

T H E T O W N O F  
**MERRIMAC**

S6911 State Highway 113 - P.O. Box 115  
Merrimac, WI 53561  
**MINUTES OF THE PUBLIC HEARING**  
**Wednesday, July 6, 2016**

**Public Hearing** – The board will hear testimony regarding proposed Town Ordinance 2016-19 rescinding an ordinance adopted by the town on September 5, 1989 allowing for the Lake Wisconsin Boat Club to place buoys in the Lake Wisconsin bay known as Gruber’s Grove. McCumber certified the notice. McCumber reported the Club is no longer active and the Town of Sumpter states they are not interested in a new ordinance. The WI DNR has recommended both municipalities rescind their respective ordinances as they are no longer effective. Richard Grant stated he would talk about it under public comments. No one else appeared. Motion to adjourn by Gaedke, second by Hall. Motion passed.

**MINUTES OF THE TOWN BOARD MEETING**  
**Wednesday, July 6, 2016**

Present were Steve Peetz, Chair, Supervisor Charlie Hall, Supervisor John Gaedke, and Tim McCumber, Town Administrator & Clerk – Treasurer. Also in attendance was Richard Cross, Town’s Attorney.

Chairman Peetz 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 June 1, 2016. Motion by Gaedke to approve the minutes, second by Hall. Motion passed. The board reviewed the financial reports and approval of bills. Motion by Peetz, to approve, second by Gaedke. Mid-year report. Motion passed. Under **PUBLIC COMMENT**, Richard Grant stated that in consideration of the US Route 30 bike trail. He spoke with several business owners in the town. He had a mixed review as to the impact of bikers with some having mostly positive experiences. He spoke also of having issues with bike events in the past. He stated that Hwy. DL and Bluff Road are not wide enough to accommodate 30” of paved surface for bicyclists. Grant said the town renewed the Gruber’s Grove ordinance in 1996 but with the no wake laws, the bay isn’t wide enough to violate. Judy Ashford noted that the traffic has increased dramatically on Bluff Road over the years and most of them are driving quickly. She said the multi-day bike events are a nuisance and she believes there will be a serious accident some date. There was no **CORRESPONDENCE**. Under **REPORTS AND ANNOUNCEMENTS OF OFFICERS AND COMMITTEES**, McCumber reported the Zoning Commission had a recommended approval of proposed Town Ordinance 2016-18 re: Farmland Preservation Credit program, but the WI Dept. of Ag & Consumer Protection wants additional changes so he is sending it back to the commission for further revisions & discussion. McCumber reported there is a meeting with Chamber scheduled on July 12<sup>th</sup> with the area communities if anyone can attend. McCumber also reported he will be in Green Bay twice on town’s business as well as going to New Brighton, MN with Chairman Peetz to discuss their water system, so he will be out of the office most of the month. Richard Grant, Parks Commissioner, met with Denny Beich and met at Grant Park and noted the park is looking very good and so is the Walleye Lane access. There was no **OLD BUSINESS**. Under **NEW BUSINESS**, the board considered a proposal for an Eagle Scout project by Mychal Hainz to replace the rails on the handicap ramp and to maintain the lower entrance retaining walls. Hainz handed out a budget totaling \$267 to repair the handicap ramp railings with a composite board. He would like to request up to \$500 in case something goes wrong that they are not able to anticipate. Motion to approve the request for up to \$500 by Gaedke, second by Hall. Motion passed. The board then heard from Brian Cunningham of the Sauk County Conservation, Planning & Zoning Department regarding proposed changes to Shoreland Zoning to come into compliance with revisions in Wis. Stat. NR-115. Also in attendance was Steve Sorenson from Sauk County. Cunningham presented the history of the shoreland zoning in Wisconsin. NR-115 is a state law that requires the county to enforce standards to protect water quality. Act 55 was adopted in 2015 that created standard minimums and maximums and the county has to adopt an ordinance that meets those standards by October 2016. The large changes requires the county to allow boat houses, mitigation options, filling & grading standards, and impervious surface standards. The viewing corridor can be 35% and boathouse must be inside that corridor. Fire pits will be illegal unless it is a structural element within 76 feet. Peetz recommended that McCumber review this with Zoning at the July meeting for further input. The board then considered a request to reconsider Resolution 2016-01 supporting U.S.

Bike Route 30 through the Town of Merrimac, request by John Pickle from the Town of Lodi and Darryl Lehman, Town of West Point. Peetz informed Pickle and Lehman that the board has already acted and unless one of the commission members decides to reconsider it, the town won't be taking any further action. US Route 30 goes from Maine to Montana and comes through Merrimac. Lehman is working on the route to use it as leverage to support converting a portion of the Merrimac rail bridge to trail access. Lehman is meeting with the Columbia County board. The route will not be an interstate route, but a bike event route and will not go down County DL or Bluff Road. Pickle said without the town's support, they will have a difficult time obtaining grants if they have nothing to connect to. Motion by Peetz to table the discussion, second by Gaedke. Motion passed. The board then considered a **CLASS "B" COMBINATION LICENSE:** Daniel K. Cunningham, N876 Club Circle Dr., Prairie du Sac, WI 53578, Agent for Good Oak Restaurant, LLC., d/b/a Good Oak Restaurant, E12603 Kilpatrick Point Rd., Merrimac, WI 53561. McCumber reported that Cunningham is in the process of trying to acquire the former Hillcrest Restaurant. If not successful, the town board would not be required to reissue the license to the same party. Motion to approve by Peetz, second by Hall. Motion passed. The board then considered proposed Town Ordinance 2016-19 rescinding an ordinance adopted by the town on September 5, 1989 allowing for the Lake Wisconsin Boat Club to place buoys in the Lake Wisconsin bay known as Gruber's Grove. Motion to approve by Gaedke, second by Hall. Motion passed. The board also considered an Annual Petition for County Bridge Aids. Motion to decline bridge aids by Peetz, second by Gaedke. Motion passed. At this time Gaedke moved to convene to closed session, pursuant to Wis. Stat. 19.85(1)(g), to confer with legal counsel who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation with Devil's Head Resort. The motion was seconded by Peetz. Motion passed unanimously. When the board reconvened from closed session, the board reported there was no action to take as a result of the closed session.

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

## **UPCOMING DATES:**

**Partisan Primary Election** - August 9, 2018; 7am - 8pm

**Board of Review** – August 6, 2016; 9am – 11am

**Fall Yard Waste Collection** – October 29, 2016; 9am – 1pm (Event details to be announced)

**Presidential Election** – November 8, 2016; 7am – 8pm