



VILLAGE OF ELKHART LAKE

Elkhart Lake, Wisconsin 53020

MINUTES November 2nd, 2015

Minutes of the regular meeting of the Board of Trustees of the Village of Elkhart Lake held on Tuesday, November 2nd, 2015 at the Grashorn Memorial Civic Center in the Village of Elkhart Lake with the amended agenda having been duly posted on Thursday, October 29th, 2015 at National Exchange Bank and Trust, the Elkhart Lake Post Office, Wisconsin Bank and Trust and the Municipal Office between the hours of 2:15 P.M. and 2:49 P.M. and on the Village website on Thursday, October 29th, 2015 at 3:20 P.M.

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

Others in attendance include: Gary Roeh; Lola Roeh; Glenn Braun; Glenn Braun Jr.; Pat Zorn; Emmitt Feldner; Jessica Reilly, Clerk/Treasurer Administrator.

Others in attendance include: Emmitt Feldner; Jessica Reilly, Clerk/Treasurer Administrator.

The Pledge of Allegiance was recited.

Approval of Minutes –

(Garton/Baumann) moved and seconded that the October 5th & 19th, 2015 Board minutes be approved.

Motion Carried Unanimously

Treasurer's Report –

(Shovan/Sadiq) moved and seconded to approve the October Treasurer's report as printed.

Motion Carried Unanimously

Public Comment – None

COMMITTEE REPORTS

OCTOBER BUILDING PERMITS – Reilly

This report was included in the Board packet on dropbox.

PUBLIC WORKS – Wolf

Highlights of the November 2nd, 2015 meeting:

- 1) The Committee recommends approval of the 2016 Water Budget.
- 2) The Committee stated that the contractor needs to be contacted about the stormwater issues on Moraine Drive.
- 3) The Committee decided to not adjust Barrett's water bill.
- 4) The Committee is proceeding with the alley vacation.
- 5) The Committee will look at the pathway to Carriage House Lane.

PROTECTION OF PERSON & PROPERTY – Kapellen

Highlights of the November 2nd, 2015 meeting:

- 1) The Committee recommended approval of the Jt. Powers Agreement.
- 2) The Commission recommends Ordinances 605 & 606.

TREE COMMISSION – Kapellen

The Board received minutes of the July 2nd, 2015 meeting.

Highlights of the October 22nd, 2015 meeting:

- 1) The Commission is working on updating the tree maintenance plan.
- 2) The Commission decided not to relocate the tree on E. Rhine Street.
- 3) The Commission reviewed the tree inventory.

PRESIDENT'S REPORT – Rudnick

The EMS tabletop exercise went well on October 20th. The caboose project is starting, as the funds have been secured for the project.

UNFINISHED BUSINESS:

2016 Budget

Reilly asked if there were any questions on the budget. There were none.

NEW BUSINESS:

Jt. Powers Agreement – County 911

(Garton/Kapellen) moved and seconded to approve the Jt. Powers Agreement with Sheboygan County.

Motion Carried Unanimously

Walkway Permit –Osthoff – Dog Sledding Demonstration – 12/29/15-12/31/15

(Shovan/Wolf) moved and seconded to approve the use of the walkway for the setup of dog sledding demonstrations on 12/29/15-12/31/15.

Motion Carried Unanimously

2016 Water Budget

(Shovan/Baumann) moved and seconded to approve the 2016 Water Budget.

Motion Carried Unanimously

Ordinance 605 – Revise Chapter 12.06 – Sewer & Water Connection Fees

Wolf introduced Ordinance 605 – Sewer & Water Connection Fees and it had its first reading.

ORDINANCE 605

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

REVISE CHAPTER 12.06(1) – VILLAGE WATER & SEWER CONNECTION FEES

WHEREAS, the Village of Elkhart Lake finds it necessary to revise Village Ordinance Section 12.06(1), due to a review of the costs related to the connection to Village sewer & water; and

NOW THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Elkhart Lake recreates Section 12.06(1) to read as follows:

12.06 Connection to Village Water & Sewer System

(1) Cost At the time of the issuance of a building permit for the erection of a structure, a fee for each single family residence and for each unit in a duplex, multi-family condominium, or other multi-family residential unit other than a motel or hotel shall be paid. A fee should also be paid for any new commercial structure for the connection to the village sewer and water. Such fee constitutes the cost of inspection of and connection to the system. The fees will be set by the Village Board from time to time by Resolution.

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

Attest:

Approved and Adopted this
7th of December, 2015

Alan S. Rudnick, President

Jessica Reilly, Clerk

Michael Wolf, Trustee

Ordinance 606 – Revise Chapter 30.06 – Escrow & Building Permit Fees

Shovan introduced Ordinance 606 – Escrow & Building Permit Fees and its had its first reading.

ORDINANCE 606

VILLAGE OF ELKHART LAKE

SHEBOYGAN COUNTY, WISCONSIN

REVISE CHAPTER 36 – VILLAGE ESCROW REQUIRED FOR BUILDING PROJECTS

WHEREAS, the Village of Elkhart Lake finds it necessary to revise Village Ordinance Section 36.06, which relates to building permit security deposits, plans, and fee; and

NOW THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Elkhart Lake revised Section 36.06 (1) and renumber 36.06 to 36.07 to read as follows:

30.06 SECURITY DEPOSIT REQUIRED. (1) A deposit or escrow is required for all projects that a total cost, including labor, materials, and supplies, will equal or exceed \$80,000 dollars. The deposit amount will be set periodically by Resolution of the Board of Trustees.

(2) The deposit shall be refunded after the project is completed and the building inspector and village zoning administrator have found that the building complies with all applicable codes and that any damage to village infrastructure (sidewalks, streets, sanitary sewer, storm sewer, water supply system and erosion control) has been properly repaired or replaced.

(3) The deposit shall be forfeited if occupancy occurs before final inspection or extends after a temporary occupancy permit expires. The protection of person & property committee, in its discretion, may require the owner or contractor responsible for damage to any village infrastructure to repair or replace any such damage within a reasonable period of time, or require the owner or contractor to forfeit any or all of the deposit. Forfeiture of the

deposit shall be an additional ordinance enforcement remedy and shall not limit or prohibit the village from any other remedies available at law or in equity.

(4) The deposit required pursuant to subsection (1) of this section is not required for any remodeling project that does not expand, enlarge, alter or reduce the exterior dimensions or foot print of an existing structure.

30.07 PLAN EXAMINATION AND APPROVAL FEES. Plans showing design and construction details, design computations and specifications submitted for examination and approval as required by the Wisconsin Administrative Code, Safety & Professional Services Chapters 320-325 also known as the Safety, Buildings, and Environment Uniform Dwelling Code, shall be accompanied by fees. A schedule of fees for plan examination, approval, and permits shall be set periodically by Resolution of the Board of Trustees.

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

Attest:

Approved and Adopted this
7th of December, 2015

Alan S. Rudnick, President

Jessica Reilly, Clerk

Lynn Shovan, Trustee

Operator's Licenses – New

(Garton/Wolf) moved and seconded to approve the operators' licenses for Griffen Coxey of Marshall's One Stop and Amy Capelle of Lake Street Café expiring June 30, 2016:

Motion Carried Unanimously

TRUSTEE REPORTS: The Village dinner was a nice event. A discussion was held about the train cars on the railroad. Rudnick is corresponding with them and they will do their best to move the cars.

COMMUNICATIONS: FOCUS is available.

ADMINISTRATOR'S REPORT: None.

ANY OTHER BUSINESS: None

(Shovan/Kapellen) moved and seconded that the meeting be adjourned at 7:19 P.M.

Motion Carried Unanimously

Jessica Reilly, Administrator/Clerk

MINUTES November 6th, 2015- Special Meeting

Minutes of the special meeting of the Board of Trustees of the Village of Elkhart Lake held on Friday, November 6th, 2015 at the Grashorn Memorial Civic Center in the Village of Elkhart Lake with the amended agenda having been duly posted on Thursday, November 5th, 2015 at National Exchange Bank and Trust, the Elkhart Lake Post Office, Wisconsin Bank and Trust and

the Municipal Office between the hours of 8:50 A.M. and 9:05 A.M. and on the Village website on Thursday, November 5th, 2015 at 8:55 A.M.

President Rudnick called the meeting to order at 9:17 A.M. with the following Trustees present: Pam Garton, Richard Sadiq, and Steve Kapellen. Trustees Shovan, Wolf, and Baumann were absent.

Others in attendance include: Bart Wolf; Jessica Reilly, Clerk/Treasurer Administrator.

The Pledge of Allegiance was recited.

Public Comment – None

COMMITTEE REPORTS

PLANNING COMMISSION – Rudnick

Rudnick reported that the Planning Commission recommended the Wolf Agreement in regards to the water line.

UNFINISHED BUSINESS: None

NEW BUSINESS:

Wolf – Deposit Agreement of Water Main & Line

Rudnick reviewed the deposit agreement that will allow for the water line to be installed, if Wolf provides the Village a cash deposit to cover the project, until such a time the Village receives the Letter of Credit. Sadiq questioned the rush to have this agreement approved. Reilly explained that the contractor is in the Village at this time and the price may increase if we wait until spring. Sadiq asked what the risk would be for the Village. Reilly stated that the cash deposit would cover the water main, so the only risk to the Village is the originally money spent on the startup costs of the TID. Wolf stated that he wants to keep the project moving, so would provide a cash deposit to cover the water main. Garton stated that if there is no loss to the Village and it helps Bart then she would support the agreement.

(Sadiq/Garton) moved and seconded to approve the cash deposit agreement of the water main and line.

Motion Carried Unanimously
By Roll Call

Garfield Street Paving

Rudnick explained the idea of paving Garfield Street, due to the request from St. Thomas Aquinas. The Village would pay for this street through Sargento's TID, not from Victory's projects.

(Sadiq/Garton) moved and seconded to approve the paving of Garfield Street.

Motion Carried Unanimously

TRUSTEE REPORTS: None

COMMUNICATIONS: None.

ADMINISTRATOR'S REPORT: None

ANY OTHER BUSINESS: None

(Sadiq/Garton) moved and seconded that the meeting be adjourned at 9:35 A.M.
Motion Carried Unanimously

Jessica Reilly, Administrator/Clerk

MINUTES November 16th, 2015

Minutes of the regular meeting of the Board of Trustees of the Village of Elkhart Lake held on Monday, November 16th, 2015 at the Grashorn Memorial Civic Center in the Village of Elkhart Lake with the agenda having been duly posted on Thursday, November 12th, 2015 at National Exchange Bank and Trust, the Elkhart Lake Post Office, Wisconsin Bank and Trust and the Municipal Office between the hours of 2:42 P.M. and 3:08 P.M. and on the Village website on Thursday, November 12th, 2015 at 3:30 P.M.

Clerk Reilly called the meeting to order at 7:00 P.M. with the following Trustees present: Mike Wolf, Pam Garton, Richard Baumann, Richard Sadiq, and Lynn Shovan. President Alan Rudnick and Trustee Kapellen were absent.

Others in attendance include: Leoda Wolf; Monica Lettow; Emmitt Feldner; Jessica Reilly, Clerk/Treasurer Administrator.

(Shovan/Garton) moved to elect Sadiq to serve as President Pro Tem of the meeting.
Motion Carried Unanimously

The Pledge of Allegiance was recited.

AGENDA APPROVAL – Move Section VIII. E & F to after public comments.

PUBLIC COMMENT – None

COMMITTEE REPORTS

ADMINISTRATION & FINANCE – Sadiq

Highlights of the November 3rd & 16th, 2015 meeting –

- 1) The Committee has finalized the 2016 budget.
- 2) The Committee recommends the changes to the municipal court ordinance regarding term length.
- 3) The Committee approved the purchase of the white board and wireless mics as long as they stay within budget.

PUBLIC WORKS – Wolf

Highlights of the November 16th, 2015 meeting –

- 1) The Committee reviewed the water meters at Point Elkhart that were included in the 2016 budget.
- 2) The Committee recommended approval of the resolution for the alley vacation by Wisconsin Bank & Trust and Lincoln Street Bar & Grill.

LIBRARY BOARD – Baumann

The Board received minutes of the October 12th, 2015 meeting.

Highlights of the November 9th, 2015 meeting:

- 1) The vestibule plans are moving forward and the Board is looking at improvements that can be made if a memorial donation is given.
- 2) Two new color printers will be purchased.

TOURISM COMMISSION– Baumann

The Board received minutes of the October 14th, 2015 meeting.

Highlights of the November 11th, 2015 meeting:

- 1) The Commission reviewed the new look for the 2016 Visitor’s Guide.
- 2) The Commission reviewed SB 180 and discussed their opposition to the bill.
- 3) Room tax collected was 16% above what was budgeted for 2015.
- 4) The Commission is working on their winter photo shoots.
- 5) The Commission also discussed the trains cars and would like them moved before the Christmas market.

NORTHERN MORAINES UTILITY COMMISSION – Reilly

The Board received minutes of the October 12th, 2015 meeting.

Highlights of the November 9th, 2015 meeting:

- 1) The Commission approved the Wolf sewer extension.
- 2) The 2016 budget and wages were reviewed.

PLANNING COMMISSION – Reilly

The Board received minutes of the October 14th, 2015 meeting.

Highlights of the November 4th, 2015 meeting:

- 1) The Commission is recommending the rezoning for the David Zimmerman parcel. The decision was not unanimous and there was a lot of debate on the matter.
- 2) The Commission is recommending paving Garfield Street to allow the church access to Victory Lane.
- 3) The Commission approved the sign permit for Compassionate Care Animal Clinic.
- 4) The Commission reviewed and approved the architectural drawings for the Wolf project.

PUBLIC HEARING – Reilly

There was no public comment on Lettow’s request for CUP & Rezoning and on the 2016 budget.

PRESIDENT’S REPORT – None.

UNFINISHED BUSINESS:

Ordinance 607 – 2016 Budget & Levy Adoption

(I-Garton/Shovan/Baumann) moved and seconded to approve Ordinance 607 – 2016 Budget & Levy Adoption.

Motion Carried Unanimously
By Roll Call

ORDINANCE 607
VILLAGE OF ELKHART LAKE
SHEBOYGAN COUNTY, WISCONSIN

2015 TAX LEVY / 2016 BUDGET

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

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

3.04 BUDGET/TAX LEVY. (1) It is hereby appropriated out of the receipts of the Village of Elkhart Lake for the year 2015, including monies received from the general property tax levy, to the various purposes specified in the budget presented herewith for the purposes therein stated, the following amounts included in the summary budget and summary of taxes attached hereto and incorporated by reference.

(2) There is hereby levied a tax of \$1,251,459.00 on all taxable property within the Village of Elkhart Lake as returned by the assessor in the year 2014, for the uses and purposes set forth in the approved budget (ATTACHMENT A)

(3) The 2016 Salary Schedule is adopted through the enactment of the 2016 Budget.

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

(5) This Ordinance shall take effect and be in force on January 1, 2016 after its passage and publication.

Attest:

Adopted and approved this
16th day of November, 2015

Alan S. Rudnick, President

Jessica Reilly, Clerk

Pamela Garton, Trustee

NEW BUSINESS

Ordinance 605 – Revise Chapter 12.06 – Sewer & Water Connection Fees

Ordinance 605 had its second reading.

**ORDINANCE 605
VILLAGE OF ELKHART LAKE
SHEBOYGAN COUNTY, WISCONSIN**

REVISE CHAPTER 12.06(1) – VILLAGE WATER & SEWER CONNECTION FEES

WHEREAS, the Village of Elkhart Lake finds it necessary to revise Village Ordinance Section 12.06(1), due to a review of the costs related to the connection to Village sewer & water; and

NOW THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Elkhart Lake recreates Section 12.06(1) to read as follows:

12.07 Connection to Village Water & Sewer System

(1) **Cost** At the time of the issuance of a building permit for the erection of a structure, a fee for each single family residence and for each unit in a duplex, multi-family

condominium, or other multi-family residential unit other than a motel or hotel shall be paid. A fee should also be paid for any new commercial structure for the connection to the village sewer and water. Such fee constitutes the cost of inspection of and connection to the system. The fees will be set by the Village Board from time to time by Resolution.

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

Attest:

Approved and Adopted this
7th of December, 2015

Alan S. Rudnick, President

Jessica Reilly, Clerk

Michael Wolf, Trustee

Ordinance 606 – Revise Chapter 30.06 – Escrow & Building Permit Fees

Ordinance 606 had its second reading.

ORDINANCE 606
VILLAGE OF ELKHART LAKE
SHEBOYGAN COUNTY, WISCONSIN

REVISE CHAPTER 36 – VILLAGE ESCROW REQUIRED FOR BUILDING PROJECTS

WHEREAS, the Village of Elkhart Lake finds it necessary to revise Village Ordinance Section 36.06, which relates to building permit security deposits, plans, and fee; and

NOW THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Elkhart Lake revised Section 36.06 (1) and renumber 36.06 to 36.07 to read as follows:

30.06 SECURITY DEPOSIT REQUIRED. (1) A deposit or escrow is required for all projects that a total cost, including labor, materials, and supplies, will equal or exceed \$80,000 dollars. The deposit amount will be set periodically by Resolution of the Board of Trustees.

(2) The deposit shall be refunded after the project is completed and the building inspector and village zoning administrator have found that the building complies with all applicable codes and that any damage to village infrastructure (sidewalks, streets, sanitary sewer, storm sewer, water supply system and erosion control) has been properly repaired or replaced.

(3) The deposit shall be forfeited if occupancy occurs before final inspection or extends after a temporary occupancy permit expires. The protection of person & property committee, in its discretion, may require the owner or contractor responsible for damage to any village infrastructure to repair or replace any such damage within a reasonable period of time, or require the owner or contractor to forfeit any or all of the deposit. Forfeiture of the deposit shall be an additional ordinance enforcement remedy and shall not limit or prohibit the village from any other remedies available at law or in equity.

(4) The deposit required pursuant to subsection (1) of this section is not required for any remodeling project that does not expand, enlarge, alter or reduce the exterior dimensions or foot print of an existing structure.

30.07 PLAN EXAMINATION AND APPROVAL FEES. Plans showing design and construction details, design computations and specifications submitted for examination and approval as required by the Wisconsin Administrative Code, Safety & Professional Services Chapters 320-325 also known as the Safety, Buildings, and Environment Uniform Dwelling Code, shall be accompanied by fees. A schedule of fees for plan examination, approval, and permits shall be set periodically by Resolution of the Board of Trustees.

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

Attest:

Approved and Adopted this
7th of December, 2015

Alan S. Rudnick, President

Jessica Reilly, Clerk

Lynn Shovan, Trustee

Ordinance 608 – Municipal Judge Term

Wolf introduced Ordinance 608 – Municipal Judge Term and it was read for the first time.

ORDINANCE 608
VILLAGE OF ELKHART LAKE
SHEBOYGAN COUNTY, WISCONSIN

REVISE MUNICIPAL JUDGE TERM – SECTION 1.11(3)

WHEREAS, the Village of Elkhart Lake finds it necessary to revise Village Ordinance Section 1.11, Municipal Court to remain in the with Wisconsin State Statutes;

NOW THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Elkhart Lake recreates section 1.11(3) to read as follows:

(3) Elections.

(a) Term: The Municipal Judge shall be elected at large in the spring election for a term of four years commencing on May 1, 2016 and elections being held every 4 years from that time. All candidates for the position of Municipal Judge shall be nominated by nomination papers as provided in §8.10, Wis. Stats., and selected at a primary election if such is held as provided in §8.11, Wis. Stats. The State elections board shall serve as filing officer for the candidates.

Attest:

Adopted and Approved this
4th day of January, 2016.

Alan S. Rudnick, President

Jessica Reilly, Clerk

Michael Wolf, Trustee

Resolution 23 – Discontinuing Public Alley – West of Lincoln Street & South of Osthoff Avenue (I-Shovan/Garton/Wolf) moved and seconded to approve Resolution 23 – Discontinuing Public Alley – west of Lincoln Street and south of Osthoff Avenue.

Motion Carried Unanimously
By Roll Call

**RESOLUTION TWENTY-THREE– 2015
VILLAGE OF ELKHART LAKE
SHEBOYGAN COUNTY WISCONSIN**

RESOLUTION FOR DISCONTINUING PUBLIC ALLEY

BE IT RESOLVED, that the Board of Trustees of the Village of Elkhart Lake introduces the following resolution regarding the discontinuation of a public alley:

WHEREAS, this Resolution affects the public alley known as **Alley Osthoff Addition Block 2**.

WHEREAS, the legal description and a scale map of the alley and the land that would be affected by the resolution is attached hereto, marked "Exhibit A." and made a part hereof.

The owners of record of lands through which the public alley passes, the owners of lands abutting the public alley and the owners of lands serviced by the public alley are as follows:

Mandi Bender
PO Box 424
Elkhart Lake, WI 53020

Wisconsin Bank & Trust
604 N. 8th Street
Sheboygan, WI 53082-1409

Petrie Pubs LLC
N809 Irish Road
New Holstein, WI 53061

The Village Board shall schedule a hearing on the discontinuation of said public ways and shall publish a Class 3 Notice under Chapter 985 before the hearing and give shall serve notice upon the above owners at least thirty (30) days before the hearing. In addition, notice shall be provided to the Department of Natural Resources, the Department of Transportation, the Commissioner of Railroads, and any Sheboygan County land conservation committee as required by law.

A Lis Pendens has been filed and is attached as "Exhibit B."

Attest:

Adopted and approved this
16th day of November, 2015

Alan S. Rudnick, President

Jessica Reilly, Clerk

Lynn Shovan, Trustee

Ordinance 609 – Rezoning 16.1(4) Adding Tearoom as a Conditional Use
(I- Wolf/Garton/Shovan) moved and seconded to approve Ordinance 609 – Rezoning 16.1(4) Adding Tearoom as a Conditional Use.

Motion Carried Unanimously
By Roll Call

ORDINANCE 609
VILLAGE OF ELKHART LAKE
SHEBOYGAN COUNTY, WISCONSIN

**REVISE ZONING ORDINANCE 16.31(4) TO INCLUDE TEAROOMS AS A
CONDITIONAL USE**

WHEREAS, the Village of Elkhart Lake finds it necessary to revise Village Ordinance Section 16.31(4) which relates conditional uses in the single/two-family residential district; and

WHEREAS, the Planning Commission reviewed and revised Section 16.31(4) to add language which would allow tearooms in this zoning district; and

NOW THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Elkhart Lake after duly holding a public hearing on Monday, November 16th, 2015 in accordance with Wisconsin State Statutes does hereby ordain as follows:

16.31(4) Single Family/Two Family Residence District

- (4) Conditional Uses
 - (o) Tearooms

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

Attest:

Approved and Adopted this
16th day of November, 2015

Alan S. Rudnick, President

Jessica Reilly, Clerk

Michael Wolf, Trustee

Resolution 24 – Conditional Use Permit – Lettow – 444 S. Lake Street - Tearoom
(I-Shovan/Garton/Wolf) moved and seconded to approve Resolution 24 – Granting the Conditional Use Permit to Monica Lettow for 444 S. Lake Street to operator a tearoom.

Motion Carried Unanimously
By Roll Call

RESOLUTION TWENTY-FOUR – 2015
VILLAGE OF ELKHART LAKE
SHEBOYGAN COUNTY, WISCONSIN

**GRANTING OF CONDITIONAL USE PERMIT- JAY LEE INN – MONICA LETTOW
444 S. LAKE ST.– TEAROOM**

WHEREAS, Monica Lettow has made a proper application to the Board of Trustees of the Village of Elkhart Lake requesting a Conditional Use Permit; and

WHEREAS, the Elkhart Lake Planning Commission has reviewed that application and recommends approval; and

WHEREAS, the Board of Trustees has held a public hearing to ascertain any concerns that the public may have concerning this request; and

WHEREAS, no major objections were raised by the public,

NOW THEREFORE, BE IT RESOLVED, that the Zoning Administrator, Jessica Reilly be authorized to issue the following conditional use permit:

**CONDITIONAL USE PERMIT
MONICA LETTOW – JAY LEE INN -TEAROOM**

The undersigned, the Zoning Administrator of the Village of Elkhart Lake, pursuant to the authority vested in her by the Village of Elkhart Lake Municipal Code Sec. 16.25, and after compliance with said ordinance with a public hearing held on November 16th, 2015 and upon recommendation of the Village of Elkhart Lake Planning Commission and approval and authorization of the Board of Trustees of the Village of Elkhart Lake, hereby issues a **CONDITIONAL USE PERMIT** to the:

MONICA LETTOW

for the following purpose:

TO OPERATE A TEA ROOM IN JAY LEE INN

affecting the following property located in the Village of Elkhart Lake:

444 S. LAKE STREET – TEAROOM IN BED AND BREAKFAST OF JAY LEE INN

Tax ID: 59121584710

Legal desc: PRT GOVT LOT 1,SEC 29,COM 541.3'NWLY OF INTER OF CEN OF LAKE ST WITH E&W 1/4 LN, TH N80 DEG 53'E 254.25',N23 DEG 01'W 145.55',N88 DEG 48' W 309.7'TO CEN OF LAKE ST,TH SELY ON CEN SD ST 216.3'TO BEG.

Section_to: S.29 T.16 R.21

The following conditions shall be complied with as a condition of the issuance of this permit:

- 1) Adhere to all state, county, and local laws, regulations, ordinances, and codes.**
- 2) This permit will be reviewed annually.**

Attest:

Adopted and approved this

16th day of November, 2015

Alan Rudnick, President

Jessica Reilly, Clerk

Lynn Shovan, Trustee

2016 Salary Schedule

(Garton/Shovan) moved and seconded to approve the 2016 Salary Schedule.

Motion Carried Unanimously

Resolution 25 – Tax Collection

(I-Shovan/Garton/Wolf) moved and seconded to approve Resolution 25 – Tax Collection

Motion Carried Unanimously

By Roll Call

RESOLUTION TWENTY - FIVE - 2015

VILLAGE OF ELKHART LAKE

SHEBOYGAN COUNTY, WISCONSIN

TAX COLLECTION RESOLUTION

VILLAGE OF ELKHART LAKE

BE IT RESOLVED, that in the event that the Village Treasurer shall fail to pay any or all taxes of any kind required by law to be paid by such Treasurer to the County Treasurer, the Village of Elkhart Lake shall be obligated to pay such taxes in accordance with Section 3.03(a) of the Elkhart Lake Municipal Code.

Attest:

Adopted and Approved this
16th day of November, 2015

Alan S. Rudnick, President

Jessica Reilly, Clerk

Lynn Shovan, Trustee

Operator's Licenses – Renewal

(Baumann/Garton) moved and seconded to approve the operator's licenses of Alicia Berger of Osthoff Resort expiring June 30, 2016:

Motion Carried Unanimously

TRUSTEE REPORTS – Baumann reported that there was an article from Tom Nelson in the Sheboygan Press about Elkhart Lake being worthy of praise. Wolf stated that the Christmas decorations are beginning to go up. Sadiq inquired about the railcars and when they would be moving. Reilly stated that Rudnick has been in contact with the railroad company about the issue.

COMMUNICATIONS – Reilly

FOCUS & the Wisconsin Taxpayer are available.

ADMINISTRATOR'S REPORT – Reilly

The nomination papers for Village Trustee can be taken out starting December 1st, 2015 and are due by January 5th, 2016. The non-candidacy papers are due by December 28th.

VOUCHERS

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

590	BOY SCOUT TROOP 833	WREATH	\$20.00
594	NATIONAL EXCHANGE BANK	VIDEOS, DUSTERS, EXPENSES, PROGRAMS, E-COLL	\$73.48
595	WE ENERGIES	ELECTRICITY	\$254.53
599	BAKER & TAYLOR	BOOKS, AUDIOBOOKS, VIDEOS, FOL	\$2,046.24
600	BARDON ENTERPRISES	ROLL TOWELS	\$82.00
605	BURKART HEISDORF	LIABILITY INS.	\$149.00
609	EASTERN SHORES	WEB, SYSTEMS	\$4,033.48
611	EICHHORST, LORI	CLEANING	\$260.00
614	FIRST COMMUNICATIONS	LONG DISTANCE	\$13.92
616	FREITAG, LINDA	MILEAGE	\$77.05
617	FRONTIER	PHONE	\$62.48
618	GRIMM BOOK BINDERY, INC.	BIND DEPOT DISPATCH	\$312.76
629	RAISERITE CONCRETE LIFTING	MUDJACKING/GRINDING SIDEWALKS	\$175.00
643	WI ACADEMY OF SCIENCE	MAGAZINE SUBSCRIPTION	\$25.00
650	WPS	NATURAL GAS	\$38.18
TOTAL LIBRARY			\$7,623.12

(Wolf/Garton) moved that the Library vouchers be paid as presented.

Motion Carried Unanimously

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

20204	CELLCOM	CELL PHONE	\$45.69
20205	DNR	WATERWORKS OPERATOR RENEWAL- SOLEK	\$45.00
20206	NATIONAL EXCHANGE BANK	POSTAGE- 3RD QTR BILLING, WELL INFLATOR	\$402.99
20207	WE ENERGIES	ELECTRICITY	\$1,076.16
20214	BURKART HEISDORF	INSURANCE	\$149.00
20215	CORSON, PETERSON	1ST& 2ND QTR ACCOUNTING	\$1,825.00
20216	DIGGERS HOTLINE, INC.	DIGGERS LOCATES	\$36.54
20217	FIRST COMMUNICATIONS	LONG DISTANCE PHONE	\$7.77
20218	FRONTIER	PHONE & INTERNET	\$71.17
20220	HAWKINS WATER	CHLORINE	\$240.50
20219	HD SUPPLY	METERS AND SUPPLIES	\$2,655.40
20221	STEVE NEILS	ELECTRIC WORK PUMP HOUSE 1	\$50.00
20222	VILLAGE OF ELKHART LAKE	WAGES AND BENEFITS	\$5,198.30
20223	WISCONSIN NEWSPRESS	LEGAL RATE INCREASE	\$39.56
20224	WPS	NATURAL GAS	\$24.44
20202	VILLAGE OF ELKHART LAKE	SEWER COLLECTIONS ACH	\$14,567.07
20203	VILLAGE OF ELKHART LAKE	SEWER COLLECTIONS	\$9,178.50
20208	VILLAGE OF ELKHART LAKE	PADDOCK CLUB BILL – SAME AS WAT CHECK	\$40.00
20209	VILLAGE OF ELKHART LAKE	SEWER COLLECTIONS	\$9397.56
20210	VILLAGE OF ELKHART LAKE	SHEB CO DOG LISTING–SAME CHECK AS WAT BILL	\$64.50
20211	VILLAGE OF ELKHART LAKE	SEWER COLLECTIONS	\$39186.74
20212	VILLAGE OF ELKHART LAKE	SEWER COLLECTIONS	\$1,288.09
20213	VILLAGE OF ELKHART LAKE	SEWER COLLECTIONS	\$2,199.70
20225	VILLAGE OF ELKHART LAKE	SEWER COLLECTIONS	\$429.75

20226	VILLAGE OF ELKHART LAKE	SEWER COLLECTIONS	\$1619.57
		TOTAL WATER	\$89,839.00

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

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

594	NATIONAL EXCHANGE BANK	TID 2 POSTAGE- TIF, TID 4 WOLF POSTAGE	\$44.53
607	CORSON, PETERSON	TID 2, 3, 4 ACCOUNTING	\$1,500.00
608	DAVID TENOR CORP	TID 2 VICTORY LANE	\$126,185.65
624	DOWNTOWN KENOSHA	CLERK SOCIAL MEDIA SEMINAR	\$40.00
610	EDGARTON, ST.PETER	LEGAL TID 4 WOLF, TID 2 VICTORY	\$724.50
619	KAPUR & ASSOCIATES	ENGINEERING TID 4 WOLF, TID 2 VICTORY	\$10,174.00
630	REGISTER OF DEEDS	RECORD QUIT CLAIM DEED, CEDAR COMMUNITIES	\$38.00
		TOTAL CDA/TID	\$138,706.68

(Wolf/Baumann) moved that the CDA & TIF vouchers be paid as presented.
Motion Carried Unanimously

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

597	ADVANCED DISPOSAL	RECYCLING COLLECTION	\$8,318.55
598	AUTUMN RIDGE	PARKS IRRIGATION	\$120.00
600	BARDON ENTERPRISES	GARAGE CITRA CLEAN, PARKS HAND TOWELS	\$50.45
601	BATTERIES PLUS LLC	FD BATTERIES	\$86.37
602	BELCO VEHICLE SOLUTIONS	POLICE SQUAD CAR REPAIR	\$1,518.68
603	BENEFIT ADVANTAGE	FSA, HRA MONTHLY FEE	\$70.00
604	BIRSCHBACH INSPECT SER	BUILDING INSPECTIONS	\$450.00
590	BOY SCOUT TROOP 833	CIVIC CENTER WREATHS	\$68.00
591	BUBB, RALPH	STREETS SAFETY SHOES- BUBB	\$100.00
605	BURKART HEISDORF	LIABILITY INS.	\$6,752.00
647	BUSINESS FORMS	CLERK'S GENERAL CHECKS	\$157.51
648	CAL & GUS MOTORS	GARAGE- SWEEPER BATTERY, PICKUP & LAWN MOWER TIRE, MUFFLER-LEAF TRUCK	\$180.95
632	CASSANDRA SCHUH	FR SERTAC TRAINING, MILEAGE	\$148.20
592	CELLCOM	POLICE, TOURISM, PW CELL PHONE	\$283.09
607	CORSON, PETERSON	ACCOUNTING 2ND QTR	\$4,800.00
606	COUNTRY VISIONS COOP	SANITATION TAR & SEAL MANHOLES	\$28.50
593	DNR	WASTEWATER OPERATOR RENEWAL- SOLEK	\$45.00
610	EDGARTON, ST.PETER	LEGAL GENERAL, PREMIERE	\$1,765.87
611	EICHHORST, LORI	CLEANING	\$260.00
650	EL CHAMBER OF COMMERCE	BOARD- CHAMBER MEMBERSHIP	\$140.00
654	ELKHART LAKE POST MASTER	CLERK POSTAGE	\$1,476.00
612	EL-GLEN SCHOOL	POLICE SUV DIVIDER	\$57.98
649	EMERGENCY MEDICAL	FD- SAFETY GLASSES	\$94.78
613	FELDNER CHEVROLET, INC	POLICE BOAT PATROL	\$142.30
614	FIRST COMMUNICATIONS	LONG DISTANCE	\$37.46
615	FIRST RESPONDERS	KEYPAD LOCK,PULSEOX,TOURNIQUETS,CAT HOLDE	\$1,825.95
617	FRONTIER	PHONE & INTERNET	\$666.16
618	GRIMM BOOK BINDERY, INC.	BOARD BIND RESOLUTIONS	\$184.75

621	K.W.ELECTRIC, INC.	FD LOCATE WIRES, PHOTO EYE OPUSIDE LIGHTS	\$567.32
622	LTC	FR TRAINING BOOKS	\$315.00
623	LULLOFF HARDWARE	GARAGE TRUCK FUSE	\$3.29
625	NAPA AUTO PARTS	OIL FILTER BIG TRUCK, BACKHOE KENWORTH	\$300.50
594	NATIONAL EXCHANGE BANK	BD FLOWERS MEEUSEN, LWM CONF, POSTAGE, CLERK TRAINING, COURT EXP, EOC TRAINING FOOD, GARAGE MISC SUPPLIES, POLICE TRAINING MEALS	\$725.99
627	NORTH STAR	FD TRUCK 1 HALE RELIEF VALVE	\$864.00
626	NORTHERN MORAIN UTILITY	SEWAGE TREATMENT	\$13,429.44
628	PRINCIPAL LIFE	LIFE INSURANCE	\$83.49
629	RAISERITE CONCRETE LIFTING	STREETS, SIDEWALKS MUDJACKING	\$1,275.00
631	ROSS IMAGING	CLERK MORE COLOR COPIES	\$30.50
633 & 653	SHEBOYGAN CO TREASURER	CLOUD SUPPORT, WIRELESS ACCESS POINTS, TRUCK REPAIR, CO ASSESS, FS DRIVE REPAIR	\$933.50
634	SIRCHIE FINGER PRINT LAB.	POLICE TAPE, EVID. ENVELOPES	\$94.85
635	STAPLES	BOARD APPREC. DINNER NAMETAGS	\$13.20
636	STATE OF WISCONSIN	COURT STATE ASSESSMENT	\$894.60
638	STEVE NEILS	FD ISOLITE EXIT LIGHT	\$275.75
637	STREICHERS	POLICE RIFLE	\$1,921.19
639	SUN GRAPHICS	FR PATIENT INFO PADS	\$204.19
651	SUPERIOR VISION INSURANCE	VISION INSURANCE	\$115.40
652	THE OSTHOFF RESORT	APPRECIATION DINNER	\$1,780.09
620	TONY KASTELIC	CIVIC CENTER PATHC/PAINT OUTSIDE WALL	\$300.00
640	UW-MADISON	STREETS HIGHWAY SAFETY	\$80.00
595	WE ENERGIES	ELECTRICITY	\$7,738.40
596	WEDC	CONNECT COMMUNITY TRAINING-VOIDED CHECK	\$40.00
641	WEX BANK	POLICE GAS AND OIL	\$439.31
642	WEX BANK	PW GAS AND OIL	\$666.07
644	WISCONSIN DEPT. OF JUSTICE	POLICE TIME SYSTEM	\$213.00
645	WISCONSIN NEWSPRESS INC.	BOARD BUDGET HEARING, JAY LEE INN	\$233.21
650	WPS	NATURAL GAS	\$159.29
646	ZARNOTH BRUSH WORKS	STREETS BRUSH REFILL	\$454.00
TOTAL GENERAL			\$63,979.13

TOTAL PAYROLL \$ 51,963.06
Total November Expenses \$ 262,271.99

(Wolf/Garton) moved and seconded to approve the general vouchers for November and pay as presented.

Motion Carried Unanimously

OTHER BUSINESS THAT CAN LEGALLY COME BEFORE THIS BOARD: None

(Garton/Baumann) moved and seconded to adjourn the meeting at 7:18 p.m.

Motion Carried Unanimously

Jessica Reilly, Administrator/Clerk-Treasurer

ANNOUNCEMENTS

www.elkhartlakewi.gov

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:

MONDAY, January 4, 2016 – 7:00 P.M	BOARD OF TRUSTEES
MONDAY, January 18, 2016 – 7:00 P.M	BOARD OF TRUSTEES
WEDNESDAY, January 20, 2016 – 6:00 P.M.	PLANNING COMMISSION
WEDNESDAY, January 27, 2016 – 6:00 P.M.	CDA

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

THE DEADLINE FOR BEING PLACED ON THE AGENDA FOR ANY REGULAR BOARD MEETING WILL BE AT 5:00 P.M. ON THE WEDNESDAY PRIOR TO THE REGULAR MEETING MONDAY AND ONE WEEK PRIOR TO A COMMITTEE OR COMMISSION MEETING. The Municipal Office is located in the Grashorn Memorial Civic Center and is open on Monday through Friday from 9:00 a.m. to 4:30 p.m. Please call and make an appointment for special needs.

VILLAGE BOARD MEMBERS

PRESIDENT: Alan Rudnick (611 Otto Way) 876-3113
TRUSTEE: Mike Wolf (POB 506) 876-3100
TRUSTEE: Steven Kapellen (POB 271) 876-2177
TRUSTEE: Pam Garton (674 Birchwood Drive) 876-2376
TRUSTEE: Richard Sadiq (POB 188) 876-3732
TRUSTEE: Lynn Shovan (POB 86) 876-2056
TRUSTEE: Richard Baumann (22 Cedar Lane) 920-781-2030

Clerk's Office Holiday Hours:

The Village Clerk's Office will be closed on the following dates:

Thursday, December 24th & Friday, December 25th

Thursday, December 31st & Friday, January 1st



The 2014 Elkhart Lake Water Department Consumer Confidence Report is now available. To view it online visit www.elkhartlakewi.gov/departments/water.



To obtain a paper copy, please stop in at the Clerk's Office at 40 Pine Street or call 876-2122 or email clerk@elkhartlakewi.gov.

Water & Sewer Rate Increase

The Elkhart Lake Water Utility applied to the Public Service Commission for a water rate increase. The new rates will become effective on January 1, 2016, (April 15, 2016 billing). Below are the updated rates.

Charges for water:

- First 3000 cubic feet used each quarter-\$2.02 per 100 cubic feet + meter chg.
- Next 17,000 cubic feet used each quarter-\$1.74 per 100 cubic feet + meter chg.
- Next 30,000 cubic feet used each quarter-\$1.41 per 100 cubic feet + meter chg.
- Over 50,000 cubic feet used each quarter-\$1.08 per 100 cubic feet + meter chg.

Meter charges:

- 5/8" meters --\$18.73 per quarter 3/4" meters --\$18.73 per quarter
- 1" meters --\$22.99 per quarter 1 1/4" meters --\$29.56 per quarter
- 1 1/2" meters --\$36.13 per quarter 2" meters --\$59.12 per quarter
- 3" meters --\$108.40 per quarter 4" meters --\$164.23 per quarter

The Elkhart Lake Village Board will be increasing the sewer rates effective January 1, 2016. The new rate will be \$5.50 per 100 cubic feet of water consumption and \$23.00 meter fee per quarter.

Please contact the Village Administrator/Clerk-Treasurer's Office at (920) 876-2122 or clerk@elkhartlakewi.gov if you have questions related to water billing.

***Pay your water bill automatically!
Call the Village Clerk's Office at 920-876-2122
for more information.***

TAX COLLECTION

Tax payments are accepted Monday – Friday from 9:00 a.m. – 4:30 p.m. at the Village office located at 40 Pine Street. Tax payments can also be dropped off at Community Bank & Trust and National Exchange Bank & Trust. If the Village office is closed payments can be dropped in the Police depository, located to the west of the Pine St. entrance.

*******Winter Parking Regulations*******

6.04(2) (a) No parking of any motor vehicle shall be permitted on either side of any Village street or in the parking lot north of Square Street or the parking lot on North East Street between the hours of 2:00 o'clock A.M. and 6:00 o'clock A.M. commencing the fifteenth (15th) day of November and ending on the first (1st) day of April of every year.

(b) Any vehicle parked in violation of the provisions of this ordinance shall be removed from the streets and stored, and such removal and storage shall be at the expense of the owner of said vehicle.



Vehicles violating this ordinance will be ticketed.

*******Snow Removal*******

Section 10.03 - Removing Snow from Sidewalks: residents must clean snow from sidewalks within 14 hours of any snowfall in a 24 hour period.

Residents have 24 hours after a winter storm to remove ice and snow from their sidewalks. Snow cannot be blown or plowed onto Village Streets. Residents must also shovel out any hydrants near their home.

You will not be notified that snow needs to be removed. If you have not shoveled in the time prescribed in ordinance 10.03, the Village will clear your sidewalk and bill the property owner. Also, the entire sidewalk must be shoveled. A small path is not sufficient and you will be in violation of the Village ordinance.



There will be a **Spring Election** held in the Village of Elkhart Lake on **Tuesday, April 5th, 2016**. The term for the Village Trustees begins on April 19th, 2016. All terms are for two years unless otherwise indicated. The following officers are to be elected to succeed the present incumbents listed:

OFFICE

Village Trustee
Village Trustee
Village Trustee

INCUMBENT

Steven Kapellen
Lynn Shovan
Pamela Garton

The first day to circulate nomination papers is Tuesday, December 1st, 2015 and the final day for filing nomination papers in the office of the Village Clerk is 5:00 P.M. on Tuesday, January 5th, 2016.



BUILDING PERMIT REMINDER!

If you are planning a construction project on your home or business you must apply for a building permit. **Permits must be obtained prior to commencement of work. Failure to do so will result in double the permit fees and may result in a fine of up to \$1000.** If you are unsure if your project requires a permit, please call the Clerk's Office at 920-876-2122.

ATTENTION DOG OWNERS!



It is unlawful for a dog to be within ***any public park or beach or the fireman's park or beach*** except as provided in the Village of Elkhart Lake-Glenbeulah Athletic Association Park rules and regulations (1)b14.

Village of Elkhart Lake Dog Leash Ordinance 8.27

It shall be unlawful for any person who owns, harbors, or keeps a dog to permit such dogs to **run at large** any time of year within the Village limits. Any dog which is off the premises of its owner or keeper must be under the control of an attendant **holding a leash**, maximum of 8 feet. Any dog on owner's premise which is not leashed (15 feet maximum), fenced in, or under control of an attendant would be considered running at large.



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.**

The Village has installed Dog Refuse Stations throughout the Village to help in the cleanup effort. The stations are located at

- S. End of Walkway
- N. End of Walkway
- Near Village Square Park
- S. Lake Street near Elm St.
- Osthoff Avenue
- Lions Park
- E. Rhine St. near Charlene's
- E. Rhine St. near Cal & Gus

“Save the Caboose”

The Soo Line caboose that has been sitting next to the Depot since the 1970's is in need of repair. The condition has not completely deteriorated but is getting close. In partnership with the Elkhart Lake Historical Society, we are looking at what needs to be done to save the caboose. We need your help.



The Village and the Historical Society have committed dollars to help with the refurbishment. If you are interested in helping, by donating money or helping work on the caboose, please let us know. Call the Village at 920-876-2122 and leave your information. We will contact you.