

# Memo

To: Village Board

Fr: Trevor Fuller, Director of Planning and Community Development

Re: ACTION RE: ABATEMENT PLAN BY STEVE MILLER REGARDING NUISANCE BRIDGE STRUCTURE LOCATED AT 832 DAUPHIN STREET

Date: 11 August 2022

Staff noticed an unsafe bridge structure almost completely hidden by buckthorn and other overgrowth at 832 Dauphin Street in late spring 2022. Staff made several attempts to contact the property owner (Steve Miller), including a letter ordering to fix or repair the nuisance structure for public safety reasons.

Staff met with the owner on June 23, 2022 and asked for a temporary and immediate solution of marking and fencing off the bridge structure, while at the same time, working on a more permanent solution to repair or remove the structure. The property owner agreed to use rope to block off the structure, but after a follow-up inspection was made, staff found that twine was inadequately strung across the entrance to the bridge structure.

On July 13, 2022, upon recommendation from Village Counsel, staff removed the buckthorn and brush from the village right-of-way that was in front of the entrance of the bridge structure. Staff also placed barricades and caution tape in front of the entrance on village right-of-way. The village has not received any communication from the property owner since we met on June 23<sup>rd</sup>.

The property file shows that Mr. Miller has been made aware of safety concerns of the bridge structure several times over the years dating back to when a permit was first applied for in 1997. The bridge structure was never completed, constructed from reused material, and has continued to deteriorate over the years, to the point where it is a nuisance under the Village of Allouez Municipal Code and Wisconsin Statutes.

Mr. Miller has been asked to present an abatement plan to the Village Board at the August 16, 2022 meeting per Chapter 307 of the Village of Allouez Municipal Code. Counsel has advised that the Board should set aside a prescribed period of time (e.g. 15 mins.) to entertain any abatement plan the property owner wants to present. The Village Board is not required to act on any proposed plan presented and can refer back to staff and Counsel for further review.

Staff noticed on August 9, 2022 that a wooden fence was installed at the end of the bridge structure, however, holes still remain surrounding the structure and no communication has been received by staff from the property owner.

**The Village Board is asked provide an opportunity for the property owner of the nuisance bridge structure at 832 Dauphin Street to be heard. If there is a plan presented, the Board is asked to approve the plan or refer back to staff and Counsel for further review and action.**

