidential and only for the Tourism related people in attendance. He asked them to review the contents of the envelope and provide him with a response.

COMMITTEE REPORTS

NORTHERN MORAINES UTILITY – Moioffer

The Board received the minutes from the October 10th, 2011 meeting. Wolf reported he attended the last meeting and is impressed by Rich Solek. Wolf stated that at least 80% less sludge is being produced over the previous system. The utility may have to put in a sludge retention area.

LIBRARY BOARD – Klahn

- 1) The Board had received the minutes from October 10th, 2011 meeting and the following are highlights from the November 14th, 2011 meeting.
- 2) The Library Board discussed homebound services and decided not to develop a policy, but will advertise in the churches that homebound services are available.
- 3) The Library Board approved increased DVD Circulation now allowing 5 DVD rental per person.
- 4) The Library Board approved their updated by-laws.

ADMINISTRATION AND FINANCE – Sadiq

- 1) The Committee met on November 21st, 2011 and the following are the highlights.
- 2) The Committee discussed a cell tower inquiry. The Committee instructed staff to gather more information.
- 3) The Committee would like to make the judge's term 2 years and instructed staff to discuss this with the Town of Rhine and the County. This provides the Village the option to eliminate the court if it is not sustainable.
- 4) The 2012 final budget was distributed tonight.
- 5) The welcome sign will not be moved until more is known on the Sohn sign.

TOURISM – Klahn

- 1) The Board had received the minutes from October 12th, 2011 meeting and the following are highlights from the November 16th, 2011 meetings.
- 2) The Holiday Media Tour will be occurring next week. The itinerary is available if anyone would like to see it.
- 3) The Commission accepted the 2012 Budget with the 6% room tax.
- 4) The Commission discussed their strategic plan.
- 5) The Commission began reviewing the 2012 Visitor's Guide with pictures and discussed what to plan in the 2012 Sheboygan County Visitor's Guide.
- 6) The Commission discussed the new state law on concealed carry.

CDA – Rudnick

- 1) The Board had received the minutes from October 19th, 2011 meeting and the following are highlights from the November 16th, 2011 meeting.
- 2) The CDA reviewed their strategic plan and presented it to the Chamber of Commerce's Business Resource Group. The CDA hopes to work with the Chamber and its committees to enhance the retail and commercial properties in the Village.

PROTECTION OF PERSON AND PROPERTY – Kapellen

- 1) The Board had received the minutes from November 7th, 2011 meeting and the following are highlights from the November 21st, 2011 meeting.

- 2) The Committee reported the Pat Zorn would be interested in becoming a certified building inspector. The Committee will wait a couple weeks until it decides what they will do in the interim until he is certified.

PRESIDENT'S REPORT – Rudnick

Rudnick reported that the tree lighting will take place on December 2nd at 6:00 p.m. The tree was donated by Conrad and Barbara Barrows.

UNFINISHED BUSINESS

Ordinance 560-Second Reading-Room Tax Increase to 6%

Ordinance 560 - Increasing the room tax to 6 percent was given its second reading.

Ordinance 561- Restoring Zoning Ordinance Section 16.27-Pyramiding Affecting Lots Near the Lakeshore and Renumber Section 16.27 to 16.28

Wolf introduced Ordinance 561- Restoring Zoning Ordinance Section 16.27-Pyramiding Affecting Lots Near the Lakeshore and Renumber Section 16.27 to 16.28.

(Kapellen/Sadiq) moved to approve Ordinance 561- Restoring Zoning Ordinance Section 16.27-Pyramiding Affecting Lots Near the Lakeshore and Renumber Section 16.27 to 16.28.

By Roll Call Vote

Motion Carried Unanimously

**ORDINANCE 561
VILLAGE OF ELKHART LAKE
SHEBOYGAN COUNTY, WISCONSIN**

**RESTORING ZONING ORDINANCE SECTION 16.27-PYRAMIDING AFFECTING
LOTS NEAR THE LAKESHORE AND RENUMBER SECTION 16.27 TO 16.28**

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 November 21st, 2011, the zoning ordinance affecting sections 16.27 & 16.28, dealing with pyramiding affecting lots near the lakeshore is hereby restored and section 16.27 is re-numbered 16.28 as follows:

16.27 PYRAMIDING AFFECTING LOTS NEAR THE LAKESHORE

(1) Single Use. No lot abutting or having frontage on the shoreline of any lake within the Village of Elkhart Lake shall by deed, covenant, easement, or other device or agreement provide for the permitted uses, or for the right of access to the lake, by other than the owner or legal resident occupant of the premises and guests, except in the case of a public park or way, public utility easement, or patrons of a commercial use, or of a specifically permitted organizational use.

(2) Uses restricted. No pyramiding, as hereinafter defined, shall be permitted on any lands fronting on any lake except as may be specifically permitted accessory to a marina or resort and which may be allowed under the terms of a conditional use permit covering said lands. Pyramiding is defined as follows: the act of obtaining or providing access to public bodies of water across private lots or lands in a manner which increases the number of families which have access to that water to a degree greater than what would occur with individual riparian owners having individual lots fronting on the water. The effect of pyramiding is to funnel back lot development from offshore lots or residences via a narrow parcel of land to provide access to the water. Publicly owned access points shall not fall within this definition.

(3) Application. The provisions of Section 16.27 shall apply to all property abutting any lake within the Village of Elkhart Lake, regardless of zoning designation or district, unless otherwise specified.

16.28 CHANGES AND AMENDMENTS TO THE ZONING CODE

(1) Authority. Whenever the public necessity, convenience, general welfare or good zoning practice requires, the Village Board may, by ordinance, change the district boundaries established by this chapter and the Zoning Map incorporated herein or amend, change or supplement the test of the regulations established by this Chapter or amendments thereto. Such change or amendment shall be subject to the review and recommendation of the Planning Commission.

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

Attest:

Approved and Adopted this
21st of November, 2011

Alan S. Rudnick, President

Jeanette L. Moioffer, Clerk

Michael Wolf, Trustee

Ordinance 562- Revising Language in Chapter 16-Zoning Ordinance Sections 16.30 through 16.63 Clarifying Side Yard Setbacks

Wolf introduced Ordinance 562- Revising Language in Chapter 16-Zoning Ordinance Sections 16.30 through 16.63 Clarifying Side Yard Setbacks.

(Shovan/Sadiq) moved to approve Ordinance 562- Revising Language in Chapter 16-Zoning Ordinance Sections 16.30 through 16.63 Clarifying Side Yard Setbacks.

By Roll Call Vote
Motion Carried Unanimously

**ORDINANCE 562
VILLAGE OF ELKHART LAKE
SHEBOYGAN COUNTY, WISCONSIN**

**REVISING LANGUAGE IN CHAPTER 16-ZONING ORDINANCE SECTIONS 16.30
THROUGH 16.63 CLARIFYING SIDE YARD SETBACKS**

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 November 21st, 2011, the zoning ordinance affecting Sections 16.30 through 16.63 dealing with side and rear yard setbacks is revised as follows:

16.30 SINGLE FAMILY RESIDENCIAL DISTRICT (R-1)

(7) Yards

- (a) Front. Minimum thirty (30) feet from street right-of-way.
- (b) Rear. Minimum twenty-five (25) feet from rear lot line.
- (c) Side Yards Principal Building.
 - Up to one (1) story – minimum, each side, twelve (12) feet.
 - Over one (1) story – minimum, each side, sixteen (16) feet.
- (d) Side & Rear Yards Accessory Building on lots with widths less than (<) seventy (70) feet.
 - Minimum each side three (3) feet.
 - Side & Rear Yards Accessory Building on lots with widths greater than or equal to (\geq) seventy (70) feet.
 - Minimum each side six (6) feet.
- (e) Corner Lot Setback. Thirty (30) feet minimum from front street.
 - Twenty-five (25) feet minimum from side street.
- (f) Yard Cover. No more than thirty per cent (30%) of the rear yard may be covered with an accessory building

16.31 SINGLE FAMILY/TWO FAMILY RESIDENTIAL DISTRICT (R-2)

(7) Yards

- (a) Front. Minimum thirty (30) feet from street right-of-way.
- (b) Rear. Minimum twenty-five (25) feet from rear lot line.
- (c) Side Yards Principal Building.
 - Up to one (1) story – minimum, each side, twelve (12) feet.
 - Over one (1) story – minimum, each side, sixteen (16) feet.
- (d) Side & Rear Yards Accessory Building on lots with widths less than (<) seventy (70) feet.
 - Minimum each side three (3) feet.
 - Side & Rear Yards Accessory Building on lots with widths greater than or equal to (\geq) seventy (70) feet.
 - Minimum each side six (6) feet.
- (e) Corner Lot Setback. Thirty (30) feet minimum from front street.

- Twenty-five (25) feet minimum from side street.
- (f) Yard Cover. No more than thirty per cent (30%) of the rear yard may be covered with an accessory building

16.32 MULTI FAMILY RESIDENTIAL DISTRICT (R-3)

(7) Yards

- (a) Front. Minimum thirty (30) feet from street right-of-way.
- (b) Rear. Minimum twenty-five (25) feet from rear lot line.
- (c) Side Yards Principal Building.
 - Up to one (1) story – minimum, each side, twelve (12) feet.
 - Over one (1) story – minimum, each side, sixteen (16) feet.
- (d) Side & Rear Yards Accessory Building on lots with widths less than (<) seventy (70) feet.
 - Minimum each side three (3) feet.
 - Side & Rear Yards Accessory Building on lots with widths greater than or equal to (\geq) seventy (70) feet.
 - Minimum each side six (6) feet.
- (e) Corner Lot Setback. Thirty (30) feet minimum from front street.
 - Twenty-five (25) feet minimum from side street.
- (f) Yard Cover. No more than thirty per cent (30%) of the rear yard may be covered with an accessory building

16.40 GENERAL COMMERCIAL DISTRICT (C-1)

(7) Yards

- (a) Front. Minimum thirty (30) feet from street right-of-way.
- (b) Rear. Minimum twenty-five (25) feet from rear lot line.
- (c) Side Yards Principal Building - Minimum, each side, ten (10) feet.
- (d) Side & Rear Yards Accessory Building - Minimum each side six (6) feet.

16.41 RESORT COMMERCIAL DISTRICT (C-2)

(7) Yards

- (a) Front. Twenty-five (25) feet [Fifty (50) feet if parking is permitted in front] plus five (5) feet for each additional story above two.
- (b) Rear. Minimum Fifteen (15) feet from rear lot line.
- (c) Side Yards Principal Building – minimum, each side, ten (10) feet.
 - If Hotel ----- minimum, each side, twenty (20) feet.
- (d) Side Yards Accessory Building -- minimum, each side ten (10) feet.
- (e) Setback from Elkhart Lake --- Fifty (50) feet for each ten (10) feet of building height. (ie - A 45 foot high building would need to be 225 feet away from the lake.)

16.42 DOWNTOWN COMMERCIAL DISTRICT (C-3)

(7) Yards

- (a) Front. Minimum twenty-five (25) feet from street right-of-way.
- (b) Rear. Minimum twenty-five (25) feet from rear lot line.
- (c) Side Yards - No minimum side yard is required between a structure and the lot line or between adjacent structures; however, where a side yard exists, it shall be not less than ten (10) feet in width.

16.43 HIGHWAY COMMERCIAL DISTRICT (C-4)

(7) Yards

- (a) Front. Twenty-five (25) feet [Fifty (50) feet if parking is permitted in front.]
- (b) Rear. Minimum forty (40) feet from rear lot line.
- (c) Side Yards Principal Building – minimum, each side, twenty (20) feet.
- (d) Side & Rear Yards Accessory Building -- minimum, each side ten (10) feet.

16.50 LIMITED MANUFACTURING DISTRICT (M-1)

(7) Yards

- (a) Front. Twenty-five (25) feet [Fifty (50) feet if parking is permitted in front.]
- (b) Rear. Minimum Twenty-five (25) feet from rear lot line.
- (c) Side Yards Principal Building – minimum, each side, twenty-five (25) feet.
- (d) Side & Rear Yards Accessory Building -- minimum, each side ten (10) feet.

16.51 GENERAL MANUFACTURING DISTRICT (M-2)

(7) Yards

- (a) Front. Twenty-five (25) feet [Fifty (50) feet if parking is permitted in front.]
- (b) Rear. Minimum forty (40) feet from rear lot line.
- (c) Side Yards Principal Building – minimum, each side, twenty-five (25) feet.
- (d) Side & Rear Yards Accessory Building -- minimum, each side ten (10) feet.

16.52 INDUSTRIAL PARK DISTRICT (M-3)

(7) Yards

- (a) Front. Minimum - Sixty-five (65) feet.
- (b) Rear. Minimum - Forty (40) feet from rear lot line.
- (c) Side Yards Principal Building – minimum, each side, thirty (30) feet.
- (d) Side & Rear Yards Accessory Building -- minimum, each side ten (10) feet.

16.60 PUBLIC SERVICE AND INSTITUTIONAL DISTRICT (PS/I)

- (7) Yards**
- (a) Front. Twenty-five (25) feet [Fifty (50) feet if parking is permitted in front.]
- (b) Rear. Minimum forty (40) feet from rear lot line.
- (c) Side Yards Principal Building – minimum, each side, twenty-five (25) feet.
- (d) Side & Rear Yards Accessory Building -- minimum, each side ten (10) feet.

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

Attest:

Approved and Adopted this
21st of November, 2011

Alan S. Rudnick, President

Jeanette L. Moioffer, Clerk

Michael Wolf, Trustee

Ordinance 563- Re-number 17.05(11) to 17.05(12) and Create a New 17.05(11) Referencing Pyramiding Regulations Delineated in Chapter 16.27 of the Village Zoning Ordinance

Wolf introduced Ordinance 563- Re-number 17.05(11) to 17.05(12) and Create a New 17.05(11) Referencing Pyramiding Regulations Delineated in Chapter 16.27 of the Village Zoning Ordinance.

(Kapellen/Sadiq) moved to approve Ordinance 563- Re-number 17.05(11) to 17.05(12) and Create a New 17.05(11) Referencing Pyramiding Regulations Delineated in Chapter 16.27 of the Village Zoning Ordinance.

By Roll Call Vote
Motion Carried Unanimously

**ORDINANCE 563
VILLAGE OF ELKHART LAKE
SHEBOYGAN COUNTY, WISCONSIN**

**RE-NUMBER 17.05(11) TO 17.05(12) AND CREATE A NEW 17.05(11) REFERENCING
PYRAMIDING REGULATIONS DELINEATED IN CHAPTER 16.27 OF THE
VILLAGE ZONING ORDINANCE**

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 November 21st, 2011, the shoreland ordinance section is renumbered from 17.05(11) to 17.05(12) and a new 17.05(11) is created dealing with pyramiding affecting lots near the lakeshore as follows:

17.05 SETBACKS AND SHORELAND LOT DIMENSIONS

(11) Regulations and specifications for pyramiding are delineated in Chapter 16.27 of the Village Zoning Ordinance.

(12) For all new shoreland lots, the minimum lot width shall be one hundred (100) feet and the minimum lot area shall be:

- (a) 15,000 square feet for sewered lots,
- (b) 30,000 square feet for unsewered lots.

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

Attest:

Approved and Adopted this
21st of November, 2011

Alan S. Rudnick, President

Jeanette L. Moioffer, Clerk

Michael Wolf, Trustee

Ordinance 564- 2011 Tax Levy/2012 Budget

Sadiq introduced Ordinance 564- 2011 Tax Levy/2012 Budget.

(Klahn/Shovan) moved to approve Ordinance 564- 2011 Tax Levy/2012 Budget.

By Roll Call Vote

Motion Carried Unanimously

**ORDINANCE NO. 564
VILLAGE OF ELKHART LAKE
SHEBOYGAN COUNTY, WISCONSIN**

2011 TAX LEVY /2012 BUDGET

The Village Board of the Village of Elkhart Lake, does hereby ordain as follows:

That Section 3.04 of the Municipal Code of the Village of Elkhart Lake is hereby amended and enacted to read as follows:

3.04 BUDGET/TAX LEVY. (1) It is hereby appropriated out of the receipts of the Village of Elkhart Lake for the year 2012, including monies received from the general property tax levy, to the various purposes specified in the budget presented herewith for the purposes

therein stated, the following amounts included in the summary budget and summary of taxes attached hereto and incorporated by reference.

(2) There is hereby levied a tax of \$1,062,959.00 (plus the TIF increment) on all taxable property within the Village of Elkhart Lake as returned by the assessor in the year 2011, for the uses and purposes set forth in the approved budget (ATTACHMENT A)

(3) The Village Clerk is hereby authorized and directed to spread this tax on the current tax roll of the Village of Elkhart Lake.

(4) This Ordinance shall take effect and be in force on January 1, 2012 after its passage and publication.

Attest:

Adopted and approved this
21st day of November, 2011

Alan S. Rudnick, President

Jeanette L. Moioffer, Clerk

Richard Sadiq, Trustee

NEW BUSINESS

Joint Powers Agreement County 911 Emergency System-Sheboygan County
Moioffer stated that we sign an agreement every year with the County.

(Shovan/Wolf) moved and seconded to approve the Joint Powers County 911 Emergency System Agreement.

Motion Carried Unanimously
by roll call vote

Operator's Licenses

(Sadiq/Shovan) moved that the following applicants be granted an operator license for the licensing year expiring June 30, 2012:

Osthoff Resort – Alicia White -New

Marshall's One Stop – Charlotte Keenan - New

Motion Carried Unanimously

TRUSTEE REPORTS

Shovan reiterated that the Chamber tree lighting will be on December 2nd. Shovan also stated that the Paddock Club and Lake Street Café will be having a wine tasting to benefit the Salvation Army. Shovan also reported that the Chamber of Commerce is looking to change its by-laws to include a representative from the Village and the school district. Reilly would be the Chamber's representative and Ann Buechel-Haack would be the school district representative.

Wolf asked for clarification on if the room tax increase would be read a third time and voted on at the next meeting. Rudnick stated that would be the process.

COMMUNICATIONS

The Researcher is available in the clerk's office.

CLERK'S REPORT

Moioffer stated that all the Board members should have received the first and second quarter financial reports and the third quarter budget report.

Moioffer stated that the Village offices will be closed on December 23rd, December 26th, and January 2nd. This means the Village Board meeting will be moved to Tuesday, January 3rd, 2012. The Village Clerk's office will be open on December 30th, 2011 for tax collection, the public works department would have a holiday on December 30th.

Moioffer stated that there are many changes due to the Voter Identification law that was passed. Trustees Shovan, Kapellen, and Garton are up for re-election. Nomination papers can begin to be circulated on December 1st, 2011. The Village will need to have any Trustee not running for office to turn in a non-candidacy form by December 27th, 2011.

VOUCHER APPROVAL

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

V-571	National Exchange Visa	Library videos, music & misc.	\$427.49
V-574	WE Energies	Library Oct. power & light	251.57
V-577	Baker and Taylor	Library books, & audio books	992.69
V-578	Bardon Enterprises	Library paper supplies	94.00
V-581	Book Page	Library FOL subscription	30.00
V-583	CEC	Library elevator & fire monitoring	72.71
V-586	Demco	Library office supplies	66.13
V-587	Eastern Shores Library	Library shared auto. & office supplies	3,217.20
V-588	Edgarton, St. Peter	Library legal service	195.00
V-595	Frontier	Library Phone Service	78.14
V-596	Gale Group	Library books	62.74
V-597	Globalcom	Library long distance service	10.55
V-602	Kone, Inc.	Annual elevator maint.	434.00
V-604	Betty McCartney	Mileage	283.25
V-605	Michelle Galloway	Library Oct. cleaning	292.50
V-612	Ross Imaging LLC	Library printer ink	69.95
V-619	Terminix	Library pest control	26.50
V-631	Wis. Public Service	Library natural gas	28.26
V-600	Wisconsin Trails	Library subscription	24.95
	Total library		\$6,657.63

(Klahn/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-195	Village of Elkhart Lake	Sewer Col	\$10,612.91
WV-196	National Exchange Visa	Water postage	14.50
WV-197	U.S. Cellular	Water cell phone	36.27
WV-198	WE Energies	Power & light	1,028.37
WV-199	Village of Elkhart Lake	Sewer Col.	34,702.44
WV-199	Village of Elkhart Lake	Sewer Col.	1,466.78
WV-200	Village of Elkhart Lake	Overpayment-Sword	56.74
WV-201	Village of Elkhart Lake	Sewer Col	2,232.14
WV-202	Batteries Plus LLC	Water batteries	33.95
WV-203	Dept. of Natural Res.	Water certification-Rautmann	45.00
WV-205	Diggers Hotline, Inc.	Diggers hotline fees	31.32
WV-206	Frontier	Water phone & internet service	54.84
WV-207	Globalcom Inc.	Water long distance	6.46
WV-208	Hawkins Water Treatment	Water Chlorine	1,095.00
WV-209	HD Supply Waterworks	Water meter parts-deduct meter	1,276.78
WV-210	Martelle Water Treatment	Water aqua meg	1,302.75
WV-211	Village of Elkhart Lake	Water wages-Oct.	3,688.15
WV-211	Village of Elkhart Lake	Water taxes & insurance	22,401.00
WV-211	Village of Elkhart Lake	Payable exp. Due 2009 & 10	27,242.92
WV-212	Wisconsin Public Service	Water Natural Gas	18.91
WV-213	Village of Elkhart Lake	Sewer Col	3,030.94
	Total water bills		\$110,378.17

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

The following C.D.A. vouchers were presented to the Board for approval and payment:

V-601	Kapur & Associates	Monitoring well closing	\$440.00
v-632	David Martinyq	CDA business loan	3,350.00
	Total C.D.A.		\$3,790.00

(Klahn/Wolf) 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-570	Citgo	Garage/Police gas	\$1,151.30
V-571	National Exchange Visa	Water patrol, training., etc.	683.99
V-572	U.S. Cellular	PW & Tourism cell phone	96.34
V-574	Verizon wireless	Police wireless	115.07
V-574	WE Energies	Power & Light -October	7,611.24
V-575	ACL	Police lab test-Chancellor	23.40
V-576	Autumn Ridge Landscaping	Memorial.park drain irrig. system	120.00
V-578	Bardon Enterprises	Paper products & hand cleaner-gar	133.50

V-579	Benefit Advantage	Flex plan monthly fee	35.00
V-580	Between the Lake	Build. Insp.	50.00
V-582	Burkart Heisdorf Insurance	Insurance	5,845.00
V-584	Cal & Gus Motors	Police vehicle Maint.	80.50
V-585	CEC	Fire monitoring	47.14
V-585	County Visions Coop	Garage hydraulic fuel	389.70
V-588	Edgarton, St. Peter	Legal fees general	927.52
V-588	Edgarton, St. Peter	Fire dept. legal fees	266.00
V-589	Kathleen Eickhoff	Tourism mileage	188.50
V-590	EL Chamber of Com.	Chamber dues 2012	120.00
V-591	Elkhart Lake Postmaster	Clerk postage	660.00
V-592	Elkhart Lake Water Dept.	FD Hydrant rental	36,584.00
V-592	Elkhart Lake Water Dept	Payable to water 2009-10	18,704.11
V-593	Fire & Apparatus & Equip.	FD vehicle maint.	1,049.30
V-594	Fischer's Fleet Service, Inc.	FD tanker 4 maint.	405.03
V-595	Frontier	Phone & internet service	529.11
V-597	Globalcom	Long distance service	40.39
V-598	Hawley, Kaufman & Kautzer	Police legal service	477.00
V-599	Jefferson Fire & Safety	Vill. FD hose & equip new truck	\$13,172.75
V-603	Larry's Hauling	Refuse & recycling Coll.	7,333.59
V-605	Michelle Galloway	October Cleaning	292.50
V-606	NAPA Auto Parts of Plym.	Garage vehicle supplies	231.36
V-607	Northern Moraine Utility	Sewage Treatment	12,770.01
V-608	Pomp's Tire Service, Inc.	Garage tires 09 Truck	440.00
V-609	Praxis Consulting	Police & court program maint.	700.00
V-610	Principal Life	Employee life insurance	102.76
V-611	Rent-A-Flash of Wis.	No weapons signs	153.47
V-612	Ross Imaging	Tourism copier	6,686.54
V-613	Schetter Electric	Garage light repair	79.03
V-614	Sheb. County Treasurer	Vehicle repair	674.57
V-614	Sheb. County Treasurer	Street repair	1,026.09
V-614	Sheb. County Treasurer	Court Assessments-Oct..	419.60
V-615	Staples	Clerk paper & supplies	67.52
V-616	State of Wisconsin	State Court Assessments	1,323.07
V-617	Streichers	Police uniforms	141.94
V-618	TDN Tree Services LLC	Streets-Christmas Decorations	858.25
V-619	Terminix	Pest control	79.50
V-620	Thomson West	Police Search & Seizure sub.	197.52
V-622	U.S. Cellular	Police cell phone	87.06
V-623	Weiss Implement	F.D. lawn mower repair	117.15
V-624	Wis. Dept. of Justice	Police state computer time	213.00
V-625	Wis. Dept. of Trans.	Welcome sign permit	35.00
V-626	Wisc. Newspress Inc.	Publish ordinances	363.90
V-627	Notary Bond Renewal Ser.	Notary bond Reilly	25.00
V-628	Wis. Dep. Of Fin. Inst.	Notary filing fee-Reilly	20.00
V-629	Corson, Peterson & Hamann	2010 audit	7,150.00
V-629	Corson, Peterson & Hamann	1 st qt. 2011 audit	3,500.00

V-630	Village of Howards Grove	Building Inspect. Service	101.73
V-631	Wisconsin Public Service	Natural gas	228.53
	Total General checks		\$134,924.58
	Total November Payroll Expenses		\$52,611.54
<hr/>			
	Total		\$187,536.12

(Sadiq/Kapellen) moved and seconded that the November vouchers be approved and paid as presented.

Motion Carried Unanimously

(Kapellen/Garton) moved and seconded to adjourn the meeting at 7:32 p.m.

Motion Carried Unanimously

Jeanette L. Moioffer, Clerk

Prepared by: Jessica Reilly, 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

MONDAY, December 19, 2011 – 7:00 P.M.	BOARD OF TRUSTEES
TUESDAY, January 3, 2011 – 7:00 P.M.	BOARD OF TRUSTEES
WEDNESDAY, January 11, 2011 – 6:00 P.M.	PLANNING COMMISSION
WEDNESDAY, January 18, 2011 – 6:00 P.M.	CDA

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. The Municipal Office is located in the Grashorn Memorial Civic Center and is open on Monday through Friday from 9:00 a.m. to 4:30 p.m. Please call and make an appointment for special needs.

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

**OUR GARBAGE IS NOW BEING HAULED BY
VEOLIA!!**



VEOLIA'S PHONE NUMBER IS 1-888-688-4005



All garbage pick-up policies should remain the same.

- Call for Current Pricing

For any pick-ups you must call ahead to notify VEOLIA.

NO Firearms or Weapons are Allowed Inside Village-Owned Buildings per Village Ordinance 8.24



JUST A REMINDER: Winter parking regulations are in effect from November 15th through April 1st. This means no parking from 2:00 a.m. to 6:00 a.m. on the village street and as posted in public parking lots.

VILLAGE HOLIDAY HOURS

Village offices will be closed on:

December 23, 2011,

December 26, 2011

January 2, 2012.

THE VILLAGE CLERK'S OFFICE WILL BE OPEN ON DECEMBER 30th, 2011 FOR TAX COLLECTION.



Taxes

Taxes will be collected at the Village Hall located at 40 Pine Street from 9:00 a.m. until 4:30 p.m.

Monday through Friday. Taxes can also be paid online at

[https://client.pointandpay.net/web/VillageOfElkhartLake.](https://client.pointandpay.net/web/VillageOfElkhartLake)



AS A REMINDER: YOU HAVE 24 HOURS AFTER A SNOW STORM TO REMOVE ICE AND SNOW FROM YOUR SIDEWALK. SNOW MAY NOT BE BLOWN OR PLOWED ON VILLAGE STREETS. *Please shovel out any hydrants near your home.*