

MINUTES
Regular Town Board Meeting
Monday, July 13, 2026, at 7:00 pm
Linn Town Hall
W3728 Franklin Walsh St. Zenda, WI 53195
Held in-person and remotely

Chairman Weiss called the meeting to order at 7:29 PM.

Present at roll call were Supervisors Zimmerman, Livingston, Leith, Palmer (excused), Chairman Weiss (virtually). Also present were Attorney James Duquette, Clerk Morris and Administrator/Treasurer David Zimmerman.

Pledge of Allegiance

(Not listed on the agenda) Chairman Weiss took a moment to thank the Linn Police Department and Linn Fire/EMS Department for their service under very difficult circumstances on July 3rd. Geneva Lake and the surrounding area was hit very hard by an unexpected storm. He asked everyone to take a moment of silence for the three children who lost their lives on the lake, and for their families.

Consent Agenda

Livingston/Leith motioned to approve the consent agenda as presented. Motion Carried.

Financial Reports & Payment of the Bills

Payroll Report – June 2026

Livingston/Leith motioned to approve the payroll report for June 2026. Motion Carried.

Profit & Loss Statement – May 2026

Livingston/ M. Zimmerman motioned to approve the Profit and Loss Statement through May 2026. Motion Carried.

Mr. Zimmerman said that they added the beginning fund balance from the beginning of the year. He also went in and examined income categories which in the end cleaned up some net income. Chairman Weiss asked why Tax Settlements show a negative \$3.97 million. Mr. Zimmerman said that the County is still sending the Town tax payments, and the December payments have not been added in yet. Chairman Weiss asked if the expenses were tracking properly and Mr. Zimmerman said they were.

Credit Card Report – June 2026, discussion only

No comments or questions.

Payment of the bills

Leith/Livingston motioned to approve the payment of the bills in the amount of \$230,406.55. Motion Carried.

Plan Commission

Weiss/Livingston motioned to approve the variance request. Motion Carried.

Variance Request- Kevin & Lisa Belke (applicant/homeowner) of N2461 Cisco Rd. Lake Geneva, WI 53147 (parcel #ICI 00241A) are requesting a rear setback of 14ft from the property line and a side yard setback of 4.00 feet on both sides for a deck. The above setbacks were originally approved by the Plan Commission on April 28, 2025. This lot is in the Williams Bay ETZ and is considered a substandard lot. *Plan Commission unanimously recommended to approve the request.*

Chairman Weiss read aloud the above request. Explained that the Belke's needed to return to Plan Commission since they were now changing the project from a patio to a deck due to grading changes.

Comments from the public

No one online or in the Town Hall wanted to make a comment.

Ordinances, Resolutions & Proclamations:

Proposed Land Division and Subdivision Regulations – discussion only.

Chairman Weiss explained that the Plan Commission has been working on the Land Division and Subdivision Regulations for a while. Now he wonders if the Town Board Supervisors have comments to make. He also invited Attorney Duquette to give his advice. They decided to give the Town Board members one week until July 20th to submit their questions and comments. The Attorney Duquette could begin with it on July 21st. He will have a written response to the Board in advance of the next meeting. Supervisors did not have any questions or comments at this time.

Ordinance S 3-9 Installation of driveways and culverts – Highway Committee recommends to the Town Board to discuss culvert replacement responsibilities.

Mr. Zimmerman said that this would place the responsibility of maintaining a culvert on the homeowner. Many of these culverts are not being properly maintained. He and the Highway Committee wanted the Board to discuss if the ordinance needed to be changed. Supervisor Zimmerman said that she likes the idea of sharing the responsibility between the Town and the homeowner. Attorney Duquette said that it is perfectly legal to put this on the homeowner. He asked if there was push back. Mr. Zimmerman said that the main concern is that the culverts are clogged which leads to water backing up. One idea was to provide culverts to the homeowners

and possibly some education to maintain it. Supervisor Livingston said that they are talking about culverts that have been covered and clogged for 20 years. The Highway Committee didn't think it was necessarily the fault of the homeowner that it has come to this. Supervisor Livingston said that the Committee thought that the Town could provide the culvert since we have access to them and the equipment to install and leave them with gravel overtop and the homeowner could finish as they like. Highway Superintendent Wittum thought that maybe they should black top over the culverts. Chairman Weiss said that right now maintaining and replacing the culverts is on the homeowner. When they do not maintain the culvert and it backs up it then causes a large problem for the Highway Department and others downstream. He wondered if the Town maintains it, is it on a cost share basis. Maybe find a way to put it on the tax bill. Attorney Duquette said he can see the concern of an unmaintained culvert. If the Town maintains it and it goes unpaid then it can go on the tax bill. Possibly the homeowner wants to choose the finish, so that it matches their driveway. You can give them a couple of weeks to finish it the way the Town wants it done. He also said that there is a state statute as well as a Town ordinance that puts this on the homeowner the way it exists. Chairman Weiss asked if Mr. Zimmerman, Attorney Duquette and Highway Superintendent Wittum could put together a proposal for next month's Board meeting. Mr. Zimmerman said they would. Supervisor Leith asked Mr. Wittum about the cost share idea and putting the homeowners portion on the tax bill. How long does he foresee it would take to do this work with the number of culverts he knows need to be worked on. Mr. Wittum said that at this point in the year, he would hire out the work that the Town would need to do. Supervisor Leith commented that in that case the homeowner might want to do it themselves due to the potential cost.

New Business:

Reappoint Highway Superintendent: Matt Wittum

Livingston/Leith motioned to reappoint Highway Superintendent Matt Wittum. Motion Carried.

Linton Road Culvert Paving

Livingston/Leith motioned that they approve the culvert paving bid of \$18,400 to Superior Paving. Motion Carried.

Supervisor Livingston said that they have put a new culvert under Linton Rd by the Merwin Farm. They have had a lot of trouble with the base over the culvert sinking. Now they have a proposal to patch the road over that which is over the amount Matt or the Committee can approve. Chairman Weiss asked how big the patch that needs paving is. It is 52 x 30. The culvert was recessed far below the street.

Code Enforcement Written Policy

Mr. Zimmerman was working with our Code Enforcer to develop a written policy because we did not have one. It includes the steps that she normally takes to enforce our codes. He also worked with our Chief of Police regarding #6 where law enforcement has the discretion to issue the citation. He would like the Board to give feedback, and he wonders what the next steps for this are. Supervisor Leith said this service is complaint based. It gives the homeowner the right to

go for an extension and it has to be in writing. You have to respond by email. There are some people in our community that do not use computers, and there was no way to reach the Code Enforcer otherwise, not even by phone. In her case, she did get an extension, but they still came out and did an inspection, and the Town has to pay for that. Chairman Weiss said that he sees that we need to take a look at policy and also how things are operating. We would have the attorney review it. We need to ensure that they follow these procedures in the future. Clerk Morris said that Linn residents come into her office with Code Enforcement letters that don't have any way of reaching the Code Enforcer and sometimes they receive them after the deadline date that they were to respond.

Building Inspection Request Form & Driveway Permit

Livingston / M. Zimmerman motioned that the Town adopt the modified building inspection checklist that includes the yes/no line for highway department driveway culvert permit. Motion Carried.

Mr. Zimmerman referred to a discussion that took place at last month's meeting in which homeowners were not getting driveway / culvert permits because the building inspector was not telling them they needed it. He has now revised the building inspector form to include "yes or no", a Highway Department permit is needed. He is also trying to make it easier on the Town website for people to reference the policies for driveway culverts, as well as different standard operating procedures for when the building inspector discusses this with residents.

Alley Vacation Process

Mr. Zimmerman said that three individuals have come forward asking for vacation of alleys throughout the Town. It is not clear to us or them how to go about this. After reviewing with Attorney Duquette and referencing state statutes he developed a process/ template for property owners to follow such as getting signatures of petitioners. One of Attorney Duquette's concerns is that if we require the homeowner to get a surveyor it may be too big an obstacle. As well as the non-refundable fee of \$300. The statute uses the word "shall." The statute does not mention fees. His objection is that we ask for both the surveyor and the fee, yet the statute does not mention either. He does understand cost recovery, but there needs to be rational basis if we are to impose a fee like that. Supervisor Zimmerman asked where one finds the rationalization for the cost. Attorney Duquette said that he would look at what other Towns are doing. He hasn't done that yet. It would be better if the fee was the cost for the Town to go through this process. Attorney Duquette would recommend that the homeowner sign a cost recovery agreement initially. Expenses could come from postage, highway, legal counsel, engineer, publication, etc. Chairman Weiss asked Mr. Zimmerman to finalize this document in the coming month with Attorney Duquette and get it on next month's Town Board agenda.

Building & Grounds Committee: – No Meeting

Highway Committee:

Basswood Curb Replacement Bid – Committee recommends the Town Board awarding the Basswood curb replacement project to Upland Construction and Maintenance LLC for a cost of \$8,600.

Livingston/Zimmerman motioned to award this bid to Upland Construction and Maintenance LLC for \$8,600. Motion Carried.

Supervisor Livingston said that the western side of Basswood is pretty beat up since the storms.

W4358 Laurel Street Second Driveway Request - Committee recommends the Town Board approve the second driveway request for W4358 Laurel Street after determining to have no safety or water drainage issues.

Livingston/Leith motioned that the request for a second driveway at W4358 Laurel Street be approved. Motion Carried.

Supervisor Livingston said that this request was presented to the Highway Committee and upon review it was determined that it was not going to cause any safety or water drainage issues.

Harbor Commission

Supervisor Zimmerman said that the Harbor Commission is making money similar to last year although the weather and the lake have been more variable than other years. One of the launch attendants hurt herself on her own time. It has been difficult scheduling her. She will be leaving for a repair for that injury, and we will be losing another harbor attendant as she leaves for her first year at college. They will be publishing for this position open mid-July through October. The traffic on the lake has been down since the tragedy. She is still trying multiple ways to reach Chief Peters to take him up on his offer for the life vest program. Chairman Weiss will contact him and tell him to get it started.

Protective Services Committee – No Meeting

Parks Committee – No Meeting

Non-Standing Committees, and Professional Services Reports

Geneva Lake Environmental Agency Report

Chairman Weiss wasn't at the meeting, therefore next month he will report on two meetings

Geneva Lake Use Committee Report - No Meeting

City of Lake Geneva Police & Fire Commission Report

Supervisor Livingston said that the average response time for the south shore is 7 minutes. On the north shore it is 9 mins 35 seconds, which is good but up a bit due to busy traffic times.

Chairman Weiss spoke about the Zodiac boat that has been sitting at our facility for a number of years. There are problems with the motor. Based on recent challenges on the lake, Fire Chief John Peters said that he would like to put that boat into commission. A new motor will be approximately \$17,000. The City of Lake Geneva is willing to fund the motor. This isn't fully approved yet but should be. More information to follow.

Building Inspection Reports - No questions or comments.

Code Enforcement Report & Case Update - No questions or comments.

Pier As-Built Survey Progress Reports - No questions or comments.

Engineering Report- No questions or comments.

Leith/Livingston motioned to adjourn at 8:25 PM. Motion Carried.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read 'Alyson'.

Alyson Morris, Town of Linn Clerk