



VILLAGE OF ELKHART LAKE

Elkhart Lake, Wisconsin 53020

MINUTES August 5th, 2019

Minutes of the regular meeting of the Board of Trustees of the Village of Elkhart Lake held on Monday, August 5th, 2019 at the Grashorn Memorial Civic Center in the Village of Elkhart Lake with the agenda having been duly posted on Thursday, August 1st, 2019 at National Exchange Bank and Trust, the Elkhart Lake Post Office, and the Municipal Office between the hours of 3:00 P.M. and 3:11 P.M. and on the Village website on Thursday, August 1st, 2019 at 2:32 P.M.

President Sadiq called the meeting to order at 6:00 P.M. with the following Trustees present: Geoff Bray, John Schott, Bobbie Stroessner, Lynn Shovan, Mike Wolf, and Terri Knowles.

Others in attendance include: Bob & Ross Werner; Daniel Nicolaus; Curt Semph; Emmitt Feldner; Jessica Reilly, Administrator/ Clerk-Treasurer.

The Pledge of Allegiance was recited.

Approval of Minutes –

(Schott/Stroessner) moved and seconded that the July 1st & 15th, 2019 Board minutes be approved.
Motion Carried Unanimously

Treasurer's Report –

(Schott/Bray) moved and seconded to approve the July Treasurer's Report.
Motion Carried Unanimously

Public Comment – None

COMMITTEE REPORTS

JULY BUILDING PERMITS – Reilly

This report was included in the Board packet on dropbox.

ADMINISTRATION & FINANCE – Shovan

Highlights of the July 22nd, 2019 meeting:

- 1) The Committee met and discussed the Werner Park & Winter Development agreements.
- 2) The Committee discussed the Premiere Development Agreement.
- 3) The Committee discussed the potential Highway 67 sidewalk.
- 4) The Committee reviewed the draft short-term rental ordinance and recommended the draft keeping of certain animals ordinance.

JT. MUNICIPAL PLANNING & DEVELOPMENT & PUBLIC WORKS – Schott

Highlights of the August 5th, 2019 meeting:

- 1) The Committee reviewed the park plan and pavilion. The committee wants to look at the entire park plan to finalize the layout of the entire park, pavilion, and playground equipment.

PROTECTION OF PERSONS & PROPERTY – Shovan

Highlights of the August 5th, 2019 meeting:

- 1) The Committee approved the 2020 police outlay.
- 2) The Committee approved the building permit fees for street cutting and utility work.

SCHOOL UPDATE – Stroessner

With the enrollment there are currently more kids coming in than going out through open enrollment. The referendum projects are moving along. The new lighting, garage and sound system are nearly complete. The delivery on the chairs in the auditorium are delayed, so this project will not be finished until October.

COMMITTEE OF THE WHOLE –Sadiq

Highlights of the August 5th, 2019 meeting:

- 1) The Board pictures were taken.

PLANNING COMMISSION – Sadiq

Highlights of the July 24th, 2019 meeting:

- 1) The zoning districts were recommended to the Village Board for approval.
- 2) The Commission recommends approval of Victory Park preliminary plat and continues working on the development agreement.
- 3) The Commission told Premiere Development that no money would be given to condominium developments.
- 4) The Commission approved the siting of cell towers ordinance.

PRESIDENT’S REPORT – Sadiq - None

UNFINISHED BUSINESS: None

NEW BUSINESS:

Opertator’s License Denial Appeal - Nicolaus

Nicolaus stated he was released on May 18th and has met all his conditions, but was unable to obtain the correct paperwork by this evening. He contact the department for the paperwork tomorrow.

(Bray/Wolf) moved and seconded to approve his opertor’s license as long as he can provide the correct paperwork to the Village by the end of the week. A temporary license will be granted until that time.

Motion Carried Unanimously

Preliminary Plat Review – Victory Park – Potential Approval with Conditions

(Schott/Shovan) moved and seconded to approve the Preliminary Plat of Victory Park subject to the following conditions precedent:

- (1) The execution of a developer’s agreement that includes, among other terms, an acceptable letter of credit and personal guaranty; and
- (2) All necessary zoning approvals; and

- (3) Approval of the stormwater plan and the rehabilitation and/or reconstruction of existing stormwater pond, all of which will be subject to the approval of the Village Engineer; and
- (4) Approval of the development's grading and drainage plan, which will include stormwater laterals; and
- (5) All other engineering approvals required by applicable ordinances, regulations or law;

FURTHER RESOLVED, that the roads proposed to be dedicated to the Village as shown in the Preliminary Plat of Victory Park are expressly not accepted until and unless the above conditions have been fulfilled.

Motion Carried Unanimously

Temporary Operator's License – Downtown Night – Timothy Haack, Terry Lauer, Patrick Zorn – August 12, 2019

(Knowles/Schott) moved and seconded to approve the temporary operators' licenses for Timothy Haack, Terry Lauer, & Patrick Zorn for August 12, 2019 for Downtown Night .

Motion Carried Unanimously

Operator's Licenses – New

(Shovan/Wolf) moved and seconded that Operator Licenses be granted to Meghan Long & Aryka Klemme for Siebkens for the licensing year ending June 30, 2020.

Motion Carried Unanimously

Operator's Licenses – Renewal

(Knowles/Schott) moved and seconded to approve a renewal operator's license for Jennifer Newberry at Off the Rail expiring June 30, 2020.

Motion Carried Unanimously

TRUSTEE REPORTS: Bray noted that the path around the lake is closed at Gurtz and will be closed at his house as work is being completed on his driveway. Knowles stated that she would like to speak with Chief Meeusen and Merten's to discuss when to call the police for nuisances. Wolf stated that it is important to have non-motorized paths especially out to Crystal Lake.

COMMUNICATIONS – Reilly

None.

ADMINISTRATOR'S REPORT – Reilly

The open house for the comprehensive plan update maps & priorities will be held from 4 – 6 pm on August 27, 2019 in the Civic Center.

(Schott/Shovan) moved and seconded to adjourn the meeting at 6:24 p.m.

Motion Carried Unanimously

Jessica Reilly, Administrator/Clerk-Treasurer

MINUTES August 19th, 2019

Minutes of the regular meeting of the Board of Trustees of the Village of Elkhart Lake held on Monday, August 19th, 2019 at the Grashorn Memorial Civic Center in the Village of Elkhart Lake with the agenda having been duly posted on Thursday, August 15th, 2019 at National Exchange Bank and Trust, the Elkhart Lake Post Office, and the Municipal Office between the hours of 2:59 P.M. and 3:21 P.M. and on the Village website on Thursday, August 15th, 2019 at 2:23 P.M.

President Sadiq called the meeting to order at 6:00 P.M. with the following Trustees present: Geoff Bray, John Schott, Bobbie Stroessner, Lynn Shovan, Terri Knowles, and Mike Wolf.

Others in attendance include: Ross & Bob Werner; Bradd & Shannon Winter; Pat Zorn; Emmitt Feldner; Jessica Reilly, Administrator/ Clerk-Treasurer.

The Pledge of Allegiance was recited.

Public Comment – None

COMMITTEE REPORTS

PUBLIC WORKS– Schott

Highlights of the August 13th & 19th, 2019 meetings:

- 1) The Committee reviewed the 2020 outlay budget.
- 2) The Committee reviewed the safety concerns at West & Gottfried Streets. More information will be gathered on the parking situation and brought back to the committee.
- 3) The Committee approved fixing the curb near the driveway at 253 Moraine Drive.
- 4) The Committee discussed the impact of trucks on the sidewalk on the east side of the square parking lot. More information will be gathered on this.

ADMINISTRATION & FINANCE – Shovan

Highlights of the August 6th, 2019 meeting:

- 1) The Committee met and reviewed the Aston Flats agreement. It will be discussed later tonight on the agenda.
- 2) The Committee reviewed the draft Winter agreement and sent it to the Winter family for review.
- 3) The Committee discussed ELIA funding for 2020. The Committee discussed having ELIA have a presentation with the Town of Rhine and Village of Elkhart Lake Board jointly.
- 4) The Committee reviewed the Howards Grove school district SRO appointment. They recommended approval to the Board.
- 5) The Committee reviewed the building of an Elkhart Lake app. The Committee will include this in the 2020 budget.
- 6) The Committee reviewed the Board and Clerk 2020 outlay requests.
- 7) The Committee reviewed the short-term rental ordinance and recommended the keeping of certain animal ordinance to the Village Board.

PROTECTION OF PERSONS & PROPERTY – Shovan

Highlights of the August 6th, 2019 meeting:

- 1) The Committee met and reviewed and recommended the new building inspection contract with Jon Schulz.

TOURISM – Knowles

The Board received minutes of the June 13th, 2019 meeting.

Highlights of the August 8th, 2019 meeting:

- 1) The Commission reviewed the short-term rental ordinance.
- 2) The Commission launched and discussed the Elkhart Lake Blog.
- 3) The Commission approved the VSCDA Grant.
- 4) The Commission discussed the fall media tour that goes from September 23-27th, 2019.
- 5) The website traffic was up in July.
- 6) The 2020 budget was discussed including a potential contribution to the Village Park.

LIBRARY – Stroessner

The Board received minutes of the July 8th, 2019 meeting.

Highlights of the August 12th, 2019 meeting:

- 1) The Library Board reviewed the 2020 budget.
- 2) The long-range planning committee is still working and will be for quite some time.

AD-HOC COMPREHENSIVE PLANNING COMMITTEE – Schott

Highlights of the August 12th, 2019 meeting:

- 1) The Committee reviewed the goals, objectives, policy and programs.
- 2) The Committee also reviewed the priorities, current and future land maps.

VILLAGE PARK ON THE SQUARE MARKETING/FUNDRAISING - Schott

The Board received minutes of the August 7th, 2019.

Highlights of the July 11th, 2019 meeting:

- 1) The Committee reviewed the park plan and received an update on the 501(c)(3).
- 2) The Committee will wait until the park facility study is completed later this fall to meet again.

NORTHERN MORAINES COMMISSION – Schott

The Board received minutes of the July 8th, 2019 meeting.

Highlights of the August 19th, 2019 meeting:

- 1) Northern Moraine's portion of the County Road A Project is having a pre-engineering assessment.
- 2) The Commission approved the Werner development project.
- 3) The EQ Valve Actuator needs to be replaced.
- 4) The Commission approved the propane prepay as they received a good price from their current vendor.

COMMITTEE OF THE WHOLE - Sadiq

Highlights of the August 19th, 2019 meeting:

- 1) The Committee met and reviewed and discussed the ad-hoc comprehensive planning committee's priorities, current land use plan, and future land use plan.

PLANNING COMMISSION –Sadiq

The Board received minutes of the May 8th, 2019 meeting.

Highlights of the June 12th, 2019 meeting:

- 1) The Commission reviewed and is recommending the approval of the Victory Park rezoning.
- 2) The Commission reviewed the Victory Park development agreement.
- 3) The Commission had a presentation on the Premiere Development plans.
- 4) The Commission approved the sign for the caboose.

- 5) The Committee reviewed and made some suggestions and changes to the comprehensive plan update priorities.

PUBLIC HEARING –Sadiq

Highlights of the August 19th, 2019 meeting:

A public hearing was held on amending the conditional uses and permitted used in the zoning district, adding 16.34 & 16.35 regarding nostalgic zoning for residential housing, and adding section 16.96 regarding mobile tower siting. There were no comments from the public.

PRESIDENT’S REPORT – Sadiq – Stated that Downtown Night was a great success.

UNFINISHED BUSINESS: None

NEW BUSINESS:

SRO Motorsports Group Parade – Thursday, September 19, 2019 5-7 pm Concourse & Escort

(Knowles/Schott) moved and seconded to approve the event and concourse for September 19, 2019 from 5 – 7 pm, but only close S. Lake Street from Victorian Village Drive to Elm Street.

Motion Carried Unanimously

Ordinance 628- Zoning Addition-Section 16.34 & 16.35 Creation of the Nostalgic Zoning Districts

(I-Bray/Shovan/Schott) moved and seconded to approve Ordinance 628 adding sections 16.34 & 16.35 - Creation of the Nostalgic Zoning Districts (R-5 & R-6).

Motion Carried 6-1 By Roll Call Vote

6 ayes (Bray, Schott, Shovan, Stroessner,
Knowles, Sadiq)

1 nay (Wolf)

**ORDINANCE 628
VILLAGE OF ELKHART LAKE
SHEBOYGAN COUNTY, WISCONSIN**

CREATE SECTIONS – 16.34 & 16.35 Nostalgic Zoning District (R-5 & R-6)

WHEREAS, the Village of Elkhart Lake and its residents would like to see residential growth in the Village; and

WHEREAS, the Village of Elkhart Lake finds it necessary to revise Village Ordinance Chapter 16 which relates to Zoning Districts in order to see some residential growth; 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, August 19, 2019 in accordance with Wisconsin State Statutes hereby creates Sections 16.34 & 16.35 as follows:

16.34 NOSTALGIC SINGLE-FAMILY RESIDENTIAL DISTRICT (R-5).

(1) **Purpose** The R-5 Nostalgic Single-Family Residential District is intended to establish and preserve single-family residential use in neighborhoods with a nostalgic appearance.

(2) **Permitted Uses**

(a) Single Family Dwellings

- (b) Public Parks & Playgrounds
- (3) **Accessory Uses**
 - (a) Nursery and Greenhouse for private use only (no sales)
 - (b) Private Garages and Accessory Buildings
 - (c) Home Occupations (16.95)
 - (d) Swimming Pools (16.92)
- (4) **Conditional Uses**
 - (a) Churches
 - (b) Public & Private Schools
 - (c) Libraries & Museums
 - (d) Utilities
 - (e) Recreational & Community Center Building and Grounds
 - (f) Extended Home Occupations (16.95)
- (5) **Lot Requirements**
 - (a) Width.
One family building. Minimum seventy (70) feet at front yard setback.
 - (b) Lot Area Per Family.
One family building. Minimum nine thousand (9,000) square feet.
- (6) **Building Requirements**
 - (a) Maximum Principal Building Height. Thirty-five (35) feet.
 - (b) Maximum Accessory Building & Detached Garage Height. Fifteen (15) feet.
 - (c) Minimum Dwelling Unit Floor Space.
One family building. One thousand, one hundred fifty (1,150) square feet.
- (7) **Yards**
 - (a) Front. Minimum twenty-five (25) feet from street right-of-way.
 - (b) Rear. Minimum twenty-five (25) feet from rear lot line.
 - (c) Side Yards Principal Building.
One family building. Minimum, each side, eight (8) feet, total 18 feet both sides.
 - (d) Side & Rear Yards Accessory Building
On lots with widths less than (<) seventy (70) feet.
Minimum each side three (3) feet.
On lots with widths greater than or equal to (\geq) seventy (70) feet.
Minimum each side six (6) feet.
 - (e) Corner Lot Setback. Twenty-five (25) feet minimum from front street.
Twenty-five (25) feet minimum from side street.
 - (f) Yard Cover. No more than thirty per cent (30%) of the rear yard may be covered with an accessory building.
- (8) **Off-Street Parking Required.**
 - (a) Residential. Two (2) spaces per family
 - (b) Places of Public Gatherings. One (1) space per every five (5) seats.
- (9) **Nonconforming Uses, Structures, and Lots. (16.26)**

- (10) **Traffic, Loading, Parking, and Access (16.80)**
- (11) **Construction Standards (16.82)**
- (12) **Performance Standards (16.83)**
- (13) **Signs (16.90)**
- (14) **Fences, Hedges and Arbors (61.91)**
- (15) **Swimming Pools (16.92)**
- (16) **Signal Receiving Antennas (16.93)**
- (17) **Home Occupations (16.95)**
- (18) **Health and Sanitation (12.06)**
- (19) **Shoreland Regulations (Chapter 17)**
- (20) **Wellhead Protection Overlay District (Chapter 34)**

16.35 NOSTALGIC TWO-FAMILY RESIDENTIAL DISTRICT (R-6).

- (1) **Purpose** The R-6 Nostalgic Two-Family Residential District is intended to establish and preserve two (2) family and zero lot line duplex residential use in neighborhoods with a nostalgic appearance.

- (2) **Permitted Uses**

- (a) Single Family Dwellings
- (b) Two Family Dwellings
- (c) Zero Lot Line Duplex Dwellings
- (d) Public Parks & Playgrounds
- (e) Essential Services

- (3) **Accessory Uses**

- (a) Nursery and Greenhouse for private use only (no sales)
- (b) Private Garages and Accessory Buildings
- (c) Home Occupations (16.95)
- (d) Swimming Pools (16.92)

- (4) **Conditional Uses**

- (a) Churches
- (b) Public & Private Schools
- (c) Libraries & Museums
- (d) Utilities
- (e) Recreational & Community Center Building and Grounds
- (f) Extended Home Occupations (16.95)
- (g) Bed and Breakfast Establishments
- (h) Boarding and Rooming House

- (5) **Lot Requirements**

- (a) Width.
 - One family building. Minimum seventy (70) feet at front yard setback.
 - Two family building. Minimum eighty (80) feet at front yard setback.
 - Zero lot line duplex. Minimum forty (40) feet at front yard setback.
- (b) Lot Area Per Family.
 - One family building. Minimum nine thousand (9,000) square feet
 - Two family building. Minimum six thousand (6,000) square feet.

Zero lot line duplex. Minimum six thousand (6,000) square feet.

(6) Building Requirements

- (a) Maximum Principal Building Height. Thirty-five (35) feet.
- (b) Maximum Accessory Building & Detached Garage Height. Fifteen (15) feet.
- (c) Minimum Dwelling Unit Floor Space.
 - One family building. One thousand, one hundred fifty (1,150) square feet.
 - Two family building. Eight hundred (800) square feet per family.
 - Zero lot line duplex. Eight hundred (800) square feet per family.

(7) Yards

- (a) Front. Minimum twenty-five (25) feet from street right-of-way.
- (b) Rear. Minimum twenty-five (25) feet from rear lot line.
- (c) Side Yards Principal Building.
 - One family building. Minimum, each side, eight (8) feet, total 18 feet both sides.
 - Two family building. Minimum, each side, eight (8) feet, total 18 feet both sides
 - Zero lot line duplex. Minimum, each side, eight (8) feet; except that no side yard shall be required for the common wall side.
- (d) Side & Rear Yards Accessory Building
 - On lots with widths less than (<) seventy (70) feet.
 - Minimum each side three (3) feet.
 - On lots with widths greater than or equal to (\geq) seventy (70) feet.
 - Minimum each side six (6) feet.
- (e) Corner Lot Setback. Twenty-five (25) feet minimum from front street.
 - Twenty-five (25) feet minimum from side street.
- (f) Yard Cover. No more than thirty per cent (30%) of the rear yard may be covered with an accessory building.

(8) Off-Street Parking Required.

- (a) Residential. Two (2) spaces per family
- (b) Places of Public Gatherings. One (1) space per every five (5) seats.

(9) Nonconforming Uses, Structures, and Lots. (16.26)

(10) Traffic, Loading, Parking, and Access (16.80)

(11) Construction Standards (16.82)

(12) Performance Standards (16.83)

(13) Signs (16.90)

(14) Fences, Hedges and Arbors (61.91)

(15) Swimming Pools (16.92)

(16) Signal Receiving Antennas (16.93)

(17) Home Occupations (16.95)

(18) Health and Sanitation (12.06)

(19) Shoreland Regulations (Chapter 17)

(20) Wellhead Protection Overlay District (Chapter 34)

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

Attest:

Approved and Adopted this
19th day of August, 2019

Richard Sadiq, President

Jessica Reilly, Clerk

Geoffrey Bray, Trustee

Ordinance 629 – Creation section 16.96 Regulation of Mobile Tower Siting
(I-Schott/Knowles/Wolf) moved and seconded to approve Ordinance 629 Creation of Section 16.96 Regulation of Mobile Tower Siting.

Motion Carried Unanimously

ORDINANCE 629
VILLAGE OF ELKHART LAKE
SHEBOYGAN COUNTY, WISCONSIN

CREATE SECTIONS – 16.96 REGULATION OF MOBILE TOWER SITING

WHEREAS, due to changes to the Wis. Stats. 66.0404, the Village reviewed the regulations regarding mobile tower siting; and,

WHEREAS, the Village of Elkhart Lake deems it necessary to create a Mobile Tower Siting Ordinance, 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, August 19, 2019 in accordance with Wisconsin State Statutes hereby creates Section 16.96 as follows:

Section 1696 Regulation of Mobile Tower Siting.

Section 1696(1). Purpose and Intent. The purpose of this section is to regulate by a conditional use permit (1) the siting and construction of any new mobile service support structure and facilities; (2) with regard to a class 1 collocation, the substantial modification of an existing support structure and mobile service facilities; and (3) with regard to a class 2 collocation, collocation on an existing support structure which does not require the substantial modification of an existing support structure and mobile service facilities.

Section 1696(2). Definitions.

All definitions contained in Wis. Stat. § 66.0404(1) are hereby incorporated by reference.

Section 1696(3).Siting and Construction of Any New Mobile Service Support Structure and Facilities.

A) Application Process.

- 1) A conditional use permit is required for the siting and construction of any new mobile service support structure and facilities. The siting and construction of any new mobile service support structure and facilities is a conditional use in the Village obtainable with this permit.
- 2) A written permit application must be completed by any applicant and submitted to the Village. The application must contain the following information:
 - a) The name and business address of, and the contact individual for, the applicant.
 - b) The location of the proposed or affected support structure.
 - c) The location of the proposed mobile service facility.
 - d) If the application is to substantially modify an existing support structure, a construction plan which describes the proposed modifications to the support structure and the equipment and network components, including antennas, transmitters, receivers, base stations, power supplies, cabling, and related equipment associated with the proposed modifications.
 - e) If the application is to construct a new mobile service support structure, a construction plan which describes the proposed mobile service support structure and the equipment and network components, including antennas, transmitters, receivers, base stations, power supplies, cabling, and related equipment to be placed on or around the new mobile service support structure.
 - f) If an application is to construct a new mobile service support structure, an explanation as to why the applicant chose the proposed location and why the applicant did not choose collocation, including a sworn statement from an individual who has responsibility over the placement of the mobile service support structure attesting that collocation within the applicant's search ring would not result in the same mobile service

functionality, coverage, and capacity; is technically infeasible; or is economically burdensome to the mobile service provider.

- 3) A permit application will be provided by the Village upon request to any applicant.
 - 4) If an applicant submits to the Village an application for a permit to engage in an activity described in this Ordinance, which contains all of the information required under this Ordinance, the Village shall consider the application complete. If the Village does not believe that the application is complete, the Village shall notify the applicant in writing, within 10 days of receiving the application, that the application is not complete. The written notification shall specify in detail the required information that was incomplete. An applicant may resubmit an application as often as necessary until it is complete.
 - 5) Within 90 days of its receipt of a complete application, the Village shall complete all of the following or the applicant may consider the application approved, except that the applicant and the Village may agree in writing to an extension of the 90-day period:
 - a) Review the application to determine whether it complies with all applicable aspects of the political subdivision's building code and, subject to the limitations in this section, zoning ordinances.
 - b) Make a final decision whether to approve or disapprove the application.
 - c) Notify the applicant, in writing, of its final decision.
 - d) If the decision is to disapprove the application, include with the written notification substantial evidence which supports the decision.
 - 6) The Village may disapprove an application if an applicant refuses to evaluate the feasibility of collocation within the applicant's search ring and provide the sworn statement described under paragraph 16.96(3)(f).
 - 7) The fee for the permit is \$3,000.
- B) Limitations. The Village may impose any conditions on its approval, except that it cannot include any condition prohibited by Wis. Stat. § 66.0404(4).

Section 1696(4). Class 1 Collocation.

A) Application Process.

- 1) A conditional use permit is required for a class I collocation. A class 1 collocation is a conditional use in the Village obtainable with this permit.
- 2) A written permit application must be completed by any applicant and submitted to the Village. The application must contain the following information:
 - a) The name and business address of, and the contact individual for, the applicant.
 - b) The location of the proposed or affected support structure.
 - c) The location of the proposed mobile service facility.
 - d) If the application is to substantially modify an existing support structure, a construction plan which describes the proposed modifications to the support structure and the equipment and network components, including antennas, transmitters, receivers, base stations, power supplies, cabling, and related equipment associated with the proposed modifications.
 - e) If the application is to construct a new mobile service support structure, a construction plan which describes the proposed mobile service support structure and the equipment and network components, including antennas, transmitters, receivers, base stations power supplies, cabling, and related equipment to be placed on or around the new mobile service support structure.
 - f) If an application is to construct a new mobile service support structure, an explanation as to why the applicant chose the proposed location and why the applicant did not choose class 1 collocation, including a sworn statement from an individual who has responsibility over the placement of the mobile service support structure attesting that collocation within the applicant's search ring would not result in the same mobile service functionality, coverage, and capacity; is technically infeasible; or is economically burdensome to the mobile service provider.
- 3) A permit application will be provided by the Village upon request to any applicant.

- 4) If an applicant submits to the Village an application for a permit to engage in an activity described in this Ordinance, which contains all of the information required under this Ordinance, the Village shall consider the application complete. If the Village does not believe that the application is complete, the Village shall notify the applicant in writing, within 10 days of receiving the application, that the application is not complete. The written notification shall specify in detail the required information that was incomplete. An applicant may resubmit an application as often as necessary until it is complete.
- 5) Within 90 days of its receipt of a complete application, the Village shall complete all of the following or the applicant may consider the application approved, except that the applicant and the Village may agree in writing to an extension of the 90-day period:
 - a) Review the application to determine whether it complies with all applicable aspects of the political subdivision's building code and, subject to the limitations in this section, zoning ordinances.
 - b) Make a final decision whether to approve or disapprove the application.
 - c) Notify the applicant, in writing, of its final decision.
 - d) If the decision is to disapprove the application, include with the written notification substantial evidence which supports the decision.
- 6) The Village may disapprove an application if an applicant refuses to evaluate the feasibility of collocation with the applicant's search ring and provide the sworn statement describe under paragraph 16.96(4)(f).
- 7) If an applicant provides the Village with an engineering certification showing that a mobile service support structure, or an existing structure, is designed to collapse within a smaller area than the setback or fall zone area required in a zoning ordinance, that zoning ordinance does not apply to such a structure unless the Village provides the applicant with substantial evidence that the engineering certification is flawed.
- 8) The fee for the permit is \$3,000.

- B) Limitations. The Village may impose any conditions on its approval, except that it cannot include any condition prohibited by Wis. Stat. § 66.0404(4).

Section 16.96(5).Class 2 Collocation.

A) Application Process.

- 1) A conditional use permit is required for a class 2 collocation. A class 2 collocation is a permitted use in the Village but still requires the issuance of the conditional use permit.
- 2) A written permit application must be completed by any applicant and submitted to the Village. The application must contain the following information.
 - a) The name and business address of, and the contact individual for, the applicant.
 - b) The location of the proposed or affected support structure.
 - c) The location of the proposed mobile service facility.
- 3) A permit application will be provided by the Village upon request to any applicant.
- 4) A class 2 collocation is subject to the same requirements for the issuance of a building permit to which any other type of commercial development or land use development is subject.
- 5) If an applicant submits to the Village an application for a permit to engage in an activity described in this Ordinance, which contains all of the information required under this Ordinance, the Village shall consider the application complete. If any of the required information is not in the application, the Village shall notify the applicant in writing, within 5 days of receiving the application, that the application is not complete. The written notification shall specify in detail the required information that was incomplete. An applicant may resubmit an application as often as necessary until it is complete.
- 6) Within 45 days of its receipt of a complete application, the Village shall complete all of the following or the applicant may consider the

application approved, except that the applicant and the Village may agree in writing to an extension of the 45-day period.

- a) Make a final decision whether to approve or disapprove the application.
- b) Notify the applicant, in writing, of its final decision.
- c) If the application is approved, issue the applicant the relevant permit.
- d) If the decision is to disapprove the application, include in the written notification substantial evidence which support the decision.
- e) The fee for the permit is \$500.

B. Limitations. The Village may impose any conditions on its approval, except that it cannot include any condition prohibited by Wis. Stat. § 66.0404(4).

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

Attest:

Approved and Adopted this
19th day of August, 2019

Richard Sadiq, President

Jessica Reilly, Clerk

John Schott, Trustee

Ordinance 630 – Amending Sections – 16.30(2), 16.30(4), 16.31(2), 16.31(4), 16.32(2), 16.32(4), 16.33(2), 16.33(4), 16.40(2), 16.40(4), 16.41(2), 16.41(4), 16.42(2), 16.42(4), 16.43(2), 16.43(4), 16.50(2), 16.50(4), 16.51(4), 16.60(2), 16.60(4), 16.61(2), 16.61(4), 16.62(4), Regrading the permitted & conditional uses in the zoning districts

(I-Shovan/Stroessner/Schott) moved and seconded to approve Ordinance 630 -Amending Sections – 16.30(2), 16.30(4), 16.31(2), 16.31(4), 16.32(2), 16.32(4), 16.33(2), 16.33(4), 16.40(2), 16.40(4), 16.41(2), 16.41(4), 16.42(2), 16.42(4), 16.43(2), 16.43(4), 16.50(2), 16.50(4), 16.51(4), 16.60(2), 16.60(4), 16.61(2), 16.61(4), 16.62(4), Regrading the permitted & conditional uses in the zoning districts
Motion Carried Unanimously

**ORDINANCE 630
VILLAGE OF ELKHART LAKE
SHEBOYGAN COUNTY, WISCONSIN**

AMENDING SECTIONS – 16.30(2), 16.30(4), 16.31(2), 16.31(4), 16.32(2), 16.32(4), 16.33(2), 16.33(4), 16.40(2), 16.40(4), 16.41(2), 16.41(4), 16.42(2), 16.42(4), 16.43(2), 16.43(4), 16.50(2),

**16.50(4), 16.51(4), 16.60(2), 16.60(4), 16.61(2), 16.61(4), 16.62(4), REGRADING THE PERMITTED
& CONDITIONAL USES IN THE ZONING DISTRICTS**

WHEREAS, the Village of Elkhart Lake Planning Commission spent six months reviewing the permitted and conditional uses in Chapter 16 Zoning Ordinance; and,

WHEREAS, the Planning Commission deems it necessary to revise the conditional and permitted used in Chapter 16, 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, August 19, 2019 in accordance with Wisconsin State Statutes hereby recreates Sections 16.30(2), 16.30(4), 16.31(2), 16.31(4), 16.32(2), 16.32(4), 16.33(2), 16.33(4), 16.40(2), 16.40(4), 16.41(2), 16.41(4), 16.42(2), 16.42(4), 16.43(2), 16.43(4), 16.50(2), 16.50(4), 16.51(4), 16.60(2), 16.60(4), 16.61(2), 16.61(4), 16.62(4), and 16.63(4) as follows:

16.30(2) Single Family Residential

Proposed

- (a) Single Family Dwellings
- (b) Public Parks & Playgrounds
- (c) Essential Services

16.30(4) Single Family Residential

Proposed

- (a) Churches
- (b) Public and Private Schools
- (c) Libraries & Museums
- (d) Utilities
- (e) Recreational & Community Center Building and Grounds
- (f) Bed & Breakfast

16.31(2) Two Family Residential

Proposed

- (a) Single Family Dwellings
- (b) Two Family Dwellings
- (c) Public Parks & Playgrounds
- (d) Essential Services

16.31(4) Two Family Residential

Proposed

- (a) Churches
- (b) Public & Private Schools
- (c) Libraries & Museums
- (d) Utilities

- (e) Recreational & Community Center Building and Grounds
- (f) Bed and Breakfast Establishments
- (g) Boarding and Rooming House

16.32(2) Multi Family Residential

Proposed

- (a) Single Family Dwellings
- (b) Two Family Dwellings
- (c) Multi-Family Dwellings Containing Three (3) to Eight (8) Units
- (d) Public Parks & Playgrounds
- (e) Essential Services

16.32(4) Multi Family Residential

Proposed

- (a) Multi-family Dwelling Containing More Than Eight (8) Units
- (b) Churches
- (c) Public & Private Schools
- (d) Libraries & Museums
- (e) Utilities
- (f) Recreational & Community Center Building and Grounds
- (g) Bed and Breakfast Establishments
- (h) Boarding and Rooming House

16.33(2) Planned Residential Conservancy

Proposed

- (a) Single Family Dwellings
- (b) Two Family Dwellings
- (c) Public Parks & Playgrounds
- (d) Essential Services

16.33(4) Planned Residential Conservancy

Proposed

- (a) Churches
- (b) Public and Private Schools
- (c) Libraries & Museums
- (d) Utilities
- (e) Recreational & Community Center Building and Grounds
- (f) Bed & Breakfast
- (g) Boarding and Rooming House

16.40(2) C-1

Proposed

- (a) Art, Gift, Jewelry, and Notion Shops
- (b) Barber Shops, Beauty Parlors, and Other Personal Businesses
- (c) Non-automotive Repair Services
- (d) Clothing
- (e) Liquor Stores
- (f) Bakeries (retail), Candy, Confectionery, Ice Cream Stores and Soda Fountains
- (g) Banks and Other Financial Institutions
- (h) Offices including Clinics (medical), Real Estate, Insurance, Utilities, Retail Telephone, Accounting, Finance, and Law
- (i) Drug Stores and Pharmacies
- (j) Florist Shops
- (k) Grocery Stores & Delicatessens
- (l) Furniture and Hardware Stores
- (m) Antique Shops
- (n) News Stands, Books, and Stationary Stores
- (o) Photography studio (no developing film)
- (p) Sport Shops
- (q) Variety, Craft & Hobby Stores
- (r) Restaurants
- (s) Car Washes, Gas & Service Stations, Auto Sales
- (t) Convenience Stores, Mini-Marts
- (u) Laundromats & Dry-Cleaning Establishments
- (v) Mini Golf Courses, Driving Ranges, and Golf Course
- (w) Bait Shops
- (x) Public Transportation Facilities
- (y) Essential Services
- (z) Governmental and Cultural uses such as fire and police stations, community centers, libraries, post office, Village hall, museums and historical sites or structures.
- (aa) Single- and Two-Family Dwellings

16.40(4) C-1

Proposed

- (a) Animal Hospitals, Clinics, and Shelters
- (b) Churches
- (c) Day care centers, when required to be licensed by an agency of the State, where a person provides, for compensation, care and maintenance of four (4) or more children at a location other than the child's own home or the home of relatives or guardians.
- (d) Utilities
- (e) Taverns
- (f) Rooming Houses

- (g) Bed and Breakfast Establishments
- (h) Fitness Centers
- (i) Hotels and Motels

16.41(2) C-2 Resort Commercial

Proposed

- (a) Art, Gift, Jewelry, and Notion Shops
- (b) Barber Shops, Beauty Parlors, and other Personal Businesses
- (c) Non-automotive Repair Services
- (d) Clothing Stores
- (e) Bed & Breakfast Establishments
- (f) Bakeries (retail), Candy, Confectionery, and Ice Cream Stores
- (g) Restaurants
- (h) Hotels and Motels
- (i) Bait Shops
- (j) Information Booths
- (k) Live Entertainment Establishments
- (l) Essential Services
- (m) Single- and Two-Family Dwellings

16.41(4) C-2 Resort Commercial

Proposed

- (a) Boat Liveries and Launches
- (b) Utilities
- (c) Multi Family Dwellings
- (d) Taverns
- (e) Mini-golf course

16.42(2) C-3 Downtown Commercial

Proposed

- (a) Art, Gift, Jewelry, and Notion Shops
- (b) Barber Shops and Beauty Parlors
- (c) Non-automotive Repair Services
- (d) Clothing
- (e) Bed & Breakfast Establishments
- (f) Bakeries (retail), Candy, Confectionery, and Ice Cream Stores and Soda Fountains
- (g) Banks and Other Financial Institutions
- (h) Offices including Clinics (medical), Real Estate, Insurance, Utilities, Retail Telephone, Accounting, Finance, and Law
- (i) Drug Stores and Pharmacies
- (j) Florist Shops
- (k) Grocery Stores and Delicatessens

- (l) Furniture and Hardware Stores
- (m) Antique Shops
- (n) News Stands, Books and Stationery Stores
- (o) Professional Studios
- (p) Sport Shops
- (q) Variety, Craft and Hobby Stores
- (r) Restaurants – (without taverns)
- (s) Information Booths
- (t) Essential Services
- (u) Government and Cultural uses such as fire and police stations, community centers, libraries, post office, Village hall, museums and historical sites or structures.
- (v) Single- and Two-Family Dwellings

16.42(4) C-3 Downtown Commercial

Proposed

- (a) Hotels and motels
- (b) Churches
- (c) Day care centers, when required to be licensed by an agency of the State, where a person provides, for compensation, care and maintenance of four (4) or more children at a location other than the child's home or the home of relatives or guardians.
- (d) Utilities
- (e) Multi-family dwellings
- (f) Live Entertainment Establishments
- (g) Taverns and Liquor Stores

16.43(2) C-4 Highway Commercial

Proposed

- (a) Art, Gift, Jewelry, and Notion Shops
- (b) Barber Shops, Beauty Parlors, and Other Personal Businesses
- (c) Non-automotive Repair Services
- (d) Clothing Stores
- (e) Liquor Stores
- (f) Bakeries (retail), Candy, Confectionery, Ice Cream Stores and Soda Fountains
- (g) Banks and Other Financial Institutions
- (h) Offices including Clinics (medical), Real Estate, Insurance, Utilities, Retail Telephone, Accounting, Finance, and Law
- (i) Drug Stores and Pharmacies
- (j) Florist Shops
- (k) Grocery Stores
- (l) Furniture and Hardware Stores

- (m) Antique Shops
- (n) News Stand, Books and Stationary Stores
- (o) Professional Studios
- (p) Sport Shops
- (q) Variety, Craft & Hobby Stores
- (r) Fitness Centers
- (s) Fast Food Restaurants and Drive-ins
- (t) Restaurants
- (u) Car Washes, Gas & Service Stations, Auto Sales
- (v) Convenience Stores, Mini-Marts
- (w) Laundromats and Dry Cleaning Establishments
- (x) Mini-golf Courses
- (y) Hotels and Motels
- (z) Bait Shops
- (aa) Information Booths
- (bb) Public Transportation Facilities
- (cc) Government and Cultural uses such as fire and police stations, community centers, libraries, post office, Village hall, museums and historical sites or structures.
- (dd) Essential Services
- (ee) Single- and Two-Family Dwelling

16.43(4) C-4 Highway Commercial

Proposed

- (a) Animal Hospitals, Clinics, Shelters, and Kennels
- (b) Churches
- (c) Day care centers, when required to be licensed by an agency of the State, where a person provides, for compensation, care and maintenance of four (4) or more children at a location other than the child's own home or the home of relatives or guardians.
- (d) Utilities
- (e) Taverns

16.50(2) M-1

Proposed

- (a) Baked goods candy, confectionery, and bakery products.
- (b) Museums
- (c) Office Space
- (d) Research and Development
- (e) Toys, amusement, sporting and athletic goods.

16.50(4) M-1

Proposed

- (a) Athletic Clubs

- (b) Office uses unrelated to principal industrial operations.
- (c) Retail stores and services related to principal industrial operations.
- (d) Utilities.
- (e) Building Height – Additional building height could be permitted depending on the height of the manufacturing equipment needed.

16.51(4) M-2

Proposed

- (a) Athletic Clubs
- (i) Office uses unrelated to principal industrial operations.
- (l) Retail stores and services related to principal industrial operations.
- (n) Utilities.
- (o) Building Height – Additional building height could be permitted depending on the height of the manufacturing equipment needed.

16.60(2) Public Service & Institutional

Proposed

- (a) Public or private schools, colleges, and universities.
- (b) Child day care facilities licensed under Sec. 48.48 Wis. Statute
- (c) Churches
- (d) Hospitals, nursing homes, assisted care facilities and clinics.
- (e) Libraries, museums, shops, and art galleries.
- (f) Public administrative offices, and public service buildings, including fire and police stations.
- (g) Public Utility Offices
- (h) Water storage tanks and towers
- (i) Waste water treatment facilities (publicly owned).

16.60(4) Public Service & Institutional

Proposed

- (a) Utilities, provided all principal structures and uses are not less than fifty (50) feet from any residential district lot line.
- (b) Municipal earth and sanitary landfill operations.

16.61(2) Parks

Proposed

- (a) Art exhibitions.
- (b) Botanical gardens and arboretums.
- (c) Flood control retention/detention areas

- (d) Forest reserves (wilderness areas).
- (e) Forest reserves (wildlife areas).
- (f) Historic and monument sites.
- (g) Ice-skating.
- (h) Parks – general recreation.
- (i) Parks – leisure and ornamental.
- (j) Picnicking area.
- (k) Playfields or athletic fields.
- (l) Playgrounds.
- (m) Play lots or tot lots.
- (o) Swimming beaches.
- (p) Swimming pools.
- (r) Trails for bicycling, hiking, and cross-country skiing.
- (s) Pavilions.

16.61(4) Parks

Proposed

- (a) Amphitheaters.
- (b) Auditoriums.
- (c) Arenas and Fieldhouse.
- (d) Boat rentals and boat access sites.
- (e) Group or organized camps.
- (f) Gymnasiums and athletic clubs.
- (g) Miniature golf.
- (h) Recreational centers.
- (i) Utilities.

16.62(4) Conservancy District

Proposed

- (a) Parks.
- (b) Sewage disposal plants.
- (c) Water pumping or storage facilities.
- (d) Public camping grounds.

16.63(4) Agriculture District

Proposed

- (a) Creameries and condenseries.

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

Attest:

Approved and Adopted this
19th day of August, 2019

Richard Sadiq, President

Jessica Reilly, Clerk

Lynn Shovan, Trustee

Ordinance 631- Revisions to 8.31 Keeping of Certain Animals

Shovan introduced Ordinance 631 – Revisions to 8.31 Keeping of Certain Animals. It was given its first reading.

**ORDINANCE 631
VILLAGE OF ELKHART LAKE
SHEBOYGAN COUNTY, WISCONSIN**

REPEAL & RECREATE CHAPTER 8.31 – KEEPING OF CERTAIN ANIMALS

WHEREAS, the Village of Elkhart Lake finds it necessary to revise Village Ordinance Section 8.31, which relates to the keeping of certain animals; and

NOW THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Elkhart Lake repeals and recreates Section 9.31 to read as follows:

8.31 KEEPING OF CERTAIN ANIMALS

(1) **DEFINITION.** Non-domesticated animal: any wild animal, reptile, or fowl which is not naturally tame or gentle, but is of a wild nature or disposition, and which, because of its size, vicious nature, or other characteristics would constitute a danger to human life or property. The term includes animals and birds, the keeping of which is licensed by the State or federal government, such as, wolves, raptors, and pheasants. By way of example and not of limitation, the term includes: snakes, eagles, ocelots, jaguars, cougars, weasels, wild ferrets, badgers, monkeys, chimpanzees, deer and bison

(2) It shall be unlawful for any person or persons to keep, harbor, feed, or possess any livestock or farm animals on a property or in any residence, household or dwelling unit within the Village. "Livestock or farm animals" means horses, ponies, donkeys, mules, cattle, swine, bison, alpacas, llamas, goats, sheep, chickens, poultry, wild hog, ducks, turkey, peacocks, ratites, or geese. This section does not prohibit the Village in its governmental capacity from keeping, harboring, feeding, or possessing any animals at a public zoo or park, nor shall it apply to the exhibition of any animals at any agricultural fair or similar public exposition held in the Village, nor to properly zoned premises in compliance with Village.

(3) It shall also be unlawful for any person or persons to keep, maintain or harbor wild animals on a property or in any residence, household or dwelling unit within the Village. "Wild animal" under this section includes, but is not limited to, deer, elk, ferrets, mink, chinchilla, other furbearing species, otter, fox, raccoon, skunk, opossum, weasels, squirrels, or beehives.

(4) It shall be unlawful for any person or persons to keep, maintain or harbor exotic animals on a property or in any residence, household or dwelling unit within the Village. "Exotic animal" under this section includes, but is not limited to, live alligators, crocodiles, cayman, monkeys,

primates, member of the feline species other than the domestic cat (*felis domesticus*), member of the canine species other than the domestic dog (*canis familiaris*), wolf dog hybrids, prairie dog, gambian rat, fancy mice and rats, reptiles (except turtles listed below), snakes, bears, marsupials, lizards capable of growing to more than two feet in length at maturity, arachnids, venomous invertebrates and venomous amphibians.

(5) Small animals, reptiles, birds and fish that are housed within a residence shall be permitted. Small animals include: rabbits, dogs, cats, goldfish, tropical fish, parrots, parakeets, cockatiels, canaries, cockatoos, finches, love birds, guinea pigs, gerbils, hamsters, salamanders capable of growing to no more than one foot in length at maturity, and turtles under 7 inches in diameter at maturity.

(6) **Penalties.** Any person who violates this section shall forfeit not less than \$250.00 nor more than \$500.00 for each offense, together with costs of prosecution and may be ordered to pay restitution and complete community service. For purposes of determining forfeitures, each day's violation of the provisions of this section shall constitute a separate offense. The Village may also seek injunctions, abatement orders, and other equitable relief in the event of a violation.

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

Attest:

Approved and Adopted this
16th day of September, 2019

Richard Sadiq, President

Jessica Reilly, Clerk

Lynn Shovan, Trustee

Resolution 14 – Cross Appeal of Sargento's Personal Property Taxes

(I-Shovan/Schott/Wolf) moved and seconded to approve Resolution 14 – Cross Appeal of Sargento's Personal Property Taxes.

Motion Carried Unanimously

**RESOLUTION FOURTEEN - 2019
VILLAGE OF ELKHART LAKE
SHEBOYGAN COUNTY, WISCONSIN**

VILLAGE OF ELKHART LAKE CROSS-APPEAL TO APPEAL #81-086-PPO-19

WHEREAS, Sargento Foods Inc. ("Sargento") has filed with the Wisconsin Department of Revenue ("DOR") an Objection to Manufacturing Personal Property Assessment, which has been identified by the DOR as BOA# 81-086-PPO-19 ("Objection"); and

WHEREAS, the taxation district is the Village of Elkhart Lake, Wisconsin ("Village"); and

WHEREAS, the Village agrees with the DOR's assessment and, therefore, wishes to appeal Sargento's Objection; and

WHEREAS, the personal property that is the subject of the Objection is also located within the Village of Elkhart Lake Tax Incremental District #2 (“TID#2”). A reduction in Sargento’s assessment will have a materially adverse impact on the Project Plan and financial condition of TID#2;

NOW, THEREFORE, BE IT RESOLVED that the Village Board of Trustees does hereby authorize a cross-appeal to Sargento’s Objection; and

BE IT FURTHER RESOLVED, that the Village Board of Trustees does hereby authorize and direct the Village’s Clerk-Treasurer and legal counsel to take any and all action to perfect this Resolution and to file such additional documents that may be necessary to accomplish the intended purposes of this Resolution including, without limitation, the filing of the necessary documents with the DOR.

Adopted this 19th day of August, 2019.

Attest:

Adopted and Approved this
19th day of August, 2019

Richard Sadiq, President

Jessica Reilly, Clerk-Treasurer

Lynn Shovan, Trustee

Resolution 15 – Resolution of Commendation – Renee Bramstedt

(I-Shovan/Bray/Knowles) moved and seconded to approve Resolution 15 – Commendation of Renee Bramstedt.

Motion Carried Unanimously

**RESOLUTION FIFTEEN - 2019
VILLAGE OF ELKHART LAKE**

RESOLUTION OF COMMENDATION

WHEREAS, Officer Renee Bramstedt, of the Village of Elkhart Lake will be retiring from her position in the Village of Elkhart Lake on August 21st, 2019; and

WHEREAS, Officer Renee Bramstedt has been a dedicated public servant to the Village of Elkhart Lake for over four years; and

WHEREAS, Officer Renee Bramstedt’s expertise and service have made the Village of Elkhart Lake a better and safer place to live for all its residents as well as a welcome place for visitors; and

WHEREAS, during **Officer Renee Bramstedt’s** tenure, she managed the water patrol and evidence program and improved the department’s response to larger crime scenes and sexual assaults through her expertise and knowledge, and

NOW THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Elkhart Lake publicly commends and thanks **Renee Bramstedt** for her dedicated service and wish her well in her future endeavors and a long enjoyable retirement;

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to **Officer Renee Bramstedt**.

Attest:

Adopted and approved this
19th day of August, 2019

Richard Sadiq, President

Jessica Reilly, Clerk

Lynn Shovan, Trustee

Building Inspection Contract – Jon Schulz

(Wolf/Bray) moved and seconded to approve the building inspection contract with Jon Schulz.
Motion Carried Unanimously

Class B Picnic License – First Responder Fish Boil

(Knowles/Schott) moved and seconded to approve the Picnic License for the First Responder's Fish Boil for September 20, 2019 from 3:30 pm to 10 pm.

Motion Carried Unanimously

Temporary Operator's License – K. Purkey – First Responder Fish Boil

(Wolf/Knowles) moved and seconded to approve a temporary operator's license for Kimberly Purkey for the First Responders Fish Boil on September 20, 2019.

Motion Carried Unanimously

Operator's Licenses – New

(Knowles/Stroessner) moved and seconded that an operator's license be granted to Emily Schnicke for the Osthoff Resort for the licensing year ending June 30, 2020:

Motion Carried Unanimously

TRUSTEE REPORTS: Wolf reported that Downtown Night was a success. Knowles stated the public works crew did a great job with clean up. She also stated the comprehensive planning ad-hoc committee has done a good job. Bray reported on the groundbreaking for the new Aurora Hospital in Sheboygan. Stroessner stated that there are some misconceptions in the Village on plans in the park and for the chamber building. Stroessner wanted to reiterate that the Village is working on the facilities study and no decisions on any buildings or plans have been decided.

COMMUNICATIONS – Reilly-None

ADMINISTRATOR'S REPORT – Reilly

The open house for Officer Bramstedt's retirement was on August 20th, 2019 from 2 -4 pm. The open house for the update to the comprehensive plan will be held on August 27th from 4 -6 pm. The 2019 population estimate for Elkhart Lake is 1,003.

VOUCHERS

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

405	BAKER & TAYLOR	BOOKS, VIDEOS, AUDIOBOOKS	\$2,069.22
412	DEMCO, INC	OFFICE SUPPLIES	\$102.11
415	EICHHORST, LORI	CLEANING	\$325.00
416	ELKHART LAKE CHAMBER	MARKETING- LIL REV AD	\$30.52
418	FRONTIER	PHONE	\$75.91
422	JOURNAL SENTINEL INC.	SUBSCRIPTION	\$462.48
421	MCCLONE	INSURANCE	\$151.00
423	MONTES, RACHEL	PROGRAMS REIMBURSEMENT	\$55.10
400	NATIONAL EXCHANGE BANK	PROGRAMS, EXPENSES, OFFICE SUPPLIES, FOL	\$157.70
430	NORTHWOODS FIRE PROTECT	FIRE EXTINGUISHER MAINTENANCE	\$13.00
438	SUN GRAPHICS	OFFICE SUPPLIES- ENVELOPES	\$108.55
402	WE ENERGIES	ELECTRICITY	\$343.43
448	WISCONSIN PUBLIC SERVICE	NATURAL GAS	\$21.08
TOTAL LIBRARY			\$3,915.10

(Stroessner/Knowles) 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:

20119	CRYSTAL LK CRUSHED STONE	SAND FOR VALVE REPAIRS AT HIGH SCHOOL	\$43.90
20120	DAD S EXCAVATING	EXCAVATOR FOR VALVE REPAIR AT HIGH SCHOOL	\$340.00
20121	DIGGERS HOTLINE	DIGGERS FEES PREPAYMENT	\$246.40
20130	FERGUSON ENTERPRISES	CURB BOX COUPLINGS, LID	\$534.00
20122	FRONTIER	PHONE & INTERNET	\$127.76
20123	HAWKINS WATER	CHLORINE	\$33.44
20132	MCCLONE	INSURANCE	\$151.00
20114	NATIONAL EXCHANGE BANK	PUMP- WELL #3; POSTAGE	\$983.04
20124	NORTHWOODS FIRE PROTECT	FIRE EXTINGUISHER MAINTENANCE & CLEAN AGENT	\$330.50
20131	SHEBOYGAN CO TREASURER	UNCLAIMED FUNDS TO CO- DUCHARME, CK #6610 DTD 3/23/17	\$23.90
20126	U.S. CELLULAR	CELL PHONE	\$64.47
20125	USA BLUEBOOK	SAMPLE SUPPLIES & LINE MARKING FLAGS	\$55.25
20112	VILLAGE OF ELKHART LAKE	SEWER COLLECTION 8-1-19	\$2,825.07
20113	VILLAGE OF ELKHART LAKE	SEWER COLLECTION ACH 8-1-19	\$13,159.79
20116	VILLAGE OF ELKHART LAKE	SEWER COLLECTION 8-6-19	\$46,790.59
20117	VILLAGE OF ELKHART LAKE	SEWER COLLECTION 8-8-19	\$1,490.47
20118	VILLAGE OF ELKHART LAKE	SEWER COLLECTION 8-13-19	\$5,514.48
20127	VILLAGE OF ELKHART LAKE	JULY WAGES, BENEFITS	\$4,306.63
20130	VILLAGE OF ELKHART LAKE	SEWER COLLECTION 8-21-19	\$3,418.73
20131	VILLAGE OF ELKHART LAKE	OPERATORS PAID WITH METER REPLACEMENT FEE- SHORE CLUB	\$142.10
20132	VILLAGE OF ELKHART LAKE	SEWER COLLECTION 8-26-19	\$442.89
20115	WE ENERGIES	ELECTRICITY	\$1,188.86
20128	WISCONSIN PUBLIC SERVICE	NATURAL GAS	\$21.58
20129	ZORN, PAT	OFFICE SUPPLIES- PLANNERS; SAFETY SHOES	\$70.81
TOTAL WATER			\$82,305.66

(Schott/Bray) 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:

398	BOND TRUST SERVICES CORP	TID 2, 3, 4 INTEREST	\$39,112.50
413	EDGARTON, ST.PETER, PETAK	LEGAL TID 2 VICTORY NORTH, PREMIERE	\$2,178.00
420	KAPUR & ASSOCIATES	TID #2 ENGINEERING PREMIERE DEVELOPMENT REVIEW	\$272.50
446	WEDC	CDA CONNECT COMMUNITIES	\$200.00
TOTAL CDA/TID			\$41,763.00

(Shovan/Schott) 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:

404	ADVANCED DISPOSAL	REFUSE & RECYCLING COLLECTION	\$7,546.70
406	BENEFIT ADVANTAGE	FSA MONTHLY FEE	\$35.00
407	BIRSCHBACH INSPECT	BUILDING INSPECTIONS	\$200.00
408	BRUCE EQUIPMENT	STREETS SWEEPER REPAIRS	\$1,540.70
409	CLEAR BALLOT GROUP	ELECTION EQUIPMENT MAINTENANCE	\$302.00
410	CRACK FILLING SERVICE	STREETS CRACK FILLING- MORaine DR, ELKHART LAKE DR	\$7,000.00
411	DELAGE LANDEN FINANCIAL	CLERK DRIVVE SOFTWARE	\$261.75
414	DREXEL BUILDING SUPPLY	STREETS MAILBOX POST AND SIGN POST	\$36.45
413	EDGARTON, ST.PETER, PETAK	LEGAL GENERAL	\$3,589.50
415	EICHHORST, LORI	CLEANING	\$325.00
417	EMERGENCY MEDICAL PRODUCTS INC	FR SUPPLIES- MASKS, GLOVES, GLUCOSE METERS, CHEST SEALS, PULSE OXIMETERS, ET	\$834.90
451	ENDURACLEAN	PARKS NEW PAPER TOWEL DISPENSERS- LION'S PARK	\$77.44
418	FRONTIER	PHONE & INTERNET	\$862.49
419	HAWLEY, KAUFMAN, KAUTZER	POLICE LEGAL	\$372.54
399	JAMES IMAGING SYSTEMS	CLERK- STAPLES FOR COPIER	\$104.49
421	MCCLONE	INSURANCE	\$8,033.00
424	MIKE BURKART FORD	POLICE SQUAD OIL CHANGES	\$94.90
425	MILLHOME NURSERY	BEAUTIFICATION SPRING & SUMMER PLANTERS	\$1,532.00
426	NAPA AUTO PARTS	OIL FILTERS, BUCKET TRUCK REPAIR SWITCH	\$94.06
400	NATIONAL EXCHANGE BANK	PARKS BEACH PASS CLIPS, HOSE, WASHER, SPRINKLER; WATER COOLERS, ICE FOR VINTAGE; POLICE TRAINING, FOOD, CAR WASHES; BOARD BOR FOOD; WMCA CONF REILLY; CC FEES	\$1,204.89
454	NATIONAL EXCHANGE BANK	N MORaine LOAN REFINANCING INTEREST	\$11,124.67
427	NEUMANN PLUMBING	FD HVAC MAINTENANCE CONTRACT	\$838.00
428	NEW HOLSTEIN TRUE VALUE	GARAGE, STREETS MISC HARDWARE, OUTLETS FOR LION'S PARK	\$220.90
452	NORTH STAR EMERGENCY	FD ENGINE 3, ENGINE 5, AERIAL PUMP MAINT/INSPECTIONS	\$1,516.02
429	NORTHERN MORaine UTILITY	SEWAGE TREATMENT	\$33,204.06
430	NORTHWOODS FIRE PROTECT	FIRE EXTINGUISHER MAINTENANCE	\$476.75
431	PROS 4 TECHNOLOGY, INC	IT SERVICE	\$1,515.00
453	QUILL	POLICE OFFICE SUPPLIES- USB HUB	\$22.28
432	REILLY, JESSICA	PITCHERS, CUPS FOR VINTAGE NIGHT WATER STATIONS	\$24.11
433	RIISER FUELS	POLICE, PW FUEL	\$1,699.83
434	SCHWAAB	CLERK ADDRESS STAMP	\$38.25
435	SHEBOYGAN CO TREASURER	CURB & GUTTER WORK RHINE, WASHINGTON STREETS, NEW SIGNS; COURT CO ASSESS; PW TRUCK REPAIRS	\$21,237.90
436	STATE OF WISCONSIN	COURT STATE ASSESSMENT	\$906.00
437	SUBWAY - ELKHART LAKE	COURT RESTITUTION	\$25.00
439	SUPERIOR VISION INSURANCE	VISION INSURANCE	\$133.61

401	SUPERIOR VISION INSURANCE	VISION INSURANCE	\$133.61
440	TC PEST CONTROL LLC	FD, BEACH PEST CONTROL	\$110.00
441	TIME WARNER CABLE	INTERNET	\$105.48
442	TRANSAMERICA LIFE INS	CRITICAL ILLNESS	\$47.00
444	U.S. CELLULAR	POLICE, TOURISM, PW CELL PHONES, POLICE, FD WIFI	\$398.27
443	USA BLUEBOOK	SEWER LINE MARKING FLAGS	\$34.05
402	WE ENERGIES	ELECTRICITY	\$8,398.10
403	WI DEPT. OF JUSTICE-TIME	POLICE COMPUTER- TIME	\$258.00
445	WI DEPT OF REVENUE	ASSESSMENT APPEAL TO SARGENTO'S PP TAX TO STATE	\$45.00
447	WISCONSIN NEWSPRESS	BOARD PUBLISH ZONING ORDINANCE	\$26.90
448	WISCONSIN PUBLIC SERVICE	NATURAL GAS	\$134.11
449	WOLVERINE FIREWORKS	FIREWORKS	\$9,250.00
450	ZORN, PAT	OFFICE SUPPLIES- PLANNER; SAFETY SHOES	\$60.40
TOTAL GENERAL			\$126,031.11
TOTAL PAYROLL			\$81,981.10
TOTAL AUG EXPENSE			\$208,012.21

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

Motion Carried Unanimously

Economic Development– Burg Development Agreement

(Knowles/Schott) moved to go into closed session at approximately 6:28 p.m. under Wisconsin Statute 19.85(1)(e) Discussing public business involving private competition and for the purpose of conferring with legal counsel for the Village. Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.

Motion Carried Unanimously

By roll call

President Sadiq announced that the Board would be going into a closed session under the above referenced statute and would return to open session in approximately twenty minutes.

(Stroessner/Shovan) moved and seconded to return to open session at 7:43 p.m.

Motion Carried Unanimously

(Bray/Schott) moved and seconded to have staff obtain Aston Flats original approved plans and the current state approved plans for the building before any further action is taken.

Motion Carried Unanimously

(Wolf/Shovan) moved and seconded to adjourn the meeting at 6:44 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:

WEDNESDAY, September 11, 2019 – 6:00 P.M.	PLANNING COMMISSION
MONDAY, September 16, 2019 – 6:00 P.M.	BOARD OF TRUSTEES
MONDAY, October 7, 2019 – 6:00 P.M.	BOARD OF TRUSTEES
WEDNESDAY, October 9, 2019 – 6:00 P.M.	PLANNING COMMISSION
MONDAY, October 21, 2019 – 6:00 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. The Municipal Office is located in the Grashorn Memorial Civic Center and is open on Monday through Friday from 8:00 a.m. to 4:30 p.m. Please call and make an appointment for special needs.

VILLAGE BOARD MEMBERS

PRESIDENT: Richard Sadiq (POB 188) 876-3732

TRUSTEE: Geoff Bray (POB 736) 920-452-5397

TRUSTEE: Terri Knowles (POB 35) 876-3448

TRUSTEE: John Schott (913 Grassy Lane) 920-698-2480

TRUSTEE: Mike Wolf (POB 506) 920-207-2311

TRUSTEE: Lynn Shovan (POB 86) 920-207-4561

TRUSTEE: Bobbie Stroessner (POB 452) 920-917-0070



Beginning September 16th, the Sheboygan County Highway Department will be working on E. Rhine Street from Lincoln Street west to S. Lake Street and Washington Street from E. Rhine Street south to the rail road tracks. Curb and gutter work for this project was completed last spring and now the street surface will be ground and repaved. Parking will be prohibited on these streets while the crew is working, but there will always be one lane open to traffic.

We expect the project to be completed by September 27th and ask residents and visitors to please be patient as the work is completed. This is part of an ongoing plan to keep Elkhart Lake looking and operating in top form. If you have any questions or need additional information, please call Pat Zorn at 920-207-8002.





One more escort will take place on September 14, 2019. The Annual Elkhart Lake Fall Vintage Festival cars will be escorted from Road America around 2:30 pm and go back to the track around 4:30 pm. They park along Lake Street between

Square and Elm Streets. *Street closures and parking restrictions are limited to Lake Street only during these events. There are no changes from previous years' events.*

Fish Boil

Join us for a Night of Family Fun
to Support Your
Elkhart Lake First Responders!

Friday, September 20th

4PM - 8PM

Elkhart Lake Fire Station

Adults \$11 - Kids (6-10) \$5 - Under 5 Free

Take out is available

Fish
 Steak Sandwich
 Chili
 Hot Dogs

Orange Cross Ambulance

50/50 Raffle

Prize Raffles

Kids may tour the
 ambulances, fire
 trucks, and police
 cars!

powered by
 PIKTOCHART

Chamber of Commerce Events:

Farmers and Artisans Market

Saturdays now through October 5th 8:30am – 12:30pm

Elkhart Lake's Farmers & Artisans Market in the Village Square is a Saturday morning tradition. Pick up fresh seasonal vegetables, flowers, cheeses, local arts and specialty products from approximately 70 vendors. Every item sold is produced locally in the state of Wisconsin by the person right behind the stand! Grab your reusable grocery bags and head to the square every Saturday morning.



Comprehensive Planning Survey – Street Maintenance

In compiling the survey answers, we noticed a lot of misconceptions when it comes to Village services. We hope that by highlighting information on these services every month, our residents will better understand what makes living in Elkhart Lake so special.

While it may seem that decisions regarding street maintenance are arbitrarily made, there is actually a system in place to help Village staff and the Public Works committee of the Board of Trustees make these decisions. They use the Wisconsin Information System for Local Roads (WISLR), an internet-accessible system that helps manage local road data to improve decision-making and meet state statute requirements. WISLR is also used to report local road information (such as width, surface type, surface year, shoulder, curb, road category, functional classification, and pavement condition ratings) to WisDOT. Pavement condition ratings are used to determine which streets are most in need of repairs such as crack filling, seal coating, grind and overlay or complete reconstruction.

The next street project to be completed is E. Rhine Street from Lincoln Street west to S. Lake Street and Washington Street from E. Rhine Street south to the rail road tracks. Curb and gutter work for this project was completed last spring and now the street surface will be ground and repaved. Parking will be prohibited on these streets while the crew is working, but there will be one lane open to traffic. The project will start on September 16th and we expect it to be completed by September 27th. We ask residents and visitors to please be patient as the work is completed.

**TRICK OR TREATING
SUNDAY,
OCTOBER 27TH
FROM 3-5 P.M.**



🔨🔨🔨🔨🔨 **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.



YARD WASTE DUMPSTER

A dumpster is provided at the Village Garage beginning **April 13th, 2019**. Current hours are **WEDNESDAYS** from 2 P.M. to 6 P.M. and **SATURDAYS** from 8:30 A.M. to 3 P.M.

This is for yard waste only, not lake waste!

Yard waste, leaves, brush, garden debris, etc., will not be picked up curbside. A truck for large brush or trees can be obtained by calling the Village Garage at 876-2231.



Garbage Collection Holiday Schedule 2019



Memorial Day – Tuesday, May 28th, 2019

Independence Day – No Effect on Service Day

Labor Day- Tuesday, September 3rd, 2019

Thanksgiving Day – No Effect on Service day

Christmas Day – No Effect on Service Day

New Year's Day – No Effect on Service Day

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



The 2018 Elkhart Lake Water Department Consumer Confidence Report is 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.

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 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 8.29: 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

