

S6911 State Road 113
P.O. Box 115
Merrimac, WI 53561



Telephone: (608) 493-2588
Fax: (608) 493-2238
Website: TownOfMerrimac.net

MINUTES OF THE TOWN BOARD MEETING Wednesday, March 3, 2021

Present were Charlie Hall, Chair, Supervisor John Gaedke, Supervisor Tim Healy, and Tim McCumber, Town Administrator & Clerk – Treasurer.

Chairman Hall called the **TOWN BOARD MEETING** to order. McCumber confirmed the meeting had been properly noticed. The board considered approval of minutes of the town board meeting of February 3, 2021. Motion by Gaedke to approve the minutes, second by Healy. Motion passed. Motion by Gaedke, to approve, second by Healy. Motion passed. Under **PUBLIC COMMENT**, no one appeared. Under **CORRESPONDENCE**, the town received a letter from Sauk County Highway regarding the possible use of county highways for ATV/UTV routes. The town received a letter from Congressman Pocan's office stating the town was estimated to receive \$103,793 from the American Recovery Plan (ARP). McCumber reported the guidance is limited as to how they town can spend the money. Hall wants a resolution for consideration regarding the water system noting the ARP is a \$1.9 trillion spending package, but the Army could not spend \$30 million providing a safe drinking alternative. Under **REPORTS AND ANNOUNCEMENTS OF OFFICERS AND COMMITTEES**, McCumber reported that Non-Partisan Primary Election on February 16, 2021 had low turnout with 84 voters. McCumber reported that the town was approved to acquire the Neumann property from Sauk County, but the Thiessen's did pay their back taxes. The next town board meeting will be held in conjunction with the required Annual Town Meeting on April 21, 2021. McCumber reports that it seems the work done along Mikenna Path has helped reduce the flooding on Grace Street. There was no **OLD BUSINESS**. Under **NEW BUSINESS**, the board considered a recommendation from the Planning & Zoning Commission to approve a Certified Survey Map (CSM) dividing current parcel 026-0679-00000 into two parcels in the Single-Family Residential District while dedicating the portion of the public right-of-way to the town, application by Gladys Smith, S7094 Owls Head Road, Merrimac, WI 53561. McCumber reported that the split is in compliance with the zoning ordinance. He also reported that this was an old farm road where the property owner owns to the center of the right-of-way (ROW) and they are dedicating that portion to the town. The original CSM had attached that portion of the ROW to this parcel east to Baltic Avenue. Motion to approve the CSM by Gaedke, second by Healy. Motion passed. The board then considered a recommendation from the Planning & Zoning Commission to approve a Certified Survey Map (CSM) separating current parcel 026-0383-00000 from 026-0408-00000 in the Agricultural District the remnants of the parcel to be combined to adjacent lands owned by Paul & Erika Larson, application by Jeffrey Froh and Marilyn Gorsuch-Froh, S6320 Yum Yum Hill Road, Merrimac, WI 53561. McCumber reported that there is a remnant parcel that will be attached to the Larson property and a copy of the terms showing the Froh's are paying for the CSM is attached. McCumber also reported that County DL was not surveyed properly by the county back in the 1970's. Motion to approve by Gaedke, second by Healy. Motion passed. The board also considered a recommendation from the Planning & Zoning Commission to approve proposed Town Ordinance 2021-38 amending the Town of Merrimac Zoning Ordinance to change Section 2.08 related to Non-Conforming Uses in the Sauk County Shoreland Protection District. McCumber reported that under county ordinance and Wis. Stat. NR-115, when a property owner has a home on a non-conforming lot and cannot observe the 75' lakeshore setback, they are restricted to building in the same location which causes a conflict with the town's ordinance requiring the property owner to apply for a variance. Because the land owner is restricted, the Board of Appeals is typically required to approve the variance as the property owner, without a primary residence, can successfully argue they have no reasonable use of the property which is a reason a variance can be issued. This eliminates that conflict only the primary residential structure. Motion to approve the ordinance amendment by Gaedke, seconded by Healy. Motion approved unanimously by a roll call vote. The board then considered an annual contract with Wagner Lawn Care to mow the town cemeteries with no increase over the prior year. McCumber reported that again there is no price increase. Motion to approve by Gaedke, seconded by Hall. Motion passed. The board considered a proposed amendment to the Public Nuisance Ordinance #98-01 regarding the storage of

certain household items. McCumber reported that this proposed ordinance amendment addresses “nuisances” which are typically those in the eye of the beholder and essentially requires property owners to hide collections of materials from view of the road and/or the neighbors so long as there is nothing environmentally hazardous or attracting vermin. Motion to hold a public hearing on the proposal by Hall, seconded by Gaedke. Motion passed. The final item as to consider action as a result of discussion and possible action regarding County Hwy. DL for use as an ATV/UTV route as a result of the letter from Sauk County Highway. Under discussion, the board noted this is historically a dangerous stretch with drivers routinely blowing through the stop sign at Bluff Road. McCumber reported that he believes this happens because drivers are distracted by the ski hills at the resort even though it occurs year-round. He also reported that this segment of County DL ends at State Highway 113 to the west and State Highway 78 to the east where ATV/UTV traffic is not allowed under state law. A motion was made by Healy, seconded by Hall to have the Administrator inform the Sauk County Highway Commission that they oppose the use of Hwy. DL in the town of Merrimac for ATV/UTV traffic citing the reasons discussed. Motion passed.

Motion to adjourn by Gaedke, second by Healy. Motion approved.