

MINUTES OF HULL TOWN BOARD MEETING,  
COUNTY OF PORTAGE HELD ON MONDAY, JUNE 1, 2015

1. Call to order by Chairperson John Holdridge at 4:15 p.m. at the Hull Municipal Building, 4550 Wojcik Memorial Drive, Stevens Point, WI 54482.

Present: Chair Holdridge, Supervisors David Pederson, Dave Wilz and Jan Way.

Others present: Clerk Janet Wolle, Treasurer Jim Kruziki and Road Foreman Pete Kaminski.

Excused: Fire Chief Mark Kluck and EMS President/Administrator Mark Fritsche.

2. Pledge of Allegiance
3. Minutes – May 4, 2015

Motion Supervisor Wilz, second Supervisor Pederson, **approve the minutes of the May 4, 2015 board meeting, approve as corrected/table action.**

Motion carried.

4. Vouchers

Motion Supervisor Pederson, second Supervisor Way, **table action on vouchers until later in the meeting.** Motion carried.

5. Citizens wishing to address the board, non-agenda items. Agenda items are for discussion with possible action.

No citizen(s) present regarding non-agenda items.

**ANNOUNCEMENT** – Original Item 8 relating to Executive Session moved up on agenda At approximately 4:30pm the Board will convene in Executive Session as allowed by Wisconsin State Statute 19.85(1)(g) to interview and select an Attorney to represent the Town of Hull in possible legal action against the City of Stevens Point regarding Well #11.

At approximately 5:15pm the Board will reconvene in Open Session as allowed by Wisconsin State Statute 19.85(2). Possible action regarding selection of an Attorney to represent the Town of Hull in possible Well #11 legal action.

Motion Supervisor Pederson, second Supervisor Wilz, **convene in Executive Session as per announcement.**

Holdridge – Aye  
Pederson – Aye  
Way – Aye  
Wilz – Aye

Motion carried by roll call vote.

Call made to Attorney Carl Sinderbrand of Axley Brynelson, LLP from Madison Wisconsin.  
Discussion:

- Engagement Agreement for Legal Services
- Scope of Engagement City of Stevens Point Well No. 11
- From time to time, Hull may ask to perform additional work related to this Matter or on unrelated matters.

Motion Supervisor Pederson, second Supervisor Way, **reconvene in open session as per announcement.**

Holdridge – Aye

Pederson – Aye

Way – Aye

Wilz – Aye

Motion carried by roll call vote.

Motion Supervisor Pederson **authorize Chairperson Holdridge to sign the engagement agreement with Carl Sinderbrand from Axley Brynelson, LLP from Madison, WI.**

Motion seconded by Supervisor Wilz. Motion carried.

Item 4 Vouchers:

D Wilz page 3 RD: Rent-A-Flash \$63.20 - Neighborhood Watch Signs - Where these signs purchased for parks?

Pete Kaminski – for the parks and if needed by neighborhoods.

D Wilz – Neighborhood Watch Signs are available through the Portage County Sheriff's Department at no cost.

D Pederson page 1 repair glass \$165.00 – what is this for?

Kaminski – cell phone dropped – cost to repair.

Motion Supervisor Pederson, second Supervisor Way, **approve vouchers as presented and discussed.** Motion carried.

6. Topics, issues, opinions of interest – Citizens, Hull Staff, Hull Elected or Appointed Officials.

Holdridge:

- Jan Way and John Holdridge are putting together questions re: appointment to the board
- Need to do a better job of informing/educating the people when they feel \_\_\_\_\_ by government

- 527 Maple Bluff Road scheduled in court in September in Judge Finn's court – he is retiring the end of July, 2015
  - Pawn shop is an issue on State Highway 66
7. Reports – Hull Clerk, Treasurer, Road Foreman, Fire Chief and EMS Administrator/President.

Clerk Janet Wolle - Had a great vacation!!!

Treasurer Jim Kruziki – Report on bank account balances provided.

Road Foreman Pete Kaminski – This Friday the sweeping will be finished.

Fire chief – not present

EMS – not present

8. Referred from Hull Plan Commission - Certified Survey Map for John/Janet Wojcik & Kyran/Mary Knudtson – Section 9, Township 24 North, Range 8 East, Town of Hull, Portage County, property abutting Hay Meadow Lane.

Present John Wojcik Jr.

Motion Supervisor Pederson, second Supervisor Way, **approve the Certified Survey Map for John/Janet Wojcik & Kyran/Mary Knudtson – Section 9, Township 24 North, Range 8 East, Town of Hull, Portage County, property abutting Hay Meadow Lane**  
Motion carried.

9. Referred from Plan Commission - Certified Survey Map for John & Janet Wojcik – in Section 9, Township 24 North, Range 8 East, Town of Hull, Portage County, property abutting North Reserve Street.

John Wojcik – relating to the email from Eric Norton of the U.S. Army Corp. of Engineers relating to shifting property boundaries with this brother, John indicated the property lines will not be changed at this point in time.

Motion Supervisor Wilz, second Supervisor Pederson, **approve the Certified Survey Map for John & Janet Wojcik – in Section 9, Township 24 North, Range 8 East, Town of Hull, Portage County, property abutting North Reserve Drive.** Motion carried.

10. Petition from commercial property owners, Kent Worzalla, Mike Mijal and Rich Smigaj regarding commercial development contiguous to their land which may adversely affect their businesses because of an inadequate water management plan prepared without their input.

Present: property owners Mike and Linda Mijal and Kent and Lisa Worzella; Portage County Planning & Zoning staff Jeff Schuler and Chris Mrdutt.

Petition read in to the minutes by Clerk Wolle:

To the Town of Hull Board of Supervisors. We the undersigned residents of the Town of Hull and owners of commercial property on North Second Drive and Stan's Drive in the Town of Hull petition the Hull Board of Supervisors to review the development of the Erwin property on North Second Drive and consider the halting of further development until the Portage County Planning Department, the Army Corp of Engineers, the Wisconsin Department of Natural Resources-Storm Water Manager meet with, discuss and explain the Water management Plan for Erwin property and its future impact on our 3 commercial properties and the Town of Hull's roads and right-of-way.

Finally, we request the Town of Hull Supervisors put on their agenda and hear our concerns about the process used by Portage County government authorities (namely the Portage County Planning & Zoning Department, the Wisconsin Department of Natural Resources – Storm Water Management) to exclude us as commercial landowners who have substantial investment in their property and experiences with water flow and management on the property.

We submit this petition to the Hull Board of Supervisors as our local government and the government that has the long-term responsibility for the Erwin property development and its impact on our commercial property and the Town of Hull.

We desire the Hull Board of Supervisors hear our concerns and take action as they deem appropriate.

List of our concerns:

- 1) Storm Water Management
- 2) Permits – (lack of or after the fact)
- 3) Disturbing wet lands
- 4) Removal of trees on Town of Hull right-of-way

By: Kent Worzalla – 104 2<sup>nd</sup> St.

Michael Mijal – 1212 Stan's Dr.

Richard Smigaj – 1203 Stan's Dr.

Chairperson Holdridge request info on commercial properties:

Kent Worzella built his storage building in 2005 – substantial investment

Mike Mijal took over Stan's Body shop in 1984 – bought from father

Richard Smigaj – not present but has a substantial investment

Holdridge:

- ✓ Real concern is water management plan on the Erwin property
- ✓ Documents
  - Email from Mike Mijal 12-21-14 sent to Chris Mrdutt of PCP&Z at a meeting with Dan O'Connell who indicated if any problem occurs after the county and others are gone it is the Town of Hull's responsibility to resolve the issue
  - Hull not involved from beginning
  - 12-30-14 letter to Chris Mrdutt from J Holdridge
    - Suggested Chris Mrdutt, the 3 owners, Mr. Erwin, the planners and the Town of Hull and take a look at the issues

- 02-03-15 correspondence from Brad Johnson of the DNR to Mr. Erwin
  - Mark Erwin called today to discuss project. He doesn't want to pay someone to do a plan and asked to meet with me to go over it. I said I do not have the time or is it appropriate for me to do his plan. We talked at length about what he needs to do to prove compliance. He was reminded that he wasn't in compliance so he needed to get going on it.
- 04-05-15 information to Chris Mrdutt
- 05-06-15 memo from Chris Mrdutt which outlined the procedures that they (PCP&Z) are following. Last paragraph of page 1 states "This property is located on a Town road (North Second Drive). Driveway access location will be determined by the Town".
  - John – not sure Hull ever determined that. They did not meet Pete, correct?
    - ↓ Pete – Correct.
- Permits issued to Mark Erwin:
  - 12-10-14 by PCP&Z
  - 04-17-15 by DNR
  - 05-14-15 by PCP&Z
  - 05-19-15 by Mike Bembenek of Village of Plover (building permit). Hull does not issue commercial permits.

- ✓ 3 certified survey maps of this area date back to 1983, 1992 and 2014
  - Pete Kaminski indicated the road right-of-way was excavated on without a permit and brush removed
  - This is a violation of Hull's ordinance

↓ Excavation on the Hull right-of-way requires a permit

- Cement was hauled in today (06-01) for the mini-storage
- Biggest problem in Hull is the lack of communication
- People in neighborhood need to be involved in events that effect them
- Erwin's do not have a solid engineering plan done
- Erwin's need to have a solid engineering study to show where the water goes
- All water is surface water
- No problem with building – just follow same guidelines

Mike Mijal – has owned the business (Stan's Body Shop) since 1984

- ✓ Both Rich and Kent had to get permits from the DNR & Army Corp. of Engineers

Kent Worzella – wetlands have been damaged and something has to be done.

- Get topographical of land/design
- Seems to after the fact permits
- Drawing from Rettler was based on ¾ acres not 1.3 acres which Erwin's actually have
- Platforms he needs is right to the lot line so all of his roof water and surface water will flood Rich, Mike and Kent
- The back building is 200' long, with a snow slide that is 12 foot off the back lot line. When snow slides off the roof on to the 12 feet where is he going to put the snow?

There is 3' and a 4 foot drop-off all that is going to go around our property. With snow build up, come spring and the ground is frozen all that surface water is going to flood us.

- No problem with the building or what Erwin is doing just hope he has to follow the same guidelines Kent did when he built his and Rich did when he built his
- Rich has his mound system right next to where they propose to but the retention ponds

Jeff Schuler, Director Portage County Planning and Zoning Department

- Chris Mrdutt did meet with the citizen group
- Call was made 3 weeks ago to Kent Worzella
- Do not have to have state permits if over 1 acre (Erwin property is 1.3 acres)

Chris Mrdutt:

- Kent had to go to Board of Adjustment for approval of his project
- Plans were engineered and stamped by certified engineer
- Culver designed to take drainage from snow storage

J Holdridge – who is the authority that looks and designs a system?

- ✓ Should get professional engineer to design water management at Erwin's expense

J Schuler:

- PCP&Z followed the process
- Water won't run west, it will run over North Second.
- Town responsible for water running across road.

D Pederson – is there a ditch along North Second to carry the water?

P Kaminski – no ditches (all flat)

D Pederson – culvert under Stan's Dr.

Holdridge – Hull would have to put ditches in on North Second

Mrdutt – look at Stan's Dr. water not flowing

Mijal – North Second Drive is banked – Stan's water crossing

Mrdutt – Erwin is as built, will have to remove water

Schuler – Portage County P&Z design will make water go to North Second

Mrdutt – PC uses 25 year storm event. Plan won't adversely affect neighboring properties.

Kent Worzella – who made and engineered the design?

Schuler – Erwin's worked with Dan O'Connell and Chris Mrdutt.

Worzella – put buildings up and design as go, any flooding problems then to Chris, O’Connell and Erwin?

- Any flooding on Worzella property, go to Rettler Engineering

D Pederson – with PC plan find out when project complete if plan will work.

- I know the county has designed retention ponds in other development in the Town of Hull and I have not heard of them failing.

Worzella – who pays for damage to properties until design is complete?

Holdridge – require certified engineer design a plan and put costs on Mr. Erwin’s tax bill.

- ✓ Make sure Hull is protected and make sure other properties are protected
- ✓ Owners with big investment there will be appreciative of design by certified engineer.

D Wilz – table action.

- Hear Portage County P&Z but not same kind of plan that most people are used to getting especially in high water area
- Process and real life are different
- Have a problem with the as is built – realize you are saying they have to continue to fix it until it gets fixed, that’s fine, but what about the damage that may or may not happen prior to that event when ever that does happen.
- The whole thing should try to be avoided
- Let’s do it right/let’s do it once

J Way – in the future is there something we can do to urge the County Board to change things in zoning?

Schuler – Portage County doesn’t zone commercial areas with problems.

- Have had process in place for long time – non have been faulty
- Find ways in future to let town and property owners know of potential problem areas – that is reasonable.

Motion Supervisor Wilz, second Supervisor Pederson, **table action. Thank you to all participants.** Motion carried.

11. Request from Paul Gwidt – chip sealing roadways in northwest Hull including Driftwood Drive.

Discussion:

- 1 Paul Gwidt lives on bend
- 1 2011 petition to Hull reads in part,” We the undersigned, hereby petition the Town of Hull to replace the current dirt road that begins at the western intersection of Granite ridge Road and Casimir Road leading up to the intersection of Granite Ridge Road and Driftwood Drive and continuing through t entire length of Driftwood Drive with a hard surface road (ex: asphalt, chip coating)”.
- 1 10 houses at the most – some like gravel as is more rustic

Chet Dombrowski, 2032 Driftwood Drive – initiated whole thing with discussion on preservation. He then had a conversation with Chairperson Holdridge.

D Pederson:

- ✓ Soft sand
- ✓ Water not issue on hill side

Pete Kaminski:

- ∫ Ditch was put in. To get the back en elevated up would cost \$38,000 for that small section.
- ∫ You still have the chip seal expense

D Wilz:

- Looked at paper work
- Hull went up and the problem was water
- \$15,000 in ditching; 6” lift and road base

Motion Supervisor Way, second by Supervisor Pederson, **table to July 6 meeting. Authorize Pete Kaminski to contact Gremmer and Associates to refresh costs involved in roadways.** Motion carried.

## 12. Update on status of Community Room/Addition to Municipal Building – Bill Yudchitz

Bill Yudchitz:

- Had meeting with SCS last Friday
- Esser’s Glass should have tempered glass in shortly
- Bill working on proposals for projectors and screens
- Restroom in garage bay extended east to meeting door
  - Have 4’ shower instead of 30”
- Carpet for Community Room will be delivered next week
  - Will do some scraping before carpet goes down
- Fixed window and operating window installed in Pete’s office

D Wilz:

- Any hold back money?

B Yudchitz:

- Is addressing

Motion by Supervisor Wilz, **take design to redo crew restroom at a cost not to exceed \$6,000.00.** Motion seconded by Supervisor Way. Motion carried.

13. Citizen concern about organized groups; (bikers, walkers, runners), using Old Wausau Rd. and creating inconveniences and access problems for Hull households along Old Wausau Road.

Chair Holdridge:

- Hull received a call from a citizen on Old Wausau Rd indicated displeasure with numerous walk/runs that occur of which they are not informed of
- This past weekend there were two walk/runs and the Stevens Point Police Department virtually shut down the road.
- The citizen indicated she is either not allowed to leave her residence or if she leaves before the event, not allowed to return to her residence until the event is clear of her driveway

D Wilz: the Hull Board and citizens have a right to know when there are going to be walk/runs.

J Way – CAP Services walk/run and thinks was over sight in not informing Hull and citizens.

D Pederson – possible to limit to 1 lane?

Motion Supervisor Wilz, **table action and work on the process of incorporation in to the future**. Motion seconded by Supervisor Way. Motion carried.

14. Revision of Hull Nuisance Ordinance to incorporate water quantity/quality provision.

Chair Holdridge:

- Added monitoring wells and collect data to the Hull Nuisance Ordinance
- Will run past Attorney Bob Konkol

D Wilz – need water uses ordinance not just in Nuisance Ordinance.

Motion Supervisor Wilz, **approve and accept the additions and incorporate in to the Public Nuisance Ordinance**. Seconded by Supervisor Way. Motion carried.

15. Yard Disposal Site – Signage and possible revisions.

Chair Holdridge – look at adjusting hours of yard disposal site.

D Wilz:

- Follow the current days and hours
- Jim Kruziki is doing spreadsheets to show hours and number of users of the site

Motion Supervisor Wilz, second Supervisor Way, **proceed with current hours and table to September meeting relating to fall hours**. Motion carried.

16. Re-Appointment of John Holdridge, Jan Way, Shelley Binder & Jocelyn Reid to the Hull Plan Commission

J Holdridge talked with Shelley Binder today. Shelley would like to continue on the Plan Commission but finds herself to busy and could not devote the time necessary.

Motion Supervisor Wilz, second Supervisor Pederson, **re-appointment of John Holdridge, Jan Way & Jocelyn Reid to the Hull Plan Commission with the exception of Shelley Binder.** Motion carried. Clerk Wolle to send letter of appointment.

17. Purchase a Ditch Mower – Pete Kaminski

Pete Kaminski:

- Found Side Mount Flail Mower which could be mounted on Hull's New Holland Tractor in the center of the tractor's front and rear tires.
- \$26,283 budgeted
- Would like Cutting Brush Attachment next year

Motion Supervisor Wilz, second Supervisor Pederson, **move for approval of purchase of ditch mower.** Motion carried.

18. Operator's license application from: Diana Hanneman, Kyle Foss, Jeremiah Condon, Kathryn Finn, Patricia Loecher, Carmen Coey, Aaron Dodson, Lauren Kriesel, Ryan Gleesing, Allison Feltz, Lauren Meier, Samantha Stroschein, Megan Koelsch, Whitney Golla, Wesley VonRueden, William Doll, Lucas Barten

Motion Supervisor Wilz, second Supervisor Way, **follow recommendations of Clerk Wolle to grant operator's licenses to Diana Hanneman, Kyle Foss, Jeremiah Condon, Kathryn Finn, Patricia Loecher, Carmen Coey, Aaron Dodson, Lauren Kriesel, Ryan Gleesing, Lauren Meier, Samantha Stroschein, Megan Koelsch, Whitney Golla, Wesley VonRueden, William Doll, Lucas Barten and to deny license to Allison Feltz due to omission of law violations on application.** Motion carried.

19. Adjournment: Motion Supervisor Pederson, second Supervisor Wilz, **adjourn the meeting.** Motion carried. Meeting adjourned at 7:58 p.m.

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Janet Wolle, Clerk

Ordinance 2014-0804 Revised

PUBLIC NUISANCE ORDINANCE

**Section I Public Nuisances Prohibited**

No person, persons, firm or corporation shall erect, contrive, cause, continue, maintain, or permit to exist any public nuisance within the Town of Hull, Portage County, Wisconsin.

The review and action by the Hull Board of Supervisors under this ordinance is usually complaint driven by Hull households and/or neighborhood. Under most circumstances the public nuisance is brought to the attention of Hull officials through a written petition from citizens residing in the neighborhood impacted by the nuisance. The petition shall state the nuisance, be signed, dated and with addresses. The petition may lead to a public information meeting where all affected neighbors can discuss the nuisance and seek removal and/or reconciliation of the issue(s). The Town Board reserves full discretion in investigating, prosecuting and resolving any public nuisance complaint.

Before authorizing legal action against the person responsible for a public nuisance, the Hull Board of Supervisors will evaluate the cost and risk/reward of such action. Whenever possible such legal cost shall be levied against the property owner responsible for the nuisance.

No action taken by the Hull Board of Supervisors against a perpetrator of a public nuisance as defined in this ordinance shall be taken except by a unanimous vote of the Hull Board when a quorum is present.

## Section II Definition

A public nuisance is a thing, act, occupation, condition or use of property that shall continue for such length of time as to:

- 1) Substantially annoy, injure, or endanger the comfort, health, repose, or safety of the public
- 2) In any way render the public insecure in life or in the use of property.
- 3) Greatly offend the public morals or decency.
- 4) Unlawfully and substantially interfere with, obstruct, or tend to obstruct or render dangerous for passage any street, alley, highway, navigable body of water, or other public way.
- 5) Any condition or use of premises or of building exteriors which is detrimental to the property of others of which causes or tends to cause substantial diminution in the value of other property in the neighborhood in which such premises are located.

## Section III Public Nuisances Affecting Health

The following acts, omissions, places, conditions and things are hereby specifically declared to be public nuisances:

- 1) Carcasses of animals, birds or fowl not buried or otherwise disposed of in a sanitary manner within twenty-four (24) hours after death.
- 2) Accumulations of decayed animal or vegetable matter, trash, rubbish, rotting lumber, bedding, packing material, scrap metal, or any material whatsoever in which flies, mosquitoes, disease carrying insects, rats, or other vermin may breed.
- 3) All noxious weeds and other rank growth of vegetation.
- 4) Uncut grass of a height or length, within residential and business areas, that could cause a fire hazard or a hazard to public health. In the event a violation of this nature is discovered, the Building Inspector shall issue a written order to the owner or the tenant of the land involved to cut the excessive high grass within three (3) days from the date of the order, and provide that in the event such grass is not cut within three (3) days from the date of the order the Town shall cut the grass and assess the property involved as a special tax.
- 5) The escape of smoke, soot, cinders, noxious acids, fumes, gases, fly ash, or industrial dust, air borne and water borne industrial or air borne and water borne agricultural chemicals within the Town limits in such quantities as to endanger the health of persons of ordinary sensitivities or to threaten or cause substantial injury to property.
- 6) No person shall cause or allow emissions of air borne contaminants to the outdoor atmosphere of such quantity, characteristic or duration that are injurious to human, plant or animal life or to property, or that unreasonably interfere with the comfortable enjoyment of life or property. Notwithstanding the existence of specific air quality standards or emission limits, this

prohibition applies, but is not limited to, any particulate, fume, gas, mist, odor, smoke, vapor, spray, toxic, or deleterious emission, either alone or in combination with others,.

- 7) Any use of property which shall cause any nauseous or unwholesome liquid or substance to flow into or upon any street gutter, alley, sidewalk or public place within the Town. No person shall cause or allow discharge of solid, liquid or gaseous contaminants to the soil, surface water and groundwater of such quantity, characteristic or duration that are injurious to human, plant or animal life or to property, or that unreasonably interfere with the comfortable enjoyment of life or property. Notwithstanding the existence of specific groundwater quality standards or discharge limits, this prohibition applies, but is not limited to any solid, liquid or gaseous substance, toxic or deleterious discharge, distribution, or spray, either alone or in combination with others.-
- 8) Any use of property which shall cause any nauseous, toxic, or unwholesome liquid or substance to flow into or upon any street, gutter, alley, sidewalk or public place within the Town and that may seep, perk, flow, or leach into the groundwater.

#### Section IV Public Nuisances Affecting Property Values

- 1) Definitions. For the purpose of this section, the following words and phrases shall have the meanings assigned to them as follows. Words and phrases not herein otherwise defined shall have the meanings accepted by common use.
  - a) Blighting influence. A condition having an adverse effect on surrounding properties.
  - b) Debris. Broken concrete, bricks, blocks, or other mineral matter, bottles, porcelain and other glass or crockery, boxes, lumber, posts, sticks, or other wood, paper, rags, cardboard, rubber, plastic, wire, tin and metal items, discarded household goods or appliances, tar paper, residues from burning or any similar materials which constitute health, fire or safety hazards or a serious blighting influence upon a neighborhood or the Town of Hull in general.
  - c) Junk. Any old or scrap metal, metal alloy, synthetic or organic material or waste, or any junked, ruined, dismantled or wrecked motor vehicle, garden tractor, lawn mower or snow blower, or other machinery of any kind, or any part thereof, whether salvageable or not. An unlicensed motor vehicle shall be construed to be a junked motor vehicle.
  - d) Rubbish. Any combustible or noncombustible waste materials, except garbage, which would not be considered debris.
  - e) Vehicle. Any automobile, truck, van, recreational vehicle, bus, race car, motorcycle, snowmobile, tractor, boat with trailer, or trailer. All-terrain vehicles, riding lawn mowers, and lawn tractors are considered vehicles and limited as described in subsection (2)(e) below.
  - f) Depletion. To cause by taking or use the permanent reduction in the availability of a shared resource held in the public trust.
- 2) Declaration of public nuisances. The following acts, omissions, places, conditions, and things are specifically declared to be public nuisances affecting property values; but such enumeration shall not be construed to exclude other nuisances affecting property values coming within the definition of Section II (above).

- a) Accumulation of debris, junk, rubbish or other material which has a blighting influence upon surrounding properties.
- b) Storing personal property, which is not debris junk or rubbish, outside the home, garage or other permanent building in any residential district, unless concealed from public view by a suitable enclosure so as to not have a blighting influence upon surrounding properties. Such enclosure shall be neat, attractive and in keeping with the surrounding properties. Stacked firewood shall be exempt from the enclosure requirements of this subsection.
- c) Deteriorating fences or paved areas.
- d) Buildings or fences in need of paint or other preservative necessary for an attractive appearance.
- e) Outside parking of vehicles in excess of the following:
  1. Four vehicles per detached single-family residence on a lot zoned Single-Family Residential (R-2) by Portage County. See definition of vehicle at Section IV 1(e)
  2. Three vehicles per unit for two-family dwellings.

Permitted vehicle parking in front or side yards shall be allowed only on a hard surface or well-drained gravel driveway.

- f) Regarding licensed motor vehicles stored or allowed outside of any building on a single-family residential lot zoned R-2 in the Town of Hull, the number of such vehicles shall not exceed the number of legally licensed motor vehicle drivers who occupy and reside at the property for a period of more than 14 days plus one additional vehicle. 'Motor vehicle' as used herein, means a vehicle which is self-propelled. In case of a conflict with subsection 2(e)1 above, such as there being four licensed motor vehicle drivers residing at the property and five licensed motor vehicles stored outside, this subsection shall control.
  - g) Parking vehicles which exceed 30,000 pounds or gross weight, 30 feet in length or 11 feet in height on a public street in any residential district, unless loading or unloading goods or performing service at or in the adjacent residence.
  - h) Parking or servicing vehicles, except those recreational vehicles commonly referred to as motor homes and fifth-wheel trailers, which exceed 30,000 pounds of gross weight, 30 feet in length or 11 feet in height on private property in any residential district.
  - i) Using any vehicle for dwelling purposes.
  - j) Parking construction equipment on any public street or on private property, unless such equipment is being used for a Town project or other construction project pursuant to valid Town permits.
  - k) Parking any trailer, including, but not limited to, boat, camper or construction trailers, on a public street for more than 48 hours per week.
  - l) Taking and use of groundwater which results in significant depletion or degradation of the quantity or quality of groundwater resources shared by neighboring properties. Specific changes in quantity and quality shall be verifiable from historic monitoring and testing data.
- 3) Collector of special interest vehicles. Pursuant to §341.266, Wis. Stats, a collector may store unlicensed, operable or inoperable vehicles and parts on the collector's property provided the vehicles

and parts cars and the outdoor storage area are maintained in such a manner that they do not constitute a health hazard and are screened from ordinary public view by means of a fence, rapidly growing trees, shrubbery or other appropriate means.

#### Section VI Public Nuisances Offending Morals and Decency

The following acts, omissions, places, conditions and things are hereby specifically declared to be public nuisances offending public morals and decency, but such enumeration shall not be construed to exclude other nuisances offending public morals and decency coming within the definition of Section II of this ordinance.

- 1) All places where intoxicating liquor or fermented malt beverages are sold, possessed, stored, brewed, bottled, manufactured, or rectified without a permit or a license as provided for by Wisconsin State law.
- 2) Any place or premises within the Town of Hull where town ordinances or state laws relating to public health, safety, peace, morals, or welfare are openly, continuously, repeatedly and intentionally violated.
- 3) Any place or premises resorted to for the purpose of drinking intoxicating liquor or fermented malt beverages in violation of the laws of the State of Wisconsin or the Ordinances of the Town of Hull.

#### Section VII Public Nuisances Affecting Peace and Safety

The following acts, omissions, places, conditions and things are hereby declared to be public nuisances affecting peace and safety, but such enumeration shall not be construed to exclude other nuisances affecting public peace or safety coming within the provisions of Section II of this Ordinance.

- 1) All ice not removed, sanded, or treated from public sidewalks, and all snow not removed from public sidewalks within twelve (12) hours after it has ceased to fall thereon.
- 2) All signs and billboards, awnings, and other similar structures over or near streets, sidewalks, public grounds or places frequented by the public, so situated or constructed as to endanger the public safety.
- 3) All buildings erected, repaired or altered within the Town of Hull in violation of the provisions of the Town relating to materials and manner of construction of buildings and structures within said town.
- 4) All unauthorized signs, signals, markings or devices which purport to be or may be mistaken for official traffic control devices placed or maintained upon or in view of any public highway or railway crossing, which because of its color, location, brilliance or manner of operation, interferes with the effectiveness of official device, sign or signal.
- 5) All trees, hedges, billboards, fences or other obstructions which prevent persons driving vehicles on public streets, alleys, or highways from obtaining a clear view of traffic when approaching an intersection or pedestrian crosswalk.
- 6) All limbs of trees which project over and less than 15 feet above the surface of a street or less than 10 feet above any public place or public sidewalk.
- 7) All wires over streets, alleys or public grounds that are strung less than 15 feet above any public place or public sidewalk.
- 8) All use or display of fireworks except as provided by the laws of the State of Wisconsin and ordinances of the Town of Hull.
- 9) All buildings or structures so old, dilapidated, or out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human use.

- 10) All loud, discordant and unnecessary noises or vibrations of any kind, including the keeping or harboring of any animal or fowl which by frequent or habitual howling, yelping, barking, crowing, or making of other noises shall greatly annoy or disturb a neighborhood or any considerable number of persons within the Town.
- 11) All obstructions of streets, alleys, sidewalks, or crosswalks, and all excavations in or under the same, except as permitted by the ordinances of the Town, or which although made in accordance with such ordinances, are kept or maintained for an unreasonable or illegal length of time after the purpose thereof has been accomplished.
- 12) All open and unguarded pits, wells, excavations, or unused basements freely accessible from any public street, alley or sidewalk.
- 13) Any unauthorized or unlawful use of property abutting a public street, alley, or sidewalk obstructing traffic or free use of such street, alley or sidewalk.

Section VIII Responsibility for Nuisances by Other Government Agencies. Primary contact agency is listed.

<u>Nuisance</u>	<u>Enforcing Agency</u>
1. Contaminated food or drink sold or given To public	a. Portage County Health and Human Services (PCHHS) b. State Department of Health
2. Stagnant water where insects can multiply	a. PCHHS b. State Department of Health
3. Animal running at large or creating Disturbance	a. Portage County Humane Society b. Portage County Sheriff's Department  c. Municipality
4. Pollution of any ground water, public wells, streams, lake, canal or body of water by sewage, creamery, Industrial water or other substance	a. PCHHS b. State Department of Natural Resources (DNR)  c. State Conservation Warden
5. Abandon wells not capped or secured from Public use	a. DNR b. Possibly Planning and Zoning Department in year 2010 (P&Z)
6. Application of any pesticide in such manner To endanger health	a. Department of Agriculture, Trade, and Consumer Protection (DATCP)  b. PCHHS
7. Houses or structures used for gambling or Prostitution or promiscuous sexual activity	a. Portage County Sheriff's Department b. Portage County Clerk  c. P&Z
8. Gambling device/slot machine not permitted By Wisconsin Law	a. Portage County Sheriff's Department

9. Repeated or continuous violations of Wisconsin law relating to the storage of
- a. State Department of Commerce

Flammable liquids

#### Section IX Enforcement Procedures

Depending upon the nature of the incident and the response of the property owners the typical enforcement action will follow a progressive approach to correct the violation.

- a) Personal contact (on-site visit, phone call)
- b) Formal letter or notice
- c) Contact by Hull attorney
- d) Public hearing or informational meeting attended by households from the neighborhood impacted by Public Nuisance
- e) Order by the Town Board
- f) Order by the circuit court

All procedures will follow Wisconsin Statutes.

#### Section X Penalties.

1. First Offense. Any person who violates the Ordinance shall, upon conviction, forfeit not less than \$100.00 nor more than \$500.00 for each offense, together with the costs of prosecution, and in default of payment of such forfeiture and costs of prosecution, shall be imprisoned in the County jail until the forfeiture and costs are paid, but not exceeding sixty (60) days.
2. Second and Subsequent Offenses. Any person who has previously been convicted of a violation of the Ordinance shall, upon conviction of a second or subsequent violation of this Ordinance, forfeit not less than \$200.00 nor more than \$1,000.00 for each offense, together with the costs of prosecution, and in default of payment of such forfeiture and costs of prosecution, shall be imprisoned in the County jail until the forfeiture and costs of prosecution are paid, but no exceeding six (6) months.
3. Separate violations. Each day of violation of this Ordinance constitutes a separate offense.
4. Injunctive Relief. In addition to any other relief available to it under the law, the Town board may seek injunctive relief from a court of record to enjoin further violations of this Ordinance.
5. Costs of Abatement. In addition to any other penalty imposed by this ordinance for the erection, contrivance, creation, continuance or maintenance of a public nuisance and violation of this ordinance, the cost of abatement of any public nuisance by the Town may be collected under this ordinance or sec. 823.06, Wis. Stats., as a debt or expense from the owner or occupant of the real property for causing, permitting or maintaining a public nuisance. If notice to abate the nuisance has been given to the owner or occupant previously, the cost of abatement may be assessed against the real property for services rendered and incurred by the Town to enjoin or abate the public nuisance as a special charge under sec. 66.0627, Wis. Stats., unless paid earlier.

Section XI Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be

given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.