

MINUTES

JUDICIARY

MONDAY, JUNE 8, 2026 – 4:30 P.M.

COUNCIL CHAMBERS, MUNICIPAL BUILDING

Members present: Chair Tony O'Neill, Keith Klimek and Joel Ahrens.

Others Attending: Mayor Katie Berman, Clerk-Treasurer Tammy Kasal, Attorney David Spangenberg, Interim Police Chief Derek Koronkiewicz, Garrett Bach, Nancy Camp-Nelson, Shannon Bickel, Jason & Missy Mech, and Tonnie Schmidt.

Chair O'Neill called the meeting to order at 4:30 p.m.

Motion by Klimek and seconded by Ahrens to approve the agenda. Motion carried 3/0.

Motion by Ahrens and seconded by O'Neill to approve the minutes of April 9, 2026. Motion carried 3/0.

Review compliance of maximum dog allowance waiver at 211 Maple St.:

The February 16, 2024 Council meeting discussion on waiver conditions was reviewed. A memo from Mayor Berman (see attached) summarizing the background, current concerns, possible information request, policy considerations, recommendations for consideration, and potential actions. Garrett Back stated there are currently seven dogs and one cat at the residence. Discussion was held on the compliance of fostering and rescuing Borzois as originally approved. Currently no dogs have been rehomed. All dogs have been retained by the Bach and Camp-Nelson. Bach and Camp-Nelson denied ever stating they foster dogs.

Discussion was held on solutions to return the property at 211 Maple St. back to compliance with a maximum of two dogs. A time frame was explored. Bach and Camp-Nelson agreed to a three-year timeline to return to the allowed two dog limit.

Motion by Klimek and seconded by Ahrens recommending Council rescind the waiver of dog allowance limit of eight at 211 Maple St. and return to ordinance compliance of a maximum of two dogs within three years. Motion carried 3/0.

Manufactured/ Mobile Home Ordinance:

Discussion was held on possibly updating the proposed ordinance with input from park owners. Mayor Berman, Clerk-Treasurer Kasal and Attorney David Spangenberg will hold a meeting with mobile court owners to review the proposed Manufactured/Mobile Home Ordinance and report back to the Committee.

Hunting on City owned property outside city limits:

Public requests have been received in the past to hunt on City property outside of the city limits. Additional information will be collected, and discussion will be held at the next meeting.

NFPA 1 Fire Code Ordinance:

A sample ordinance to adopt the NFPA 1 Fire Code was reviewed. City Ordinance 18-44 Adoption of codes was reviewed. The current ordinance specifies the 2006 edition of the National Fire Protection Association's Uniform Fire Code is adopted. Discussion was held. Attorney Spangenberg will draft an update to Ordinance 18-44 Adoption of Codes to update (b) to reference the current NFPA1 edition and remove (d) Modifications & (e) Appeals.

Motion by Ahrens and seconded by Klimek recommending Council approve Ordinance 2026-02 updating Ordinance 18-44 Adoption of codes by updating 18-44(b) Uniform B to reference the current NFPA1 edition and remove 18-44(d) Modifications & (e) Appeals. Motion carried 3/0.

Disorderly conduct offences and with a motor vehicle ordinance:

A proposed Ordinance to amend Chapter 28 Section 26 for Disorderly Conduct Offense was reviewed. Discussion was held on also adding conduct of vehicles to include all motorized vehicles. Attorney Spangenberg will draft an update to ordinance 44-25 Disturbance of the Peace with a Motor Vehicle as discussed and it will be reviewed at the next meeting.

Motion by O'Neill and seconded by Klimek recommending Council approve Ordinance 2026-03 Amendment to Ordinance 28-29 Disorderly Conduct Offense. Motion carried 3/0.

Contributing to the delinquency of a minor:

Discussion was held on enacting an ordinance to address any contributing to the delinquency of a minor. Currently the City only has an ordinance addressing truancy. The City has adopted all the State Statutes as code, so contributing the delinquency of a minor would be covered better under State Statute 948.40. No action taken.

Shipping containers and semi-trailers as storage on property:

Discussion was held on prohibiting storage containers and trailers. Further discussion will be held at a future meeting when more information is gathered. Attorney Spangenberg will begin a draft ordinance.

Other Matters: None.

Set future meeting(s):

The next Judiciary meeting was scheduled for Monday, August 3, 2026 at 4:30 p.m.

Motion by Klimek and seconded by Ahrens to adjourn at 6:18 p.m. Motion carried 3/0.

Tammy Kasal
Clerk-Treasurer

ORDINANCE NO. 2026-__

**An Amendment to Chapter 10- Buildings and Building Regulations- Storage Containers
and Buildings on Residential Property**

AN AMENDMENT OF THE CITY OF PESHTIGO, WISCONSIN, ADDING AN ARTICLE VI ENTITLED "STORAGE CONTAINERS AND BUILDINGS," REGULATING THE USE OF STORAGE CONTAINERS AND STORAGE BUILDINGS ON RESIDENTIAL PROPERTY; PROHIBITING THE USE OF STORAGE CONTAINERS AND STORAGE BUILDINGS FOR RESIDENTIAL DWELLINGS; REQUIRING A PERMIT FOR THE TEMPORARY USE OF STORAGE CONTAINERS ON RESIDENTIAL PROPERTY; PROVIDING A FINE NOT TO EXCEED \$500.00 UPON CONVICTION OF A VIOLATION THEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING A CITY OF PESHTIGO OPEN MEETING CLAUSE; AND PROVIDING FOR THE EFFECTIVE DATE AFTER PUBLICATION

WHEREAS, the City of Peshtigo, Wisconsin, Common Council, finds that the use of commercial shipping containers, cargo containers and other similar containers and structures for storage of personal property on residential property produces unsightly property conditions that threaten to depreciate the value of surrounding property; and

WHEREAS, the Common Council finds that the conversion of storage buildings, shipping containers and cargo containers to structures intended for residential use and occupancy does not conform to the minimum requirements and standards of the City's building codes and the use of such storage buildings and containers for residential purposes threaten the value of surrounding property and threaten the public health, safety and welfare; and

WHEREAS, shipping and cargo containers are not designed or intended for long term storage use and if used for such purposes to store combustible household materials poses and increased risk of fire; and

WHEREAS, the regulations implemented by this Ordinance govern fire safety, public health and sanitation;

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF PESHTIGO, WISCONSIN, THAT:

SECTION 1 – RECITALS AND FINDINGS

The Common Council finds that the above recitals and findings are true and correct, and adopts them for the purposes of this Ordinance.

SECTION 2 – AMENDMENT TO CITY CODE OF ORDINANCES

Sections 10-203-10-230 are hereby reserved; and

The Code of Ordinances, City of Peshtigo, Wisconsin is amended by adding Chapter 10, Article VI "STORAGE CONTAINERS AND BUILDINGS," to read as follows:

ARTICLE VI. - STORAGE CONTAINERS AND BUILDINGS

Sec. 10-231. Definitions:

- (1) "Residential property" means property used, or restricted for use, as a single family residence.
- (2) "Storage container" means a cargo container, shipping container or other similar transportable container with a volume greater than 100 cubic feet that is suitable for storing building materials, furniture, tools, equipment, household goods and other personal property.
- (3) "Storage building" means a small outdoor building or shed, portable or permanent, commonly used for storing building materials, furniture, tools, equipment, household goods and other personal property.

Sec. 10-232. *Residential purposes prohibited.* No storage container or storage building may be used for residential purposes or incorporated into the structure of a building that is used for any type of human occupancy.

Sec. 10-233. *Storage Container Permits.*

- (1) Except as provided by this article, a person in control of residential property commits an offense if the person allows a storage container to be placed or remain on the residential property without a valid permit.
- (2) The City Clerk is authorized to issue permits allowing temporary placement of a storage container on residential property that is under construction, repair or renovation, or on residential property that has been damaged by wind, fire, flood or other natural disaster. A storage container permit expires 90 days after the date of issuance but may be renewed for one additional 90-day period if construction or renovation activities continue on the property. The fee for a storage container permit is \$50.00. Not more than one storage container per property may be permitted. Containers are to be locked up at all times, and the permit granted for the containers must be prominently displayed and will be subject to fire inspection or City inspection.

Sec. 10-244. - Penalty clause

- a) Any person violating or failing to comply with any provisions, requirement or order issued pursuant to this article shall be fined, up to \$500.00 in addition to costs, fees and assessments. A separate offense shall be deemed committed upon each day during or on which a violation or failure to comply occurs or continues to occur.
- b) In addition to any other remedies or penalties contained in this section, the City of Peshtigo enforces the provisions of this article pursuant to any applicable provisions of the Wisconsin Statutes.

SECTION III - SAVINGS CLAUSE

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional, such portion shall be deemed a separate and independent provision: and such holding shall not affect any of the remaining provisions of this Ordinance.

SECTION IV - CITY OF PESHTIGO OPEN MEETINGS ACT

It is hereby officially found and determined that the meeting at which this Ordinance was considered was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act. of the City of Peshtigo

SECTION V - EFFECTIVE AFTER PUBLICATION

This Ordinance shall take effect from before and after the date of its publication as provided by law.

Adopted this _____ day of _____, 2026.

OFFERED BY: _____
Aldersperson

SECONDED BY: _____
Aldersperson

APPROVED:

Katie Berman, Mayor

I hereby certify that the foregoing ordinance was duly adopted by the City of Peshtigo at a legal meeting on this _____ day of _____, 2026.

Tammy Kasal
City Clerk-Treasurer

ORDINANCE NO. 2026-__

An Amendment to Section 44-25 of the City of Peshtigo Code of Ordinance
Prohibiting Disorderly Conduct with a Motor Vehicle

That Sec. 44-25 of the Code of Ordinances, City of Peshtigo, Wisconsin is hereby amended in its entirety to read as follows:

Sec. 44-25. Disorderly Conduct with a Motor Vehicle

- (a) **DEFINITION.** For the purpose of this section, the following definition shall apply unless the context clearly indicates or requires a different meaning.

DISORDERLY CONDUCT WITH A MOTOR VEHICLE. The engaging in violent, abusive, unreasonably loud conduct, or disturbing or endangering the property or the safety of another's person or property, or otherwise disorderly conduct, or unsafe operation of a motor vehicle, including but not limited to, unnecessary, deliberate, or intentional spinning of wheels, squealing of tires, revving of engine, blowing the horn, causing the engine to backfire, or causing the vehicle, while commencing to move or in motion, to raise one or more wheels off the ground.

(b) **UNNECESSARY NOISE PROHIBITED.**

- (1) **Unnecessary noise.** It shall be unlawful for any person to operate a motor vehicle in such a manner which shall make or cause to be made any loud, disturbing, or unnecessary sounds or noises such as may tend to annoy or disturb another in or about any public or private area in the city.
- (2) **Mufflers.** Every motor vehicle operated upon a public way shall be equipped with a muffler in good and proper working order and be in constant operation so as to prevent excessive or unusual noise or annoying exhaust smoke.
- (3) **Use of devices.** No person shall use or place upon any motor vehicle to be operated upon a public way any muffler cut-out, bypass, or similar device. No device shall be used on any motor vehicle operated upon the public way to create unnecessary noise and disturbance.
- (4) **Jake braking.** Use of engine compression brakes prohibited. No person shall use, within the village limits, motor vehicle brakes that are in any way activated or operated by the compression of the engine of the motor vehicle (including those known as "Jake brakes"). It shall be an affirmative defense to prosecution under this section that compression brakes were applied in an emergency and were necessary for the protection of persons or property. Emergency vehicles shall be exempt from this division (D).

- (c) **UNNECESSARY SMOKE PROHIBITED.** It shall be unlawful for any person to operate a motor vehicle in such a manner which shall make or cause to be made any smoke, gases, or odors which are disagreeable, foul, or otherwise offensive which may tend to annoy or disturb another in or about any public or private area in the city.

(d) *UNNECESSARY ACCELERATION AND DISPLAY OF POWER PROHIBITED.* It shall be unlawful for any person to operate any vehicle, including motorcycles, all-terrain vehicles, and bicycles, in such a manner as to cause, by excessive and unnecessary acceleration, the tires of such vehicle or cycle to spin or emit loud noises or to unnecessarily throw stones or gravel; nor shall such driver cause to be made by excessive and unnecessary acceleration any loud noise as would disturb the peace.

(e) *DISORDERLY CONDUCT WITH A MOTOR VEHICLE.*

- (1) Conduct prohibited. No person shall, within the city, by or through the use of any motor vehicle, including but not limited to, an automobile, truck, motorcycle, minibike, ATV, UTV, snowmobile, or other motorized bike or scooter, cause or provoke disorderly conduct with a motor vehicle, cause a disturbance or annoy one or more persons, or disturb or endanger the property or the safety of another's person or property.
- (2) No person shall by or through the use of a motor vehicle allow any person to ride outside or on vehicle in an area not designated as a passenger compartment.
- (3) No person by use of a motor vehicle shall endanger the safety of another person.

(f) *AVOIDANCE OF TRAFFIC-CONTROL DEVICE PROHIBITED.* It shall be unlawful for any person to operate a motor vehicle in such a manner as to leave the roadway and travel across private property to avoid an official traffic-control device, sign, or signal.

Effective Date. This ordinance shall take effect upon adoption and publication or posting.

Adopted this _____ day of _____, 2026.

OFFERED BY:

Alderpersion

SECONDED BY:

Alderpersion

APPROVED:

Katie Berman, Mayor

I hereby certify that the foregoing ordinance was duly adopted by the City of Peshtigo at a legal meeting on this _____ day of _____, 2026.

Tammy Kasal
City Clerk-Treasurer

ORDINANCE NO. 2026-__

An Amendment to Section 28-23(c) of City Ordinance
Prohibiting Hunting on City Owned Land

That Sec. 28-23(c) of the Code of Ordinances, City of Peshtigo, Wisconsin is hereby amended to read as follows:

(c) Hunting prohibited.

- 1. Purpose.** Lands owned by the City are not intended for hunting and are subject to other uses and regulations. Allowing hunting on City-owned property, in addition to access and management issues, could cause damage to public resources, create safety risks and hazards, and otherwise conflict with other City uses. The purpose of this subsection is to protect the City and citizens from such concerns and from dangers associated with the discharge of firearms and/or bows and arrows while hunting on City-owned property in order to protect public safety, health and welfare.
- 2. Definitions.** For purposes of this Section:
 - a. Firearms** refers to a rifle of any caliber, shotgun of any gauge, handgun, pistol, revolver, air guns, BB guns and pellet guns.
 - b. Bow and Arrow** refers to a compound bow, traditional bow (longbow, etc.) or crossbow that is designed or used for purposes of shooting any carbon, wood, or aluminum arrow.
 - c. Hunt or Hunting** includes shooting, shooting at, pursuing, taking, capturing, trapping, or killing or attempting to capture or kill any wild animal.
- 3. Authority.**
 - a.** Section 29.038(2)(b) of the Wisconsin Statutes specifies a local government unit may enact an ordinance or adopt any regulation, resolution or other restriction that restricts or prohibits access for hunting, fishing, or trapping in any portion of land that it owns or leases.
 - b.** Section 29.038(3)(a) of the Wisconsin Statutes states a local governmental unit may enact an ordinance or adopt a regulation, resolution or other restriction that has an incidental effect on hunting, fishing, or trapping, but only if the primary purpose is to further public health or safety.
 - c.** Section 66.0409(3)(b) of the Wisconsin Statutes permits cities to enact an ordinance that restricts the discharge of firearms.
- 4. Within the City Limits.** Hunting on land within the Corporate City limits of the City of Peshtigo is prohibited except as otherwise provided in this Section.
- 5. Hunting Prohibited on City-owned Land outside of the City limits.** No person shall, on private lands owned or leased by the City of Peshtigo outside of the city

limits, hunt any game animal, game bird, game or wild animal unless specifically authorized by this ordinance.

6. **Enforcement.** Any violation of this ordinance shall be a violation of the City's code and may be enforced by the City's law enforcement officers.

7. **Effective Date.** This ordinance shall take effect upon adoption and publication or posting.

Adopted this _____ day of _____, 2026.

OFFERED BY:

Alderpersion

SECONDED BY:

Alderpersion

APPROVED:

Katie Berman, Mayor

I hereby certify that the foregoing ordinance was duly adopted by the City of Peshtigo at a legal meeting on this _____ day of _____, 2026.

Tammy Kasal
City Clerk-Treasurer