

Minutes of the regular meeting of the Board of Trustees of the Village of Elkhart Lake held on Monday, May 2nd, 2008 at the Grashorn Memorial Civic Center in the Village of Elkhart Lake with the agenda having been duly posted on Friday, May 2nd, 2008 between the hours of 3:30 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 7:03 P.M. with the following trustees present: Rola Ann Klahn, Steven Kapellen, Gary Kussow, Yvonne Landgraf, Alan Rudnick and Tom Nelson.

Others in attendance included: Jeanette Moioffer, Clerk; Randy Boeldt, Chief of Police; Steve Rautmann, Public Works Superintendent; Ron Feldmann; Gary Roeh; Pat Zorn; John Reiss; Dan Roberts from Selmer; Mike Wolf; Fred Hammann; Rob Garton, Jr.; John Nelson of the DNR and Emmitt Feldner.

The April minutes were tabled until the next meeting.

(Landgraf/Kapellen) moved that the April Treasurer's report showing a balance of \$57,808.10 in the general money market fund be approved as presented.

Motion Carried Unanimously

PUBLIC COMMENT – None

POLICE CHIEF'S REPORT – Boeldt

Bill Klaetsch is officially retired as of May 1st and Michael Meeusen was promoted from part time to full time to take Bill's place. Boeldt indicated that he is interviewing new part time officers, noting that he has had 47 applications for part time positions.

PUBLIC WORKS REPORT – Rautmann

Rautmann reported that he sent a bill to a contractor for street sweeping. Rautmann explained the terms of the state code and village ordinances noting that a bill was sent after a number of warnings over the last two years. Trustee Nelson indicated that he would like to meet with Superintendent Rautmann and the contractor to see if they can come to an agreeable solution to the problem with getting to the point of charging contractors.

Trustee Klahn questioned the condition of the cement ribbons along the walkway and the bricks that are lower. Rautmann indicated that he walked the walkway last week and the greatest difference he found was $\frac{3}{4}$ inch. Rautmann suggested that the Public Works Committee look at the walkway prior to a Public Works Committee meeting. Klahn indicated that she is especially concerned about the width of the cracks in the ribbons.

Peter reminded the Public Works Committee that they need to get the railing along the beach ramp repainted.

GUESTS

John Nelson of the DNR was present to explain the Muskie stocking program in Elkhart Lake. Nelson noted that Muskies, Walleyes and Croppies are not native to Elkhart Lake. Nelson noted that this stocking program will not increase the chance of disease to the Lake. Nelson noted that procedures are put in place to eliminate that possibility by making sure that fish coming into the lake are 99.9% clean fish.

Nelson explained that presently, they stock about 300 Northern Wisconsin Muskies every other year and this has happened since 1987. This Muskie strain will be replaced with the Great Lakes Spotted Muskie. They will spawn in Elkhart Lake and the eggs will be taken to a hatchery. There is no intention of increasing the density of fish.

Discussion followed on the history of fishing on Elkhart Lake. John Nelson noted that decisions on stocking is based on science. They are interested in producing a socially and biologically viable fish population. Nelson estimated that approximately half of the fishing effort on Elkhart Lake is for Muskie. Nelson noted that there is no support of information that Muskies have a negative impact on the lake and its fishery.

Rob Garton questioned who would be watching over Elkhart Lake. John Nelson indicated that he is interested in the good health of Elkhart Lake and is interested in keeping a good fishing balance for the Lake. Garton questioned if the goal is to produce more adult muskies, who will say no. Nelson indicated that it is their job to maintain a balance and they will.

COMMITTEE REPORTS –

Administration and Finance - Landgraf

- 1) Interview two candidates that would like to lease the depot for the summer.
- 2) Will be reviewing applications for the part time job in the Clerk's office.
- 3) Have a request from the Beautification Committee to increase the budget for the Memorial Park Landscaping. Landgraf noted that the monies allocated last year for the lawn seeding and sprinkler system were not totally used from the State Pool fund and will be reallocated to this project. Landgraf reported that the Beautification Committee will be meeting with the landscaper to review the proposal and hopefully reduce the cost. Landgraf indicated that some of the trees that will be planted can be memorialized with a plaque for the cost of the tree.

Public Health and Welfare – Klahn

- 1) Recommend entering into a contract with Larry's Hauling for a three year term as was discussed in fall last year. There is a gasoline surcharge if gas goes over \$4.00 a gallon and there will also be a disposal fee for yard waste.
- 2) Rich Solek has provided some notes that the Committee will review concerning water conservation.
- 3) Are looking at changing the refuse collection ordinance to limit the time refuse can be put on the curb to 12 hours instead of 24 hours.

Smart Growth – Klahn

Klahn noted that they are working on the last chapter which covers goals and objectives. Klahn noted that during the review of these goals they found that the Lake Association is identified as an active partner and the Committee felt that it would be good for the Board to understand the work that the Lake Association has done on and for the lake and will schedule a few minutes at a few Board meetings for this information to be brought to the Board.

Verizon Cell Tower Update – Menne

Menne indicated that to date there is no new information.

Beautification Committee -- Landgraf

Will be meeting with a landscaper to discuss a proposed plan.

Economic Development – Rudnick

- 1) Attended the Sheboygan County Chamber meeting on Principals for Economic Development.
- 2) County Chamber would like each municipality to adopt these principals to avoid the stealing of prospects among municipalities of Sheboygan County.
- 3) Any leads that come to this committee will be forwarded to all municipalities
- 4) Will be able to list vacant land and buildings on a state wide web site.
- 5) Will also be looking into the workings of the Sheboygan County revolving loan fund to see if that could be an aid to our community.

Crystal Lake Sanitary District Update – Menne

No new information at this time.

Elkhart Lake-Glenbeulah Athletic Association Annual Report.

Moioffer reported that the Board has been given a report prepared by the Athletic Association in their agenda packet.

UNFINISHED BUSINESS –

Fire Station

Moioffer put together a history of the proposed new fire station which began back to 1997 which includes dates of committee and board meetings, who attended, discussions held and action taken from 1997 through March of 2008. Moioffer also noted that there are some complete minutes of joint board meetings between the Village and Town of Rhine and the financial information that was presented by Ehlers.

Pat Zorn was present and indicated that he has checked with the school and there would not be a chance to use the building until after graduation on June 8th, 2008. Zorn indicated that a number of Board members have expressed their desire to have Trevor Frank from SEH at this meeting, as well as Don Albright from Kapur and a representative from Ehlers. Zorn indicated that he is getting mixed communications and needs some guidance as to what the Board expects. Menne indicated that the information we need to go to an informational meeting should come from the joint committee which would be Steve Kapellen and Alan Rudnick from the Village and two representatives from the Town of Rhine presenting a united front. Menne asked that Kapellen and Rudnick attend the Town meeting tomorrow to start the process of this joint committee working on a fire station. Klahn indicated that she was under the impression that the informational meeting was to inform the public as to what has been determined to this point concerning the site chosen and the building as designed. Klahn noted that this meeting should include the architect to address the building, an engineer from Kapur to talk about the site and soils, and a representative of Ehlers to talk about the financial impact. Menne indicated that at this point, we are not sure where the station will be located.

Rudnick reported that from the historical information given, the Board did determine that the fire station would be on the 67 site and that the Town of Rhine entered into an agreement with the Village as to the site and building designed which was passed by both Boards and has not gone further because their

electorate has voted it down. Rudnick indicated that he felt that the agreement is still on the table and we are therefore talking about the 67 site and a building on that site unless either Board should decide to start over. Rudnick noted that the Town of Rhine may take the fire station issue back to their electorate at any time.

Menne gave a letter that he would like to send to SEH asking them for guarantees from SEH and the contractors concerning the sub-construction of the building. Trustee Rudnick asked that this be put on an agenda for a future meeting since it is not on this agenda.

Discussion continued on the people that need to be part of the informational meeting with Menne indicating that this cannot be determined until a location and building design has been determined and majority of the other Board members felt that this decision has been made by both Boards and the informational meeting will be bringing out the details to eliminate some of the false information that is presently being circulated.

Landgraf suggested that the Village wait until the Town has given their decision tomorrow before the Board makes any determination.

Zorn indicated that he has an idea of who should be included at the informational meeting which will include Trevor Frank from SEH, a representative from Kapur, a representative from RVP and Phil Cosson of Ehlers. Landgraf requested that a neutral moderator be considered.

(Rudnick/Landgraf) moved that the discussion and possible action authorizing Selmer Co. to proceed with the construction of the Fire Station at the Highway 67 site be tabled until the next meeting.

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

The revised Neighborhood Electric Vehicles Ordinance No. 532-2008 was read for a second time.

President Menne appointed Mike Wolf to the CDA to fill the unexpired term of John Schwantes.

(Klahn/Kussow) moved to approve the appointment of Mike Wolf to the CDA to fill the unexpired term of John Schwantes.

Motion Carried Unanimously

(I-Kussow Rudnick/Kapellen) introduced moved and unanimously approved by a roll cal vote the following resolution:

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

**RESOLUTION DESIGNATING PUBLIC DEPOSITORY
AND AUTHORIZING WITHDRAWAL OF VILLAGE MONIES**

RESOLVED, that Community Bank & Trustee (the “Bank”), qualified as a public depository under Ch. 34, Wis. Stats., is hereby designated as a depository in which the funds of this

Municipality may from time to time be deposited; that the following described account(s) be opened and maintained in the name of this Municipality with the Bank subject to the rules and regulations of the Bank from time to time in effect; that the person(s) and the number thereof designated by title opposite the following designation of account(s) is hereby authorized, for and on behalf of this Municipality, to sign order checks as provided in s.66.042, Wis. Stats., for payment or withdrawal of money from said account(s) and to issue instructions regarding the same and to endorse for deposit, negotiation, collection or discount by Bank any and all checks, drafts, notes, bills certificates of deposit or other instruments or orders for the payment of money owned or held by said Municipality; that the endorsement for deposit may be in writing, by stamp, or otherwise, with or without designation of signature of the person so endorsing; and that any officer, agent or employee of this Municipality is hereby authorized to make oral or written requests of the Bank for the transfer of funds or money between accounts maintained by this Municipality. (ATTACHMENT A)

Attest:

Adopted and Approved this
5TH Day of May, 2008

Peter J. Menne, President

Jeanette L. Moioffer, Clerk

Gary Kussow, Trustee

Moioffer provided the Board with a letter from Spencer Chapple concerning the review process by the State Historical Society of the proposed non-motorized vehicle grant from Sheboygan County for shoulders along South Lake Street (County AJ) since it is part of the historic Elkhart Lake Road Race Circuit for their information. Moioffer understands that the County is seeking this approval.

NEW BUSINESS

(Landgraf/Kussow) moved that the following applicants be granted an operator's license for the licensing year expiring June 30, 2009: Matthew Keller, Timothy Anhalt, Erin Steinpreis, Anthony Barber. Daniel Nicolaus, Heather Barber, and Scott Nimmer for Anchor Lanes; Nahtahna Waterworth, Stephen Sutcliffe, Van Grafenstein and Susan Entringer for the Feed Mill Market.

Motion Carried Unanimously

(Klahn/Kussow) moved to enter into a contract with Larry's Hauling (ATTACHMENT B).

Motion Carried Unanimously

(Rudnick/Landgraf) moved that a Class "B" Picnic License be granted to the Elkhart Lake Band Crew for the Dorf Concert on June 17, 2008 and the Elkhart Lake Lions Club for the Memorial Day Program on May 24, 2008.

Motion Carried Unanimously

(Landgraf/Kapellen) moved that Randy Suemnicht be granted a temporary operator's permit for Saturday May 24, 2008 for the Lions Club fry at the Memorial Day Program.

Motion Carried Unanimously

(Klahn/Nelson) moved that a donation of \$3,000.00 be given to the Elkhart Lake Fire Department for their annual fireworks.

Motion Carried Unanimously

TRUSTEE REPORTS –

Trustee Klahn reported that she has attended the Board of Review Training.

Trustee Landgraf questioned who is in charge of cleaning the ditch between Osthoff Greens and Hickory Lane. Superintendent Rautmann indicated that this would be the County's responsibility since it is a County Road.

COMMUNICATIONS -

Moioffer read a thank you notes from James Moersch, Jan Schmitt and Jeanette Moioffer.

Moioffer provided the Board with copies of FOCUS, the League Application for the Clerk & Financial Officers Institute; information on the Sheboygan River Basin; Lake Street Run; and the Children's Miracle Network Golf Outing. Moioffer reported that she has a copy of Columns, the Wisconsin Historical Society newsletter and School Facts 2007 in her office for Board review.

Gary Kussow and Peter Menne will be attending the grant writing institute on May 29th, 2008 in Fond du Lac.

CLERKS REPORT –

Clerk Moioffer provided the Board with a copy of the Committee Assignment Directory. Kapellen asked if Moersch was still serving on the Downtown Development Committee – Rudnick indicated that he will take his place. Rudnick questioned how a tie would be broken on committees with only two people. Landgraf questioned if Menne was on all the committees this year.

Menne indicated that he changed his participation this year. Menne indicated that he wanted to be on Public Works and Municipal Planning and Development. Menne felt that most of the time committees will come to a consensus and if not, they have to bring the issue to the Board for a determination. Menne indicated that if anyone wanted to serve on a committee, they are free to do so.

(Rudnick/Kapellen) moved that the meeting be adjourned at 8:25 p.m.

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, May 19th, 2008 at the Grashorn Memorial Civic Center in the Village of Elkhart Lake with the agenda having been duly posted on Friday, May 16th, 2008 between the hours of 3:38 P.M. and 4:15 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.

In the absence of President Menne, Clerk Moioffer 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. President Menne was present by phone.

President Menne moved that Trustee Landgraf act as President Pro-tem. This motion failed for lack of a second.

(Nelson/Landgraf) moved that Trustee Rudnick act as President Pro-tem for this meeting.

Ayes: Klahn, Kussow, Kapellen,
Nelson, Landgraf, Rudnick

Nays: Menne

Motion Carried

Others in attendance included: Jeanette Moioffer, Clerk; Steve Rautmann; Public Works Superintendent; Ron Feldmann; Ray Franda; Mark Landgraf; Frank Zimmermann; Glen Limberg; Tim Zorn; Troy Conrad; Fred Hammann; Bob Hammann; Darren Lindstrom; Rick McInnes; Andy Martin; Mike Wolf; Tod Heillman; Robert Schmidt; Mary Johnston of the Chamber of Commerce and John Stoelting.

The minutes for April 7th, April 21st, and April 22, 2008 were tabled until the next meeting.

PUBLIC COMMENT –

Ron Feldmann questioned the Board as to whether any Board member attended a fire meeting or asked any fireman what they thought of the proposed Highway 67 site for the fire station? Kapellen responded that he has not attended a fire meeting, Rudnick indicated that he has attended a fire meeting, and Tom Nelson noted that he has attended a fire meeting and also accompanied the fire department committee as they went to view a few different sites.

PUBLIC WORKS REPORT – Rautmann

Rautmann reported that they have completed the street painting for this year.

GUESTS:

Andy Martin from the Elkhart Lake Fire Department was present to discuss the annual fireworks. Martin requested permission to have fireworks on Friday, July 4th, 2008 with a rain date being Saturday, July 5th, 2008 in conjunction with the Firemen's Picnic. Martin also requested permission to shut the Village beach down at noon to accommodate the loading of the fire works and the placing of "no parking" signs from the Osthoff Parking lot around the corner on both sides of the street the same as it was in 2007.

Mary Johnston, Director of the Chamber of Commerce, was present to discuss the Farmer's and Artisan's Market which has been in operation for twenty years. Johnston explained that this year they began to jury the vendors to make sure that everything at the market is hand made by the vendor. Johnston explained that at this point they are already at capacity with the number of vendors registered for the season which is June 7th through September. Johnston questioned if the Board felt there were any opportunities to expand the area of the market.

Discussion followed with the following comments:

- 1) Landgraf was not in favor of using the park.
- 2) Klahn agreed that using the park was not acceptable but questioned whether the slanted street or a portion of N. Lake Street could be used.
- 3) Moioffer suggested using Square Street. Menne definitely was opposed to Square Street since that became a greater inconvenience for the residents living on Square Street.
- 4) Landgraf felt that either the slanted street or N. Lake Street would be an acceptable expansion area.
- 5) Menne felt that the market should be reduced to strictly produce or relocate to a different area.

It was the consensus of the Board that the Public Works Committee review this request prior to the next Board meeting.

COMMITTEE REPORTS –

Library Board – Nelson

Provided the Board with minutes of the April 17th, 2008 meeting and reported the following on the May 14th meeting:

- 1) Elected officers for the coming year with Nelson as President, Siebert as Vice-President, Rosemary Lauer as Treasurer and Fred Kramer as Secretary.
- 2) Looked at the Horizon Replacement report dealing with the software replacement system for Eastern Shores and discussing the split of these costs.

Landgraf questioned why the library minutes did not mention the memorial given in Ed Landgraf's name.

Tourism Commission – Rudnick

Provided the Board with minutes of the April 9th, 2008 meeting.

- 1) Judy Salzwedel elected as Chairman for a two year term.
- 2) Reported to the Tourism on the economic development items that the Village Board is considering.
- 3) Reported to the Tourism that the UW Band will be participating in the Firemen's Parade again.

Planning Commission – Kapellen

- 1) Met with Verizon to review their site plan and asked that they revise their plan to move their control building farther away to be out of sight of the neighboring properties.
- 2) Met with representatives of Hillcrest and Cedar Landing and heard a request that a portion of East Maple Street be abandoned and allowed to be developed as a private entrance for Cedar Landing. The Planning Commission did not have any issues with the change but felt that the boulevard area of the Cedar Landing drive needed to be backed up a bit to allow for the Village snow plows to turn around. Hillcrest will be making that change and returning to the Planning Commission.

Public Works – Nelson

Did not have a quorum for a meeting, will be looking into slurry sealing Elkhart Lake Drive, resurfacing, Sugar Bush Court and the south alley between Highway 67 and Chicago Street all of which are in the budget. Parkway repairs are needed where some trees have been removed, carriage walk grades along East Rhine Street need to be reviewed and a bike path to Carriage House Lane will all be investigated.

Administration and Finance - Landgraf

- 1) Recommend that Kim Jakum be approved for the Depot Lease for 2008.
- 2) Are in the process of interviewing applicants for part time help in the clerk's office.

Economic Development – Rudnick

Reviewed a code of conduct for economic development which the Village approved at the last meeting noting that it would have municipalities agree to work together on economic development as new businesses investigate the Sheboygan County area and information will be distributed to municipalities on businesses searching for sites. Rudnick noted that there is also a state wide information system that will allow any municipality to place information on the site concerning information on industrial sites that are available.

Trustee Kussow is continuing to work with Steve Knapp on the relocation of his business in Elkhart Lake.

Fire Station Committee Joint Meeting with Rhine Committee– Rudnick/Kapellen

Rudnick reported that they met with representatives from the Town of Rhine concerning their vote as a Town Board to start the process of locating and building a fire station over from the beginning. Rudnick

indicated that they informed the Rhine Committee that commitments have been made by the Village Board since September of 2006 to purchase the land on Highway 67 as a building site, to contract with SEH, to approve the architectural plans for the fire station and to locate the fire station on the 67 site. Rudnick noted that in order to start the process over there are some legal issues concerning the rescinding of past motions and they did not see that the Village would start the process over.

Beautification Committee – Landgraf

Landgraf reported that after looking at three plans, they have chosen Gluck Tree Care who will be coordinating with Autumn Ridge regarding the sprinkling system and the Public Works Department in the removal of the present mulch. Landgraf noted that this will begin after Memorial Day weekend.

Landgraf reported that there is need to have some landscaping done at the public beach but this is more than the beautification committee can handle and should be either accomplished by the Public Works Department or contracted out to a landscaper.

UNFINISHED BUSINESS –
Resolution of Commendation -

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

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

RESOLUTION OF COMMENDATION

WHEREAS, James L. Moersch has left his position of Trustee of the Village of Elkhart Lake;
and

WHEREAS, James L. Moersch has been a dedicated public servant to the Village of Elkhart Lake serving as a Trustee from June of 1993 through April of 2008 and serving on numerous committees and chairing the Community Development Authority from April of 1998 through April of 2008; and

WHEREAS, James L. Moersch’s efforts have been selfless and above and beyond the call of duty and have taken many hours of his personal time;

NOW THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Elkhart Lake publicly commend and thank **James L. Moersch** for his dedicated leadership services and wish him well in his future endeavors;

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to **James L. Moersch**.

Attest:

Adopted and approved this
19th day of May, 2008

Peter J. Menne, President

Jeanette L. Moioffer, Clerk

Rola Ann Klahn, Trustee

Shoreland Ordinance Revision -

It was the consensus of the Board that Ordinance 533 revising the shoreland ordinance go back to the committee for review of comments of the public hearing.

Fire Station Construction

(Nelson/Klahn) moved to remove from the table discussion and possible action authorizing Selmer Company to proceed with the construction of the Fire Station at the Highway 67 Site.

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

Trustee Nelson indicated that since the fire station relocation project has been in progress for ten years and since a site has been selected and plans have been accepted he introduced the following resolution and a motion was made by Trustee Kapellen and seconded by Trustee Klahn to approved the resolution:

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

**REAFFIRMATION RESOLUTION ACCEPTING THE SELMER COMPANY BID FOR THE
NEW FIRE STATION**

WHEREAS, the Village resolved on February 21st, 2008 to accept the Bid from The Selmer Co. for the construction of a new fire station; and

WHEREAS, the presumption on that date was that the Town of Rhine would participate in the project of constructing a new fire station; and

WHEREAS, the Town of Rhine has been given the opportunity to participate in construction of the fire station but has not received the approval of their electorate and therefore opted not to participate in the construction of the new fire station at this time; and

WHEREAS, the Village agrees that the Town of Rhine, may, at anytime, enter into an agreement with the Village of Elkhart Lake to secure an ownership stake in the fire station or to negotiate a contract for services with the Village of Elkhart Lake Fire Station Committee and approved by the Village Board;

RESOLVED, that the Village of Elkhart Lake reaffirms its acceptance of the low bid of The Selmer Co.;

FURTHER RESOLVED, that SEH shall proceed to prepare the final construction contract documents consistent with the Project Manual, and to submit the documents to the Village for execution by the appropriate Village officials, President Menne or Trustee Kapellen, Chairman of the Fire Station Committee, who are hereby authorized and directed to sign the documents;

AND BE IT FURTHER RESOLVED, that the Village officials, employees and agents are authorized and directed to take such further action to accomplish the intended purposes of these resolutions.

Attest:
Adopted and Approved this
19th day of May, 2008.

Steven R. Kapellen, Trustee

Jeanette L. Moioffer, Clerk

Thomas K. Nelson, Trustee

Prior to passing the above resolution, the following discussions were held:

Menne questioned who wrote the ordinance, Nelson explained that Attorney St. Peter was consulted concerning two major points one to proceed with the building and to recognize the fact that the Town of Rhine was given the opportunity to participate but can at a later date. Trustee Rudnick indicated that he wrote a majority of the resolution.

For the record, Landgraf indicated that she spoke to a variety of firemen, retired firemen, and concerned people noting that their first choice for a fire station site was the electric company property and second choice was the B & B Motorsports property which was available for sale and Tod Hellmann was willing to negotiate for extra land behind the B & B Motorsports property. Landgraf indicated that she did talk to some firemen and they did express their site concerns.

Landgraf questioned if the intent of the resolution was to begin construction immediately. Trustee Nelson indicated that was an accurate assumption noting that there are a number of things to be accomplished before physical construction can begin.

Landgraf questioned why this was being considered before the informational meeting was held which was voted on by the Board. Rudnick indicated that the informational meeting will be discussed when Pat Zorn arrives. Rudnick noted that presently there are five motions that have been voted on by this Board and previous Boards over the last ten years concerning the relocation of this fire station and there has not been any evidence presented that this Board is interested in over turning those motions.

President Pro-tem Rudnick took Menne's comments as a call for the question which was seconded by Trustee Nelson and hearing no objections proceeded to vote on the resolution with the following tally by a roll call vote with Nelson, Klahn, Kussow, Kapellen and Rudnick voting aye and Menne and Landgraf voting nay. Landgraf pre-empted her vote indicating that she has to face the voters of Elkhart Lake.

Motion Carried by
Ayes – Five
Nays – Two

Menne had presented a letter for the Board's consideration that he wanted sent to SEH requiring numerous guarantees by individual contractors. Trustee Nelson noted that this covered in the contract documents that SEH would be preparing. Menne disagreed and asked to be put on the record that he was vehemently opposed to the Boards action on this matter.

(I-Klahn Landgraf/Kapellen) introduced, moved and unanimously approved by a roll call vote the following resolution which is amended from its original passage:

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 I: 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.

Attest:

Adopted and Approved this
19th day of May, 2008.

Peter J. Menne, President

Jeanette L. Moioffer, Clerk/Treasurer

Rola Ann Klahn, Trustee

(Landgraf/Kapellen) moved and seconded to approve the contract with Gluck Tree Care for the planting of trees and landscaping in the amount of \$8,600.00 for Lions Veteran’s Memorial Park on the corner of Highway 67 and Chicago Street.

Motion Carried Unanimously
by a roll call vote

(Kussow/Klahn) moved that the League of Wisconsin Municipalities Insurance Contract for 2008-2009 represented by Burkart Insurance for \$38,245.00 and the Local Government Property Insurance Fund Contract for 2008-2009 for \$4,582.00 (which includes a credit from last year for Builders Risk) both recommended by the Administration and Finance Committee be approved.

Motion Carried Unanimously
by a roll call vote

Landgraf noted that the rent for the Depot is \$200.00 a month, and the tenant will be open six and maybe seven days a week and is willing to accept the housekeeping and museum responsibilities that go with the lease.

(Landgraf/Klahn) moved and seconded that Kim Jakum be granted a lease for the Depot Museum for this summer.

Motion Carried Unanimously

(I-Kussow Klahn/Nelson) introduced, moved and unanimously approved by a roll call vote the following resolution accepting the Sheboygan County All Hazards Mitigation Plan:

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

**ADOPTION OF THE “SHEBOYGAN COUNTY
ALL HAZARDS MITIGATION PLAN**

WHEREAS, the Sheboygan County Board has adopted the “Sheboygan County All Hazards Mitigation Plan - 2008,” prepared by the Sheboygan County All Hazards Mitigation Plan Steering Committee; and

WHEREAS, the Village of Elkhart Lake participated jointly in the planning process with other local units of government within the county to prepare an All Hazards Mitigation Plan;

WHEREAS, the Village of Elkhart Lake recognizes the threat that natural hazards pose to people and property; and

WHEREAS, undertaking hazard mitigation actions before disasters occur will reduce the potential for harm to people and property and save taxpayer dollars; and

WHEREAS, an adopted natural hazard mitigation plan is required as a condition of future grant funding for mitigation project; and

NOW THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Elkhart Lake hereby adopt the SHEBOYGAN COUNTY ALL HAZARDS MITIGATION PLAN – 2008 as an official plan; and

BE IT FURTHER RESOLVED, that the Sheboygan County Emergency Management Department will submit on behalf of the participating municipalities the adopted All Hazards Mitigation Plan to Wisconsin Emergency Management and Federal Emergency Management Agency officials for final review and approval.

Attest:

Adopted and Approved this
19th day of May, 2008.

President Peter J. Menne

Jeanette L. Moioffer, Clerk

Gary Kussow, Trustee

The request for a zoning change for FORE Developers was tabled until a recommendation is received on the final proposal from the Planning Commission.

President Menne indicated Gary Kussow has expressed an interest in being appointed to the Protection of Person and Property Committee and he will, therefore; appoint Gary Kussow to the Protection of Person and Property Committee.

(Rudnick/Nelson) moved and seconded to approve the appointment of Gary Kussow to the Protection of Person and Property Committee.

Motion Carried Unanimously

NEW BUSINESS

(Menne/Kapellen) moved to grant a fireworks permit to the Elkhart Lake Fire Department for Friday, July 4th, 2008 with the rain date being Saturday, July 5th, 2008 and authorize the closing of the Village Beach at noon on Friday, July 4th and the required parking restrictions as requested by the Fire Department.

Motion Carried Unanimously

Tod Hellmann of Hillcrest was present and Trustee Kapellen explained that the intention of this proposal was to give Cedar Landing a more specific entrance and to alert the general public that this is a private road/facility. Hellmann noted that their original request to the Planning Commission was that all of East Maple be reduced to a 38 foot width but the Planning Commission and Hillcrest agreed to make the public portion of East Maple Street 40 feet and that the boulevard would be backed up a bit. Kapellen asked if they would come back with a corrected map.

Moioffer prepared an amendment for The Hillcrest/Cedar Landing Development Agreement for everyone's consideration and the amendment was tabled until a final map is presented. Moioffer noted that when the Village is comfortable with the map and amendment, the abandonment process can officially begin.

(Kussow/Klahn) moved and seconded that Chicago Street be closed and a dispensation be granted to allow drinking on Chicago Street from 9:00 a.m. to 3:00 p.m. on Saturday, May 24th, 2008 for the annual Memorial Day Observance.

Motion Carried Unanimously

Gary Kussow requested to use the canopy section of the Depot for a brat fry and root beer float stand by Community United Church of Christ from 11:00 a.m. to 2:00 p.m. for July 6th, 2008 – the Firemen’s Parade Day; and Friday, July 18th, and Saturday July 19th, 2008 from 5:00 p.m. to approximately 8:00 p.m. for the Vintage Weekend.

Mark Landgraf expressed a concern about the brat fry on Firemen’s Picnic Sunday noting that the parade is presented in hopes that people attending will come to the park and partake of the Firemen’s brat fry. Kussow was in agreement and withdrew his request for July 6th.

(Menne/Kapellen) moved and seconded to grant permission to Community United Church of Christ to use the canopy area of the Depot for a brat fry and root beer float stand on Friday, July 18th and Saturday, July 19th, 2008 from approximately 5:00 p.m. to 8:00 p.m.

Motion Carried Unanimously

(Kussow/Nelson) moved and seconded to grant Troy Conrad, Darren Lindstrom and Barry Feldmann temporary operator’s licenses for the Elkhart Lake Firemen’s Picnic July 4th, 5th, and 6th, 2008.

Motion Carried Unanimously

(Klahn/Landgraf) moved and seconded to grant operator licenses for the licensing year expiring June 30, 2009 to Sonja Rach for Lincoln Street Sports Bar & Grill; Kim Hiebing and Tammy Schmitz for the Feed Mill Market; and Jamie Schultz for Quit Qui Oc Golf Club.

Motion Carried Unanimously

TRUSTEE REPORTS –

Nelson reported that he had a meeting concerning the street cleaning issue by contractors and he felt that it was productive and he will keep an eye on the situation.

Klahn requested that meetings begin with the Pledge of Allegiance. Moioffer will put the pledge on all Board agendas.

Kussow reported that he spoke with Stephanie concerning the development of the sausage factory property and Stephanie reported that his proposal for a change in the site plan met with some questions from the Village engineer and he is working on getting those settled. Kussow indicated that there should be something beginning sometime this summer.

Landgraf is concerned that everyone will have to face the residents and taxpayers of this community. She indicated that we do not know what to expect from the Town of Rhine but we assume that they will cooperate in some manner. Landgraf assumes that the public informational meeting will just be to tell people what is going to happen and suggested that the informational meeting be abandoned since this is already a “done deal.” Landgraf expressed her regrets at being a part of a Board that pushed this on the Village of Elkhart Lake in this way. Landgraf acknowledged that this project has been going on for years and people could have come to the meetings to express themselves. Landgraf noted that we might end up with more room than we ultimately need if we do not have a partnership with Rhine which no one can be

certain of. Landgraf indicated that she feels that she can hold her head up high because she voted no on these issues and she can face people that she has grown up with since she has lived her all of her life. Landgraf regrets that some people have not had their comments heard. Landgraf regrets that there is no agreement with the Town of Rhine and we don't know what we expect from Rhine but it appears that their options are limited as it relates to this station. Landgraf wished luck to the Village as they build this station and noted that she feels that the firemen deserve the best building that they can get and the latest of equipment. Landgraf noted that she is embarrassed for the Board and she aches for the people of the Village and Town of Rhine.

Rudnick, speaking as a new comer to the Board, indicated that this process has been going along for more than ten years and each succeeding Board has moved it along, although slowly. Rudnick did not feel that either the Village or the Town have been mis-informed and there does not seem to be a lot of interest. Rudnick, speaking as a former Board member of the Town of Rhine, felt that many people in Rhine do not know that a fire station is being considered. Rudnick noted that the eighty or so residents of the Town chose to defeat the fire station proposal at their annual meeting which was not representative of the entire town and the town will need to do some searching to see what their best alternative is and the Village will be willing to help them sort out their options. Rudnick indicated that he feels that it will come to a satisfactory solution for both sides.

Menne expressed the same sentiment that the Town of Rhine need the Village's help to sort this out. Menne expressed a concern that the Ehler's projection has the Village increasing in equalized value by 32% in the next twenty years and questioned if this is an accurate projection. Menne indicated that he has asked the Clerk's Office to gather information from 1987 through 2007 noting that if we look at the past it will give us an idea of where we can expect to go in the future. Menne reported that the figures that he has been working on all week do not agree with Ehler's numbers. Menne indicated that he will go through the figures he has prepared with the accountant and the Administration and Finance Committee.

COMMUNICATIONS - Moioffer

Moioffer provided the Board with a copy of the Capitol Connection by Joe Leibham; the Northern Moraine Minutes and Agenda, FOCUS, and the League Legislative Bulletin. Trustee Klahn requested that the Northern Moraine Minutes be presented in larger/clearer print. Nelson asked that the Village be informed what the status is of the sludgeless technology. Moioffer will ask that Solek be asked to attend the next meeting for an update.

CLERKS REPORT – Moioffer

Moioffer indicated that she has been holding up the first quarter fire department bill for the Town of Rhine until we knew what was decided at their annual meeting. Moioffer noted that initially the Administration and Finance Committee directed her to include rent as budgeted on the quarterly bill for Rhine. Klahn indicated that at the Rhine meeting in April Menne told the Town that they no longer had to pay rent. Menne indicated that he would laugh at the type of invoice that we present to the Town and any legitimate business would require that a purchase order from the Village or a signed agreement be presented before any bill be paid and Menne indicated that he sides with the Town on refusing to pay this invoice as presented.

Moioffer also provided the Board with the TIF Annual Report prepared by Paul Corson, information on the open meetings law, and a flyer on Incident Command Classes that are scheduled for Howards Grove on May 28th and May 29th, 2008.

VOUCHER APPROVAL

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

V-253	WE Energies	Library power & Light	\$236.02
V-254	Bankcard Services	Craft supplies, postage	291.10
V-261	A & A Fire & Security	Fire monitoring	12.57
V-266	Baker & Taylor	Library books	1,196.95
V-275	Eastern Shores Library	Battery replacement	25.00
V-281	Stephanie Feuerstein	Library programs	145.00
V-282	Gale Group	Library books	63.57
V-283	Globalcom	Long distance service	8.22
V-283	Steve Hiebing	Library programs	60.00
V-292	Michelle Galloway	Cleaning April	292.50
V-293	Midwest Tape	Library-DVD	14.99
V-297	Scott Obermann	Library programs	240.00
V-299	Pennworthy Company	Library books	119.17
V-201	Katie Raduenz	Library programs	60.00
V-304	Ross Imaging, Inc.	Copy machine-annual maint	274.14
V-310	Terminix	Pest control	20.60
V-313	Verizon	Phone service	79.19
V-317	Wisconsin Public Service	Natural Gas	<u>91.94</u>
	Total Library		\$3,230.96

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

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

WV-074	WE Energies	Power & Light	\$895.64
WV-075	U.S. Cellular	Cell phone service	75.71
WV-076	Village of Elkhart Lake	Sewer collection	401.10
WV-077	Village of Elkhart Lake	Sewer collection	647.03
WV-078	Clerk's petty cash	Water postage/battery-locator	30.38
WV-079	Banyon Data Systems	Accounting support	770.00
WV-080	Davies water	Test Well & 2" meters	1,138.75
WV-081	Diggers Hotline	Diggers Call fees	35.65
WV-082	Diamond Business Graphics	Water billing cards	178.89
WV-083	Globalcom Inc. USA	Water long distance service	7.12
WV-084	HD Waterworks, LTD	Meter connect & seal	266.38
WV-085	Hawkins Water Treatment	Water-Chlorine cylinder rent	20.00
WV-086	Wisconsin Public Service	Natural Gas	57.02
WV-087	Verizon	Water phone service	37.69
WV-068	Village of Elkhart Lake	Wage-April	3,448.93
WV-070	Village of Elkhart Lake	Sewer collection	<u>564.43</u>
	Total Water		\$8,574.72

(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-253	WE Energies	Power & Light	\$6,020.34
V-254	Bankcard Services	Postage, training, supplies	539.95
V-255	Dept. of Emp. Trust Fund	Income cont. insurance	253.17
V-256	Dept. of Emp. Trust Fund	Employee health insurance	6,641.70
V-257	Citgo	Garage/Police/ gas	862.06
V-258	Moraine Park Tech college	Grant -Small business training	50.00
V-259	B & M Waste Service	Downtown night restrooms	260.00
V-260	Registration Fee Trust	Garage –title change truck	70.50
V-261	A & A Fire & Security	Fire monitoring	50.28
V-262	Airgas North Central	F.R. Oxygen	46.20
V-263	Aurora Medical Group	DOT Drug test	50.00
V-264	Autumn Ridge Landscaping	Memorial Park design	250.00
V-264	B & M Waste Service	Memorial Day-porta-potty	65.00
V-267	Banyon Data Systems	Accounting support	770.00
V-268	Benefit Advantage	Flex plan fee	35.00
V-269	Birschbach Inspect Ser. LLC	Building inspector fees	1,400.00
V-270	Clerk's Petty Cash Fund	Memorial, postage	30.50
V-271	Cal & Gus Motors	Garage/police	59.05
V-272	Community Bank & Trust	F.D. May rent	4,000.00
V-274	Diamond Business Graphics	Sewer billing cards	178.89
V-274	Dept. of Administration	Code updates	60.00
V-276	Edgerton, St. Peter, Petak &	Village legal services	1,692.00
V-277	Kathleen Eickhoff	Tourism mileage	250.50
V-278	Elkhart Lake fire Dept.	Fireworks donation	3,000.00
V-279	Elkhart Lake Tourism Com.	Annual web hosting	200.00
V-280	Feed Mill Market	Election & Moersch food	48.42
V-283	Globalcom	Long distance service	44.48
V-284	Gluck Tree Care	Memorial Park Planting	2,600.00
V-285	Hawley, Kaufman & Kautzer	Police legal service	96.00
V-287	Kenneth Johnson	Court-overpay	47.00
V-288	William Klaetsch	Income cont. overpay	4.58
V-289	Larry's Hauling	Refuse & recycling Coll.	3,625.56
V-290	Marshall's One Stop Shop	Election food	18.99
V-291	Mike Meeusen	Police mileage	36.50
V-292	Michelle Galloway	Cleaning April	292.50
V-294	NAPA Auto Parts-Plymouth	Vehicle filters	9.65
V-295	Thomas Nelson	Arbor Day Awards	60.00
V-296	Northern Moraine Utility	Sewage Treatment	16,832.56
V-298	Otter Creek Landscape	Arbor Day Tree	329.99
V-300	Principial Life	Employee life ins.	223.74
V-302	Steve Rautmann	Bldg. Insp. Training mileage	62.00
V-303	Rennert's Fire Equip. Serv.	F.D. 5 light water level sys.	200.10
V-305	Marcia Schamberger	Memorial Day gratuities	160.00
V-306	Sheb. County Treasurer	Court fines-April	294.00
V-306	Sheb. County Treasurer	Street Maint.	379.95
V-306	Sheb. County Treasurer	Election machine maint.	250.00
V-307	Superior Electric	Garage light bulbs	37.50

V-308	State of Wisconsin	State Court Assessments	851.80
V-309	Tapco	Traffic control	623.15
V-310	Terminix	Pest control	82.40
V-311	Thomson West	Police- Arrest law bulletin	142.80
V-312	U.S.Cellular	Police cell phones	93.58
V-313	Verizon	Phone Service & Internet	569.10
V-314	Wis. Concrete Products	Storm sewer repair	838.00
V-315	WCPA	Police conference	125.00
V-316	Wisc. Newspress Inc.	Help wanted/depot rent ad	120.00
V-317	Wisconsin Public Service	Natural gas	440.60
V-318	Ergometrics	Police-test part time officers	351.35
V-319	VOID		
V-320	Bardon Enterprises		<u>88.00</u>
	Total General checks		\$56,814.44
	May Wage Expenses		<u>\$64,403.63</u>
	Total May Expenses		\$121,218.07

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

(Nelson/Kussow) moved to adjourn the meeting at 8:19 p.m.
Motion Carried Unanimously

Jeanette L. Moioffer, Clerk

Minutes of a special meeting of the Board of Trustees of the Village of Elkhart Lake held on Thursday, May 29th, 2008 at the Grashorn Memorial Civic Center in the Village of Elkhart Lake with the agenda having been duly posted on Tuesday, May 27th, 2008 between the hours of 10:15 A.M. and 10:45 A.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 4:00 P.M. with the following trustees present: Rola Ann Klahn, Gary Kussow, Yvonne Landgraf, Alan Rudnick and Tom Nelson. Trustee Kapellen was absent.

Others in attendance included: Jeanette Moioffer, Clerk; Attorney John St. Peter; Phil Cosson of Ehlers & Associates; Tom Tennesen of The Selmer Company; Trevor Frank and Ed Mishefake of SEH, Inc.; Patrick Zorn; Ron Feldmann; Frank Zimmermann, Hans Kuhn and Dennis Raeder of the Town of Rhine.

Tom Tennesen of The Selmer Company presented the Board with an updated bid cost for the fire station project (Attachment A) due to the escalation of costs since the bid was required and subsequently extended. Tennesen also presented the Board with supporting documentation on the escalated costs. Tennesen noted that the cost of steel has increased by approximately 35 per cent since last November. Selmer noted that another change was that Fett has had some internal issues and they have backed out of the project and the next lowest bidder was Roeh Excavating. Tennesen also noted that one contractor was changed because of the size of their escalation factor. Tennesen also explained that he is recommending that the Village participate by direct purchasing materials which would save the sales tax or 5% of the materials required minus a handling fee by Selmer. Selmer indicated that this bid would be good for possibly ten days.

President Menne expressed concerns about being able to review the numbers that the Village would need to review to determine if this is still a viable project in ten days.

Attorney St. Peter reviewed the negotiation process with the Board. St. Peter indicated that the Village could include representatives of the Town in closed session.

St. Peter asked for clarification on the markup of \$17,484.00 and \$6,178.00 for a payment & performance bond which relates to and is above the \$291,401.00 escalation amount. Tennessen indicated that these increases as presented are complete and all inclusive. At this point, Attorney St. Peter indicated that the Village would expect that Selmer would waive any additional material or price increases. Tennessen indicated that he would stand by these numbers for ten days at which time he would need to have a signed contract to hold the numbers firm. Discussion continued on clarifying some of the amounts on Attachment A.

Attorney St. Peter reminded the Board that legally if the scope of the project changes, the Village would have to re-bid the project. St. Peter noted that the scope would change should you reduce a bay or remove the training tower and the project would have to be re-bid. Both Tennessen and Frank agreed that the scope has not changed since the original bid, only the price because of escalated costs due to the delay in awarding the bid.

Landgraf questioned whether Pat Zorn made arrangements for an informational meeting. Zorn indicated that depends on what the Board decides noting that he did not feel that an informational meeting should be held if the decisions are already made and the project is approved.

It was the consensus of the Board that John St. Peter, Trevor Frank, Phil Cosson, Ed Mishefake, Dennis Raeder, Hans Kuhn and Frank Zimmermann be invited to attend the closed session.

(Nelson/Klahn) moved that the Board go into closed session at 4:33 p.m. pursuant to Wis. stat. sec. 19.85(1)(e) for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, because competitive or bargaining reasons require a closed session for the purpose of the closed session concerns negotiations with the Selmer Co. over the terms of an agreement for a proposed fire station.

Roll Call Vote -- Ayes: Klahn, Kussow, Nelson
Landgraf, Rudnick
Nays: Menne
Motion Carried

(Nelson/Rudnick) moved to return to open session at 5:25 p.m.

Motion Carried Unanimously

Attorney St. Peter explained that the cost was reviewed with the financial consultant and proposes that the General Contractor fee for the escalation be reduced by 50% to \$8,742.00 since the scope of the project has not changed and it is the Villages feeling that the responsibility of the General Contractor has not increased due to the escalated costs. The Village is also suggesting that the Administration and Handling fee for the direct purchase option be reduced from 15% to 5% thereby reducing the general contractor cost and administration and handling fee of \$26,108.00 to \$11,616.00. St. Peter noted that this would be an estimated net impact of \$254,575.00. Tennessen explained that the numbers in the blue section on Attachment A are estimates and may or may not be as projected with St. Peter indicating that the Village

is comfortable with that as long as the administration and handling fee is reduced to 5%. Tennesen indicated that he did not have any issues with those two changes. St. Peter once again confirmed that Tennesen for The Selmer Company has authorized this bid for ten days (Friday, June 6th, 2008) and other than for true change orders, no additional price escalations can occur.

Tennesen indicated that he will accept those two reductions of the project costs as presented on Attachment A.

(Nelson/Klahn) moved that the Village of Elkhart Lake approve the construction contract and award it to The Selmer Company to be signed immediately,

Roll Call Vote: Ayes – Nelson, Klahn, Kussow,
Rudnick, Landgraf
Nays – Menne

(Nelson/Rudnick) moved that the meeting be adjourned at 5:33 p.m.

Motion Carried Unanimously

Jeanette L. Moioffer, Clerk

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, August 4th, 2008 – 7:00 P.M.	BOARD OF TRUSTEES
WEDNESDAY, August 6th, 2008 – 6:00 P.M.	TREE COMMISSION
WEDNESDAY, August 13th, 2008 – 6:00 P.M.	PLANNING COMMISSION
MONDAY, August 18th, 2008 – 7:00 P.M.	BOARD OF TRUSTEES
TUESDAY, September 2nd, 2008 – 7:00 P.M.	BOARD OF TRUSTEES
WEDNESDAY, September 3rd, 2008 – 6:00 P.M.	TREE COMMISSION
TUESDAY, SEPTEMBER 9 TH , 2008 – 7:00 A.M. TO 8:00 P.M.	FALL PRIMARY ELECTION
WEDNESDAY, September 10th, 2008 – 6:00 P.M.	PLANNING COMMISSION
MONDAY, September 15th, 2008 – 7:00 P.M.	BOARD OF TRUSTEES

The Village of Elkhart Lake requests persons requiring auxiliary aids and service for participation in the above meeting contact the Clerk twenty-four (24) hours prior to the meeting.

All meetings are held in the general meeting room of the Grashorn Memorial Civic Center, located at 84 North Lake St. in Elkhart Lake unless noted

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

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

The “Meals-on-Wheels” **Senior Food and Fellowship** site is a great success!! Come and join everyone and bring a friend at 11:00 A.M. on the **LAST THURSDAY** of each month at the Grashorn Civic Center at 84 N. Lake Street in Elkhart Lake. Reservations must be made by the Wednesday prior to the meal. Call your reservations in to Mary Richter at 892-6592. The cost of the meal is about \$4.00-donations will be accepted but are not necessary to attend. **BRING A FRIEND!!**

The Village is looking for a few dedicated individuals who would be willing to service on a fund raising committee for the new fire station. Please call 876-2122 if you are interested. Thanks.

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

YARD WASTE DUMPSTER AND BRUSH TRUCK SCHEDULE
AT VILLAGE GARAGE, 51 EAST MAPLE STREET
SATURDAYS – 8:30 A.M. TO 3:00 P.M.
WEDNESDAYS 2:00 P.M. TO 6:00 P.M.
This is for yard waste only, NOT LAKE WASTE!

President:	Peter Menne	(876-2590)	Property Management, New Construction, Weeds, Parks Vehicles & Equipment, Municipal Services
Trustee:	Gary Kussow	(876-3086)	New Industry, Refuse Collection, Recycling, Emergency Response, First Responders, Recreational Develop. School
Trustee:	Rola Ann Klahn	(876-2513)	Ordinances, Nuisances, Pollution, Insect Control, School
Trustee:	Yvonne Landgraf	(876-2536)	Finance, Bondings, Vettings, Budget, Animal Control House to House Sanctions, CDA
Trustee:	Steve Kapellen	(876-2177)	Police, Fire, Village Planning, Library Administration,
Trustee:	Alan Rudnick	(876-3113)	Insurance, Employee Policy, Building Authority, Economic Development, CDA, Tourism
Trustee:	Thomas Nelson	(876-3431)	Streets, Sidewalks, Drainage, Sewer, Tree Commission,
Clerk:	Jeanette Moioffer	(876-2122)	Beach Tags, Building Permits, Taxes, Licenses
Garage:	Steven Rautmann	(876-2231)	Building Insp. & Public Works Super.
	Richard Solek	(876-2231)	Water Operator and Public Works
Police:	Randy Boeldt, Chief	(876-2244)	Non Emergency Line
Fire Chief:	John Reiss	(876-3333)	Non Emergency Line

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

**DON'T FORGET TO REGISTER TO VOTE
IF YOU HAVE NOT ALREADY REGISTERED**