

Minutes of the regular meeting of the Board of Trustees of the Village of Elkhart Lake held on Monday, April 7th, 2008 at the Grashorn Memorial Civic Center in the Village of Elkhart Lake with the agenda having been duly posted on Thursday, April 3rd, 2008 between the hours of 12:02 P.M. and 12:36 P.M. at National Exchange Bank and Trust, the Elkhart Lake Post Office, Community Bank and Trust, Marshall's One Stop Shop and the Municipal Office.

President Menne called the meeting to order at 7:00 P.M. with the following trustees present: Rola Ann Klahn, Steven Kapellen, Gary Kussow, Yvonne Landgraf, James Moersch and Tom Nelson.

Others in attendance included: Jeanette Moioffer, Clerk; Rich Solek, Northern Moraine Representative; Randy Boeldt, Chief of Police; Alan Rudnick; Ron Feldmann; Bob Feldmann; Mark Landgraf; Fritz Reil; Glen Limberg; Lola Roeh, Gary Roeh and Richard Kraft of the Osthoff; Pat Zorn; Troy Conrad; Tom and Mrs. Tom Liebl; Trevor Frank from SEH; John Reiss; Andy Martin; Tim Zorn; Dan Roberts from Selmer; Ken Schulz; Kellie Sadiq and Emmitt Feldner.

The March minutes were tabled until the next meeting.

(Nelson/Landgraf) moved that the February Treasurer's report showing a balance of \$28,908.46 in the general money market fund be approved as presented.

Motion Carried Unanimously

PUBLIC COMMENT –

Mark Landgraf indicated that he was present to address the Board on the proposed fire station location and noted that a large contingency of the audience tonight was present to support his comments. Landgraf noted that he has had some conversations with the Fire Chief and First Assistant Fire Chief and they all agreed that his comments would not be presented until after the fire department discussed their role in the decision of a site for the proposed fire station. Landgraf noted that after this meeting someone may or may not request permission to be on the agenda for the next meeting and speak to the Board.

POLICE CHIEF'S REPORT – Boeldt

Boeldt reported that the County is looking into going to new software county wide concept. Boeldt indicated that he supports that plan which has a number of innovative features. The preliminary costs are estimated at \$13,000.00 and annual support is comparable to what is paid now. Boeldt attended two software demonstrations and this software also opens up to a nation wide data base.

Boeldt reported that the Kyle Petty Charity Ride will be coming to Elkhart Lake on July 13th with approximately two-hundred bikes and two-hundred fifty people who will be spending the evening at the Osthoff and he will be working the County Sheriff's Department, the State Patrol and Osthoff security to help coordinate this event.

GUESTS

Trevor Frank of SEH was present to report on the fire station status and answer previously proposed questions concerning the roof and soil conditions.

Landgraf questioned on the wisdom of putting a flat roof on the proposed fire station noting that people have expressed concern about the water run-off. Frank noted that this has been discussed many times during the planning of the building and when cost estimates were being put together up until the time that the building was bid. Frank reported the following information:

- 1) 29% of the building has a flat roof.
- 2) The remainder of the roof is pitched, it is pitched over the main apparatus bay area and the administrative office space.
- 3) Based on position of the building, its siting and that there are drive through apparatus bays, it did not make any sense to shed the water off of the front or back of the building.
- 4) Water is being retained and channeled off the site through roof conductors and roof drains and then underground across the parking lot into a retention area.
- 5) The initial design had a pitched roof over the entire building and because of increased cost of the additional steel and the additional spans, decisions were made concerning the initial up front costs versus the long term benefits of a pitched roof.
- 6) Due to costs, a good percentage of the roof is pitched but the remainder is flat.
- 7) Specified a 60 mil 50 year membrane roof for the building.
- 8) Made sure that there is not any roof mounted equipment or any reason for penetration.
- 9) There are over flow roof drains, required by state code, and also overflow scuppers. In response to President Menne's question, Frank noted that the roof drains are heated to prevent a thaw/freeze situation.
- 10) Pitch for the flat section is ¼ inch per foot which equals close to 10 inches of pitch.
- 11) The R value is calculated based on the requirements of the state and is 26% better than the code requires.

Moersch questioned what they would anticipate the increased cost would be for this project due to the lengthy delays. Frank indicated that Selmer would need to answer that question but Frank did indicate that he did receive notice from a supplier that handles structural steel components, metal studs and drywall systems indicated that as of April 14th their prices would increase by 10%. Frank noted that for this line item alone, the price would increase by \$13,800.00.

Menne questioned on the cost of filling and compacting this site. Frank indicated that the project was bid complete and not bid on unit costs and the costs of the excavation was \$142,000.00 which includes digging the hole, moving fill and compacting the soil. Frank noted that the specification requires that the soil be compacted for a proctor of 95% which is required as the fill is placed.

Landgraf questioned the placing of the soil borings. Frank indicated that they were taken at the perimeter of the building where the heaviest loads are incurred.

Menne questioned why this was not a clear span building. Frank indicated that again it came to cost, since the extra steel structure that would be required to generate a span and the area of height that it would add to the building at \$129 a square foot, it was more economically feasible to have intermediate columns in the apparatus bay. Both clean span and intermediate span estimates were calculated and because of the cost and the height added to the building, the decision was made to go with the present design.

Menne indicated that the Village would be waiting to find out what the determination is at the Rhine electors meeting on April 8th, 2008 before they make any decisions to continue with this project. A number of Trustees disagreed that the Village needed to wait for the town's decision.

Moioffer noted that there had also been a question on heating the building. Frank noted that in-floor, hydronic, heating was removed at a cost of \$70,000.00. Landgraf indicated that she spoke with the gentlemen from the Ripon Fire Department noting that he thought this type of heating was important and would pay for itself. Frank agreed that it would pay for itself. Menne indicated that he has a proposal for hydronic heat at an additional \$27,000.00 to \$33,000.00 complete including the boiler. Landgraf clarified with Frank that the total cost for the hydronic heat is estimated at \$70,000.00. Frank concurred and noted that there is a cost built in for the infrared heat and therefore there would be a difference of \$27,000 to \$30,000.00 to go to hydronic heat.

Klahn asked about the doors. Frank noted that there will be a combination of insulated metal/composite core doors 14 feet high which may be seven or eight panels. There will be three solid panels on the bottom and three glass panels and one or two solid panels on the top. It is a high quality, insulated, glazed, solid and glass door which provides with natural lights and allows visual access to the apparatus bay in the evening with the state required minimum lighting.

Kussow indicated that he felt that the location is justified due to the fact that we are seeing signs of the land on the south side of the lake being developed and the addition of a road to the proposed industrial sites behind the proposed fire station will give the fire department another access.

Landgraf indicated that location of the fire department is also dependent on the location of the firemen and where they are coming from so that the firemen can access the fire station quickly. Landgraf noted that the Village does expand to County Highway FF and that area is also expected to be developed some day. Klahn noted that where the firemen are coming from could be altogether different in ten years, it will not stay the same.

Dan Roberts from Selmer Company indicated that he would be the project manager for this project and Roberts informed the Board that if they could pre-purchase their material by June 1st, 2008 they could keep the cost the same.

A fireman asked about the arch work above the doors. Frank indicated that there will be steel above the door whether flat or arched and the work above the door is pre-cast; therefore, it is not a labor intensive act.

Reiss reported that when the department was in the process of reviewing sites, they had a representative of the ISO come to look at the sites and noted that this representative commented that the fire department volunteers come from all over and may not always be at their residence when a call is dispatched.

Discussion was held regarding the Town of Rhine's participation in building this fire station. President Menne indicated that at present we have negotiated an agreement with the Town concerning the cost sharing factors of the project. Menne indicated that since that agreement he has talked with the Town and informed them that they would also have to share in the cost of the land. Menne noted that if the Town votes to continue with the fire station, construction should begin shortly and if they vote not to continue with the fire station construction, the Village will need to determine what their action will be and the Town would either pay rent to the Village or investigate their other options.

COMMITTEE REPORTS –

Administration and Finance - Moersch

- 1) Tabled the depot lease until they can meet with Kelly Newcomb.

- 2) Reassessment is 10% complete (paperwork) and letters of introductions have been sent to Associated Appraisers.
- 3) Sub committee has been put together (Ron Nielsen and Carrie Neils) to review the Employee Policy Manual as authored by Tom Nelson.
- 4) Clerk working on training to put minutes on the web page.
- 5) Verified that training conferences need to be at least one hour away before the Village will pay for an overnight stay.
- 6) Annual Tourism Report will be at the next meeting.

Industrial Development – Kussow

Steve Knapp met with this committee this evening and expressed a concern about the noise that his business creates and has invited the Board down to see his plant and determine if the noise level generated would be a problem. Kussow indicated that persons interested in touring this facility should let him know and he will schedule a date. Both Menne and Nelson indicated that they would be interested.

Verizon Cell Tower Lease – Menne

Have received a contract from Verizon and will be in contact with Attorney St. Peter for his review. Moersch indicated that since he is a neighbor he does have a problem in the proposed placement of this equipment and how that affects the value of his property.

Shoreland Ordinance Revision Committee – Nelson

Have met a number of times to draft proposed changes to the ordinance that would clarify some parts that have become a problem to administer. Presently the proposed changes are being reviewed by Attorney St. Peter after which they will come to the Board for a public hearing.

Tree Commission – Nelson

- 1) Arbor Day Celebration will be held on Friday, April 25, 2008 at 10:45 a.m. in the Village Park.
- 2) Reviewing present Tree Ordinance.

UNFINISHED BUSINESS – Sidewalks for Moraine Drive

Boeldt indicated that at the last meeting he had reported that Kellie Sadiq had called concerning a problem she had in that the school bus company was told that they could not turn around at the end of Moraine Drive and therefore her five-year old had to walk to the corner on the street since there are not sidewalks in that area. Boeldt indicated that the Village could possibly write a grant for money for the installations of sidewalks in this area from the Non-motorized Vehicle Grant program from Sheboygan County. Boeldt noted that there are a number of families with small children in this area and sidewalks would be beneficial for their safety.

Kellie Sadiq was present to discuss the problem with the school bus not being able to turn around at the end of Moraine Drive. Sadiq wondered if the Village could put additional gravel in the area for the time being and blacktop the area to eliminate this problem. She requested that someone from the Village call the bus company and tell them that it is okay for them to turn around.

Solek clarified that the sand that was picked up from sweeping streets was dumped in this area and is what has been spread around. Solek noted that it is not gravel but sand used to sand the streets in the winter. Sadiq indicated that the problem now is that Superintendent Rautmann told the bus company that

this was not a turn around and should not be used. Trustee Nelson will meet with Superintendent Rautmann and look at this issue.

It was the consensus of the Board to ignore Chief Boeldts recommendation to write a grant for sidewalks in this area.

Osthoff Deck Plans Revision

Lola Roeh of the Osthoff was present to discuss the revision (ATTACHMENT A) of their deck plan that was submitted and approved last year. Roeh explained that the Village has an easement and hard path to get to the Village beach for maintenance issues. Roeh also explained what was agreed upon in June and July of 2007 noting the dimensions of 10 feet 8 inches and 12 feet were required by the Public Works Department to get a truck or equipment to the Village Beach. Roeh noted that their revision includes a small foot print change due to a handicapped entrance and a second story. Roeh indicated that the top of the railing on the second deck is about a foot higher than the paver path and the floor is about two feet below the paver path. Roeh indicated that they were conscious of the sight lines when placing this structure. The structure is approximately 65 feet long.

Klahn questioned the sight line for the people walking or sitting along the pathway. Roeh indicated that it would not impact people walking or sitting on the path by blocking their view.

Landgraf questioned the lighting and whether there would be music. Roeh indicated that their performers will be playing into the hill rather than out to the lake and they would be obligated to follow the Village ordinances.

Kussow asked about the Village easement and it was determined that we had the agreement with the developers of the Osthoff of a ten foot wide hard pack path for accessibility to the Village but it has never been officially recorded.

Roeh clarified that it would not be built into the hill but the hill will be landscaped on the paver side of the structure. Roeh noted that Rautmann has not seen the specific drawing that they are presenting tonight.

Klahn questioned again the amount of lighting that will be used and whether it will affect the Lake. Roeh did not respond to this question.

Boeldt questioned if there would be umbrellas on the deck and how that will impact the view of the people on the walkway. Roeh indicated that she is going to try not to put umbrellas on the top level. Roeh noted that there will be umbrellas on the octagon and the upper deck will have shade from the trees until noon. If necessary, there will be a minimal amount of umbrellas.

(Klahn/Landgraf) moved that the amendment to the Osthoff Plan be approved contingent on obtaining Superintendent Rautmann's final approval of the site plan as presented to provide the Public Works Department adequate space to get their equipment to the Village Beach.

ayes: Klahn, Moersch, Menne
Kapellen, Landgraf,
Nelson
nays: Kussow
Motion Carried

Neighborhood Electric Vehicles

Boeldt indicated that at the last meeting he reported that the Department of Transportation denied approval of our ordinance because it included State Highway 67 which is considered a through highway and the Board needs to determine whether they wish to amend the ordinance to remove the use of Highway 67 or accept the denial of the ordinance.

(Moersch/Kussow) moved to prepare an amendment to Ordinance 532 allowing Neighborhood Electric Vehicles to eliminate Highway 67.

Motion Carried Unanimously

Joint Fire Committee

Klahn questioned who was serving on a joint fire committee as identified in the February agreement. Menne indicated that he had not appointed anyone to this specific committee to date and his previous reference was to the existing people that have been serving on the Municipal Planning and Development Committee being Trustees Kapellen and Nelson from the Village and Supervisors Zimmermann and Raeder from the Town.

Northern Moraine Agreement

Solek was present to review the new Northern Moraine Agreement (ATTACHMENT B) and Moioffer presented the review by Attorney St. Peter. Menne indicated that we should recommend that the agreement be for a twenty year term. Solek noted that the original agreement was going to be for twenty years but this became a problem in obtaining a forty year loan so therefore, the original agreement was changed to a forty year term. This present agreement is for a thirty-two year term which once again projects the life of the plant.

Discussion was held on the percentages incorporated in the agreement which are the same as the original agreement.

**RESOLUTION EIGHT – 2008
VILLAGE OF ELKHART LAKE
SHEBOYGAN COUNTY, WISCONSIN**

ADOPTION OF AGREEMENT FOR NORTHERN MORAINES UTILITY

WHEREAS; the Village of Elkhart Lake had entered into an agreement with the Sanitary District of the unincorporated Village of Greenbush, Town of Greenbush, Sanitary District #1 of the Towns of Rhine and Plymouth, and Village of Glenbeulah all in Sheboygan County, Wisconsin; and

WHEREAS; this agreement has been in place since 1973 and the communities listed above jointly constructed and own a sewage treatment facility operated by the Northern Moraine Utility Commission for good of all; and

WHEREAS; the term of the 1973 agreement has been reached;

NOW THEREFORE, BE IT RESOLVED; that the Village of Elkhart Lake enter into an Amended and Restated joint Agreement to Create the “Northern Moraine Utility Commission” and to contractually establish a treatment plant and operation thereof; and

BE IT FURTHER RESOLVED; that President Peter J. Menne be authorized to sign this agreement on behalf of the Village of Elkhart Lake and a copy of this agreement be attached hereto.

Attest:
Adopted and approved
this 7th, day of April, 2008.

Peter J. Menne, President

Jeanette L. Moioffer, Clerk

Rola Ann Klahn, Trustee

NEW BUSINESS

Conditional Use Permit Pier – Tom Liebl

Discussion was held concerning the request by Tom Liebl for a conditional use permit to replace his pier at its current size with an aluminum pier rather than a wooden one as it had been. Landgraf questioned if the standards may change in the next few years. Nelson noted that the Village standards are the same as the DNR’s standards. Menne clarified that should the Liebl’s rebuild their pier with wood as it is it is considered a repair but changing the material constitutes a new pier.

(Nelson/Kussow) moved that under the present shoreland ordinance, Tom Liebl’s request for a conditional use permit to replace their pier as is with a new material (aluminum) rather than wood be denied.

ayes: Klahn, Kussow, Moersch, Kapellen
Nelson

nays: Menne, Landgraf

Street Sweeper Rental – Kiel

Menne reported that the City of Kiel has made a request of the Village to sweep their streets due to a break down of their equipment. It is estimated that it would take three days. It was the consensus of the Board that this be tabled until more information is available.

Depot Lease

The Depot Lease will be tabled until the next meeting.

(Nelson -- Landgraf/Klahn) introduced, moved and passed the following proclamation:

Arbor Day Proclamation

Arbor Day is celebrated nationally to encourage Americans to maintain and replenish our country’s vast forests, orchards and woodlands.

In Elkhart Lake we observe Arbor Day as a special day to plant trees and shrubs to contribute to the beauty of our community and to improve our environment.

Trees provide many benefits to our community including, purifying our air, reducing noise, moderating our climate and reducing our energy costs.

Trees help to fight global warming by reducing CO2 and its harmful effects to the world and by producing oxygen.

Trees improve water quality, provide habitat for wildlife and plant life and prevent erosion and flooding.

Trees are a renewable resource giving us paper and many other natural products.

Trees improve our property values and the economic viability of our community.

Trees where ever they are planted are a source of joy to our community.

Therefore, the Board of Trustees of the Village of Elkhart Lake proclaim Friday, April 25th, 2008 as ARBOR DAY in Elkhart Lake and encourage all citizens to preserve and plant trees for our benefit and for the benefit of future generations.

Dated the 7th day of April, 2008

Peter J. Menne, President.

(Kussow/Klahn) moved and seconded that the Boys Basketball Club be allowed use of the Lions Park Shelter for a brat fry on garage sale day.

Motion Carried Unanimously

(Landgraf/Moersch) moved that Timothy Licht be granted an operator's license for the licensing year expiring June 30, 2009 for Marshall's One Stop Shop.

Motion Carried Unanimously

TRUSTEE REPORTS –

Kussow asked that anyone interested in going along to West Bend let him know, he will schedule a time for next week. Kussow, Menne, Rudnick and Nelson indicated that they would make the trip.

COMMUNICATIONS - Moioffer

Moioffer reported that the Village has received a copy of a petition filed by Warner Cable to exempt them from PSC regulations due to the competition they face with satellite installations and it is in the Clerk's office for the Boards review.

Moioffer provided the Board with a copy of the Capitol Connection by Joe Leibham; an Elkhart Lake Triathlon update; the League Bulletin; and notice of the Town's Association Meeting. Moioffer read a thank you note from the Rautmann family. Moioffer reported that the WISCONSIN Magazine of History and the Wisconsin Taxpayer are available in her office.

CLERKS REPORT – Moioffer

Moioffer reported that PSC report has been filed and election day went well.

(Nelson/Landgraf) moved to go into closed session at 9:37 p.m. under Wisconsin State Statutes 19.85(1)(c) Employee Evaluation. Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility to discuss police hiring practices and promotions.

Motion Carried Unanimously by a roll call vote.

President Menne announced the closed session.

(Nelson/Landgraf) moved to return to open session at 9:52 p.m.

Motion Carried Unanimously

(Kapellen/Klahn) moved that the meeting be adjourned at 9:53.

Motion Carried Unanimously

Jeanette L. Moioffer, Clerk

Minutes of the regular meeting of the Board of Trustees of the Village of Elkhart Lake held on Monday, April 21st, 2008 at the Grashorn Memorial Civic Center in the Village of Elkhart Lake with the agenda having been duly posted on Thursday, April 18th, 2008 between the hours of 3:22 P.M. and 4:05 P.M. at National Exchange Bank and Trust, the Elkhart Lake Post Office, Community Bank and Trust, Marshall's One Stop Shop and the Municipal Office.

President Menne called the meeting to order at 7:00 P.M. with the following trustees present: Rola Ann Klahn, Steven Kapellen, Gary Kussow, Yvonne Landgraf, James Moersch and Tom Nelson.

Others in attendance included: Jeanette Moioffer, Clerk; Steve Rautmann; Public Works Superintendent; Randy Boeldt, Chief of Police; Alan Rudnick; Ron Feldmann; Ray Franda; Mark Landgraf; Dave Zimmermann; Glen Limberg; Kathleen Eickhoff, Director of the Elkhart Lake Tourism Commission; Pat Zorn; Troy Conrad; Fred Hammann; Bob Hammann; Mike Klahn; Bill Wall; Dennis Raeder; John Stoelting; Darren Lindstrom; Hans Kuhn; Mark Thielmann; Derek Feldmann and Emmitt Feldner.

(Klahn/Moersch) moved that the minutes of March 3rd, and March 17th, 2008 with the following corrections:

March 17, 2008 -- Resolution Seven – remove the second “Whereas” and third “Whereas” and replace with “Whereas, William Klaetsch has informed the Village that he wishes to retire as a police officer of the Village of Elkhart Lake.” Change the adjourned time changed to 8:45 p.m.

Motion Carried Unanimously

PUBLIC COMMENT –

Bill Wall was present and reported he had property interests in both the Town of Rhine and the Village of Elkhart Lake and know of the need for a fire station and encourage the Village and Town to work on this together.

GUESTS:

Hans Kuhn, Chairman of the Town of Rhine, was present to report that the Town of Rhine held their annual meeting and did not receive the necessary approval to go ahead with the agreement for the building of the fire station. Kuhn noted that although they did not get the approval they wanted, nothing in that meeting told the Town Board that they should not be working with the Village and he asked that the Village keep that in mind. Kuhn noted that at the annual meeting concerns about the cost of the project and that the planning process did not include the Town were expressed. Kuhn noted that the Town has some concerns about the outlying properties in the Town and they will need to find a way to address those issues. Kuhn asked that the Village keep the door open working together on the fire station. Kuhn noted that the Town will meeting on the 6th of May and will discuss the next steps at that point.

Kuhn noted that legally, they could not go ahead with the construction of a public building if an elector meeting does not give the Town Board approval and would have to bring the issue back to the electorate again.

Menne questioned what the Town is looking for. Kuhn noted that he is just one person but he believes that they are interested in being an owner. Kuhn noted that fundamentally, the Town needs to be working with the Village from the beginning on the project plan to eliminate the vocal opposition at the electorate meeting and the Town Board's feeling that they brought themselves into the project at the eleventh hour just prior to the Village launching the project. Kuhn indicated that as long as the Village has not signed a contract with Selmer a subset of both Boards can sit down and go over the plans and try to come to a consensus on things.

Kapellen questioned why there would be a need to go over the plans since the Boards did negotiate an agreement concerning the present plan. Kuhn indicated that there were issues that were not addressed in the negotiation that could now be addressed such as the location and the construction style as well as total costs.

Kuhn reported that he is on record of being in favor of also using the Franklin and Ada fire departments due to the proximity of their locations to some of the Township which would provide a quicker response and a better insurance rating. Kuhn indicated that this is an issue that the Town Board will have to address.

It was the consensus of the Board that the Village is always willing to talk with the Town.

Mike Klahn from Crystal Lake Sportsmen Club was present to inform the Board that the DNR is interested in bringing spotted muskies into the lake and act as a brood lake. Klahn is concerned that the danger to the lake is VHS which will produce fish kill in Elkhart. Klahn asked that a letter be sent to John Nelson of the DNR indicating that the Village is opposed to putting more muskies into the lake due to disease as well as the muskies ruining the lake for other fishing.

PUBLIC WORKS REPORT – Rautmann

County is grinding cracks which they will be filling in.

Klahn questioned the condition of the cement ribbons along the walkway. Rautmann noted that the cracks have been showing up over the last few years but some time needs to be given for the frost changes to settle.

POLICE CHIEF'S REPORT – None

TOURISM COMMISSION ANNUAL REPORT – Eickhoff

- 1) 2007 was a good year of steady consistent growth in Tourism with a goal of 3% growth and an actual growth of 11.4%.
- 2) Goals are to increase occupancy in mid-week summer, shoulder season, and the wedding destination.
- 3) Have strengthened the web site. Worked hard to optimize the search tool to help get people to the web site.
- 4) Advertised in new Chicago publications to increase the Chicago market.
- 5) Redesigned the ARTfest to encourage people to spend the weekend
- 6) Received a JEM grant of \$31,898.00 to help market the ARTfest.
- 7) Increased visitor attendance of 66.5%.

- 8) Reviewed the spending of the Tourism dollar.
- 9) Presented the goals for 2008.
- 10) Asked that the existing Board be reappointed to the Tourism Commission.

COMMITTEE REPORTS –

Library Board – Nelson

- 1) Provided the Board with minutes of the March 20th, 2008 meeting.
- 2) Reviewed the circulation policy
- 3) Continued to work on the Fine and Fee Policy.
- 4) Will be looking at new library check out hours.
- 5) Looked at the Horizon Replacement report dealing with the software replacement system for Eastern Shores and discussing the split of these costs.

Tourism Commission – Nelson

- 1) Provided the Board with minutes of the March 12th, 2008 meeting.
- 2) Kyle Petty tour will stop in Elkhart.
- 3) Reviewed Village Maps and Historical Walking tour maps.
- 4) Welcome sign use changing.
- 5) Dolan show well received will run again April 26th.
- 6) Met with new marketing firm, Belter and Lincoln.

Shoreland Ordinance – Nelson

Presented a copy of the proposed amendment to the shoreland ordinance and reported that a public hearing for this amendment is scheduled for May 19, 2008.

Planning Commission – Menne

- 1) Approved a certified survey map of the Charles Seifert property.
- 2) Approved a sign for Bella Rae Salon.
- 3) Working on a Development Agreement for Fore Developers – Wiese.
Public Hearing scheduled for May 19, 2008
- 4) Reviewed preliminary plans for the Morris subdivision for possible annexation.
- 5) Working on the Verizon agreement.

Public Works – Nelson

- 1) Will not be able to help Kiel in the sweeping of their streets.
- 2) Will sign Osthoff Avenue rather than paint yellow for no parking.
- 3) Contacted the bus company indicating that the Village does not have a problem with them turning around at the end of Moraine Drive. Will need to be aware of this when future dead ends are proposed.

Administration and Finance - Moersch

- 1) Have placed an ad in the Review for renting the store space at the Depot.
- 2) Have agreed to continue with the League Insurance Plan and the State Property Insurance Plan for the Village.
- 3) Are looking at increasing the landscape budget for Memorial Park to about \$6,000.00 to \$7,000.00 which would come from the recreational development fund on the State Investment Pool after the Beautification Committee finishes their interviews of landscapers.

Economic Development – Menne

Menne presented a draft of a “Code of Conduct for Economic Development for Sheboygan County” for the Boards consideration.

Municipal Planning and Development – Nelson

Met with representatives of the Osthoff and Steve approved the distance between buildings and a building permit can be issued.

Industrial Development – Kussow

Kussow reported that he, along with Rudnick and Nelson, went to tour the Elite Company at West Bend owned by Steve Knapp. Kussow reported that there would not be a noise problem with the facility and explained their monitoring of the levels produced by the testing of the engines. Kussow indicated that Knapp is still interested in two acres and is willing to pay \$20,000.00 an acre for industrial park land. Knapp will work with Don Albright to create a site plan.

UNFINISHED BUSINESS –

Neighborhood Electric Vehicles

Trustee Klahn reintroduced the following ordinance for Board consideration which eliminates use of neighborhood electric vehicles on State Highway 67:

**ORDINANCE NO. 532
VILLAGE OF ELKHART LAKE
SHEBOYGAN COUNTY, WISCONSIN**

NEIGHBORHOOD ELECTRIC VEHICLES

The Village of Elkhart Lake, Sheboygan County, Wisconsin, does hereby ordain as follows:

SECTION 1: PURPOSE.

Wis. Stat., § 349.26 authorizes a municipality to allow persons to operate Neighborhood Electric Vehicles on local highways. The purpose of this Ordinance is to authorize such vehicles on roads within the Village of Elkhart Lake, subject to the restrictions, below.

SECTION II: PROVISION CREATED.

Village of Elkhart Lake Code sec. 6.14 is created by this Ordinance.

SECTION III:PROVISION AS CREATED.

Village of Elkhart Lake Code sec. 6.14 is created as follows:

- 6.14 NEIGHBORHOOD ELECTRIC VEHICLES PERMITTED**
(1) Definitions:

- (A) “Neighborhood Electric Vehicles” (NEV) means a self-propelled motor vehicle that has successfully completed the neighborhood electric vehicle America test program conducted by the Federal Department of Energy and that conforms to the definition and requirements for low speed vehicles as adopted in the Federal Motor Vehicle Safety Standards for “low-speed vehicles” under 49 CFR 571.3(b) and 571.500.
- (B) NEVs shall be 4-wheeled and have a speed range of at least 20 miles per hour and not more than 25 miles per hour on a paved surface and have a gross vehicle weight at rest of less than 2,500 pounds. NEV does not include an electric golf cart. A NEV shall have:
1. Headlamps;
 2. Front and rear turn signals;
 3. Stop lamps;
 4. Reflex reflectors: one red and each side as far to the rear as practicable, and one red on the rear;
 5. An exterior mirror mounted on the driver’s side and either an exterior mirror on the passenger side or an interior rearview mirror;
 6. Parking brake;
 7. A windshield that conforms to the requirements of the federal motor vehicle safety standard on glazing materials (49 CFR 571.205);
 8. A Vehicle Identification Number (VIN) that complies with federal law (49 CFR 565);
 9. A Type 1 or Type 2 seatbelt assembly conforming to 49 CFR 571.209, and Federal Motor Safety Standard No. 209, for each designated seating position; and
 10. Meets the general test conditions under 49 CRF 571.50056.
- (2) Permitted Users of Neighborhood Electric Vehicles. To use an NEV on Village streets as described in (1) above, the individual must have a valid Wisconsin driver’s license.
- (3) Permitted Use of Neighborhood Electric Vehicles on Village Streets. Except as provided below, a licensed individual may operate a NEV on the streets of the Village of Elkhart Lake having a posted speed limit of 35 miles per hour or less and headlamps must be on during operation. However, the operation of a NEV is strictly prohibited on STH 67/North and South Lincoln Street and CTH JP/Birchwood Drive. For purposes of this Ordinance the walkway between the Osthoff Resort and Elkhart Lake is not a street upon which a NEV may be operated.
- (4) Operation of Neighborhood Electric Vehicles. The operation of NEVs as permitted herein shall in all respects be in compliance with Chapter VI of the Village of Elkhart Lake Code of Ordinances.
- (5) Registration. All NEVs shall be registered in accordance to Wisconsin Statutes.

- (6) Enforcement. Enforcement of this ordinance regulating the use of a NEV within the Village shall be pursuant to the Village of Elkhart Lake Code of Ordinances. If not otherwise provided, the penalty for the unauthorized use of a NEV within the Village of Elkhart Lake shall be \$65.00 per occurrence.

SECTION IV: VALIDITY.

Should any section, clause or provision of the ordinance be declared by the courts to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

SECTION V: CONFLICTING PROVISIONS REPEALED.

All Ordinances in conflict with any provisions of this Ordinance are hereby repealed.

SECTION VI: EFFECTIVE DATE.

This Ordinance shall be in force from and after its introduction and publication as provided by statute.

SECTION VII.

This Ordinance becomes a part of the Village of Elkhart Lake Code, Chapter VI.

Fire Station

Pat Zorn was present to discuss an informational meeting. Zorn indicated that he checked with the high school and they would allow the Board to use their facilities depending on a date. Zorn reported that he felt that there was just too much mis-information being communicated and people need to know actual facts prior to moving ahead with a building.

(Landgraf/Klahn) moved to go ahead with a public meeting on the fire station at the high school at a time of the Village's convenience.

ayes: Klahn, Kussow, Menne
Landgraf
nays: Moersch, Kapellen,
Nelson
Motion Carried

Landgraf suggested that we make this a joint meeting with the Town of Rhine.

Moersch led a discussion on the need for an informational meeting and the costs that the Village is incurring with more delays. Menne indicated that we need to know if the location is correct and how the Town will participate. Moersch indicated that we can go ahead with the building and still negotiate with the Town on either ownership or rent. Kussow indicated that he felt that the Town electorate voted against the fire station because they did not have accurate information and we therefore need to get accurate information out to the public.

(Moersch/Kapellen) moved that Selmer be authorized to start construction of the fire station as bid and should President Menne not sign the appropriate documents by April 25th, 2008 that Trustee Kapellen be authorized to sign those documents.

ayes: Klahn, Kapellen, Moersch, Nelson
nays: Kussow, Menne, Landgraf
Motion Carried

Discussion followed with Trustee Landgraf asserting that the motion was out of line due to the fact that as of tomorrow there will be a new Board which Moersch will not be a member.

Landgraf asked to go on record to report that she voted nay because of the taxpayers of this community and I am representing them and have been on the Board for close to twenty years and feels that as a representative of the taxpayers the Board should see what the taxpayers want in this community, an informational meeting should be held, we have to know what the taxes are going to be and even if they is no major increase or if the taxes will go up or down, the people should be informed.

Kussow indicated that he did not feel that this was a good decision since it puts the tax burden on the taxpayers of Elkhart Lake and it should be shared with the Town of Rhine.

Menne asked that Pat Zorn take charge of setting up a public meeting.

Mark Landgraf was present and reported that the presentation he planned at the last meeting was postponed until after he had a chance to discuss the issue with the firemen and since then, the firemen have agreed that as a group, they are a separate entity and are responsible for the fire suppression and safety of the residents and property of the Village of Elkhart Lake and Town of Rhine and they would not weigh in with an opinion on the design and placement of the fire station. That will be left to the Board.

Landgraf indicated that as an individual, he is appalled at the actions of some of the Board members and he felt that tonight's action is proof of their lack of willingness to listen to the community. Landgraf asked that the record show that he felt that every time he tried to speak to the fire station issue the Board or Committee would go into closed session and ask him to leave.

Mark Thielmann questioned if the Village would be going ahead with the fire station project regardless of what the Town decides. Menne indicated that was correct.

Reiss commented that due to the different opinions on the issue of the fire station, the fire department was beginning to become divided. Reiss noted that they met and discussed the situation and determined that they would not let that happen. Reiss reminded the Board that the firemen have to work together when they are called to a fire and they cannot let this controversy destroy their department. They are therefore leaving the decision on the building and building site up to the Village and the Town of Rhine and they will be willing to relocate where ever they are placed and hope that both municipalities will work together. Reiss noted that all communication to or from the fire department as a whole will come through him.

Alan Rudnick announced that as much as he was in favor of the fire department, he did not agree with the action taken at this meeting.

Trustee Nelson introduced the following amendment to the shoreland ordinance noting that the copies that the Board has show the corrections as made:

**ORDINANCE NO. 533 - 2008
VILLAGE OF ELKHART LAKE
COUNTY OF SHEBOYGAN
STATE OF WISCONSIN**

**AN ORDINANCE TO RECREATE PORTIONS OF CHAPTER 17 OF THE MUNICIPAL CODE
OF THE VILLAGE OF ELKHART LAKE RELATING TO SHORELAND ZONING**

The Board of Trustees of the Village of Elkhart Lake, Sheboygan County, Wisconsin, do ordain as follows:

Section 1. The following portions of Chapter 17 of the Municipal Code of the Village Of Elkhart Lake, Wisconsin, entitled “Shoreland Ordinance” are hereby repealed and recreated as follows:

17.06 SHORELINE VEGETATION PROTECTION.

(2) GENERAL PROVISIONS. (a) Tree cutting in the primary buffer zone shall be limited in accordance with the following provisions: No more than 30% of the trees within the primary buffer zone as of the effective date of this ordinance shall be cut but in no case shall a clear cut to the OHWM of Elkhart Lake be created within the primary buffer zone which exceeds thirty (30) feet in width or shall the total number of trees with a trunk diameter greater than four (4) inches, within the primary buffer zone be reduced below an average of one (1) tree for every five feet of shoreline. A dead, dying or hazardous tree removed from the primary buffer zone must be replaced with a tree that is recommended by the DNR for planting and growth within the primary buffer zone and has a minimum trunk diameter of three (3) inches if the removal of such tree brings the number of trees within the primary buffer zone below the minimum required or increases the width of the clear cut area beyond the maximum allowed thirty (30) feet.

(k) Failure to comply with the shoreland vegetation projection provisions of this ordinance will be subject to the penalties outlined in Section 17.09 of this ordinance.

17.08 REGULATION OF STRUCTURES BELOW THE ORDINARY HIGH WATER MARK

(1) REQUIRED PERMIT. No person may build, alter, place, restore, reinforce, repair or extend any wharf, pier, boat shelter, boat house, swimming raft, boat rack or mooring buoy within the waters of Elkhart Lake without the issuance of a permit by the Village. Except for wharves, piers, boat shelters, existing boat houses, swimming rafts, boat racks and mooring buoys, no permits will be issued for building, altering, placing, restoring, reinforcing, repairing, or extending any structure which is moored or attached to the bed of Elkhart Lake in any manner, including and without limitation to, ski jumps, water trampolines or water slides.

(2) APPLICATION FOR PERMIT. Any riparian land owner desiring to build, alter, place, restore, reinforce, repair or extend any wharf, pier, boat shelter, existing boathouse, swimming raft, boat rack, or mooring buoy within the waters of Elkhart Lake, must make official application with the Elkhart Lake Village Clerk. No application shall be accepted for building, altering, placing, restoring, reinforcing, repairing, or extending any other structure which is moored to or attached to the bed of Elkhart Lake in any manner including, and without limitation to, such prohibited structures or configurations as ski jumps, water trampolines or water slides. Applications in the form designated by the Village Clerk must show all structures located below the ordinary high water mark for the property. Dimensions of all structures, as well as appropriate distances to the corresponding property lines of the abutting riparian land owners, must be detailed on official application drawings. Types of materials and color of materials used to construct the structures must also be detailed on the application. Applications

must be fully completed. Partial applications or incomplete applications will be denied. An application fee of \$10.00 will be due for each application submitted for inspection and review.

(3) INSPECTION BY POLICE DEPARTMENT AND GRANTING OF PERMIT. Upon the filing of such an application, the Village Police Department shall, either personally or through designated agents, make an investigation of the assertions and facts made in the application, and after considering the application and making a determination regarding whether the application and proposed action complies with the provisions of this chapter, may then grant or deny such application. In the case of a pier, no matter when an application is made it will be necessary for the Village Police Department to inspect and photograph the existing structure before it is moved, stored or destroyed. Any permit issued by the Village for a structure which would not be permitted by Chapter 30 of the Wisconsin State Statutes, unless a permit has been granted by the Department of Natural Resources, shall be void and be of no force and effect.

(8) BOAT SHELTER STANDARDS

(f) A boat shelter shall be adjacent to a pier, wharf or shoreline.

(10) GENERAL REQUIREMENTS OF PIERS AND WHARVES

(a) No wharf or pier shall be placed or constructed so as to interfere with the public's rights in the waters of Elkhart Lake or with the rights of neighboring riparian owners. (See addendum for the Wisconsin Department of Natural Resource's —coterminous riparian rights diagram). If there is a question concerning, or conflict over, riparian rights, the neighboring riparian owners on both sides will be notified, and the applicant must produce and pay for a survey to show riparian zones by extension of lot lines or by coterminous riparian right lines (riparian zone of influence) to the line of navigation. If a question still remains about riparian zones, the Wisconsin Department of Natural Resources shall be consulted and its decision on the question shall be binding.

(11) GENERAL REQUIREMENTS OF SWIMMING RAFTS. Every riparian owner may install one (1) swimming raft subject to the following provisions: -

(a) The swimming raft may not exceed 144 square feet in deck size or 38 inches in height.

(15) EXISTING STRUCTURES AND USES – structures and uses existing as of October 20, 2003, that do not comply with the provisions of this chapter will be recognized as having nonconforming status unless they are in violation of state law. - Except as provided in this ordinance, such structures and uses cannot be expanded, extended, enlarged, modified, restored, reinforced, repaired or altered without obtaining a conditional use permit. For existing structures and uses to receive recognition as a nonconforming use or structure, the lake property owner has the legal burden to prove the conditions that exist as of October 20, 2003. The methodology and specific requirements to prove the existing conditions will be set forth in a letter to existing lake property owners in the Village of Elkhart Lake. Following the sale of a property, a nonconforming pier must be brought into compliance with provisions and pier specifications outlined in Section 17.08 (10) of this ordinance.

17.10 NONCONFORMING USES AND STRUCTURES The lawful use of a building, structure or property that existed on October 20, 2003, which is not in conformity with the provisions of this ordinance, may be continued, including the maintenance and repair of such a building or structure, subject to the following conditions:

(2) The maintenance and repair of nonconforming structures extending beyond or below the OHWM shall comply with the requirements of Chapter 30 of the Wisconsin Statutes. Structures and uses below the OHWM existing as of October 20, 2003, can be recognized as having a nonconforming status as provided for in Chapter 17.08, above, and as specifically stated in Chapter 30. Such structures may **not** be restored, reinforced, repaired, altered, modified, extended or expanded without obtaining a conditional use permit.

(3) No modification, alteration, addition or structural repair to any existing building or structure with a nonconforming use or any nonconforming building or structure above the OHWM may exceed 50% of its current equalized value over the life of the building or structure. In the case of piers, no repair or restoration may exceed 50% of the surface (deck) of the pier or 50% of the supporting structure over the life of the pier. A change in the materials and/or color of the surface of a pier or a change in the materials of the supporting structure shall be considered to be repair or restoration.

(4) If a modification, alteration, addition or structural repair is in excess of 50% of the current equalized value, or for a pier, 50% of its surface (deck) or 50% of the supporting structure that was in place on October 20, 2003, of a existing nonconforming use or nonconforming structure is disallowed by the Village, the property owner may still make the proposed modification, alteration, addition or structural repair if (a) a building or structure with a nonconforming use is permanently changed to a conforming use or, (b) the property owner appeals the Village's decision and obtains relief from a court of competent jurisdiction.

17.13 CONDITIONAL USE PERMITS (1) Conditional use permits may be granted by the Village Board provided the riparian landowner applies for a permit with the Elkhart Lake Village Clerk. Conditional use permit applications must show all structures, dimensions of structures, as well as appropriate distances to the corresponding property lines of the abutting riparian land owners. Applications shall also contain compelling evidence and substantial reasons why a conditional use permit is being requested. These applications may include requests where nonconforming piers, wharves, berths and boat racks may be involved.

(2) Conditional use permits may include requests for:

(a) A pier to exceed the length or width restrictions of this ordinance to accommodate the mooring or berthing of a specific watercraft

(b) Swim rafts to exceed the allowable square footage in planned unit developments (FR Zoning) or a resort (C-2 zoning), provided there is no restriction contained in a development agreement or similar legal document and the raft size does not exceed the Wisconsin Department of Natural Resources maximum square footage limit.

(c) An additional pier or wharf if the riparian landowner demonstrates there is a need to provide proper berthing for water craft, to provide for the safe loading and unloading of people and gear, or to provide accessibility for the supervision of bathers.

(d) An additional boat berth.

(e) An additional boat rack (dry).

(f) An alternate location for a boat shelter.

(g) Repairs as restricted in 17.10.

Section 2. This Ordinance shall become effective upon adoption and publication as required by law.

:Nelson explained that this ordinance amendment came about because of some administrative questions regarding the repairing and maintenance. Nelson explained that with this amendment, a change in ownership will require a pier to be brought into compliance.

NEW BUSINESS

(Klahn/Kussow) moved that Renee Sixel be granted an operator’s license for Quit Qui Oc and Patricia Gaffrey for general for the licensing year expiring June 30, 2009.

Motion Carried Unanimously

(I-Klahn Landgraf/Kapellen) introduced, moved and unanimously approved the following resolution by a roll call vote:

**RESOLUTION NINE – 2008
VILLAGE OF ELKHART LAKE
SHEBOYGAN COUNTY, WISCONSIN**

USE OF ELKHART LAKE TO RAISE SPOTTED MUSKIE

WHEREAS, it has been reported to the Village of Elkhart Lake that the Wisconsin Department of Natural Resources is planning to use Elkhart Lake as a brooding lake to raise spotted muskie; and

WHEREAS, this does not find approval with area sportsmen’s organizations due to the anticipated damage to the walleye population and general fishing on Elkhart Lake; and

WHEREAS, the Village of Elkhart Lake would like to protect the fishing activity of the lake;

NOW THEREFORE, BE IT RESOLVED, that by the adoption of this resolution the Village of Elkhart Lake requests that the Wisconsin Department of Natural Resources abandon its plan to put the spotted muskie in Elkhart Lake; and

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to our Governor and State Legislators.

Attest:

Adopted and Approved this
21st day of April, 2008.

President Peter J. Menne

Jeanette L. Moioffer, Clerk

Trustee Rola Ann Klahn

(I-Kapellen Nelson/Kussow) introduced, moved and unanimously approved the following resolution by a roll call vote with Trustee Moersch abstaining:

**RESOLUTION TEN – 2008
VILLAGE OF ELKHART LAKE
SHEBOYGAN COUNTY, WISCONSIN**

**RESOLUTION TO JOIN/SUPPORT THE GROUP OF
SHEBOYGAN COUNTY MUNICIPALITIES
COMMITTED TO ECONOMIC PROSPERITY**

WHEREAS, the Sheboygan County Chamber of Commerce has been hosting Economic Development Workshops for municipalities in Sheboygan County; and

WHEREAS, the Sheboygan County Chamber of Commerce has drafted the “Sheboygan County Code of Conduct for Economic Development” attached to this resolution as Exhibit A; and

WHEREAS, the Village of Elkhart Lake does support the development, retention, and attraction of first-class companies and talent to all municipalities in Sheboygan County;

NOW THEREFORE, BE IT RESOLVED, that by the adoption of the “Sheboygan County Code of Conduct for Economic Development” Exhibit A, the Village of Elkhart Lake agrees to support economic prosperity of Sheboygan County;

BE IT FURTHER RESOLVED, that a copy this resolution be sent to the Sheboygan County Chamber of Commerce.

Attest:

Adopted and Approved this
21st day of April, 2008.

President Peter J. Menne

Jeanette L. Moioffer, Clerk

Steve Kapellen, Trustee

President Menne alerted the Board that Sheboygan County is conducting mandatory inspection of septic and private sanitary waste systems around the lake in accordance with state mandates. Menne noted that this may bring up the issue of extending sanitary sewer around the lake again.

TRUSTEE REPORTS –

Landgraf reported that the Beautification Committee will meet on Wednesday, April 23 at 6:30 p.m. to review plans for the landscaping of Memorial Park.

Trustee Moersch thanked everyone on the Board and Village employees for their support and cooperation in the fifteen years that he has served on the Board which he enjoyed.

President Menne and the Board thanked Trustee Moersch for his years of service and guidance to the Village and wished him a relaxing retirement.

COMMUNICATIONS - Moioffer

Moioffer provided the Board with a copy of the Capitol Connection by Joe Leibham; the Northern Moraine Minutes and Agenda, FOCUS, 2008 Clean Sweep information; information on a water supply regulatory affairs seminar and registration forms for the League Dinner and New Officers Workshop. Moioffer reported that the Researcher and the Wisconsin Taxpayer are available in her office.

CLERKS REPORT – Moioffer

Moioffer reported that President Menne has refused to sign Resolution Five-2008 approved on February 21, 2008 concerning the Selmer Bid Acceptance.

(Klahn/Nelson) moved that Trustee Steve Kapellen be authorized to sign the resolution in place of President Menne.

ayes: Klahn, Kussow, Nelson, Moersch
 nays: Menne, Landgraf
 abstain: Kapellen

VOUCHER APPROVAL

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

V-191	WE Energies	Library power & Light	\$241.40
V-192	Bankcard Services	Videos, printer, & Programs	356.36
V-202	Badger Office City	Library cart	71.99
V-203	Baker & Taylor	Library books	891.09
V-211	Demco, Inc.	Library office supplies	138.56
V-211	Demco-Subscriptions	Magazine & newspapers	21.58
V-212	Eastern Shores Library Sys.	Reimb. Man Cal Lib system	369.96
V-212	Eastern Shores Library Sys.	Library paper	29.44
V-217	Elkhart Lake Water Dept.	1 st quarter water	8.57
V-215	Elkhart Lake-Glen School	School cable fund	400.00
V-218	Globalcom	Long distance service	8.69
V-220	Imagetec LP	Copier rental-quarter	174.00
V-223	Kone Inc.	Elevator inspection	167.58
V-226	Michelle Galloway	Cleaning March	234.00
V-239	Sun Graphics	Library flyers	15.00
V-245	Verizon	Phone service	80.56
V-246	Wisconsin Newspress	Review subscription	38.00
V-249	Wisconsin Public Service	Natural Gas	<u>205.66</u>
	Total Library		\$3,452.44

(Landgraf/Nelson) moved that the Library vouchers be approved and paid as presented.

Motion Carried Unanimously

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

WV-056	WE Energies	Power & Light	\$903.51
WV-057	U.S. Cellular	Cell phone service	75.41
WV-058	Aramark	Uniform allowance	39.22
WV-059	Village of Elkhart Lake	Sewer collection	246.41
WV-060	Corson & Peterson	4 th Quarter 2007	625.00
WV-061	Diggers Hotline	Diggers Call fees	9.30
WV-062	Elkhart Lake Water Dept.	Water-well house 1 st qtr.	22.65
WV-063	Globalcom Inc. USA	Water long distance service	7.49
WV-064	Hawkins Water Treatment	Water-Chlorine cylinder rent	10.00
WV-065	HD Waterworks, LTD	2- 2" water meter.	2,051.44
WV-066	Superior Electric	Water meter installation wire	120.94

WV-067	Verizon	Water phone service	37.58
WV-068	Village of Elkhart Lake	Wage-March	2,200.75
WV-069	Wisconsin Public Service	Natural Gas	151.18
WV-070	Village of Elkhart Lake	Sewer collection	7,527.86
WV-071	Village of Elkhart Lake	Sewer collection	<u>4,797.96</u>

Total Water \$18,826.70

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

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

V-191	WE Energies	Power & Light	\$6,168.70
V-192	Bankcard Services	Postage, Norton, flowers etc..	287.47
V-193	Dept. of Emp. Trust Fund	Income cont. insurance	285.47
V-194	Dept. of Emp. Trust Fund	Employee health insurance	6,103.90
V-195	Citgo	Garage/Police/ gas	1,081.55
V-196	League of Wis. Mun.	Building Inspec. Conf. reg.	130.00
V-197	Aramark	Clothing allowance	121.36
V-198	Airgas North Central	F.R./Garage Oxygen	47.74
V-199	Associated appraisal consult.	Reassessment	3,582.00
V-200	Aurora Medical Group	DOT Drug screen	48.00
V-201	Aurora EAP	EAP semi quarterly fee	70.20
V-204	Benefit Advantage	Flex plan fee	35.00
V-205	Randy Boeldt	Police-computer repair	52.98
V-206	Bruce Municipal Equip. inc.	Garage-Sweeper repair	49.13
V-207	Burkart Heisdorf Insurance	Police-emp. accident.cov.....	1,625.00
V-208	B & M Waste Service	Mem Day port-a potty	65.00
V-209	Community Bank & Trust	F.D. April rent	4,000.00
V-210	Corson & Peterson	4 th Quarter acct., 2007	2,100.00
V-213	MTAW	Clerk- annual dues	40.00
V-214	Elkhart Lake Glen School	Police-safety patrol	700.00
V-215	Elk-Rhine Mini storage	Garage rental	210.00
V-217	Elkhart Lake Water Dept.	1 st quarter water	250.00
V-218	Globalcom	Long distance service	49.67
V-219	Hawley, Kaufman & Kautzer	Police legal service	482.05
V-221	Kapur & Associates	Eng.-Stephani review	176.00
V-222	Jason Karras	Court-restitution	189.00
V-224	Lakeshore Tech College	Police training	125.86
V-225	Larry's Hauling	Refuse & recycling Coll.	3,395.56
V-226	Michelle Galloway	Cleaning March	234.00
V-227	Jeanette Moioffer	Clerk mileage	80.00
V-228	Monroe Truck Equip.	Garage truck repair	236.52
V-229	NAPA Auto Parts-Plymouth	Vehicle filters	147.95
V-230	National Exchange Bank	Safety deposit box	35.00
V-231	Northern Moraine Utility	Sewage Treatment	15,388.99
V-232	Plymouth Lubricants	Oil	107.80
V-233	Principial Life	Employee life ins.	111.87

V-234	Quit Qui Oc Golf course	F.R. banquet	1,112.40
V-235	Susan Schleisner	Judge-conf. training expense	54.78
V-236	Schetter Electric	Repair photo eye Lions Park	46.99
V-237	State of Wisconsin	State Court Assessments	557.50
V-238	Sheb. County Treasurer	Court assess., election	206.90
V-238	Sheb. County Treasurer	Election-Voter registration	30.80
V-238	Sheb. County Treasurer	Election exp.-Ads	79.05
V-238	Sheb. County Treasurer	Comprehensive Plan	158.25
V-240	TDN Utility Services	Hang banners	302.50
V-241	Eric Theel	F.R. Conference exp/mileage	270.00
V-242	The Uniform Shoppe	Police uniform-full time	213.60
V-243	Timeless	Floor drain grating	300.00
V-244	U.S.Cellular	Police cell phones	77.26
V-245	Verizon	Phone Service & Internet	573.28
V-246	Wisc. Newspress Inc.	Publish PH,Liebl., Voting test	63.37
V-247	VOID		
V-248	WI Dept.of Justice-Time	Police-state computer time	222.00
V-249	Wisconsin Public Service	Natural gas	1,123.07
V-250	Wis. Taxpayer Alliance	Three yr. sub.-Wis. Taxpayer	33.00
V-251	Elkhart Lake Post Master	Clerk-postage	542.00
V-252	Edgarton, St. Peter, Petak &	Village legal services	527.73
	Total General checks		\$54,225.75
	April Wage Expenses		<u>48,612.43</u>
	Total April Expenditures		\$102,830.18

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

(Kapellen/Nelson) moved to go into closed session at 8:50 p.m. under Wisconsin State Statutes 19.85(1)(g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved.

Motion Carried Unanimously by a roll call vote.

President Menne announced the closed session and reported that the Board will not return to open session and adjourn from closed session.

(Moersch/Kussow) moved to adjourn the meeting at 9:05 p.m.

Motion Carried Unanimously

Jeanette L. Moioffer, Clerk

Minutes of the organizational meeting of the Board of Trustees of the Village of Elkhart Lake held on Tuesday, April 22nd, 2008, at the Grashorn Memorial Civic Center in the Village of Elkhart Lake with the agenda having been duly posted on Friday, April 18th, 2008, between the hours of 3:22 P.M. and 4:05

P.M. at National Exchange Bank and Trust, the Elkhart Lake Post Office, Community Bank, the One Stop Shop and the Municipal Office.

President Menne called the meeting to order at 6:00 P.M. with the following trustees present: Yvonne Landgraf, Thomas Nelson, Rola Klahn, Alan Rudnick, Gary Kussow and Steve Kapellen. Others in attendance included: Jeanette Moioffer, Clerk and Mike Wolf.

Election Results April 1st, 2008 Spring Election --- 896 vote cast

Michael J. Baer-----Trustee	189 votes
Yvonne Landgraf-----Trustee	228 votes
Alan Rudnick -----Trustee	261 votes
Thomas K. Nelson-----Trustee	208 votes
Scattered-----Trustee	10 votes

Clerk Moioffer reported that the following were declared elected by canvas of the Election Board and have signed their oath of office:

Trustees – Alan Rudnick, Yvonne Landgraf, Thomas Nelson

(Kapellen/Landgraf) moved to accept the election results of the Spring Election held on April 1st, 2008 presented by the Election Board of Canvassers (ATTACHMENT A) declaring that Alan Rudnick, Yvonne Landgraf and Thomas K. Nelson are elected Trustees of the Village of Elkhart Lake.

Motion Carried Unanimously

(I-Kapellen Nelson/Klahn) introduced, moved and unanimously approved by roll call vote the following resolution:

RESOLUTION ELEVEN - 2008
VILLAGE OF ELKHART LAKE
SHEBOYGAN COUNTY, WISCONSIN

MEETING TIMES AND DATES

BE IT RESOLVED, that the dates of the regular meetings of the Board of Trustees of the Village of Elkhart Lake be scheduled for the first and third Monday of each month beginning at 7:00 p.m. If such a day falls on a holiday, the meeting shall be held the next day, Tuesday.

BE IT FURTHER RESOLVED, that the organizational meeting be held on the Tuesday after the third Monday of the month of April of each year at a time convenient for majority of the Board members.

Attest:

Adopted and approved this
22ndh day of April 2008.

Peter J. Menne, President

Jeanette L. Moioffer, Clerk

Steven Kapellen, Trustee

(I-Landgraf Rudnick/Kapellen) introduced, moved and unanimously approved by roll call vote the following resolution:

**RESOLUTION TWELVE – 2008
VILLAGE OF ELKHART LAKE
SHEBOYGAN COUNTY, WISCONSIN**

**DESIGNATION OF DEPOSITORIES FOR THE VILLAGE OF
ELKHART LAKE, JEANETTE L. MOIOFFER, TREASURER**

BE IT RESOLVED, that the National Exchange Bank and Trust and Community Bank are both qualified as a public depository under Chapter 34 of Wisconsin Statutes, both shall be and are hereby designated until further notice, depositories for all public monies coming into the hands of the Treasurer of the Village of Elkhart Lake, County of Sheboygan, State of Wisconsin

BE IT FURTHER RESOLVED, that any funds being held for a length of time are invested in the State of Wisconsin Local Government Investment Pool.

Attest:
Adopted and approved this
22nd day of April 2008.

Peter J. Menne, President

Jeanette L. Moioffer, Clerk

Yvonne Landgraf, Trustee

(I-Klahn Kussow/Landgraf) introduced, moved and unanimously approved by roll call vote the following resolution:

**RESOLUTION THIRTEEN– 2008
VILLAGE OF ELKHART LAKE
SHEBOYGAN COUNTY, WISCONSIN**

DESIGNATION OF COMMITTEE SYSTEM

BE IT RESOLVED, that the Board of Trustees of the Village of Elkhart Lake will have seven standing committees: Administration and Finance; Public Works; Protection of Person and Property; Public Health and Welfare, Municipal Development, Economic Development and a Committee entitled School/Education Committee to provide for a liaison and partnerships.

Attest:
Adopted and approved this
22nd day of April 2008.

Peter J. Menne, President

Jeanette L. Moioffer, Clerk

Rola Ann Klahn, Trustee

(Kapellen/Klahn) moved to retain Attorney John A St. Peter of the firm Edgarton, St.Peter, Petak & Rosenfeldt as Village Attorney on a fee basis with a \$50.00 retainer.

Motion Carried Unanimously
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(Landgraf/Kapellen) moved that the Clerk-Treasurer be appointed purchasing agent.
Motion Carried Unanimously

(Klahn/Kussow) moved that the Board of Trustees of the Village of Elkhart Lake elect a President Pro-tem in the absence of the President.
Motion Carried Unanimously

(Nelson/Kapellen) moved that the minutes be posted and distributed before the second regular meeting of each month and that an agenda be posted before every regular or special meeting at National Exchange Bank & Trust, The Elkhart Lake Post Office, Community Bank and Trust, Marshall's One Stop Shop and the Municipal Office.
Motion Carried Unanimously

(Landgraf/Rudnick) moved that the date of the final budget hearing be set at the second meeting of November with the preliminary budget presented by the first meeting of November.
Motion Carried Unanimously

(Klahn/Kapellen) moved that all required publishing done for the Village of Elkhart Lake is done with the Plymouth Review.
Motion Carried Unanimously

(Rudnick/Kapellen) moved that Corson & Peterson be appointed to audit the books with the final reports needing to be completed to correspond with state reporting.
Motion Carried Unanimously

Clerk Moioffer explained changes in the payment policy in per diem meetings in that Board will only be paid for attending committee meetings that they have been assigned to attend.

President Menne made the following changes and committee appointments for the 2008-2009 year:

ADMINISTRATION AND FINANCE

Finance, Bonds, Vetting, Budget.....Landgraf, Chair
Insurance, Employee Policy, Ordinances.....Rudnick
Ordinances.....Klahn

PUBLIC WORKS

Streets, Sidewalks, Drainage, Sewers, **Water**.....Nelson, Chair
Weeds, Parks, Vehicles & Equipment for all Municipal Services.....Menne

PROTECTION OF PERSON AND PROPERTY

Police, Fire, House to House Sanctions,.....Kapellen, Chair
Emergency Response Teams, First Responders, Animal Control.....Landgraf

PUBLIC HEALTH AND WELFARE

Nuisances, Pollution, Insect Control.....Klahn, Chair
Refuse Collection, Recycling.....Kussow

MUNICIPAL PLANING AND DEVELOPMENT

Property Management, New Construction, Zoning..... Menne, Chair
Village Planning, Library Administration.....Kapellen
Building Authority.....Rudnick

ECONOMICAL DEVELOPMENT

Tourism, Rep on County Chamber Group Economic Development.....Rudnick, Chair
Land Acquisition, Recreational Development, New Industry.....Kussow

SCHOOL/EDUCATION COMMITTEE

School Liaison.....Kussow, Chair
Alternate Liaison.....Klahn

(Rudnick/Nelson) moved that President Menne’s committee appointments be approved.
Motion Carried Unanimously

Board of Appeals:

President Menne appointed Thomas Nelson and Alan Rudnick to the Board of Appeals for a three-year term.

(Kapellen/Kussow) moved that the appointment of Thomas Nelson and Alan Rudnick to the Board of Appeals for a three year term be approved
Motion Carried Unanimously

Board of Review:

President Menne appointed Rola Ann Klahn and Steven Kapellen to serve with himself on the Board of Review with Alan Rudnick, Thomas Nelson, Gary Kussow and Yvonne Landgraf serving as alternates.

(Rudnick/Landgraf) moved that the appointment of Rola Ann Klahn and Steven Kapellen to serve with himself on the Board of Review with Alan Rudnick, Thomas Nelson, Gary Kussow and Yvonne Landgraf serving as alternates be approved.
Motion Carried Unanimously

Planning Commission:

President Menne appointed Mike Wolf for a three-year term on the Planning Commission and Trustee Steven Kapellen to serve with President Menne as the Board representatives.

(Kapellen/Klahn) moved that the appointment Mike Wolf to the Planning Commission for a three year term and the appointment of Trustee Steven Kapellen along with President Menne as Board representatives for a one-year term be approved.
Motion Carried Unanimously

Community Development Authority

President Menne appointed Lynn Shovan a four-year term on the Community Development Authority, and Trustee Alan Rudnick and Trustee Yvonne Landgraf as the Board’s representatives on the Community Development Authority.

(Rudnick/Landgraf) moved that President Menne’s appointment of Lynn Shovan for a four-year term on the Community Development Authority be approved and that Trustee Alan Rudnick and Trustee Yvonne Landgraf to be the Boards representatives on the Community Development Authority.
Motion Carried Unanimously

Trustee Kapellen left at 6:30 p.m.

Tourism Commission

President Menne appointed Laurie Stecker, Judy Salzwedel, Lola Roeh, Mary Lou Haen, Robert DerHammer and Board Representative Alan Rudnick as voting members to the Tourism Commission for one-year terms and Tom Wiese, Pat Robison and Lynn Shovan as non voting members for one-year terms.

(Rudnick/Landgraf) moved that the appointments of Laurie Stecker, Judy Salzwedel, Lola Roeh, Mary Lou Haen, Robert DerHammer and Board Representative Alan Rudnick as voting members to the Tourism Commission for one-year terms and Thomas Wiese, Pat Robison and Lynn Shovan as non voting members for one-year terms be approved.

Motion Carried Unanimously

Library Board

President Menne appointed Thomas Nelson and School Representative to three year terms on the Library Board.

(Landgraf/Rudnick) moved to approve the appointments of Thomas Nelson and School Representative to Library Board for three year terms.

Motion Carried Unanimously

Park Commission:

(Landgraf/Kussow) moved to accept the resignations of Dean Kendall and Bill King from the Park Commission as Athletic Association Representatives.

Motion Carried Unanimously

President Menne appointed Frank Thielmann and Paul Schwaller to the Park Commission for three year terms, Jeff Neils for two years to fill the unexpired term of Dean Kendall, and Dan Wilk for one year to fill the unexpired term of Bill King.

(Rudnick/Landgraf) moved to approved the appointment of Frank Thielmann and Paul Schwaller to the Park Commission for three year terms, Jeff Neils for two years to fill the unexpired term of Dean Kendall, and Dan Wilk for one year to fill the unexpired term of Bill King.

Motion Carried Unanimously

Tree Commission

President Menne appointed Thomas Nelson, Board Representative and Frank Thielmann to a three year appointment to the Tree Commission.

(Nelson/Rudnick) moved that the appointment of Thomas Nelson and Frank Thielmann to the Tree Commission for a three year term.

Motion Carried Unanimously

Northern Moraine Utility Commission

President Menne appointed Richard Solek as the Village representative to the Northern Moraine Utility Commission.

(Rudnick/Landgraf) moved that the appointment of Richard Solek as the Village representative to the Northern Moraine Utility Commission be approved and that Solek be asked to attend one Board meeting every other month.

Motion Carried Unanimously

President Menne reminded board members that the following special ad hoc committees: the Downtown Development Committee, the Downtown Business District Market Analysis, the Lake Country Smart Growth Planning Representatives and the Beautification Committee stand as appointed until the completion of their special projects. It was the consensus of the Board that Alan Rudnick would replace James Moersch on the Downtown Development Committee.

(Rudnick/Landgraf) moved that the meeting be adjourned at 6:45 P.M.

Motion Carried Unanimously

Jeanette L. Moioffer, Clerk

