

**COMMON COUNCIL  
OFFICIAL PROCEEDINGS  
January 7, 2013**

**Keith G. Bosman, Mayor**

**Debra L. Salas, City Clerk**

**KENOSHA MUNICIPAL  
BUILDING COUNCIL  
CHAMBERS ROOM 200**

**January 7, 2013**

At a meeting of the Common Council held this evening, Acting Mayor Daniel Prozanski Jr. presided. Alderperson Rocco J. Lamacchia was seated as Council president.

The meeting was called to order at 7:22 p.m.

On roll call, the following members of the Common Council were present: Alderpersons Schwartz, Michalski, Ruffolo, LaMacchia, Juliana, Mathewson, Rosenberg, Kennedy, Gordon, Bostrom, Wilson, Prozanski, Orth, and Bogdala. Alderpersons Haugaard, Ohnstad and Downing were excused.

It was moved by Alderperson Kennedy, seconded by Alderperson Juliana, to suspend the dress code.

On a voice vote, motion carried.

A moment of silence was observed in lieu of the invocation

Acting Mayor Prozanski then led the Council in the Pledge of Allegiance to the American Flag.

It was moved by Alderperson Gordon, seconded by Alderperson Kennedy, to approve the minutes of the meetings held December 3 and December 17, 2012.

Motion carried unanimously.

One citizen spoke during Citizen's Comments: Tammy Conforti.

**A. REFERRALS**

**TO THE CITY PLAN COMMISSION**

A.1. Request for a Special Exception to the spacing requirements of Section 3.12 E.2. of the Zoning Ordinance for a "Class A" liquor and Class "A" beer license at 3500 52nd Street. (Kenosha Fresh Market) (District #10)

A.2. Request for a Special Exception to the spacing requirements of Section 3.12 E.2 of the Zoning Ordinance for a "Class A" liquor and Class "A" beer license at 3806 30th Avenue. (Shree OM Enterprises, Inc.) (District #10)

A.3. Petition to rezone properties at 7729, 7733, 7741 and 7811 Green Bay Road from RS-1 Single-Family Residential District and a portion of a property at 7800 60th Avenue from M-2 Heavy Manufacturing District to B-2 Community Business District in conformance with Section 10.02 of the Zoning Ordinance. (Meijer) (District #14)

**B. COMMUNICATIONS,  
PETITIONS, REPORTS  
OF DEPARTMENTS**

B.1. It was moved by Alderperson Kennedy, seconded by Alderperson Wilson, to approve:

- a. 13 applications for an Operator's (Bartenders) license, per list on file in the office of the City Clerk.
- b. 1 transfer of agent status of Beer and/or Liquor licenses, per list on file in the office of the City Clerk.
- c. 4 application(s) for a special Class "B" Beer and/or "Class B" Wine license per list on file in the office of the City Clerk.
- d. 1 application for a Taxi Driver's license per list on file in the office of the City Clerk.

On a voice vote, motion carried.

**C. RECOMMENDATIONS FROM THE COMMITTEE ON LICENSING/PERMITS**

**D. ORDINANCES 1ST READING**

It was moved by Alderperson Kennedy, seconded by Alderperson Michalski to send the following ordinance on its way:

D.1. By the Mayor – To Repeal and Recreate Subsection 7.129 C (of the Code of General Ordinances) to Allow for Exceptions to Certain Parking Restrictions.

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On a voice vote, motion carried.

**E. ZONING ORDINANCES 1ST READING**

**F. ORDINANCES 2ND READING**

Full text of ordinances are on file in the office of the City Clerk.

F.1. It was moved by Alderperson Gordon, seconded by Alderperson Ruffolo, to adopt Ordinance 1-13. A public hearing was held. No one spoke for or against said ordinance.

On roll call vote, motion carried unanimously and said ordinance was thereupon adopted:

**Ordinance 1-13**

**By the Public Safety and Welfare Committee - To Amend Section 7.125 (of the Code of General Ordinances) Entitled: "Streets Controlled by Yield Signs", to Rescind the East/West Yield Signs on 69th Street at its Intersection with 5th Avenue; and to Amend Section 7.12 c. (of the Code of General Ordinances) by Adding East/West Stop Signs on 69th Street Before Entering the Intersection with 5th Avenue.**

F.2. It was moved by Alderperson Juliana, seconded by Alderperson Schwartz, to approve ordinance by the Licensing and Permit Committee – To Repeal and Recreate Subsection 10.063 I. (of the Code of General Ordinances) for the City of Kenosha regarding Disciplinary Hearings.

A public hearing was held. Ray Misner, consultant, 2732 Lincoln Road spoke. He submitted two documents to the City Attorney.

F.2.1. It was moved by Alderperson Bogdala, seconded by Alderperson Bostrom, to amend by adding the following text to the end of the 4<sup>th</sup> sentence, “or any other person where there is a contractual client relationship of trust or reliance”. On a voice vote, motion failed.

F.2.2. It was moved by Alderperson LaMacchia, seconded by Alderperson Juliana, to defer.

On a voice vote, motion carried.

**G. ZONING ORDINANCES 2ND READING**

G.1. It was moved by Alderperson Juliana, seconded by Alderperson Wilson to adopt Ordinance 2-13. A public hearing was held. A citizen and owner of 6544-39<sup>th</sup> Avenue spoke against.

G.1.1. It was moved by Alderperson LaMacchia, seconded by Alderperson Ruffolo, to defer.

On roll call vote, motion failed (5-9) with Alderpersons Prozanski, Bogdala, Ruffolo, LaMacchia and Juliana voting no.

G.1.2. On roll call vote, motion to approve carried (10-4) with Alderpersons Kennedy, Bostrom, Michalski and Ruffolo voting no and said ordinance was thereupon adopted:

**Ordinance 2-13**

**Sponsor: Jesse Downing; Co-Sponsor: Alderperson Patrick Juliana - To Repeal Subsection 3.12 E. regarding Class "A", "Class A" license locations of the Zoning Ordinance for the City of Kenosha.**

At this time, Alderperson Juliana left the meeting .

G.2. It was moved by Alderperson Kennedy, seconded by Alderperson Schwartz, to approve Ordinance 3-13.

A public hearing was held. No one spoke for or against said ordinance. On roll call vote, motion carried unanimously and said ordinance was thereupon adopted:

**Ordinance 3-13**

**By the Mayor - Petition to rezone property at 1407 57th Street from IP Institutional Park to RG-2 General Residential District in conformance with Section 10.02 of the Zoning Ordinance. (Mares)**

**H. RESOLUTIONS**

Full text of resolutions are on file in the office of the City Clerk.

H.1. It was moved by Alderperson LaMacchia, seconded by Alderperson Wilson, to approve Resolution 1-13. A hearing was held. No one spoke. On roll call vote, motion carried unanimously and said resolution

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was thereupon adopted as follows:

**Resolution 1-13**

**By the Committee on Finance - To Levy a Special Assessment under Authority of Charter Ordinance No. 26, as Amended, upon Certain Parcels of Land Within the City of Kenosha, Wisconsin the total amount of \$3,896.70. for trash and debris removal.**

H.2. It was moved by Alderperson LaMacchia, seconded by Alderperson Wilson, to approve Resolution 2-13.

A hearing was held. No one spoke. On roll call vote, motion carried unanimously and said resolution was thereupon adopted as follows:

**Resolution 2-13**

**By the Public Safety and Welfare Committee - To Relocate an Adult School Crossing Guard from the Intersection of 65th Street and 18th Avenue to the Intersection of 65th Street and 17th Avenue for Morning Arrivals and Afternoon Dismissal Periods**

At this time, Alderperson Juliana returned to the meeting.

H.3. It was moved by Alderperson Kennedy, seconded by Alderperson Michalski, to approve Resolution 3-13.

H.3.1. It was moved by Alderperson Bostrom, seconded by Alderperson Mathewson, to refer to the Legislative Commission.

On roll call vote, motion failed (4-10) with Alderpersons Bostrom, Bogdala, Ruffolo and Mathewson voting aye.

H.3.2. It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to amend by adding the following text to the last paragraph: "and a copy the the Kenosha County Board, and the City of Kenosha's Legislative Commission, and to request that the Governor meet with the City of Kenosha's Legislative Comission."

On a roll call vote, motion to amend carried (12-2) with Alderpersons Bogdala and Mathewson voting no.

H.3.3. It was moved by Alderperson Ruffolo, seconded by Alderperson LaMacchia, to approve as amended.

On a roll call vote, motion carried (12-2) with Alderpersons Bogdala and Mathewson voting no and said Resolution was thereupon adopted as follows:

**Resolution 3-13**

**By Alderperson Patrick Juliana, Co-Sponsors Alderperson Michael J. Orth  
Alderperson Jan Michalski, Alderperson Curt Wilson, Alderperson Tod Ohnstad, Alderperson  
Scott N. Gordon, Alderperson Eric J. Haugaard  
Alderperson Jesse Downing**

**Alderperson Rocco J. LaMacchia – To Urge the Governor to Approve the Casino Proposed for the City of Kenosha**

H.4. It was moved by Alderperson Kennedy, seconded by Alderperson Gordon, to approve Resolution 4-13.

On roll call vote, motion carried unanimously and said resolution was thereupon adopted as follows:

**Resolution 4-13**

**By the Mayor - To Create Tax Incremental District #15, City of Kenosha, Wisconsin, Under Section 66.1105(4)(gm), Wisconsin Statutes**

H.5. It was moved by Alderperson Kennedy, seconded by Alderperson Gordon, to approve Resolution 5-13.

On roll call vote, motion carried unanimously and said resolution was thereupon adopted as follows:

**Resolution 05-13**

**By the Mayor - To Adopt a Project Plan for Tax Incremental District #15, City of Kenosha, Wisconsin, Under Section 66.1105(4)(g), Wisconsin Statutes.**

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**I. APPOINTMENTS/  
REAPPOINTMENTS BY THE MAYOR**

**J. PUBLIC CONSTRUCTION AND IMPROVEMENT CONTRACTS**

**K. OTHER CONTRACTS AND AGREEMENTS**

At 8:45 pm., it was moved by Alderperson Ruffolo, seconded by Alderperson Bostrom, to go into closed session for Item K.1. - Agreement by and between the City of Kenosha, Wisconsin, a municipal corporation and Baytree National Bank & Trust Co., a national banking association regarding Lakeview Virginia Towers Condominiums located at 5710 4th Avenue.

On a voice vote, motion carried unanimously.

K.1.1. At 9:00 pm, it was moved by Alderperson LaMacchia, seconded by Alderperson Juliana, to convene into open session.

On a voice vote, motion carried unanimously.

K.1.2. It was moved by Alderperson LaMacchia, seconded by Alderperson Kennedy, to approve.

On roll call vote, motion carried unanimously.

K.2. It was moved by Alderperson LaMacchia, seconded by Alderperson Juliana, to approve a Permanent and Temporary Limited Easement between the City of Kenosha and Kenosha County for Parcel 07-222-24-276-030 (2152 30th Avenue).

On roll call vote, motion carried unanimously.

**L. RECOMMENDATIONS FROM THE COMMITTEE ON FINANCE**

It was moved by Alderperson LaMacchia, seconded by Alderperson Schwartz, to amend:

L.1. By the Finance Committee - Request from Steve Marovich, President, Harbor Park Parcel C Condominium Association, to Rescind All or a Portion of the Permit Fees Plus Penalty Fees for Work Started Without Permits Totaling \$3,240.00 for Eleven (11) Porch Permits on Eleven (11) Separate Parcels at 301-341 54th Street (District #2) as follows: permit fees \$1980.00 and penalty of \$100.00.

On a voice vote, motion carried.

It was moved by Alderperson Orth, seconded by Alderperson Bostrom, to approve as amended.

On a voice vote, motion carried.

L.2. It was moved by Alderperson Kennedy, seconded by Alderperson Juliana to approve Disbursement Record #23 - \$4,913,292.20.

On a voice vote, motion carried.

L.3. It was moved by Alderperson Kennedy, seconded by Alderperson Juliana, to approve Review and Approval of Final Cost Certification Report and Release of Developer's Fee to Tarantino & Company for Casa del Mare at 3508 7th Avenue.

On a voice vote, motion carried.

**M. RECOMMENDATIONS FROM THE COMMITTEE ON PUBLIC WORKS**

M.1. It was moved by Alderperson Ruffolo, seconded by Alderperson LaMacchie to defer Final Acceptance of: Performance Contract with Johnson Controls, Inc. (Arlington Heights, IL) for LED Street Lights.

On a voice vote, motion carried.

**N. RECOMMENDATIONS FROM THE COMMITTEE ON  
PUBLIC SAFETY & WELFARE**

**ADJOURNMENT**

There being no further business to come before the Common Council, it was moved by Alderperson Kennedy, seconded by Alderperson Mathewson, to adjourn at 10:04 p.m.

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On a voice vote, motion carried.

Approved:

**KEITH G. BOSMAN  
MAYOR**

Attest:

**DEBRA L. SALAS  
CITY CLERK/TREASURER**

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**Keith G. Bosman, Mayor**

**Debra L. Salas, City Clerk**

KENOSHA MUNICIPAL  
BUILDING COUNCIL  
CHAMBERS ROOM 200  
January 23, 2013

At a meeting of the Common Council held this evening, His Honor, Mayor Keith G. Bosman presided.

The meeting was called to order at 7:00 p.m.

On roll call, the following members of the Common Council were present: Alderpersons Haugaard, Schwartz, Michalski, Ruffolo, Mathewson, Rosenberg, Kennedy, Gordon, Bostrom, Wilson, Prozanski, Orth, and Bogdala. Excused: LaMacchia, Ohnstad, Juliana and Downing.

A moment of silence was observed in lieu of the invocation.

Mayor Bosman then led the Council in the Pledge of Allegiance to the American Flag.

It was moved by Alderperson Michalski, seconded by Alderperson Gordon, to approve the minutes of the meeting held January 7, 2013.

Motion carried unanimously.

Three (3) Citizens spoke during Citizen's Comments: Lynne Broydrick, Doug Williams and John Tyler.

**MATTERS REFERRED TO THE COMMITTEES BY THE MAYOR**

To the Committees on Public Works, Public Safety & Welfare and Park Commission – Proposed Ordinance to By Alderperson Chris Schwartz – To Create 14.021 (of the Code of General Ordinances for the City of Kenosha) Regarding the Prohibition of Feeding Geese, Ducks, or Seagulls on Public Property.

**A. REFERRALS**

**TO THE PUBLIC WORKS COMMITTEE**

A.1. Petition to vacate a portion of an alley located between 21st and 22nd Avenue from 65th to 67th Street. (Sorenson/Mathewson) (District #8) (Also referred to City Plan Commission)

**TO THE PUBLIC SAFETY AND WELFARE COMMITTEE**

*The following item was pulled by the sponsor:*

A.2. By Alderperson Scott Gordon - To Repeal and Recreate Subsection 14.01 D.1. of the Code of General Ordinances for the City of Kenosha Regarding Dogs and Cats

**TO THE CITY PLAN COMMISSION**

A.3. Conditional Use Permit for a renovation to the stadium at Simmons Field at 7817 Sheridan Road. (Northwoods League) (District #12) (Also referred to Parks Commission)

**TO THE LEGISLATIVE COMMISSION**

A.4. By Alderperson Steve G. Bostrom – To Review and Comment on the League of Municipalities Priorities for the 2013 Legislative Session.

**B. COMMUNICATIONS,  
PETITIONS, REPORTS  
OF DEPARTMENTS**

B.1. It was moved by Alderperson Bogdala, seconded by Alderperson Michalski, to approve:

- a. 13 applications for an Operator's (Bartenders) license, per list on file in the office of the City Clerk.
- b. There were no application(s) for a transfer of agent status of Beer and/or Liquor licenses, per list on file in the office of the City Clerk.
- c. 6 application(s) for a special Class "B" Beer and/or "Class B" Wine license per list on file in the office of the City Clerk.
- d. There were no application(s) for a Taxi Driver's license per list on file in the office of the City Clerk.

On a voice vote, motion carried.

**C. RECOMMENDATIONS FROM THE COMMITTEE ON LICENSING/PERMITS**

C.1. It was moved by Alderperson Kennedy, seconded by Alderperson Michalski, to approve applications for new Operator's (Bartender) licenses, subject to demerit points listed:

- a. Rachel Krueger (20 demerit points)
- b. Ashlee Morelli (20 demerit points)
- c. Matthew McPhaul (20 demerit points)
- d. Kristal Matson (60 demerit points)
- e. Robert McMullin (80 demerit points)

A hearing was held. The applicants did not appear. On a voice vote, motion carried.

C.2. It was moved by Alderperson Michalski, seconded by Alderperson Kennedy, to approve the application of Amber Krueger for a new Operator's (Bartender) license, subject to 20 demerit points. A hearing was held. The applicant did not appear. On a voice vote, motion carried.

C.3. It was moved by Alderperson Kennedy, seconded by Alderperson Wilson, to approve the application of Amber Mahoney for a new

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Operator's (Bartender) license, subject to 20 demerit points. A hearing was held. The applicant was present and spoke. On a voice vote, motion carried.

C.4. It was moved by Alderperson Kennedy, seconded by Alderperson Michalski, to approve the application of James Iorio for a new Taxi Driver's License, subject to 90 demerit points. A hearing was held. The applicant did not appear. On a voice vote, motion carried.

C.5. It was moved by Alderperson Kennedy, seconded by Alderperson Wilson, to deny applications for new Taxi Driver's Licenses, based on material police record:

a. John Tyler

b. Paul Maxey

A hearing was held. John Tyler was present and spoke. On a voice vote, motion carried.

C.6. It was moved by Alderperson Bostrom, seconded by Alderperson Mathewson, to refer the application of S & V Partnership, LLP, to amend the description of the Class "A" Beer/"Class A" Liquor licensed premises located at 2830 - 75th Street (American Plaza Liquor) back to the Licensing/Permit Committee. (8th District) A hearing was held. The applicant did not appear. On a voice vote, motion carried.

C.7. It was moved by Alderperson Wilson, seconded by Alderperson Prozanski, to approve the application of Wisconsin CVS Pharmacy, LLC, Michael Martin, Agent, for a Class "A" Beer/"Class A" Liquor License located at 3710 - 57th Avenue, (CVS Pharmacy #2933). (5th District) A hearing was held. Representatives for the applicant and their attorney were present and spoke. On a voice vote, motion carried.

C.8. It was moved by Alderperson Schwartz, seconded by Alderperson Michalski, to approve the application of DD's Bar, Noemi Del Rio, Agent, for a Class "B" Beer Only License located at 1925 - 45th Street, (DD's Bar). (7th District) A hearing was held. The applicant did not appear. On a voice vote, motion carried.

C.9. It was moved by Alderperson Michalski, seconded by Alderperson Gordon, to approve the application of Naster, Inc., for a Daily Cabaret License, located at 3221 - 60th Street, (Our Kenosha Tap), on January 26, 2013, with no adverse recommendations. (3rd District) A hearing was held. The applicant did not appear. On a voice vote, motion carried.

C.10. It was moved by Alderperson Gordon, seconded by Alderperson Wilson, to approve the renewal application of Nowshad P. Irani for a Secondhand Jewelry Dealer License located at 2400 - 52nd Street, (Superior Gold Express), with no adverse recommendations. (7th District) A hearing was held. The applicant did not appear. On a voice vote, motion carried.

C.11. It was moved by Alderperson Mathewson, seconded by Alderperson Wilson, to approve the application of Lin Liang Wu for a Massage Therapist License. A hearing was held. The applicant was present and spoke. On roll call vote, motion carried (11-2) with Alderpersons Gordon and Bostrom voting nay.

C.12. It was moved by Alderperson Mathewson, seconded by Alderperson Wilson, to approve the renewal application of CunJun Wang for a Massage Therapist License. On roll call vote, motion carried (11-2) with Alderpersons Gordon and Bostrom voting nay.

C.13. It was moved by Alderperson Kennedy, seconded by Alderperson Wilson, to approve the Findings of Fact, Conclusions of Law and Recommendation (to suspend for a period of fifteen (15) consecutive days and reinstate subject to twenty-five (25) demerit points) in the Matter of the Operator's (Bartender) License of Joan Marie Eckert. A hearing was held. The applicant did not appear. On roll call vote, motion carried unanimously.

C.14. It was moved by Alderperson Kennedy, seconded by Alderperson Wilson, to approve the Findings of Fact, Conclusions of Law and Recommendation (to suspend for a period of ninety (90) consecutive days and reinstate subject to 60 demerit points) in the Matter of the Taxi Driver's License of Charles Ulrich. A hearing was held. The applicant did not appear. On roll call vote, motion carried unanimously.

**D. ORDINANCES 1ST READING**

It was moved by Alderperson Michalski, seconded by Alderperson Gordon to send the following ordinance on its way:

D.1. By Alderperson David F. Bogdala – To Create, Recreate, Repeal, and Renumber Various Subsections Under 10.063 D. and 10.063 E. Regarding Demerit Points.

On a voice vote, motion carried.

**E. ZONING ORDINANCES 1ST READING**

It was moved by Alderperson Michalski, seconded by Alderperson Gordon, to send the following ordinance on its way:

E.1. Petition to rezone properties at 7729, 7733, 7741 and 7811 Green Bay Road from RS-1 Single-Family Residential District and a portion of a property at 7800 60th Avenue from M-2 Heavy Manufacturing District to B-2 Community Business District (in conformance with Section 10.02 of the Zoning Ordinance). (Meijer)

**F. ORDINANCES 2ND READING**

Full text of ordinances are on file in the office of the City Clerk.

F.1. It was moved by Alderperson Michalski, seconded by Alderperson Orth, to adopt Ordinance 4-13.

A public hearing was held. No one spoke for or against said ordinance.

On roll call vote, motion carried unanimously and said ordinance was thereupon adopted:

**Ordinance 4-13**

**By the Mayor – To Repeal and Recreate Subsection 7.129 C (of the Code of General Ordinances) to Allow for Exceptions to Certain Parking Restrictions.**

F.2. It was moved by Alderperson Wilson, seconded by Alderperson Bostrom, to defer the proposed ordinance by the Licensing and

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Permit Committee – To Repeal and Recreate Subsection 10.063 I. (of the Code of General Ordinances) for the City of Kenosha regarding Disciplinary Hearings. On a voice vote, motion carried.

**G. ZONING ORDINANCES 2ND READING**

**H. RESOLUTIONS**

Full text of resolutions are on file in the office of the City Clerk.

H.1. It was moved by Alderperson Michalski, seconded by Alderperson Prozanski, to approve resolutions 6-13 through 9-13 by the Finance Committee – To Levy Special Assessments for Hazardous Walk and/or Driveway Approach Repair Only (to be levied against the respective parcels of property as shown by a report of the City Engineer and filed in the office of the City Clerk of the City of Kenosha) A hearing was held. No one spoke. On roll call vote, motion carried unanimously and said resolutions were thereupon adopted as follows:

- a. Resolution 6-13 - Project 12-1012 - \$25,832.76 (32nd Avenue - 55th Street to 52nd Street, 33rd Avenue - 55th Street to 52nd Street, 27th Avenue - 35th Street to 33rd Street, 60th Avenue - 82nd Street to 80th Street). (Districts 6, 11 & 14)
- b. Resolution 7-13 - Project 12-1015 - \$22,643.00 (Lincoln Road - 22nd Avenue to 80th Street) (District 13)
- c. Resolution 8-13 - Project 12-1024 - \$25,041.00 (for 60th Street - 22nd Avenue to 8th Avenue) (Districts 2 & 3)
- d. Resolution 9-13 - Project 11-1208 - \$62,277.31 (for Citywide Locations) (All Districts)

H.2. It was moved by Alderperson Kennedy, seconded by Alderperson Michalski, to approve Resolutions 10-13 through 15-13 - By the Finance Committee – To Levy Special Charges Upon Various Parcels of Property Located in the City per List on File in the Office of the City Clerk. A hearing was held. No one spoke. On roll call vote, motion carried unanimously and said resolutions were thereupon adopted as follows:

- a. Resolution 10-13 - Boarding and Securing - \$5,615.95
- b. Resolution 11-13 - Graffiti Removal - \$1,450.00
- c. Resolution 12-13 - Grass and Weed Cutting - \$11,022.75
- d. Resolution 13-13 - Property Maintenance Reinspection Fees - \$16,910.00
- e. Resolution 14-13 - Trash and Debris Removal - \$805.00
- f. Resolution 15-13 - Trimming Trees/Bushes for Visual Clearance - \$400.00.

H.3. It was moved by Alderperson Michalski, seconded by Alderperson Gordon, to approve Resolution 16-13. A hearing was held. No one spoke. On roll call vote, motion carried unanimously and said resolution was thereupon adopted as follows:

Resolution 16-13

By the Committee on Finance - To Levy a Special Assessment (under Authority of Charter Ordinance No. 26, as Amended), upon Certain Parcels of Land Within the City of Kenosha, Wisconsin in the total amount of \$4,540.56 for trash and debris removal.

H.4. It was moved by Alderperson Bostrom, seconded by Alderperson Bogdala, to refer Resolution 17-13 to the Legislative Commission. On a voice vote, motion failed.

H.4.1 It was moved by Alderperson Kennedy, seconded by Alderperson Mathewson to amend by adding the directive to send a copy to the Kenosha County Clerk. On a voice vote, motion carried.

H.4.2 It was moved by Alderperson Ruffolo, seconded by Alderperson Mathewson to amend by adding the directive to send a copy to the Kenosha County Board and County Executive. On a voice vote, motion carried.

H.4.3. It was then moved by Alderperson Wilson, seconded by Alderperson Prozanski to approve Resolution 17-13 as amended. On roll call vote, motion carried (11-2) with Alderpersons Bostrom and Bogdala voting nay and said resolution was thereupon adopted as follows:

Resolution 17-13

SPONSOR: ALDERPERSON CURT WILSON CO-SPONSOR(S): ALDERPERSON TOD OHNSTAD ALDERPERSON ROCCO LAMACCHIA ALDERPERSON DANIEL PROZANSKI, JR.  
ALDERPERSON  
KEITH W. ROSENBERG

ALDERPERSON SCOTT N.GORDON ALDERPERSON JAN MICHALSKI ALDERPERSON PATRICK JULIANA

To Urge the Governor to Veto any Legislation That Would Eliminate Registration at the Polls.

H.5. It was moved by Alderperson , Schwartz, seconded by Alderperson Rosenberg, to approve Resolution 18-13. On roll call vote, motion carried unanimously and said resolution was thereupon adopted as follows:

Resolution 18-13

By Alderperson Chris Schwartz – To Support The City of Kenosha Application to The State of Wisconsin for Main Street Designation.

H.6. It was moved by Alderperson Prozanski, seconded by Alderperson Michalski, to defer the proposed resolution by Alderperson Kevin E. Mathewson – To Direct That All Alderpersons Be Given a Key to the Municipal Office Building for 30 days. On roll call vote, motion failed (6-7) with Alderpersons Haugaard, Gordon, Wilson, Prozanski, Michalski and Rosenberg voting aye.

H.6.1. It was then moved by Alderperson Mathewson, seconded by Alderperson Bostrom to approve.

H.6.2. It was moved by Alderperson Kennedy, seconded by Alderperson Bogdala to amend the second to last paragraph as follows:

NOW, THEREFORE, BE IT RESOLVED by the Common Council for the City of Kenosha that each alderperson be provided a key to the Municipal Office building for the use of the alderperson while the person remains an alderperson, after which time, the alderperson must return the key to City Administration. ~~and develop~~ **subsequent to the development and promulgation of** the policies and procedures governing ~~this the system~~ use by alderpersons in the Municipal Office Building.

After discussion, the maker withdrew his motion. The seconder disagreed. The motion remained on the floor.

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Aldersperson Prozanski called for a point of order, questioning if the motion should remain on the floor if the maker wished to withdraw. The City Attorney recommended to sustain the motion, citing that the seconder would need to be in agreement of the withdrawal. The motion remained on the floor.

H.6.3. It was moved by Aldersperson Kennedy, seconded by Aldersperson Wilson to defer for 45 days.

Aldersperson Bostrom called for a point of order, questioning if a second motion to defer was in order for the same item. The City Attorney recommended to sustain the motion, citing that if the motion was to defer indefinitely, it would not be in order, but since a length of time was specified, it was in order. The motion remained on the floor.

On roll call vote, motion to defer for 45 days carried unanimously.

**I. APPOINTMENTS/  
REAPPOINTMENTS BY THE MAYOR**

**J. PUBLIC CONSTRUCTION AND IMPROVEMENT CONTRACTS**

**K. OTHER CONTRACTS AND AGREEMENTS**

K.1. It was moved by Aldersperson Kennedy, seconded by Aldersperson Michalski, to approve Memorandum of Understanding Between the City of Kenosha, Department of Community Development and Inspections and the Kenosha County, Department of Human Services, with an amendment to Page 2, #4, changing the amount to \$270,255. On roll call vote, motion carried unanimously.

K.2. It was moved by Aldersperson Kennedy, seconded by Aldersperson Prozanski, to approve Contract to raze buildings, parking lots and restore parcels Former CYC Campus: (1715 52nd Street (Martin Building), Tax Key No. 12-223-31-326-022; 1710 53rd Street (Johnson Building), Tax Key No. 12-223-31-326-024; 1822 53rd Street, Tax Key No. 12-223-31-326-020; 1801 52nd Street, Tax Key No. 12-223-31-326-021) By And Between THE CITY OF KENOSHA, WISCONSIN, A Wisconsin Municipal Corporation, Azarian Wrecking, LLC., A Wisconsin Limited Liability Company.

K.2.1. It was moved by Aldersperson Bostrom, seconded by Aldersperson Ruffolo, to refer to the Public Works Committee. On a voice vote, motion carried.

K.3. It was moved by Aldersperson Kennedy, seconded by Aldersperson Prozanski, to approve contract to raze building(s) and restore lots: (4628 37th Avenue, Tax Key No. 09-222-36-228-012; 4804 37th Avenue, Tax Key No. 09-222-36-230-015; 4702 36th Avenue, Tax Key No. 09-222-36-227-02) By And Between THE CITY OF KENOSHA, WISCONSIN, A Wisconsin Municipal Corporation, And Azarian Wrecking LLC, A Wisconsin Limited Liability Company.

On roll call vote, motion carried unanimously.

**L. RECOMMENDATIONS FROM THE COMMITTEE ON FINANCE**

L.1. It was moved by Aldersperson Kennedy, seconded by Aldersperson Michalski, to approve Disbursement Record #24 - \$23,784,333.84. On roll call vote, motion carried unanimously.

L.2. It was moved by Aldersperson Michalski, seconded by Aldersperson Prozanski, to approve request from Jeff Horton, Bad BoyZ Automotive Repair, to Rescind Penalty Fees in the Amount of \$720.00 for an Occupancy Permit at 4103 7th Avenue (Parcel #11-223-30-478-004) (District #1) At this time, it was moved by Aldersperson Kennedy, seconded by Aldersperson Bostrom to take a 2 minute recess. On a voice vote, motion carried. The Common Council recessed for a few minutes and reconvened. On roll call vote, motion to rescind carried unanimously.

L.3. It was moved by Aldersperson Prozanski, seconded by Aldersperson Ruffolo, to approve request to Rescind Reinspection Fees in the Amount of \$630.00 Associated with Illegal Occupancy at 5710 5th Avenue (Parcel #12-223-31-489-016) (Property Owner: Katherine Elefteriou) (District #2) On roll call vote, motion carried unanimously.

L.4. It was moved by Aldersperson Bogdala, seconded by Aldersperson Prozanski, to deny Claim - Aje'Liyana & Jeremiah Williams v. City of Kenosha.

On roll call vote, motion carried unanimously.

**M. RECOMMENDATIONS FROM THE COMMITTEE ON PUBLIC WORKS**

M.1. It was moved by Aldersperson Haugaard, seconded by Aldersperson Ruffolo to approve Final Acceptance of Performance Contract with Johnson Controls, Inc. (Arlington Heights, IL) for LED Street Lights.

On roll call vote, motion carried unanimously.

**N. RECOMMENDATIONS FROM THE COMMITTEE ON  
PUBLIC SAFETY & WELFARE**

**ADJOURNMENT**

There being no further business to come before the Common Council, it was moved, seconded and carried on a voice vote, to adjourn at 9:41 pm.

Approved:

**KEITH G. BOSMAN  
MAYOR**

Attest:

**COMMON COUNCIL  
OFFICIAL PROCEEDINGS  
January 23, 2013**

**Keith G. Bosman, Mayor**

**Debra L. Salas, City Clerk**

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**DEBRA L. SALAS  
CITY CLERK/TREASURER**

**COMMON COUNCIL  
OFFICIAL PROCEEDINGS  
February 4, 2013**

**Keith G. Bosman, Mayor**

**Debra L. Salas, City Clerk**

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KENOSHA MUNICIPAL  
BUILDING COUNCIL  
CHAMBERS ROOM 200  
February 4, 2013

At a meeting of the Common Council held this evening, His Honor, Mayor Keith G. Bosman presided.

The meeting was called to order at 7:03 p.m.

On roll call, the following members of the Common Council were present: Alderpersons Haugaard, Schwartz, Michalski, Ruffolo, LaMacchia, Ohnstad, Juliana, Mathewson, Rosenberg, Kennedy, Gordon, Bostrom, Wilson, Prozanski, Orth, Downing and Bogdala.

A moment of silence was observed in lieu of the invocation.

Mayor Bosman then led the Council in the Pledge of Allegiance to the American Flag.

It was moved by Alderperson Michalski, seconded by Alderperson LaMacchia, to approve the minutes of the meeting held January 23, 2013.

Motion carried unanimously.

The Mayor made a commendation to Relay for Life, Kenosha.

Twelve citizens spoke during Citizen's Comments: Bonnie Mirkiewicz, Wally Toboyek, Brigitte Hauser, Robyn Woods, Doug Williams, Rollin Pizzala, William Jalensky, Ronald McNutt, Lou Molitor, Aaron Losch, Christopher LeMark, and Chet Dickow.

**A. REFERRALS**

**TO THE COMMITTEE ON FINANCE**

A.1. By Alderperson Bogdala - To amend, repeal, recreate and create various subsections of 14.001 definitions; 14.01 dogs and cats; 14.015 kennels and pet shops; 14.055 cruelty to animals; 14.07 rabies control; 14.075 vicious animals and 14.08 penalties of the Code of General Ordinances for The City of Kenosha. (Also referred to PSW)

**TO THE PUBLIC WORKS COMMITTEE**

A.2. By the Mayor - To repeal, recreate and renumber subsection 2.10 of the Code of General Ordinances for the City of Kenosha entitled "Special Assessments".

**TO THE STORM WATER UTILITY COMMITTEE**

A.3. By the Mayor - To Create Subparagraph 8.06 C.4.c. of the Code of General Ordinances for the City of Kenosha entitled "GFP-General Floodway".

**TO THE CITY PLAN COMMISSION**

A.4. By the Mayor - To Amend Subparagraph 14.08 H.1. and Create Subparagraph 14.08 H.1.a. of the Zoning Ordinance regarding interior parkway landscaping.

A.5. By the Mayor - To Amend Subparagraph 3.14 A.5.g-1; To Create Subsection 3.14 C.25; To Modify Table 4.01 Group 2; and To Create Subsection 4.06 B.24 of the Zoning Ordinance for the City of Kenosha, Wisconsin regarding Indoor Kennels.

A.6. By Alderperson Jan Michalski; Co-Sponsors Alderpersons Curt Wilson, Scott Gordon, Patrick Juliana - To Repeal and Recreate Subparagraph 4.06 B.23.b.(2) of the Zoning Ordinance for the City of Kenosha regarding Location of Convenient Cash Business(es) in the B-2 District.

**B. COMMUNICATIONS,  
PETITIONS, REPORTS  
OF DEPARTMENTS**

B.1. It was moved by Alderperson LaMacchia, seconded by Alderperson Juliana, to approve:

a. 15 applications for an Operator's (Bartenders) license, per list on file in the office of the City Clerk.

b. 1 transfer of agent status of Beer and/or Liquor licenses, per list on file in the office of the City Clerk.

c. 2 application(s) for a special Class "B" Beer and/or "Class B" Wine license per list on file in the office of the City Clerk.

d. There were no application(s) for a Taxi Driver's license.

On a voice vote, motion carried.

**C. RECOMMENDATIONS FROM THE COMMITTEE ON LICENSING/PERMITS**

C.1. It was moved by Alderperson Ohnstad, seconded by Alderperson LaMacchia, to approve Applications for New Operator's (Bartender) Licenses, Subject to:

- 0 demerit points:

a. Carla Sappington

- 20 demerit points:

b. Annie Johns

c. Gia Martin

d. Kathie Berndt

e. Krista Behl

f. Amber Casebolt

g. Lauren Tijerina

h. Michael Perkins

- 40 demerit points:

i. Crystal Ullisnik

Alderperson Downing stated that he would be abstaining on Item C.1.h. A hearing was held. The applicants did not appear. On a voice vote, motion carried.

C.2. It was moved by Alderperson Juliana, seconded by Alderperson Kennedy, to approve application of Courtney Carls for a new Operator's (Bartender) License, Subject to 80 Demerit Points. A hearing was held. The applicant did not appear. On a voice vote, motion carried.

C.3. It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to refer the application of Aaron Losch for a new Operator's (Bartender) License back to Licensing/Permit Committee. A hearing was held. The applicant was present and spoke. On a voice vote, motion carried.

C.4. It was moved by Alderperson Prozanski, seconded by Alderperson Kennedy, to deny Application of Diana Gonzalez for a new Operator's (Bartender) License, based on Non-Production of Requested Documentation, Non-Attendance at Four Meetings, and Material Police Record. A hearing was held. The applicant did not appear. On a voice vote, motion carried.

C.5. It was moved by Alderperson Wilson, seconded by Alderperson Juliana, to approve application of Walgreen Co., Robert Hilber, Agent, for a Class "A" Beer/Class A" Liquor License Located at 3805 80th Street (Walgreens #03617) with No Adverse Recommendations. A hearing was held. Nicholas Infusino, Attorney and a district manager of Walgreen's were present and spoke.

**COMMON COUNCIL  
OFFICIAL PROCEEDINGS  
February 4, 2013**

**Keith G. Bosman, Mayor**

**Debra L. Salas, City Clerk**

On a voice vote, motion carried.

C.6. It was moved by Alderperson Ohnstad, seconded by Alderperson Juliana, to approve application of Fresca Market Kenosha, Inc., Lucas Cowick, Agent, for a Class "A" Beer/"Class A" Liquor License located at 4216 52nd Street (Save A Lot) with No Adverse Recommendations. A hearing was held. The applicant did not appear. On a voice vote, motion carried.

C.7. It was moved by Alderperson Gordon, seconded by Alderperson Ohnstad, to approve application of Shree Om Enterprises, Inc., Jignesh R. Patel, Agent, for a Class "A" Beer License located at 3806 30th Avenue (BP Station & Mini Mart) with No Adverse Recommendations. A hearing was held. Tom Bilski, Attorney, was present and spoke. The agent was present. On a voice vote, motion carried.

C.8. It was moved by Alderperson Kennedy to deny application of PW Fresh Market, LLC, Gregory C. Duban, Agent, for a Class "A" Beer/"Class A" Liquor License located at 3500 52nd Street, (Kenosha Fresh Market) with No Adverse Recommendations. Motion lost for lack of a second.

C.8.1. It was moved by Alderperson Ohnstad, seconded by Alderperson Gordon, to approve. A hearing was held. The agent and a representative were present and spoke. On roll call vote, motion to approve carried (13-4) with Alderpersons Haugaard, Kennedy, Michalski and Mathewson voting nay.

C.9. It was moved by Alderperson Ohnstad, seconded by Alderperson Kennedy, to defer for 30 days the application of Paramvir, Inc., Jagdeep Kaur, Agent, for a "Class A" Liquor License located at 4433 22nd Avenue, (Grace Citgo). A hearing was held. The applicant did not appear. On a voice vote, motion carried.

C.10. It was moved by Alderperson Juliana, seconded by Alderperson Kennedy, to approve application of Gerolmo's Tavern, Inc., for a Transfer of Agent Status of the Class "B" Beer/"Class B" Liquor License Located at 2506 52nd Street, (Gerolmo's) from Mary Ann Sacripanti to Richard Rosko, subject to 60 demerit points. A hearing was held. The applicant was present and spoke. On a voice vote, motion carried.

C.11. It was moved by Alderperson Schwartz, seconded by Alderperson Kennedy, to approve application of Anita M. Wellman for Secondhand Article Dealer and Secondhand Jewelry Licenses located at 711 - 57th Street, (Lucky 7 Thrift Store), with no adverse recommendations. A hearing was held. The applicant was present and spoke. On a voice vote, motion carried.

**D. ORDINANCES 1ST READING**

It was moved by Alderperson Schwartz, seconded by Alderperson Gordon, to send the following ordinance on its way:

D.1. By Alderperson Chris Schwartz – To Create 14.021 (of the Code of General Ordinances for the City of Kenosha) Regarding the Prohibition of Feeding Geese, Ducks, or Seagulls on Public Property.

On a voice vote, motion carried.

**E. ZONING ORDINANCES 1ST READING**

**F. ORDINANCES 2ND READING**

Full text of ordinances are on file in the office of the City Clerk.

F.1. It was moved by Alderperson Prozanski, seconded by Alderperson Juliana, to adopt Ordinance 5-13.

A public hearing was held. No one spoke for or against said ordinance.

On roll call vote, motion carried (10-7) with Alderpersons Bostrom, Bogdala, Michalski, Ruffolo, Ohnstad, Mathewson and Rosenberg voting nay said ordinance was thereupon adopted:

**Ordinance 5-13**

**By the Licensing and Permit Committee – To Repeal and Recreate Subsection 10.063 I. (of the Code of General Ordinances) for the City of Kenosha regarding Disciplinary Hearings.**

F.2. It was moved by Alderperson Prozanski, seconded by Alderperson Juliana, to defer for two weeks the proposed ordinance by Alderperson David F. Bogdala – To Create, Recreate, Repeal, and Renumber Various Subsections Under 10.063 D. and 10.063 E. Regarding Demerit Points. On a voice vote, motion carried.

At approximately 8:48 pm, it was moved by Alderperson Gordon, seconded by Alderperson Bostrom, to take a five minutes recess. On a voice vote, motion carried. At approximately 8:58 pm, it was moved by Alderperson Ruffolo, seconded by Alderperson Michalski, to reconvene the meeting. On a voice vote, motion carried.

**G. ZONING ORDINANCES 2ND READING**

G.1. It was moved by Alderperson Prozanski, seconded by Alderperson Orth, to adopt Ordinance 6-13. A public hearing was held. Brian Randle, Attorney for Meijer was present and spoke. Four citizens spoke against and one citizen spoke in favor of the proposed ordinance. On roll call vote, motion carried unanimously and said ordinance was thereupon adopted:

**Ordinance 6-13**

**By the Mayor - To rezone properties at 7729, 7733, 7741 and 7811 Green Bay Road from RS-1 Single-Family Residential District and a portion of a property at 7800 60th Avenue from M-2 Heavy Manufacturing District to B-2 Community Business District (in conformance with Section 10.02 of the Zoning Ordinance). (Meijer)**

**H. RESOLUTIONS**

Full text of resolutions are on file in the office of the City Clerk.

H.1. It was moved by Alderperson Kennedy, seconded by Alderperson Juliana, to approve Resolution 19-13. A hearing was held. No one spoke. On roll call vote, motion carried unanimously said resolution was thereupon adopted as follows:

**Resolution 19-13**

**By the Mayor - To Authorize the Submittal of an Award Application for the Former C&L Industrial Cleaners property for WAM Contractor Services.**

H.2. It was moved by Alderperson Kennedy, seconded by Alderperson Juliana, to approve Resolution 20-13. A hearing was held. No one spoke. On roll call vote, motion carried unanimously said resolution was thereupon adopted as follows:

**Resolution 20-13**

**By Alderperson Rocco J. LaMacchia, Sr - To Appoint Community Service Officer Morgan Jankiewicz as a Humane Officer (for the City of Kenosha).**

H.3. It was moved by Alderperson Kennedy, seconded by Alderperson Ohnstad, to approve Resolution 21-13. Alderperson Michalski made a friendly amendment to strike the word "annually" from the 7<sup>th</sup> paragraph and change the word "every" to "on" in the last paragraph. A hearing was held. No one spoke. On voice vote, motion carried unanimously said resolution was thereupon adopted as follows:

**Resolution 21-13**

**By Alderperson Scott N. Gordon – Condemning The Horrific Attacks In Newtown, Connecticut and Expressing Support and Prayers For All Those Impacted By That Tragedy.**

**COMMON COUNCIL  
OFFICIAL PROCEEDINGS  
February 4, 2013**

**Keith G. Bosman, Mayor**

**Debra L. Salas, City Clerk**

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**I. APPOINTMENTS/  
REAPPOINTMENTS BY THE MAYOR**

It was moved by Alderperson Kennedy, seconded by Alderperson Schwartz, to approve:

I.1. Appointment of Christopher LeMark Frazier, (5722-13th Court, Kenosha), to the Mayor's Youth Commission, to fulfill an unexpired term which expires November 1, 2013.

On roll call vote, motion carried unanimously.

**J. PUBLIC CONSTRUCTION AND IMPROVEMENT CONTRACTS**

**K. OTHER CONTRACTS AND AGREEMENTS**

It was moved by Alderperson Kennedy, seconded by Alderperson Schwartz, to approve:

K.1. Contract to raze buildings, parking lots and restore parcels Former CYC Campus: (1715 52nd Street (Martin Building, Tax Key No. 12-223-31-326-022; 1710 53rd Street (Johnson Building), Tax Key No. 12-223-31-326-024; 1822 53rd Street, Tax Key No. 12-223-31-326-020; 1801 52nd Street, Tax Key No. 12-223-31-326-021) By And Between The City of Kenosha, Wisconsin, (A Wisconsin Municipal Corporation) and Azarian Wrecking, LLC., (A Wisconsin Limited Liability Company.)

On roll call vote, motion carried unanimously.

**L. RECOMMENDATIONS FROM THE COMMITTEE ON FINANCE**

It was moved by Alderperson Kennedy, seconded by Alderperson Schwartz, to approve:

L.1. Disbursement Record #1 - \$17,984,607.78.

On roll call vote, motion carried unanimously.

**M. RECOMMENDATIONS FROM THE COMMITTEE ON PUBLIC WORKS**

**N. RECOMMENDATIONS FROM THE COMMITTEE ON  
PUBLIC SAFETY & WELFARE**

**O. REPORTS AND RECOMMENDATIONS OF BOARDS AND COMMISSIONS**

It was moved by Alderperson LaMacchia, seconded by Alderperson Juliana, to approve:

O.1. Conditional Use Permit for a Renovation to the Stadium at Simmons Field at 7817 Sheridan Road. (Northwoods League).

O.1.1. It was moved by Alderperson Bostrom, seconded by Alderperson Bogdala, to defer for 30 days. On a voice vote, motion carried unanimously.

**ADJOURNMENT**

There being no further business to come before the Common Council, it was moved by Alderperson Michalski, seconded by Alderperson Ruffolo, to adjourn at 10:23 p.m.

On a voice vote, motion carried.

Approved:

**KEITH G. BOSMAN  
MAYOR**

Attest:

**DEBRA L. SALAS  
CITY CLERK/TREASURER**

**COMMON COUNCIL  
OFFICIAL PROCEEDINGS  
February 18, 2013**

**Keith G. Bosman, Mayor**

**Debra L. Salas, City Clerk**

KENOSHA MUNICIPAL  
BUILDING COUNCIL  
CHAMBERS ROOM 200  
February 18, 2013

At a meeting of the Common Council held this evening, His Honor, Mayor Keith G. Bosman presided.

The meeting was called to order at 7:03 p.m.

On roll call, the following members of the Common Council were present: Alderpersons Haugaard, Schwartz, Michalski, Ruffolo, LaMacchia, Ohnstad, Juliana, Mathewson, Rosenberg, Kennedy, Gordon, Bostrom, Wilson, Orth, Downing and Bogdala. Alderperson Prozanski was excused.

The Mayor recognized members of Cub Scout Troop #422 as present.

The invocation was given by Alderperson Bogdala.

Mayor Bosman then led the Council in the Pledge of Allegiance to the American Flag.

Mayor Bosman indicated that the applications of GNT Financial, LLC for Items C.9. and C.10. were withdrawn by the applicant. Thomas Stout, owner, came to the podium and verified this information was correct.

It was moved by Alderperson Juliana, seconded by Alderperson Haugaard, to approve the minutes of the meeting held February 4, 2013. Motion carried unanimously.

Mayor Bosman gave an oral referral to the Common Council: Ordinance on Change to Legislative Committee.

Nine Citizens spoke during Citizen's Comments: Dennis Nelson, Kevin Steinmetz, Mike Bjorn, Bonnie Mirkiewicz, Angela Howard, Tom Bushery, Samantha Baronsky, Joel Trudell, Brandon Gray.

**A. REFERRALS**

**TO THE COMMITTEE ON FINANCE**

A.1. Amendment to the Memorandum of Understanding dated February 1, 2010 between the Kenosha Housing Authority and the City of Kenosha. (Neighborhood Stabilization Program)

A.2. Grant Closeout Agreement for Entitlement Community Development Block Grant - Recovery Program Between the U.S. Department of Housing & Urban Development and the City of Kenosha.

A.3. By the Mayor - Resolution to Modify the Compensation Plan for Non-represented Limited Term, Seasonal, Temporary, and Part Time Employees and to Modify the Compensation Plan for Part Time Represented AFSCME Employees.

A.4. By the Mayor - Resolution to Modify the Table of Organization for the Kenosha Fire Department and to Modify the Compensation Plan for Non-represented Managerial, Supervisory and Professional Employees. (Also referred to Public Safety & Welfare Committee)

A.5. By the Mayor - Resolution to Amend the Table of Organization for the Kenosha Police Department. (Also referred to Public Safety & Welfare Committee)

**TO THE PUBLIC WORKS COMMITTEE**

A.6. By the Mayor - Resolution to approve a two-lot Certified Survey Map for property at 2216 Roosevelt Road. (Kassel) (District #3) (Also referred to City Plan Commission)

**TO THE PUBLIC SAFETY & WELFARE COMMITTEE**

A.7. By Alderperson Chris Schwartz - To Create Sections 3.15 C. 18 and C. 19, To Amend Table 4.01 Group 2 "Business Conditional Uses" and to Create Sections 4.06 B. 24 and B. 25 of the Zoning Ordinance to Include Body-Piercing and Tattoo Establishments. (Also referred to City Plan Commission)

**TO THE CITY PLAN COMMISSION**

A.8. By the Mayor - Petition to Rezone property at 6915 75th Place from B-2 Community Business District to RM-2 Multiple-family Residential District in conformance with Section 10.02 of the Zoning Ordinance. (RAP of Pewaukee, LLC) (District #14)

A.9. By the City Plan Commission - To Create Subsection 18.02 u. of the Zoning Ordinance to Amend the Land Use Plan Map for the City of Kenosha: 2035. (RAP of Pewaukee, LLC) (District #14)

A.10. Sponsor: Alderperson Kevin E. Mathewson; Co-Sponsor: Alderperson Steve G. Bostrom - to Repeal and Recreate Subparagraph 3.15 A.5.a. as Subparagraph 3.15 A.5.a-1. and Repeal Figure 3-1 of the Zoning Ordinance entitled "Amusement and Recreation Enterprises" and Reletter Subparagraphs 3.15 A.5.b-1, c and d.

**B. COMMUNICATIONS,**

**PETITIONS, REPORTS**

**OF DEPARTMENTS**

B.1. It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to approve:

a. 10 applications for an Operator's (Bartenders) license, per list on file in the office of the City Clerk.

b. There were no application(s) for a transfer of agent status of Beer and/or Liquor licenses.

c. 4 application(s) for a special Class "B" Beer and/or "Class B" Wine license per list on file in the office of the City Clerk.

d. There were no application(s) for a Taxi Driver's license.

On a voice vote, motion carried.

**C. RECOMMENDATIONS FROM THE COMMITTEE ON LICENSING/PERMITS**

C.1. It was moved by Alderperson Downing, seconded by Alderperson Ohnstad, to approve applications for new Operator's (Bartender) licenses, subject to 20 demerit points:

a. Jennifer Edwards

b. Samantha Baronsky

c. Alison Schneider

A hearing was held. The applicants were present and spoke.

On a voice vote, motion carried.

C.2. It was moved by Alderperson Kennedy, seconded by Alderperson Downing, to approve the application of Aaron Losch for a new Operator's (Bartender) license subject to 95 points. A hearing was held. The applicant did not appear.

C.2.1. It was moved by Alderperson Downing, seconded by Alderperson LaMacchia, to deny based on material police record. On roll call vote, motion carried (15-1) with Alderperson Kennedy voting nay.

C.3. It was moved by Alderperson Downing, seconded by Alderperson Michalski, to approve the application of Jason Wienke, Sr. for a new Taxi Driver's License, subject to 65 demerit points. A hearing was held. The applicant did not appear. On a voice vote, motion carried.

C.4. It was moved by Alderperson Ruffolo, seconded by Alderperson Downing, to deny the application of Michael Werwie for a new Taxi Driver's License, based on material police record. A hearing was held. The applicant did not appear.

C.4.1. At approximately 7:34 pm, it was moved by Alderperson Kennedy, seconded by Alderperson Schwartz, to take a two minute recess. On a voice vote, motion carried.

**COMMON COUNCIL  
OFFICIAL PROCEEDINGS  
February 18, 2013**

**Keith G. Bosman, Mayor**

**Debra L. Salas, City Clerk**

- C.4.2. At approximately 7:35 pm, it was moved by Alderperson Kennedy, seconded by Alderperson Schwartz, to reconvene the meeting. On a voice vote motion carried.
- C.4.3. It was moved by Alderperson Kennedy to refer back to Licensing/Permit Committee.
- C.4.4. It was moved by Alderperson Kennedy, seconded by Alderperson Michalski, to re-open to a hearing. On a voice vote, motion carried. The applicant was present withdrew his application.
- C.5. It was moved by Alderperson Downing, seconded by Alderperson Juliana, to approve the application of Yash, LLC, Daniel P. O'Donnell, Agent, for a Class "A" Beer only License located at 4924 Sheridan Road (Mobil Gas). A hearing was held. The applicant did not appear. On a voice vote, motion carried.
- C.6. It was moved by Alderperson Downing, seconded by Alderperson LaMacchia, to approve the application of 1900 22nd Ave., LLC, Fahim Ajmeri, Agent, for a Class "A" Beer/"Class A" Liquor License located at 1900 22nd Avenue (Ayra's Liquor). A hearing was held. The applicant was present and spoke. On a voice vote, motion carried.
- C.7. It was moved by Alderperson Downing, seconded by Alderperson Kennedy, to approve the application of TK Kenosha, LLC, Michael Roscioli, Agent, for a Class "B" Beer/"Class B" Liquor – RESERVE License located at 7000 - 74th Place, (Tilted Kilt) subject to 40 demerit points. A hearing was held. The applicant was present and spoke. On a voice vote, motion carried.
- C.8. It was moved by Alderperson Ohnstad, seconded by Alderperson LaMacchia, to approve the application of Reyna Castillo for a Class "B" Beer/"Class C" Wine License located at 3806 Roosevelt Road, (La Fe Cafe) with no adverse recommendations. A hearing was held. The applicant did not appear. On a voice vote, motion carried.
- C.9. It was moved by Alderperson Downing, seconded by Alderperson Juliana, to approve the application of 2 Sisters Meticulous Restorations, LLC, for a Secondhand Article Dealer License located at 1401 65th Street, (Curvee Girlz Resale and Consignment Boutique) with no adverse recommendations. A hearing was held. The applicant did not appear. On a voice vote, motion carried.
- C.10. Item withdrawn by applicant: application of GNT Financial, LLC, for Secondhand Article Dealer and Secondhand Jewelry Licenses located at 2216 Roosevelt Road, (Alexander's Jewelry & Loan).
- C.11. Item withdrawn by applicant: application of GNT Financial, LLC, for a Pawnbroker License located at 2216 Roosevelt Road, (Alexander's Jewelry & Loan).

**D. ORDINANCES 1ST READING**

- It was moved by Alderperson Mathewson, seconded by Alderperson Rosenberg to send the following ordinances on their way:
- D.1. By Alderperson David F. Bogdala - To Amend, Repeal, Recreate, Renumber and Create Various Subsections of 14.001 Definitions; 14.01 Dogs and Cats; 14.055 Cruelty to Animals; 14.07 Rabies Control; and 14.08 Penalties (of the Code of General Ordinances for the City of Kenosha).
- D.2. By the Mayor – To Renumber, Create, Repeal and Recreate Subsection 2.10 (of the Code of General Ordinances for the City of Kenosha) Entitled "Special Assessments".
- D.3. By the Mayor – To Create Subparagraph 8.06 C.4.c (of the Code of General Ordinances for the City of Kenosha) entitled "GFP-General Floodway".
- On a voice vote, motion carried.

**E. ZONING ORDINANCES 1ST READING**

**F. ORDINANCES 2ND READING**

Full text of ordinances are on file in the office of the City Clerk.

- F.1. It was moved by Alderperson Michalski, seconded by Alderperson Juliana, to defer 45 days the proposed ordinance by Alderperson Chris Schwartz – To Create 14.021 (of the Code of General Ordinances for the City of Kenosha) Regarding the Prohibition of Feeding Geese, Ducks, or Seagulls on Public Property.
- On a voice, motion carried.
- F.2. It was moved by Alderperson Bogdala, seconded by Alderperson Juliana, to approve as originally presented by the sponsor the proposed ordinance By Alderperson David F. Bogdala – To Create, Recreate, Repeal, and Renumber Various Subsections Under 10.063 D. and 10.063 E. Regarding Demerit Points. On roll call vote, motion failed (4-16) with Alderpersons Bostrom, Bogdala, Ruffolo and Mathewson voting aye.
- F.2.1. It was moved by Alderperson Bogdala, seconded by Alderperson Mathewson, to open to a public hearing. On a voice vote motion carried. Three citizens spoke.
- F.2.2. It was moved by Alderperson Kennedy, seconded by Alderperson Juliana, to adopt Ordinance 7-13 (as amended by Licensing/Permit Committee). On roll call vote, motion carried unanimously and said ordinance was thereupon adopted:

**Ordinance 7-13**

- By Alderperson David F. Bogdala – To Create, Recreate, Repeal, and Renumber Various Subsections Under 10.063 D. and 10.063 E. Regarding Demerit Points.**

**G. ZONING ORDINANCES 2ND READING**

**H. RESOLUTIONS**

Full text of resolutions are on file in the office of the City Clerk.

- H.1. It was moved by Alderperson Ohnstad, seconded by Alderperson LaMacchia, to approve Resolution 22-13. A hearing was held. No one spoke. On roll call vote, motion carried unanimously and said resolution was thereupon adopted:

**Resolution 22-13**

- by the Finance Committee – To Levy Special Charges Upon Various Parcels of Property Located in the City per List on File in the Office of the City Clerk:**

- a. Building/Zoning Reinspection Fees - \$642.00  
b. Property Maintenance Reinspection Fees - \$7,100.00  
c. Unpaid Permit Fees - \$550.00**

**I. APPOINTMENTS/  
REAPPOINTMENTS BY THE MAYOR**

**J. PUBLIC CONSTRUCTION AND IMPROVEMENT CONTRACTS**

**K. OTHER CONTRACTS AND AGREEMENTS**

- It was moved by Alderperson Ohnstad, seconded by Alderperson LaMacchia, to approve:
- K.1. Amended Short Sale Offer for 6615 20th Avenue - TID Loan.

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**Keith G. Bosman, Mayor**

**Debra L. Salas, City Clerk**

On roll call vote, motion carried unanimously.

**L. RECOMMENDATIONS FROM THE COMMITTEE ON FINANCE**

It was moved by Alderperson Ruffolo, seconded by Alderperson Ohnstad, to approve:

L.1. KABA 2012 4th Quarter Revolving Loan Fund Report.

On roll call vote, motion carried unanimously.

It was moved by Alderperson Ruffolo, seconded by Alderperson Ohnstad, to approve:

L.2. Disbursement Record #2 - \$82,023,563.07. On roll call vote, motion carried unanimously.

**M. RECOMMENDATIONS FROM THE COMMITTEE ON PUBLIC WORKS**

It was moved by Alderperson Ruffolo, seconded by Alderperson Ohnstad, to approve Final Acceptance of:

M.1. Project 10-1415 Lakefront Water Feature (5501 Ring Road) which has been satisfactorily completed by Camosy Construction (Kenosha, Wisconsin) - \$273,764.39

On roll call vote, motion carried unanimously.

It was moved by Alderperson Ruffolo, seconded by Alderperson Ohnstad, to approve Final Acceptance of:

M.2. Project 12-1012 Resurfacing (32nd Avenue - 55th Street to 52nd Street, 33rd Avenue - 55th Street to 52nd Street, 27th Avenue - 35th Street to 33rd Street, 60th Avenue - 82nd Street to 80th Street) which has been satisfactorily completed by Cicchini Asphalt, LLC (Kenosha, Wisconsin) - \$764,517.35 (\$637,534.83 in resurfacing funds and \$126,982.52 stormwater utility funds).

On roll call vote, motion carried unanimously.

**N. RECOMMENDATIONS FROM THE COMMITTEE ON  
PUBLIC SAFETY & WELFARE**

**O. REPORTS AND RECOMMENDATIONS OF BOARDS AND COMMISSIONS**

**ADJOURNMENT**

There being no further business to come before the Common Council, it was moved by Alderperson Michalski, seconded by Alderperson Schwartz, to adjourn at 9:08 pm.

On a voice vote, motion carried.

Approved:

**KEITH G. BOSMAN  
MAYOR**

Attest:

**DEBRA L. SALAS  
CITY CLERK/TREASURER**

**COMMON COUNCIL  
OFFICIAL PROCEEDINGS  
March 4, 2013**

**Keith G. Bosman, Mayor**

**Debra L. Salas, City Clerk**

KENOSHA MUNICIPAL  
BUILDING COUNCIL  
CHAMBERS ROOM 200  
March 4, 2013

At a meeting of the Common Council held this evening, His Honor, Mayor Keith G. Bosman presided.

The meeting was called to order at 7:16 p.m.

On roll call, the following members of the Common Council were present: Alderpersons Haugaard, Schwartz, Michalski, Ruffolo, LaMacchia, Mathewson, Rosenberg, Kennedy, Gordon, Bostrom, Wilson, Prozanski, Orth, Downing and Bogdala. Alderpersons Ohnstad and Juliana were excused.

A moment of silence was observed in lieu of the invocation.

Mayor Bosman then led the Council in the Pledge of Allegiance to the American Flag.

Mayor Bosman made an oral referral of a resolution to the Finance and Public Safety & Welfare Committees regarding Safe Harbor Humane Society.

It was moved by Alderperson LaMacchia, seconded by Alderperson Michalski, to approve the minutes of the meeting held February 18, 2013.

Motion carried unanimously.

Mayor Bosman introduced Boy Scout Troop 595.

Mayor Bosman and Alderperson Ruffolo presented Youth Commission Awards.

It was moved by Alderperson Michalski, seconded by Alderperson LaMacchia, to take a recess at 7:27 pm.

Motion carried unanimously. The meeting reconvened at approximately 7:39 pm.

Four Citizens spoke during Citizen's Comments: Zena Haywood, John Thibodeau, William Whyte and Tammy Conforti.

**A. REFERRALS**

**TO THE COMMITTEE ON FINANCE**

A.1. By Alderperson Jesse Downing – Resolution to Place a Portion of Class “A” and “Class A” License Fees Collected Into a Segregated Account To Be Used For Police Enforcement of Alcohol Beverage Laws (Also referred to Licensing/Permit Committee)

A.2. By the Mayor – Resolution to Rescind Resolution 140-08 Regarding the Creation of the Technology Committee (Also referred to Public Safety & Welfare, Public Works and Licensing/Permit Committee)

**TO THE PUBLIC WORKS COMMITTEE**

A.3. Review the location of a sculpture to be located at 812 56th Street. (Visitor's Bureau) (District #2) (Also referred to City Plan Commission)

**TO THE CITY PLAN COMMISSION**

A.4. Conditional Use Permit for a 5,177 s.f. restaurant with drive-thru to be located at 12214 75th Street. (McDonald's) (District #16)

A.5. Conditional Use Permit for a 64,960 s.f. waste transportation facility to be located at 4909 70th Avenue. (EMCO Waste Services) (District #16)

A.6. Conditional Use Permit for a 61,082 s.f. medical building to be located east of 118th Avenue at 68th Street. (Aurora Cancer Center) (District #16)

**B. COMMUNICATIONS,  
PETITIONS, REPORTS  
OF DEPARTMENTS**

B.1. It was moved by Alderperson Downing, seconded by Alderperson LaMacchia, to approve:

a. 39 applications for an Operator's (Bartenders) license, per list on file in the office of the City Clerk.

b. There were no application(s) for a transfer of agent status of Beer and/or Liquor licenses.

c. 1 application(s) for a special Class "B" Beer and/or "Class B" Wine license per list on file in the office of the City Clerk.

d. There were no application(s) for a Taxi Driver's license.

On a voice vote, motion carried.

B.2. It was moved by Alderperson Orth, seconded by Alderperson LaMacchia to approve Special Exception Request to the off-street parking requirement of Section 6.01 F.14 of the Zoning Ordinance for property at 7817 Sheridan Road. (Simmons Field - Northwoods League)

A hearing was held. Vern Stenman of the Madison Mallards was present and spoke.

B.2.1. It was moved by Alderperson Mathewson, seconded by Alderperson Ruffolo, to defer for 30 days.

On roll call vote, motion failed 4-11, with Alderpersons Bostrom, Bogdala, Ruffolo and Mathewson voting aye.

On roll call vote, motion to approve carried 11-4, with Alderpersons Bostrom, Bogdala, Ruffolo and Mathewson voting nay.

B.3. It was moved by Alderperson Prozanski, seconded by Alderperson LaMacchia, to approve Amendment to the 2013 HOME Program Description.

A hearing was held. Two representatives from PNC Bank spoke.

On roll call vote, motion carried 14-1, with Alderperson Bostrom voting nay.

**C. RECOMMENDATIONS FROM THE COMMITTEE ON LICENSING/PERMITS**

C.1. It was moved by Alderperson Kennedy, seconded by Alderperson Downing, to approve applications for new Operator's (Bartender) licenses subject to 20 demerit points:

a. Ian Chapman

- 40 demerit points:

b. Macara Todd

A hearing was held. The applicants did not appear.

On a voice vote, motion carried.

C.2. It was moved by Alderperson Kennedy, seconded by Alderperson Schwartz, to approve the application of Michael Werwie for a new Taxi Driver's License, subject to 90 demerit points.

A hearing was held. The applicant was present and spoke.

On roll call vote, motion carried 11-4, with Alderpersons Bostrom, Bogdala, Ruffolo and Mathewson voting nay.

C.3. It was moved by Alderperson Kennedy, seconded by Alderperson Schwartz, to approve the application of John Tyler for a new Taxi Driver's License, subject to 90 demerit points.

A hearing was held. The applicant was present and spoke.

On roll call vote, motion carried 8-7, with Alderpersons Haugaard, Gordon, Bostrom, Bogdala, Ruffolo, Mathewson and Rosenberg voting nay.

C.4. It was moved by Alderperson Kennedy, seconded by Alderperson Downing, to approve the application of Culinary Infusion,

**COMMON COUNCIL  
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**Debra L. Salas, City Clerk**

Kathleen Meyer, Agent, for a Class "B" Beer/"Class B" Liquor License located at 4902 - 7th Avenue, (Culinary Infusion), with acceptance of a conditional surrender of a similar license at the same location from L & M Meats, Inc., with no adverse recommendations.

A hearing was held. The applicant did not appear.

On a voice vote, motion carried.

C.5. It was moved by Alderperson Kennedy, seconded by Alderperson Schwartz, to approve the application of Culinary Infusion, Kathleen Meyer, Agent, for a Yearly Cabaret License License located at 4902 - 7th Avenue, (Culinary Infusion), with no adverse recommendations.

A hearing was held. The applicant did not appear.

On a voice vote, motion carried.

C.6. It was moved by Alderperson Downing, seconded by Alderperson Bogdala, to deny the Application of Paramvir, Inc., Jagdeep Kaur, Agent, for a "Class A" Liquor License located at 4433 22nd Avenue, (Grace Citgo), based on Material Police Evidence and Public Safety.

On a voice vote, motion carried.

**D. ORDINANCES 1ST READING**

It was moved by Alderperson Kennedy, seconded by Alderperson Orth to send the following ordinances on their way:

D.1. By Alderperson Jesse Downing – To Repeal and Recreate Subsection 10.05 C.; to Create Subsection 10.05 I.3.; and to Repeal and Recreate Subsection 10.077 (of the Code of General Ordinances for the City of Kenosha) Regarding Alcohol Beverages.

D.2. By the Mayor - to Repeal Subparagraph 1.03 A.27 (of the Code of General Ordinances) Regarding the Legislative Report as an Item for the Common Council Agenda and to Renumber the Subsequent Subparagraphs; to Repeal and Recreate the Second Paragraph of Section 1.056 (of the Code of General Ordinances) which is Entitled "Eligibility for Appointment to City Boards, Commissions, Authorities and Committees"; and to Repeal Section 1.06 P. (of the Code of General Ordinances) Entitled "Legislative Commission.

On a voice vote, motion carried.

**E. ZONING ORDINANCES 1ST READING**

It was moved by Alderperson Kennedy, seconded by Alderperson Orth, to send the following ordinances on their way:

E.1. By Alderperson Jan Michalski; Co-Sponsors: Alderperson Curt Wilson, Alderperson Scott N. Gordon, Alderperson Patrick Juliana, Alderperson Chris Schwartz - To Repeal and Recreate Subparagraph 4.06 B.23.b.(2) of the Zoning Code for the City of Kenosha regarding Location of Convenient Cash Business(es) in the B-2 District.

E.2. By Alderperson Chris Schwartz - To Create Sections 3.15 C.18 and C.19, to Amend Table 4.01 Group 2 "Business Conditional Uses" and to Create Sections 4.06 B.24 and B.25 of the Zoning Ordinance to Include Body-Piercing and Tattoo Establishments.

E.3. By the Mayor - To Amend Subparagraph 14.08 H.1. and Create Subparagraph 14.08 H.1.a. of the Zoning Ordinance regarding interior parkway landscaping.

E.4. By the Mayor - To Amend Subparagraph 3.14 A.5.g-1; To Create Subsection 3.14 C.25; To Modify Table 4.01 Group 2; and To Create Subsection 4.06 B.24 of the Zoning Ordinance for the City of Kenosha, Wisconsin regarding Indoor Kennels.

On a voice vote, motion carried.

**F. ORDINANCES 2ND READING**

Full text of ordinances are on file in the office of the City Clerk.

F.1. It was moved by Alderperson Bogdala, seconded by Alderperson Mathewson, to adopt Ordinance 8-13.

A public hearing was held. Two citizens spoke.

F.1.1. It was moved by Alderperson Bogdala, seconded by Alderperson Mathewson, to amend as presented on documents he handed out on Council floor.

On a voice vote motion carried.

F.1.2. It was moved by Alderperson Bogdala, seconded by Alderperson Kennedy, to add K. the definition of tethering.

On a voice vote, motion carried.

F.1.3. It was moved by Alderperson Orth, seconded by Alderperson Prozanski, to amend to increase the license fees in Sections 3. and 4. to \$15.00 for a neutered or spayed animal and \$35.00 for an unneutered or unspayed animal.

F.1.4. It was moved by Alderperson Mathewson, seconded by Alderperson Bostrom, to open to a public hearing. On a voice vote, motion carried.

Three citizens spoke.

On roll call vote, motion to amend to increase the fees carried 9-6, with Alderpersons Bostrom, Bogdala, Michalski, Ruffolo, Mathewson and Rosenberg voting nay.

F.1.5. It was moved by Alderperson Gordon to amend to add the following text to 14.055 - "The prohibition of this subsection specifically includes the leaving or confining of an animal in an unattended motor vehicle under conditions that endanger the health or well-being of an animal due to heat, cold or lack of adequate ventilation or other circumstances that could reasonably be expected to cause suffering, disability or death to the animal."

F.1.5. It was moved by Alderperson Gordon, seconded by Alderperson Michalski, to strike "that endanger the health or well-being of an animal due to heat, cold or lack of adequate ventilation or other circumstances" from text in previous motion and keep remainder.

On a voice vote, motion carried.

On roll call vote, motion to adopt Ordinance 8-13 as amended carried unanimously and said ordinance was thereupon adopted:

**Ordinance 8-13**

**By Alderperson David F. Bogdala - To Amend, Repeal, Recreate, Renumber and Create Various Subsections of 14.001 Definitions; 14.01 Dogs and Cats; 14.055 Cruelty to Animals; 14.07 Rabies Control; and 14.08 Penalties (of the Code of General Ordinances for the City of Kenosha)**

F.2. It was moved by Alderperson Prozanski, seconded by Alderperson LaMacchia, to adopt Ordinance 9-13. A hearing was held. No one spoke for or against said ordinance. On roll call vote, motion carried unanimously and said ordinance was thereupon adopted:

**Ordinance 9-13**

**By the Mayor – To Renumber, Create, Repeal and Recreate Subsection 2.10 (of the Code of General Ordinances for the City of Kenosha) Entitled "Special Assessments".**

F.3. It was moved by Alderperson Schwartz, seconded by Alderperson LaMacchia, to adopt Ordinance 10-13. A hearing was held. No one spoke for or against said ordinance. On roll call vote, motion carried unanimously and said ordinance was thereupon adopted:

**Ordinance 10-13**

**By the Mayor – To Create Subparagraph 8.06 C.4.c (of the Code of General Ordinances for the City of Kenosha) entitled "GFP-**

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**Keith G. Bosman, Mayor**

**Debra L. Salas, City Clerk**

**General Floodway”.**

**G. ZONING ORDINANCES 2ND READING**

**H. RESOLUTIONS**

Full text of resolutions are on file in the office of the City Clerk.

H.1. It was moved by Alderperson Kennedy, seconded by Alderperson Schwartz, to approve Resolution 25-13. On roll call vote motion carried unanimously and said resolution was thereupon adopted:

**Resolution 25-13**

**By the Finance Committee – to Correct Resolution 9-13 for Hazardous Sidewalks and/or Driveway Approaches (Project 11-1208 Sidewalk & Curb/Gutter Program).**

H.2. It was moved by Alderperson LaMacchia, seconded by Alderperson Prozanski, to approve Resolution 26-13. A hearing was held. No one spoke. On roll call vote motion carried 14-1, with Alderperson Bogdala voting nay, and said resolution was thereupon adopted:

**Resolution 26-13**

**By the Finance Committee – to Rescind One (1) Special Assessment Levied by Resolution No. 16-13 (Trash & Debris Removal) against Parcel #09-222-36-410-003 (2223-54th Street, Kenosha, Wisconsin) in the Amount of \$250.00.**

It was moved by Alderperson Kennedy, seconded by Alderperson Schwartz, to approve Resolution 27-13. On roll call vote motion carried unanimously and said resolution was thereupon adopted:

**Resolution 27-13**

**By the Public Works Committee – Intent to Assess for Project 13-1208 Sidewalk & Curb/Gutter Program (Citywide Locations) for Hazardous Sidewalk and/or Driveway Approach Repair Only.**

H.4. It was moved by Alderperson Kennedy, seconded by Alderperson Schwartz, to approve Resolution 28-13. A hearing was held. No one spoke for or against said resolution. On roll call vote motion carried 14-1 with Alderperson Mathewson abstaining and said resolution was thereupon adopted:

**Resolution 28-13**

**By the Mayor - Petition to Vacate a portion of an alley located between 21st and 22nd Avenue from 65th to 67th Street. (Sorenson/Mathewson)**

H.5. It was moved by Alderperson Kennedy, seconded by Alderperson Schwartz, to approve Resolution 29-13. On roll call vote motion carried 14-1, with Alderperson Downing voting nay, and said resolution was thereupon adopted:

**Resolution 29-13**

**By the Mayor - Resolution to Approve a Two-Lot Certified Survey Map for property at 2216 Roosevelt Road. (Kassel)**

H.6. It was moved by Alderperson Kennedy, seconded by Alderperson Schwartz, to approve Resolution 30-13. On roll call vote motion carried 14-1, with Alderperson Downing voting nay, and said resolution was thereupon adopted:

**Resolution 30-13**

**By the Mayor - To Modify the Table of Organization for the Kenosha Fire Department and to Modify the Compensation Plan for Non-represented Managerial, Supervisory and Professional Employees.**

H.7. It was moved by Alderperson Kennedy, seconded by Alderperson Schwartz, to approve Resolution 31-13. On roll call vote motion carried 14-1, with Alderperson Downing voting nay, and said resolution was thereupon adopted:

**Resolution 31-13**

**By the Mayor - To Amend the Table of Organization for the Kenosha Police Department**

H.8. It was moved by Alderperson Orth, seconded by Alderperson LaMacchia, to approve Resolution 32-13. On roll call vote motion carried 13-2, with Alderpersons Bogdala and Ruffolo voting nay, and said resolution was thereupon adopted:

**Resolution 32-13**

**By the Mayor – To Modify the Compensation Plan for Non-Represented Limited Term, Seasonal, Temporary and Part Time Employees and to Modify the Compensation Plan for Part Time Represented AFSCME Employees.**

H.9. It was moved by Alderperson Kennedy, seconded by Alderperson Prozanski, to approve Resolution 33-13.

H.9.1. It was moved by Alderperson Bogdala, seconded by Alderperson Bostrom, to refer to the Employee Health Insurance Committee. On a voice vote, motion failed.

H.9.2. It was moved by Alderperson Bogdala, seconded by Alderperson Bostrom, to amend to transfer \$90,000 to the Police Department. On roll call vote, motion failed 5-10, with Alderpersons Bostrom, Downing, Bogdala, Ruffolo and Mathewson voting aye.

H.9.3. It was moved by Alderperson Wilson, seconded by Alderperson LaMacchia, to call the question. On roll call vote, motion carried 11-4, with Alderpersons Bostrom, Bogdala, Ruffolo and Mathewson voting nay.

H.9.4. On original motion to approve, motion carried 12-3, with Alderpersons Bostrom, Bogdala, and Ruffolo voting nay and said resolution was thereupon adopted:

**Resolution 33-13**

**By the Mayor - Transfer of 2013 Funds From Fire Department Operations to Fund 2% Increase for Non-Represented Limited Term, Seasonal, Temporary and Part Time Employees and to Transfer the Balance to the Contingency Reserve.**

**L. APPOINTMENTS/**

**REAPPOINTMENTS BY THE MAYOR**

**J. PUBLIC CONSTRUCTION AND IMPROVEMENT CONTRACTS**

**K. OTHER CONTRACTS AND AGREEMENTS**

It was moved by Alderperson Kennedy, seconded by Alderperson Schwartz, to approve:

K.1. Approval of the Fireworks Display Agreement By and Between the City (of Kenosha through its Department of Public Works) and MIAND, Inc. (dba/ Mad Bomber Fireworks Productions).

On roll call vote, motion carried unanimously.

It was moved by Alderperson LaMacchia, seconded by Alderperson Kennedy, to approve:

K.2. Proposed Extension of the Intergovernmental Agreement executed by the Menominee Indian Tribe of Wisconsin, the Menominee Kenosha Gaming Authority, City of Kenosha and the County of Kenosha. A hearing was held. Gary Besaw, Chairman of the Menominee Kenosha Gaming Authority, and an attorney for the Menominee Kenosha Gaming Authority spoke.

K.2.1. It was moved by Alderperson Bogdala, seconded by Alderperson Bostrom, to defer for two weeks. On roll call vote, motion failed 3-12, with Alderpersons Bostrom, Bogdala and Ruffolo voting aye.

On roll call vote, original motion to approve carried 14-1, with Alderperson Bogdala voting nay.

K.3. It was moved by Alderperson Orth, seconded by Alderperson LaMacchia, to approve:

Agreement by and between the City of Kenosha ("City"), Kenosha Area Business Alliance ("KABA"), Kenosha Area Chamber of

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**Debra L. Salas, City Clerk**

Commerce ("Chamber"), Kenosha Area Convention and Visitors Bureau ("CVB") and Kenosha Lakeshore Business Improvement District ("BID") for hiring and funding an Executive Director for Downtown Kenosha, Inc.  
On roll call vote, motion carried unanimously.

**L. RECOMMENDATIONS FROM THE COMMITTEE ON FINANCE**

It was moved by Alderperson Kennedy, seconded by Alderperson Ruffolo, to approve:

L.1. Disbursement Record #3 - \$8,426,431.23.

On roll call vote, motion carried unanimously.

It was moved by Alderperson Kennedy, seconded by Alderperson Ruffolo, to approve:

L.2. Amendment to the Memorandum of Understanding dated February 1, 2010 between the Kenosha Housing Authority and the City of Kenosha. (Neighborhood Stabilization Program)

On roll call vote, motion carried unanimously.

It was moved by Alderperson Kennedy, seconded by Alderperson Ruffolo, to approve:

L.3. Grant Closeout Agreement for Entitlement Community Development Block Grant - Recovery Program Between the U.S. Department of Housing & Urban Development and the City of Kenosha.

On roll call vote, motion carried unanimously.

**M. RECOMMENDATIONS FROM THE COMMITTEE ON PUBLIC WORKS**

M.1. It was moved by Alderperson Kennedy, seconded by Alderperson Ruffolo, to approve Final Acceptance of Project 12-1019 Joint, Crack Cleaning and Sealing (Citywide Locations) which has been satisfactorily completed by Behm Pavement Maintenance, Inc. (Crystal Lake, Illinois) - \$229,242.72.

On roll call vote, motion carried unanimously.

M.2. It was moved by Alderperson Kennedy, seconded by Alderperson Ruffolo, to approve Final Acceptance of Project 12-1024 60th Street Resurfacing (60th Street - 22nd Avenue to 8th Avenue) which has been satisfactorily completed by Cicchini Asphalt, LLC (Kenosha, Wisconsin) - \$997,076.84.

On roll call vote, motion carried unanimously.

**N. RECOMMENDATIONS FROM THE COMMITTEE ON  
PUBLIC SAFETY & WELFARE**

**O. REPORTS AND RECOMMENDATIONS OF BOARDS AND COMMISSIONS**

(Alderpersons Downing and Kennedy left the meeting prior to the vote on this item.)

O.1. It was moved by Alderperson Orth, seconded by Alderperson LaMacchia, to approve Conditional Use Permit for a renovation to the stadium at Simmons Field at 7817 Sheridan Road. (Northwoods League).

O.1.1. It was moved by Alderperson Bogdala, seconded by Alderperson Mathewson, to amend by striking the text in e. "with the exception of the gravel parking area on the East end of the site".

On roll call vote, motion failed 4-9, with Alderpersons Bostrom, Bogdala, Ruffolo and Mathewson voting aye.

On roll call vote, original motion to approve carried 10-3, with Alderpersons Bogdala, Ruffolo and Mathewson voting nay.

**ADJOURNMENT**

There being no further business to come before the Common Council, it was moved by Alderperson LaMacchia, seconded by Alderperson Ruffolo, to adjourn at 11:40 p.m.

On a voice vote, motion carried.

Approved:

**KEITH G. BOSMAN  
MAYOR**

Attest:

**DEBRA L. SALAS  
CITY CLERK/TREASURER**

**COMMON COUNCIL  
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**Keith G. Bosman, Mayor**

**Debra L. Salas, City Clerk**

**KENOSHA MUNICIPAL  
BUILDING COUNCIL  
CHAMBERS ROOM 200  
March 18, 2013**

At a meeting of the Common Council held this evening, His Honor, Mayor Keith G. Bosman presided.

The meeting was called to order at 7:00 p.m.

On roll call, the following members of the Common Council were present: Alderpersons Schwartz, Michalski, Ruffolo, LaMacchia, Ohnstad, Juliana, Mathewson, Rosenberg, Kennedy, Gordon, Bostrom, Wilson, Prozanski, Orth, Downing and Bogdala. Excused: Alderperson Haugaard.

A moment of silence was observed in lieu of the invocation.

Mayor Bosman then led the Council in the Pledge of Allegiance to the American Flag.

It was moved by Alderperson LaMacchia, seconded by Alderperson Michalski, to approve the minutes of the meeting held March 4, 2013.

The Mayor referred a proposed Ordinance to the Finance, Public Works, Public Safety & Welfare and Licensing/Permit Committees - by Alderperson Steve G. Bostrom – To Amend subsection 1.03 A. of the City of Kenosha Code of General Ordinances Entitled “Order of Business” To Provide That Items Proposed by Alderpersons be Placed on the Common Council Agenda. He also referred a proposed resolution to the Finance Committee - To Name Kenosha County Humane Society, Inc. d/b/a Safe Harbor Humane Society as a Collecting official as Defined by Chapter 14 of the Code of General Ordinances for the City of Kenosha.

Eight (8) Citizens spoke during Citizen's Comments: Doug Williams, Rebecca Stevens, Kenneth Holdorf, Carl Bryan, Ron Frederick, Dale Munns, Lindsay Post-Rebel and Louis Rugani.

**A. REFERRALS**

**TO THE COMMITTEE ON FINANCE**

A.1. By Alderperson David F. Bogdala – Resolution To Refer to the Kenosha Employee Health Insurance Advisory Group a Request For Recommendation to the Common Council of How Funds in the Contingency Reserve Account Could be Profitably Used to Promote Health and Reduce the City's Long Term Health Insurance Costs. (Also referred to the Kenosha Employee Health Insurance Advisory Group).

A.2. By The Mayor – Ordinance to Amend Section 1.03 of the City of Kenosha Code of General Ordinances Entitled “Order of Business” to Articulate Responsibility for the Creation of the Common Council Agenda and Provide Procedures Therefor. (Also referred to Public Works, Public Safety & Welfare, and Licensing/Permit Committees)

**TO THE CITY PLAN COMMISSION**

A.3. Conditional Use Permit for a drive-thru addition to the existing building at 6935 75th Street. (Panera Bread) (District #14)

A.4. Conditional Use Permit for a digital display off-premises sign to be located at 7221 122nd Avenue. (Adams Outdoor) (District #16)

A.5. Special Request for a Special Exception to the Major Street Setback for property located at 1714 52nd Street in accordance with Section 5.04 of the Zoning Ordinance for the City of Kenosha, Wisconsin. (Coins Sports Bar) (District #7)

**B. COMMUNICATIONS,  
PETITIONS, REPORTS  
OF DEPARTMENTS**

B.1. It was moved by Alderperson Juliana, seconded by Alderperson LaMacchia, to approve:

a. 24 applications for an Operator's (Bartenders) license, per list on file in the office of the City Clerk. (Alderperson Gordon Abstained on application of John Boyle)

b. There were no application(s) for a transfer of agent status of Beer and/or Liquor licenses, per list on file in the office of the City Clerk.

c. 5 no application(s) for a special Class "B" Beer and/or "Class B" Wine license per list on file in the office of the City

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Clerk.

d. There were no application(s) for a Taxi Driver's license per list on file in the office of the City Clerk.

On a voice vote, motion carried.

**C. RECOMMENDATIONS FROM THE COMMITTEE ON LICENSING/PERMITS**

C.1. It was moved by Alderperson Downing, seconded by Alderperson LaMacchia, approve applications for new Operator's (Bartender) licenses, subject to demerit points listed:

a. Cynthia Clark (20 demerit points)

b. Robert Davidson (20 demerit points)

c. Ashley Gastaldi (60 demerit points)

A hearing was held. The applicant did not appear. On a voice vote, motion carried.

C.2. It was moved by Alderperson Downing, seconded by Alderperson Juliana, to approve application of GNT Financial, LLC, for Secondhand Article Dealer and Secondhand Jewelry Licenses located at 7944 Sheridan Road, Suite #3, (Alexander's Jewelry & Loan), with no adverse recommendations. (12th District) A hearing was held. The applicant was present and spoke.

C.2.1. It was then moved by Alderperson Rosenberg, seconded by Alderperson Michalski to defer for 30 days. On a voice vote, decision was unclear. On roll call vote, motion carried (8-7-1) with Alderpersons Kennedy, Downing, Bogdala, Ruffolo, LaMacchia, Ohnstad and Mathewson voting nay and Alderperson Bostrom abstaining.

C.3. It was moved by Alderperson Mathewson, seconded by Alderperson Ohnstad, to approve application of GNT Financial, LLC, for a Pawnbroker License located at 7944 Sheridan Road, Suite #3, (Alexander's Jewelry & Loan), with no adverse recommendations. (12th District) A hearing was held. The applicant was present and spoke.

C.3.1. It was then moved by Alderperson Rosenberg, seconded by Alderperson Michalski to defer for 30 days. On roll call vote, motion carried (8-7-1) with Alderpersons Kennedy, Downing, Bogdala, Ruffolo, LaMacchia, Ohnstad and Mathewson voting nay. Alderperson Bostrom abstained.

C.4. It was moved by Alderperson Michalski, seconded by Alderperson LaMacchia, to approve application of Naster, Inc., for a 1-Day Cabaret License located at 3221 - 60th Street, (Our Kenosha Tap), for March 28, 2013. (3rd District) A hearing was held. The applicant did not appear. On a voice vote, motion carried.

**D. ORDINANCES 1ST READING**

**E. ZONING ORDINANCES 1ST READING**

It was moved by Alderperson Kennedy, seconded by Alderperson Mathewson, to send the following ordinance on its way:

E.1. By Alderperson Kevin E. Mathewson, Co-Sponsor Alderperson Steven G. Bostrom – To Repeal and Recreate a Subparagraph, Repeal Figure and Reletter Subparagraphs (To Repeal and Recreate Subparagraph 3.15 A.5.a. as Subparagraph 3.15 A.5.a-1. and Repeal Figure 3-1 and Reletter Subparagraphs 3.15 A.5.b-1, c and d of the Zoning Ordinance) entitled "Amusement and Recreation Enterprises".

On a voice vote, motion carried.

At this time, it was moved by Alderperson Wilson, seconded by Alderperson Mathewson to reconsider item C.2. The motion was declared out of order, the City Attorney recommended reconsideration would need to be placed on the next Common Council agenda.

**F. ORDINANCES 2ND READING**

Full text of ordinances are on file in the office of the City Clerk.

F.1. It was moved by Alderperson Downing, seconded by Alderperson Juliana, to refer the proposed ordinance - By Alderperson Jesse Downing – To Repeal, Recreate and Create Subsections (To Repeal and Recreate Subsection 10.05 C.; to Create Subsection 10.05 I.3.; and to Repeal and Recreate Subsection 10.077 of the Code of General Ordinances for the City of Kenosha) Regarding Alcohol Beverages back to the Licensing/Permit Committee. On a voice vote, motion carried.

F.2. It was moved by Alderperson Orth, seconded by Alderperson Juliana, to adopt the proposed ordinance - By the Mayor - To Repeal Subparagraph 1.03 A.27 (of the Code of General Ordinances) Regarding the Legislative Report as an

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Item for the Common Council Agenda and to Renumber the Subsequent Subparagraphs; to Repeal and Recreate the Second Paragraph of Section 1.056 (of the Code of General Ordinances) which is Entitled "Eligibility for Appointment to City Boards, Commissions, Authorities and Committees"; and to Repeal Section 1.06 P. (of the Code of General Ordinances) Entitled "Legislative Commission".

F.2.1. It was then moved by Alderperson Kennedy, seconded by Alderperson Mathewson to defer for 15 days. On roll call vote, motion carried (11-5) with Alderpersons Wilson, Orth, Downing, LaMacchia and Juliana voting nay.

**G. ZONING ORDINANCES 2ND READING**

G.1. It was moved by Alderperson Juliana, seconded by Alderperson Ohnstad, to adopt Ordinance 11-13.

A public hearing was held. No one spoke for or against said ordinance.

On roll call vote, motion carried 15-1 with Alderperson Bostrom voting nay and said ordinance was thereupon adopted: Ordinance 11-13 - By Alderperson Jan Michalski; Co-Sponsors: Alderperson Curt Wilson, Alderperson Scott N. Gordon, Alderperson Patrick Juliana, Alderperson Chris Schwartz - To Repeal and Recreate Subparagraph 4.06 B.23.b.(2) (of the Zoning Code for the City of Kenosha) regarding Location of Convenient Cash Business(es) in the B-2 District.

G.2. It was moved by Alderperson Schwartz, seconded by Alderperson LaMacchia, to adopt Ordinance 12-13.

A public hearing was held. Four (4) people spoke in favor of said ordinance.

G.2.1. It was moved by Alderperson Orth, seconded by Alderperson LaMacchia to amend by striking g. and h. in paragraphs 24 and 25:

~~24. Body-Piercing Establishments in the B-3 District. g. Location. A Body-Piercing Establishment, as defined, shall only be located in compliance with the following criteria:~~

~~(1) No Body-Piercing Establishment shall be located within one thousand (1,000) feet, based on the measurement standards of this Section, of the following:~~

~~(a) Another Body-Piercing Establishment.~~

~~h. Standards of Measurement. The distances identified in this Section shall be measured in a straight line, without regard to intervening structures or objects from the closest point of the structure proposed for occupancy by the Body-Piercing Establishment to the nearest point of the parcel of property or zoning district boundary from which the proposed land use is to be separated.~~

~~25. Tattoo Establishments in the B-3 District.~~

~~g. Location. A Tattoo Establishment, as defined, shall only be located in compliance with the following criteria:~~

~~(1) No Tattoo Establishment shall be located within one thousand (1,000) feet, based on the measurement standards of this Section, of the following:~~

~~(a) Another Tattoo Establishment.~~

~~h. Standards of Measurement. The distances identified in this Section shall be measured in a straight line, without regard to intervening structures or objects from the closest point of the structure proposed for occupancy by the Tattoo Establishment to the nearest point of the parcel of property or zoning district boundary from which the proposed land use is to be separated.~~

On a voice vote, motion carried.

G.2.2 It was moved by Alderperson Mathewson, seconded by Alderperson Ohnstad to amend as follows:

24. *Body-Piercing Establishments in the B-3 District.*

*f. Operational Plan, which includes:*

*(4) Restriction that no ~~business activity~~ tattooing or body-piercing shall take place in public view from the building exterior.*

25. *Tattoo Establishments in the B-3 District.*

*f. Operational Plan, which includes:*

*(4) Restriction that no ~~business activity~~ tattooing or body-piercing shall take place in public view from the building exterior.*

On a voice vote, motion carried.

On roll call vote, motion to adopt Ordinance 12-13 as amended carried 14-2 with Alderpersons Bogdala and Ruffolo voting nay and said ordinance was thereupon adopted as amended:

Ordinance 12-13 - By Alderperson Chris Schwartz – To Create Sections and Amend Table (To Create Sections 3.15 C.18 and C.19, to Amend Table 4.01 Group 2 and to Create Sections 4.06 B.24 and B.25 of the Zoning Ordinance) "Business

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Conditional Uses" to Include Body-Piercing and Tattoo Establishments.

G.3. It was moved by Alderperson Juliana, seconded by Alderperson LaMacchia, to adopt Ordinance 13-13.

A public hearing was held. No one spoke for or against said ordinance.

On roll call vote, motion carried 15-0 (Alderperson Juliana not present for vote) and said ordinance was thereupon adopted:

Ordinance 13-13 - By the Mayor – To Amend and Create Subparagraphs (To Amend Subparagraph 14.08 H.1. and Create Subparagraph 14.08 H.1.a. of the Zoning Ordinance) regarding interior parkway landscaping.

G.4. It was moved by Alderperson Ohnstad, seconded by Alderperson LaMacchia, to adopt Ordinance 14-13.

A public hearing was held. No one spoke for or against said ordinance.

On roll call vote, motion carried 14-2 with Alderpersons Ruffolo and Rosenberg voting nay and said ordinance was thereupon adopted:

Ordinance 14-13 - By the Mayor – To Amend Subparagraph, Create Subsections, Modify Table (To Amend Subparagraph 3.14 A.5.g-1; To Create Subsection 3.14 C.25; To Modify Table 4.01 Group 2; and To Create Subsection 4.06 B.24 of the Zoning Ordinance for the City of Kenosha, Wisconsin) regarding Indoor Kennels.

**H. RESOLUTIONS**

Full text of resolutions are on file in the office of the City Clerk.

H.1. It was moved by Alderperson Ohnstad, seconded by Alderperson LaMacchia, to approve Resolutions 34-13 and 35-13. Resolutions By the Finance Committee – To Levy Special Charges Upon Various Parcels of Property Located in the City per List on File in the Office of the City Clerk.

A hearing was held. No one spoke for or against said resolutions.

On roll call vote, motion carried unanimously and said resolutions were thereupon adopted:

a. Resolution 34-13 - Boarding and Securing - \$536.36

b. Resolution 35-13 - Property Maintenance Reinspection Fees - \$8,192.00

H.2. It was moved by Alderperson LaMacchia, seconded by Alderperson Gordon, to approve Resolution 36-13.

On roll call vote, motion carried (15-1) with Alderperson Bogdala voting nay and said resolution was thereupon adopted: Resolution 36-13 - Resolution By the Finance Committee – To Correct Resolution #16-12 Hazardous Sidewalk and/or Driveway Approaches.

H.3. It was moved by Alderperson Ruffolo, seconded by Alderperson Michalski, to approve Resolution 37-13.

On roll call vote, motion carried unanimously and said resolution was thereupon adopted:

Resolution 37-13 - Resolution By the Public Works Committee – Intent to Assess for Project 13-1064 60th Street Resurfacing (60th Street - 30th Avenue to 39th Avenue and 39th Avenue - 59th Street to 60th Street) for Hazardous Sidewalk and/or Driveway Approach Repair Only.

H.4. It was moved by Alderperson Mathewson, seconded by Alderperson Kennedy, to approve the proposed Resolution By Alderperson Kevin E. Mathewson – To Direct That All Alderpersons Be Given a Key to the Municipal Office Building.

H.4.1. It was then moved by Alderperson Prozanski, seconded by Alderperson Kennedy to:

Amend paragraph on the second page as follows:

*NOW, THEREFORE, BE IT RESOLVED by the Common Council for the City of Kenosha that each alderperson be provided a **key key card when fully operational** to the Municipal Office building for the use of the alderperson while the person remains an alderperson, after which time, the alderperson must return the key to City Administration.*

-and-

To take \$35,000 out of contingency (due to a darkened fire position) to fund the purchase of a key card/security system and divert the balance of \$22,000 to the segregated account to be used for police enforcement of alcohol beverage laws.

On roll call vote, motion to amend carried (14-2) with Alderpersons Bogdala and Ruffolo voting nay.

H.4.2. It was moved by Alderperson Kennedy, seconded by Alderperson Mathewson to approve the amendments included in the version (green-lined) distributed this evening. On a voice vote, motion carried.

On roll call vote, motion to approve Resolution 38-13 as amended carried (15-0), (Alderperson Rosenberg not present for vote) and said resolution was adopted:

Resolution 38-13 - Sponsor: Alderperson Kevin E. Mathewson Co-Sponsor: Alderperson Anthony Kennedy - To Direct That All Alderpersons be Given a Key to the Municipal Office Building.

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H.5. It was moved by Alderperson Juliana, seconded by Alderperson LaMacchia, to approve Resolution 39-13.

On roll call vote, motion carried unanimously and said resolution was thereupon adopted:

Resolution 39-13 - Resolution By Alderperson Jesse Downing, Alderperson Chris Schwartz, Alderperson Patrick Juliana, Alderperson Curt Wilson, Alderperson Rocco LaMacchia, Sr. and Alderperson Anthony Kennedy – To Place a Portion of Class “A” and “Class A” License Fees Collected Into a Segregated Account To Be Used For Police Enforcement of Alcohol Beverage Laws.

H.6. It was moved by Alderperson Ohnstad, seconded by Alderperson LaMacchia, to approve Resolution 40-13.

On roll call vote, motion carried (15-0) Alderperson Orth abstained, and said resolution was thereupon adopted:

Resolution 40-13 - Resolution By Alderperson Daniel Prozanski, Jr., Co-Sponsors – Alderperson Tod Ohnstad, Alderperson Rocco LaMacchia, Alderperson Jan Michalski, Alderperson Chris Schwartz, Alderperson Curt Wilson and Alderperson Patrick Juliana - Resolution to Voice The Opinion Of The City Of Kenosha, Wisconsin Common Council To Governor Scott Walker and the Wisconsin State Legislature In Opposition To The School Voucher Program.

At this time, Alderperson Mathewson left and returned for action on item O.1.

H.7. It was moved by Alderperson Ohnstad, seconded by Alderperson Schwartz, to approve Resolution 41-13.

On roll call vote, motion carried unanimously and said resolution was thereupon adopted:

Resolution 42-13 - Resolution By the Mayor - To Terminate the Account Held In Trust For Kiwanis Club of Western Kenosha, Inc. and Disburse the Proceeds Therein To Kiwanis Club of Western Kenosha, Inc.

**I. APPOINTMENTS/  
REAPPOINTMENTS BY THE MAYOR**

**J. PUBLIC CONSTRUCTION AND IMPROVEMENT CONTRACTS**

**K. OTHER CONTRACTS AND AGREEMENTS**

It was moved by Alderperson Kennedy, seconded by Alderperson Schwartz, to approve:

K.1. Task Orders for Professional Services by SAA Design Group, Inc., for the following:

- a. Task Order #13-1 for \$50,000 for Petzke Park Phase 1 (District #1)
- b. Task Order #13-2 for \$26,000 for Washington Park Velodrome

On roll call vote, motion carried unanimously.

**L. RECOMMENDATIONS FROM THE COMMITTEE ON FINANCE**

It was moved by Alderperson Kennedy, seconded by Alderperson Schwartz, to approve:

L.1. Disbursement Record #4 - \$22,270,893.06.

On roll call vote, motion carried unanimously.

**M. RECOMMENDATIONS FROM THE COMMITTEE ON PUBLIC WORKS**

M.1. It was moved by Alderperson Michalski, seconded by Alderperson Gordon to approve review the location and design of a sculpture to be located at 812 56th Street. (Visitor's Bureau)

On a voice vote, motion carried.

**N. RECOMMENDATIONS FROM THE COMMITTEE ON  
PUBLIC SAFETY & WELFARE**

**O. REPORTS AND RECOMMENDATIONS OF BOARDS AND COMMISSIONS**

O.1. It was moved by Alderperson Michalski, seconded by Alderperson LaMacchia, to approve Special Request for a Special Exception to the Major Street Setback for property located at 3300 Sheridan Road (in accordance with Section 5.04 of the Zoning Ordinance for the City of Kenosha, Wisconsin). (La Fogata) A public hearing was held. One (1) person spoke in favor. On roll call vote, motion carried unanimously.

O.2. It was moved by Alderperson Gordon, seconded by Alderperson Schwartz, to approve proposed Historical Artifact - Red Arrow Park Artillery at 1700 84th Place. (M116 75mm Pack Howitzer) A public hearing was held. One (1) person spoke in favor. On roll call vote, motion carried unanimously.

O.3. It was moved by Alderperson Mathewson, seconded by Alderperson LaMacchia, to approve Conditional Use Permit

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for a 5,177 s.f. restaurant with drive-thru to be located at 12214 75th Street. (McDonald's) A public hearing was held. One (1) person spoke in favor. On roll call vote, motion carried unanimously.

O.4. It was moved by Alderperson Bogdala, seconded by Alderperson Ohnstad, to approve Conditional Use Permit for a 61,082 s.f. medical building to be located east of 118th Avenue at 68th Street. (Aurora Cancer Center) (District #16) A public hearing was held. One (1) person spoke in favor. On roll call vote, motion carried unanimously (Alderperson Downing not present for vote).

**P. AND SUCH MATTERS AS ARE AUTHORIZED BY LAW OR REGULAR BUSINESS**

P.1. It was moved by Alderperson Bogdala, seconded by Alderperson LaMacchia to approve settlement regarding Billy Sexton v. City of Kenosha as recommended by the City Attorney. On roll call vote, motion carried unanimously.

**ADJOURNMENT**

There being no further business to come before the Common Council, it was moved and seconded to adjourn at 9:12 p.m.

On a voice vote, motion carried.

Approved:

**KEITH G. BOSMAN  
MAYOR**

Attest:

**DEBRA L. SALAS  
CITY CLERK/TREASURER**

**KENOSHA MUNICIPAL  
BUILDING COUNCIL  
CHAMBERS ROOM 200  
April 1, 2013**

At a meeting of the Common Council held this evening, Acting Mayor Eric Haugaard presided. Alderperson Prozanski was seated as Council President.

The meeting was called to order at 7:02 p.m.

On roll call, the following members of the Common Council were present: Alderpersons Schwartz, Michalski, Ruffolo, LaMacchia, Ohnstad, Juliana, Mathewson, Rosenberg, Kennedy, Gordon, Bostrom, Wilson, Prozanski, Downing and Bogdala. Alderperson Orth was excused.

A moment of silence was observed in lieu of the invocation.

Acting Mayor Haugaard then led the Council in the Pledge of Allegiance to the American Flag.

He then made a proclamation for the 25<sup>th</sup> Anniversary of Mangia Trattoria Restaurant and the late Eugene Mantuano, naming April 19, 2013 as Eugene Mantuano Day in the City of Kenosha.

It was moved by Alderperson LaMacchia, seconded by Alderperson Mathewson, to approve the minutes of the meeting held March 18, 2013.

Motion carried unanimously.

Three citizens spoke during Citizen's Comments: Pamela Gibson, Mitchell Pedersen and Al Namath.

**A. REFERRALS**

**TO THE COMMITTEE ON FINANCE**

A.1. Contract to Raze Building(s) and Restore Lots - 3712 50th Street (Madrigrano Building), Tax Key No. 09-222-36-230-008, By and Between the City of Kenosha, Wisconsin, A Wisconsin Municipal Corporation, and Azarian Wrecking LLC, A Wisconsin Limited Liability Company.

A.2. Lender Services Agreement between the City of Kenosha and Talmer Bank and Trust for the Administration of the Housing and Economic Loan Program (H.E.L.P.).

A.3. Lender Services Agreement between the City of Kenosha and Talmer Bank and Trust for the Administration of the Tax Incremental District (TID) Rehabilitation Loan Program.

**TO THE PUBLIC WORKS COMMITTEE**

A.4. By Alderperson Steve G. Bostrom, Co-Sponsors: Alderperson David F. Bogdala, Alderperson Kevin E. Mathewson - Resolution To Create A Southport Beach House Citizen Committee For the Purpose Of Researching And Recommending Additional Uses Of The Southport Beach House To Enhance Its Use and Increase Revenue. (Also referred to Park Commission)

A.5. Intergovernmental Cooperation Agreement between the Town of Somers, a municipal corporation, and the City of Kenosha, a municipal corporation, Regarding Reconstruction of 47th Avenue.

**TO THE PARK COMMISSION**

A.6. By Alderperson David F. Bogdala; Co-Sponsors: Alderperson Steve G. Bostrom, Alderperson Chris Schwartz – Resolution To Develop a Partnership Between the City of Kenosha, Bird City of Wisconsin, the Kenosha Storm Water Utility, and the Kenosha Museums for the Purpose of Developing an Educational Program Designed to Educate the Public on Combating Issues With Urban Waterfowl.

**TO THE CITY PLAN COMMISSION**

A.7. Conditional Use Permit for an indoor dog kennel to be located at 5403 52nd Street. (Wagin' Tails Resort)

**B. COMMUNICATIONS,**

**PETITIONS, REPORTS**

**OF DEPARTMENTS**

B.1. It was moved by Alderperson Mathewson, seconded by Alderperson Ruffolo, to approve Special Exception Request to the off-street parking requirement (of Section 6.01 F.17 and 6.01 F.29 of the Zoning Ordinance) for property at 6935 75th Street. (Panera)

On a voice vote, motion carried.

B.2. It was moved by Alderperson Downing, seconded by Alderperson LaMacchia, to approve:

a. 14 applications for an Operator's (Bartenders) license, per list on file in the office of the City Clerk.

b. There were no application(s) for a transfer of agent status of Beer and/or Liquor licenses.

c. 2 application(s) for a special Class "B" Beer and/or "Class B" Wine license per list on file in the office of the City Clerk.

d. There were no application(s) for a Taxi Driver's license.

On a voice vote, motion carried.

**C. RECOMMENDATIONS FROM THE COMMITTEE ON LICENSING/PERMITS**

C.1. It was moved by Alderperson Downing, seconded by Alderperson Juliana, to approve applications for new Operator's (Bartender) licenses, subject to:

- 20 demerit points:

a. Amanda Marquez

b. Tonya Sharp

c. Liberty Collins

d. Amy Hurde

e. Megan Brunette

- 40 demerit points:

f. Claudia Lopez

g. Eva Bruce

h. Jennifer Wienke

- 90 demerit points:

i. Carrie Carver

j. Sallie McMillan

A hearing was held. Applicant j. was present and spoke.

On a voice vote, motion carried.

C.2. It was moved by Alderperson Kennedy, seconded by Alderperson Gordon, to deny the application of James Mollman for a new Operator's (Bartender) license, based on material police record. A hearing was held. The applicant did not appear.

On a voice vote, motion carried.

C.3. It was moved by Alderperson Kennedy, seconded by Alderperson Juliana, to deny the application of JC Stores, Inc., Barbara Capps, Agent, for a "Class A" Liquor License located at 5205 Green Bay Road, (Sports Plaza Mobil), based on prior alcohol related violations and lack of appearance. A hearing was held. The applicant did not appear.

On a voice vote, motion carried.

C.4. It was moved by Alderperson Downing, seconded by Alderperson Kennedy, to deny the application of JC Stores, Inc., Jane Studebaker Harlan, Agent, for a "Class A" Liquor License located at 7318 - 75th Street, (Southport Mobil), based on prior alcohol related violations and lack of appearance. A hearing was held. The applicant did not appear.

On a voice vote, motion carried.

C.5. It was moved by Alderperson Michalski, seconded by Alderperson Kennedy, to approve the application of Choo Chews Pizza & Sandwich, LLC, Achille Cortese, Agent, for a Class "B" Beer Only License located at 5414 - 13th Avenue, (Choo Chews), with no adverse recommendations. A hearing was held. The applicant did not appear.

On a voice vote, motion carried.

C.6. It was moved by Alderperson Schwartz, seconded by Alderperson LaMacchia, to approve the application of Food and Fun First, LLC, Janine Kolbeck, Agent, for a Class "B" Beer/Class "C" Wine License located at 5925 - 6th Avenue, A, (The Good Garden Cafe & Wine Gallery), subject to 40 demerit points. A hearing was held. The applicant was present and spoke.

On a voice vote, motion carried.

C.7. It was moved by Alderperson Downing, seconded by Alderperson Ohnstad, to approve the application of Trattoria, Inc., for a Daily Cabaret License located at 5717 Sheridan Road, (Mangia Restaurant), on April 19, 2013, with no adverse recommendations. A hearing was held. The applicant did not appear.

On a voice vote, motion carried.

C.8. It was moved by Alderperson Juliana, seconded by Alderperson LaMacchia, to approve the application of Trattoria, Inc., for an Outdoor Area - Cabaret License located at 5717 Sheridan Road, (Mangia Restaurant), on April 19, 2013, with no adverse recommendations. A hearing was held. The applicant did not appear.

On a voice vote, motion carried.

C.9. It was moved by Alderperson Schwartz, seconded by Alderperson Ohnstad, to approve the application of Maggie Mae's, LLC, for a Secondhand Article Dealer License located at 1016 - 60th Street, (Maggie Mae's), with no adverse recommendations. A hearing was held. Margaret Cintron, president, was present and spoke.

On a voice vote, motion carried.

C.10. It was moved by Alderperson Gordon, seconded by Alderperson Wilson, to approve the application of Wagin' Tail Resort, Inc., for a Kennel and Pet Shop License located at 5403 - 52nd Street, (Wagin' Tail Resort), with no adverse recommendations. A hearing was held. Nancy Croft, president, was present and spoke.

On a voice vote, motion carried.

C.11.a. It was moved by Alderperson Gordon, seconded by Alderperson Ohnstad, to reconsider deferral of the application of GNT Financial, LLC, for Secondhand Article Dealer and Secondhand Jewelry Licenses located at 7944 Sheridan Road, Suite #3, (Alexander's Jewelry & Loan).

On roll call vote, motion carried 15-0-1, with Alderperson Bostrom abstaining.

C.11.b. It was moved by Alderperson Ohnstad, seconded by Alderperson LaMacchia, to approve. A hearing was held. Thomas Stout, president, was present and spoke.

On roll call vote, motion carried 14-1-1, with Alderperson Rosenberg voting nay and Alderperson Bostrom abstaining.

C.12.a. It was moved by Alderperson Ohnstad, seconded by Alderperson Wilson, to reconsider deferral of the application of GNT Financial, LLC, for a Pawnbroker License located at 7944 Sheridan Road, Suite #3, (Alexander's Jewelry & Loan). A hearing was held. Thomas Stout, president, was present and spoke.

On roll call vote, motion carried 15-0-1, with Alderperson Bostrom abstaining.

C.12.b. It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to approve. A hearing was held. Thomas Stout, president, was present and spoke.

On roll call vote, motion carried 10-5-1, with Alderpersons Prozanski, Bogdala, Michalski, Ruffolo and Rosenberg voting nay and Alderperson Bostrom abstaining.

#### **D. ORDINANCES 1ST READING**

#### **E. ZONING ORDINANCES 1ST READING**

#### **F. ORDINANCES 2ND READING**

Full text of ordinances are on file in the office of the City Clerk.

F.1. It was moved by Alderperson Downing, seconded by Alderperson Juliana, to adopt Ordinance By Alderperson Jesse Downing To Repeal and Recreate Subsection 10.05 C.; to Create Subsection 10.05 I.3.; and to Repeal and Recreate Subsection 10.077 (of the Code of General Ordinances for the City of Kenosha) Regarding Alcohol Beverages.

F.1.1. It was moved by Alderperson Downing, seconded by Alderperson Juliana, to amend to add the following after the last sentence in C.2. "Violations shall be limited to the offending person".

On a voice vote, motion carried.

F.1.2. It was moved by Alderperson Kennedy, seconded by Alderperson Gordon, to amend to add the following to C.3. "especially as it relates to Wisconsin Statutes Chapter 125 and Chapter XI of the City of Kenosha Code of General Ordinances".

F.1.3. It was moved by Alderperson Prozanski, seconded by Alderperson Ruffolo, to refer back to the Licensing/Permit Committee.

F.1.4. It was moved by Alderperson Ohnstad, seconded by Alderperson Mathewson, to open to a public hearing.

On a voice vote, motion carried. Four people spoke: Tim Gascoigne, Nasser Museitif, Stacey West-Rivera, and Alan Cameron.

On a voice vote, motion to refer back to Licensing/Permit Committee carried.

#### **G. ZONING ORDINANCES 2ND READING**

G.1. It was moved by Alderperson Mathewson, seconded by Alderperson Wilson, to adopt Ordinance 15-13. A hearing was held. No one spoke for or against said ordinance.

On roll call vote, motion carried unanimously and said ordinance was thereupon adopted as follows:

##### **Ordinance 15-13**

**By Alderperson Kevin E. Mathewson, Co-Sponsor Alderperson Steven G. Bostrom - To Repeal and Recreate Subparagraph 3.15 A.5.a. as Subparagraph 3.15 A.5.a-1. and Repeal Figure 3-1 (of the Zoning Ordinance) entitled "Amusement and Recreation Enterprises" and Reletter Subparagraphs 3.15 A.5.b-1, c and d.**

#### **H. RESOLUTIONS**

Full text of resolutions are on file in the office of the City Clerk.

H.1. It was moved by Alderperson Kennedy, seconded by Alderperson Ohnstad, to adopt Resolution 42-13.

On roll call vote, motion carried unanimously and said resolution was thereupon adopted:

##### **Resolution 42-13**

**Resolution by the Mayor – To Name Kenosha County Humane Society, Inc. d/b/a Safe Harbor Humane Society as a Collecting Official as Defined by Chapter 14 (of the Code of General Ordinances for the City of Kenosha).**

H.2. It was moved by Alderperson Kennedy, seconded by Alderperson Ohnstad, to adopt Resolution 43-13.

On roll call vote, motion carried unanimously and said resolution was thereupon adopted:

##### **Resolution 43-13**

**Resolution by the Mayor – To Approve the Relocation Order for 122nd Avenue from 71st Street to 74th Street for Right-of-Way Improvements (and to Authorize Other Actions Necessary to Acquire Temporary Limited Easements and Permanent Limited Easements Interest and Possession of Certain Property).**

#### **I. APPOINTMENTS/ REAPPOINTMENTS BY THE MAYOR**

It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to approve:

I.1. Reappointment of Matthew Augustine, 4306-31st Avenue, to the Board of Review for a term which will expire April 15, 2018. On roll call vote, motion carried 12-4, with Alderpersons Bostrom, Bogdala, Ruffolo and Mathewson voting nay.

#### **J. PUBLIC CONSTRUCTION AND IMPROVEMENT CONTRACTS**

J.1.a. It was moved by Alderperson Gordon, seconded by Alderperson Ruffolo, to defer for two weeks Award of Professional Service Contract for Project 13-1134 Prune Trees in Lawn Park Areas to Trees-B-Gone (Kenosha, WI) in the amount of \$73,600.00.

On a voice vote, motion carried.

J.1.b. It was moved by Alderperson Ruffolo, seconded by Alderperson Gordon, to defer for two weeks Award of Professional Service Contract for Project 13-1417 Lawn Park Area Tree Removal to Droprite Tree & Landscape (Somers, WI) in the amount of \$98,250.00.

On a voice vote, motion carried.

J.1.c. It was moved by Alderperson Gordon, seconded by Alderperson Michalski, to approve Award of Professional Service Contract for Project 13-1418 Planting Trees in Lawn Park Areas to Paul Swartz Nursery & Garden (Burlington, WI) in the amount of \$29,850.00.

On roll call vote, motion carried unanimously.

J.2. It was moved by Alderperson Gordon, seconded by Alderperson Ohnstad to approve Award of Contract for Project 11-1025 122nd Avenue Reconstruction (122nd Avenue - 71st Street to 74th Street) to A.W. Oakes & Son (Racine, Wisconsin), in the amount of \$695,700.00.

On roll call vote, motion carried unanimously.

#### **K. OTHER CONTRACTS AND AGREEMENTS**

It was moved by Alderperson Prozanski, seconded by Alderperson LaMacchia, to defer for two weeks:

K.1. Collecting Official Compensation Agreement by and between The City of Kenosha, Wisconsin, a Wisconsin Municipal Corporation, and Kenosha County Humane Society, Inc., d/b/a Safe Harbor Humane Society, a Non-Profit Corporation.

On a voice vote, motion carried.

#### **L. RECOMMENDATIONS FROM THE COMMITTEE ON FINANCE**

It was moved by Alderperson LaMacchia, seconded by Alderperson Ruffolo, to approve:

L.1. Disbursement Record #5 - \$8,290,960.59.

On roll call vote, motion carried unanimously.

**M. RECOMMENDATIONS FROM THE COMMITTEE ON PUBLIC WORKS**

M.1. It was moved by Alderperson Prozanski, seconded by Alderperson Wilson to approve Acceptance of: Project 12-1428 Anderson Pool Equipment Room Re-Piping (8730 22nd Avenue) which has been satisfactorily completed by Lee Plumbing Mechanical Contractors (Kenosha, Wisconsin) in the amount of \$39,816.00 (Park Funds Only).

On roll call vote, motion carried unanimously.

**N. RECOMMENDATIONS FROM THE COMMITTEE ON PUBLIC SAFETY & WELFARE**

**O. REPORTS AND RECOMMENDATIONS OF BOARDS AND COMMISSIONS**

O.1. It was moved by Alderperson LaMacchia, seconded by Alderperson Mathewson, to approve Special Request for a Special Exception to the Major Street Setback for property located at 1714 52nd Street in accordance with Section 5.04 of the Zoning Ordinance for the City of Kenosha, Wisconsin. (Coins Sports Bar). A hearing was held. Tim Gascoigne, representative, was present and spoke.

On roll call vote, motion carried unanimously.

O.2. It was moved by Alderperson Ruffolo, seconded by Alderperson Bostrom, to approve Conditional Use Permit for a drive-thru addition to the existing building at 6935 75th Street (Panera Bread). A hearing was held. A representative was present and spoke.

On roll call vote, motion carried unanimously.

At this time, Alderperson Juliana left the meeting.

O.3. It was moved by Alderperson Downing, seconded by Alderperson LaMacchia, to approve Conditional Use Permit for a digital display off-premises sign to be located at 7221 122nd Avenue (Adams Outdoor). A hearing was held. Jason Saari, Real Estate Manager, was present and spoke.

On roll call vote, motion carried 13-2, with Alderpersons Prozanski and Ruffolo voting nay.

At this time, Alderperson Rosenberg left the meeting.

O.4. It was moved by Alderperson Downing, seconded by Alderperson Wilson, to approve Conditional Use Permit for a 64,960 s.f. waste transportation facility to be located at 4909 70th Avenue (EMCO Waste Services). Greg Devereaux, Sales Manager and Steve Nugent, Operations Manager, were present and spoke.

On roll call vote, motion carried 13-1, with Alderperson Ruffolo voting nay.

At this time, Alderperson Rosenberg returned to the meeting.

**AND SUCH MATTERS AS ARE AUTHORIZED BY LAW OR REGULAR BUSINESS**

P. It was moved by Alderperson Bogdala, seconded by Alderperson LaMacchia, to deny Offer of Settlement: Medina, et al. v. City of Kenosha.

On roll call vote, motion carried unanimously.

**ADJOURNMENT**

There being no further business to come before the Common Council, it was moved by Alderperson LaMacchia, seconded by Alderperson Ruffolo, to adjourn at 8:55 pm.

On a voice vote, motion carried.

Approved:

**KEITH G. BOSMAN  
MAYOR**

Attest:

**DEBRA L. SALAS  
CITY CLERK/TREASURER**

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**KENOSHA MUNICIPAL  
BUILDING COUNCIL  
CHAMBERS ROOM 200  
April 15, 2013**

At a meeting of the Common Council held this evening, His Honor, Mayor Keith G. Bosman presided.

The meeting was called to order at 7:21 p.m.

On roll call, the following members of the Common Council were present: Alderpersons Ruffolo, LaMacchia, Ohnstad, Juliana, Mathewson, Kennedy, Gordon, Bostrom, Wilson, Prozanski, Orth, and Bogdala. Excused: Alderpersons Schwartz, Rosenberg and Downing. Alderpersons Haugaard and Michalski arrived during the invocation.

Alderman Gordon gave the invocation.

Mayor Bosman then led the Council in the Pledge of Allegiance to the American Flag.

It was moved by Alderman Kennedy, seconded by Alderman LaMacchia, to approve the minutes of the meeting held April 1, 2013.

Motion carried unanimously.

The Mayor and members of the Mayor's Youth Commission presented Mayor's Youth Commission awards. A brief recess was taken after the presentation and the council reconvened at 7:38 pm.

Six (6) Citizens spoke during Citizen's Comments: Doug Williams, Tammy J. Conforti, Robyn Woods, Regina Cappitelli, Margaret Heller and Louis Rugani.

**A. REFERRALS**

**TO THE PUBLIC SAFETY & WELFARE COMMITTEE**

A.1. By Alderman Curt Wilson, Co-Sponsors Jan Michalski and Scott N. Gordon – Resolution to Establish a Moratorium on the Granting of Pawnbroker Licenses. (Also referred to Licensing/Permit Committee)

**TO THE CITY PLAN COMMISSION**

A.2. By the Mayor - To Amend the Official Map for the City of Kenosha, Wisconsin, to Include the Attachment of various parcels (Parcels #80-4-222-194-0300, #80-4-222-301-0250, #80-4-222-193-0440, #80-4-222-193-0431, #80-4-222-193-0420, #80-4-222-193-0410 located at 11121, 11301, 11309, 11311 and 11425 Burlington Road) in the Town of Somers, Kenosha County, Wisconsin, in accordance with the approved City of Kenosha/Town of Somers. ( Cooperative Plan under Section 66.0307 of the Wisconsin Statutes. (Next Partners I LLC) (District 16)

A.3. By the City Plan Commission - To Create Subsection 18.02 v. of the Zoning Ordinance to Adopt a Master Plan for Southport Park Dated January 2013. (District 12)

A.4. Conditional Use Permit for a Tattoo and Body Piercing establishment to be located at 2200 Roosevelt Road. (Black Pearl Tattoo) (District 3)

**B. COMMUNICATIONS,  
PETITIONS, REPORTS  
OF DEPARTMENTS**

B.1. It was moved by Alderman Ohnstad, seconded by Alderman LaMacchia, to approve:

a. 14 applications for an Operator's (Bartenders) license, per list on file in the office of the City Clerk.

b. There were no application(s) for a transfer of agent status of Beer and/or Liquor licenses, per list on file in the office of the City Clerk.

c. 3 application(s) for a special Class "B" Beer and/or "Class B" Wine license per list on file in the office of the City Clerk.

d. 5 application(s) for a Taxi Driver's license per list on file in the office of the City Clerk.

On a voice vote, motion carried.

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**C. RECOMMENDATIONS FROM THE COMMITTEE ON LICENSING/PERMITS**

C.1. It was moved by Alderperson Kennedy, seconded by Alderperson Juliana, to approve applications for new Operator's (Bartender) Licenses, subject to:

- 20 demerit points:

a. Sean Butterfield

- 60 demerit points:

b. Taylor Leamon

- 80 demerit points:

c. Taylor Cofield

- 90 demerit points:

d. Daniel Smith

e. Tara Koschnitzke

C.1.1. It was moved by Alderperson Mathewson, seconded by Alderperson Bogdala to separate action on applications a through c from d. and e. On a voice vote, motion carried.

A hearing was held. Applicants b. d. and e were present and spoke. On a voice vote, motion carried.

C.1.2. It was moved by Alderperson Kennedy, seconded by Alderperson Juliana to concur with the recommendations on applicants a through c. On a voice vote, motion carried.

C.1.3. It was moved by Alderperson Kennedy, seconded by Alderperson Juliana, to concur with the recommendations on applicants d. and e. On a voice vote, motion carried.

C.2. It was moved by Alderperson Ohnstad, seconded by Alderperson Gordon, to approve the application of Robert Mason for renewal of a Taxi Driver's License, subject to 20 demerit points.

A hearing was held. The applicant did not appear. On a voice vote, motion carried.

C.3. It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to approve the application of Kwik Trip, Inc., Brenda S. Prescott-Kingfisher, Agent, for a "Class A" Liquor License located at 2111 - 22nd Avenue, (Tobacco Outlet Plus #528) subject to 60 demerit points.

A hearing was held. The applicant was present and spoke. On roll call vote, motion carried (11-3) with Alderpersons Prozanski, Orth, and Ruffolo voting nay.

C.4. It was moved by Alderperson Ohnstad, seconded by Alderperson LaMacchia, to approve the application of Fec's Place, LLC, Carolyn O. Miller, Agent, for a Class "B" Beer/"Class B" Liquor License located at 5523 - 6th Avenue, (Fec's Place) with acceptance of a conditional surrender of a similar license at the same location from Carolyn O. Miller, to be effective July 1, 2013, with no adverse recommendations.

A hearing was held. The applicant was present. On a voice vote, motion carried.

C.5. It was moved by Alderperson Michalski, seconded by Alderperson LaMacchia, to approve the application of Naster, Inc., for a Daily Cabaret License located at 3221 - 60th Street, (Our Kenosha Tap) on April 27, 2013, with no adverse recommendations.

A hearing was held. The applicant was present. On a voice vote, motion carried.

C.6. It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to approve the application of Kryn, Inc., for a Daily Cabaret License located at 7517 - 22nd Avenue, (Sunnyside Club) on May 4, 2013, with no adverse recommendations.

A hearing was held. The applicant did not appear. On a voice vote, motion carried.

C.7. It was moved by Alderperson Juliana, seconded by Alderperson Ohnstad, to approve the application of Antonio's Pizza & Pasta, LLC, for a Daily Cabaret License located at 2410 - 52nd Street, (5 Fifty Pizza & Pub) on April 27, 2013, with no adverse recommendations.

A hearing was held. The applicant did not appear. On a voice vote, motion carried.

C.8. It was moved by Alderperson Ohnstad, seconded by Alderperson LaMacchia, to approve the application of Fec's Place, LLC, for a Yearly Cabaret License (2013-2014) located at 5523 - 6th Avenue, (Fec's Place) with no adverse recommendations, subject to the granting and issuance of a Class "B" Beer/"Class B" Liquor License to Fec's Place, LLC.

A hearing was held. The applicant did not appear. On a voice vote, motion carried.

C.9. It was moved by Alderperson Kennedy, seconded by Alderperson Bostrom, to refer the application of

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Armando De La Rosa for a Peddler Stand License, located at the southwest corner of 54th Street and 6th Avenue, to be effective April 22, 2013, with no adverse recommendations to the Public Works Committee. After discussion, this motion was withdrawn. A brief recess was taken and the council reconvened at 8:31 pm.

C.9.1. It was moved by Alderperson Ohnstad, seconded by Alderperson Kennedy, to approve the application of Armando De La Rosa for a Peddler Stand License, located at the southwest corner of 54th Street and 6th Avenue, to be effective April 22, 2013, with no adverse recommendations, subject to the approval by the Board of Public Works Committee. On a voice vote, motion carried.

C.10. It was moved by Alderperson Ruffolo, seconded by Alderperson LaMacchia, to approve renewal applications for Scrap Salvage Dealer's Licenses with no adverse recommendations:

a. Jantz Auto Sales, Inc. (District 10)

b. Jantz's Yard 4 Automotive, Inc. (District 6)

c. Schneider's Auto Sales & Parts, Inc.

A hearing was held. The applicant did not appear. On a voice vote, motion carried.

C.11. It was moved by Alderperson Mathewson, seconded by Alderperson LaMacchia, to approve the renewal application of PRC, Inc. for a Scrap Salvage Collector's License, with no adverse recommendations.

A hearing was held. The applicant was present. On a voice vote, motion carried.

C.12. It was moved by Alderperson LaMacchia, seconded by Alderperson Mathewson, to approve the renewal application of PRC, Inc. for a Recycling Center Activity License, with no adverse recommendations.

A hearing was held. The applicant was present. On a voice vote, motion carried.

**D. ORDINANCES 1ST READING**

It was moved by Alderperson Ohnstad, seconded by Alderperson LaMacchia to send the following ordinances on their way:

D.1. By the Committee on Public Safety & Welfare – To Amend Section 7.02 (of the Code of General Ordinances) Regarding Speed Limits to Decrease the Speed Limit from 40 MPH to 35 MPH on 18th Street & 39th Avenue (18th Street 350 Feet East of the Center of its Intersection within 39th Avenue to 350 Feet West of the Center of its Intersection with 39th Avenue).

D.2. By the Mayor - To Amend Section 1.03 (of the City of Kenosha Code of General Ordinances) Entitled “Order Of Business” to Articulate Responsibility for the Creation of the Common Council Agenda and Provide Procedures Therefor.

D.3. By Alderperson Steve G. Bostrom – To Amend Subsection 1.03 A. (of the City of Kenosha Code of General Ordinances) entitled “Order of Business” to Provide That Items Proposed by Alderpersons be Placed on the Common Council Agenda.

On a voice vote, motion carried.

**E. ZONING ORDINANCES 1ST READING**

It was moved by Alderperson Ohnstad, seconded by Alderperson LaMacchia, to send the following ordinances on their way:

E.1. By the Mayor - Petition to Rezone property at 6915 - 75th Place from B-2 Community Business District to RM-2 Multiple-family Residential District (in conformance with Section 10.02 of the Zoning Ordinance). (RAP of Pewaukee, LLC)

E.2. By the City Plan Commission - To Create Subsection 18.02 u. (of the Zoning Ordinance) to Amend the Land Use Plan Map for the City of Kenosha: 2035. (RAP of Pewaukee, LLC)

E.3. By the Mayor - Attachment and Zoning District Classification Ordinance – Properties Located at located at 11121, 11301, 11309, 11311 and 11425 Burlington Road, Town of Somers (under Section 66.0307, Wisconsin Statutes, City of Kenosha/Town of Somers State Approved Cooperative Plan Parcels #80-4-222-194-0300, #80-4-222-301-0250, #80-4-222-193-0440, #80-4-222-193-0431, #80-4-222-193-0420, #80-4-222-193-0410. (Next Partners I LLC)

On a voice vote, motion carried.

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**F. ORDINANCES 2ND READING**

Full text of ordinances are on file in the office of the City Clerk.

F.1. It was moved by Alderperson Juliana, seconded by Alderperson Orth, to adopt the proposed Ordinance By the Mayor - To Repeal Subparagraph 1.03 A.27 (of the Code of General Ordinances) Regarding the Legislative Report as an Item for the Common Council Agenda and to Renumber the Subsequent Subparagraphs; to Repeal and Recreate the Second Paragraph of Section 1.056 (of the Code of General Ordinances) which is Entitled "Eligibility for Appointment to City Boards, Commissions, Authorities and Committees"; and to Repeal Section 1.06 P. (of the Code of General Ordinances) Entitled "Legislative Commission". .

A public hearing was held. No one spoke for or against said ordinance.

On roll call vote, motion failed (8-6) with Alderpersons Gordon, Wilson, Prozanski, Orth, Michalski, LaMacchia, Ohnstad and Juliana voting aye. (adoption requires 9 votes, majority of the Common Council)

**G. ZONING ORDINANCES 2ND READING**

**H. RESOLUTIONS**

Full text of resolutions are on file in the office of the City Clerk.

H.1. It was moved by Alderperson Mathewson, seconded by Alderperson LaMacchia, to approve Resolutions 44-13 through 46-13. A hearing was held. No one spoke. On roll call vote, motion carried unanimously and said resolutions were thereupon approved:

Resolutions By the Finance Committee – To Levy Special Charge Resolutions Upon Various Parcels of Property Located in the City per List on File in the Office of the City Clerk:

a. Resolution 44-13 - Boarding and Securing - \$240.00

b. Resolution 45-13-Graffiti Removal - \$160.00

c. Resolution 46-13-Property Maintenance Reinspection Fees - \$5,340.00.

H.2. It was moved by Alderperson Haugaard, seconded by Alderperson Prozanski, to approve Resolution 47-13. A hearing was held. No one spoke. On roll call vote, motion carried unanimously and said resolution was thereupon approved:

**Resolution 47-13**

**Resolution By the Finance Committee - To Levy a Special Assessment (Under Authority of Charter Ordinance No. 26, as Amended, Upon Certain Parcels of Land Within the City of Kenosha, Wisconsin) for Trash and Debris Removal in the Amount of \$3,705.06.**

H.3. It was moved by Alderperson LaMacchia, seconded by Alderperson Prozanski, to approve Resolution 48-13. A public hearing was held. George Gould, 7806-19<sup>th</sup> Avenue spoke. On roll call vote, motion carried unanimously and said Resolution was thereupon approved:

**Resolution 48-13**

**Resolution By the Public Works Committee – To Order the Cost of Public Sidewalk and/or Driveway Approach Construction and/or Replacement to be Specially Assessed to Abutting Property. (Project 13-1208 Sidewalk & Curb/Gutter Program)**

H.4. It was moved by Alderperson Juliana, seconded by Alderperson Ohnstad, to approve Resolution 49-13. On roll call vote, motion carried unanimously and said Resolution was thereupon approved:

**Resolution 49-13**

**Resolution By the Public Works Committee – Preliminary Resolution Declaring Intent to Levy Assessments for New Sidewalk State ID 1032-10-71 STH 50 Interchange & Local Roads.**

H.5. It was moved by Alderperson Bogdala, seconded by Alderperson Mathewson, to approve Resolution 50-13 through 52-13. On roll call vote, motion carried unanimously and said Resolution was thereupon approved:

**Resolution 50-13**

**Resolution By the Public Works Committee – Intent to Assess for Project 13-1015 Resurfacing Phase II (26th Avenue - 34th Street to 31st Street, 40th Street – Sheridan Road to 8th Avenue)**

H.6. **Resolution 51-13**

**Resolution By the Public Safety and Welfare Committee – To Designate No Parking except School Vehicles**

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**and No Parking, Stopping or Standing on School Days in front of the west side of Walter Reuther Central High School (To Designate the East Side of 10th Avenue from 57th Street South Approximately 165 feet as “No Parking Except School Vehicles Monday–Friday 7:00 am to 4:30 pm Except Saturday, Sunday and Holidays” and to Designate the East Side of 10th Avenue from 58th Street North Approximately 92 feet as "No Parking, Standing or Stopping on School Days").**

**H.7. Resolution 52-13**

**Resolution By the Public Safety and Welfare Committee – To Designate as “Handicapped Parking” Two-on-Street Parking Spaces on the North Side of 35th Street East of Sheridan Road.**

H.8. It was moved by Alderperson Ruffolo, seconded by Alderperson Bostrom, to approve Resolution 53-13.

H.8.1. It was moved by Alderperson Michalski, seconded by Alderperson Juliana to amend by striking “one appointed by the Alderperson of District 12 in the second to last paragraph. On roll call vote, motion to amend failed (5-9) with Alderpersons Kennedy, Gordon, Orth, Michalski and Juliana voting aye.

H.8.2. It was moved by Alderperson Mathewson, seconded by Alderperson Ohnstad, to amend by striking “one appointed by the Alderperson of District 12 in the second to last paragraph and replacing with “the Alderperson from the district which contains the Southport Beach House or his designee. After discussion, the maker and seconder withdrew this motion.

H.8.3 It was moved by Alderperson Mathewson, to amend by striking “one appointed by the Alderperson of District 12 in the second to last paragraph and replacing with “the seventh member being either the Alderperson of the district which contains the Southport Beach House or his designee. Motion lost for lack of a second.

H.8.4. It was moved by Alderperson Prozanski, seconded by Alderperson Juliana, to amend by including that the make-up of the committee shall be approved by the Common Council, with extension to be approved by the Common Council one year after establishment. On roll call vote, motion carried (12-2) with Alderpersons Kennedy and Michalski voting nay.

H.8.5. It was moved by Alderperson Kennedy, seconded by Alderperson Bogdala to hold a public hearing. George Clarke, 7200-1<sup>st</sup> Avenue, and Raymond Cameron, 5313-20<sup>th</sup> Avenue spoke. The public hearing was closed.

H.8.6. It was moved by Alderperson Haugaard, seconded by Alderperson Bogdala, to amend by inserting “for a term not to exceed 3 years” after “.....City of Kenosha residents.....” in the fifth line of the second to last paragraph. On a voice vote, motion carried.

H.8.7. It was moved by Alderperson Mathewson, to strike “District 12” in the second to last paragraph and replace with “...the district which contains the Southport Beach House”. Motion lost for lack of a second.

H.8.8. It was moved by Alderperson Orth, seconded by Alderperson Juliana, to strike “...Chairman of Public Works...” from the second to last paragraph and “..and Public Works for review..” from the last paragraph. On roll call vote, motion carried (8-5) (Alderperson Ohnstad not present for vote) with Alderpersons Bostrom, Bogdala, Michalski, Ruffolo and Mathewson voting nay.

On roll call vote, motion to approve Resolution 53-13 carried (11-3) with Alderpersons Kennedy, Gordon and Michalski voting nay and said Resolution was thereupon approved:

**Resolution 53-13**

**Resolution By Alderperson Bostrom, Co-Sponsors: Alderperson Bogdala, Alderperson Mathewson, and Alderperson Kennedy – To Create A Southport Beach House Citizen Committee for the Purpose of Researching and Recommending Additional Uses of the Southport Beach House to Enhance its Use and Increase Revenue.**

H.9. It was moved by Alderperson Kennedy, seconded by Alderperson Mathewson, to approve Resolution 54-13. On roll call vote, motion carried unanimously and said Resolution was thereupon approved:

**Resolution 54-13**

**Resolution By Alderperson Bogdala, Co-Sponsors: Alderperson Bostrom and Alderperson Schwartz – To Develop a Partnership between the City of Kenosha, Bird City of Wisconsin, the Kenosha Stormwater Utility, and the Kenosha Museums for the Purpose of Developing an Educational Program Designed to Educate the Public on Combating Issues with Urban Waterfowl.**

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Debra L. Salas, City Clerk

**I. APPOINTMENTS/  
REAPPOINTMENTS BY THE MAYOR**

It was moved by Alderperson Kennedy, seconded by Alderperson Mathewson, to approve:

I.1. Reappointments to the Museum Board for terms which expire May 1, 2016:

- a. Sally Heideman, (5816-83rd Street, Kenosha)
- b. Donald K. Holland, (4258-91st Place, Pleasant Prairie)

I.2. Reappointment of Robert Hayden, (5815-69th Street, Kenosha), to the City Plan Commission for a term which expires May 1, 2016.

On roll call vote, motion carried unanimously.

**J. PUBLIC CONSTRUCTION AND IMPROVEMENT CONTRACTS**

It was moved by Alderperson Kennedy, seconded by Alderperson Mathewson, to approve:

J.1. Award of Professional Service Contracts for:

- a. Project 13-1134 Prune Trees in Lawn Park Areas to Trees-B-Gone (Kenosha, WI) - \$73,600.
- b. Project 13-1417 Lawn Park Area Tree Removal to Droprite Tree & Landscape (Somers, WI) - \$98,250.00.

J.2. Award of Contract for Project 13-1208 Sidewalk & Curb/Gutter Program to A.W. Oakes & Son (Racine, Wisconsin) - \$662,000.00.

On roll call vote, motion carried unanimously.

**K. OTHER CONTRACTS AND AGREEMENTS**

It was moved by Alderperson Kennedy, seconded by Alderperson Mathewson, to:

K.1. Defer Collecting Official Compensation Agreement by and between The City of Kenosha, Wisconsin, (a Wisconsin Municipal Corporation), and Kenosha County Humane Society, Inc., d/b/a Safe Harbor Humane Society, (a Non-Profit Corporation).

K.2. Approve Contract to Raze Building(s) and Restore Lots - 3712 - 50th Street (Madrigano Building), Tax Key No. 09-222-36-230-008, By and Between the City of Kenosha, Wisconsin, (A Wisconsin Municipal Corporation), and Azarian Wrecking LLC, (A Wisconsin Limited Liability Company).

K.3. Approve request for Conveyance of Rights in Land by Kenosha County CTH "G" (30th Avenue) Reconstruction Project.

On roll call vote, motion carried unanimously.

K.4. It was moved by Alderperson LaMacchia, seconded by Alderperson Prozanski, to approve Lender Services Agreement between the City of Kenosha and Talmer Bank and Trust for the Administration of the Housing and Economic Loan Program (H.E.L.P.). On roll call vote, motion carried (13-0) with Alderperson Bostrom abstaining .

It was moved by Alderperson Bogdala, seconded by Alderperson Mathewson, to:

K.5. Approve Lender Services Agreement between the City of Kenosha and Talmer Bank and Trust for the Administration of the Tax Incremental District (TID) Rehabilitation Loan Program.

K.6. Approve Lender Services Termination Agreement between the City of Kenosha and TruStone Financial Federal Credit Union, formerly known as AM Community Credit Union. On roll call vote, motion carried (13-0) with Alderperson Bostrom abstaining .

**L. RECOMMENDATIONS FROM THE COMMITTEE ON FINANCE**

It was moved by Alderperson Bogdala, seconded by Alderperson Mathewson, to approve:

L.1. 2013 Sidewalk Rates.

L.2. Disbursement Record #6 - \$7,636,343.28.

L.3. Award of Offering Prices for Fee Acquisition and Easements for Project 11-1025 122nd Avenue Reconstruction

On roll call vote, motion carried unanimously.

**M. RECOMMENDATIONS FROM THE COMMITTEE ON PUBLIC WORKS**

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**Debra L. Salas, City Clerk**

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It was moved by Alderperson Bogdala, seconded by Alderperson Mathewson to approve:

M.1. Intergovernmental Cooperation Agreement between the Town of Somers, (a Municipal Corporation), and the City of Kenosha, (a Municipal Corporation), Regarding Reconstruction of 47th Avenue.

M.2. Jurisdictional Transfer Agreement between Wisconsin Department of Transportation and the City of Kenosha for 74th Street - 122nd Avenue to 123rd Avenue, 123rd Avenue from STH 50 (75th Street) to 74th Street.

On roll call vote, motion carried unanimously.

**N. RECOMMENDATIONS FROM THE COMMITTEE ON  
PUBLIC SAFETY & WELFARE**

**O. REPORTS AND RECOMMENDATIONS OF BOARDS AND COMMISSIONS**

O.1. It was moved by Alderperson Michalski, seconded by Alderperson LaMacchia, to approve Proposed Historical Artifact - Abraham Lincoln Statue at 711- 59th Place. A public hearing was held. No one spoke. On roll call vote, motion carried.

O.2. It was moved by Alderperson Ruffolo, seconded by Alderperson LaMacchia, to approve Proposed Historical Artifact - Kenosha County Soldiers Monument at 711 -59th Place. A public hearing was held. No one spoke. On roll call vote, motion carried.

O.3. It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to approve Conditional Use Permit for an indoor dog kennel to be located at 5403-52nd Street. (Wagin' Tails Resort) A public hearing was held. The applicants were present. On a voice vote, motion carried.

**P. AND SUCH MATTERS AS ARE AUTHORIZED BY LAW OR REGULAR BUSINESS**

P.1. It was moved by Alderperson Prozanski, seconded by Alderperson Bogdala, to deny 2012 Claim for Excessive Assessment by Target Corporation pursuant to Wisconsin Statutes Section 74.37, Tax Parcel No. 03-122-03-365-001. On roll call vote, motion carried unanimously.

**ADJOURNMENT**

There being no further business to come before the Common Council, it was moved, seconded and carried on a voice vote to adjourn at 10:17 p.m.

Approved:

**KEITH G. BOSMAN  
MAYOR**

Attest:

**DEBRA L. SALAS  
CITY CLERK/TREASURER**

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Debra L. Salas, City Clerk

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**KENOSHA MUNICIPAL  
BUILDING COUNCIL  
CHAMBERS ROOM 200  
May 6, 2013**

At a meeting of the Common Council held this evening, His Honor, Mayor Keith G. Bosman presided.

The meeting was called to order at 7:00 p.m.

On roll call, the following members of the Common Council were present: Alderpersons Haugaard, Schwartz, Michalski, Ruffolo, LaMacchia, Ohnstad, Juliana, Mathewson, Rosenberg, Kennedy, Gordon, Bostrom, Wilson, Prozanski, Orth, Downing and Bogdala.

A moment of silence was observed in lieu of the invocation.

Mayor Bosman then led the Council in the Pledge of Allegiance to the American Flag.

It was moved by Alderperson LaMacchia, seconded by Alderperson Gordon, to approve the minutes of the meeting held April 15, 2013.

Motion carried unanimously.

Seven citizens spoke during Citizen's Comments: Paul McDonough, Tammy Conforti, Pamela Gibson, Troy McDonald, John Doyle, Louis Rugani, Phil Jennings and Sallie McMillan.

**A. REFERRALS**

**TO THE COMMITTEE ON FINANCE**

A.1. Resolution By the Finance Committee - To Amend the 2011, 2012 and 2013 Adopted Consolidated Plans - Annual Plans Regarding the HOME Program Description.

A.2. By Alderperson Patrick Juliana, Co-Sponsor Alderperson Scott N. Gordon – Ordinance To Repeal and Recreate Subparagraph 1.03 C. 5. a., and To Renumber, Amend, Create, or Repeal and Recreate Various Paragraphs of 1.03 D., Relating to Sponsorship and to Procedures to be Utilized for Consideration of New Ordinances and Resolutions. (Also referred to Public Works, Public Safety and Welfare, and Licensing/Permit Committees)

A.3. By Alderperson Patrick Juliana, Co-Sponsors: Alderperson Scott N. Gordon, Alderperson Curt Wilson – Resolution To Establish a Definitive Procedure for Outside Requests To City Employees. (Also referred to Public Works, Public Safety and Welfare, and Licensing/Permit Committees)

A.4. Resolution Sponsored by Alderperson Patrick Juliana To Establish Governmental Responsibility for Runoff Management Grants for Outfall Inventory Assessments. (Also referred to Stormwater Utility Committee)

**TO THE PUBLIC WORKS COMMITTEE**

A.5. Resolution by the Mayor Authorizing the Director of Public Works to Apply for Financial Assistance for the Development of Recreational Boating Facilities. (Also referred to Finance Committee)

A.6. Distribution Utility Easement between the City of Kenosha, WE Energies, Time Warner Entertainment Company and AT&T for a Permanent Easement at approximately 11600 75th Street. (Gateway Center Park) (District 16) (Also referred to Parks Commission and City Plan Commission)

A.7. Resolution by the Mayor - To modify the Table of Organization for Plan for Non-represented Managerial, Supervisory and Professional Employees. (Also referred to Finance Committee)

**TO THE LICENSING/PERMIT COMMITTEE**

A.8. Resolution by Alderperson Curt Wilson - To Establish a Moratorium on the Granting of Secondhand Article Dealer and Secondhand Jewelry Licenses. (Also referred to Public Safety & Welfare Committee)

**TO THE CITY PLAN COMMISSION**

A.9. Conditional Use Permit for a non-conforming residential use at 1927 60th Street. (Landquest) (District 3)

A.10. By the City Plan Commission - To Create Subsection 18.02 w. of the Zoning Ordinance to Amend the Land Use Plan Map for the City of Kenosha: 2035. (R & S Kenosha Holdings, LLC) (District 3)

A.11. By the Mayor - Petition to rezone property at 6303 27th Avenue from B-2 Community Business District to RG-1 General Residential in conformance with Section 10.02 of the Zoning Ordinance. (R & S Kenosha Holdings, LLC) (District 3)

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**B. COMMUNICATIONS,  
PETITIONS, REPORTS  
OF DEPARTMENTS**

B.1. It was moved by Alderperson Downing, seconded by Alderperson Ohnstad, to approve:

- a. 19 applications for Operator's (Bartenders) licenses, per list on file in the office of the City Clerk.
- b. 1 transfer of agent status of Beer and/or Liquor licenses, per list on file in the office of the City Clerk.
- c. 2 application(s) special Class "B" Beer and/or "Class B" Wine licenses per list on file in the office of the City Clerk.
- d. 7 application(s) for Taxi Driver's licenses per list on file in the office of the City Clerk.

On a voice vote, motion carried, with Alderperson Gordon abstaining.

B.2. It was moved by Alderperson Kennedy, seconded by Alderperson Michalski, to receive and file Communication from City Clerk regarding the Voluntary Surrender of the Class "B" Beer/"Class B" Liquor license of L & M Meats, 4924-60th Street.

On a voice vote, motion carried with Alderperson Gordon abstaining from the vote on operator's license for Scott Gordon.

**C. RECOMMENDATIONS FROM THE COMMITTEE ON LICENSING/PERMITS**

C.1. It was moved by Alderperson Downing, seconded by Alderperson Ohnstad, to approve applications for new Operator's (Bartender) licenses, subject to:

- 0 demerit points:
  - a. Stacey Migliano
- 20 demerit points:
  - b. David Trinidad, Jr.
  - c. Amber Olsen
  - d. Destiny Kellerman
  - e. Michael Mehlan
- 40 demerit points:
  - f. Zandra Hughes
  - g. Maria Hackbarth
  - h. Debra Edwards
  - i. Alyse Smith (Hessefort)
  - j. Chelsie Schmidt
  - k. Kimberly VanKammen
- 60 demerit points:
  - l. Raul Ortiz

A hearing was held. Applicants f., j. and l. were present.

On a voice vote motion carried, with Alderperson Bostrom voting nay on l.

C.2. It was moved by Alderperson Downing, seconded by Alderperson Ohnstad, to approve the application of Sara Struebing for a new Operator's (Bartender) license, subject to 80 demerit points. A hearing was held. The applicant did not appear.

On a voice vote, motion carried.

C.3. It was moved by Alderperson Downing, seconded by Alderperson Juliana, to approve applications for new Taxi Driver Licenses, subject to:

- 10 demerit points:
  - a. Homer Dalton
- 20 demerit points:
  - b. David Dowell

A hearing was held. Applicant a. was present.

On a voice vote, motion carried.

C.4. It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to approve the application of

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HAPA, LLC, Edward Habel, Agent, for a Class "B" Beer/"Class B" Liquor License located at 2200 - 60th Street (Pub 22), with acceptance of a conditional surrender of a similar license at the same location from Ched, LLC, to be effective July 1, 2013, subject to 20 demerit points.

A hearing was held. The applicant did not appear.

On a voice vote, motion carried.

C.5. It was moved by Alderperson Kennedy, seconded by Alderperson Wilson, to approve the application of Slice of NY Pizzeria, Inc., Amber Bajrami, Agent, for a Class "B" Beer License located at 5703 6th Avenue (Slice of NY Pizzeria), with acceptance of a conditional surrender of a similar license at the same location from Taste of NY Pizzeria, LLC, to be effective July 1, 2013, with no adverse recommendations. A hearing was held. The applicant did not appear.

On a voice vote, motion carried.

C.6. It was moved by Alderperson Kennedy, seconded by Alderperson Gordon, to approve the application of McDonald Institute, LLC, for a Transfer of Agent status of the Class "B" Beer/"Class B" Liquor License located at 5611 6th Avenue (Wine Knot Bar & Bistro), from Terence McDonald to Brian Haberski, subject to 20 demerit points. A hearing was held. The applicant did not appear.

On a voice vote, motion carried.

C.7. It was moved by Alderperson Schwartz, seconded by Alderperson Wilson, to approve the application of TNT's Paddy O' Pub, LLC, for a Daily Cabaret License located at 5022 7th Avenue (Paddy O's Pub), on May 18, 2013, with no adverse recommendations. A hearing was held. The applicant did not appear.

On a voice vote, motion carried.

C.8. It was moved by Alderperson Schwartz, seconded by Alderperson Wilson, to approve the application of TNT's Paddy O' Pub, LLC, for an Outdoor Area – Cabaret/Amplified Music License located at 5022 7th Avenue (Paddy O's Pub), on May 18, 2013, with no adverse recommendations. A hearing was held. The applicant did not appear.

On a voice vote, motion carried.

C.9. It was moved by Alderperson LaMacchia, seconded by Alderperson Gordon, to approve the application of Fec's Place, LLC, for an Outdoor Area - Cabaret License located at 5523 - 6th Avenue (Fec's Place), on July 20, 2013, with no adverse recommendations. A hearing was held. The applicant did not appear.

On a voice vote, motion carried.

C.10. It was moved by Alderperson Prozanski, seconded by Alderperson LaMacchia, to approve renewal applications for Amusement & Recreation Enterprise Licenses, with no adverse recommendations:

a. DJ Miller Investments, Inc. (Monkey Joe's), 4237 Green Bay Road.

b. Brat Stop, Inc., (Brat Stop), 12304 - 75th Street.

c. Guttormsen Recreation

Corporation (Guttormsen Recreation Center), 5411 Green Bay Rd.

d. Coins Sports Bar, Inc. (Coins Sports Bar), 1714 52nd Street.

A hearing was held. The applicant did not appear.

On a voice vote, motion carried.

C.11. It was moved by Alderperson Kennedy, seconded by Alderperson Michalski, to approve the application of Amanda Murphy for an Amusement and Recreation Enterprise Supervisor License located at 4237 Green Bay Road (Monkey Joe's), subject to 0 demerit points. A hearing was held. The applicant did not appear.

On a voice vote, motion carried.

C.12. It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to approve renewal applications for Amusement and Recreation Enterprise Supervisor Licenses, with no adverse recommendations:

a. Margaret R. Hughes (Monkey Joe's)

b. Karen Griffin (Sheridan Lanes)

c. Michael Spitzer (Monkey Joe's)

d. Michael Gustin (Brat Stop)

e. David Koehler (Finney's Lounge). A hearing was held. The applicants did not appear.

On a voice vote, motion carried.

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C.13. It was moved by Alderperson Downing, seconded by Alderperson Juliana, to approve renewal applications for Theater and Amusement/Recreation Enterprise Licenses (2012-2013 Term), with no adverse recommendations:

a. Lakeside Players, Inc.

b. Cinemark USA. A hearing was held. The applicants did not appear.

On a voice vote, motion carried.

C.14. It was moved by Alderperson Downing, seconded by Alderperson Juliana, to approve the application of Keynote, Inc., for a Secondhand Article Dealer License located at 5708 - 75th Street (MusicGoRound), with no adverse recommendations. A hearing was held. Scott Moriarti, president, appeared.

On a voice vote, motion carried.

**D. ORDINANCES 1ST READING**

**E. ZONING ORDINANCES 1ST READING**

**F. ORDINANCES 2ND READING**

Full text of ordinances are on file in the office of the City Clerk.

F.1. It was moved by Alderperson Ruffolo, seconded by Alderperson LaMacchia, to adopt Ordinance 16-13. A public hearing was held. No one spoke for or against said ordinance.

On roll call vote, motion carried unanimously and said ordinance was thereupon adopted:

**Ordinance 16-13**

**By the Committee on Public Safety & Welfare – To Amend Section 7.02 (of the Code of General Ordinances) Regarding Speed Limits to Decrease the Speed Limit from 40 MPH to 35 MPH on 18th Street 350 Feet East of the Center of its Intersection within 30th Avenue to 350 Feet West of the Center of its Intersection with 39th Avenue.**

F.2. It was moved by Alderperson Kennedy, seconded by Alderperson Rosenberg, to adopt Ordinance 17-13 as amended by the Licensing/Permit Committee.

A hearing was held. No one spoke for or against said ordinance. On roll call vote, motion carried (12-5) with Alderpersons Bostrom, Bogdala, Ruffolo, LaMacchia and Mathewson voting nay and said ordinance was thereupon adopted:

**Ordinance 17-13**

**By Alderperson Jesse Downing – To Repeal, Recreate and Create Various Sections of Chapter 10 (Repeal and Recreate Subsection 10.05 C.; to Create Subsection 10.05 I.3.; and to Repeal and Recreate Subsection 10.077 of the Code of General Ordinances for the City of Kenosha) Regarding Alcohol Beverages.**

F.3. It was moved by Alderperson Michalski, seconded by Alderperson Gordon, to adopt Ordinance 18-13. A hearing was held. Eight citizens spoke against and one citizen spoke in favor of said ordinance.

F.3.1. It was moved by Alderperson Prozanski, seconded by Alderperson Juliana, to amend to renumber 3.f. as 3.g. and to insert new line 3.f. to Subsection 1.03 B.3 as follows: *“an agenda item for referral to an appropriate committee, commission, board, or authority or combination thereof given by an alderperson to the Clerk in time sufficient for its inclusion as a referral on the published agenda.”*

F.3.2. After further discussion, Alderperson Prozanski made a friendly amendment to strike *“in time sufficient for its inclusion as a referral on the published agenda”* and add *“by noon on the Friday before the Common Council Meeting.”*

On roll call vote, motion to amend carried (14-3) with Alderpersons Bostrom, Bogdala and Ruffolo voting nay.

On roll call vote, motion to approve as amended carried (12-5) with Alderpersons Haugaard, Bostrom, Bogdala, Ruffolo and Mathewson voting nay and said ordinance was thereupon adopted:

**Ordinance 18-13**

**By the Mayor - To Amend Section 1.03 (of the City of Kenosha Code of General Ordinances) Entitled “Order Of Business” to Articulate Responsibility for the Creation of the Common Council Agenda and Provide Procedures Therefor.**

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At 10:08 pm, it was moved by Alderperson Kennedy, seconded by Alderperson Gordon, to take a recess. Alderperson Downing left the meeting. At 10:14 pm, the meeting reconvened.

F.4. It was moved by Alderperson Mathewson, seconded by Alderperson Bostrom, to approve proposed Ordinance By Alderperson Steve G. Bostrom – To Amend Subsection 1.03 A. (of the City of Kenosha Code of General Ordinances) entitled “Order of Business” to Provide That Items Proposed by Alderpersons be Placed on the Common Council Agenda. A public hearing was held. No one spoke for or against said ordinance.

On roll call vote, motion failed (4-12) with Alderpersons Bostrom, Bogdala, Ruffolo and Mathewson voting aye.

**G. ZONING ORDINANCES 2ND READING**

G.1. It was moved by Alderperson Kennedy, seconded by Alderperson Schwartz, to adopt Ordinance 19-13. A public hearing was held. William Bodner, Managing Member of Bodner Property Management, LLC spoke. Six citizens spoke against.

On roll call vote, motion carried (13-3) with Alderpersons Bogdala, Michalski and Ruffolo voting nay and said Ordinance was thereupon adopted:

**Ordinance 19-13**

**By the Mayor – To Rezone property at 6915 - 75th Place from B-2 Community Business District to RM-2 Multiple-family Residential District (in conformance with Section 10.02 of the Zoning Ordinance). (RAP of Pewaukee, LLC)**

G.2. It was moved by Alderperson Kennedy, seconded by Alderperson Gordon, to approve Ordinance 20-13. A public hearing was held. One citizen spoke against.

On roll call vote, motion carried (13-3) with Alderpersons Bogdala, Michalski and Ruffolo voting nay and said Ordinance was thereupon adopted:

**Ordinance 20-13**

**By the Mayor - To Create Subsection 18.02 u. (of the Zoning Ordinance) to Amend the Land Use Plan Map for the City of Kenosha: 2035. (RAP of Pewaukee, LLC)**

G.3. It was moved by Alderperson Kennedy, seconded by Alderperson Wilson, to approve Ordinance 21-13. A public hearing was held. Phil Jennings, president, spoke.

On roll call vote, motion carried unanimously and said ordinance was thereupon adopted:

**Ordinance 21-13**

**By the Mayor - Attachment and Zoning District Classification Ordinance (under Section 66.0307, Wisconsin Statutes, City of Kenosha/Town of Somers State Approved Cooperative Plan [Parcels #80-4-222-194-0300, #80-4-222-301-250, #80-4-222-193-0440, #80-4-222-193-0431, #80-4-222-193-0420, #80-4-222-193-0410] located at 11121, 11301, 11309, 11331 and 11425 Burlington Road), Town of Somers. (Next Partners I LLC)**

**H. RESOLUTIONS**

Full text of resolutions are on file in the office of the City Clerk.

H.1. It was moved by Alderperson Gordon, seconded by Alderperson Ohnstad, to approve Resolution 55-13. A hearing was held. No one spoke for or against said resolution.

On roll call vote, motion carried unanimously and said resolution was thereupon adopted:

**Resolution 55-13**

**By the Finance Committee – To Levy a Special Charge for Snow Removal Upon Certain Parcels of Land Within the City of Kenosha in the amount of \$10,799.80 (Pursuant to §5.11F. of the Code of General Ordinances, Entitled “Sidewalk and Alleys to be Kept Clean by responsible Party – Emergency Enforcement” [Snow Removal from Sidewalks] – If Invoices Therefor are not Paid Within Thirty (30) Days of Issuance).**

H.2. It was moved by Alderperson Ohnstad, seconded by Alderperson Kennedy, to approve Resolution 56-13. A hearing was held. No one spoke for or against said resolution.

On roll call vote, motion carried unanimously and said resolution was thereupon adopted:

**Resolution 56-13**

**Resolution By the Finance Committee – To Levy Special Assessments for Hazardous Walk and Driveway**

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**Approach Repair Only (for Project 12-1208 Sidewalk & Curb/Gutter Program to be levied against the respective parcels of property as shown by a report of the City Engineer and filed in the office of the City Clerk of the City of Kenosha) in the Total Amount of \$87,763.25**

H.3. It was moved by Alderperson Bogdala, seconded by Alderperson Juliana, to approve Resolution 57-13. On roll call vote, motion carried unanimously and said resolution was thereupon adopted:

**Resolution 57-13**

**By the Finance Committee – To Rescind One (1) Special Assessment Levied by Resolution No. 01-13 (Trash & Debris Removal) against Parcel No. 09-222-36-405-001 (2505-53rd Street, Kenosha Wisconsin) in the Amount of \$430.00.**

H.4. It was moved by Alderperson Kennedy, seconded by Alderperson Bostrom, to approve Resolution 58-13. On roll call vote, motion carried unanimously and said resolution was thereupon adopted:

**Resolution 58-13**

**By the Public Works Committee – Intent to Assess for Project 13-1016 Resurfacing Phase III (34th Avenue - 86th Place to 88th Place, 44th Avenue Cul-de-Sac south of 87th Place, 87th Place Cul-de-Sac west of 42nd Avenue) for Hazardous Sidewalk and/or Driveway Approach Only.**

H.5. It was moved by Alderperson Kennedy, seconded by Alderperson Bostrom, to approve Resolution 59-13. On roll call vote, motion carried unanimously and said resolution was thereupon adopted:

**Resolution 59-13**

**By the Public Works Committee – Intent to Assess for Project 11-1025 122nd Avenue Reconstruction (122nd Avenue - 71st Street to 74th Street) for New Roadway Construction.**

H.6. It was moved by Alderperson Downing, seconded by Alderperson LaMacchia, to defer until after May 21, 2013 proposed Resolution By Alderperson David Bogdala – To refer to the Kenosha Employee Health Insurance Advisory Group a Request for Recommendation to the Common Council of How Funds in the Contingency Reserve Account Could Be Profitably Used To Promote Health and Reduce the City's Long Term Health Insurance Costs.

On a voice vote, motion carried.

H.7. It was moved by Alderperson Bogdala, seconded by Alderperson Kennedy, to approve Resolution 60-13.

H.7.1. After discussion, It was moved by Alderperson Bogdala, seconded by Alderperson Mathewson, to amend to add text after “BE IT FURTHER RESOLVED a Pawn Broker Regulation Review Workgroup, *'subject to the open meeting and public records law'*”.

H.7.2. On a voice vote, motion to amend carried.

H.7.3. On roll call vote, motion to approve as amended carried unanimously (Alderperson Bostrom briefly left the meeting and was not present for the vote) said resolution was thereupon adopted as follows:

**Resolution 60-13**

**By Alderperson Curt Wilson; Co-Sponsors: Alderperson Jan Michalski, Alderperson Scott N. Gordon, Alderperson Patrick Juliana – To Establish a Moratorium on the Granting of Pawnbroker Licenses.**

H.8. It was moved by Alderperson Kennedy, seconded by Alderperson Ohnstad, to approve Resolution 61-13. On roll call vote, motion carried unanimously and said resolution was thereupon adopted:

**Resolution 61-13**

**Resolution By the Mayor - To Amend the Official Map for the City of Kenosha, Wisconsin, to Include the Attachment of various parcels [Parcels #80-4-222-194-0300, #80-4-222-301-250, #80-4-222-193-0440, #80-4-222-193-0431, #80-4-222-193-0420, #80-4-222-193-0410 located at 11121, 11301, 11309, 11331 and 11425 Burlington Road] in the Town of Somers, (Kenosha County, Wisconsin, in accordance with the approved City of Kenosha/Town of Somers Cooperative Plan under Section 66.0307 of the Wisconsin Statutes.) (Next Partners I LLC)**

H.9. It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to approve Resolution 62-13. On roll call vote, motion carried unanimously and said resolution was thereupon adopted:

**Resolution 62-13**

**By the Mayor - To Approve Ready For Reuse Program Supplemental Request and Preparations For Issuance Of Note Anticipation Notes To Finance Project.**

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H.10. It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to approve Resolution 63-13.

On roll call vote, motion carried unanimously and said resolution was thereupon adopted:

**Resolution 63-13**

**By the Public Works Committee – To Order the Cost of Public Sidewalk and/or Driveway Approach Construction and/or Replacement to be Specially Assessed to Abutting Property. (Project 13-1015, 26th Avenue - 34th Street to 31st Street, 40th Street, Sheridan Rd to 8th Avenue)**

**I. APPOINTMENTS/  
REAPPOINTMENTS BY THE MAYOR**

It was moved by Alderperson Michalski, seconded by Alderperson Juliana, to approve:

I.1. Appointments to the Historic Preservation Commission to fulfill unexpired terms which will expire June 1, 2014:

a) Royanne Moon, 7817-7th Avenue, Kenosha

b) William Siel, 5953-5th Avenue, Kenosha

I.2. Appointment of Kristina Niemi-Johnson, 4514-5th Avenue, Kenosha, to the Commission on the Arts to fulfill an unexpired term which will expire November 1, 2014.

I.3. Appointment of Tracy Nielsen, 4130 Washington Road, Kenosha, to the Library Board to fulfill an unexpired term which will expire July 1, 2013.

I.4. Appointments to the Southport Beach House Citizen Committee for terms lasting up to three years:

a) Robert Merletti, 7320-5th Avenue, Kenosha

b) George Clarke, 7200-1st Avenue, Kenosha

I.5. Appointment of Edward Kubicki, 3617-22nd Avenue, Kenosha, to the Police and Fire Commission for a term which expires May 1, 2018.

I.6. Reappointment of Anderson Lattimore, 3633-22nd Street, Kenosha, to the City Plan Commission for a term which expires May 1, 2016.

On roll call vote, motion carried unanimously.

**J. PUBLIC CONSTRUCTION AND IMPROVEMENT CONTRACTS**

J.1. It was moved by Alderperson Ruffolo, seconded by Alderperson Ohnstad, to approve Award of Contract for Project 12-1420 Shagbark Park Trail Development Construction (3900 block of 39th Avenue) to Western Contractors Inc. (New Berlin, Wisconsin) in the amount of \$273,000.00.

On roll call vote, motion carried unanimously.

**K. OTHER CONTRACTS AND AGREEMENTS**

It was moved by Alderperson Ruffolo, seconded by Alderperson Ohnstad, to approve:

K.1. Collecting Official Compensation Agreement by and between The City of Kenosha, Wisconsin, (a Wisconsin Municipal Corporation), and Kenosha County Humane Society, Inc., d/b/a Safe Harbor Humane Society, (a Non-Profit Corporation).

K.2. Lease between City of Kenosha, Wisconsin and RG Aviation, LLC #10420.

On roll call vote, motion carried unanimously.

**L. RECOMMENDATIONS FROM THE COMMITTEE ON FINANCE**

It was moved by Alderperson Ruffolo, seconded by Alderperson Ohnstad, to approve:

L.1. Disbursement Record #7 - \$14,404,343.94.

On roll call vote, motion carried unanimously.

It was moved by Alderperson Ohnstad, seconded by Alderperson Ruffolo, to defer for two weeks:

L.2. Application by Lakeside Players, Inc. for a Waiver of the Theater License Renewal Fee of \$500.00 (per Ordinance 12.04 B.1.c.) for the period of 2013-2014.

On a voice vote, motion carried unanimously.

**COMMON COUNCIL  
OFFICIAL PROCEEDINGS  
May 6, 2013**

**Keith G. Bosman, Mayor**

**Debra L. Salas, City Clerk**

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**M. RECOMMENDATIONS FROM THE COMMITTEE ON PUBLIC WORKS**

M.1. It was moved by Alderperson Kennedy, seconded by Alderperson Orth, to approve Final Acceptance of: Project 12-1014 Concrete Street Repairs (Citywide Locations) which has been satisfactorily completed by Zignego Company (Waukesha, Wisconsin) - \$210,021.89.

On roll call vote, motion carried unanimously.

**N. RECOMMENDATIONS FROM THE COMMITTEE ON  
PUBLIC SAFETY & WELFARE**

**O. REPORTS AND RECOMMENDATIONS OF BOARDS AND COMMISSIONS**

O.1. It was moved by Alderperson Gordon, seconded by Alderperson LaMacchia, to approve Conditional Use Permit for a Tattoo and Body Piercing establishment to be located at 2200 Roosevelt Road. (Black Pearl Tattoo) A hearing was held. Gregory Larsen, applicant, spoke.

On roll call vote, motion carried (14-2) with Alderpersons Bogdala and Ruffolo voting nay.

O.2. Election of Common Council President for 2013-2014. It was moved by Alderperson Kennedy, seconded by Alderperson Schwartz, to nominate Alderperson Haugaard.

Alderperson Kennedy then moved to close the nominations.

It was moved by Alderperson Bostrom, seconded by Alderperson Mathewson to nominate Alderperson Kennedy. City Attorney Antaramian advised that the motion to close the ballot was in order, however, not recommended. Alderperson Kennedy withdrew his motion.

A request for secret ballot was made. Alderperson Kennedy stated that he did not accept his nomination (negating the need for a secret ballot).

Therefore, the Mayor declared Alderperson Eric Haugaard be elected Council President for 2013-2014 by unanimous consent.

On a voice vote, motion carried.

**ADJOURNMENT**

There being no further business to come before the Common Council, it was moved by Alderperson Prozanski, seconded by Alderperson Ruffolo, to adjourn at 11:31 pm.

On a voice vote, motion carried.

Approved:

**KEITH G. BOSMAN  
MAYOR**

Attest:

**DEBRA L. SALAS  
CITY CLERK/TREASURER**

**COMMON COUNCIL  
OFFICIAL PROCEEDINGS  
May 20, 2013**

**Keith G. Bosman, Mayor**

**Debra L. Salas, City Clerk**

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**KENOSHA MUNICIPAL  
BUILDING COUNCIL  
CHAMBERS ROOM 200**

**May 20, 2013**

At a meeting of the Common Council held this evening, His Honor, Mayor Keith G. Bosman presided.

The meeting was called to order at 7:04 p.m.

On roll call, the following members of the Common Council were present: Alderpersons Haugaard, Schwartz, Michalski, Ruffolo, LaMacchia, Ohnstad, Juliana, Mathewson, Kennedy, Gordon, Bostrom, Wilson, Orth, Downing and Bogdala. Alderperson Prozanski was previously excused. Alderperson Rosenberg arrived prior to action on Item H.1.

A moment of silence was observed in lieu of the invocation.

Mayor Bosman then led the Council in the Pledge of Allegiance to the American Flag.

Mike Maki, Community Development Specialist, presented three Historic Preservation Awards.

It was moved by Alderperson Michalski, seconded by Alderperson Ohnstad, to approve the minutes of the meeting held May 6, 2013.

Motion carried unanimously.

Three citizens spoke during Citizen's Comments: Billy Weathersby, Pamela Gibson and Louis Rugani.

**A. REFERRALS**

**TO THE COMMITTEE ON FINANCE**

A.1. Second Amendment to the Subgrantee Agreement between the City of Kenosha and Kenosha Common Markets, Inc.

**TO THE PUBLIC WORKS COMMITTEE**

A.2. Proposed Ordinance by Alderperson Jan Michalski: To Amend Subsection 5.04 of the City of Kenosha Zoning Ordinance regarding Encroaching Structures in the Area Setback from a Major Street. (Also referred to City Plan and Park Commissions)

A.3. Request to extend the Conditional Use Permit for a new public safety communication tower at 6210 60th Street. (Kenosha County/Nash Park) (District 15) (Also referred to Park Commission)

**TO THE CITY PLAN COMMISSION**

**B. COMMUNICATIONS,  
PETITIONS, REPORTS  
OF DEPARTMENTS**

B.1. It was moved by Alderperson Mathewson, seconded by Alderperson LaMacchia, to approve:  
a. 91 applications for Operator's (Bartenders) licenses, per list on file in the office of the City Clerk.

b. 2 transfer of agent status of Beer and/or Liquor licenses, per list on file in the office of the City Clerk.

c. 6 application(s) for special Class "B" Beer and/or "Class B" Wine licenses per list on file in the office of the City Clerk.

d. 2 application(s) for Taxi Driver's licenses per list on file in the office of the City Clerk.

On a voice vote, motion carried.

B.2. It was moved by Alderperson Downing, seconded by Alderperson Ohnstad, to approve request of Armando Delarosa, (Delarosa's Food Truck) to retain the location of his peddler stand at the southwest corner of 54th Street and 6th Avenue for the period of May 22, 2013 to June 22, 2013 (additional 30 days - original application approved effective April 22, 2013).

On a voice vote, motion carried.

**COMMON COUNCIL  
OFFICIAL PROCEEDINGS  
May 20, 2013**

**Keith G. Bosman, Mayor**

**Debra L. Salas, City Clerk**

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**C. RECOMMENDATIONS FROM THE COMMITTEE ON LICENSING/PERMITS**

C.1. It was moved by Alderperson Ohnstad, seconded by Alderperson Schwartz, to approve applications for new Operator's (Bartender) licenses, subject to 20 demerit points:

- a. Brian Robleski
- b. Maricela Jaimes
- c. Walter Kreuser

A hearing was held. Applicant b. was present with an interpreter.

C.1.1. It was moved by Alderperson Gordon, seconded by Alderperson Mathewson, to separate b. On a voice vote, motion carried.

C.1.2. It was moved by Alderperson Downing, seconded by Alderperson LaMacchia, to approve a. and c. On a voice vote, motion carried.

C.1.3. It was moved by Alderperson Wilson, seconded by Alderperson Orth, to approve b. On roll call vote, motion carried (8-7) with Alderpersons Kennedy, Gordon, Bostrom, Downing, Bogdala, Juliana and Mathewson voting nay.

C.2. It was moved by Alderperson Schwartz, seconded by Alderperson Ohnstad, to approve the renewal application of Charles Ulrich for a Taxi Driver's license, subject to 60 demerit points.

A hearing was held. The applicant appeared. On a voice vote, motion carried.

C.3. It was moved by Alderperson Mathewson, seconded by Alderperson Gordon, to deny applications for new Operator's (Bartender) licenses, based on material police record:

C.3.a. Taylor Lang

C.3.b. Amanda Bloomer

A hearing was held. The applicants did not appear. On a voice vote, motion carried.

C.4. It was moved by Alderperson Downing, seconded by Alderperson LaMacchia, to approve the application of Festmark, Inc., Michael P. Wais, Agent, for a Class "A" Beer/"Class A" Liquor License located at 3401 80th Street, (Festival Foods) to be effective May 21, 2013, upon surrender of a similar license from Spiegelhoff's Enterprises, (Spiegelhoff's Supervalu).

A hearing was held. The agent appeared. On a voice vote, motion carried.

C.5. It was moved by Alderperson Mathewson, seconded by Alderperson LaMacchia, to approve the application of 22nd Ave. Mobil, Inc., Gurinder S. Nagra, Agent, for a Class "A" Beer License located at 4433 - 22nd Avenue, (22nd Ave. Mobil) to be effective July 1, 2013, upon surrender of a similar license from Paramvir, Inc., (Grace Citgo).

A hearing was held. The applicant did not appear. On a voice vote, motion carried.

C.6. It was moved by Alderperson Kennedy, seconded by Alderperson Juliana, to approve the application of Afije Mahmudi for a Class "B" Beer/"Class B" Liquor License located at 3314 - 60th Street, (Red Apple Restaurant) upon surrender of a similar license from Mefail Mahmudi, (Red Apple Restaurant).

A hearing was held. The applicant did not appear. On a voice vote, motion carried.

C.7. It was moved by Alderperson Downing, seconded by Alderperson Juliana, to deny the application of T.G. Enterprises, Inc., Maria Piliovras, Agent, for a Class "B" Beer/"Class B" Liquor License located at 12440 - 75th Street, (Phoenix Family Restaurant) upon surrender of a Class "B" Beer/"Class C" Wine license from T.G. Enterprises, Inc.. (Phoenix Family Restaurant) based on lack of economic impact.

A hearing was held. The applicant did not appear. On a voice vote, motion carried.

C.8. It was moved by Alderperson Downing, seconded by Alderperson Wilson, to approve the application of Joshua Lisenby for a Transfer of Agent status of the Class "B" Beer/"Class B" Liquor License located at 7214 Green Bay Road, #100, (HuHot Mongolian Grill) subject to 20 demerit points.

A hearing was held. The applicant did not appear. On a voice vote, motion carried.

C.9. It was moved by Alderperson Schwartz, seconded by Alderperson, LaMacchia, to approve the application of McDonald Institute, LLC for an Outdoor Dining License located at 5611 - 6th

**COMMON COUNCIL  
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**Debra L. Salas, City Clerk**

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Avenue, (Wine Knot Bar & Bistro) with no adverse recommendations.

A hearing was held. The applicant did not appear. On a voice vote, motion carried.

C.10. It was moved by Alderperson Downing, seconded by Alderperson Juliana, to approve applications for Yearly Cabaret Licenses (2013-2014 Term) with no adverse recommendations per list on file in the Office of the City Clerk. A hearing was held. The applicants did not appear. On a voice vote, motion carried, with Alderperson Schwartz abstaining on #27 and Alderperson Gordon abstaining on #28.

C.11. It was moved by Alderperson Downing, seconded by Alderperson LaMacchia, to approve the renewal application of Claw's Billiards, LLC for an Amusement & Recreation Enterprise License located at 7447 - 57th Avenue, (Claw's Billiards) with no adverse recommendations.

A hearing was held. The applicant did not appear. On a voice vote, motion carried.

C.12. It was moved by Alderperson Kennedy, seconded by Alderperson Schwartz, to approve the applications of Kimberly Thomas & Jeffery Joe Dingillo for a Secondhand Article Dealer License and a Secondhand Jewelry Dealer License located at 3105 - 60th Street, (Treasure Hunt) with no adverse recommendations.

A hearing was held. The applicants appeared. On a voice vote, motion carried.

**D. ORDINANCES 1ST READING**

It was moved by Alderperson Kennedy, seconded by Alderperson Bostrom, to send the following ordinance on its way:

D.1. By Alderperson Patrick Juliana, Co-sponsor: Alderperson Scott N. Gordon - To Repeal and Recreate Subparagraph 1.03 D. 5. a., and to Renumber, Amend, Create, or Repeal and Recreate Various Paragraphs of 1.03 E., Relating to Sponsorship and to Procedures to be Utilized for Consideration of New Ordinances and Resolutions.

On a voice vote, motion carried.

**E. ZONING ORDINANCES 1ST READING**

It was moved by Alderperson Kennedy, seconded by Alderperson Bostrom, to send the following ordinance on its way:

E.1. By City Plan Commission - To Create Subsection 18.02 v. of the Zoning Ordinance to Adopt a Master Plan for Southport Park Dated January 2013.

On a voice vote, motion carried.

**F. ORDINANCES 2ND READING**

**G. ZONING ORDINANCES 2ND READING**

**H. RESOLUTIONS**

Full text of resolutions are on file in the office of the City Clerk.

H.1. It was moved by Alderperson LaMacchia, seconded by Alderperson Wilson, to approve Resolutions 64-13 through 66-13. A hearing was held. No one spoke for or against said resolutions. On roll call vote, motion carried unanimously and said resolutions were thereupon adopted:

**Resolution 64-13**

**Boarding and Securing - \$2,740.38**

**Resolution 65-13**

**Property Maintenance Reinspection Fees - \$6,170.00**

**Resolution 66-13**

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**Debra L. Salas, City Clerk**

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**Unpaid Permit Fees - \$760.00**

H.2. It was moved by Alderperson Ohnstad, seconded by Alderperson Schwartz, to defer for two weeks resolution By the Finance Committee - To Rescind a Special Charge in the Amount of \$190.00 and a Special Charge in the Amount of \$280.00 for Property Maintenance Reinspection Fees for Violations Not Corrected at 5715 13th Avenue (Parcel #12-223-31-455-011). A hearing was held. No one spoke for or against said resolution. On a voice vote, motion carried.

H.3. It was moved by Alderperson Kennedy, seconded by Alderperson Gordon, to approve Resolution 67-13. A hearing was held. No one spoke for or against said resolution. On roll call vote, motion carried unanimously and said resolution was thereupon adopted:

**Resolution 67-13**

**By the Public Works Committee – To Order the Cost of Public Sidewalk and/or Driveway Approach Construction and/or Replacement to be Specially Assessed to Abutting Property. (Project 13-1016, 34th Avenue - 86th Place to 88th Place, 44th Avenue Cul-de-Sac south of 87th Place, 87th Place Cul-de-Sac west of 42nd Avenue)**

H.4. It was moved by Alderperson Ruffolo, seconded by Alderperson LaMacchia, to approve Resolution 68-13.

On roll call vote, motion carried unanimously and said resolution was thereupon adopted:

**Resolution 68-13**

**By the Public Works Committee – Intent to Assess for Project 13-1025 56th Street Resurfacing (56th Street – Sheridan Rd to 13th Avenue) for Hazardous Sidewalk and/or Driveway Approach Only.**

H.5. It was moved by Alderperson Wilson, seconded by Alderperson LaMacchia, to approve Resolution 69-13. A hearing was held. No one spoke for or against said resolution. On roll call vote, motion carried unanimously and said resolution was thereupon adopted:

**Resolution 69-13**

**By the Park Commission - To Adopt the Master Plan for Southport Park Dated January 2013**

H.6. It was moved by Alderperson Wilson, seconded by Alderperson LaMacchia, to approve Resolution 70-13.

H.6.1. It was moved by Alderperson Bogdala, seconded by Alderperson Mathewson, to amend by striking text at the end of the fifth paragraph: *“such limitation shall exclude directives from chairs of committees, commissions, or boards to the secretary of the particular committee, commission, or board”*.

On roll call vote, motion failed (5-11) with Alderpersons Bostrom, Bogdala, Ruffolo, Mathewson and Rosenberg voting aye.

H.6.2. It was moved by Alderperson Bogdala, seconded by Alderperson Mathewson, to amend by adding text at the end of the last paragraph: *“subject to approval of the Common Council”*.

On roll call vote, motion carried (13-3) with Alderpersons Kennedy, Orth and Juliana voting nay.

H.6.3. It was moved by Alderperson Juliana, seconded by Alderperson Michalski, to approve as amended.

On roll call vote, motion carried (13-3) with Alderpersons Bogdala, Ruffolo and Mathewson voting nay and said resolution was thereupon adopted:

**Resolution 70-13**

**by Alderperson Patrick Juliana, Co-Sponsors: Alderperson Scott N. Gordon, Alderperson Curt Wilson – To Establish a Definitive Procedure for Outside Requests To City Employees**

H.7. It was moved by Alderperson Kennedy, seconded by Alderperson Juliana, to approve Resolution 71-13. On a voice vote, motion carried and said resolution was thereupon adopted:

**Resolution 71-13**

**Resolution By Alderperson Patrick Juliana - To Establish Governmental Responsibility for Runoff Management Grants for Outfall Inventory Assessments.**

**COMMON COUNCIL  
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Debra L. Salas, City Clerk

H.8. It was moved by Alderperson Kennedy, seconded by Alderperson Juliana, to approve Resolution 72-13.

H.8.1. It was moved by Alderperson Ohnstad, seconded by Alderperson Gordon, to amend by striking text in the 6<sup>th</sup> paragraph: “*eight (8) months*” and replacing with “*ninety (90) days*”.

On a voice vote, motion carried.

H.8.2. It was moved by Alderperson LaMacchia, seconded by Alderperson Gordon, to approve as amended. Motion carried (15-1) with Alderperson Bogdala voting nay and said resolution was thereupon adopted:

**Resolution 72-13**

**By Alderperson Curt Wilson, Co-sponsors: Alderperson Patrick Juliana, Alderperson Scott N. Gordon - To Establish a Moratorium on the Granting of Secondhand Article Dealer and Secondhand Jewelry Licenses.**

H.9. It was moved by Alderperson Kennedy, seconded by Alderperson Juliana, to approve Resolutions 73-13 and 74-13.

On roll call vote, motion carried unanimously and said resolutions were thereupon adopted:

**Resolution 73-13**

**By the Mayor - Authorizing the Director of Public Works to Apply for Financial Assistance for the Development of Recreational Boating Facilities.**

**Resolution 74-13**

**By the Mayor – To Modify the Table of Organization for the Department of Public Works and to Subsequently Modify the Compensation Plan for Non-Represented Managerial, Supervisory and Professional Employees.**

**I. APPOINTMENTS/  
REAPPOINTMENTS BY THE MAYOR**

It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to approve:

I.1. Appointments to the Southport Beach House Citizen Committee for terms lasting up to three years:

- a) Margaret Heller, 217-69th Street, Kenosha
- b) Barbara Stein-Lendman, 402-73rd Street, Kenosha
- c) Joan Wilk, 202-75th Street, Kenosha
- d) James Mosley, 1422-74th Street, Kenosha

I.2. Appointment of Alan Goldsmith, 324A-55th Street, Kenosha, to the Public Museum Board for a term which will expire May 1, 2016.

I.3. Appointment of Anderson Lattimore, 3633-22nd Street, Kenosha, to the Community Development Block Grant Committee and the HOME Program Commission for a term which will expire May 1, 2016.

I.4. Appointment of Alderperson Kevin Mathewson to Vice Chairman of the City Plan Commission.

On roll call vote, motion carried unanimously.

**J. PUBLIC CONSTRUCTION AND IMPROVEMENT CONTRACTS**

J.1. It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to approve Award of Professional Service Contract for Project 13-1421 Emerald Ash Borer Treatment to Trees "R" Us (Wauconda, Illinois) in the amount of \$39,746.

On a voice vote, motion carried.

**K. OTHER CONTRACTS AND AGREEMENTS**

It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to approve:

**COMMON COUNCIL  
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**Keith G. Bosman, Mayor**

**Debra L. Salas, City Clerk**

K.1. Distribution Utility Easement between the City of Kenosha, WE Energies, Time Warner Entertainment Company and AT & T for a Permanent Easement at approximately 11600 75th Street. (Phil Sander Nature Center)

On a voice vote, motion carried.

**L. RECOMMENDATIONS FROM THE COMMITTEE ON FINANCE**

It was moved by Alderperson Kennedy, seconded by Alderperson Ohnstad, to approve:

L.1. KABA 2013 1st Quarter RLF Report.

On a voice vote, motion carried.

It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to defer for two weeks:

L.2. Request from Thomas Saniat to Refund a Property Maintenance Reinspection Fee in the Amount of \$72.00 for Violations Not Corrected at 5715 13th Avenue (Parcel #12-223-31-455-011).

On a voice vote, motion carried.

It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to deny:

L.3. Request from Heidi Jensen to Rescind or Modify Board-up Fees in the Amount of \$355.30 for the Property at 2300 56th Street (Parcel #09-222-36-477-011).

On roll call vote, motion carried unanimously.

It was moved by Alderperson LaMacchia, seconded by Alderperson Kennedy, to defer for two weeks:

L.4. Request from John Chiappetta to Rescind Property Maintenance Reinspection Fees in the Total Amount of \$342.00 for Violations Not Corrected at 2915 63rd Street (Parcel #01-122-01-154-003).

On a voice vote, motion carried.

It was by Alderperson Kennedy, seconded by Alderperson Michalski, to approve:

L.5. Disbursement Record #8 - \$5,354,301.72.

L.6. Application by Lakeside Players, Inc. for a Waiver of the Theater License Renewal Fee of \$500.00 (per Ordinance 12.04 B.1.c.) for the period of 2013-2014.

On roll call vote, motion carried unanimously, with Alderperson Michalski abstaining on Item L.6.

**M. RECOMMENDATIONS FROM THE COMMITTEE ON PUBLIC WORKS**

M.1. It was moved by Alderperson Kennedy, seconded by Alderpperson Michalski, to approve HarborPark Sculpture Walk project selections for 2013 - 2015.

On roll call vote, motion carried unanimously.

**N. RECOMMENDATIONS FROM THE COMMITTEE ON  
PUBLIC SAFETY & WELFARE**

**O. REPORTS AND RECOMMENDATIONS OF BOARDS AND COMMISSIONS.**

O.1. It was moved by Alderperson Haugaard, seconded by Alderperson Orth, to approve Proposed Historical Artifact - Eichelman Park Artillery at 6125 Third Avenue.

On roll call vote, motion carried unanimously.

O.2. It was moved by Alderperson Michalski, seconded by Alderperson Gordon, to approve Conditional Use Permit for a non-conforming residential use at 1927 60th Street.

On roll call vote, motion failed (4-12) with Alderpersons Haugaard, Kennedy, Schwartz and Michalski voting aye.

**ADJOURNMENT**

**COMMON COUNCIL  
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**Keith G. Bosman, Mayor**

**Debra L. Salas, City Clerk**

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There being no further business to come before the Common Council, it was moved by Alderperson Michalski, seconded by Alderperson Ruffolo, to adjourn at 9:48 p.m.  
On a voice vote, motion carried.

Approved:

**KEITH G. BOSMAN  
MAYOR**

Attest:

**DEBRA L. SALAS  
CITY CLERK/TREASURER**

**COMMON COUNCIL  
OFFICIAL PROCEEDINGS**

**June 3, 2013**

**Keith G. Bosman, Mayor**

**Debra L. Salas, City Clerk**

**KENOSHA MUNICIPAL  
BUILDING COUNCIL  
CHAMBERS ROOM 200**

**June 3, 2013**

At a meeting of the Common Council held this evening, His Honor, Acting Mayor Eric Haugaard presided. Alderperson Prozanski was seated as Council President. Acting Mayor Haugaard advised he would be voting as an alderperson this evening.

The meeting was called to order at 7:03 p.m.

On roll call, the following members of the Common Council were present: Alderpersons Haugaard, Schwartz, Michalski, LaMacchia, Ohnstad, Juliana, Mathewson, Rosenberg, Kennedy, Gordon, Bostrom, Wilson, Prozanski, Orth, Downing and Bogdala. Excused: Alderperson Ruffolo.

Police Chief Morrissey gave the invocation in honor and memory of Dave Barnes, a Kenosha businessman, and supporter of the Boys and Girls Club of Kenosha.

Acting Mayor Haugaard then led the Council in the Pledge of Allegiance to the American Flag.

It was moved by Alderperson Kennedy, seconded by Alderperson Michalski, to approve the minutes of the meeting held May 20, 2013.

Motion carried unanimously.

Ten (10) Citizens spoke during Citizen's Comments: Dino Marchesini, Michael Bell, Paul McDonough, Janice Erickson, Virginia Hoekstra, Violet Ricker, Jo Wynn, Tammy Conforti, Thomas Saniat and Louis Rugani.

**A. REFERRALS**

**TO THE COMMITTEE ON FINANCE**

A.1. Settlement Terms of a Successor Collective Bargaining Agreement for 2013-2015 Between the City of Kenosha and Kenosha Professional Police Association.

A.2. Settlement Terms of a Successor Collective Bargaining Agreement for 2013-2015 Between the City of Kenosha and Local #414, Fire Fighters.

**TO THE PUBLIC WORKS COMMITTEE**

A.3. By the Mayor - Resolution to Approve a Two-Lot Certified Survey Map for property located at 3207 80th Street. (Festival Foods) (District #14) (Also referred to City Plan Commission)

**TO THE PUBLIC WORKS COMMITTEE**

A.4. Resolution by Alderperson David F. Bogdala, Co-Sponsors: Alderperson Steve Bostrom, Alderperson Kevin Mathewson, Alderperson G. John Ruffolo to Improve the Efficiency in the City of Kenosha Permitting Process by Establishing the Citizen Project.

A.5. Ordinance by Alderperson Patrick Juliana, Co-sponsor: Alderperson Chris Schwartz - To Repeal and Recreate Subsection 23.12.B.10.; To Renumber Subsections 23.12.C. through 23.12.G. as 23.12.D. Through 23.12.H.; To Create Subsection 23.12.C. Entitled Registration Terms; To Repeal and Recreate Subsection 23.12.F.2.; and to Repeal and Recreate Subsection 23.12.H. of the Code of General Ordinances for the City of Kenosha Regarding Sound Trucks. (Also referred to Licensing/Permit Committee)

**TO THE CITY PLAN COMMISSION**

A.6. Conditional Use Permit for a 75,455 s.f. grocery store to be located at 3207 80th Street. (Festival Foods) (District #14)

A.7. Conditional Use Permit for a Tattoo Parlor to be located at 2306 63rd Street. (Kalaca Tattoo) (District #3)

A.8. By the the City Plan Commission - Petition to Rezone properties at 2209 54th Street and 5410 22nd Avenue from B-2 Community Business District to RG-2 General Residential District in conformance with

**COMMON COUNCIL  
OFFICIAL PROCEEDINGS  
June 3, 2013**

**Keith G. Bosman, Mayor**

**Debra L. Salas, City Clerk**

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Section 10.02 of the Zoning Ordinance. (City Plan Commission/Covelli) (District #7)

A.9. By the City Plan Commission - To Create Subsection 18.02 x. of the Zoning Ordinance to Amend the Land Use Plan Map for the City of Kenosha: 2035. (Welcome Home Properties, LLC) (District #15)

A.10. By the Mayor - Petition to Rezone property at 5901 60th Street from RD Two-Family Residential to IP Institutional Park in conformance with Section 10.02 of the Zoning Ordinance. (Welcome Home Properties, LLC) (District #15)

**B. COMMUNICATIONS,  
PETITIONS, REPORTS  
OF DEPARTMENTS**

B.1. It was moved by Alderperson Downing, seconded by Alderperson LaMacchia, to approve the following applications per list on file in the Office of the City Clerk:

- a. 109 Operator's (Bartenders) license(s).
- b. There were no Transfer of Agent Status of Beer and/or Liquor license(s).
- c. 12 Special Class "B" Beer and/or Special "Class B" Wine license(s).
- d. There were no Taxi Driver License(s).

On a voice vote, motion carried.

**C. RECOMMENDATIONS FROM THE COMMITTEE ON LICENSING/PERMITS**

**NOTE: All licenses and permits are subject to withholding of issuance by the City Clerk as specified in Section 1.045 of the Code of General Ordinances.**

C.1. It was moved by Alderperson Michalski, seconded by Alderperson LaMacchia, to approve applications for new Operator's (Bartender) licenses, subject to:

- 0 demerit points:

- a. Kevin Karweik
- 20 demerit points:
- b. Joanna Young
- 40 demerit points:
- c. Leeanne Allison

- d. Abby Rimstidt
- e. Yolanda Gloria

A hearing was held. The applicants did not appear. On a voice vote, motion carried.

C.2. It was moved by Alderperson Juliana, seconded by Alderperson Ohnstad, to approve renewal applications for Operator's (Bartender) licenses, subject to:

-0 demerit points:

- a. Sameer Ali
- b. Luann Ruetten
- c. Charles Ulrich
- d. Laura Saarnio
- e. Juan Herrera
- 20 demerit points:
- f. Shawn Conwell
- g. Karen Sarmiento
- h. Willard Osborne
- i. Mickey Johnson
- j. Jan Mlekush

- 40 demerit points:

- k. Maria Martinez

- 80 demerit points:

- l. Giuseppe Delle-Grazie

**COMMON COUNCIL  
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**Keith G. Bosman, Mayor**

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A hearing was held. The applicants did not appear. On a voice vote, motion carried (Aldersperson Rosenberg abstained on b.).

C.3. It was moved by Aldersperson Downing, seconded by Aldersperson Ohnstad, to approve renewal applications for Operator's (Bartender) licenses, subject to non-renewal revocation:

- a. Marianne Watring
- b. Leslie Johnson

A hearing was held. Applicant B. was present. On a voice vote, motion carried.

C.4. It was moved by Aldersperson Gordon, seconded by Aldersperson Michalski, to approve applications for new Taxi Driver's licenses, subject to:

- 10 demerit points:

- a. Terrence Gaffney

- 40 demerit points:

- b. Patsy Tate

- 55 demerit points:

- c. J. M. Johnson

A hearing was held. The applicants did not appear. On a voice vote, motion carried.

C.5. It was moved by Aldersperson Schwartz, seconded by Aldersperson Kennedy, to separate action on the recommendation to Deny applications for new Taxi Driver's licenses, based on material police record:

- a. Rosa Balderas

- b. Portia Prince-Pickens

A hearing was held. The applicants did not appear. On a voice vote, motion carried.

C.5.1. It was moved by Aldersperson Schwartz, seconded by Aldersperson Kennedy to send a. back to the Licensing/Permit Committee. On a voice vote, motion carried.

C.5.2. It was moved by Aldersperson Schwartz, seconded by Aldersperson Juliana to concur with the recommendation to deny application b. On a voice vote, motion carried.

C.6. It was moved by Aldersperson Juliana, seconded by Aldersperson LaMacchia, to approve renewal applications for Taxicab Permits, with no adverse recommendations:

- a. Mohammed I. Museitif (3122-14th Avenue, M&M Choice Taxi) (

- b. Tania White (8867 Sheridan Road, Journey Cab Co.)

- c. Keno Cab Co., Inc. (5107-28th Avenue, Keno Cab)

A hearing was held. The applicants did not appear. On a voice vote, motion carried.

C.7. It was moved by Aldersperson Bostrom, seconded by Aldersperson LaMacchia, to approve the application of Walgreen Company, Lindsay Ebbert, Agent, for a Class "A" Beer/"Class A" Liquor License located at 1810-30th Avenue (Walgreens #09605), with no adverse recommendations.

A hearing was held. Lindsay Ebbert and Robert Hilber were present. Robert Hilber spoke. On roll call vote, motion carried (13-3) with Alderspersons Kennedy, Downing and Juliana voting nay.

C.8. It was moved by Aldersperson LaMacchia, seconded by Aldersperson Gordon, to approve the application of Walgreen Company, Bryan Galley, Agent, for a Class "A" Beer/"Class A" Liquor License located at 7535 Green Bay Road (Walgreens #03738), with no adverse recommendations.

A hearing was held. Bryan Galley and Robert Hilber were present. Robert Hilber spoke. On a voice vote, motion carried.

C.9. It was moved by Aldersperson Ohnstad, seconded by Aldersperson LaMacchia, to approve the application of Caleo Coffeehouse, LLC, Michael Grab, Agent, for a Class "B" Beer/"Class C" Wine License located at 2324-18th Street, Ste. F (Caleo Coffeehouse), with no adverse recommendations.

A hearing was held. Michael Grab was present. On a voice vote, motion carried.

C.10. It was moved by Aldersperson Downing, seconded by Aldersperson LaMacchia, to approve renewal applications for the following licenses with no adverse recommendations per list on file in the Office of the City Clerk:

- a. 5 Class "A" Retail Beer

- b. 8 Class "A" Retail Beer/"Class A" Retail Liquor

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c. 2 Class "B" Beer

d. 3 Class "B" Beer/"Class C" Wine

e. 71 Class "B" Beer/"Class B" Liquor Combination

A hearing was held. The applicants did not appear. On a voice vote, motion carried (Abstained: Alderpersons Bostrom (e #65; Wilson e #27; Schwartz e #60; Gordon e. #36).

C.11. It was moved by Alderperson Downing, seconded by Alderperson Robinson, to approve renewal applications subject to Review of Economic Impact Statement for the following licenses with no adverse recommendations per list on file in the Office of the City Clerk:

a. 1 Class "A" Retail Beer

b. 1 Class "B" Beer/"Class B" Reserve

c. 4 Class "B" Beer/"Class B" Liquor Combination

A hearing was held. The applicants did not appear. On a voice vote, motion carried.

C.11.1. It was moved by Alderperson Prozanski, seconded by Alderperson Schwartz, to separate. On a voice vote, motion carried.

C.11.2. It was moved by Alderperson Downing, seconded by Alderperson LaMacchia, to concur with approval of item a. On a voice vote, motion carried.

C.11.3. It was moved by Alderperson Prozanski, seconded by Alderperson Juliana, to concur with approval of b. On a voice vote, motion carried.

C.11.4. It was moved by Alderperson Schwartz, seconded by Alderperson Juliana, to concur with approval of c. On a voice vote, motion carried (Prozanski-no).

C.12. It was moved by Alderperson Prozanski, seconded by Alderperson Schwartz, to separate action on a. from b & c. renewal applications for Class "A" Beer/"Class A" Liquor Licenses, subject to Review of Economic Impact Statements and demerit points listed:

a. Aldi, Inc. (Michelle M. Garcia, Agent, 6404-75th Street, Aldi #96) – 0 Demerit Points

b.. Himmat Gill, LLC (Himmat Singh Gill, Agent, 7944 Sheridan Road, Cellar Door Wine Beer & Liquor) – 20 Demerit Points

c. BP Express Kenosha, LLC (Ketan Patel, Agent, 2616-22nd Avenue, BP Express) – 20 Demerit Points

A hearing was held. The applicant did not appear. On a voice vote, motion carried.

C.12.1. It was moved by Alderperson Downing, seconded by Alderperson Juliana, to concur with recommendation listed on a. On a voice vote, motion carried.

C.12.2. It was moved by Alderperson Downing, seconded by Alderperson LaMacchia, to concur with recommendations listed on b. and c. On a voice vote, motion carried (Alderperson Bostrom abstained on c.)

C.13. It was moved by Alderperson Downing, seconded by Alderperson Juliana, to approve renewal applications of Class "A" Beer Licenses, subject to:

- 0 demerit points:

a. H & B Enterprises, Inc., (Dilraj Dhindsa, Agent, 1405-60th Street, American Petro)

- 20 demerit points:

b. Speedway, LLC, (Donald Strasser, Agent, 5959- 75th Street, Speedway #7434)

c. Mian's Petroleum, Inc., (Zafar Mian, Agent, 5006-60th Street, Mian's Petroleum)

d. JC Stores, Inc., (Barbara Capps, Agent, 5205 Green Bay Road, Sports Plaza Mobil)

- 40 demerit points:

e. Los Corrales Enterprise, LLC, (Luis Rodriguez, Agent, 3933-52nd Street, Super Mercado Los Corrales)

f. PDQ Food Stores, Inc. (Kathy Loberger, Agent, 8012-39th Avenue, PDQ Store #351)

- 60 demerit points:

g. Gala Corporation, (Mahendra Gala, Agent, 6119-22nd Avenue, Uptown Pantry)

On roll call vote, motion carried (14-2) with Alderpersons Prozanski and Orth voting nay.

C.14. It was moved by Alderperson Downing, seconded by Alderperson Juliana, to approve renewal applications of Class "A" Beer /"Class A" Liquor Licenses, subject to:

- 0 demerit points:

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- a. Mega Marts, LLC (Teresa Naekrsz, Agent, 1901-63rd Street, Pick 'n Save #6850)  
Piggly Wiggly Midwest, LLC (Stephen J. Brodsko, Agent, 2801-14th Place, Piggly Wiggly Supermarket #004)
- c. Westtown of Kenosha, Inc. (Sameer Ali, Agent, 3203-60th Street, Westtown Foods & Liquor)
- d. HJATT, Inc. (Thomas Morelli, Agent, 7506-7th Avenue, Southport Pantry)  
- 20 demerit points:
- e. O-Line 50, Inc. (Anthony Perrine, Agent, 5145 Sheridan Road, Lou Perrine's Gas & Groceries)
- f. Mega Marts, LLC, (Matthew Meyer, Agent, 2811-18th Street, Pick 'n Save #6871)
- g. Stinebrink's Kenosha Foods, LLC (Matthew Stinebrink, Agent, 7600 Pershing Boulevard, Stinebrink's Piggly Wiggly)  
- 40 demerit points:
- h. Lenci's Food & Deli, Inc. (Dominic H. Lenci, Agent, 2121-45th Street, Lenci's Food & Deli)  
- 60 demerit points:
- i. Kwik Trip, Inc. (Brenda Prescott-Kingfisher, Agent, 2111-22nd Avenue, Tobacco Outlet Plus 528)  
- 80 demerit points:
- j. Wisconsin CVS Pharmacy, LLC, (Debbie Martin, Agent, 3726-22nd Avenue, CVS Pharmacy #8777)  
A hearing was held. The applicants did not appear.
- C.14.1 It was moved by Alderperson Prozanski seconded by Alderperson Kennedy to separate i. On a voice vote, motion carried.
- C.14.2. It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to concur with the recommendation on item i as listed. On a voice vote, motion carried.
- C.14.3. It was moved by Alderperson Downing, seconded by Alderperson Kennedy, to concur with the recommendations listed on a. through h. and j. On a voice vote, motion carried.
- C.15. It was moved by Alderperson Michalski, seconded by Alderperson Juliana, to approve renewal application of Woodman's Food Market, Inc. (Louis Ludeman, Agent, 7145-118th Avenue, Woodman's Food Market) for a Class "A" Beer/"Class A" Liquor License subject to 20 demerit points. A hearing was held. The applicant did not appear. On a voice vote, motion carried.
- C.16. It was moved by Alderperson Kennedy, seconded by Alderperson Juliana, to approve renewal application of Van Aken Inc., (Christopher VanAken, Agent, 5901-75th Street, Wingstop), for a Class "B" Beer License, subject to 0 demerit points. A hearing was held. The applicant did not appear. On a voice vote, motion carried.
- C.17. It was moved by Alderperson Downing, seconded by Alderperson Juliana, to approve renewal applications of Class "B" Beer/"Class B" Liquor Licenses, subject to:  
-0 demerit points:
- a. Scotty's Inc. of Wisconsin, (Scott Laskis, Agent, 2117-50th Street, Scotty's Tavern)
- b. Flints Inn, Inc., (Robert Verlen, Agent, 4708-22nd Avenue, Flints' Inn)
- c. Passarelli Enterprises, Inc., (Gloria Passarelli, Agent, 2801-30th Ave., Fireside Restaurant & Lounge)
- d. KRYN, Inc., (David Hamelink, Sr., Agent, 7517-22nd Avenue, Sunnyside Club)
- e. Stellar Management, Inc., (Scott Cardinali, Agent, 1819-52nd Street, Norm's SoSeldom Inn)
- f. Slammers Tavern, LLC, (Claudia Murillo, Agent, 6832-24th Avenue, Slammers Tavern)
- g. Duke's Country Saloon LLC, (Dusan Matic, Agent, 2324-18th Street, Suite C, Duke's Country Saloon)
- h. Rutz Puzzle House, LLC, (Kevin Rutkowksi, Agent, 4224-7th Avenue, Rutz Puzzle House)
- i. Blazin Wings, Inc. (Dan Collicott, Agent, 7127-120th Avenue, Buffalo Wild Wings Grill & Bar)
- j. Gerolmo's Tavern, Inc., (Richard Rosko, Agent, 2506-52nd Street, Gerolmo's)
- k. Bombay Louies International, Inc., (Stanley Ginkowski, Agent, 2227-60<sup>th</sup> Street, Bombay Louies Int'l Fine Foods)
- l. PJ's Entertainment, LLC, (Patrick Metzger, Agent, 8249 Sheridan Road, PJ's Cabin Fever Bar & Grill)
- m. Marilyn LaMere (4327-17th Avenue, Kazaches) (6th District)
- n. Jill's Place, Inc., (Jill Rzeplinski, Agent, 1400-52nd Street, Jill's Place)
- o. G-Knows, Inc. (Crystal Monday, Agent, 1912-52nd Street, Rumors)

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- p. Carl & Doug's Bar, LLC (Shirley Weber, Agent, 2405-63rd Street, Carl & Doug's Bar)
- q. Rosaura Finley (1361-52nd Street, El Rodeo)
- r. Sir Arthur's Tavern/Camelot Catering, LLC, (Christine Raymond, Agent, 3501-14th Avenue, Sir Arthur's Beer Gardens)  
- 20 demerit points:
- s. The Red Iguana, LLC, (Blanca O. Martinez, Agent, 4814 Sheridan Road, The Red Iguana)
- t. WHG Real Estate South, LLC, (Randy Ehlert, Agent, 6950-75th Street, Applebee's Neighborhood Grill) (16th District)
- u. Hernandez Lomeli, Inc. (Angelia Hernandez, Agent, 3935-52nd Street, Los Compadres)
- v. Cento Anni, LLC (John Pasquali, Agent, 2901-60th Street, Pasquali's Bar)
- w. Icon Enterprises LLC, (Mickey Johnson, Agent, 6305-120th Avenue, Club Icon)
- x. Noe Jaimés, Inc., (Noe Jaimés, Agent, 4031-52nd Street, Los Cantaritos Mexican Restaurant) (11th District)
- y. Ter-Ala Corporation, (Teresa Groves, Agent, 2208-60th Street, Finney's Lounge)
- z. Mongolian Grill restaurant Operating Co., LLC (Joshua Lisenby, Agent, 7214 Green Bay Road, Ste. 100, HuHot Mongolian Grill)
- aa. GNC Hook, LLC, (Penny Schuch, Agent, 5301-22nd Avenue, Art Bar)  
- 40 demerit points:
- bb. R.P. Consulting, LLC, (Pritesh Patel, Agent, 3216-60th Street, Lotus Sports Bar)
- cc. Kathleen Bezotte, (4619-8th Avenue, Cheers)  
- 60 demerit points:
- dd. Bacchus Billiards, LLC, (Brian D'Angelo, Agent, 5010-7th Avenue, Deep Blues) (2nd District)
- ee. Marianne Sullivan-Granger, (6015-75th Street, Sullivan's Place) (14th District)
- ff. GH Holdings, LLC, (Michael Honold, Agent, 6325-120th Avenue, Rivals Sports Pub & Grille)
- gg. Club Cagney's, Inc., (Jenny Tricoli, Agent, 6208 Green Bay Road, Baker Street) (16th District)
- hh. Club Bene's, LLC, (Robert Kavalauskas, Agent, 2827-63rd Street, Club Bene's)
- ii. Schmidties Sports Bar, Inc., (Keith Schmidt, Agent, 4602-7th Avenue, Schmidties Sports Bar) (2nd District)  
-80 demerit points:
- jj. Rendezvous Bar & Grill, Inc., (William Koprovic, Agent, 1700-52nd Street, Rendezvous Tiki Lounge)  
A hearing was held. The applicants did not appear. On a voice vote, motion carried.
- C.18. It was moved by Alderperson Juliana, seconded by Alderperson Schwartz, to approve Renewal applications of Class "B" Beer/"Class B" Liquor Licenses, subject to:  
-20 demerit points:
- a. Coins Sports Bar, Inc. (Janet Gascoigne, Agent, 1714-52nd Street, Coins Sports Bar) (7th District)  
-40 demerit points:
- b. Imagine4, LLC (Jeff Ciotti, Agent, 3000 Roosevelt Road, Big Shotz Sports Bar)  
A hearing was held. The applicants did not appear. On a voice vote, motion carried.
- C.19. It was moved by Alderperson Kennedy, seconded by Alderperson Juliana, to approve renewal application of Food and Fun First, LLC (Janine Kolbeck, Agent, 5925 - 6th Avenue A, The Good Garden Cafe and Wine Gallery), for a Class "B" Beer/"Class C" Wine License, subject to 40 demerit points.  
A hearing was held. The applicant was present. On a voice vote, motion carried.
- C.20. It was moved by Alderperson Ohnstad, seconded by Alderperson Wilson, to approve renewal applications for the following licenses with no adverse recommendations per list on file in the Office of the City Clerk:
- a. 1 Class "A" Retail Beer
  - b. 2 Class "A" Retail Beer/"Class A" Retail Liquor
  - c. 2 Class "B" Beer
  - d. 1 Class "B" Beer/"Class C" Wine
  - e. 9 Class "B" Beer/"Class B" Liquor Combination

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A hearing was held. The applicants did not appear.

C.20.1. It was moved by Alderperson Orth, seconded by Alderperson LaMacchia, to separate a. On a voice vote, motion carried.

C.20.2. It was moved by Alderperson Downing, seconded by Alderperson LaMacchia, to concur with approval of a. On a voice vote, motion carried.

C.20.3. It was moved by Alderperson Downing, seconded by Alderperson Juliana, to approve b through e. On a voice vote, motion carried.

C.21. It was moved by Alderperson Ohnstad, seconded by Alderperson LaMacchia, to approve the renewal application of Stein BP, Inc. (Kevin Stein, Agent, 12120- 75th Street, Stein BP) for a Class "A" Beer License, subject to review of Economic Impact Statement and 20 demerit points.

A hearing was held. The applicant did not appear. On a voice vote, motion carried.

C.22. It was moved by Alderperson Ohnstad, seconded by Alderperson Juliana, to approve renewal applications of Class "A" Beer Licenses, subject to:

- 0 demerit points:

a. Koche, LLC (Sheryl John, Agent, 2528-75th Street, Tom's BP)

b. Fonte Food Market, LLC (Mustafa Mustafa, Agent, 1400-50th Street, Fonte Food Market)

- 20 demerit points:

c. JC Stores, Inc. (Jane Studebaker-Harlan, Agent, 7318-75th Street, Southport Mobil)

d. Speedway, LLC (Alexander Wiersum, Agent, 3012 Washington Road, Speedway #2088)

e. Lian & Lamees, LLC (Abdalmajid Qetairi, Agent, 2327-54th Street, Model Market)

- 40 demerit points:

f. Mac's Deli Enterprises, LLC (Kris Osborne, Agent, 2302-52nd Street, Mac's Deli)

- 80 demerit points:

g. Kmart Corporation (Maureen Modory, Agent, 4002-52nd Street, Kmart #3088)

- non renewal revocation:

h. DSD Group, LLC (Amarjit Dhindsa, Agent, 2710 Roosevelt Road, Roosevelt Oil)

C.22.1. It was moved by Alderperson Kennedy, seconded by Alderperson Orth, to separate d & g. On a voice vote, motion carried.

C.22.2. It was moved by Alderperson Ohnstad, seconded by Alderperson LaMacchia, to concur with the recommendations listed on d & g. On a voice vote, motion carried.

C.22.3. It was moved by Alderperson Ohnstad, seconded by Alderperson Juliana, to concur with the recommendations listed on a through c, e, f, and h.

A hearing was held. The applicants did not appear. On a voice vote, motion carried.

C.23. It was moved by Alderperson Downing, seconded by Alderperson Juliana, to Approve the renewal application of the Class "A" Beer License of 52nd Street Quick Shop, Inc., (Michael McArdle, Agent, 3404-52nd Street, 52nd Street Quick Shop) subject to 60 demerit points.

A hearing was held. The applicant did not appear. On a voice vote, motion carried.

C.24. It was moved by Alderperson Downing, seconded by Alderperson Ohnstad, to approve renewal applications of Class "A" Beer /"Class A" Liquor Licenses, subject to:

- 0 demerit points:

a. S&V Partnership LLP, (Himmat S. Gill, Agent, 2830-75th Street, American Plaza Liquor)

b. Betty Jane, Inc. (Greg Czarnecki, Agent, 1585-22nd Avenue, Shenanigan's Liquors)

A hearing was held. The applicants did not appear. On a voice vote, motion carried.

C.24.1. It was moved by Alderperson Prozanski, seconded by Alderperson Juliana, to separate. On a voice vote, motion carried.

C.24.2. It was moved by Alderperson Downing, seconded by Alderperson Ohnstad, to concur with recommendation listed on a. On a voice vote, motion carried (Alderperson Bostrom abstained)

C.24.3. It was moved by Alderperson Downing, seconded by Alderperson LaMacchia, to concur with the recommendation listed on b. On a voice vote, motion carried.

C.25. It was moved by Alderperson Downing, seconded by Alderperson LaMacchia, to approve the

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renewal application of Stein BP, Inc. (Kevin Stein, Agent, 12120 -75th Street, Interstate Dogs) for a Class "B" Beer License, subject to Review of Economic Impact Statement.

A hearing was held. The applicant did not appear. On a voice vote, motion carried.

C.26. It was moved by Alderperson Kennedy, seconded by Alderperson Juliana, to approve the renewal application of TK Kenosha, LLC (Michael Roscioli, Agent, 7000-74th Place, Tilted Kilt) for a Class "B" Beer /Reserve "Class B" Liquor License, subject to 0 demerit points. A hearing was held. The applicant did not appear. On a voice vote, motion carried.

C.27. It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to approve the renewal application of Kavalauskas, LLC (Rick Kavalauskas, Agent, 2325-52nd Street, Spanky's Bar & Grill) for a Class "B" Beer /"Class B" Liquor License, subject to 80 demerit points.

A hearing was held. The applicant did not appear. On a voice vote, motion carried.

C.28. It was moved by Alderperson Downing, seconded by Alderperson Juliana, to approve renewal applications of Class "B" Beer/"Class B" Liquor Licenses, subject to:

-0 demerit points:

- a. Pavle Zekovic, (1724-52nd Street, Pavle's Lounge)
- b. Rajo Miraz Restaurant, Inc. (Orlando Jaimes, Agent, 7500 Sheridan Road, Miraz Restaurant)
- c. Bindelli's Adventure Inc., (Cidney Bindelli, Agent, 4601-7th Avenue, Bindelli's City Zoo)
- d. Bindelli's Jungle Inc., (Cidney Bindelli, Agent, 3805-22nd Avenue, Bindelli's Jungle)
- e. GWK, Inc., (Greg Czarnecki, Agent, 2427-52nd Street, Shenanigan's on 52nd)
- f. BC Tavern of Kenosha, Inc., (Greg Czarnecki, Agent, 4626 Sheridan Road, Sports on Sheridan)

- 20 demerit points:

- g. Bindelli's Safari Inc., (Cidney Bindelli, Agent, 2232 Roosevelt Road, Bindelli's Safari)
- h. Goodfella's Bar Pizzeria & Bistro, LLC, (Matthew Berg, Agent, 5706-6th Avenue, Main Street Pub)
- i. GKLS, LLC, (Dana M. Dever, Agent, 510-57th Street, Kaiser's Pizza & Pub)
- j. ALK, Inc., (Greg Czarnecki, Agent, 2615-60th Street, Shenanigan's Pub & Grill)
- k. CLS, Inc. (Greg Czarnecki, Agent, 8303-22nd Avenue, Shenanigan's Pub)

- 40 demerit points:

- l. James Pruitt (514-57th Street, Interlude II Bar & Grill)
- m. Bindelli's Animal House Inc., (Cidney Bindelli, Agent, 3322 Sheridan Road, Bindelli's Animal House)
- n. Abdul Kaisani (3214- 60th Street, Pop's Place)
- o. Antonio's Pizza & Pasta, LLC (Dale Rice, Agent, 2410-52nd Street, 5 Fifty Pizza & Pub)
- p. GGR, LLC, (Nicholas Gochis, Agent, 4017-80th Street, Bull and Bear Eatery and Tavern)

A hearing was held. Applicant a. was present. On a voice vote, motion carried (Alderperson Bostrom abstained on i).

C.29. It was moved by Alderperson Juliana, seconded by Alderperson LaMacchia, to approve renewal applications of Class "B" Beer/"Class B" Liquor Licenses, subject to:

- 40 demerit points:

- a. Kevaron, Inc. (Kevin McCarron, Agent, 506-56th Street, Cooler Near the Lake)

- 80 demerit points

- b. PJ Doghouse, Inc., (Kevin Koprovic, Agent, 2621-30th Avenue, Clubhouse Pub & Grille)

A hearing was held. The applicant did not appear. On a voice vote, motion carried.

C.30. It was moved by Alderperson Downing, seconded by Alderperson Juliana, to approve the renewal application of NNW Kenosha, LLC (Tim Dorr, Agent, 7435-117th Avenue, Ste. A, Nick-N-Willy's Pizza) for a Class "B" Beer /"Class C" Wine License, subject to Review of Economic Impact Statement, and 20 demerit points. A hearing was held. The applicant did not appear. On a voice vote, motion carried.

C.31. It was moved by Alderperson Downing, seconded by Alderperson LaMacchia, to approve applications for a change in the closing hours to 1:30 a.m. on the Outdoor Extensions:

- a. STT Lighthouse, LLC (5130-4th Avenue, Breakwater Bar & Grill)
- b. Cento Anni, LLC (2901- 60th Street, Pasquali's Bar)
- c. Jana L. Bonner (9048 Sheridan Road, Final Inning)

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A hearing was held. The applicants did not appear. On a voice vote, motion carried.

C.32. It was moved by Alderperson Juliana, seconded by Alderperson LaMacchia, to approve applications for Yearly Cabaret Licenses (2013-2014 Term), with no adverse recommendations:

a. Jill's Place, Inc. (Jill Rzeplinski, Agent, 1400-52nd Street, Jill's Place)

b. Carthage College (Kevin Slonac, Agent, 2001 Alford Park Drive)

c. Int. Union United Aero & AG Wkrs Am. Local 72 (Curtis Wilson, Agent, 3615 Washington Road, UAW Local 72)

A hearing was held. The applicants did not appear. On a voice vote, motion carried (Alderperson Wilson abstained).

C.33. It was moved by Alderperson Schwartz, seconded by Alderperson Kennedy, to approve the application of Kenosha Coho Classic for a Daily Cabaret License located at 4520 Harbor Drive for June 14, 15, 16, 2013.

A hearing was held. The applicant did not appear. On a voice vote, motion carried.

C.34. It was moved by Alderperson Downing, seconded by Alderperson LaMacchia, to approve the application of Old Toys Live On, LLC, for a Secondhand Article Dealer License located at 7619 Sheridan Road (Old Toys Live On), with no adverse recommendations.

A hearing was held. The applicant did not appear. On a voice vote, motion carried.

C.35. It was moved by Alderperson Downing, seconded by Alderperson Ohnstad, to approve applications for Mobile Home License Renewals (Term 07/01/13 – 06/30/14), with no adverse recommendations:

a. John Ruffolo (Alpine Village, 8067 Sheridan Road)

b. Maple Lane Park, LLC (Maple Lane Park, 8750 Sheridan Road)

c. Northern Development Group, LLC (Shorecrest Pointe, 8743 Sheridan Road)

d. Prairie Lake Estates, Inc. (Prairie Lake Estates, 8200-75th Street)

e. Oakwood Investment Partners (Oakwood Mobile Home Community, 9002 Sheridan Road)

A hearing was held. The applicants did not appear. On a voice vote, motion carried.

**D. ORDINANCES 1ST READING**

**E. ZONING ORDINANCES 1ST READING**

It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to send the following ordinances on their way after being read:

E.1. By the City Plan Commission - To Create Subsection 18.02 w. of the Zoning Ordinance to Amend the Land Use Plan Map for the City of Kenosha: 2035. (R & S Holdings, LLC)

E.2. By the Mayor - To Rezone property at 6303-27th Avenue from B-2 Community Business District to RS-1 General Residential (in conformance with Section 10.02 of the Zoning Ordinance.) (R & S Holdings, LLC)

E.3. By Alderperson Jan Michalski - To Amend Subsection 5.04 of the City of Kenosha Zoning Ordinance regarding Encroaching Structures in the Area Setback from a Major Street.

On a voice vote, motion carried.

**F. ORDINANCES 2ND READING**

Full text of the ordinances are on file in the office of the City Clerk.

F.1. It was moved by Alderperson Juliana, seconded by Alderperson LaMacchia, to adopt Ordinance 22-13 as amended by the Public Works Committee. A public hearing was held. No one spoke for or against said ordinance. On roll call vote, motion carried unanimously and said ordinance was thereupon adopted as follows:

**Ordinance 22-13**

**By Alderperson Patrick Juliana, Co-sponsor: Alderperson Scott N. Gordon - To Repeal and Recreate Subparagraph 1.03 D. 5. a., and to Renumber, Amend, Create, or Repeal and Recreate Various Paragraphs of 1.03 E., Relating to Sponsorship and to Procedures to be Utilized for**

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Debra L. Salas, City Clerk

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**Consideration of New Ordinances and Resolutions.**

**G. ZONING ORDINANCES 2ND READING**

Full text of the ordinances are on file in the office of the City Clerk.

G.1. It was moved by Alderperson Michalski, seconded by Alderperson LaMacchia, to adopt Ordinance 23-13. A public hearing was held. No one spoke for or against said ordinance. On roll call vote, motion carried unanimously and said ordinance was thereupon adopted as follows:

**Ordinance 23-13**

**By City Plan Commission - To Create Subsection 18.02 v. of the Zoning Ordinance to Adopt a Master Plan for Southport Park Dated January 2013.**

**H. RESOLUTIONS**

Full text of resolutions are on file in the office of the City Clerk.

H.1. It was moved by Alderperson LaMacchia, seconded by Alderperson Schwartz, to approve Resolution 75-13. A public hearing was held. No one spoke for or against said resolution. On roll call vote, motion carried unanimously and said resolution was thereupon adopted as follows:

**Resolution 75-13**

**Resolution By the Finance Committee - To Amend the 2011, 2012 and 2013 Adopted Consolidated Plans - Annual Plans Regarding the HOME Program Description.**

H.2. It was moved by Alderperson LaMacchia, seconded by Alderperson Juliana, to deny the Resolution By the Finance Committee - To Rescind a Special Charge in the Amount of \$190.00 and a Special Charge in the Amount of \$280.00 for Property Maintenance Reinspection Fees for Violations Not Corrected at 5715 13th Avenue (Parcel #12-223-31-455-011) (Amends Resolution #13-13) A hearing was held. The property owner was present and spoke. On roll call vote, motion carried (13-1) with Alderperson Kennedy voting nay. Alderpersons Prozanski and Bogdala were not present for this vote.

**I. APPOINTMENTS/  
REAPPOINTMENTS BY THE MAYOR**

It was moved by Alderperson Kennedy, seconded by Alderperson Michalski to approve:

I.1. Appointment of Karin Sconzert, (7710-5th Avenue, Kenosha) to the Library Board for a term which expires July 1, 2016.

I.2. Appointment of Anita Faraone, (6115-38th Avenue, Kenosha) to the Board of Zoning Appeals to fulfill an unexpired term which expires May 1, 2015.

I.3. Reappointment of Tracy Nielsen, (4130 Washington Road, Kenosha) to the Library Board for a term which expires July 1, 2016.

I.4. Reappointment of Susan Dyke O'Day, (8715-36th Avenue, Kenosha) to the Historic Preservation Commission for a term which expires June 1, 2016.

On roll call vote, motion carried unanimously.

I.5. It was moved by Alderperson LaMacchia, seconded by Alderperson Kennedy to approve appointments to the Ethics Board for the following terms:

a. Cathryn Bothe, (7410-1st Avenue, Kenosha) June 4, 2015

b. Bruce McCurdy, (4206-6th Avenue, Kenosha) June 4, 2016

c. Raymond Potenziani, (2034-27th Avenue, Kenosha) June 4, 2017

d. Julia Robinson, (4105-18th Street, Kenosha) June 4, 2018.

I.5.1. It was then moved by Alderperson Downing, seconded by Alderperson Bostrom to defer for two weeks. On roll call vote, motion failed (5-11) with Alderpersons Bostrom, Downing, Bogdala, Mathewson and Rosenberg voting aye.

I.5.2. It was then moved by Alderperson Kennedy, seconded by Alderperson Gordon to separate. On roll call vote, motion failed (6-9-1) with Alderpersons Haugeard, Kennedy, Gordon, Schwartz, Michalski and Ohnstad voting aye, and Alderperson Juliana abstaining.

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I.5.3. It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia to approve I.5. a. through d. On roll call vote, motion carried (11-3-2) with Alderpersons Bostrom, Bogdala and Mathewson voting nay, and Alderpersons Juliana and Downing abstaining.

Alderperson Prozanski asked for a point of order regarding the proper procedure to follow in order to abstain. The Council took a brief recess so that the City Attorney to determine proper procedure. The Council reconvened and the City Attorney gave the opinion that permission was not required to abstain, however, a reason should be provided.

At this time, Alderperson Downing left the meeting.

**J. PUBLIC CONSTRUCTION AND IMPROVEMENT CONTRACTS**

J.1. It was moved by Alderperson Kennedy, seconded by Alderperson Michalski, to approve Award of Contract for Project 13-1016 Resurfacing Phase III (34th Avenue - 86th Place to 88th Place, 44th Avenue Cul-de-Sac south of 87th Place, 87th Place Cul-de-Sac west of 42nd Avenue, 26th Avenue - 34th Street to 31st Street, 40th Street – Sheridan Road to 8th Avenue) to Cicchini Asphalt, LLC (Kenosha, Wisconsin) in the amount of \$612,000.00. On roll call vote, motion carried unanimously.

**K. OTHER CONTRACTS AND AGREEMENTS**

It was moved by Alderperson Kennedy, seconded by Alderperson Michalski, to approve:

K.1. 2013 HOME Investment Partnerships Program Contract between the City of Kenosha and Kenosha Housing Authority.

K.2. First Amendment To Agreement by and between the City of Kenosha, Wisconsin and Michelle Volkmar and Realtors of Kenosha, LLC, d/b/a RE/MAX Elite.

On roll call vote, motion carried unanimously.

K.3. It was moved by Alderperson Michalski, seconded by Alderperson Schwartz, to approve land use agreement between the City of Kenosha and Walkin' In My Shoes, Inc., d/b/a Seed To Harvest Community Garden for the purpose of temporarily allowing the use of City owned land to create a community garden. On roll call vote, motion carried unanimously.

**L. RECOMMENDATIONS FROM THE COMMITTEE ON FINANCE**

L.1. It was moved by Alderperson Ohnstad, seconded by Alderperson LaMacchia, to deny request from Thomas Saniat to Refund a Property Maintenance Reinspection Fee in the Amount of \$72.00 for Violations Not Corrected at 5715 13th Avenue (Parcel #12-223-31-455-011) On roll call vote, motion carried unanimously.

L.2. It was moved by Alderperson LaMacchia, seconded by Alderperson Ohnstad, to deny request from John Chiappetta to Rescind Property Maintenance Reinspection Fees in the Total Amount of \$342.00 for Violations Not Corrected at 2915 63rd Street (Parcel #01-122-01-154-003) On roll call vote, motion carried unanimously.

It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to approve:

L.3. Award of Contract for Official City Newspaper to the Labor Paper for the Period of June 1, 2013 through May 31, 2014.

L.4. Disbursement Record #9 - \$16,505,687.98. On roll call vote, motion carried unanimously.

**M. RECOMMENDATIONS FROM THE COMMITTEE ON PUBLIC WORKS**

**N. RECOMMENDATIONS FROM THE COMMITTEE ON  
PUBLIC SAFETY & WELFARE**

**O. REPORTS AND RECOMMENDATIONS OF BOARDS AND COMMISSIONS**

O.1. It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to approve request to extend the Conditional Use Permit for a new public safety communication tower at 6210 60th Street.

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(Kenosha County/Nash Park) A public hearing was held. No one spoke for or against. On roll call vote, motion carried unanimously.

**P. AND SUCH MATTERS AS ARE AUTHORIZED BY LAW OR REGULAR BUSINESS**

**LEGISLATIVE REPORT  
MAYOR'S COMMENTS  
ALDERPERSON COMMENTS**

**ADJOURNMENT**

There being no further business to come before the Common Council, it was moved, seconded and carried to adjourn at 10:23 p.m.

Approved:

**KEITH G. BOSMAN  
MAYOR**

Attest:

**DEBRA L. SALAS  
CITY CLERK/TREASURER**

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**KENOSHA MUNICIPAL  
BUILDING COUNCIL  
CHAMBERS ROOM 200**

**June 17, 2013**

At a meeting of the Common Council held this evening, His Honor, Mayor Keith G. Bosman presided.

The meeting was called to order at 7:07 pm.

On roll call, the following members of the Common Council were present: Alderpersons Haugaard, Schwartz, Michalski, Ruffolo, LaMacchia, Ohnstad, Juliana, Mathewson, Rosenberg, Kennedy, Gordon, Bostrom, Prozanski, Orth, Downing and Bogdala. Alderperson Wilson was excused.

A moment of silence was observed in lieu of the invocation.

Mayor Bosman then led the Council in the Pledge of Allegiance to the American Flag.

It was moved by Alderperson Michalski, seconded by Alderperson LaMacchia, to approve the minutes of the meeting held June 3, 2013.

Motion carried unanimously.

The Mayor, along with a member of the Youth Commission, and Alderperson Ruffolo presented Youth Commission Awards. A brief recess was taken and the Council reconvened.

Seven citizens spoke during Citizen's Comments: Virginia Hoekstra, Michael Bell, Al Namath, Alan Koos Jr., Violet Ricker, Louis Rugani and Doug Williams.

**A. REFERRALS**

**TO THE COMMITTEE ON FINANCE**

A.1. Initial Resolution to Authorize the Sale of 2013 G.O. Promissory Notes for the Financing of the Capital Improvement Plan.

A.2. Initial Resolution to Authorize the Refunding of Series 2010, Taxable G.O. Promissory Notes (Build America Bonds).

A.3. Ordinance By the Mayor - To Repeal and Recreate Section 1.01 D. 1. p. (of the Code of General Ordinances) Regarding the Sixteenth Aldermanic District for the Purpose of Creating Wards 89 and 90.

A.4. Resolution by the Mayor – To Create Wards 89 and 90, for Voting Purposes, and Adjoin Them to the Polling Place for Wards 73, 74, 75, 76, 77, 78 and 79 at Journey Church, 10700-75th Street.

**TO THE PUBLIC WORKS COMMITTEE**

A.5. Resolution Authorizing Submission of a Recreational Boating Facilities (RBF) Grant Application for the Dredging of the Kenosha Southport Marina Entrance. (Also referred to Park Commission)

A.6. Resolution By the Mayor - To approve a Two-Lot Certified Survey Map for property at 5500-60th Street. (Kenosha Commons Apartments) (District 11) (Also referred to City Plan Commission)

**TO THE CITY PLAN COMMISSION**

A.7. Conditional Use Permit for a non-conforming residential use at 1927-60th Street. (Landquest) (District 3)

**B. COMMUNICATIONS,  
PETITIONS, REPORTS  
OF DEPARTMENTS**

B.1. It was moved by Alderperson Kennedy, seconded by Alderperson Schwartz, to approve:

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- a. 149 applications for an Operator's (Bartenders) license, per list on file in the office of the City Clerk.
- b. 1 application(s) for a transfer of agent status of Beer and/or Liquor licenses, per list on file in the office of the City Clerk.
- c. There were no application(s) for a special Class "B" Beer and/or "Class B" Wine license.
- d. 1 application(s) for a Taxi Driver's license per list on file in the office of the City Clerk.

On a voice vote, motion carried, with Alderperson Rosenberg abstaining on B.1.a. - Kirsten Dissmore and Alderperson Bostrom abstaining on B.1.a. - Jannette Bostrom.

B.2. It was moved by Alderperson Downing, seconded by Alderperson Ohnstad, to approve Fence Code (Section 16 of the Zoning Ordinance) Appeal/Special Exception Request to Install a Six-foot Privacy Fence in the Front Yard; Petitioner: Dale Soden; Location: 7824-47th Avenue.

A hearing was held. Marilyn Soden, property owner, appeared.

On a voice vote, motion carried.

B.3. It was moved by Alderperson Ohnstad, seconded by Alderperson LaMacchia to approve request of Armando Delarosa, (Delarosa's Food Truck) to retain the location of his peddler stand at the southwest corner of 54th Street and 6th Avenue for the period of June 22, 2013 to July 22, 2013 (additional 30 days - original application approved effective April 22, 2013; additional 30 days approved effective May 22, 2013).

On a voice vote, motion carried.

**C. RECOMMENDATIONS FROM THE COMMITTEE ON LICENSING/PERMITS**

C.1. It was moved by Alderperson Downing, seconded by Alderperson LaMacchia, to approve applications for new Operator's (Bartender) licenses, subject to demerit points listed:

- 0 demerit points

a. Lauren Haraty

- 20 demerit points

b. Tiffany Pelczar

c. Josue Reyes

d. Marissa Tomic

- 60 demerit points

e. Michael Hawbaker

f. Samantha Ryder

A hearing was held. All of the applicants appeared.

On a voice vote, motion carried.

C.2. It was moved by Alderperson Downing, seconded by Alderperson Kennedy, to approve the application of Alyssa Rehm for a new Operator's (Bartender) license, subject to 90 demerit points.

A hearing was held. The applicant did not appear.

On a voice vote, motion carried.

C.3. It was moved by Alderperson Kennedy, seconded by Alderperson Juliana, to approve renewal applications for Operator's (Bartender) licenses, subject to demerit points listed:

- 0 demerit points

a. Andrew Sennholz

-20 demerit points

b. Sherry Wallin

c. Lindsay Swenson

d. Roberto Navarro

e. Cavin Hobus

f. Christopher DeHaven

g. Seth Downey

h. Jennifer Sudak

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- i. Roberto Mercadillo
- j. Charles Massie
- k. Amanda Guerrero
- l. Jesse Glithero
- m. Stacey Costello
- n. Mallory Lepouce
- o. Greg Czarnecki  
- 40 demerit points
- p. Joseph Pucci
- q. Thomas Groves
- r. Joshua Kreuser
- s. Tammy Cooper
- t. Carl Bryan  
- 60 demerit points
- u. Michele Sluga
- v. Egidio Infusino  
- 70 demerit points
- w. Jessi Weide  
- 80 demerit points
- x. Ashley Creamer
- y. Charles Swetland

A hearing was held. Applicant f. was present.

On a voice vote, motion carried.

C.4. It was moved by Alderperson Downing, seconded by Alderperson LaMacchia, to approve renewal applications for Operator's (Bartender) licenses, subject to demerit points listed:

-20 demerit points

a. Sherry Mitchell

- 40 demerit points

b. Adam Karaway

- 60 demerit points

c. Courtney Schultz

- non-renewal revocation

d. Lorna Frechette

A hearing was held. The applicants did not appear.

On a voice vote, motion carried.

C.5. It was moved by Alderperson Downing, seconded by Alderperson Kennedy, to approve the application of Rosa Balderas for a new Taxi Driver's license, subject to 80 demerit points.

A hearing was held. The applicant did not appear.

On a voice vote, motion carried.

C.6. It was moved by Alderperson Downing, seconded by Alderperson Gordon, to approve the renewal application of Linda L. Acevedo (6011-29th Avenue) (My Way Cabs) for Taxicab Permits, with no adverse recommendations.

A hearing was held. The applicant did not appear.

On a voice vote, motion carried.

C.7. It was moved by Alderperson Downing, seconded by Alderperson Juliana, to approve the application of Apple Hospitality Group, LLC, Randall Ehlert, Agent, for a Class "B" Beer/"Class B" Liquor License located at 6950-75th Street, (Applebee's Neighborhood Grill & Bar) to be effective July 1, 2013, upon surrender of a similar license from WHG Real Estate South, LLC, subject to 20 demerit points.

A hearing was held. The applicant did not appear.

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On a voice vote, motion carried.

C.8. It was moved by Alderperson Downing, seconded by Alderperson LaMacchia, to approve the renewal application of Sixtieth Street Citgo, LLC, (Syed Sawar, Agent, 4924-60th Street, 60th Street Citgo) for a Class "A" Beer License, subject to 0 demerit points.

A hearing was held. The applicant did not appear.

On a voice vote, motion carried.

C.9. It was moved by Alderperson Downing, seconded by Alderperson LaMacchia, to approve renewal applications for Class "A" Beer/"Class A" Liquor Licenses, with no adverse recommendations:

a. Walgreen Company (Lindsay Ebbert, Agent) 1810-30th Avenue, (Walgreens #09605).

b. Walgreen Company (Bryan Galley, Agent) 7535 Green Bay Road, (Walgreens #03738).

A hearing was held. The applicants did not appear.

On a voice vote, motion carried.

C.10. It was moved by Alderperson Michalski, seconded by Alderperson LaMacchia, to approve the renewal application of Harp & Eagle, Ltd. (Greg Steffke, Agent, 125-56th Street, Ashling on the Lough) for a Class "B" Beer/"Class B" Liquor License, with no adverse recommendations.

A hearing was held. The applicant did not appear.

On a voice vote, motion carried.

C.11. It was moved by Alderperson LaMacchia, seconded by Alderperson Kennedy, to approve the renewal application of Freddie's, Inc. (Frederick Kauzrich, Agent, 2712-52nd Street, Freddie's East) for a Class "B" Beer/"Class B" Liquor License, subject to 0 demerit points.

A hearing was held. The applicant appeared.

On a voice vote, motion carried.

C.12. It was moved by Alderperson Downing, seconded by Alderperson Ohnstad, to approve the renewal applications of Class "B" Beer/"Class B" Liquor Licenses, with a recommendation from the City Attorney to grant, subject to 20 demerit points:

a. McDonald Institute, LLC, (Brian Haberski, Agent, 5611-6th Avenue, Wine Knot Bar & Bistro) b. Tasty Brands, Inc. (Daniel Tenuta, Agent, 7321-60th Avenue, Tenuta's Italian Restaurant)

c. JaJa, Inc. (Shirley Madrigrano, Agent, 302 - 58th Street, Madrigrano Marina Shores).

A hearing was held. The applicants did not appear.

On a voice vote, motion carried.

C.13. It was moved by Alderperson Downing, seconded by Alderperson Juliana, to approve the renewal application of Bragados Banquets, LLC (Marco Mendez, Agent, 4820-75th Street, Bragados Banquets) for a Class "B" Beer/"Class B" Liquor License, subject to non-renewal revocation.

A hearing was held. The applicant appeared.

On a voice vote, motion carried.

C.14. It was moved by Alderperson Downing, seconded by Alderperson Kennedy, to approve the renewal application of Eva Lagunas for a Class "B" Beer/"Class B" Liquor License located at 3200- 60th Street, (El Caporal), subject to non-renewal revocation.

A hearing was held. The applicant did not appear.

On a voice vote, motion carried.

C.15. It was moved by Alderperson Ruffolo, seconded by Alderperson Schwartz, to approve the renewal application of Caleo Coffeehouse, LLC (Michael Grab, Agent, 2324-18th Street, Caleo Coffeehouse) for a Class "B" Beer/"Class C" Wine License, with no adverse recommendations.

A hearing was held. The applicant appeared.

On a voice vote, motion carried.

C.16. It was moved by Alderperson Kennedy, seconded by Alderperson Schwartz, to approve the application of Maria Hackbarth for a Transfer of Agent status of the Class "B" Beer/"Class B"

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Liquor License located at 125-56th Street, (Ashling on the Lough) subject to 40 demerit points.  
A hearing was held. The applicant did not appear.

On a voice vote, motion carried.

C.17. It was moved by Alderperson Kennedy, seconded by Alderperson Schwartz, to approve the application of Captain Mike's Kenosha Tavern, LLC for an Outdoor Cafe Area License located at 5118-6th Avenue (Captain Mike's), with no adverse recommendations.

A hearing was held. The applicant did not appear.

On a voice vote, motion carried.

C.18. It was moved by Alderperson Juliana, seconded by Alderperson Downing, to approve the application of Villa D' Carlo III, Inc. for an Outdoor Dining Area License located at 5140-6th Avenue (Villa D' Carlo), with no adverse recommendations.

A hearing was held. The agent, Robert Greskoviak, appeared.

On a voice vote, motion carried.

C.19. It was moved by Alderperson Schwartz, seconded by Alderperson Michalski, to approve the application of Food and Fun First, LLC for an Outdoor Dining Area License and an Outdoor Extension of the Class "B" Beer/"Class C" Wine License located at 5925-6th Avenue A. (Good Garden Cafe and Wine Gallery), with a request to waive the fence requirement (the applicant states that over fifty percent [50%] of their gross revenue on the licensed premises is from the sale of food and non-alcoholic beverages), with no adverse recommendations.

A hearing was held. The agent, Janine Kolbeck, appeared.

On a voice vote, motion carried.

C.20. It was moved by Alderperson Schwartz, seconded by Alderperson Haugaard, to approve the application of Caleo Coffeehouse, LLC for an Outdoor Extension of the Class "B" Beer/"Class C" Wine License located at 2324-18th Street (Caleo Coffeehouse), with a request to waive the fence requirement (the applicant states that over fifty percent [50%] of their gross revenue on the licensed premises is from the sale of food and non-alcoholic beverages), with no adverse recommendations.

A hearing was held. The agent, Michael Grab, appeared.

On a voice vote, motion carried.

C.21. It was moved by Alderperson Downing, seconded by Alderperson Juliana, to approve applications for Yearly Cabaret Licenses (2013-2014 Term), with no adverse recommendations:

a. JaJa, Inc. (Shirley Madrigrano, Agent, 302-58th Street, Madrigrano Marina Shores)

b. HAPA, LLC (Edward Habel, Agent, 2200-60th Street, Pub 22).

A hearing was held. The applicants did not appear.

On a voice vote, motion carried.

C.22. It was moved by Alderperson Downing, seconded by Alderperson Juliana, to approve application of Abdul Kaisani for a Yearly Cabaret License (2013-2014 Term) located at 3214-60th Street, (Pop's Place) with an adverse recommendation from the Kenosha Police Department.

A hearing was held. The applicant and his daughter, Dr. Kaisani, appeared.

On roll call vote, motion failed (2-14) with Alderpersons Downing and Juliana voting aye.

C.22.1. It was moved by Alderperson Ohnstad, seconded by Alderperson Mathewson, to deny based on negative impact on surrounding properties.

On a voice vote, motion carried.

C.23. It was moved by Alderperson Downing, seconded by Alderperson Juliana, to approve applications for Towing License Renewals (Term 07/01/13 – 06/30/14), with no adverse recommendations:

a. Atlas Service Center, Inc. (5419 Washington Road, Atlas Service Centers/Jaybee Auto)

b. Firehouse Performance, LLC (4502-22nd Avenue, Firehouse Performance)

c. David Glasman (8230-160th Avenue, Woodworth, WI, Glasman Towing/Woodworth Garage)

d. Jantz Auto Sales, Inc. (3405 Washington Road, Jantz Auto Sales)

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e. Jantz's Yard 4 Automotive, Inc. (2500 Washington Road, Jantz's Yard 4 Auto)

f. Alfred L. Jantz (3405 Washington Road, Jantz Auto Towing)

g. Jensen & Jensen, Inc. (5410-50th Street, Jensen Towing).

A hearing was held. The applicants did not appear.

On a voice vote, motion carried.

**D. ORDINANCES 1ST READING**

It was moved by Alderperson Kennedy, seconded by Alderperson Michalski, to send the following ordinance its way:

D.1. Ordinance by Alderperson Patrick Juliana, Co-sponsor: Alderperson Chris Schwartz - To Repeal and Recreate Subsection 23.12 B.10. Regarding Operation of Sound Truck; To Renumber Subsections 23.12 C. through 23.12 G. as 23.12 D. Through 23.12 H.; To Create Subsection 23.12 C. Entitled Registration Term; To Repeal and Recreate Subsection 23.12 F.2.; and to Repeal and Recreate Subsection 23.12 H. Regarding Fees (of the Code of General Ordinances for the City of Kenosha).

On a voice vote, motion carried.

**E. ZONING ORDINANCES 1ST READING**

It was moved by Alderperson Kennedy, seconded by Alderperson Michalski, to send the following ordinance on its way:

E.1. By the City Plan Commission - Petition to Rezone properties at 2209-54th Street and 5410-22nd Avenue from B-2 Community Business District to RG-2 General Residential District (in conformance with Section 10.02 of the Zoning Ordinance).

On a voice vote, motion carried.

**G. ZONING ORDINANCES 2ND READING**

G.1. It was moved by Alderperson Michalski, seconded by Alderperson Schwartz, to adopt Ordinance 24-13.

A public hearing was held. No one spoke for or against said ordinance.

On roll call vote, motion carried unanimously and said ordinance was thereupon adopted:

**Ordinance 24-13**

**By the City Plan Commission - To Create Subsection 18.02 w. (of the Zoning Ordinance) to Amend the Land Use Plan Map for the City of Kenosha: 2035.**

G.2. It was moved by Alderperson Ohnstad, seconded by Alderperson Juliana, to adopt Ordinance 25-13.

A public hearing was held. No one spoke for or against said ordinance.

On roll call vote, motion carried unanimously and said ordinance was thereupon adopted:

**Ordinance 25-13**

**By the Mayor – Petition to Rezone property at 6303-27th Avenue from B-2 Community Business District to RS-1 General Residential (in conformance with Section 10.02 of the Zoning Ordinance.) (R & S Holdings, LLC)**

At this time, Alderperson Prozanski left the meeting.

G.3. It was moved by Alderperson Ohnstad, seconded by Alderperson Juliana, to adopt Ordinance 26-13.

A public hearing was held. No one spoke for or against said ordinance.

On roll call vote, motion carried (14-1) with Alderperson Bogdala voting nay and said ordinance was thereupon adopted:

**Ordinance 26-13**

**By Alderperson Jan Michalski - To Amend Subsection 5.04 (of the City of Kenosha Zoning Ordinance) regarding Encroaching Structures in the Area Setback from a Major Street.**

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Debra L. Salas, City Clerk

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**H. RESOLUTIONS**

Full text of resolutions are on file in the office of the City Clerk.

H.1. It was moved by Alderperson Kennedy, seconded by Alderperson Schwartz, to adopt Resolution 76-13.

On roll call vote, motion carried unanimously and said resolution was thereupon adopted:

**Resolution 76-13**

**By the Finance Committee – To Correct Resolution #06-13 for Hazardous Sidewalk and/or Driveway Approaches. (Project 12-1012 Resurfacing Phase I).**

H.2. It was moved by Alderperson Kennedy, seconded by Alderperson Schwartz, to adopt Resolutions 77-13 through 81-13.

H.2.1. It was moved by Alderperson Bostrom to separate c. and e. from a., b. and d.

On a voice vote, motion carried.

A hearing was held. No one spoke for or against said resolutions.

H.2.2. It was moved by Alderperson Ohnstad, seconded by Alderperson LaMacchia, to approve a., b. and d.

On roll call vote, motion carried unanimously.

At this time Alderperson Prozanski returned to the meeting.

H.2.3. It was moved by Alderperson Juliana, seconded by Alderperson LaMacchia, to approve c. and e.

On roll call vote, motion carried (15-1) with Alderperson Bostrom voting nay on c. and abstaining on e. and said resolutions were thereupon adopted:

**Resolution 77-13**

**Boarding and Securing - \$690.00**

**Resolution 78-13**

**Grass and Weed Cutting - \$13,517.05**

**Resolution 79-13**

**Property Maintenance Reinspection Fees - \$7,914.00**

**Resolution 80-13**

**Trash and Debris Removal - \$450.00**

**Resolution 81-13**

**Unpaid Permit Fees - \$280.00**

H.3. It was moved by Alderperson Ohnstad, seconded by Alderperson Michalski, to adopt Resolution 82-13.

On roll call vote, motion carried unanimously and said resolution was thereupon adopted:

**Resolution 82-13**

**By the Finance Committee – To Amend the City of Kenosha Capital Improvement Program for Various CIP Years By Decreasing IN93-012 “Misc. Right of Way Purchases” for a Total of \$153,650 and Increasing IN93-002 “Resurfacing” for a Total of \$153,650 for a Net Change of \$0.**

H.4. It was moved by Alderperson Mathewson, seconded by Alderperson Prozanski, to approve Resolution By Alderperson David F. Bogdala, Co-Sponsors: Alderperson Steve Bostrom, Alderperson Kevin Mathewson, Alderperson G. John Ruffolo - To Improve the Efficiency in the City of Kenosha Permitting Process by Establishing the Citizen Project.

H.4.1. It was moved by Alderperson Kennedy, seconded by Alderperson Haugaard, to amend to strike a. and b.

On roll call vote, motion failed (3-13) with Alderpersons Haugaard, Kennedy and Michalski voting aye.

H.4.2. It was moved by Alderperson Kennedy, seconded by Alderperson Haugaard, to amend to eliminate 1. and replace with “there will be an extensive study of the current process to identify

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**Keith G. Bosman, Mayor**

**Debra L. Salas, City Clerk**

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what the current problems are”. After discussion, Alderperson Kennedy added “There will be a statement of the problem and scope of work”. He later clarified his motion to amend to add the following in front of 1., not to strike 1.: “the establishment of metrics which would give us a statement of problems and the scope of work”.

On roll call vote, motion failed (3-13) with Alderpersons Haugaard, Kennedy and Downing voting aye.

H.4.3. A motion was made at 9:40 pm to take a recess.

On a voice vote, motion failed.

H.4.4. It was moved by Alderperson Gordon, seconded by Alderperson Haugaard, to defer for two weeks.

On roll call vote, motion failed (4-12) with Alderperson Haugaard, Gordon, Michalski and Ruffolo voting aye.

H.4.5. It was moved by Alderperson Orth, seconded by Alderperson Mathewson, to call the question.

On roll call vote, motion failed (10-6; requires 2/3 vote) with Alderpersons Haugaard, Kennedy, Downing, Bogdala, Ruffolo and Mathewson voting nay.

H.4.6. It was moved by Alderperson Kennedy, seconded by Alderperson Haugaard, to amend text in 2.b. to “all appointments shall be made by the Mayor and confirmed by the Common Council.”

On a voice vote, motion failed.

H.4.7. It was moved by Alderperson Kennedy, seconded by Alderperson Haugaard, to amend to add “and therefore be it further resolved that the Citizens Project will be a subcommittee of the Public Safety & Welfare Committee”.

On a voice vote, motion failed.

On the original motion to approve, motion failed (6-10) with Alderpersons Kennedy, Bostrom, Downing, Bogdala, Ruffolo and Mathewson voting aye.

H.5. It was moved by Alderperson Kennedy, seconded by Alderperson Schwartz, to approve Resolutions 83-13 through 87-13.

On roll call vote, motion carried unanimously and said resolutions were thereupon adopted:

**Resolution 83-13**

**By the Mayor - To Approve a Two-Lot Certified Survey Map for property located at 3207-80th Street.**

**Resolution 84-13**

**By the Mayor - To Approve a Successor Labor Agreement for 2013-2015 Between the City of Kenosha and the Kenosha Professional Police Association.**

**Resolution 85-13**

**By the Mayor - To Approve a Successor Labor Agreement for 2013-2015 Between the City of Kenosha and Local #414, Kenosha Fire Fighters**

**Resolution 86-13**

**By the Mayor - To Petition the Secretary of Transportation for Airport Improvement Aid, and Designating the Wisconsin Secretary of Transportation as Petitioner's/Sponsor's Agent, and Making Certain Assurances**

**Resolution 87-13**

**By the Mayor - Authorizing the Borrowing of \$1,613,273.17 Providing for the Issuance and Sale of a Note Anticipation Note Therefor; and Execution of an Amended Ready for Reuse Program Loan Agreement**

**I. APPOINTMENTS/  
REAPPOINTMENTS BY THE MAYOR**

It was moved by Alderperson LaMacchia, seconded by Alderperson Ohnstad, to approve:

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**Keith G. Bosman, Mayor**

**Debra L. Salas, City Clerk**

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I.1. Appointment of Thomas P. Aiello, 8118-46th Avenue, Kenosha, to the Ethics Board for a term to expire June 4, 2014.

On a voice vote, motion carried, with Alderpersons Ruffolo and Downing abstaining.

It was moved by Alderperson LaMacchia, seconded by Alderperson Ohnstad, to approve:

I.2. Appointment of Michael J. Thomey, 7216-5th Avenue, Kenosha, to the Southport Beach House Citizen Committee for a term to expire within three years.

I.3. Appointment of MarQuan Jones, 4508-39th Avenue, Kenosha, to the Mayor's Youth Commission to fulfill an unexpired term which will expire November 1, 2015.

I.4. Reappointment of Robert Faelak, 5121-22nd Avenue, Kenosha, to the Transit Commission for a term to expire June 7, 2016.

I.5. Reappointments to the Board of Zoning Appeals for a term to expire May 1, 2016:

a. Mary L. Poletti, 15522-73rd Street, Kenosha

b. Loren Keating, 4022-83rd Street, Kenosha.

On a voice vote, motion carried.

At this time Alderperson Juliana left the meeting.

**J. PUBLIC CONSTRUCTION AND IMPROVEMENT CONTRACTS**

J.1. It was moved by Alderperson Ohnstad, seconded by Alderperson LaMacchia, to approve First Amendment to Lease between the City of Kenosha, Wisconsin (a Municipal Corporation), Board of Park Commissioners of the City of Kenosha, Wisconsin (a Municipal Park Commission) and Baseball Like It Oughta Be, LLC (a Wisconsin Limited Liability Company) and Northwoods League, Inc. (a Florida Corporation).

On roll call vote, motion carried (12-3) with Alderpersons Bogdala, Ruffolo and Mathewson voting nay.

J.2. It was moved by Alderperson Ohnstad, seconded by Alderperson LaMacchia, to approve Award of Contract for Project 13-1412 Simmons Field – Stadium Renovations (7817 Sheridan Road) to Camosy Construction (Kenosha, Wisconsin) in the amount of \$731,519.84.

On roll call vote, motion carried (12-3) with Alderpersons Downing, Bogdala and Mathewson voting nay.

At this time, Alderperson Juliana returned to the meeting.

**K. OTHER CONTRACTS AND AGREEMENTS**

It was moved by Alderperson Kennedy, seconded by Alderperson Schwartz, to approve:

K.1. Amended Ready For Reuse Program Loan Agreement Between the City of Kenosha and the State of Wisconsin Department of Natural Resources Regarding the Former Chrysler Kenosha Plant.

K.2. Amended Ready For Reuse Program Grant Agreement Between the City of Kenosha and the State of Wisconsin Department of Natural Resources Regarding the Former Chrysler Kenosha Plant.

On roll call vote, motion carried unanimously.

**L. RECOMMENDATIONS FROM THE COMMITTEE ON FINANCE**

It was moved by Alderperson Kennedy, seconded by Alderperson Schwartz, to approve:

L.1. Disbursement Record #10 - \$5,271,295.17.

On roll call vote, motion carried unanimously.

It was moved by Alderperson LaMacchia, seconded by Alderperson Bostrom, to approve:

L.2. Request from Karyn Richards to Refund a Penalty Fee in the Amount of \$180.00 for Work Started Without a Permit at 7104-14th Avenue (Parcel #05-123-06-377-015).

A hearing was held. The applicant appeared.

On roll call vote, motion carried unanimously.

**COMMON COUNCIL  
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June 17, 2013**

**Keith G. Bosman, Mayor**

**Debra L. Salas, City Clerk**

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It was moved by Alderperson Ohnstad, seconded by Alderperson Schwartz, to approve:  
L.3. Request from James Baker to Refund a Penalty Fee in the Amount of \$90.00 for Work Done Without a Permit at 7502-16th Avenue (Parcel #06-123-07-204-017).  
A hearing was held. The applicant did not appear.  
On roll call vote, motion carried unanimously.

**M. RECOMMENDATIONS FROM THE COMMITTEE ON PUBLIC WORKS**

M.1. It was moved by Alderperson Kennedy, seconded by Alderperson Prozanski, to approve Final Acceptance of: Project 12-1015 Lincoln Road Resurfacing (Lincoln Road - 80th Street to 22nd Avenue) which has been satisfactorily completed by Stark Asphalt (Milwaukee, Wisconsin) in the amount of \$996,224.38.  
On roll call vote, motion carried unanimously.

**N. RECOMMENDATIONS FROM THE COMMITTEE ON  
PUBLIC SAFETY & WELFARE**

**O. REPORTS AND RECOMMENDATIONS OF BOARDS AND COMMISSIONS**

O.1. It was moved by Alderperson Orth, seconded by Alderperson LaMacchia, to approve Conditional Use Permit for a 75,455 s.f. grocery store to be located at 3207-80th Street (Festival Foods).  
A public hearing was held. Virginia Hoekstra spoke. Mark Anderson, with senior leadership of Festival Foods and another representative spoke.  
On roll call vote, motion carried unanimously.  
At this time Alderpersons Ohnstad and Kennedy left the meeting.  
O.2. It was moved by Alderperson Orth, seconded by Alderperson LaMacchia, to deny Conditional Use Permit for a Tattoo Parlor to be located at 2306-63rd Street (Kalaca Tattoo).  
A public hearing was held. No one spoke for or against said permit.  
On roll call vote, motion carried unanimously.  
At this time Alderpersons Ohnstad and Kennedy returned to the meeting.

**P. AND SUCH MATTERS AS ARE AUTHORIZED BY LAW OR REGULAR BUSINESS**

P.1. Discussion of Claim: Trecroci v. City of Kenosha.  
It was moved by Alderperson Orth, seconded by Alderperson Ohnstad, to defer to the next meeting.  
On a voice vote, motion carried.  
P.2. Approval of Settlement: Charlene Salewski, et al. v. City of Kenosha.  
It was moved by Alderperson Orth, seconded by Alderperson Ohnstad, to approve.  
P.2.1. It was moved by Alderperson Kennedy, seconded by Alderperson Mathewson, to go into closed session.  
On a voice vote, motion failed.  
On the motion to approve, on a voice vote motion carried.

**ADJOURNMENT**

There being no further business to come before the Common Council, it was moved by Alderperson Schwartz, seconded by Alderperson Kennedy, to adjourn at 10:41 pm.  
On a voice vote, motion carried.

Approved:

**KEITH G. BOSMAN  
MAYOR**

**COMMON COUNCIL  
OFFICIAL PROCEEDINGS  
June 17, 2013**

**Keith G. Bosman, Mayor**

**Debra L. Salas, City Clerk**

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Attest:

**DEBRA L. SALAS  
CITY CLERK/TREASURER**

**KENOSHA MUNICIPAL  
BUILDING COUNCIL  
CHAMBERS ROOM 200**

**July 1, 2013**

At a meeting of the Common Council held this evening, His Honor, Mayor Keith G. Bosman presided. The meeting was called to order at 7:00 p.m.

On roll call, the following members of the Common Council were present: Alderpersons Haugaard, Schwartz, Michalski, Ruffolo, LaMacchia, Ohnstad, Juliana, Mathewson, Rosenberg, Kennedy, Gordon, Bostrom, Wilson, Prozanski, Orth and Downing. Excused: Alderperson Bogdala.

A moment of silence was observed in lieu of the invocation.

Mayor Bosman then led the Council in the Pledge of Allegiance to the American Flag.

It was moved by Alderperson Haugaard, seconded by Alderperson LaMacchia, to approve the minutes of the meeting held June 17, 2013.

Motion carried unanimously.

Seven (7) Citizens spoke during Citizen's Comments: Diana Kanecki, Virginia Hoekstra, Tammy Conforti, Paul McDonough, Violet Ricker, Raymond S. Cameron and Louis Rugani.

**A. REFERRALS**  
**TO THE COMMITTEE ON FINANCE**

**TO THE PUBLIC WORKS COMMITTEE**

A.1. Ordinance by Alderperson Rocco LaMacchia - To Amend Various Sections of 10.076 of the Code of General Ordinances for the City of Kenosha Entitled "Outdoor Cafe of a "Class B", Class "B" and/or "Class C" Licensed Premises in a Public Right-of-Way.(Also refer to LP Committee)

**B. COMMUNICATIONS,**  
**PETITIONS, REPORTS**  
**OF DEPARTMENTS**

B.1. It was moved by Alderperson Kennedy, seconded by Alderperson Gordon, to approve the following applications per list on file in the Office of the City Clerk:

- a. 101 Operator's (Bartenders) license(s).
- b. 1 Transfer of Agent Status of Beer and/or Liquor license(s).
- c. 5 Special Class "B" Beer and/or Special "Class B" Wine license(s).
- d. 0 Taxi Driver License(s).

On a voice vote, motion carried.

**C. RECOMMENDATIONS FROM THE COMMITTEE ON LICENSING/PERMITS**

C.1. It was moved by Alderperson Downing, seconded by Alderperson Juliana, to approve the following Applications for new Operator's (Bartender) licenses, subject to:

- 20 demerit points:

- a. Andi Palmen
- b. Rebecca Gaertner
- c. Sierra Cole
- d. Krista Balles
- e. Cassandra Miller
- f. Tommi Small
- g. Natalie Ceis

- 60 demerit points:

- h. Tera Hannes
- i. Samantha Crocker
- j. Deanna Williams
- k. Jessica DelConte

- 80 demerit points:

I. Taylor Lang

A hearing was held. Applicant h. was present.

C.1.1. It was moved by Alderperson Kennedy, seconded by Alderperson Mathewson to separate action on items a through k from l. On a voice vote, motion carried.

C.1.2. It was moved by Alderperson Ohnstad, seconded by Alderperson Juliana to concur with recommendations listed on items C.1.a through C.1.k. On a voice vote, motion carried.

C.1.3. It was moved by Alderperson Kennedy, seconded by Alderperson Mathewson to refer item C.1.l back to the Licensing/Permit Committee. On roll call vote, motion carried (9-7) with Alderpersons Wilson, Prozanski, Orth, Downing, LaMacchia, Ohnstad and Juliana voting nay.

C.2. It was moved by Alderperson Juliana, seconded by Alderperson Kennedy, to Deny Application of James Mollman for a new Operator's (Bartender) license, based on material police record. A hearing was held. The applicant was present and spoke.

C.2.1. It was moved by Alderperson Mathewson, seconded by Alderperson Bostrom to refer the application back to the Licensing/Permit Committee. On a voice vote, motion carried.

C.3. It was moved by Alderperson Michalski, seconded by Alderperson Kennedy, to Deny the following Applications for new Operator's (Bartender) licenses, based on material police record:

a. Cara Byrnes

b. Jennifer Miller

A hearing was held. The applicants did not appear. On a voice vote, motion carried.

C.4. It was moved by Alderperson Kennedy, seconded by Alderperson Juliana, to approve Renewal applications for Operator's (Bartender) licenses, subject to:

-0 demerit points:

a. Kimberly Karls

b. Rebecca Gunderson

c. Scott Mitchell

- 20 demerit points:

d. Tara Flores

e. Melissa Reed

f. Mark McGuigan-Weber

g. Amber Mollman

h. Anthony Terry

i. Kayle Siler

j. Jessica Todd

k. Brandon Syverson

l. Lakhwinder Singh

m. Hilda O'Leary

n. Rochester Foster

- 40 demerit points:

o. Timothy Rains

p. Corey Minnameier

q. Yolanda Herrera-Jaimes

r. Ashley Tobin

- 60 demerit points:

s. Zoey Mahaffy

- 75 demerit points:

t. Antonio Diaz

u. Vanessa Simon

- non-renewal revocation:

v. Jeremy Bousson

A hearing was held. The applicants did not appear. On a voice vote, motion carried.

C.5. It was moved by Alderperson Downing, seconded by Alderperson Juliana, to separate action on Renewal applications a and b from c for Operator's (Bartender) licenses, subject to:

-0 demerit points:

- a. Gloria LaClair
- 20 demerit points:
- b. Robert Karnes
- non-renewal revocation:
- c. Tamra Koschnik

A hearing was held. The applicants did not appear.

C.5.1. It was moved by Alderperson Downing, seconded by Alderperson Juliana to concur with the recommendations listed on C.5 a and b. On a voice vote, motion carried.

C.5.2. It was moved by Alderperson Downing, seconded by Alderperson Juliana to approve application C.5.c. subject to 40 demerit points. On a voice vote, motion carried.

C.6. It was moved by Alderperson Downing, seconded by Alderperson Juliana, to approve renewal applications for Operator's (Bartender) licenses (City Attorney recommendation to grant subject to 20 demerit points):

- a. Trevor Schlieff
- b. Leticia Hernandez

A hearing was held. The applicants did not appear. On a voice vote, motion carried.

C.7. It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to approve Application of Frankie D's Vino & Pizzeria, LLC, for an Outdoor Extension of the Class "B" Beer/"Class B" Liquor License located at 6316 - 52nd St., Ste. A (Frankie D's Vino & Pizzeria), and approve request to waive the fence requirement (the applicant states that over fifty percent (50%) of their gross revenue on the licensed premises is from the sale of food and non-alcoholic beverages), with no adverse recommendations. (16th District) A hearing was held. A representative appeared. On a voice vote, motion carried (Alderperson Bostrom abstained).

C.8. It was moved by Alderperson Kennedy, seconded by Alderperson Schwartz, to approve Application of GGR, LLC, (4017 - 80th Street, Bull and Bear Eatery and Tavern) for a change in closing hours of the outdoor extension to midnight. (14th District) A hearing was held. The applicant did not appear. On a voice vote, motion carried.

C.9. It was moved by Alderperson Kennedy, seconded by Alderperson Haugaard, to approve Applications for Yearly Cabaret Licenses (2013-2014 Term), with no adverse recommendations:

- a. Rutz Puzzle House, LLC (Kevin Rutkowski, Agent, 4224 - 7th Ave., Rutz Puzzle House). (1st District)
- b. Kevaron, Inc. (Kevin McCarron, Agent, 506 - 56th St., Cooler Near the Lake). (2nd District) A hearing was held. Applicant a was present. On a voice vote, motion carried.

C.10. It was moved by Alderperson Kennedy, seconded by Alderperson Wilson, to approve Application of Boys & Girls Club (1330 - 52nd Street), for a Daily Cabaret License on July 16th, 2013, with no adverse recommendations. (2nd District) A hearing was held. The applicant did not appear. On a voice vote, motion carried.

C.11. It was moved by Alderperson Haugaard, seconded by Alderperson Wilson, to approve Application of Mister Rib, LLC, for a Peddler Stand located at Kennedy Park, Coho Point on July 4th, 2013, with no adverse recommendations. A hearing was held. The applicant did not appear. On a voice vote, motion carried.

C.12. It was moved by Alderperson Kennedy, seconded by Alderperson Wilson, to approve Application of Flint's Inn, Inc., (Robert Verlen, Agent, 4708 - 22nd Ave., Flint's Inn), for an Outdoor Area – Cabaret/Amplified License, on July 20th, 2013, with no adverse recommendations. A hearing was held. The applicant did not appear. On a voice vote, motion carried.

C.13. It was moved by Alderperson Gordon, seconded by Alderperson Haugaard, to deny Application of Bragados Banquets, LLC, (Marco Mendez, Agent, 4820 - 75th Street, Bragados Banquets), for a Yearly Cabaret License (2013-2014 Term), based on incompatibility with the neighborhood. A hearing was held. The applicant was present and spoke.

At this time, Alderperson LaMacchia left the meeting and returned after item F.1.

C.13.1. It was moved by Alderperson Kennedy, seconded by Alderperson Michalski to defer for two weeks to allow for the applicant and his attorney to meet with representatives of the Police Department. On roll call vote, motion failed (5-10) with Alderpersons Kennedy, Bostrom, Downing, Michalski and

Ruffolo voting aye (Aldersperson LaMacchia not present for vote)

On roll call vote, motion to deny based on incompatibility with the neighborhood carried (13-2) with Alderspersons Bostrom and Downing voting nay (Aldersperson LaMacchia not present for vote).

#### **D. ORDINANCES 1ST READING**

It was moved by Aldersperson Gordon, seconded by Aldersperson Schwartz to send the following ordinances on its way:

D.1. By the Mayor - To Repeal and Recreate Section 1.01 D. 1. p. (of the Code of General Ordinances) Regarding the Sixteenth Aldermanic District for the Purpose of Creating Wards 89 and 90.

On a voice vote, motion carried.

#### **E. ZONING ORDINANCES 1ST READING**

##### **F. ORDINANCES 2ND READING**

Full text of ordinances are on file in the office of the City Clerk.

F.1. It was moved by Aldersperson Kennedy, seconded by Aldersperson Gordon, to adopt Ordinance 27-13.

F.1. It was moved by Aldersperson Juliana, seconded by Aldersperson Schwartz to amend C.1. by changing the expiration date for the registration term to June 30<sup>th</sup>.

A public hearing was held. No one spoke for or against said ordinance.

On roll call vote, motion carried unanimously and said ordinance was thereupon adopted:

##### **Ordinance 27-13**

**By Aldersperson Patrick Juliana, Co-sponsor: Aldersperson Chris Schwartz – To Repeal and Recreate, Renumber, and Create Various Sections of Chapter 23.12, Regarding Sound Trucks (To Repeal and Recreate Subsection 23.12 B.10. Regarding Operation of Sound Truck; To Renumber Subsections 23.12 C. through 23.12 G. as 23.12 D. Through 23.12 H.; To Create Subsection 23.12 C. Entitled Registration Term; To Repeal and Recreate Subsection 23.12 F.2.; and to Repeal and Recreate Subsection 23.12 H. Regarding Fees of the Code of General Ordinances for the City of Kenosha).**

#### **G. ZONING ORDINANCES 2ND READING**

G.1. It was moved by Aldersperson Kennedy, seconded by Aldersperson LaMacchia, to adopt Ordinance 28-13.

A public hearing was held. No one spoke for or against said ordinance.

On roll call vote, motion carried unanimously and said ordinance was thereupon adopted:

##### **Ordinance 28-13**

**By the the City Plan Commission - To Rezone properties at 2209 54th Street and 5410 22nd Avenue from B-2 Community Business District to RG-2 General Residential District (in conformance with Section 10.02 of the Zoning Ordinance.) (City Plan Commission/Covelli)**

#### **H. RESOLUTIONS**

Full text of resolutions are on file in the office of the City Clerk.

H.1. It was moved by Aldersperson Kennedy, seconded by Aldersperson Juliana, to approve Resolution 88-13. On roll call vote, motion carried unanimously and said resolution was thereupon adopted as follows:

##### **Resolution 88-13**

**Resolution by Committee on Public Works – To Order the Cost of Public Sidewalk and/or Driveway Approach Construction and/or Replacement to be Specially Assessed to Abutting Property. (Project 13-1025, 56th Street – Sheridan Rd to 13th Avenue)**

H.2. It was moved by Aldersperson Kennedy, seconded by Aldersperson Orth, to approve Resolution 89-13. On roll call vote, motion carried unanimously and said resolution was thereupon adopted as follows:

##### **Resolution 89-13**

**Resolution by the Mayor - Authorizing the Director of Public Works to Apply for Financial Assistance for the Dredging of the Kenosha Southport Marina Entrance.**

H.3. It was moved by Alderperson Gordon, seconded by Alderperson Kennedy, to approve Resolution 90-13. On roll call vote, motion carried unanimously and said resolution was thereupon adopted as follows:

**Resolution 90-13**

**Resolution by the Mayor - To approve a Two-Lot Certified Survey Map for property at located at 5500 60th Street. (Kenosha Commons Apartments)**

It was moved by Alderperson Bostrom, seconded by Alderperson Michalski, to approve Resolutions 91-13 through 93-13. On roll call vote, motion carried unanimously and said resolutions were thereupon adopted as follows:

**H.4. Resolution 91-13**

**Initial Resolution Authorizing the Borrowing of not to Exceed \$10,000,000 to Finance Capital Improvement Projects; Providing for the Issuance of General Obligation Promissory Notes Therefor; and Levying a Tax in Connection Therewith.**

**H.5. Resolution 92-13**

**Initial Resolution by the Mayor - Authorizing the Issuance of General Obligation Bonds to Refund Outstanding Build America Bonds.**

**H.6. Resolution 93-13**

**Resolution by the Mayor – To Create Wards 89 and 90, for Voting Purposes, and Adjoin Them to the Polling Place for Wards 73, 74, 75, 76, 77, 78 and 79 at Journey Church, 10700-75th Street.**

**I. APPOINTMENTS/**

**REAPPOINTMENTS BY THE MAYOR**

It was moved by Alderperson Bostrom, seconded by Alderperson Michalski, to approve:

I.1. Appointment of Jennifer Schlie-Reed, 3109-50th Avenue, Kenosha, to the Library Board for a term to expire July 1, 2016.

I.2. Appointment of Bonnie Mirkiewicz, 5000-7th Avenue, Kenosha, to the Kenosha Lakeshore BID Board of Directors for a term to expire November 18, 2015.

I.3. Appointment of Debra Schaefer, 3432-17th Street, Kenosha, to the Museum Board for a term to expire May 1, 2016.

I.4. Reappointment of Aldus Gladney, 4107-32nd Avenue, Kenosha, to the Kenosha Housing Authority for a term to expire July 1, 2018.

On roll call vote, motion carried unanimously.

**J. PUBLIC CONSTRUCTION AND IMPROVEMENT CONTRACTS**

**K. OTHER CONTRACTS AND AGREEMENTS**

**L. RECOMMENDATIONS FROM THE COMMITTEE ON FINANCE**

L.1. It was moved by Alderperson LaMacchia, seconded by Alderperson Orth, to deny request from David and Beverly Gilewski to Rescind a Property Maintenance Reinspection Fee in the Amount of \$90.00 for a Recurring Violation for the Property at 8232 23rd Avenue (Parcel #04-122-12-477-049) On roll call vote, motion carried unanimously.

It was moved by Alderperson Kennedy, seconded by Alderperson Michalski to approve:

L.2. Revision of Offering Price for Fee Acquisition and Easement for Parcel 57 for Project 11-1025 122nd Avenue Reconstruction.

L.3. Disbursement #11 - \$3,985,702.73.

On roll call vote, motion carried unanimously.

**M. RECOMMENDATIONS FROM THE COMMITTEE ON PUBLIC WORKS**

**N. RECOMMENDATIONS FROM THE COMMITTEE ON PUBLIC SAFETY & WELFARE**

**O. RECOMMENDATIONS FROM THE COMMITTEE ON  
PUBLIC SAFETY & WELFARE**

O.1. It was moved by Alderperson Kennedy, seconded by Alderperson Schwartz, to approve Conditional Use Permit for a non-conforming residential use at 1927 60thStreet. (Landquest). A public hearing was held. Six (6) people spoke in favor.

O.1. It was moved by Alderperson Ruffolo, seconded by Alderperson Kennedy to defer for two weeks. On a voice vote, motion failed.

On roll call vote, motion to approve carried (13-3) with Alderpersons Bostrom, Juliana and Mathewson voting nay.

**AND SUCH MATTERS AS ARE AUTHORIZED BY LAW OR REGULAR BUSINESS**

P.1. It was moved by Alderperson Prozanski, seconded by Alderperson LaMacchia, to deny Claim of Jennifer Trecroci. On roll call vote, motion carried unanimously.

**ADJOURNMENT**

There being no further business to come before the Common Council, it was moved and seconded to adjourn at 9:30 pm.

On a voice vote, motion carried.

Approved:

**KEITH G. BOSMAN  
MAYOR**

Attest:

**DEBRA L. SALAS  
CITY CLERK/TREASURER**

**COMMON COUNCIL  
OFFICIAL PROCEEDINGS  
July 15, 2013**

**Keith G. Bosman, Mayor**

**Debra L. Salas, City Clerk**

KENOSHA MUNICIPAL  
BUILDING COUNCIL  
CHAMBERS ROOM 200  
July 15, 2013

At a meeting of the Common Council held this evening, His Honor, Mayor Keith G. Bosman presided.

The meeting was called to order at 7:02 p.m.

On roll call, the following members of the Common Council were present: Alderpersons Haugaard, Schwartz, Michalski, Ruffolo, Ohnstad, Juliana, Mathewson, Rosenberg, Kennedy, Gordon, Bostrom, Wilson, Prozanski, Orth, Downing and Bogdala. Excused: Alderperson LaMacchia.

A moment of silence was observed in lieu of the invocation.

Mayor Bosman then led the Council in the Pledge of Allegiance to the American Flag.

It was moved by Alderperson Michalski, seconded by Alderperson Gordon, to approve the minutes of the meeting held July 1, 2013.

Motion carried unanimously.

Four (4) Citizens spoke during Citizen's Comments: Diana Kanecki, Raymond Cameron, Louis Rugani and Virginia Hoekstra. Matters referred to Committee by the Mayor: To the Finance Committee – A Resolution Authorizing a Development Financing Agreement With Respect to Varin/Library Park LLC Project in Tax Incremental District No. 15 and Providing for the Issuance of a Tax Increment Project Revenue Bond of the City of Kenosha, Wisconsin.

**A. REFERRALS**

**TO THE PUBLIC WORKS COMMITTEE**

A.1. Resolution by the Mayor - To approve a three-lot Certified Survey Map to be located at 7701 Green Bay Road. (Meijer) (District 14) (Also referred to City Plan Commission)

A.2. Ordinance by Alderperson LaMacchia - To Repeal and Recreate Subparagraph 17.05 G. of the Code of General Ordinances regarding the number of lots in Final Phase Plat. (Also referred to City Plan Commission)

**TO THE PUBLIC SAFETY AND WELFARE COMMITTEE**

A.3. Resolution by Alderperson Anthony Kennedy - To Urge the United States Congress to Take Action to Re-Effectuate the Preclearance Provision of the Voting Rights Act of 1965.

**TO THE STORMWATER UTILITY COMMITTEE**

A.4. Ordinance by Stormwater Utility Committee - To Repeal, Recreate and Renumber Subsections 2.10 A. and B. of the Code of General Ordinances Regarding Special Assessments. (Also referred to Finance and Public Works Committees)

**TO THE CITY PLAN COMMISSION**

A.5. Conditional Use Permit for a Tattoo Parlor to be located at 2308- 63rd Street. (Kalaca Tattoo) (District 3)

A.6. Conditional Use Permit for a Recycling Collection Center to be located at 6000 49th Street. (Kenosha Recycling, Inc.) (District 16)

A.7. Conditional Use Permit for a 192,940 s.f. grocery/retail store and a 2,509 s.f. gas station/convenience store to be located at 7701 Green Bay Road. (Meijer) (District 14)

A.8. 2014 Community Development Block Grant Fund Allocation Plan.

A.9. Zoning Ordinance by Alderperson Chris Schwartz - To Repeal and Recreate Subparagraph 4.06 B.15 g. of the Zoning Ordinance Regarding the Service Window at Drive-Thru Facilities.

**B. COMMUNICATIONS,  
PETITIONS, REPORTS  
OF DEPARTMENTS**

B.1. At approximately 7:20 pm, it was moved by Alderperson Ohnstad, seconded by Alderperson Bostrom, to go into closed session pursuant to §19.85(1)(g), Wisconsin Statutes to discuss legal strategies with regard to the acquisition of the former Kenosha Engine Plant with the City's Legal Counsel regarding settlement issues surrounding the action. On roll call vote, motion carried unanimously. At approximately 8:15 pm, it was moved by Alderperson Michalski to reconvene. On a voice vote, motion carried.

B.2. It was moved by Alderperson Downing, seconded by Alderperson Gordon, to approve the following applications per list on file in the Office of the City Clerk:

a. 56 Operator's (Bartenders) license(s).

b. 1 Transfer of Agent Status of Beer and/or Liquor license(s).

c. 1 Special Class "B" Beer and/or Special "Class B" Wine license(s).

d. 0 Taxi Driver License(s).

On a voice vote, motion carried.

B.3. It was moved by Alderperson Kennedy, seconded by Alderperson Haugaard, to approve request of Armando DeLaRosa (DeLaRosa's Food Truck) to retain the location of his peddler stand at the southwest corner of 54th Street and 6th Avenue for the period of July 22, 2013 to August 22, 2013 (additional 30 days). (Original application approved effective April 22, 2013;

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additional 30 days approved effective May 22, 2013 and June 22, 2013). (2nd District) A hearing was held. The applicant was present. On a voice vote, motion carried.

B.4. It was moved by Alderperson Kennedy, seconded by Alderperson Ohnstad, to receive and file Communication from the City Clerk regarding Beer/Liquor Licenses Declared Null and Void for Failure to Renew. On a voice vote, motion carried.

**C. RECOMMENDATIONS FROM THE COMMITTEE ON LICENSING/PERMITS**

C.1. It was moved by Alderperson Downing, seconded by Alderperson Juliana, to approve applications for new Operator's (Bartender) licenses, subject to:

- 0 demerit points:

a. Craig Mertes

- 20 demerit points:

b. Barb Fox

c. Crystal Bloomer

d. Andrew Bushell

e. Scott Holloway

f. Alyssa Williams

g. April Stoiber

h. Barbara Miszewski

i. Cynthia Miller

- 40 demerit points:

j. Melissa Miller

- 80 demerit points:

k. Taylor Lang

A hearing was held. The applicants did not appear. On a voice vote, motion carried.

C.2. It was moved by Alderperson Kennedy, seconded by Alderperson Juliana, to approve applications for new Operator's (Bartender) licenses, subject to:

-0 demerit points

a. James Mollman

-75 demerit points

b. Karena Lomax

A hearing was held. Applicant b. was present. On a voice vote, motion carried.

C.3. It was moved by Alderperson Downing, seconded by Alderperson Juliana, to approve applications for new Operator's (Bartender) licenses, subject to:

-30 demerit points

a. Tina Denning

-80 demerit points

b. Brian Johnson

A hearing was held. The applicants did not appear. On a voice vote, motion carried.

C.4. It was moved by Alderperson Wilson, seconded by Alderperson Gordon, to Deny application of Kathryn First for a new Operator's (Bartender) license, based on material police record. A hearing was held. The applicant was present and spoke. This motion was subsequently withdrawn by the maker and seconder after discussion.

C.4.1. It was moved by Alderperson Juliana, seconded by Alderperson Ohnstad to refer back to the Licensing/Permit Committee. After discussion, this motion was withdrawn by the maker and seconder. On a voice vote, motion carried.

C.4.2. It was moved by Alderperson Juliana, seconded by Alderperson Wilson, to approve. On a voice vote, motion carried.

C.5. It was moved by Alderperson Kennedy, seconded by Alderperson Schwartz, to approve application of Julie Battersby for a new Operator's (Bartender) license, subject to 0 demerit points.

A hearing was held. The applicant did not appear. On a voice vote, motion carried.

C.6. It was moved by Alderperson Kennedy, seconded by Alderperson Michalski, to approve renewal applications for Operator's (Bartender) licenses, subject to:

-0 demerit points:

a. Caren Boxwell

- 20 demerit points:

b. Sarah Houseman

c. Cynthia Maguire

- 80 demerit points:

d. Cynthia Perone

- non renewal revocation:

e. Michael Pauloni

A hearing was held. Applicant d was present and spoke. On a voice vote, motion carried (Alderperson Bogdala noted voting nay on d & e).

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C.7. It was moved by Alderperson Kennedy, seconded by Alderperson Downing, to approve renewal application of Flora Vargas for an Operator's (Bartender) license.

A hearing was held. The applicant was present and spoke. On a voice vote, motion carried.

C.8. It was moved by Alderperson Juliana, seconded by Alderperson Kennedy, to approve application of Taste of NY Pizzeria, LLC, Amber Bajrami, Agent, for a Class "B" Beer Only License located at 5703-6th Avenue (Slice of NY Pizzeria), upon surrender of a similar license from Slice of NY Pizzeria, LLC, with no adverse recommendations. (2nd District) A hearing was held. The applicant did not appear. On a voice vote, motion carried.

C.9. It was moved by Alderperson Kennedy, seconded by Alderperson Ohnstad, to approve application of GH Holdings, LLC (6325-120th Avenue, Rivals Sports Pub & Grille), to change the closing hour of the outdoor extension from midnight to 1:30 am. (16th District)

A hearing was held. The applicant was present. On a voice vote, motion carried.

C.10. It was moved by Alderperson Kennedy, seconded by Alderperson Schwartz, to approve application of GH Holdings, LLC (Mike Honold, Agent, 6325-120th Avenue, Rivals Sports Pub & Grille), for a Yearly Cabaret License (2013-2014 Term) with no adverse recommendations. (16th District)

A hearing was held. The applicant was present. On a voice vote, motion carried.

C.11. It was moved by Alderperson Juliana, seconded by Alderperson Kennedy, to approve application of Pete Zekovic (4520-8th Avenue, Pete's Place), for an Outdoor Area - Cabaret/Amplified License on July 20th, 2013, with no adverse recommendations. (12th District)

A hearing was held. The applicant did not appear. On a voice vote, motion carried.

C.12. It was moved by Alderperson Wilson, seconded by Alderperson Ohnstad, to approve application of Griffin Lanes, LLC (Karen Griffin, Agent, 1120-80th Street, Sheridan Lanes), for an Amusement & Recreation Enterprise License, with no adverse recommendations. (12th District)

A hearing was held. The applicant did not appear. On a voice vote, motion carried.

C.13. It was moved by Alderperson Kennedy, seconded by Alderperson Bogdala, to Deny application of J. Brendan Derosier for a 1-Day Public Entertainment License located at 3010 Roosevelt Road (Children's Recreational Club DF8) on August 3, 2013, based on adverse recommendation from the Police Department. (8th District)

A hearing was held. The applicant did not appear. On a voice vote, motion carried.

C.14. It was moved by Alderperson Downing, seconded by Alderperson Juliana, to approve application of Prairie Lake Estates Homeowners Cooperative for a Mobile Home Park License located at 8200-75th Street. (16th District)

A hearing was held. The applicant did not appear. On a voice vote, motion carried.

**D. ORDINANCES 1ST READING**

It was moved by Alderperson Kennedy, seconded by Alderperson Michalski to send the following ordinances on their way:

D.1. Ordinance by Committee on Public Safety and Welfare - To Remove the Existing "15 Minute Parking between Signs 8 am - 6 pm Mon. thru Sat." Restriction in Front of 4721-7th Avenue. (2nd District)

NOTE: D2 and D3 were listed as ordinances incorrectly. These items are resolutions and will appear on next Common Council meeting agenda.

D.2. Ordinance by Committee on Public Safety and Welfare - To Remove the Existing "No Parking from 8:00 am - 5:00 pm Except Holidays" Restriction on 31st Avenue between 79th Street and 80th Street (13th District)

D.3. Ordinance by Alderperson Rocco LaMacchia - To Amend Various Sections Of 10.076 (Of The Code Of General Ordinances For The City Of Kenosha) Entitled "Outdoor Cafe Of A "Class B", Class "B" And/Or "Class C" Licensed Premises In A Public Right-Of-Way; And To Create Subsection 10.076 C.2.H.

On a voice vote, motion carried.

**E. ZONING ORDINANCES 1ST READING**

It was moved by Alderperson Kennedy, seconded by Alderperson Michalski, to send the following ordinances on their way:

E.1. By the City Plan Commission - To Create Subsection 18.02x (of the Zoning Ordinance) to Amend the Land Use Plan Map for the City of Kenosha: 2035. (Welcome Home Properties LLC) (15th District)

E.2. By The Mayor - Petition to Rezone property at 5901-60th Street from RD Two family Residential to IP Institutional Park in conformance with Section 10.02 (of the Zoning Ordinance). (Welcome Home Properties, LLC) (15th District)

On a voice vote, motion carried.

**F. ORDINANCES 2ND READING**

Full text of ordinances are on file in the office of the City Clerk.

F.1. It was moved by Alderperson Downing, seconded by Alderperson Kennedy, to adopt Ordinance 29-13.

A public hearing was held. No one spoke for or against said ordinance.

On roll call vote, motion carried unanimously and said ordinance was thereupon adopted:

**Ordinance 29-13 by the Mayor - To Repeal and Recreate Section 1.01 D. 1. p. (of the Code of General Ordinances) Regarding the Sixteenth Aldermanic District for the Purpose of Creating Wards 89 and 90.**

**G. ZONING ORDINANCES 2ND READING**

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**H. RESOLUTIONS**

Full text of resolutions are on file in the office of the City Clerk.

H.1. It was moved by Alderperson Kennedy, seconded by Alderperson Michalski, to approve Resolution 94-13 - by The Mayor - Awarding the Sale of \$10,000,000 General Obligation Promissory Notes, Series 2013. On roll call vote, motion carried (13-2) with Alderpersons Ruffolo and Bogdala voting nay. (Alderperson Kennedy not present for vote)

H.2. This item was pulled: Resolution by The Mayor - Awarding the Sale of \$10,915,000 General Obligation Refunding Bonds, Series 2013.

H.3. It was moved by Alderperson Gordon, seconded by Alderperson Juliana, to approve Resolution 95-13 - Resolution by Finance Committee – To Correct Resolution #7-13 for Hazardous Sidewalk and/or Driveway Approaches. (13th District) (Project 12-1015 Lincoln Road Resurfacing). On roll call vote, motion carried (15-0) (Alderperson Kennedy not present for vote).

H.4. It was moved by Alderperson Orth, seconded by Alderperson Juliana, to approve Resolution 96-13 - by Finance Committee – To Correct Resolution #56-13 for Hazardous Sidewalk and/or Driveway Approaches. (Project 12-1208 Sidewalk & Curb/Gutter Program)

H.4.1. It was then moved by Alderperson Bogdala, seconded by Alderperson Mathewson to defer for two weeks. On a voice vote motion failed.

On roll call vote, motion to approve Resolution 96-13 carried (15-1) with Alderperson Bogdala voting nay.

H.5. It was moved by Alderperson Ohnstad, seconded by Alderperson Wilson, to approve Resolutions by Finance Committee – To Levy Special Charges Upon Various Parcels of Property Located in the City per List on File in the Office of the City Clerk:

a. Resolution 97-13 - Boarding and Securing - \$769.66

b. Resolution 98-13 - Grass and Weed Cutting - \$26,893.91

c. Resolution 99-13 - Property Maintenance Reinspection Fees - \$3,754.00

d. Resolution 100-13 - Trash and Debris Removal - \$1,005.00

A hearing was held. No one spoke.

On roll call vote, motion carried (15-1) with Alderperson Bostrom voting nay.

H.6. It was moved by Alderperson Ohnstad, seconded by Alderperson Mathewson, to defer Resolution by Finance Committee – To Rescind a Special Charge in the amount of \$164.08 for Snow Removal at 6906-22nd Avenue (Parcel #01-122-01-406-021). (Amends Resolution #55-13) (8th District) for two weeks. On a voice vote, motion carried.

H.7. It was moved by Alderperson Michalski, seconded by Alderperson Downing, to approve Resolution 101-13 - Resolution by Finance Committee – To Amend the City of Kenosha Capital Improvement Program for 2013 By Increasing PK09-001 “Harbor Dredging” in the amount of \$55,400 with Outside Funding from a Coastal Management Grant in the amount of \$50,400 and a Wisconsin Waterways Grant in the amount of \$5,000 for a Net Change of \$0. On roll call vote, motion carried (15-0). (Alderperson Prozanski not present for vote.)

H.8. It was moved by Alderperson Kennedy, seconded by Alderperson Juliana, to approve Resolution 102-13 - Resolution by Public Works Committee – To Order the Cost of Public Sidewalk and/or Driveway Approach Construction and/or Replacement to be Specially Assessed to Abutting Property. (Project 13-1024, 60th Street - 30th Avenue to 39th Avenue, 39th Avenue - 59th Street to 60th Street) (3rd, 11th and 15th Districts) A public hearing was held. No one spoke. On roll call vote, motion carried (15-0). (Alderperson Prozanski not present for vote).

H.9. It was moved by Alderperson Downing, seconded by Alderperson Ohnstad, to approve Resolution 103-13 - Resolution by Public Works Committee – Final Resolution Authorizing Improvements in Street Right-of-Way and Levying Special Assessments Against Benefited Property. (Project 11-1025, 122nd Avenue - 71st Street to 74th Street) (16th District) On roll call vote, motion carried (15-0). (Alderperson Prozanski not present for vote).

H.10. It was moved by Alderperson Gordon, seconded by Alderperson Kennedy, to approve Resolution 104-13 - Resolution by Public Works Committee – Intent to Assess for Project 13-1012 Resurfacing Phase I (Lincoln Road Intersections, 70th Street - 39th Avenue to 40th Avenue) for Hazardous Sidewalk and/or Driveway Approach Only. (Districts 13 and 15) On roll call vote, motion carried unanimously.

**I. APPOINTMENTS/  
REAPPOINTMENTS BY THE MAYOR**

It was moved by Alderperson Gordon, seconded by Alderperson Kennedy, to approve:

I.1. Appointment of Anita Faraone (6115-38th Avenue, Kenosha) to the City Plan Commission for a term to expire May 1, 2015.

I.2. Appointment of Anita Faraone (6115-38th Avenue, Kenosha) to the Community Development Block Grant Committee and to the HOME Program Commission for terms to expire May 1, 2015.

On roll call vote, motion carried unanimously.

**J. PUBLIC CONSTRUCTION AND IMPROVEMENT CONTRACTS**

J.1. It was moved by Alderperson Gordon, seconded by Alderperson Kennedy, to approve Award of Contracts for Projects:

a. 13-1019 Joint, Crack Cleaning and Sealing (Citywide Locations) to Fahrner Asphalt Sealers (Waunakee, Wisconsin), in the amount of \$135,000. (All Districts)

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- b. 13-1024 60th Street Resurfacing (60th Street - 30th Avenue to 39th Avenue, 39th Avenue - 59th Street to 60th Street) to Cicchini Asphalt (Kenosha, Wisconsin), in the amount of \$1,255,000. (Districts 3, 11 & 15)
- c. 13-1527 Northside Library Parking Lot Resurfacing (1500-27th Avenue) to Cicchini Asphalt (Kenosha, Wisconsin) in the amount of \$143,000. (4th District)
- On roll call vote, motion carried unanimously.

**K. OTHER CONTRACTS AND AGREEMENTS**

K.1. It was moved by Alderperson Gordon, seconded by Alderperson Kennedy, to approve Grant Agreement between the State of Wisconsin Department of Administration Division of Intergovernmental Relations Wisconsin Coastal Management Program and the City of Kenosha for Feasibility Study and Alternatives Analysis for the Kenosha Harbor.

On roll call vote, motion carried unanimously.

**L. RECOMMENDATIONS FROM THE COMMITTEE ON FINANCE**

It was moved by Alderperson Gordon, seconded by Alderperson Kennedy, to approve:

- L.1. BJA FY 2013 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Intergovernmental Agreement by and between the City of Kenosha, Wisconsin and the County of Kenosha, Wisconsin. On roll call vote, motion carried unanimously.
- L.2. It was moved by Alderperson Michalski, seconded by Alderperson Ohnstad, to approve request from Robert Samuels to Rescind a Building Reinspection Fee in the Amount of \$72.00 for Failure to Obtain a Permit for Electrical Work done at 1118-62nd Street (Parcel #05-123-06-131-009) (3rd District) A hearing was held. The property owner did not appear. On roll call vote, motion carried unanimously.
- L.3. It was moved by Alderperson Ohnstad, seconded by Alderperson Kennedy, to approve Disbursement Record #12 - \$5,590,086.86.
- On roll call vote, motion carried unanimously.

**M. RECOMMENDATIONS FROM THE COMMITTEE ON PUBLIC WORKS**

It was moved by Alderperson Ohnstad, seconded by Alderperson Kennedy to:

- M.1. Approve Final Acceptance of Project 12-2032 Underground Storage Tank Area Interim Action at Kenosha Engine Plant (5500-30th Avenue) completed by Veit & Company (New Berlin, Wisconsin) - \$215,249.53. (11th District)
- M.2. Reject bid for Project 13-1551 Fire Station #4 Administrative Addition (4810-60th Street). (District 11)
- On roll call vote, motion carried unanimously.

**N. RECOMMENDATIONS FROM THE COMMITTEE ON  
PUBLIC SAFETY & WELFARE**

N.1. It was moved by Alderperson Kennedy, seconded by Alderperson Schwartz, to approve application of Kenosha Area Chamber of Commerce Foundation (600-52nd Street, Suite 130) for a Carnival License on August 22nd through August 24th, 2013 to be located in Celebration Place/HarborPark. (2nd District) A hearing was held. The applicant did not appear. On roll call vote, motion carried (15-0) with Alderperson Bostrom abstaining.

**ADJOURNMENT**

There being no further business to come before the Common Council, it was moved, seconded and carried to adjourn at 9:15 p.m.

On a voice vote, motion carried.

Approved:

**KEITH G. BOSMAN  
MAYOR**

Attest:

**DEBRA L. SALAS  
CITY CLERK/TREASURER**

**COMMON COUNCIL  
OFFICIAL PROCEEDINGS**

**July 29, 2013**

**Keith G. Bosman, Mayor**

**Debra L. Salas, City Clerk**

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**KENOSHA MUNICIPAL  
BUILDING COUNCIL  
CHAMBERS ROOM 200**

**July 29, 2013**

At a special meeting of the Common Council held this evening, His Honor, Mayor Keith G. Bosman presided.

The meeting was called to order at 6:26 p.m.

On roll call, the following members of the Common Council were present: Alderpersons Schwartz, Michalski, LaMacchia, Juliana, Mathewson, Rosenberg, Kennedy, Gordon, Wilson, Prozanski, Orth, and Downing. Excused: Alderpersons Haugaard, Ruffolo, Ohnstad, Bostrom and Bogdala. Alderperson Prozanski was seated as Council President.

A moment of silence was observed in lieu of the invocation.

Mayor Bosman then led the Council in the Pledge of Allegiance to the American Flag. It was moved by Alderperson Michalski, seconded by Alderperson Gordon to suspend the dress code. On a voice vote, motion carried.

1. It was moved by Alderperson Gordon, seconded by Alderperson LaMacchia, to deny the application of Abdul Kaisani (3214 - 60th Street, Pop's Place), for a Yearly Cabaret License (2013-2014 Term), based on welfare of the neighborhood (11th District). A hearing was held. The applicant was present. His Attorney, Mark Schoenfeldt, spoke on his behalf. Abdul Kaisani spoke. His son spoke. It was moved by Alderperson Gordon, seconded by Alderperson Schwartz, to hold a public hearing. On a voice vote, motion carried. A public hearing was held. Four (4) people spoke against. One (1) person spoke in favor. On roll call vote, motion to deny based on welfare of the neighborhood carried unanimously (12-0).

**ADJOURNMENT**

There being no further business to come before the Common Council, it was moved and seconded to adjourn at 7:04 pm.

On a voice vote, motion carried.

Approved:

**KEITH G. BOSMAN  
MAYOR**

Attest:

**DEBRA L. SALAS  
CITY CLERK/TREASURER**

**COMMON COUNCIL  
OFFICIAL PROCEEDINGS  
August 5, 2013**

**Keith G. Bosman, Mayor**

**Debra L. Salas, City Clerk**

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**KENOSHA MUNICIPAL  
BUILDING COUNCIL  
CHAMBERS ROOM 200**

**August 5, 2013**

At a meeting of the Common Council held this evening, His Honor, Mayor Keith G. Bosman presided.

The meeting was called to order at 7:03 pm.

On roll call, the following members of the Common Council were present: Alderpersons Haugaard, Schwartz, Michalski, Ruffolo, LaMacchia, Ohnstad, Juliana, Mathewson, Rosenberg, Kennedy, Gordon, Bostrom, Wilson and Prozanski. Alderpersons Orth and Downing were excused.

A moment of silence was observed in lieu of the invocation.

Mayor Bosman then introduced Boys Scout Troops 512 and 525, from Trinity Lutheran Church and St. Mary's Catholic Church, who then led the Council in the Pledge of Allegiance to the American Flag.

It was moved by Alderperson LaMacchia, seconded by Alderperson Gordon, to approve the minutes of the regular meeting held July 15, 2013 and the special meeting held July 29, 2013.

Motion carried unanimously.

The Mayor announced two referrals of resolutions by Alderperson Kevin Mathewson to the Public Works Committee and the Park Commission: Resolution Establishing Daily Hours for Kennedy Drive; and Resolution Establishing Daily Hours for Simmons Island.

Sixteen Citizens spoke during Citizen's Comments: Troy McDonald, Tammy Conforti, Dr. Maggie Regner, Karen Roberts, Jamie Forsythe, Margie Gentner, Raymond Cameron, Phil Haney, Keith Kemper, Roger Clark, Jerry Rintamaki, John Franco, Chester Dickow, Kurt Wiklund, Ed Potokar, and Kevin Riordan,

It was moved by Alderperson Mathewson, seconded by Alderperson LaMacchia, to allow citizen's comments to go beyond the 45 minutes limit.

On a voice vote, motion carried. Three more citizens spoke: Lindsay Post Rebel, Violet Ricker and Louis Rugani.

The Mayor then commented that the City Attorney recommended Item A.1. should also be referred to the Public Works Committee.

**A. REFERRALS  
TO THE COMMITTEE ON FINANCE**

A.1. Resolution by Alderman David F. Bogdala - to Amend the City of Kenosha Capital Improvement Program for 2013 by Decreasing OT-96-001 "Equipment - Mini Van" in the Amount of \$13,100 and to Create Capital Improvement Line Item OT-13-004 "School Zone – Signage" in the Amount of \$13,100 for a Net Change of \$0. (Also referred to Public Safety and Welfare Committee)

A.2. Sponsors: Alderperson David F. Bogdala, Alderperson G. John Ruffolo - to Amend the City of Kenosha Capital Improvement Program for 2013 by Decreasing FI-13-003 "Fire Administration Office" in the Amount of \$300,000 and to Increase Capital Improvement Line Item IN-93-002 "Resurfacing" in the Amount of \$300,000 for a Net Change of \$0. (Also referred to Public Works & Public Safety and Welfare Committees)

**TO THE PUBLIC WORKS COMMITTEE**

A.3. Memorandum of Understanding between the City of Kenosha and WisDOT for the WIS 50 Access Management Vision (I94 to 43rd Avenue).

A.4. Sponsor: Alderperson Michael J. Orth - To Repeal and Recreate Section 13.035.B.2 (of the Code of General Ordinances For the City of Kenosha) Regarding Peddler's Stand Operation. (Also referred to Licensing/Permit Committee and Park Commission)

**TO THE CITY PLAN COMMISSION**

A.5. Conditional Use Permit for a 105,387 s.f. addition to the Carthage Straz Center at 2001 Alford Park Drive. (Carthage College) (1st District)

A.6. Conditional Use Permit for a 1,949 s.f. restaurant with a drive-thru to be located at 8040 Sheridan Road. (Taco Bell) (12th District)

A.7. By the City Plan Commission - To Repeal and Recreate Section 3.31 H. of the Zoning Ordinance for the

**COMMON COUNCIL  
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**Keith G. Bosman, Mayor**

**Debra L. Salas, City Clerk**

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City of Kenosha Regarding Garage Door Placement.

A.8. By the City Plan Commission - To Repeal and Recreate Section 3.32 H. of the Zoning Ordinance for the City of Kenosha Regarding Garage Door Placement.

**TO THE CITY PLAN COMMISSION**

A.9. Resolution By the Mayor: To Approve the Route of the Streetcar System Expansion and to Commence Project Design and Engineering. (Also referred to Public Works Committee)

**B. COMMUNICATIONS,  
PETITIONS, REPORTS  
OF DEPARTMENTS**

It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to approve B.1.:

- a. 38 applications for Operator's (Bartender's) licenses, per list on file in the office of the City Clerk.
- b. 1 transfer of agent status of Beer and/or Liquor license, per list on file in the office of the City Clerk.
- c. 3 applications for special Class "B" Beer and/or "Class B" Wine licenses per list on file in the office of the City Clerk.
- d. 1 application for a Taxi Driver's license per list on file in the office of the City Clerk.

On a voice vote, motion carried.

It was moved by Alderperson Kennedy, seconded by Alderperson Schwartz, to receive and file:

B.2. Communication from the City Clerk Regarding the Voluntary Surrender of the Class "B" Beer/"Class B" Liquor License - Eva Lagunas (El Caporal, 3200-60th Street).

On a voice vote, motion carried.

It was moved by Alderperson Bosman, seconded by Alderperson Kennedy to approve:

B.3. Sign Code Appeal: Special Exception Request for Sign Area Relief to Install a One-hundred-fifty Square Foot (150 s.f.) Sign at 11880-74th Place (Kenosha Commons). (Zoning: B-2 Community Business District): Petitioner/Owner: Ed Potokar. A hearing was held. No one spoke for or against.

On a voice vote, motion carried.

It was moved by Alderperson Wilson, seconded by Alderperson LaMacchia, to approve:

B.4. Special Exception Request to the Off-Street Parking Requirement of Section 6.01 F.17 (of the Zoning Ordinance) for property at 7701 Green Bay Road. (Meijer) A public hearing was held. No one spoke for or against.

On roll call vote, motion carried 12-3, with Alderpersons Bogdala, Ruffolo and Mathewson voting no.

At 7:59 pm, it was moved by Alderperson Michalski, seconded by Alderperson Kennedy, to go into **Closed Session (pursuant to §19.85(1)(g), Wisconsin Statutes to discuss litigation strategies with the City's Legal Counsel regarding settlement issues surrounding the action)** for:

B.5. Discussion on the litigation with regard to BC Tavern of Kenosha, Inc. v. City of Kenosha Case No. 11-C-959.

At 8:31 pm, it was moved by Alderperson Kennedy, seconded by Alderperson Ohnstad, to reconvene into open session. The meeting resumed at 8:34 pm.

**C. RECOMMENDATIONS FROM THE COMMITTEE ON LICENSING/PERMITS**

C.1. It was moved by Alderperson Ohnstad, seconded by Alderperson Juliana, to approve applications for new Operator's (Bartender's) licenses, subject to:

- 20 demerit points:

- a. Devin Dorsey
- b. April Gustafson
- c. Daniel Leiting
- d. Keli Mielke
- e. Maureen Modory
- f. Jagjit Singh
- g. Holly Schonscheck

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h. Hector Cedeno Silva

- 40 demerit points:

i. Lisette Gomez

j. Matthew Freeman

- 60 demerit points:

k. Scott Bohlman

80 demerit points:

l. Baron Olsen

A hearing was held. The applicants did not appear. Alderperson Kennedy said his vote for g. should be recorded as "abstain".

It was moved by Alderperson Bogdala, seconded by Alderperson Mathewson, to separate l.

On a voice vote, motion carried.

On a voice vote, motion to approve a. through k. carried.

It was moved by Alderperson Juliana, seconded by Alderperson LaMacchia, to approve l.

On a voice vote, motion carried.

C.2. It was moved by Alderperson Mathewson, seconded by Alderperson LaMacchia, to approve application of Christopher Johnson for a new Taxi Driver's License subject to 40 demerit points. A hearing was held. The applicant did not appear.

On a voice vote, motion carried.

C.3. It was moved by Alderperson Juliana, seconded by Alderperson LaMacchia, to approve application of N&S Source, Inc., Nihal Singh, Agent, for a Class "A" Retail Beer Only License located at 6119-22nd Avenue (Uptown Pantry) to be effective August 6th, 2013, upon surrender of a similar license from Gala Corporation, with no adverse recommendations. A hearing was held. The applicant did not appear.

On a voice vote, motion carried.

C.4. It was moved by Alderperson LaMacchia, seconded by Alderperson Schwartz, to approve application of Kavalauskas, LLC (2325-52nd Street, Spanky's Bar & Grill) for a Temporary Outdoor Extension on August 9th and August 10th, 2013 with no adverse recommendations. A hearing was held. The applicant did not appear.

On a voice vote, motion carried.

C.5. It was moved by Alderperson Michalski, seconded by Alderperson Wilson, to approve application of Sunset Grille, LLC (Stacey West-Rivera, Agent, 2500-52nd Street, Sunset Grille & Mulligan's Pub) for a Daily Cabaret License on August 10, 2013. A hearing was held. The applicant did not appear.

On a voice vote, motion carried.

C.6. It was moved by Alderperson Juliana, seconded by Alderperson Kennedy, to approve application of Kavalauskas, LLC (Rick Kavalauskas, Agent, 2325-52nd Street, Spanky's Bar & Grill) for a Yearly Cabaret License (2013-2014 Term) with no adverse recommendations. A hearing was held. The applicant did not appear.

On a voice vote, motion carried.

C.7. It was moved by Alderperson Kennedy, seconded by Alderperson Wilson, to approve application of Groby, LLC (Mark Gerber, Agent, 2627-63rd Street, Gerb's Tap) for a Yearly Cabaret License (2013-2014 Term) with no adverse recommendations. A hearing was held. The applicant did not appear.

On a voice vote, motion carried.

C.8. It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to approve application of Kavalauskas, LLC (2325-52nd Street, Spanky's Bar & Grill), for an Outdoor Area – Cabaret/Amplified License on August 9th and August 10th, 2013, with no adverse recommendations.

A hearing was held. The applicant did not appear.

On a voice vote, motion carried.

C.9. It was moved by Alderperson Juliana, seconded by Alderperson Michalski, to approve application of Traci Peterson (2425-60th Street, Hatrix) for an Outdoor Area-Cabaret/ Amplified License on August 10th and August 11th, 2013 with no adverse recommendations. A hearing was held. The applicant did not appear.

On a voice vote, motion carried.

C.10. It was moved by Alderperson Michalski, seconded by Alderperson Kennedy, to deny application of 52nd

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Gold Exchange, Inc. for a Secondhand Jewelry Dealer License located at 7519-22nd Avenue (52nd Gold Exchange) based on inaccurate description of business. A hearing was held. The applicant did not appear.

On a voice vote, motion carried.

C.11. It was moved by Alderperson Kennedy, seconded by Alderperson Ohnstad, to approve application of Jadvyga Valiauga for a Kenosha Massage Therapist License with no adverse recommendations. A hearing was held. The applicant appeared.

On a voice vote, motion carried.

**D. ORDINANCES 1ST READING**

It was moved by Alderperson Michalski, seconded by Alderperson Schwartz, to send the following ordinances on their way:

D.1. By Stormwater Utility Committee – To Repeal, Recreate and Renumber Subsections 2.10 A. and B. (of the Code of General Ordinances) Regarding Special Assessments.

D.2. By Alderperson LaMacchia - To Repeal and Recreate Subparagraph 17.05 G. (of the Code of General Ordinances) regarding the number of lots in Final Phase Plat.

On a voice vote, motion carried.

**E. ZONING ORDINANCES 1ST READING**

It was moved by Alderperson Michalski, seconded by Alderperson Schwartz, to send the following ordinance on its way:

E.1. By Alderperson Schwartz - To Repeal and Recreate Subparagraph 4.06 B.15.g. (of the Zoning Ordinance) regarding the Service Window at Drive-Thru Facilities.

On a voice vote, motion carried.

**F. ORDINANCES 2ND READING**

Full text of ordinances are on file in the office of the City Clerk.

F.1. It was moved by Alderperson Michalski, seconded by Alderperson Juliana, to adopt Ordinance 30-13 as amended by the Licensing/Permit Committee.

A public hearing was held. Matt Geary, owner of Public Craft Brewery, 761-58<sup>th</sup> Street, spoke in favor.

On roll call vote, motion carried 14-0-1, with Alderperson Schwartz abstaining and said ordinance was thereupon adopted:

**Ordinance 30-13**

**By Alderperson Rocco LaMacchia - To Amend Various Sections Of 10.076 (Of The Code Of General Ordinances For The City Of Kenosha) Entitled “Outdoor Cafe Of A “Class B”, Class “B” And/Or “Class C” Licensed Premises In A Public Right-Of-Way; And To Create Subsection 10.076 C.2.H.**

**G. ZONING ORDINANCES 2ND READING**

G.1. It was moved by Alderperson Ohnstad, seconded by Alderperson LaMacchia, to adopt Ordinance 31-13. A public hearing was held. Aaron Kohlmeier, owner of Welcome Home Properties LLC, spoke in favor.

On roll call vote, motion carried unanimously and said ordinance was thereupon adopted:

**Ordinance 31-13**

**By the City Plan Commission - To Create Subsection 18.02x (of the Zoning Ordinance) to Amend the Land Use Plan Map for the City of Kenosha: 2035. (Welcome Home Properties LLC)**

G.2. It was moved by Alderperson Bogdala, seconded by Alderperson Ohnstad, to adopt Ordinance 32-13. A public hearing was held. Virginia Hoekstra spoke against. Mr. Kohlmeier spoke in favor.

On roll call vote, motion carried unanimously and said ordinance was thereupon adopted:

**Ordinance 32-13**

**By The Mayor - Petition to Rezone property at 5901-60th Street from RD Two family Residential to IP Institutional Park in conformance with Section 10.02 (of the Zoning Ordinance). (Welcome Home Properties, LLC)**

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**H. RESOLUTIONS**

Full text of resolutions are on file in the office of the City Clerk.

H.1. It was moved by Alderperson Ohnstad, seconded by Alderperson LaMacchia, to approve Resolution 105-13. On roll call vote, motion carried unanimously and said resolution was thereupon approved:

**Resolution 105-13**

**by The Mayor - Awarding the Sale of \$10,915,000 General Obligation Refunding Bonds, Series 2013.**

H.2. It was moved by Alderperson Ohnstad, seconded by Alderperson LaMacchia, to approve Resolution 106-13 as amended by the Finance Committee. A hearing was held. No one spoke for or against said resolution.

H.2.1. It was moved by Alderperson Mathewson, seconded by Alderperson Ruffolo, to amend to reduce to \$0.

On roll call vote, motion failed 2-13, with Alderpersons Ruffolo and Mathewson voting aye.

On roll call vote, original motion to amend to reduce by one-half carried 8-7, with Alderpersons Gordon, Bostrom, Wilson, Bogdala, Schwartz, Michalski and Juliana voting nay and said resolution was thereupon approved:

**Resolution 106-13**

**By Finance Committee - To Correct Resolution #055-13**

**Snow Removal from Sidewalks**

**Project #12-001**

H.3. It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to approve Resolution 107-13. A hearing was held. No one spoke for or against said resolution.

On roll call vote, motion carried unanimously and said resolution was thereupon approved:

**Resolution 107-13**

**By Finance Committee - To Levy a Special Assessment (Under Authority of Charter Ordinance No. 26, as Amended, upon Certain Parcels of Land Within the City of Kenosha, Wisconsin) in the Amount of \$5,226.45 for Trash and Debris Removal.**

H.4. It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to approve Resolution 108-13.

On roll call vote, motion carried unanimously and said resolution was thereupon approved:

**Resolution 108-13**

**by Finance Committee - Authorizing a Development Financing Agreement With Respect to Varin/Library Park LLC Project in Tax Incremental District No. 15 and Providing for the Issuance of a Tax Increment Project Revenue Bond of the City of Kenosha, Wisconsin.**

H.5. It was moved by Alderperson Kennedy, seconded by Alderperson Michalski, to approve Resolution 109-13. A public hearing was held. No one spoke for or against said resolution.

On roll call vote, motion carried unanimously and said resolution was thereupon approved:

**Resolution 109-13**

**by Committee on Public Works – To Order the Cost of Public Sidewalk and/or Driveway Approach Construction and/or Replacement to be Specially Assessed to Abutting Property. (Project 13-1012, 70th Street - 39th Avenue to 40th Avenue)**

H.6. It was moved by Alderperson Kennedy, seconded by Alderperson Schwartz, to approve Resolution 110-13. On roll call vote, motion carried unanimously and said resolution was thereupon approved:

**Resolution 110-13**

**by Committee on Public Safety and Welfare - To Remove the Existing "15 Minute Parking between Signs 8 am - 6 pm Mon. thru Sat." Restriction in Front of 4721-7th Avenue.**

H.7. It was moved by Alderperson Kennedy, seconded by Alderperson Schwartz, to approve Resolution 111-13. On roll call vote, motion carried unanimously and said resolution was thereupon approved:

**Resolution 111-13**

**By Committee on Public Safety and Welfare - To Remove the Existing "No Parking from 8:00 am - 5:00 pm Except Holidays" Restriction on 31st Avenue between 79th Street and 80th Street.**

H.8. It was moved by Alderperson Kennedy, seconded by Alderperson Schwartz, to approve Resolution 112-13

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as amended by the Public Safety & Welfare Committee.

H.8.1. It was moved by Alderperson Kennedy, seconded by Alderperson Schwartz, to open to a public hearing. On a voice vote, motion carried.

Veronica King spoke in favor. Alderperson Ohnstad stated that he would like his name added as a co-sponsor. On roll call vote, motion carried 14-1 with Alderperson Mathewson voting nay and said resolution was thereupon approved:

**Resolution 112-13**

**by Alderperson Anthony Kennedy; Co-Sponsors Alderperson Michael J. Orth, Alderperson Rocco J. LaMacchia, Sr., Alderperson Chris Schwartz, Alderperson Curt Wilson – To Urge the United States Congress to Take Action to Re-Effectuate the Preclearance Provision of the Voting Rights Act of 1965.**

H.9. It was moved by Alderperson Kennedy, seconded by Alderperson Gordon, to approve Resolution 113-13. On roll call vote, motion carried 13-2 with Alderpersons Bogdala and Mathewson voting nay and said resolution was thereupon approved:

**Resolution 113-13**

**Resolution by Alderperson Curt Wilson; Co-Sponsors Alderperson Keith Rosenberg, Alderperson Michael J. Orth, Alderperson Tod Ohnstad – To Urge Passage of an Amendment to the United States Constitution to Protect the Rights of Citizens to Fair Election Process not Tainted by Undue Influence of Large Election Expenditures by Corporations, Labor Unions, and the Most-Affluent Citizens.**

H.10. It was moved by Alderperson LaMacchia, seconded by Alderperson Wilson, to approve Resolution 114-13. On roll call vote, motion carried 13-2 with Alderpersons Bogdala and Mathewson voting nay and said resolution was thereupon approved:

**Resolution 114-13**

**By Alderperson Curt Wilson; Co-Sponsors Alderperson Patrick A. Juliana, Alderperson Scott N. Gordon, Alderperson Chris Schwartz, Alderperson Rocco J. LaMacchia, Sr. – To Extend the Moratorium on the Granting of Secondhand Article Dealer and Secondhand Jewelry Licenses.**

H.11. It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to approve Resolution 115-13.

On roll call vote, motion carried unanimously and said resolution was thereupon approved:

**Resolution 115-13**

**By the Mayor - To approve a three-lot Certified Survey Map to be located at 7701 Green Bay Road.  
(Meijer)**

**I. APPOINTMENTS/  
REAPPOINTMENTS BY THE MAYOR**

It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to approve:

I.1. Reappointment of Alderperson Daniel Prozanski, Jr., (4429-88th Place, Kenosha) to the Transit Commission for a three-year term which will expire June 7, 2016.

On roll call vote, motion carried unanimously.

**J. PUBLIC CONSTRUCTION AND IMPROVEMENT CONTRACTS**

It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to approve:

J.1. Award of Professional Service Contract for Project 13-1421 Emerald Ash Borer Treatment Phase II to Trugreen, Inc. (Lake Forest, Illinois) in the amount of \$14,159.75.

On roll call vote, motion carried unanimously.

**K. OTHER CONTRACTS AND AGREEMENTS**

It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to approve:

K.1. Request for Conveyance of Easement Rights to Carthage College for Installation of Fiber Network Extension Across Alford Park and Alford Park Drive.

On roll call vote, motion carried unanimously.

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**L. RECOMMENDATIONS FROM THE COMMITTEE ON FINANCE**

It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to approve:

L.1. Disbursement #13 - \$4,768,077.85.

L.2. 2014 Community Development Block Grant Fund Allocation Plan.

On roll call vote, motion carried unanimously.

**M. RECOMMENDATIONS FROM THE COMMITTEE ON PUBLIC WORKS**

**N. RECOMMENDATIONS FROM THE COMMITTEE ON  
PUBLIC SAFETY & WELFARE**

**O. REPORTS AND RECOMMENDATIONS OF BOARDS AND COMMISSIONS**

It was moved by Alderperson Kennedy, seconded by Alderperson Ohnstad, to approve:

O.1. Conditional Use Permit for a Tattoo Parlor to be located at 2308-63rd Street. (Kalaca Tattoo)

A public hearing was held. Abel De Los Santos, applicant, appeared.

On roll call vote, motion carried 14-1 with Alderperson Bogdala voting no.

It was moved by Alderperson Prozanski, seconded by Alderperson LaMacchia, to approve:

O.2. Conditional Use Permit for a 192,940 s.f. grocery/retail store and a 2,509 s.f. gas station/convenience store to be located at 7701 Green Bay Road. (Meijer)

A public hearing was held. Attorney Brian Randall, of the law firm Friebert, Finerty, & St. John, SC, representing Meijer (Kenosha), spoke. Four citizens spoke: Melody Ferruzzi, Roland Pizzala, Phil Haney and Virginia Hoekstra.

O.2.1. It was moved by Alderperson Mathewson, seconded by Alderperson Ruffolo, to amend to add "r." to Conditions of Approval: "deliveries prohibited after 9:00 pm".

Alderperson Mathewson then clarified his motion: "no deliveries between the hours of 9:00 pm and 5:00 am".

On roll call vote, motion failed 3-12 with Alderpersons Bogdala, Ruffolo and Mathewson voting aye.

Alderperson Bogdala then requested that Miss Roderick come to the podium to answer questions.

On roll call vote, original motion to approve carried unanimously.

At 10:30 pm, Mayor Bosman left the meeting and Council President Alderperson Haugaard presided as Acting Mayor.

At approximately 10:38 pm, during Alderperson Comments, quorum was lost.

**ADJOURNMENT**

It was moved by Alderperson Kennedy, seconded by Alderperson Gordon, to adjourn at 10:38 pm.

On a voice vote, motion carried.

Approved:

**KEITH G. BOSMAN  
MAYOR**

Attest:

**DEBRA L. SALAS  
CITY CLERK/TREASURER**

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**KENOSHA MUNICIPAL  
BUILDING COUNCIL  
CHAMBERS ROOM 200**

**August 19, 2013**

At a meeting of the Common Council held this evening, His Honor, Mayor Keith G. Bosman presided. The meeting was called to order at 7:03 p.m.

On roll call, the following members of the Common Council were present: Alderpersons Haugaard, Schwartz, Michalski, Ruffolo, LaMacchia, Ohnstad, Juliana, Mathewson, Kennedy, Gordon, Wilson, Prozanski, Orth, Downing and Bogdala. Excused: Alderpersons Rosenberg and Bostrom.

A moment of silence was observed in lieu of the invocation.

Mayor Bosman then led the Council in the Pledge of Allegiance to the American Flag.

It was moved by Alderperson LaMacchia, seconded by Alderperson Michalski, to approve the minutes of the meeting held August 5, 2013.

Motion carried unanimously.

Matters referred to the Committees by the Mayor: To the Public Works and Public Safety & Welfare Committees: RESOLUTION - SPONSOR: ALDERPERSON KEVIN E. MATHEWSON; CO-SPONSOR: ALDERPERSON G. JOHN RUFFOLO - TO AUTHORIZE THE CITY ADMINISTRATOR TO ENTER THE CITY OF KENOSHA IN THE 2013-2014 EARTH HOUR CITY CHALLENGE.

Thirteen (13) Citizens spoke during Citizen's Comments: Yolanda Adams, Diana Kanecki, Steve Mitchell, Carla Johnson, Doug Williams, Tammy Conforti, Virginia Hoekstra, Nancy Parise, Al Namath, Karen Greidanus, Carole Walerk, John Weiss, Kurt Wicklund.

**A. REFERRALS**

**TO THE COMMITTEE ON FINANCE**

A.1. Quit Claim Deed to transfer City-owned property located 5410-22nd Avenue from the City of Kenosha to Nunzio Covelli. (Covelli) (District #7) (Also referred to City Plan Commission)

A.2. Contract between the City of Kenosha and PARSS for asbestos removal at 4717-36th Avenue; 4723-36th Avenue and 4810-37th Avenue.

**TO THE PUBLIC SAFETY AND WELFARE COMMITTEE**

A.3. By the Mayor - To Amend Subsection 9.07 A. to Establish a Retaining Wall Application Fee, To Amend Subsection 9.07 B. and to Require payment for Permit Fees at the time of Application, and Repeal and Recreate Section 9.26 of the Code of General Ordinances regarding the Application for a Retaining Wall Permit.

A.4. Purchase Agreement with Sutphen Corporation for the purchase of two pumper trucks for the Kenosha Fire Department. (Also referred to Finance Committee)

**TO THE CITY PLAN COMMISSION**

A.5. Conditional Use Permit for a contractor's storage yard to be located at 5910-77th Street. (Happy Turf) (District #14)

A.6. Conditional Use Permit for a 70-unit apartment complex to be located at the southeast corner of 70th Avenue and 75th Place. (Sagewood Apartments) (District #14)

A.7. By the Mayor - Petition to Rezone property at the northeast corner of 120th Avenue and 38th Street from A-2 Agricultural Land Holding to M-2 Heavy Manufacturing in conformance with Section 10.02 of the Zoning Ordinance. (Next Partners I, LLC) (District #16)

**B. COMMUNICATIONS,  
PETITIONS, REPORTS  
OF DEPARTMENTS**

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B.1. It was moved by Alderperson Downing, seconded by Alderperson LaMacchia, to approve of the following applications per list on file in the Office of the City Clerk:

- a. 17 Operator's (Bartenders) license(s).
- b. 1 Transfer of Agent Status of Beer and/or Liquor license(s).
- c. 1 Special Class "B" Beer and/or Special "Class B" Wine license(s).
- d. 1 Taxi Driver License(s).

On a voice vote, motion carried.

B.2. It was moved by Alderperson Ruffolo, seconded by Alderperson Michalski, to approve request of Armando DeLaRosa (DeLaRosa's Food Truck) to retain the location of his peddler stand at the southwest corner of 54th Street and 6th Avenue for the period of August 22, 2013 to September 22, 2013 (additional 30 days). (Original application approved effective April 22, 2013; additional 30 days approved effective May 22, 2013, June 22, 2013, and July 22, 2013). On a voice vote, motion carried.

B.3. It was moved by Alderperson Ruffolo, seconded by Alderperson LaMacchia, to approve Special Exception Request to the Off-Street Parking Requirement of Section 6.01 F.29 (of the Zoning Ordinance) for the property at 8040 Sheridan Road. (Taco Bell) A public hearing was held. One (1) person spoke in favor. One (1) person spoke against. On a voice vote, motion carried.

B.4. It was moved by Alderperson Ruffolo, seconded by Alderperson LaMacchia, to approve Special Exception Request to the Off-Street Parking Requirement of Section 6.01 F.7.c. (of the Zoning Ordinance) for the property at 2001 Alford Park Drive. (Carthage Straz Center) A public hearing was held. No one spoke for or against. On a voice vote, motion carried.

B.5. At approximately 7:51 pm, It was moved by Alderperson Gordon, seconded by Alderperson Kennedy, to go into Closed Session, pursuant to §19.85 (1)(g), Wisconsin Statutes, to confer with legal counsel regarding the matter of the approval of settlement: BC Tavern of Kenosha, Inc. v. City of Kenosha Case No. 11-C-959. On a voice vote, motion carried. The Council reconvened at 8:00 pm. It was moved by Alderperson Prozanski, seconded by Alderperson Downing, to concur with the recommendation of the Finance Committee to approve offer as presented by legal counsel. On roll call vote, motion carried (12-2) with Alderpersons Bogdala and Ruffolo voting nay (Alderperson Michalski not present for vote).

**C. RECOMMENDATIONS FROM THE COMMITTEE ON LICENSING/PERMITS**

NOTE: All licenses and permits are subject to withholding of issuance by the City Clerk as specified in Section 1.045 of the Code of General Ordinances.

C.1. It was moved by Alderperson Michalski, seconded by Alderperson Downing, to approve applications for new Operator's (Bartender) licenses, subject to:

a.- 20 demerit points:

- Amanpreet Singh
- b. David Strohm
- c. Heidi Reau

A hearing was held. The applicants did not appear. On a voice vote, motion carried.

C.2. It was moved by Alderperson Prozanski, seconded by Alderperson Kennedy, to approve application of Lori McDonald for a new Operator's (Bartender) license, subject to 80 demerit points. A hearing was held. The applicant was present and spoke. On roll call vote, motion carried (12-3) with Alderpersons Gordon, Prozanski and Bogdala voting nay.

C.3. It was moved by Alderperson Kennedy, seconded by Alderperson Michalski, to approve application of Flint's Inn, Inc. for a change in closing hours of the Outdoor Extension located at 4708-22nd Avenue (Flint's Inn) to midnight, with no adverse recommendations. A hearing was held. The applicant did not appear. On a voice vote, motion carried.

C.4. It was moved by Alderperson LaMacchia, seconded by Alderperson Wilson, to approve application of Antonio's Pizza & Pasta, LLC (Dale Rice, Agent, 2410-52nd Street, 5 Fifty Pizza & Pub) for a Yearly Cabaret License (2013-2014 Term), with no adverse recommendations. A hearing was held. The

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applicant did not appear. On a voice vote, motion carried.

C.5. It was moved by Alderperson Kennedy, seconded by Alderperson Downing, to refer application of A-N-T Transportation, Inc. (5701-75th Street) for a Taxicab Permit, back to the Licensing/Permit Committee. A hearing was held. A representative was present for the applicant and spoke. On a voice vote, motion to send the application back to the Licensing/Permit Committee carried.

C.6. It was moved by Alderperson Kennedy, seconded by Alderperson Michalski, to approve application of First Step Services, Inc. for a Refuge Center License at 1017-63rd Street, with no adverse recommendations. A hearing was held. The applicant was present and spoke. On a voice vote, motion carried.

**D. ORDINANCES 1ST READING**

**E. ZONING ORDINANCES 1ST READING**

It was moved by Alderperson Gordon, seconded by Alderperson LaMacchia, to send the following ordinances on their way after being read:

E.1. By the City Plan Commission - To Repeal and Recreate Section 3.31 H. (of the Zoning Ordinance for the City of Kenosha) Regarding Garage Door Placement.

E.2. By the City Plan Commission - To Repeal and Recreate Section 3.32 H. (of the Zoning Ordinance for the City of Kenosha) Regarding Garage Door Placement.

On a voice vote, motion carried.

**F. ORDINANCES 2ND READING**

Full text of ordinances are on file in the office of the City Clerk.

F.1. It was moved by Alderperson Kennedy, seconded by Alderperson Michalski, to approve Ordinance 33-13 By Alderperson Rocco J. LaMacchia, Sr. - To Repeal and Recreate Subparagraph 17.05 G. (of the Code of General Ordinances) regarding the number of lots in Final Phase Plat. A public hearing was held. No one spoke for or against said ordinance. On roll call vote, motion carried unanimously (Alderperson Prozanski not present for vote).

F.2. It was moved by Alderperson Michalski, seconded by Alderperson Kennedy, to approve Ordinance 34-13 - By Stormwater Utility Committee – To Repeal, Recreate and Renumber Subsections 2.10 A. and B. (of the Code of General Ordinances) Regarding Special Assessments. A public hearing was held. No one spoke for or against said ordinance. On roll call vote, motion carried unanimously.

**G. ZONING ORDINANCES 2ND READING**

Full text of ordinances are on file in the office of the City Clerk.

G.1. It was moved by Alderperson LaMacchia, seconded by Alderperson Michalski, to approve Ordinance 35-13 - By Alderperson Schwartz - To Repeal and Recreate Subparagraph 4.06 B.15.g. (of the Zoning Ordinance) regarding the Service Window at Drive-Thru Facilities. A public hearing was held. No one spoke for or against said ordinance. On roll call vote, motion carried (14-1) with Alderperson Bogdala voting nay.

**H. RESOLUTIONS**

Full text of resolutions are on file in the office of the City Clerk.

H.1. It was moved by Alderperson LaMacchia, seconded by Alderperson Gordon, to approve Resolutions 116-13 through 118-13 by the Finance Committee – To Levy Special Charge Resolutions Upon Various Parcels of Property Located in the City per List on File in the Office of the City Clerk:

a. Resolution 116-13 - Boarding and Securing - \$2,108.12

b. Resolution 117-13 - Grass and Weed Cutting - \$31,636.74

c. Resolution 118-13 - Property Maintenance Reinspection Fees - \$6,184.00

A hearing was held. No one spoke.

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On roll call vote, motion carried unanimously.

H.2. It was moved by Alderperson Ruffolo, seconded by Alderperson Kennedy, to approve Resolution 119-13 - by the Finance Committee - to Correct Resolution No. 98-13 Approved by Common Council on July 15, 2013, By Rescinding a Special Charge for Grass and Weed Cutting in the Amount of \$382.28 Levied on Parcel Number 05-123-06-205-015 (1616-62nd Street); and, Levying Said Charge on Parcel Number 05-123-06-205-017 (1606-62nd Street). A hearing was held. No one spoke.

On roll call vote, motion carried unanimously.

H.3. It was moved by Alderperson Bogdala, seconded by Alderperson Mathewson, to approve Resolution 120-13 - Resolution by Alderperson David F. Bogdala - To Amend the City of Kenosha Capital Improvement Program for 2013 by Decreasing OT-96-001 "Equipment - Mini Van" in the Amount of \$13,100 and to Create Capital Improvement Line Item OT-13-004 "School Zone – Signage" in the Amount of \$13,100 for a Net Change of \$0.

H.3.1. It was moved by Alderperson Michalski, seconded by Alderperson Ruffolo, to hold a public hearing. Gary Kunich spoke.

H.3.2. It was moved by Alderperson Kennedy, seconded by Alderperson Bogdala, to amend.

Alderperson Orth offered a few grammatical changes, the maker and seconder agreed. On a voice vote, motion to amend as follows carried:

*NOW, THEREFORE BE IT FURTHER RESOLVED, that the City of Kenosha's Common Council commit to additional action in reference to School Zone Signage; that additional action could be, but not limited to: additional funding, review and updating any existing ordinances to include an enhancement penalty for texting in school zones, data collection from law enforcement, seeking of grant funding and engaging community service clubs in a partnership endeavor.*

H.3.3. It was then moved by Alderperson Prozanski, seconded by Alderperson Juliana to amend to also include construction zones, wherever school zones are mentioned in the resolution. On a voice vote, motion carried.

On roll call vote, motion to approve Resolution 120-13 carried unanimously.

H.4. It was moved by Alderperson Ruffolo, seconded by Alderperson Mathewson, to approve the proposed resolution by Alderperson David F. Bogdala, Alderperson G. John Ruffolo - To Amend the City of Kenosha Capital Improvement Program for 2013 by Decreasing FI-13-003 "Fire Administration Office" in the Amount of \$300,000 and to Increase Capital Improvement Line Item IN-93-002 "Resurfacing" in the Amount of \$300,000 for a Net Change of \$0.

H.4.1. It was then moved by Alderperson Bogdala, seconded by Alderperson Mathewson to amend by adding the following:

*Be it further resolved that the Common Council for the City of Kenosha does instruct the Mayor to include \$300,000 in the 2014 Capital Improvement Plan, Line Item FI-13-003.*

On a voice vote, motion failed.

On roll call vote, motion to approve failed, 4-11 with Alderpersons Downing, Bogdala, Ruffolo and Mathewson voting aye.

H.5. It was moved by Alderperson Mathewson, seconded by Alderperson Ruffolo, to approve the proposed resolution by Alderperson Kevin Mathewson – Establishing Daily Hours for Kennedy Drive.

A friendly amendment was offered by Alderperson Ruffolo to amend by changing the closing hour to 10:00 pm on a 90 day trial. Alderperson Mathewson accepted.

On roll call vote, motion failed (3-12) with Alderpersons Bogdala, Ruffolo and Mathewson voting aye.

H.6. It was moved by Alderperson Mathewson, seconded by Alderperson Ruffolo, to approve the proposed Resolution by Alderperson Kevin Mathewson – Establishing Daily Hours for Simmons Island.

On roll call vote, motion failed (3-12) with Alderpersons Bogdala, Ruffolo and Mathewson voting aye.

H.7. It was moved by Alderperson Ohnstad, seconded by Alderperson LaMacchia, to approve Resolution 121-13 by Alderperson Rocco J. LaMacchia, Sr. - To Urge the Board of Park Commissioners to Maintain the Gate-Closing Policy for Kennedy Drive. On roll call vote, motion carried (11-4) with Alderpersons Orth, Bogdala, Ruffolo and Mathewson voting nay.

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**Debra L. Salas, City Clerk**

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H.8. It was moved by Alderperson Ohnstad, seconded by Alderperson LaMacchia, to approve Resolution 122-13 - Resolution by Alderperson Keith W. Rosenberg, Co-sponsors: Alderperson Scott N. Gordon, Alderperson Curt Wilson, Alderperson Jan Michalski, Alderperson Patrick A. Juliana - To Promote the Second Annual Autumn Harvest Food Drive. On a voice vote, motion carried.

**I. APPOINTMENTS/  
REAPPOINTMENTS BY THE MAYOR**

It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to approve:

I.1. Appointment of Paul Hegland, 1403-56th Street, Kenosha to the Commission on the Arts for a term which will expire November 1, 2014.

I.2. Appointment of Katie Pollock, 9002 Sheridan Road, Kenosha, to the Mayor's Youth Commission to fulfill an unexpired term which will expire November 1, 2013.

On a voice vote, motion carried.

**J. PUBLIC CONSTRUCTION AND IMPROVEMENT CONTRACTS**

**K. OTHER CONTRACTS AND AGREEMENTS**

K.1. It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to approve 2013 Community Development Block Grant (CDBG) Subgrantee Agreements:

a. Boys & Girls Club of Kenosha, Inc. (Gang Prevention Program)

b. Club Breakaway, Inc. (Facility Improvements)

c. ELCA Urban Outreach Center (Helping Residents Become Self Sufficient)

d. HOPE Council, Inc. (Facility Improvements)

e. Kenosha Achievement Center, Inc. (Employment Explorations)

f. Kenosha Area Family & Aging, Inc. (Volunteer Transportation Service)

g. Kenosha County Interfaith Human Concerns Network, Inc. (Shalom Center) (Emergency Family Shelter)

h. Kenosha Human Development Services, Inc. (Facility Improvement)

i. Kenosha Literacy Council, Inc. (Long Term Literacy)

j. Kenosha YMCA (Frank Neighborhood Project)

k. New Song Ministries, Inc. (Whole Person Training & Transition Services)

l. Oasis Youth Center, Inc. (Facility Improvements)

m. Urban League, Inc. (Facility Improvement)

n. Urban League, Inc. (Reducing Employment Barriers/Homeless & Ex-Offenders)

o. Urban League, Inc. (Sickle Cell Awareness, Education and Testing)

p. Walkin' In My Shoes (Survival Backpack Street Outreach Program)

q. WI Women's Business Initiative Corporation (Microenterprise Technical Assistance/Loans)

r. Women & Children's Horizons, Inc. (Facility Improvements)

s. Women & Children's Horizons, Inc. (Legal Advocacy Program-Legal Coordinator)

On roll call vote, motion carried unanimously (Alderperson Mathewson not present for vote).

K.2. It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to approve Memorandum of Understanding between the City of Kenosha and WisDOT for the WIS 50 Access Management Vision (I94 to 43rd Av) On roll call vote, motion carried unanimously.

**L. RECOMMENDATIONS FROM THE COMMITTEE ON FINANCE**

L.1. It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to receive and file KABA 2013 2nd Quarter Revolving Loan Fund Report. On roll call vote, motion carried unanimously.

L.2. It was moved by Alderperson Gordon, seconded by Alderperson LaMacchia, to deny request from Kurt Schneider to Refund a Building Permit Penalty Fee in the Amount of \$60.00 for Failure to Obtain a Permit for Electrical Work done at 4432-17th Avenue (Parcel #12-223-31-202-005)

**COMMON COUNCIL  
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L.2.1. It was then moved by Alderperson Bogdala, seconded by Alderperson Kennedy to hold a public hearing. One (1) person spoke against.

L.2.2. It was moved by Alderperson Bogdala, seconded by Alderperson Mathewson to send the item back to the Finance Committee. On a voice vote, motion carried.

L.3. It was moved by Alderperson Kennedy, seconded by Alderperson Schwartz, to approve Disbursement Record #14 - \$5,247,691.46. On roll call vote, motion carried unanimously (Alderperson Kennedy not present for vote).

**M. RECOMMENDATIONS FROM THE COMMITTEE ON PUBLIC WORKS**

It was moved by Alderperson Kennedy, seconded by Alderperson Schwartz, to approve:

M.1. Acceptance of Project 12-1414 Anderson Pool Splashpad Construction (8730 22<sup>nd</sup> Avenue) which has been satisfactorily completed by Scherrer Construction Co. Inc. (Burlington, Wisconsin). The final amount of the contract is \$270,753.59.

M.2. Acceptance of Project 12-1013 CDBG Resurfacing (67<sup>th</sup> Street - 22<sup>nd</sup> Avenue to 18<sup>th</sup> Avenue, 65<sup>th</sup> Street - 24<sup>th</sup> Avenue to 22<sup>nd</sup> Avenue, 57<sup>th</sup> Street - 23<sup>rd</sup> Avenue to 22<sup>nd</sup> Avenue, 67<sup>th</sup> Street - 27<sup>th</sup> Avenue to 22<sup>nd</sup> Avenue, 68<sup>th</sup> Street - 24<sup>th</sup> Avenue to 22<sup>nd</sup> Avenue) which has been satisfactorily completed by Cicchini Asphalt, LLC (Kenosha, Wisconsin). The final amount of the contract is \$750,944.22.

On roll call vote, motion carried unanimously (Alderperson Kennedy not present for vote).

**N. RECOMMENDATIONS FROM THE COMMITTEE ON  
PUBLIC SAFETY & WELFARE**

**O. REPORTS AND RECOMMENDATIONS OF BOARDS AND COMMISSIONS**

O.1. It was moved by Alderperson Kennedy, seconded by Alderperson Michalski, to deny Conditional Use Permit for a Recycling Collection Center to be located at 6000 49th Street. (Kenosha Recycling, Inc.) (District #16) A public hearing was held. No one spoke for or against. On roll call vote, motion carried unanimously.

O.2. It was moved by Alderperson Ruffolo, seconded by Alderperson LaMacchia, to approve Conditional Use Permit for a 105,387 s.f. addition to the Carthage Straz Center at 2001 Alford Park Drive. (Carthage College) at 2001 Alford Park Drive. (Carthage College) A public hearing was held. One (1) person spoke in favor. On roll call vote, motion carried unanimously.

O.3. It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to approve Conditional Use Permit for a 1,949 s.f. restaurant with a drive-thru to be located at 8040 Sheridan Road. (Taco Bell) A public hearing was held. One (1) person spoke. On roll call vote, motion carried unanimously.

**P. AND SUCH MATTERS AS ARE AUTHORIZED BY LAW OR REGULAR BUSINESS**

**ADJOURNMENT**

There being no further business to come before the Common Council, it was moved, seconded and unanimously carried to adjourn at 10:07 pm.

On a voice vote, motion carried.

Approved:

**KEITH G. BOSMAN  
MAYOR**

**COMMON COUNCIL  
OFFICIAL PROCEEDINGS  
August 19, 2013**

**Keith G. Bosman, Mayor**

**Debra L. Salas, City Clerk**

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Attest:

**DEBRA L. SALAS  
CITY CLERK/TREASURER**

**COMMON COUNCIL  
OFFICIAL PROCEEDINGS  
August 29, 2013**

**Keith G. Bosman, Mayor**

**Debra L. Salas, City Clerk**

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**KENOSHA MUNICIPAL  
BUILDING COUNCIL  
CHAMBERS ROOM 200**

**August 29, 2013**

At a meeting of the Common Council held this evening, His Honor, Mayor Keith G. Bosman presided. The meeting was called to order at 5:19 p.m.

On roll call, the following members of the Common Council were present: Alderpersons Haugaard, Schwartz, Michalski, LaMacchia, Ohnstad, Juliana, Rosenberg, Kennedy, Gordon, Wilson, Orth, and Downing. Excused: Alderpersons Ruffolo, Mathewson, Bostrom, Prozanski, and Bogdala.

A moment of silence was observed in lieu of the invocation.

Mayor Bosman then led the Council in the Pledge of Allegiance to the American Flag.

It was moved by Alderperson Michalski, seconded by Alderperson LaMacchia, to suspend the rules regarding dress code. On a voice vote, motion carried.

1. It was moved by Alderperson Wilson, seconded by Alderperson Juliana, to approve application of Kenosha AFL-CIO Council for a temporary Class "B" Beer license for an event to be held on September 2, 2013, located at 2020-91st Street (St. Therese). On roll call vote, motion carried unanimously.

**ADJOURNMENT**

There being no further business to come before the Common Council, it was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to adjourn at 5:22 p.m.

On a voice vote, motion carried.

Approved:

**KEITH G. BOSMAN  
MAYOR**

Attest:

**DEBRA L. SALAS  
CITY CLERK/TREASURER**

**COMMON COUNCIL  
OFFICIAL PROCEEDINGS  
Wednesday, September 4, 2013**

**Keith G. Bosman, Mayor**

**Debra L. Salas, City Clerk**

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**KENOSHA MUNICIPAL  
BUILDING COUNCIL  
CHAMBERS ROOM 200  
Wednesday, September 4, 2013**

At a meeting of the Common Council held this evening, Council President Eric Haugaard was seated as Acting Mayor.

The meeting was called to order at 7:02 pm.

On roll call, the following members of the Common Council were present: Alderpersons Schwartz, Michalski, Ruffolo, LaMacchia, Ohnstad, Mathewson, Rosenberg, Kennedy, Gordon, Bostrom, Wilson, Orth, Downing and Bogdala. Alderpersons Juliana and Prozanski were excused.

A moment of silence was observed in lieu of the invocation.

Acting Mayor Haugaard then led the Council in the Pledge of Allegiance to the American Flag.

It was moved by Alderperson Michalski, seconded by Alderperson Ruffolo, to approve the minutes of the regular meeting held August 19, 2013 and the special meeting held August 29, 2013.

Motion carried unanimously.

Matters referred to the Committees by the Mayor: To the Public Safety & Welfare Committee and City Plan Commission: **ORDINANCE BY ALDERPERSON JAN MICHALSKI, CO-SPONSORS ALDERPERSON PATRICK JULIANA, ALDERPERSON SCOTT N. GORDON, ALDERPERSON CURT WILSON – TO CREATE SECTION 16.152 OF THE CODE OF GENERAL ORDINANCES FOR THE CITY OF KENOSHA ENTITLED VACANT BUILDING REGISTRY.** To the Finance, Public Safety & Welfare, Licensing/Permit, Public Works and Stormwater Utility Committees: **RESOLUTION BY ALDERMAN STEVE BOSTROM, CO-SPONSOR ALDERMAN ROCCO LAMACCHIA, SR. - TO BECOME A PARTNER IN THE FOOD FOR LEARNING PROJECT AND AUTHORIZE AND INSTRUCT THE CITY ADMINISTRATOR OR HIS DESIGNEE TO ESTABLISH GUIDELINES AND OFFERS OF CONTRIBUTION FROM THE CITY OF KENOSHA TO THE FOOD FOR LEARNING PROJECT.**

Seven (7) citizens spoke during Citizen's Comments: Virginia Hoekstra, George Clarke, Rob Merletti, Barbara Lendman, Violet Ricker, Margaret Heller and Jim Burch.

**A. REFERRALS**  
**TO THE COMMITTEE ON FINANCE**

A.1. Resolution by Alderperson David F. Bogdala – to Urge the Mayor to Include in the City of Kenosha Capital Improvement Plan for 2014 the Amount of \$300,000 for Resurfacing of a Portion of 104th Avenue. (Also referred to Public Works Committee)

A.2. Resolution by Alderperson Scott N. Gordon - to Urge the Governor to Approve the Casino Proposed for the City of Kenosha. (Also referred to Public Safety & Welfare, Licensing/Permit, Public Works and Stormwater Utility Committees)

A.3. Resolution by The Mayor – to Approve a New Labor Agreement for 2012-2014 Between the City of Kenosha and ATU, Local #998.

**TO THE PUBLIC SAFETY & WELFARE COMMITTEE**

A.4. By the Mayor - To Repeal and Recreate Subparagraph 8.03 C.1. regarding Elevation Determination, Paragraph 8.03 D. regarding Post Foundation Survey, and Subparagraph 8.04 A.3. regarding Certificate of Occupancy of the Zoning Ordinance for the City of Kenosha. (Also referred to City Plan Commission)

**TO THE CITY PLAN COMMISSION**

A.5. Request to amend the Conditional Use Permit for a new public safety communication tower at 6210 60th Street. (Kenosha County/Nash Park) (District #15)

**B. COMMUNICATIONS,**

**COMMON COUNCIL  
OFFICIAL PROCEEDINGS  
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**Keith G. Bosman, Mayor**

**Debra L. Salas, City Clerk**

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**PETITIONS, REPORTS  
OF DEPARTMENTS**

B.1. It was moved by Alderperson Ohnstad, seconded by Alderperson Gordon, to approve Special Exception Request to the Off-Street Parking Requirement of Section 6.01 F.31 (of the Zoning Ordinance) for the property at 1510 Washington Road. (Stan's Place)

A public hearing was held. Stan Lecce, requestor, appeared. On a voice vote, motion carried.

B.2. It was moved by Alderperson Downing, seconded by Alderperson Wilson, to approve Sign Code Appeal: Special Exception Request for an Interior Site Sign that Includes a Commercial Message and for Sign Area Relief to Install an Eight Square-foot (8 s.f.) Sign at 1330-52nd Street (Boys and Girls Club). Zoning: IP (Institutional Park); Petitioner: Michael Dix. A hearing was held. The applicant did not appear. On a voice vote, motion carried.

B.3. It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to approve:

a. 16 applications for Operator's (Bartender's) licenses, per list on file in the office of the City Clerk.

b. There were no applications for a transfer of agent status of Beer and/or Liquor licenses,

c. 1 application(s) for a special Class "B" Beer and "Class B" Wine license per list on file in the office of the City Clerk.

d. There were no applications for Taxi Driver's licenses

On a voice vote, motion carried.

**C. RECOMMENDATIONS FROM THE COMMITTEE ON LICENSING/PERMITS**

C.1. It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to approve applications for new Operator's (Bartender's) licenses subject to:

- 0 demerit points:

a. Musa Abdeljaber

- 20 demerit points:

b. Stacey Kroncke

c. Jessica Shepherd

- 40 demerit points:

d. Sarah Reed

A hearing was held. The applicants did not appear. On a voice vote, motion carried.

C.2. It was moved by Alderperson Kennedy, seconded by Alderperson Downing, to approve applications for new Operator's (Bartender's) licenses subject to 20 demerit points:

a. Michael Schnell

b. Motasem Abdeljaber

c. Dawn Schiller

A hearing was held. The applicants did not appear. On a voice vote, motion carried.

C.3. It was moved by Alderperson Downing, seconded by Alderperson Kennedy, to approve application of Thomas Rocklaw for a new Taxi Driver's License subject to 85 demerit points. A hearing was held. The applicant stated that he would like to withdraw his application and reapply. The hearing was closed.

C.3.1. It was moved by Alderperson Bostrom, seconded by Alderperson Mathewson, to refer back to Licensing/Permit Committee.

C.3.2. It was moved by Alderperson Ruffolo, seconded by Alderperson Ohnstad to reopen to a hearing. The applicant spoke. The hearing was closed.

C.3.3. It was moved by Alderperson Gordon to deny. After discussion, it was noted that Alderperson Bostrom's motion was still on the floor.

C.3.4. On a voice vote, motion to refer back to Licensing/Permit Committee carried.

C.4. It was moved by Alderperson Downing, seconded by Alderperson Schwartz, to approve application of A-N-T Transportation, Inc. (5701-75th Street) for a Taxicab Permit, with no adverse recommendations. A hearing was held. The applicant did not appear. On a voice vote, motion carried.

C.5. It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to approve application of Stellar Management, Inc. (1819-52nd Street, Norms So Seldom Inn) for a Temporary

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**Debra L. Salas, City Clerk**

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Outdoor Extension of the Class “B” Beer/”Class B” Liquor license on September 14, 2013, with no adverse recommendations. A hearing was held. The applicant did not appear. On a voice vote, motion carried.

C.6. It was moved by Alderperson Kennedy, seconded by Alderperson Michalski, to approve application of Antonio's Pizza & Pasta, LLC, for a Temporary Outdoor Extension of the Class “B” Beer/”Class B” Liquor License located at 2410-52nd Street, 5/Fifty Pizza & Pub, on September 14, 2013, and a request to change the closing hours to midnight. (No adverse recommendations) A hearing was held. The applicant did not appear. On a voice vote, motion carried.

C.7. It was moved by Alderperson Ohnstad, seconded by Alderperson Gordon, to approve application of Stellar Management, Inc. (1819-52nd Street, Norms So Seldom Inn) for a Daily Cabaret License on September 14, 2013, with no adverse recommendations. A hearing was held. The applicant did not appear. On a voice vote, motion carried.

C.8. It was moved by Alderperson Ruffolo, seconded by Alderperson Kennedy, to approve application of Stellar Management, Inc. (1819-52nd Street, Norms So Seldom Inn) for an Outdoor Area – Cabaret/Amplified License on September 14, 2013, with no adverse recommendations. A hearing was held. The applicant did not appear. On a voice vote, motion carried.

C.9. It was moved by Alderperson Michalski, seconded by Alderperson Kennedy, to approve application of Antonio's Pizza & Pasta, LLC, for an Outdoor Area – Cabaret/Amplified License located at 2410-52nd Street, 5/Fifty Pizza & Pub, on September 14, 2013. (No adverse recommendations) A hearing was held. The applicant did not appear. On a voice vote, motion carried.

C.10. It was moved by Alderperson Ohnstad, seconded by Alderperson Wilson, to approve applications for Amusement and Recreation Enterprise Licenses, with no adverse recommendations:

a. Lucia Mondragon (Billar La Oficina, 6200-22nd Avenue)

b. Ter-Ala (Finney's Lounge, 2208-60th Street)

A hearing was held. The applicants did not appear. On a voice vote, motion carried, with Alderperson Bostrom abstaining on C.10.a.

C.11. It was moved by Alderperson Mathewson, seconded by Alderperson Ohnstad, to approve applications for Amusement and Recreation Enterprise Supervisor Licenses, with no adverse recommendations:

a. Monica Perez (Billar La Oficina)

b. Albert Novak (Finney's Lounge)

A hearing was held. The applicants did not appear. On a voice vote, motion carried.

C.12. It was moved by Alderperson Schwartz, seconded by Alderperson LaMacchia, to approve application of Thomas Groves (Finney's Lounge, 2208-60th Street), for an Amusement and Recreation Enterprise Supervisor License subject to 50 demerit points. A hearing was held. The applicant did not appear. On a voice vote, motion carried.

**D. ORDINANCES 1ST READING**

It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia to send the following ordinances on their way:

D.1. By Alderperson Jesse Downing – To Repeal, Recreate and Renumber Various Subsections of 10.03 and 10.063 (of the Code of General Ordinances for the City of Kenosha) Regarding Demerit Points.

D.2. By Alderperson Michael J. Orth – To Repeal and Recreate Section 13.035.B.2 (of the Code of General Ordinances for the City of Kenosha) Regarding Peddler's Stands Operation.

D.3. By the Mayor - To Amend Subsection 9.07 A. to Establish a Retaining Wall Application Fee, To Amend Subsection 9.07 B. and to Require Payment for Permit Fees at the time of Application, and Repeal and Recreate Section 9.26 (of the Code of General Ordinances) regarding the Application for a Retaining Wall Permit.

On a voice vote, motion carried.

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**E. ZONING ORDINANCES 1ST READING**

It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to send the following ordinance on its way:

E.1. By the Mayor - To Rezone Property Located at the Northeast Corner of 120th Avenue and 38th Street from A-2 Agricultural Land Holding District to M-2 Heavy Manufacturing District (in Conformance with Section 10.02 of the Zoning Ordinance) (Next Partners I, LLC) On a voice vote, motion carried.

**F. ORDINANCES 2ND READING**

**G. ZONING ORDINANCES 2ND READING**

G.1. It was moved by Alderperson Ohnstad, seconded by Alderperson Mathewson, to approve Ordinance 36-13. A public hearing was held. No one spoke for or against said ordinance.

On roll call vote, motion carried unanimously and said ordinance was thereupon adopted:

**Ordinance 36-13**

**By the City Plan Commission - To Repeal and Recreate Section 3.31 H. (of the Zoning Ordinance for the City of Kenosha) Regarding Garage Door Placement.**

G.2. It was moved by Alderperson Ohnstad, seconded by Alderperson Kennedy, to approve Ordinance 37-13. A public hearing was held. No one spoke for or against said ordinance.

On roll call vote, motion carried unanimously and said ordinance was thereupon adopted:

**Ordinance 37-13**

**By the City Plan Commission - To Repeal and Recreate Section 3.32 H. (of the Zoning Ordinance for the City of Kenosha) Regarding Garage Door Placement.**

**H. RESOLUTIONS**

Full text of resolutions are on file in the office of the City Clerk.

It was moved by Alderperson Kennedy, seconded by Alderperson Schwartz, to approve:

H.1. Resolution 123-13 - by Committee on Public Safety and Welfare - to Remove the Existing "2 Hour Parking from 6 am - 7 pm Daily" Restriction on the West Side of 18th Avenue Between 61st and 63rd Street.

H.2. Resolution 124-13 - by Committee on Public Safety and Welfare - to Rescind Resolution 85-74 Prohibiting Parking on the West Side of 42nd Avenue from 52nd Street Southward a Distance of 150 Feet; Prohibit Parking on the East Side of 42nd Avenue from 52nd Street to 53rd Street and Prohibit Parking on the West Side of 42nd Avenue from 52nd Street Southward a Distance of 40 Feet.

H.3. Resolution 125-13 - by Alderperson Kevin E. Mathewson, Co-Sponsor Alderperson G. John Ruffolo - to Authorize the City Administrator to Enter the City of Kenosha in the 2013-2014 Earth Hour City Challenge.

On roll call vote, motion to approve unanimously carried.

**I. APPOINTMENTS/  
REAPPOINTMENTS BY THE MAYOR**

**J. PUBLIC CONSTRUCTION AND IMPROVEMENT CONTRACTS**

J.1. It was moved by Alderperson Kennedy, seconded by Alderperson Schwartz, to approve Award of Contract for Project 13-1027 Epoxy Pavement Markings (Citywide Locations) to Brickline, Inc. (Madison, Wisconsin) in the amount of \$57,000.

On roll call vote, motion carried unanimously.

**K. OTHER CONTRACTS AND AGREEMENTS**

It was moved by Alderperson Kennedy, seconded by Alderperson Ohnstad, to approve:

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K.1. Contract between the City of Kenosha and PARSS for asbestos removal at 4717-36th Avenue, 4723-36th Avenue and 4810-37th Avenue.

On roll call vote, motion carried unanimously.

It was moved by Alderperson Kennedy, seconded by Alderperson Gordon, to approve:

K.2. Purchase Agreement with Sutphen Corporation for the purchase of two pumper trucks for the Kenosha Fire Department.

K.3. Stormwater Management Practices Maintenance Agreement for Stormwater Management Facility By and Between the City of Kenosha, Wisconsin (A Wisconsin Municipal Corporation) and Bradford Estates Homeowners Association, Inc. (A Non-Stock Corporation).

K.4. Second Amendment and Extension of Consultation Agreement by and between the City and Emerging Communities Corp. regarding the Kenosha Chrysler Facility.

On roll call vote, motion carried unanimously.

**L. RECOMMENDATIONS FROM THE COMMITTEE ON FINANCE**

It was moved by Alderperson Bogdala, seconded by Alderperson LaMacchia, to approve:

L.1. Request from Kurt Schneider to Refund a Building Permit Penalty Fee in the Amount of \$60.00 for Failure to Obtain a Permit for Electrical Work done at 4432-17th Avenue (Parcel #12-223-31-202-005).

A hearing was held. The applicant did not appear.

On roll call vote, motion carried unanimously.

It was moved by Alderperson Kennedy, seconded by Alderperson Gordon to approve:

L.2. Disbursement #15 - \$5,157,592.42.

On roll call vote, motion carried unanimously.

**M. RECOMMENDATIONS FROM THE COMMITTEE ON PUBLIC WORKS**

M.1. It was moved by Alderperson Kennedy, seconded by Alderperson Gordon, to approve Final Acceptance of Project 12-1423 & 12-1427 Sunrise Park Trail and Phase Development (2829-50th Avenue) which has been satisfactorily completed by BCF Construction Corp. (Waukesha, Wisconsin). The final amount of the contract is \$367,478.19 (Park funds only).

On roll call vote, motion carried unanimously.

**N. RECOMMENDATIONS FROM THE COMMITTEE ON  
PUBLIC SAFETY & WELFARE**

**O. REPORTS AND RECOMMENDATIONS OF BOARDS AND COMMISSIONS**

O.1. It was moved by Alderperson Mathewson, seconded by Alderperson LaMacchia, to approve Conditional Use Permit for a contractor's storage yard to be located at 5910-77th Street. (Happy Turf) A public hearing was held. No one spoke for or against.

On roll call vote, motion carried unanimously.

O.2. It was moved by Alderperson LaMacchia, seconded by Alderperson Ohnstad, to approve Quit Claim Deed to transfer City-owned property located 5410-22<sup>nd</sup> Avenue from the City of Kenosha to Nunzio Covelli. (Covelli).

On roll call vote, motion carried unanimously.

**ADJOURNMENT**

There being no further business to come before the Common Council, it was moved by Alderperson Schwartz, seconded by Alderperson Mathewson, to adjourn at 8:44 pm.

On a voice vote, motion carried.

Approved:

**KEITH G. BOSMAN**

**COMMON COUNCIL  
OFFICIAL PROCEEDINGS  
Wednesday, September 4, 2013**

**Keith G. Bosman, Mayor**

**Debra L. Salas, City Clerk**

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**MAYOR**

Attest:

**DEBRA L. SALAS  
CITY CLERK/TREASURER**

**COMMON COUNCIL  
OFFICIAL PROCEEDINGS  
Monday, September 16, 2013**

**Keith G. Bosman, Mayor**

**Debra L. Salas, City Clerk**

**KENOSHA MUNICIPAL  
BUILDING COUNCIL  
CHAMBERS ROOM 200  
Monday, September 16, 2013**

At a meeting of the Common Council held this evening, His Honor, Mayor Keith G. Bosman presided.

The meeting was called to order at 7:00 p.m.

On roll call, the following members of the Common Council were present: Alderpersons Schwartz, Michalski, Ruffolo, LaMacchia, Ohnstad, Juliana, Mathewson, Rosenberg, Gordon, Bostrom, Wilson, Prozanski, Orth, Downing and Bogdala. Alderperson Kennedy arrived during Citizens Comments. Alderperson Haugaard arrived during discussion of item F1.

A moment of silence was observed in lieu of the invocation.

Mayor Bosman then led the Council in the Pledge of Allegiance to the American Flag.

It was moved by Alderperson LaMacchia, seconded by Alderperson Ohnstad, to approve the minutes of the meeting held September 4, 2013.

Motion carried unanimously.

**MATTERS REFERRED TO THE COMMITTEES BY THE MAYOR**

TO THE FINANCE COMMITTEE AND PARK COMMISSION - PROPOSED RESOLUTION - SPONSOR: ALDERPERSON KEVIN E. MATHEWSON - TO AMEND THE CITY OF KENOSHA CAPITAL IMPROVEMENT PROGRAM FOR 2013

BY DECREASING PK-03-001 "PARK RENOVATIONS" IN THE AMOUNT OF \$15,000 AND TO CREATE CAPITAL IMPROVEMENT LINE ITEM PK-03-002 "ROOSEVELT PARK PLAYGROUND EQUIPMENT" IN THE AMOUNT OF \$15,000 FOR A NET CHANGE OF \$0

TO THE PUBLIC SAFETY & WELFARE COMMITTEE – RESOLUTION - SPONSOR: ALDERPERSON G. JOHN RUFFOLO - TO URGE THE MAYOR TO INCLUDE WITHIN THE 2012 BUDGET A SUM SUFFICIENT TO IMPLEMENT LOCATING A MED UNIT AT FIRE STATION 6.

TO THE PARK COMMISSION – RESOLUTION BY MAYOR AND ALDERPERSON ORTH – TO URGE THE BOARD OF PARK COMMISSIONERS TO SUSPEND CONSTRUCTION OF A DOG PARK IN SOUTHPORT PARK.

Diana Kanecki, John Doyle, Joan Wilk, Virginia Hoekstra, Violet Ricker, Mike Bobula, Bill Jordan, Terry Scheve, Paul McDonough, Kurt Wicklund, Margaret Heller, and Louis Rugani spoke during Citizens Comments.

**A. REFERRALS**

**TO THE COMMITTEE ON FINANCE**

A.1. Resolution by the Mayor - To Adopt a Project Plan Amendment for Tax Incremental District #8, City of Kenosha, Wisconsin, Under Section 66.1105(4)(h)1., Wisconsin Statutes. (District #16) (Also referred to Finance)

**TO THE PUBLIC WORKS COMMITTEE**

A.2. Resolution by the Mayor - To approve a Three-Lot Certified Survey Map for property at the northeast corner of 38th Street and 120th Avenue. (Project Onyx) (District #16) (Also referred to City Plan Commission)

A.3. Resolution by the Mayor - To approve a Two-Lot Certified Survey Map for property at the northeast corner of Green Bay Road and Washington Road. (Kenosha Pointe) (District #5) (Also referred to City Plan Commission)

A.4. Ordinance by the Mayor - To Amend Subsection 17.02 B. (of the Code of General Ordinances) entitled "Specific Words and Phrases", To Repeal and Recreate Subsection 17.12 C. entitled "Building Permits", To Renumber Subsections 17.12 D. and E. as 17.12 E. and F. respectively and to Create Subsection 17.12 D. entitled Temporary Certificate of Occupancy. (Also referred to City Plan Commission)

A.5. Resolution by Alderperson Michael J. Orth - To Subname 39th Avenue from 60th Street to 68th Street as "Veterans Way". (District #15)

**TO THE CITY PLAN COMMISSION**

A.6. Ordinance by the Mayor - To Create Subsection 18.02 y. (of the Zoning Ordinance) to Amend the Land Use Plan

**COMMON COUNCIL  
OFFICIAL PROCEEDINGS  
Monday, September 16, 2013**

**Keith G. Bosman, Mayor**

**Debra L. Salas, City Clerk**

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Map for the City of Kenosha: 2035. (KTR Capital Partners) (District #16)

A.7. Ordinance by the Mayor - Petition to Rezone a portion of the property at the northeast corner of 38th Street and 120th Avenue from C-2 Lowland Resource Conservancy District to M-2 Heavy Manufacturing in conformance with Section 10.02 (of the Zoning Ordinance). (KTR Capital Partners) (District #16)

A.8. Conditional Use Permit for a 1,017,879 s.f. distribution center to be located at the northeast corner of 38th Street and 120th Avenue. (Project Onyx) (District #16)

A.9. Conditional Use Permit for a 10,498 s.f. multi-tenant building to be located at the northeast corner of Green Bay Road and Washington Road. (Kenosha Pointe) (District #5)

A.10. Request to Amend the Conditional Use Permit for Festival Foods at 3207 80th Street to add a drive-thru service lane. (Festival Foods) (District #14)

A.11. Conditional Use Permit for three new self-storage facilities to be located at 4217 Green Bay Road. (Barth Storage) (District #16)

A.12. Request to Amend the Conditional Use Permit for a 5,177 s.f. restaurant with a drive-thru to be located at 12214 75th Street. (McDonald's) (District#16)

**B. COMMUNICATIONS,  
PETITIONS, REPORTS  
OF DEPARTMENTS**

B.1. It was moved by Alderperson Kennedy, seconded by Alderperson Downing, to approve:

a. 26 applications for an Operator's (Bartenders) license, per list on file in the office of the City Clerk.

b. 1 application(s) for a transfer of agent status of Beer and/or Liquor licenses, per list on file in the office of the City Clerk.

c. There were no application(s) for a special Class "B" Beer and/or "Class B" Wine license per list on file in the office of the City Clerk.

d. There were no application(s) for a Taxi Driver's license per list on file in the office of the City Clerk.

On a voice vote, motion carried.

B.2. It was moved by Alderperson Kennedy, seconded by Alderperson Ohnstad, to approve request of Armando DeLaRosa (DeLaRosa's Food Truck) to retain the location of his peddler stand at the southwest corner of 54th Street and 6th Avenue for the period of September 22, 2013 to September 30, 2013 (additional 8 days). (Original application approved effective April 22, 2013; additional 30 days approved effective May 22, 2013, June 22, 2013, July 22, 2013 and August 22, 2013). A hearing was held. The applicant did not appear. On a voice vote, motion carried.

**C. RECOMMENDATIONS FROM THE COMMITTEE ON LICENSING/PERMITS**

C.1. It was moved by Alderperson Kennedy, seconded by Alderperson Downing, to approve the following applications for new Operator's (Bartender) licenses, subject to:

- 20 demerit points:

a. Valarie Kraitz

- 40 demerit points:

b. Arielle Romano

c. Kylie Chamblee

- 80 demerit points:

d. Nidal Hammad

A hearing was held. The applicants did not appear. On a voice vote, motion carried.

C.2. It was moved by Alderperson Kennedy, seconded by Alderperson Schwartz, to approve application of Steven Varnado for a new Operator's (Bartender) license, subject to 95 demerit points. A hearing was held. The applicant was present and spoke. On roll call vote, motion carried (12-4) with Alderpersons Bostrom, Bogdala, Ruffolo and Mathewson voting nay (Alderperson Haugaard not present for vote).

C.3. It was moved by Alderperson Kennedy, seconded by Alderperson Michalski, to deny the following applications for new Taxi Driver's License, based on: material police record:

a. Portia Prince-Pickens

b. Damian Pavlovich

**COMMON COUNCIL  
OFFICIAL PROCEEDINGS  
Monday, September 16, 2013**

**Keith G. Bosman, Mayor**

**Debra L. Salas, City Clerk**

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c. Steven Varnado

A hearing was held. The applicants did not appear. On a voice vote, motion carried.

C.4. It was moved by Alderperson Ohnstad, seconded by Alderperson Wilson, to approve application of Walgreen Company, Heidi Hurt-Stix, Agent, for a Class "A" Retail Beer Only License located at 3820 - 52nd Street, (Walgreens #03153), to be effective September 17, 2013, with no adverse recommendations. A hearing was held. Heidi Hurt-Stix and Robert Hilber representing Walgreens were present and spoke. On roll call vote, motion carried (10-6) with Alderpersons Kennedy, Bostrom, Downing, Schwartz, Michalski and Juliana voting nay (Alderperson Haugaard not present for vote).

C.5. It was moved by Alderperson Wilson, seconded by Alderperson LaMacchia, to approve application of Walgreen Company, Rebecca Heroux, Agent, for a Class "A" Beer/"Class A" Liquor License located at 7525 Sheridan Road, (Walgreens #12413), to be effective September 17, 2013, with no adverse recommendations. A hearing was held. Rebecca Heroux and Robert Hilber were present and spoke. On a voice vote, motion carried.

C.6. It was moved by Alderperson Michalski, seconded by Alderperson LaMacchia, to Approve application of Public Craft Brewing Co., LLC, for a Public Entertainment License located at 716 - 58<sup>th</sup> Street, Public Craft Brewing Co., with no adverse recommendations. The applicant was present and spoke. On a voice vote, motion carried.

C.7. It was moved by Alderperson Kennedy, seconded by Alderperson Michalski, to approve application of TNT's Paddy O' Pub, LLC (Heather Bobst, Agent) for a Daily Cabaret License located at 5022 - 7th Ave. (Paddy O' Pub) on September 20, 2013, with no adverse recommendations. A hearing was held. The applicant did not appear. On a voice vote, motion carried.

C.8. It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to approve application of TNT's Paddy O' Pub, LLC (Heather Bobst, Agent) for an Outdoor Area Waiver of Cabaret and/or Amplified Music located at 5022 - 7th Ave. (Paddy O' Pub) on September 20, 2013, with no adverse recommendations. A hearing was held. The applicant did not appear. On a voice vote, motion carried.

C.9. It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to approve application of Bridget Pucci (Finney's Lounge, 2208 - 60th Street) for an Amusement and Recreation Enterprise Supervisor License, with no adverse recommendations. A hearing was held. The applicant did not appear. On a voice vote, motion carried.

**D. ORDINANCES 1ST READING**

It was moved by Alderperson Kennedy, seconded by Alderperson Schwartz to send the following ordinances on their way:

D.1. By Committee on Public Safety and Welfare - To amend Section 7.125 (of the Code of General Ordinances) Entitled "Streets Controlled by Yield Signs" by Rescinding Therefrom the Yield Sign on 15th Avenue at its Intersection with 79th Street; and, To Amend Section 7.12 c (of the Code of General Ordinances) Entitled, "Stop Streets" by Adding Stop Signs on 15th Avenue and 16th Avenue Before Entering the Intersection with 79th Street.

On a voice vote, motion carried.

**E. ZONING ORDINANCES 1ST READING**

It was moved by Alderperson Kennedy, seconded by Alderperson Schwartz, to send the following ordinance on its way:

E.1. By the Mayor - To Repeal and Recreate Subparagraph 8.03 C.1. regarding elevation determination, Paragraph 8.03 D. regarding post foundation survey, and Subparagraph 8.04 A.3 regarding Certificate of Occupancy (of the Zoning Ordinance for the City of Kenosha.)

On a voice vote, motion carried.

**F. ORDINANCES 2ND READING**

Full text of ordinances are on file in the office of the City Clerk.

F.1. It was moved by Alderperson Kennedy, seconded by Alderperson Wilson, to adopt (as recommended by the Licensing/Permit Committee-option #2) the proposed ordinance by Alderperson Jesse Downing – To Repeal, Recreate and Renumber Various Subsections of 10.03 and 10.063 (of the Code of General Ordinances for the City of Kenosha) Regarding Demerit Points. A public hearing was held. No one spoke for or against said ordinance.

F.1.1. It was then moved by Alderperson Ruffolo, seconded by Alderperson LaMacchia to defer until the second meeting in October. On a voice vote, motion carried.

**COMMON COUNCIL  
OFFICIAL PROCEEDINGS  
Monday, September 16, 2013**

**Keith G. Bosman, Mayor**

**Debra L. Salas, City Clerk**

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F.2. It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia to adopt Ordinance 38-13 - by Alderperson Michael J. Orth – To Repeal and Recreate Section 13.035.B.2 (of the Code of General Ordinances for the City of Kenosha) Regarding Peddler's Stands Operation. A public hearing was held. No one spoke for or against said ordinance. On roll call vote, motion carried unanimously and said ordinance was thereupon adopted.

F.3. It was moved by Alderperson LaMacchia, seconded by Alderperson Downing to adopt Ordinance 39-13 - by the Mayor - To Amend Subsection 9.07 A. to Establish a Retaining Wall Application Fee, To Amend Subsection 9.07 B. and to Require Payment for Permit Fees at the time of Application, and Repeal and Recreate Section 9.26 (of the Code of General Ordinances) regarding the Application for a Retaining Wall Permit. A public hearing was held. No one spoke for or against said ordinance. On roll call vote, motion carried unanimously and said ordinance was thereupon adopted.

**G. ZONING ORDINANCES 2ND READING**

G.1. It was moved by Alderperson Wilson, seconded by Alderperson LaMacchia to adopt Ordinance 40-13 - by the Mayor - To Rezone Property Located at the Northeast Corner of 120th Avenue and 38th Street from A-2 Agricultural Land Holding District to M-2 Heavy Manufacturing District (in Conformance with Section 10.02 of the Zoning Ordinance) (Next Partners I, LLC) A public hearing was held. One (1) person spoke in favor of said ordinance. On roll call vote, motion carried unanimously and said ordinance was thereupon adopted (Alderperson Mathewson not present for vote).

**H. RESOLUTIONS**

Full text of resolutions are on file in the office of the City Clerk.

H.1. It was moved by Alderperson Michalski, seconded by Alderperson LaMacchia to adopt Resolution 126-13 - Resolution by the Finance Committee – to Correct Resolution 96-13 (Corrected Resolution #56-13 for Hazardous Sidewalk and/or Driveway Approaches). (Project 12-1208 Sidewalk & Curb/Gutter Program) On roll call vote, motion carried unanimously (Alderperson Mathewson not present for vote).

H.2. It was moved by Alderperson LaMacchia, seconded by Alderperson Kennedy to adopt Resolutions by the Finance Committee – To Levy Special Charges Upon Various Parcels of Property Located in the City per List on File in the Office of the City Clerk:

a. 127-13 - Boarding and Securing in the Total Amount of \$2,566.81

b. 128-13 - Grass and Weed Cutting in the Total Amount of \$20,046.62

c. 129-13 - Property Maintenance Reinspection Fees in the Total Amount of \$4,652.00

A hearing was held. No one spoke. On roll call vote motion to approve Resolutions 127-13, 128-13 and 129-13 carried unanimously (Alderperson Mathewson not present for vote).

H.3. It was moved by Alderperson Kennedy, seconded by Alderperson Wilson to adopt Resolution 130-13 - Resolution by The Mayor – to Approve a New Labor Agreement for 2012-2014 Between the City of Kenosha and ATU, Local #998. On roll call vote, motion carried unanimously (Alderperson Mathewson not present for vote).

H.4. It was moved by Alderperson Kennedy, seconded by Alderperson Ohnstad to adopt Resolution 131-13 - Resolution by the Mayor - To Create Tax Incremental District #16, City of Kenosha, Wisconsin, Under Section 66.1105(4)(gm), Wisconsin Statutes.

H.4.1. It was moved by Alderperson Bogdala, seconded by Alderperson Mathewson to take a 5 minute recess. On roll call vote, motion failed (8-9) with Alderpersons Haugaard, Bostrom, Bogdala, Schwartz, Michalski, Ruffolo, Mathewson and Rosenberg voting yes.

On roll call vote, motion to approve Resolution 131-13 carried unanimously.

H.5. It was moved by Alderperson Downing, seconded by Alderperson Juliana to adopt Resolution 132-13 - Resolution by the Mayor - To Adopt a Project Plan for Tax Incremental District #16, City of Kenosha, Wisconsin, Under Section 66.1105 (4)(g), Wisconsin Statutes. On roll call vote, motion carried (16-1) with Alderperson Juliana voting nay.

H.6. It was moved by Alderperson LaMacchia, seconded by Alderperson Michalski to defer the proposed Resolution - by the Mayor - To Approve the Route of the Streetcar System Expansion and to Commence Project Design and Engineering for three (3) weeks. On a voice vote, motion carried.

H.7. It was moved by Alderperson Bogdala, seconded by Alderperson Mathewson, to approve the proposed resolution by Alderperson David F. Bogdala – to Urge the Mayor to Include in the City of Kenosha Capital Improvement Plan for 2014 the Amount of \$300,000.00 for Resurfacing of a Portion of 104th Avenue.

**COMMON COUNCIL  
OFFICIAL PROCEEDINGS  
Monday, September 16, 2013**

**Keith G. Bosman, Mayor**

**Debra L. Salas, City Clerk**

H.7.1. It was then moved by Alderperson Prozanski, seconded by Alderperson to Ohnstad to defer for three (3) weeks. On roll call vote, motion carried (10-7) with Alderpersons Kennedy, Bostrom, Downing, Bogdala, Ruffolo, LaMacchia and Mathewson voting nay.

H.8. It was moved by Alderperson Kennedy, seconded by Alderperson Lamacchia, to approve Resolution 133-13 - by Alderperson Scott N. Gordon, Co-Sponsors: Alderpersons Rocco J. LaMacchia, Sr., Jesse Downing, Curt Wilson, Daniel Prozanski, Jr., Jan Michalski, Patrick A. Juliana, Chris Schwartz, Anthony Kennedy, Michael J. Orth, Keith W. Rosenberg and Tod Ohnstad - To Urge The Governor To Approve The Casino Proposed For The City Of Kenosha, as amended by the Finance Committee and on the Alderpersons desks this evening: *BE IT FURTHER RESOLVED that the City Clerk is directed to send a copy of this resolution to Governor Scott Walker, State Senator Robert Wirch, Representatives Peter Barca, Tod Ohnstad, Samantha Kerkman, Cory Mason, all members of the Kenosha County Board, Congressman Paul Ryan, Senator Tammy Baldwin, Racine County Executive Jim Ladwig, Village of Pleasant Prairie President John Steinbrink, Somers Town Board Chairperson Ben Harbach, Mt. Pleasant Village Board of Trustees, and Kenosha County Executive Jim Kreuser.*

On roll call vote motion to approve Resolution 133-13 carried (16-1) with Alderperson Bogdala voting nay.

H.9. It was moved by Alderperson LaMacchia, seconded by Alderperson Kennedy, to approve Resolution 134-13 - by Alderperson Steve Bostrom, Co-Sponsor: Alderperson Rocco LaMacchia, Sr. - To Become A Partner In The Food For Learning Project And Authorize And Instruct The City Administrator Or His Designee To Establish Guidelines And Offers Of Contribution From The City Of Kenosha To The Food For Learning Project as amended by the Finance Committee – by striking “use of City owned trailers and other equipment” from the last paragraph.

H.9.1. It was then moved by Alderperson Bostrom, seconded by Alderperson LaMacchia to hold a public hearing. On a voice vote, motion carried. Two (2) people spoke in favor.

On roll call vote, motion to approve Resolution 134-13, as amended, carried unanimously.

**I. APPOINTMENTS/  
REAPPOINTMENTS BY THE MAYOR**

It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to approve:

I.1. Appointment of Peter Shaw Johnson, (7316-22nd Avenue, Kenosha), to the Historic Preservation Commission for a term which will expire June 1, 2015.

I.2. Reappointment of Alderman Eric Haugaard, (3818-5th Avenue), Kenosha, to the Transit Commission for a term which will expire June 7, 2016.

On roll call vote, motion carried unanimously.

**J. PUBLIC CONSTRUCTION AND IMPROVEMENT CONTRACTS**

J.1. It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to approve Award of Contracts for Projects:

a. Award of Contract for Project 13-1013 CDBG Resurfacing (CDBG Portion - 13th Court – 43rd Street to 42nd Street, 41st Street - 22nd Avenue to 21st Avenue) (Alternate II Portion - 70th Street - 39th Avenue to 40th Avenue, Lincoln Road Intersections) to Stark Asphalt (Milwaukee, Wisconsin) in the amount of \$904,000.

b. Award of Contract for Project 13-1213 Waste Division Roof Repair (1001 50th Street) to Carlson Racine Roofing (Racine, Wisconsin) in the amount of \$60,000.

c. Award of Contract for Project 13-2002 Overpass Painting Phase III (1200 block Washington Road, 1300 block 50th Street and 1300 65th Street) to Mill Coatings, Inc. (Suamico, Wisconsin) in the amount of \$130,000.

d. Award of Contract for Project 13-1025 56th Street Resurfacing (56th Street – Sheridan Road to 13th Avenue) to Cicchini Asphalt, LLC (Kenosha, Wisconsin) in the amount of \$562,000.

On roll call vote, motion carried unanimously.

**K. OTHER CONTRACTS AND AGREEMENTS**

**L. RECOMMENDATIONS FROM THE COMMITTEE ON FINANCE**

It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to approve:

L.1. Change Order for Project 13-1208 Sidewalk & Curb/Gutter Program (Citywide Locations).

**COMMON COUNCIL  
OFFICIAL PROCEEDINGS  
Monday, September 16, 2013**

**Keith G. Bosman, Mayor**

**Debra L. Salas, City Clerk**

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L.2. Change Order for Project 13-1025 56th Street Resurfacing (56<sup>th</sup> Street - 13<sup>th</sup> Avenue to Sheridan Road).

L.3. Disbursement Record #16 - \$22,486,985.02.

On roll call vote, motion carried unanimously.

**M. RECOMMENDATIONS FROM THE COMMITTEE ON PUBLIC WORKS**

**N. RECOMMENDATIONS FROM THE COMMITTEE ON  
PUBLIC SAFETY & WELFARE**

**O. REPORTS AND RECOMMENDATIONS OF BOARDS AND COMMISSIONS**

O.1. It was moved by Alderperson Kennedy, seconded by Alderperson Michalski, to approve Proposed Historical Artifact Listing - Matthew O'Neil Celtic Cross at 6604 7th Avenue. A public hearing was held. No one spoke. On roll call vote, motion carried unanimously.

O.2. It was moved by Alderperson Kennedy, seconded by Alderperson Schwartz, to approve Conditional Use Permit for a 70-unit apartment complex to be located at the southeast corner of 70th Avenue and 75th Place. (Sagewood Apartments) A public hearing was held. One person spoke in favor. On roll call vote, motion carried unanimously.

O.3. It was moved by Alderperson Mathewson seconded by Alderperson LaMacchia, to approve request to Amend the Conditional Use Permit for a new public safety communication tower at 6210 60th Street. (Kenosha County/Nash Park) A public hearing was held. One person spoke against. On roll call vote, motion carried unanimously.

**ADJOURNMENT**

There being no further business to come before the Common Council, it was moved and seconded by adjourn at 9:37 pm  
On a voice vote, motion carried.

Approved:

**KEITH G. BOSMAN  
MAYOR**

Attest:

**DEBRA L. SALAS  
CITY CLERK/TREASURER**

**COMMON COUNCIL  
OFFICIAL PROCEEDINGS  
October 7, 2013**

**Keith G. Bosman, Mayor**

**Debra L. Salas, City Clerk**

**KENOSHA MUNICIPAL  
BUILDING COUNCIL  
CHAMBERS ROOM 200  
October 7, 2013**

At a meeting of the Common Council held this evening, His Honor, Mayor Keith G. Bosman presided.

The meeting was called to order at 7:02 pm.

On roll call, the following members of the Common Council were present: Alderpersons Schwartz, Michalski, Ruffolo, LaMacchia, Ohnstad, Juliana, Mathewson, Rosenberg, Kennedy, Gordon, Bostrom, Wilson, Prozanski, Orth, Downing and Bogdala. Alderperson Haugaard was previously excused. Alderperson Orth left at 9:11 pm before item H6.

The invocation was given by Chief Morrissey.

Mayor Bosman spoke and then led the Council in the Pledge of Allegiance to the American Flag.

It was moved by Alderperson Michalski, seconded by Alderperson LaMacchia, to approve the minutes of the meeting held September 16, 2013.

Motion carried unanimously.

17 Citizens spoke during Citizen's Comments: Stephanie Post, Ken Post, Zachary Brown, Audrianna Post, Remington Post, Kurt Wicklund, Doug Williams, Diana

Kanecki, Louis Rugani, Joan Dovue, Raymond Roberts, Rita Rinoldi, Virginia Hoekstra, Paul McDonough, Michael Brey, Jayne Mackey, and Merike Phillips.

**A. REFERRALS**

**TO THE COMMITTEE ON FINANCE**

A.1. Ordinance by the Mayor - To Amend Subsection 1.056 paragraph 4 (of the Code of General Ordinances) regarding Eligibility for Appointment to City Boards, Commissions, Authorities and Committees.

A.2. Ordinance by the Mayor – To Amend Subsection 30.10 A. Regarding Filing of Complaints and to Repeal and Recreate Subsection 30.15 (of the Code of General Ordinances) Regarding Liability of Complainant for Costs and Expenses. (Also referred to Finance, Public Works, Stormwater Utility, Public Safety & Welfare, and Licensing/Permit Committees and Ethics Board)

A.3. Resolution by the Mayor - Awarding Sale of Taxable General Obligation Promissory Notes, Series 2013A.

**TO THE PUBLIC WORKS COMMITTEE**

A.4. Ordinance by Alderperson Chris Schwartz – To Repeal and Recreate Subsection 7.05 c. (of the Code of General Ordinances) Regarding Parking Limits. (Also referred to Public Safety & Welfare Committee)

**TO THE CITY PLAN COMMISSION**

A.5. Conditional Use Permit for a 12,941 s.f. multi-tenant building to be located at 3203-80th Street. (Festival Foods Outlot)

A.6. Conditional Use Permit for a tattoo parlor to be located at 715-57th Street. (Talulah Tattoo)

A.7. Petition to Rezone property at 1821-65th Street from B-2 Community Business District to RG-1 General Residential District in conformance with Section 10.02 (of the Zoning Ordinance). (Marks)

A.8. Zoning Ordinance by the City Plan Commission - To Create Subsection 18.02 z. (of the Zoning Ordinance) to Amend the Land Use Plan Map for the City of Kenosha: 2035. (Estes)

A.9. Petition to Rezone properties at 3803 and 3809 Seventh Avenue from IP Institutional Park to RG-1 General Residential in conformance with Section 10.02 (of the Zoning Ordinance). (Estes) (District #1)

A.10. Zoning Ordinance by Alderperson Jesse Downing - To Create Subsection 3.17 A.15 D. (of the Zoning Ordinance for the City of Kenosha) regarding Miscellaneous Retail and Services Uses.

**B. COMMUNICATIONS,  
PETITIONS, REPORTS  
OF DEPARTMENTS**

B.1. It was moved by Alderperson Kennedy, seconded by Alderperson Gordon, to approve Special Exception Request from the Eight Hundred forty (840) Square Foot Size Limitation and Sixteen-foot Height Restriction in Order to Construct an Eight Hundred Seventy-five (875) Square-foot, Twenty-four-and-one-half-foot (24 ½') High Accessory

**COMMON COUNCIL  
OFFICIAL PROCEEDINGS  
October 7, 2013**

**Keith G. Bosman, Mayor**

**Debra L. Salas, City Clerk**

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Structure at 6323-7th Avenue. (Property Owner/Petitioner: Michael Herrmann; Zoning Designation RG-2) A hearing was held. The applicant did not appear.

On a voice vote, motion carried.

B.2. It was moved by Alderperson Bogdala, seconded by Alderperson Orth, to deny Fence Code (Section 16 of the Zoning Ordinance) Special Exception Request to Retain a Five-foot Privacy Fence Installed in the Front Yard; Petitioner: Jon & Jeanne Casadont; Location: 10834-61st Street. A hearing was held. The applicant, Jon Casadont, spoke.

On roll call vote, motion carried 13-3 with Alderpersons Prozanski, Mathewson, and Rosenberg voting nay .

B.3. It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to approve:

a. 39 applications for Operator's (Bartender's) licenses, per list on file in the office of the City Clerk.

b. There were no applications for a transfer of agent status of Beer and/or Liquor license.

c. 2 applications for special Class "B" Beer and/or "Class B" Wine licenses per list on file in the office of the City Clerk.

d. 1 application for a Taxi Driver's license per list on file in the office of the City Clerk.

On a voice vote, motion carried.

**C. RECOMMENDATIONS FROM THE COMMITTEE ON LICENSING/PERMITS**

C.1. It was moved by Alderperson Michalski, seconded by Alderperson Downing, to approve applications for new Operator's (Bartender's) licenses, with a recommendation from the City Attorney to grant, subject to:

20 demerit points:

a. Jorge Delgado Gonzalez

b. Gianni Mantuano

c. Jasmin Pollock

- 40 demerit points:

d. Ashok Patel

- 60 demerit points:

e. Hussein Asad

A hearing was held. The applicants did not appear.

On a voice vote, motion carried with Alderperson Orth abstaining from item b.

C.2. Application of Javier Salinas for a new Operator's (Bartender's) license, with recommendation from the City Attorney to defer. This item was deferred by the License and Permit Committee.

C.3. It was moved by Alderperson Kennedy, seconded by Alderperson Michalski, to approve the application of Ketan Patel for a new Operator's (Bartender's) license subject to 60 demerit points. A hearing was held. The applicant did not appear. On a voice vote, motion carried with Alderperson Mathewson voting nay.

C.4. It was moved by Alderperson Kennedy, seconded by Alderperson Wilson, to deny applications for new Operator's (Bartender's) licenses, based on material police record:

a. Phillip Palmer

b. Antonio Peoples

c. Ryan Street

d. Carlos D. Mendoza

A hearing was held. The applicants did not appear. On a voice vote, motion carried.

C.5. It was moved by Alderperson Kennedy, seconded by Alderperson Wilson, to deny application of Joseph Conforti for a new Operator's (Bartender's) license, based on material police record. A hearing was held. The applicant did not appear. On a voice vote, motion carried.

C.6. It was moved by Alderperson Kennedy, seconded by Alderperson Wilson, to approve application of Jessica Lambin for a new Operator's (Bartender's) license, subject to 75 demerit points. A hearing was held. The applicant spoke. On a voice vote, motion carried.

C.7. It was moved by Alderperson Kennedy, seconded by Alderperson Michalski, to approve applications for new Taxi Driver's licenses, subject to:

- 60 demerit points:

a. Thomas Rocklaw

- 70 demerit points:

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**Keith G. Bosman, Mayor**

**Debra L. Salas, City Clerk**

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b. Mickela Henry

A hearing was held. The applicants did not appear. On a voice vote, motion carried.

C.8. It was moved by Alderperson Kennedy, seconded by Alderperson Downing, to deny application of Scott Poskus for a new Taxi Driver's License. A hearing was held. The applicant did not appear.

On a voice vote, motion carried.

C.9. It was moved by Alderperson Kennedy, seconded by Alderperson Ohnstad, to approve application of Los Taquitos, Inc., Adrian Viveros, Agent, for a Class "B" Beer/ "Class B" Liquor License located at 2105-22nd Avenue (Los Taquitos) to be effective October 8, 2013, with no adverse recommendations. A hearing was held. The applicant and his son appeared. Jorge Viveros spoke on his father's behalf. On a voice vote, motion carried.

C.10. Application of Sam's Corporation, Sameer Zahran, Agent, for a Class "A" Retail Beer Only License located at 5439-22<sup>nd</sup> Avenue (Sam's Grocery Store\_) to be effective November 1, 2013, with no adverse recommendations. This item was deferred by the License and Permit Committee.

C.11. It was moved by Alderperson Michalski, seconded by Alderperson Downing, to approve application of Skybox of Kenosha, LLC, Mark Gerber, Agent, for a Class "B" Beer/ "Class B" Liquor License located at 2901-60th Street (Skybox Bar & Grill) to be effective October 8, 2013, upon surrender of a similar license from Cento Anni, LLC, with no adverse recommendations. A hearing was held. The applicant and his representative, Anthony Nudo spoke. On a voice vote, motion carried, with Alderperson Bostrom abstaining.

C.12. It was moved by Alderperson Mathewson, seconded by Alderperson Schwartz, to approve application of Skybox of Kenosha, LLC (Skybox Bar & Grill, 2901-60th Street) for Outdoor Extension of the Class "B" Beer/ "Class B" Liquor License, with a request to change the closing hours to midnight, with no adverse recommendations. A hearing was held. The applicant and his representative, Anthony Nudo spoke. On a voice vote, motion carried, with Alderperson Bostrom abstaining.

C.13. It was moved by Alderperson Kennedy, seconded by Alderperson Michalski, to approve applications for Temporary Outdoor Extensions on October 12, 2013, with no adverse recommendations:

a. Traci Peterson (Hatatrix, 2425-60th Street)

b. Dishes to Die For, Inc. (TG's Restaurant & Pub, 4120-7th Avenue)

A hearing was held. The applicants did not appear. On a voice vote, motion carried.

C.14. It was moved by Alderperson Downing, seconded by Alderperson Bostrom, to approve application of Dishes to Die For, Inc. (Theresa Revis, Agent) for an Outdoor Area Waiver of Cabaret and/or Amplified Music License located at 4120-7th Avenue (TG's Restaurant & Pub) on October 12, 2013, with no adverse recommendations. A hearing was held. The applicant did not appear. On a voice vote, motion carried.

C.15. It was moved by Alderperson Michalski, seconded by Alderperson Kennedy, to approve application of Skybox of Kenosha, LLC (Skybox Bar & Grill, 2901-60th Street) for a Yearly Cabaret License (2013-2014 Term), with no adverse recommendations. A hearing was held. The applicant spoke. On a voice vote, motion carried, with Alderperson Bostrom abstaining.

C.16. It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to approve application of Holly Cadirci for an Amusement and Recreation Enterprise Supervisor License, for two weeks.

A hearing was held. The applicant did not appear. On a voice vote, motion carried.

C.17. It was moved by Alderperson Kennedy, seconded by Alderperson Michalski, to approve application of Armando De La Rosa for a Peddler Stand License, located at the southwest corner of 54th Street and 6th Avenue, to be effective for the term of October 1, 2013 through September 30, 2014, with no adverse recommendations. A hearing was held. The applicant did not appear. On a voice vote, motion carried.

**D. ORDINANCES 1ST READING**

D.1. It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to send the following ordinance on its way:

1. By the Mayor - To Amend Subsection 17.02 B. (of the Code of General Ordinances) entitled "Specific Words and Phrases", To Repeal and Recreate Subsection 17.12 C. entitled "Building Permits", To Renumber Subsections 17.12 D. and E. as 17.12 E. and F. respectively and To Create Subsection 17.12 D. entitled "Temporary Certificate of Occupancy".

On a voice vote, motion carried.

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**E. ZONING ORDINANCES 1ST READING**

**F. ORDINANCES 2ND READING**

Full text of ordinances are on file in the office of the City Clerk.

F.1. It was moved by Alderperson LaMacchia, seconded by Alderperson Kennedy, to adopt Ordinance 41-13.

A public hearing was held. No one spoke for or against said ordinance.

On roll call vote, motion carried unanimously, with Alderperson Ohnstad not present for the vote, and said ordinance was thereupon adopted:

**Ordinance 41-13**

**By Committee on Public Safety and Welfare - To amend Section 7.125 (of the Code of General Ordinances) Entitled "Streets Controlled by Yield Signs" by Rescinding Therefrom the Yield Sign on 15th Avenue at its Intersection with 79th Street; and, To Amend Section 7.12 c (of the Code of General Ordinances) Entitled, "Stop Streets" by Adding Stop Signs on 15th Avenue and 16th Avenue Before Entering the Intersection with 79th Street.**

**G. ZONING ORDINANCES 2ND READING**

Full text of ordinances are on file in the office of the City Clerk.

G.1. It was moved by Alderperson Michalski, seconded by Alderperson LaMacchia, to adopt Ordinance 42-13.

A public hearing was held. No one spoke for or against said ordinance.

On roll call vote, motion carried unanimously, with Alderpersons Ohnstad and Mathewson not present for the vote, and said ordinance was thereupon adopted:

**Ordinance 42-13**

**By the Mayor - To Repeal and Recreate Subparagraph 8.03 C.1. regarding elevation determination, Paragraph 8.03 D. regarding post foundation survey, and Subparagraph 8.04 A.3 regarding Certificate of Occupancy.**

**H. RESOLUTIONS**

Full text of resolutions are on file in the office of the City Clerk.

H.1. It was moved by Alderperson LaMacchia, seconded by Alderperson Michalski, to approve Resolution 135-13. A hearing was held. No one spoke for or against said resolutions. On roll call vote, motion carried unanimously, with Alderperson Mathewson not present for the vote and said resolution was thereupon approved:

**Resolution 135-13**

**By the Committee on Finance - To Levy a Special Assessment under Authority of Charter Ordinance No. 26, as Amended, upon Certain Parcels of Land Within the City of Kenosha, Wisconsin in the Amount of \$5,048.72 for Trash and Debris Removal.**

H.2. It was moved by Alderperson LaMacchia, seconded by Alderperson Kennedy to approve Resolutions 136-13 through 141-13. A hearing was held. No one spoke for or against said resolutions. On roll call vote, motion carried unanimously, with Alderperson Mathewson not present for the vote and said resolutions were thereupon approved:

**By the Committee on Finance – To Levy Special Charges Upon Various Parcels of Property Located in the City per List on File in the Office of the City Clerk:**

**Resolution 136-13 - Boarding and Securing - \$268.12**

**Resolution 137-13 - Grass and Weed Cutting - \$10,909.91**

**Resolution 138-13 - Property Maintenance Reinspection Fees - \$6,530.00**

**Resolution 139-13 - Trash and Debris Removal - \$295.00**

**Resolution 140-13 - Unpaid Permit Fees - \$340.00**

**Resolution 141-13 - Zoning/Building Reinspection Fees - \$792.00**

H.3. It was moved by Alderperson LaMacchia, seconded by Alderperson Michalski to approve Resolution 142-13. On roll call vote, motion carried unanimously, with Alderperson Mathewson not present to vote and said resolution was thereupon approved:

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**Resolution 142-13**

**By the Committee on Finance - To Amend the City of Kenosha Capital Improvement Program for 2013 By Creating SW-13-009 "Recreational Water Quality Improvements" in the Amount of \$150,000 With Outside Funding from a Great Lakes Restoration Initiative Grant in the Amount of \$150,000 for a Net Change of \$0.**

H.4. It was moved by Alderperson Bogdala, seconded by Alderperson Mathewson to approve Resolution 143-13. On roll call vote, motion carried (13-3) with Alderpersons Schwartz, Michalski, and Juliana voting nay and said resolution was thereupon approved:

**Resolution 143-13**

**By Alderperson David F. Bogdala – To Urge the Mayor to Include in the City of Kenosha Capital Improvement Plan for 2014 the Amount of \$300,000.00 for Resurfacing of a Portion of 104th Avenue.**

H.5. It was moved by Alderperson Bogdala, seconded by Alderperson LaMacchia to approve Resolution 144-13. On a voice vote, motion carried and said resolution was thereupon approved:

**Resolution 144-13**

**By Alderperson Michael J. Orth – To Subname 39th Avenue from 60th Street to 67th Street as "Veterans Way".**

H.6. It was moved by Alderperson Mathewson, seconded by Alderperson LaMacchia, to approve Resolution 145-13 by Alderperson Kevin E. Mathewson - To Amend the City (of Kenosha) Capital Improvement Program for 2013 by Decreasing PK-03-001 "Park Renovations" in the Amount of \$15,000 and to Create Capital Improvement Line Item PK-13-006 "Roosevelt Park Playground Equipment" in the Amount of \$15,000 for a Net Change of \$0, as amended by Finance to read PK-13-006 and the year 2013 in the Description under "Be It Further Resolved". A public hearing was held. Julie Blair, Stephanie Post, and Gianna Fleming spoke.

H.6.1. It was moved by Alderperson Gordon, seconded by Alderperson Kennedy to amend the resolution to include, "Whereas the 2010 ADA Standards apply to modifications of playgrounds and playground construction, providing equal play opportunities for children with special needs that reside in our city, providing equal play opportunities with children with special needs who are visiting our city and providing equal play opportunities to children with special needs who are attending and are currently enrolled in KUSD schools."

H.6.2. It was moved by Alderperson Gordon, seconded by Alderperson Kennedy to open back up to a public hearing. On a voice vote, motion carried unanimously. Tammi Conforti spoke. On a voice vote, the motion to approve the amendment carried unanimously. On roll call vote, the motion to approve the resolution as amended carried (15-0) with Alderperson Orth not present for vote and said resolution was thereupon approved:

**Resolution 145-13**

**By Alderperson Kevin E. Mathewson - To Amend the City (of Kenosha) Capital Improvement Program for 2013 by Decreasing PK-03-001 "Park Renovations" in the Amount of \$15,000 and to Create Capital Improvement Line Item PK-13-006 "Roosevelt Park Playground Equipment" in the Amount of \$15,000 for a Net Change of \$0.**

It was moved by Alderperson Kennedy, seconded by Alderperson Gordon to take a 5 minute recess at 9:03pm. On a voice vote, motion carried.

At 9:11pm, the Common Council reconvened. Alderperson Orth left the meeting.

H.7. It was moved by Alderperson Bogdala, seconded by Alderperson Mathewson to approve Resolution #146-13.

H.7.1. It was moved by Alderperson Ruffolo, seconded by Alderperson Mathewson to open up to a public hearing. On a voice vote, motion carried. Jeremy Ryan, David Paff, & Michael Goebel spoke in favor of said resolution.

H.7.2 It was moved by Alderperson Prozanski, seconded by Alderperson Juliana to amend said resolution to read "To urge City Administration to accelerate from the 2015 Capital improvement Program to the 2014 Capital Improvement Program a Fire Department Operations Study and this study should also include all stakeholders to participate." On roll call vote, motion to amend carried (8-7) with Alderpersons Bostrom, Bogdala, Michalski, Ruffolo, LaMacchia, Mathewson, and Rosenberg voting nay. On roll call vote, the motion to approve resolution as amended carried (10-5) with Alderpersons Bostrom, Bogdala, Ruffolo, Mathewson, and Rosenberg voting nay and said resolution was thereupon approved:

**Resolution 146-13**

**By Alderperson G. John Ruffolo - To Urge the Mayor to Include within the 2014 Budget a Sum Sufficient to Implement Locating a Med Unit at Fire Station 6.**

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H.8 It was moved by Alderperson Ruffolo, seconded by Alderperson Gordon to approve Resolution by the Mayor - To Approve the Route of the Streetcar System Expansion and to Commence Project Design and Engineering.

H.8.1 It was moved by Alderperson Michalski, seconded by Alderperson Schwartz to defer 2 weeks to give the Historic Preservation Commission an opportunity to have a meeting and discuss the route.

H.8.2. It was moved by Alderperson Kennedy, seconded by Alderperson Bostrom to open up to a public hearing. On a voice vote, motion carried. Paul McDonnough and Louis Rugani spoke in favor of said resolution. Doug Williams, Mary Dixon, John Fox, and Virginia Hoekstra spoke against said resolution. On a voice vote, the motion to defer carried.

H.9. It was moved by Alderperson LaMacchia, seconded by Alderperson Juliana to approve resolution 147-13.

H.9.1. It was moved by Alderperson Kennedy, seconded by Alderperson Mathewson to open up to a public hearing. On a voice vote, motion carried. Jim Burch and Kurt Wicklund spoke.

H.9.2. It was moved by Alderperson Kennedy, seconded by Alderperson Rosenberg to amend the resolution by striking the word "more". On roll call vote, motion carried (8-7) with Alderpersons Bostrom, Prozanski, Bogdala, Ruffolo, Juliana, Mathewson, and Rosenberg voting nay.

H.9.3. It was then moved by Alderperson Kennedy, seconded by Alderperson Gordon to amend the resolution to read, "SAA will give a presentation of the Core Plan and the Southport Master Plan." On roll call vote, motion failed (3-12) with Alderpersons Kennedy, Gordon, and Schwartz voting aye.

H.9.4. It was moved by Alderperson Prozanski, seconded by Alderperson Ohnstad to approve as first amended. On roll call vote, motion carried unanimously and said resolution was thereupon approved:

**Resolution 147-13**

**By the Mayor; Co-Sponsor: Alderperson Michael J. Orth – To Urge the Board of Park Commissioners to Suspend Construction of a Dog Park in Southport Park.**

H.10. It was moved by Alderperson Bogdala, seconded by Alderperson LaMacchia to approve Resolution 148-13. On roll call vote, motion carried unanimously, with Alderpersons Ruffolo, and Bogdala not present for the vote and said resolution was thereupon approved:

**Resolution 148-13**

**Initial Resolution by the Mayor - Authorizing the Borrowing of Not To Exceed \$18,200,000 to Finance Projects in Tax Incremental District No. 16; Providing for the Issuance of Taxable General Obligation Promissory Notes Therefor; and Levying a Tax in Connection Therewith.**

H.11. It was moved by Alderperson Bogdala, seconded by Alderperson LaMacchia to approve resolution 149-13. On roll call vote, motion carried unanimously, with Alderpersons Ruffolo, and Bogdala not present for the vote and said resolution was thereupon approved:

**Resolution 149-13**

**By the Mayor - To approve a Two-Lot Certified Survey Map for property at the northeast corner of 38th Street and 120th Avenue. (KTR WIS III, LLC/Project Onyx)**

H.12. It was moved by Alderperson Bogdala, seconded by Alderperson LaMacchia to approve resolution 150-13. On roll call vote, motion carried unanimously, with Alderpersons Ruffolo, and Bogdala not present for the vote and said resolution was thereupon approved:

**Resolution 150-13**

**By the Mayor - To approve a Two-Lot Certified Survey Map for property at the northeast corner of Green Bay Road and Washington Road. (Kenosha Pointe)**

H.13. It was moved by Alderperson Bogdala, seconded by Alderperson LaMacchia to approve resolution 151-13. On roll call vote, motion carried unanimously, with Alderpersons Ruffolo, and Bogdala not present for the vote and said resolution was thereupon approved:

**Resolution 151-13**

**By the Mayor - To Adopt a Project Plan Amendment for Tax Incremental District #8, (City of Kenosha, Wisconsin, Under Section 66.1105(4)(h)1., Wisconsin Statutes).**

H.14. It was moved by Alderperson Bogdala, seconded by Alderperson LaMacchia to approve Resolution 152-13. On roll call vote, motion carried unanimously, with Alderpersons Ruffolo, and Bogdala not present for the vote and said resolution was thereupon approved:

**Resolution 152-13**

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**Keith G. Bosman, Mayor**

**Debra L. Salas, City Clerk**

**By the Mayor - To Assign New Ward Polling Places and Combine Ward Polling Places For Voting Purposes.**

**I. APPOINTMENTS/  
REAPPOINTMENTS BY THE MAYOR**

**J. PUBLIC CONSTRUCTION AND IMPROVEMENT CONTRACTS**

**K. OTHER CONTRACTS AND AGREEMENTS**

K.1. It was moved by Alderperson Bogdala, seconded by Alderperson LaMacchia, to approve Agreement by and between the Board of Regents of the University of Wisconsin System (on behalf of the University of Wisconsin Oshkosh) and the City of Kenosha for Beach Restoration for Simmons Island and Eichelman Beaches. On roll call vote, motion carried unanimously, with Alderpersons Ruffolo, and Bogdala not present for the vote.

K.2. It was moved by Alderperson Bogdala, seconded by Alderperson LaMacchia, to approve Grant Agreement Between the State of Wisconsin Department of Natural Resources and the City (of Kenosha) for the Kenosha Harbor Feasibility Study. On roll call vote, motion carried unanimously, with Alderpersons Ruffolo, and Bogdala not present for the vote.

K.3. It was moved by Alderperson Bogdala, seconded by Alderperson LaMacchia, to approve Access and Indemnification Agreement between the City of Kenosha and Old Carco Liquidation Trust regarding the repair of a section of the wastewater treatment system at the former Chrysler Engine Plant at 5555-30th Avenue. On roll call vote, motion carried unanimously, with Alderpersons Ruffolo, and Bogdala not present for the vote.

K.4. It was moved by Alderperson Bogdala, seconded by Alderperson LaMacchia, to approve Lease Agreement by the City of Kenosha, the Board of Parks Commissioners, and Kenosha County for a Proposed Public Safety Communication Tower in Nash Park. On roll call vote, motion carried unanimously, with Alderpersons Ruffolo, and Bogdala not present for the vote.

K.5. It was moved by Alderperson Bogdala, seconded by Alderperson LaMacchia, to approve Development Grant Agreement between the City of Kenosha, KTR WIS III, LLC, and Amazon.com.dedc, LLC (Tax Incremental District No. 16).

On roll call vote, motion carried unanimously, with Alderpersons Ruffolo, and Bogdala not present for the vote.

**L. RECOMMENDATIONS FROM THE COMMITTEE ON FINANCE**

L.1. It was moved by Alderperson Bogdala, seconded by Alderperson LaMacchia, to approve Disbursement Record #17 - \$12,559,266.89. On roll call vote, motion carried unanimously, with Alderpersons Ruffolo, and Bogdala not present for the vote.

**M. RECOMMENDATIONS FROM THE COMMITTEE ON PUBLIC WORKS**

**N. RECOMMENDATIONS FROM THE COMMITTEE ON  
PUBLIC SAFETY & WELFARE**

**O. REPORTS AND RECOMMENDATIONS OF BOARDS AND COMMISSIONS**

O.1. It was moved by Alderperson Downing, seconded by Alderperson LaMacchia to approve Conditional Use Permit for a 1,017,879 s.f. distribution center to be located at the northeast corner of 38th Street and 120th Avenue (KTR WIS III, LLC/Project Onyx). A public hearing was held. Jeffrey Zyglar spoke. On roll call vote, motion carried unanimously.

O.2. It was moved by Alderperson Bogdala, seconded by Alderperson Juliana to approve Conditional Use Permit for a 10,498 s.f. multi-tenant building to be located at the northeast corner of Green Bay Road and Washington Road (Kenosha Pointe). A public hearing was held. No one spoke for or against said Conditional Use Permit. On roll call vote, motion carried unanimously.

O.3. It was moved by Alderperson Downing, seconded by Alderperson Juliana to approve the Request to Amend the Conditional Use Permit for Festival Foods at 3207-80th Street to add a drive-thru service lane (Festival Foods). A public hearing was held. Mark Anderson and Phil Berce spoke. On roll call vote, motion carried unanimously.

At 11:24pm, it was moved by Alderperson Mathewson, seconded by Alderperson Wilson to suspend the rules and

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**Keith G. Bosman, Mayor**

**Debra L. Salas, City Clerk**

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continue the meeting past 11:30 pm. On a voice vote, motion carried unanimously.

O.4. It was moved by Alderperson Downing, seconded by Alderperson Bostrom to approve Conditional Use Permit for three new self-storage facilities to be located at 4217 Green Bay Road (Barth Storage). A public hearing was held. Tom Barth spoke. On roll call vote, motion carried unanimously.

O.5. It was moved by Alderperson Downing, seconded by Alderperson LaMacchia, to approve a Request to Amend the Conditional Use Permit for a 5,177 s.f. restaurant with a drive-thru to be located at 12214-75th Street (McDonald's). A public hearing was held. Susan Sager spoke. On roll call vote, motion carried unanimously.

**P. AND SUCH MATTERS AS ARE AUTHORIZED BY LAW OR REGULAR BUSINESS**

P.1 Discussion of Claim of Stuart Sabath. It was moved by Alderperson Bogdala, seconded by Alderperson LaMacchia to defer one month. On roll call vote, motion carried unanimously.

P.2. Discussion of Claim of Mark McCray v. City of Kenosha. It was moved by Alderperson Bogdala, seconded by Alderperson LaMacchia to deny. On roll call vote, motion carried unanimously.

P.3. Discussion of Claim of Michael Gayan & Jamie Holmes. It was moved by Alderperson Bogdala, seconded by Alderperson LaMacchia to deny. On roll call vote, motion carried unanimously.

**ADJOURNMENT**

There being no further business to come before the Common Council, it was moved by Alderperson Bostrom, seconded by Alderperson LaMacchia, to adjourn at 11:30 pm. On a voice vote, motion carried.

Approved:

**KEITH G. BOSMAN  
MAYOR**

Attest:

**DEBRA L. SALAS  
CITY CLERK/TREASURER**

**COMMON COUNCIL  
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**Keith G. Bosman, Mayor**

**Debra L. Salas, City Clerk**

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**KENOSHA MUNICIPAL  
BUILDING COUNCIL  
CHAMBERS ROOM 200  
October 14, 2013**

At a special meeting of the Common Council held this evening, His Honor, Mayor Keith G. Bosman presided.

The meeting was called to order at 7:00 p.m.

It was moved by Alderperson Kennedy, seconded by Alderperson Mathewson to suspend the dress code. On a voice vote, motion carried.

On roll call, the following members of the Common Council were present: Alderpersons Haugaard, Schwartz, Michalski, Ruffolo, LaMacchia, Ohnstad, Mathewson, Kennedy, Bostrom, Wilson, Prozanski, Orth, Downing and Bogdala. Excused: Alderpersons Juliana, Rosenberg, Gordon.

City Administrator Frank Pacetti, Lacey Cochert-Attorney with the Wisconsin Department of Natural Resources, Arthur Harrington-Attorney with Godfrey & Kahn, SC and John Antaramian-President of Emerging Communities Corporation were present, spoke and answered questions of the Common Council throughout the meeting.

A moment of silence was observed in lieu of the invocation.

Mayor Bosman then led the Council in the Pledge of Allegiance to the American Flag.

1. It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to go into closed session pursuant to Wis. Stats. Section 19.85(1)(g) to discuss with the City's Legal Counsel the final stage of settlement of the litigation on Pending Issues in re: Old Carco, LLC (f/k/a Chrysler, LLC) et al., Case No. 90-50002, U.S. Bankruptcy Ct. (S.D.N.Y.)

1.1 At 7:45 p.m., the Common Council reconvened into open session.

2. It was moved by Alderperson Ohnstad, seconded by Alderperson LaMacchia, to approve Resolution 153-13 by the Mayor – To Accept Title to the Kenosha Engine Plant Property that is Generally Located at 5555-30th Avenue and to Authorize the Mayor to Execute Documents to Effectuate the Acceptance. On roll call vote, motion carried unanimously and said resolution was thereupon adopted (full text of resolutions are on file in the Office of the City Clerk).

3. It was moved by Alderperson LaMacchia, seconded by Alderperson Michalski, to approve the Intergovernmental Agreement between the City of Kenosha and Wisconsin Department of Natural Resources to Investigate and Clean up the Kenosha Engine Plant (former Chrysler facility), using \$10 Million in Funding from the Environmental Reserve Cash in the Site Specific Account. On roll call vote, motion carried unanimously.

**ADJOURNMENT**

There being no further business to come before the Common Council, it was moved by Alderperson Kennedy, seconded by Alderperson Mathewson, to adjourn at 8:04 p.m.

On a voice vote, motion carried.

Approved:

**KEITH G. BOSMAN  
MAYOR**

Attest:

**DEBRA L. SALAS  
CITY CLERK/TREASURER**

**COMMON COUNCIL  
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**Keith G. Bosman, Mayor**

**Debra L. Salas, City Clerk**

**KENOSHA MUNICIPAL BUILDING  
COUNCIL CHAMBERS  
ROOM 200**

At a meeting of the Common Council held this evening, His Honor, Mayor Keith G. Bosman presided.

The meeting was called to order at 7:03 p.m.

On roll call, the following members of the Common Council were present: Alderpersons Haugaard, Schwartz, Michalski, Ruffolo, LaMacchia, Ohnstad, Juliana, Mathewson, Rosenberg, Kennedy, Gordon, Bostrom, Wilson, Prozanski, Orth, Downing and Bogdala.

A moment of silence was observed in lieu of the invocation.

Mayor Bosman then led the Council in the Pledge of Allegiance to the American Flag.

It was moved by Alderperson Michalski, seconded by Alderperson LaMacchia, to approve the minutes of the regular meeting held October 7 and the special meeting held October 14, 2013.

Motion carried unanimously.

15 Citizens spoke during Citizen's Comments: Kathleen Grissom, Jayne Mackey, Jil Wilson, Mary Dixon, Carol Schweinfurth, Merike Phillips, Lou Molitor, Paul McDonough, Louis Rugani, Violet Ricker, Brad Preston, Robert Faleak, James Jake, Rell Barrett, and Virginia Hoekstra.

**A. REFERRALS**

**TO THE COMMITTEE ON FINANCE**

A.1. Resolution by the Committee on Finance - To Approve the 2014 Consolidated Plan - Annual Plan for the Community Development Block Grant/HOME Program. (CDBG portion only also referred to City Plan Commission)

A.2. Resolution by the Committee on Finance - To Amend the City of Kenosha Capital Improvement Program for 2013 By Increasing PK09-001 "Harbor Dredging" in the Amount of \$25,000 With Outside Funding from a State of Wisconsin, Boating Infrastructure Grant Program in the Amount of \$25,000 for a Net Change of \$0.

**TO THE CITY PLAN COMMISSION**

A.3. Zoning Ordinance by Alderperson Jesse Downing - To Create Subsections 3.17 C.12 and 3.18 C.41 regarding Conditional Uses, To Amend Section IV Group 3 to Add Physical Fitness Center and To Create Subsection 4.06 C.7 entitled Physical Fitness Center in the M-1 or M-2 Districts.

**B. COMMUNICATIONS,**

**PETITIONS, REPORTS**

**OF DEPARTMENTS**

B.1. It was moved by Alderperson Kennedy, seconded by Alderperson Gordon, to approve:

a. 40 applications for an Operator's (Bartenders) license, per list on file in the office of the City Clerk.

b. There were no application(s) for a transfer of agent status of Beer and/or Liquor licenses, per list on file in the office of the City Clerk.

c. 4 application(s) for a special Class "B" Beer and/or "Class B" Wine license per list on file in the office of the City Clerk.

d. 1 application(s) for a Taxi Driver's license per list on file in the office of the City Clerk.

On a voice vote, motion carried.

B.2 It was moved by Alderperson Kennedy, seconded by Alderperson Downing to receive and file Communication from the City Clerk Regarding the Voluntary Surrender of the Class "A" Beer License of Fonte Foods, LLC, 1400-50th Street.

On a voice vote, motion carried.

**C. RECOMMENDATIONS FROM THE COMMITTEE ON LICENSING/PERMITS**

C.1. It was moved by Alderperson Kennedy, seconded by Alderperson Gordon to approve applications for new Operator's (Bartender's) licenses subject to:

- 20 demerit points:

a. Brooke Krueger

- 40 demerit points:

b. Brandy Gomez

c. Michael Volakis

- 80 demerit points:

d. Dikicia Robateau

A hearing was held. The applicants did not appear.

On a voice vote, motion carried.

C.2. It was moved by Alderperson Kennedy, seconded by Alderperson Wilson to deny application of Javier Salinas for a new Operator's (Bartender's) license, based on material police record.

A hearing was held. The applicant did not appear.

On a voice vote, motion carried.

C.3. It was moved by Alderperson Kennedy, seconded by Alderperson Wilson to deny application of Sam's Corporation, Sameer Zahran, Agent, for a Class "A" Retail Beer Only License located at 5439-22nd Avenue, Sam's Grocery Store, due to false/incomplete application.

A hearing was held. The applicant did not appear.

On a voice vote, motion carried.

C.4. It was moved by Alderperson Kennedy, seconded by Alderperson Wilson to approve application of Nayarit, Inc., Raul Gonzalez, Agent, for a Class "B" Beer Only License located at 6034-22nd Avenue, La Isla Del Mar #4, to be effective October 22, 2013, with no adverse recommendations.

A hearing was held. The applicant was present and spoke.

On a voice vote, motion carried.

C.5. It was moved by Alderperson Kennedy, seconded by Alderperson Schwartz to approve the Findings of Fact, Conclusion of Law and Recommendation to grant/reinstate subject to 40 demerit points, in the matter of the Operator's (Bartender's) License of Marianne Watring.

A hearing was held. The applicant was present and spoke.

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On a voice vote, motion carried.  
C.6. It was moved by Alderperson Kennedy, seconded by Alderperson Gordon to Approve the Findings of Fact, Conclusion of Law and Recommendation to grant/reinstate subject to 20 demerit points, in the matter of the Operator's (Bartender's) License of Lorna Frechette.  
A hearing was held. The applicant did not appear.  
On a voice vote, motion carried.  
C.7. It was moved by Alderperson Kennedy, seconded by Alderperson Schwartz to approve the Findings of Fact, Conclusion of Law and Recommendation to revoke, in the matter of the Operator's (Bartender's) License of Michael Pauloni.  
A hearing was held. The applicant did not appear.  
On a voice vote, motion carried.  
C.8. It was moved by Alderperson Kennedy, seconded by Alderperson Schwartz to approve the Findings of Fact, Conclusion of Law and Recommendation to suspend for a period of 30 consecutive days and reinstate subject to 75 demerit points, in the matter of the Operator's (Bartender's) License of Jeremy Bousson.  
A hearing was held. The applicant was present and spoke.  
On a voice vote, motion carried.

**D. ORDINANCES 1ST READING**

It was moved by Alderperson Michalski, seconded by Alderperson Kennedy to send the following ordinances on their way:  
D.1. By Committee on Public Safety and Welfare - To Amend Section 7.125 (of the Code of General Ordinances) Entitled "Streets Controlled by Yield Signs" By Rescinding Therefrom the Yield signs on 62nd Place at its Intersection with 95th Avenue; and, To Amend Section 7.12 C (of the Code of General Ordinances) Entitled, "Stop Streets" by Adding Stop Signs on 62nd Place before Entering the Intersection with 95th Avenue.  
D.2. By Alderperson Jan Michalski, Co-Sponsors: Alderperson Patrick Juliana, Alderperson Scott N. Gordon, Alderperson Curt Wilson – To Create Section 16.152 (of the Code of General Ordinances for the City of Kenosha) Entitled Vacant Building Registry.  
D.3. By Alderperson Jesse Downing - To Repeal, Recreate and Renumber Various Subsections of 10.07 (of the Code of General Ordinances for the City of Kenosha) Regarding Cabaret Licenses.  
D.4. By Alderperson Chris Schwartz - To Repeal and Recreate Subsection 7.05 c. (of the Code of General Ordinances) Regarding Parking Limits.  
D.5. By the Mayor - To Amend Subsection 1.056 paragraph 4 (of the Code of General Ordinances) regarding Eligibility for Appointment to City Boards, Commissions, Authorities and Committees.  
D.6. By the Mayor – To Amend Subsection 30.10 A. Regarding Filing of Complaints and to Repeal and Recreate Subsection 30.15 (of the Code of General Ordinances) Regarding Liability of Complainant for Costs and Expenses.  
On a voice vote, motion carried, with Alderpersons Juliana, Gordon, Ruffolo, Mathewson, and Bostrom abstaining on item D.6.

**E. ZONING ORDINANCES 1ST READING**

It was moved by Alderperson Michalski, seconded by Alderperson Gordon, to send the following ordinances on their way:  
E.1. By the Mayor - To Rezone property at 1821-65th Street from B-2 Community Business District to RG-1 General Residential District (in conformance with Section 10.02 of the Zoning Ordinance).  
E.2. By the Mayor - To Create Subsection 18.02 y. (of the Zoning Ordinance) to Amend the Land Use Plan Map for the City of Kenosha: 2035. (Next Partners I, LLC/KTR Capital Partners)  
E.3. By the Mayor - To Rezone a portion of the property at the northeast corner of 38th Street and 120th Avenue from C-2 Lowland Resource Conservancy District to M-2 Heavy Manufacturing in conformance with Section 10.02 (of the Zoning Ordinance). (Next Partners I, LLC/KTR Capital Partners)  
On a voice vote, motion carried.

**F. ORDINANCES 2ND READING**

Full text of ordinances are on file in the office of the City Clerk.

F.1. It was moved by Alderperson Kennedy, seconded by Alderperson Juliana, to adopt Ordinance 43-13 as amended by License/Permit Committee.  
F.1.1. It was then moved by Alderperson Bogdala, seconded by Alderperson Bostrom to maintain the original 20 demerit points for Underage Consumption/Possession and to also maintain the original 20 demerit points for Open Intoxicants in Motor Vehicle Passenger.  
On a voice vote, motion carried.  
F.1.2. It was then moved by Alderperson Gordon, seconded by Alderperson Orth to maintain the original 100 demerit points for Social Hosting.  
On roll call vote, motion carried 9-8, with Alderpersons Bostrom, Wilson, Downing, Bogdala, Schwartz, Ruffolo, Ohnstad, and Mathewson voting nay.  
On roll call vote, motion to adopt ordinance 43-13 carried unanimously and said ordinance thereupon adopted:  
**Ordinance 43-13**  
**By Alderperson Jesse Downing – To Repeal, Recreate and Renumber Various Subsections of 10.03 and 10.063 (of the Code of General Ordinances for the City of Kenosha) Regarding Demerit Points.**  
F.2. It was moved by Alderperson Michalski, seconded by Alderperson Ohnstad, to adopt Ordinance 44-13.  
A public hearing was held. No one spoke for or against said ordinance.  
F.2.1. It was then moved by Alderperson Juliana, seconded by Alderperson LaMacchia to amend as presented.  
On a voice vote, motion carried.  
On roll call vote, motion to approve as amended carried unanimously and said ordinance was thereupon adopted:  
**Ordinance 44-13**  
**By the Mayor - To Amend Subsection 17.02 B. (of the Code of General Ordinances) entitled "Specific Words and Phrases", To Repeal and Recreate Subsection 17.12 C. entitled "Building Permits", To Renumber Subsections 17.12 D. and E. as 17.12 E. and F. respectively and To Create Subsection 17.12 D. entitled "Temporary Certificate of Occupancy".**

**G. ZONING ORDINANCES 2ND READING**

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**Debra L. Salas, City Clerk**

**H. RESOLUTIONS**

Full text of resolutions are on file in the office of the City Clerk.

H.1. It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to approve Resolution 154-13. On roll call vote, motion carried unanimously and said resolution was thereupon adopted:

**Resolution 154-13**

**by Committee on Public Safety and Welfare - To Designate a "No Parking Restriction" for the South Side of 66th Place from Sheridan Road West 294 Feet.**

H.2. It was moved by Alderperson Prozanski, seconded by Alderperson LaMacchia, to approve Resolution 155-13 as amended by Finance. All alderpersons indicated they would like to be listed as co-sponsors of said resolution. On roll call vote, motion carried unanimously and said resolution was thereupon adopted:

**Resolution 155-13**

**H.2. by Alderperson Daniel Prozanski, Jr. - To Declare October 2013 Bullying Prevention Awareness Month and Direct the Human Resources Department to Review City Policy on Bullying.**

H.3. It was moved by Alderperson Prozanski, seconded by Alderperson Gordon, to approve Resolution 156-13.

H.3.1. It was then moved by Alderperson Bostrom, seconded by Alderperson Juliana to amend to include the alternate route on Exhibit B presented this evening.

After much discussion, it was moved, seconded and on a voice vote carried to recess at 9:11 pm, The Council reconvened at approximately 9:30 pm.

It was moved by Alderperson Rosenberg, seconded by Alderperson Juliana to hold a public hearing. On roll call vote, motion carried (15-2) with Alderpersons Wilson and LaMacchia voting nay. A public hearing was held. Ten (10) people spoke: Cathy Grand, John Bilotti, John Doyle, Louis Rugani, Kurt Wicklund, Julie Rittmiller, Kevin Erwin, Terry Tynan, Paul McDonough and Merike Phillips. The public hearing was closed.

H.3.2. The motion to amend was restated by the City Attorney, changing at the end of the last paragraph on the first page "*....Exhibit "A", or in the alternative as shown in Exhibit "B", be considered for approval*"; and on the second page, "*....that the design and preliminary engineering phase of the expansion of the existing street car system.....as show in Exhibits "A" and "B".....*"

The maker and seconder agreed to the restated amendment. On roll call vote, motion carried 16-1 with Alderperson Kennedy voting nay.

H.3.3. It was then moved by Alderperson Haugaard, seconded by Alderperson Michalski to insert language "*including but not limited to*" prior to the exhibit language in the last three paragraphs". On roll call vote, motion carried (15-2) with Alderpersons Kennedy and Ruffolo voting nay.

On roll call vote, motion to approve as amended carried (16-1) with Alderperson Ruffolo voting nay and said resolution was thereupon adopted:

**Resolution 156-13 by the Mayor - To Approve the Route of the Streetcar System Expansion and to Commence Project Design and Engineering.**

H.4. It was moved by Alderperson Kennedy, seconded by Alderperson Mathewson, to defer Resolution by the Mayor- Awarding the Sale of \$18,200,000 Taxable General Obligation Promissory Notes, Series 2013A for two weeks.

On a voice vote, motion carried.

**I. APPOINTMENTS/  
REAPPOINTMENTS BY THE MAYOR**

It was moved by Alderperson Kennedy, seconded by Alderperson Rosenberg, to approve:

I.1. Appointment of Andrew Schmidt, 8719-32nd Avenue, Kenosha, to the Zoning Board of Appeals for a term to expire May 1, 2015.

I.2. Appointment of Brianna Jones, 4030-28th Avenue, Kenosha, to the Mayor's Youth Commission for a term to expire November 1, 2014.

I.3. Reappointments to the Mayor's Youth Commission for a term to expire November 1, 2015:

- a. Amy Castelic, 1538-35th Avenue, Kenosha
- b. Katie Pollock, 9002 Sheridan Road, Kenosha
- c. Andrew Schmidt, 8719-32nd Avenue, Kenosha
- d. Officer Jeff Wamboldt, 1000-55th Street, Kenosha

I.4. Kimberly Voss, 3810-61st Street, Kenosha, is hereby appointed to continue her position on the Mayor's Youth Commission until a qualified successor can be appointed, but in no event shall this appointment exceed six (6) months.

I.5. Reappointments to the Commission on the Arts for a term to expire November 1, 2015:

- a. Maureen Cashin Bolog, 518-56th Street, Kenosha
- b. Emily Delabrué, 600-52nd Street, Kenosha
- c. Jayne Herring, 4301-6th Avenue, Kenosha
- d. Francisco Loyola, 1355-52nd Street, Kenosha
- e. Donald Miller, 320B-55th Street, Kenosha

On a voice vote, motion carried.

**J. PUBLIC CONSTRUCTION AND IMPROVEMENT CONTRACTS**

J.1. It was moved by Alderperson Kennedy, seconded by Alderperson Rosenberg, to Approve Award of Contract for Project 13-2032 Kenosha Engine Plant Interim Action Soil Remediation (5555-30th Avenue) to A.W. Oakes & Son (Racine, WI) in the amount of \$364,000.

On roll call vote, motion carried unanimously.

**K. OTHER CONTRACTS AND AGREEMENTS**

K.1. It was moved by Alderperson Ohnstad, seconded by Alderperson LaMacchia, to approve 2013 Intergovernmental Cooperation Agreement Between the City of Kenosha and the City of Racine Regarding Hearings on Ethics Complaints.

On roll call vote, motion carried (13-0-4) with Alderpersons Juliana, Gordon, Bostrom, and Ruffolo abstaining.

K.2. It was moved by Alderperson Michalski, seconded by Alderperson Gordon, to approve conditionally upon concurrence of the Mayor with recommendations from the Director of Public Works, the City Engineer, the Director

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of Community Development & Inspections, and the City Attorney that the documents are complete, final and satisfactory, the development agreement between the City of Kenosha, Kenosha Water Utility and KTR WIS III, LLC and KTR WIS IV, LLC. (Project Onyx/Amazon)

K.2.1. It was then moved by Alderperson Bostrom, seconded by Alderperson Ruffolo to include that the Council President, or Chair of Finance Committee if Council President is not available, review with the mayor.

On a voice vote, motion carried.

On roll call vote, motion carried unanimously.

K.3. It was moved by Alderperson Ohnstad, seconded by Alderperson LaMacchia, to approve conditionally upon concurrence of the Mayor and Council President, or Chair of Finance Committee, with recommendations from the Director of Public Works, the City Engineer, the Director of Community Development & Inspections, and the City Attorney that the documents are complete, final and satisfactory, the Development Grant Agreement between the City of Kenosha, KTR WIS III, LLC, and Amazon.com.dedc, LLC.

Jeff Zyglar, Developer, KTR WIS III, LLC, was present and spoke.

On roll call vote, motion carried unanimously.

K.4. It was moved by Alderperson Gordon, seconded by Alderperson Juliana, to approve conditionally upon concurrence of the Mayor and Council President, or Chair of Finance Committee, with recommendations from the Director of Public Works, the City Engineer, the Director of Community Development & Inspections, and the City Attorney that the documents are complete, final and satisfactory, Stormwater Management Practices Maintenance Agreement for Stormwater Maintenance Facilities by and between City of Kenosha and KTR WIS III LLC and KTR WIS IV LLC.

On roll call vote, motion carried 16-1 with Alderperson Bogdala voting nay.

K.5. It was moved by Alderperson Gordon, seconded by Alderperson Michalski, to approve Stormwater Permanent Easement and Agreement by and between KTR WIS III LLC And KTR WIS IV LLC and the City Of Kenosha.

On roll call vote, motion carried 16-1 with Alderperson Bogdala voting nay.

**L. RECOMMENDATIONS FROM THE COMMITTEE ON FINANCE**

L.1. It was moved by Alderperson Mathewson, seconded by Alderperson Downing, to approve Disbursement Record #18 - \$17,966,390.66.

On roll call vote, motion carried unanimously.

**M. RECOMMENDATIONS FROM THE COMMITTEE ON PUBLIC WORKS**

It was moved by Alderperson Mathewson, seconded by Alderperson Downing to approve:

M.1. Acceptance of Project 12-1208 Sidewalk & Curb/Gutter Program (Citywide Locations) which has been satisfactorily completed by A.W. Oakes & Son (Racine, Wisconsin) in the amount of \$491,835.37.

M.2. Revised Acceptance of Project 12-1414 Anderson Pool Splashpad Construction (8730-22nd Avenue) in the amount of \$274,053.39.

On roll call vote, motion carried unanimously.

**N. RECOMMENDATIONS FROM THE COMMITTEE ON  
PUBLIC SAFETY & WELFARE**

**O. REPORTS AND RECOMMENDATIONS OF BAORDS AND COMMISSIONS**

O.1. It was moved by Alderperson LaMacchia, seconded by Alderperson Kennedy, to approve Conditional Use Permit for a 12,941 s.f. multi-tenant building to be located at 3203-80th Street.

A public hearing was held. No one spoke.

On roll call vote, motion carried unanimously.

At this time Alderperson Prozanski briefly left the meeting.

O.2. It was moved by Alderperson Kennedy, seconded by Alderperson Michalski, to approve Conditional Use Permit for a tattoo parlor to be located at 715-57th Street.

A public hearing was held. Jennifer Kelly spoke.

On roll call vote, motion carried 14-2 with Alderperson Prozanski not present.

At this time Prozanski returned to the meeting.

O.3. It was moved by Alderperson Downing, seconded by Alderperson Orth, to approve Amendment to the Conditional Use Permit for a 1,017,879 s.f. distribution center to be located at the Northeast corner of 38th Street and 120th Avenue. (KTR WIS III, LLC/Project Onyx/Amazon)

A public hearing was held. Jeff Zyglar spoke.

On roll call vote, motion carried unanimously.

**P. AND SUCH MATTERS AS ARE AUTHORIZED BY LAW OR REGULAR BUSINESS**

P.1. Discussion of Claim of William & Jessica Medina. It was moved by Alderperson Michalski, seconded by Alderperson LaMacchia to deny. On roll call vote, motion carried unanimously.

**ADJOURNMENT**

There being no further business to come before the Common Council, it was moved and carried to adjourn at 11:15p.m.

Approved:

**KEITH G. BOSMAN  
MAYOR**

Attest:

**DEBRA L. SALAS  
CITY CLERK/TREASURER**

**MINUTES OF COMMON COUNCIL MEETING**

**November 4, 2013**

**KENOSHA MUNICIPAL  
BUILDING COUNCIL  
CHAMBERS ROOM 200**

At a meeting of the Common Council held this evening, His Honor, Mayor Keith G. Bosman presided.

The meeting was called to order at 7:01 pm.

On roll call, the following members of the Common Council were present: Schwartz, Michalski, Ruffolo, LaMacchia, Ohnstad, Juliana, Mathewson, Rosenberg, Kennedy, Gordon, Bostrom, Wilson, Orth, Downing and Bogdala. Alderperson Haugaard was excused. Alderperson Prozanski was seated as Council president

A moment of silence was observed in lieu of the invocation.

Mayor Bosman then led the Council in the Pledge of Allegiance to the American Flag.

It was moved by Alderperson Juliana, seconded by Alderperson LaMacchia, to approve the minutes of the meeting held October 21, 2013.

On a voice vote, motion carried.

**MATTERS REFERRED TO THE COMMITTEES BY THE MAYOR**

**TO THE FINANCE AND PUBLIC WORKS COMMITTEES – ADDENDUM TO AGREEMENT BY AND BETWEEN THE CITY OF KENOSHA, WISCONSIN A MUNICIPAL CORPORATION, AND WASTE MANAGEMENT, INC., A WISCONSIN CORPORATION.**

At this time, Mayor Bosman called Alderperson Bogdala and Police Chief John Morrissey to the podium. Alderperson Bogdala called upon Tyler Bendon, a 5<sup>th</sup> grader at Nash Elementary School, his mother Andrea, Heidi Niesen, 911 dispatcher and Tom Genthner, Director of Joint Services. Chief Morrissey spoke. Alderperson Bogdala presented Tyler with a bravery award. Tyler spoke.

Fourteen citizens spoke during Citizen's Comments: Chris Weyker, Michelle Price, Terri Molinaro Lopez, Katie Briggs, Mark Modory, Anne Santarelli, Jaime Forsythe, Tammy Conforti, Lindsay Post, Virginia Hoekstra, Doug Williams, Yolanda Adams, Rinell Zuchowski and Gregg Kishline.

**A. REFERRALS**

**TO THE COMMITTEE ON FINANCE**

A.1. Ordinance by Alderperson David F. Bogdala - To Repeal and Recreate Subparagraph 1.03 A. (of the Code of General Ordinances) entitled "Order of Business", to Amend Subparagraph 1.03 A.9.c. entitled "Speaker Sign-up" and to Repeal and Recreate Subparagraph 1.03 A.9.e. entitled "Public Hearings". (Also referred to Public Works, Public Safety & Welfare, Stormwater Utility and Licensing/Permit Committees)

**TO THE LICENSING/PERMIT COMMITTEE**

A.2. Ordinance by Alderperson Curt Wilson - Co-Sponsors: Alderperson Rocco J. LaMacchia Sr. and Alderperson Chris Schwartz -To Amend Subsection 13.02 A.1 (of the Code of General Ordinances) Regarding Pawnbrokers and Secondhand Article and Jewelry Dealers Definitions and Subsection 13.02 H. Regarding Fees.

**TO THE CITY PLAN COMMISSION**

A.3. By the City Plan Commission - To Create Subsection 18.02 aa. (of the Zoning Ordinance) to Amend the Land Use Plan Map for the City of Kenosha: 2035. (Mills) (District #2)

**The Mayor indicated that item A.4. has been pulled from the agenda.**

A.4. Petition to Rezone property at 5821 Fifth Avenue from M-1 Light Manufacturing to B-4 Mixed Use District (in conformance with Section 10.02 of the Zoning Ordinance). (Mills) (District #2)

A.5. Zoning Ordinance by Alderperson Curt Wilson, Co-Sponsors: Alderperson Rocco J. LaMacchia, Sr., Alderperson Chris Schwartz - To Repeal, Recreate and Create Various Subparagraphs of 3.14, 3.15 and 3.155 (of the Zoning Ordinance) Regarding B-2, B-3 and B-4 Business and Mixed-Use Districts; To Create Subsection 4.06 B.27 entitled "Pawnbroker" and Subsection 4.06 B.28 entitled "Secondhand Jewelry Dealer" and To Amend Table 4.01 Group 2 entitled "Business Conditional Uses".

**B. COMMUNICATIONS,**

**PETITIONS, REPORTS**

**OF DEPARTMENTS**

B.1. It was moved by Alderperson Kennedy, seconded by Alderperson Gordon, to approve:

a. 21 applications for Operator's (Bartender's) licenses, per list on file in the office of the City Clerk.

b. 1 transfer of agent status of Beer and/or Liquor license, per list on file in the office of the City Clerk.

c. 1 application for a special Class "B" Beer and/or "Class B" Wine license per list on file in the office of the City Clerk.

d. There were no applications for a Taxi Driver's license.

On a voice vote, motion carried.

B.2. It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to receive and file Communication from the City Clerk regarding the voluntary surrender of the Class "B" Beer Only license of Choo-Chews Pizza & Sandwich, LLC, 5414-13th Avenue.

On a voice vote, motion carried.

**C. RECOMMENDATIONS FROM THE COMMITTEE ON LICENSING/PERMITS**

C.1. It was moved by Alderperson Kennedy, seconded by Alderperson Wilson, to approve the following applications for new Operator's (Bartender's) licenses subject to:

- 5 demerit points:

a. Maylen Bradshaw

- 10 demerit points:

b. Debbie Burk

- 20 demerit points:

c. Mendellen Esperanzate

- 30 demerit points:

d. Vito Sandoval

- 40 demerit points:

- e. Ashley Wright  
- 60 demerit points:
- f. Amanda Jacquest  
- 70 demerit points:
- g. Grant Seekins  
- 75 demerit points:
- h. Alexandria Enriquez  
- 80 demerit points:
- i. Abril Mecozzi

A hearing was held. The applicants did not appear.

On a voice vote, motion carried.

C.2. It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to deny applications for new Operator's (Bartender's) licenses based on material police record:

- a. Christopher Bacewicz
- b. Jaimie Earl
- c. Aja Hamilton

A hearing was held. The applicants did not appear.

On a voice vote, motion carried.

C.3. It was moved by Alderperson Juliana, seconded by Alderperson Schwartz, to approve application of Sol D'Licious Cafe, Inc. (Sol D'Licious Cafe), Willis Foster, Agent, for a Class "B" Beer/"Class C" Wine License located at 1351-52nd Street, with no adverse recommendations.

A hearing was held. The applicant appeared.

On a voice vote, motion carried.

C.4. It was moved by Alderperson Downing, seconded by Alderperson Juliana, to approve application of Imagine 4 LLC (Big Shotz Sports Bar) for a Transfer of Agent status of the Class "B" Beer/"Class B" Liquor License located at 3000 Roosevelt Road, from Jeffrey Ciotti to Kurt Streck, subject to 60 demerit points.

A hearing was held. Applicant Kurt Streck appeared.

On a voice vote, motion carried.

C.5. It was moved by Alderperson Ohnstad, seconded by Alderperson Schwartz, to approve application of Food and Fun First, LLC (Good Garden Cafe & Wine Gallery, 5928-6th Avenue) for a Yearly Cabaret License.

A hearing was held. Janine Kolbeck, agent, appeared.

On a voice vote, motion carried.

C.6. It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to approve application of Sol D'Licious Cafe, Inc., (Sol D'Licious Cafe, 1351-52nd Street) for a Yearly Cabaret License.

A hearing was held. Willis Foster, agent, appeared.

On a voice vote, motion carried.

#### D. ORDINANCES 1ST READING

#### E. ZONING ORDINANCES 1ST READING

It was moved by Alderperson Kennedy, seconded by Alderperson Michalski, to send the following ordinance on its way:

E.1. Zoning Ordinance by Alderperson Jesse Downing - To Create Subsections 3.17 C.12 and 3.18 C.41 regarding Conditional Uses, To Amend Section IV Group 3 to Add Physical Fitness Center and To Create Subsection 4.06 C.7 entitled Physical Fitness Center in the M-1 or M-2 Districts.

On a voice vote, motion carried.

#### F. ORDINANCES 2ND READING

Full text of ordinances are on file in the office of the City Clerk.

F.1. It was moved by Alderperson LaMacchia, seconded by Alderperson Mathewson, to adopt Ordinance 45-13.

A public hearing was held. No one spoke for or against said ordinance.

On roll call vote, motion carried unanimously and said ordinance was thereupon adopted:

#### **Ordinance 45-13**

**By Committee on Public Safety and Welfare - To Amend Section 7.125 (of the Code of General Ordinances) Entitled "Streets Controlled by Yield Signs" By Rescinding Therefrom the Yield signs on 62nd Place at its Intersection with 95th Avenue; and, To Amend Section 7.12 C (of the Code of General Ordinances) Entitled, "Stop Streets" by Adding Stop Signs on 62nd Place before Entering the Intersection with 95th Avenue.**

F.2. It was moved by Alderperson Mathewson, seconded by Alderperson Bostrom, to deny Ordinance By Alderperson Jan Michalski, Co-Sponsors: Alderperson Patrick Juliana, Alderperson Scott N. Gordon, Alderperson Curt Wilson - To Create Section 16.152 (of the Code of General Ordinances for the City of Kenosha Entitled Vacant Building Registry).

A public hearing was held. Royce Debow, Government Affairs Director of the Wisconsin Realtors Association; Anthony Nudo, incoming president of South Shore Realtors Association; and Rollin Pizzala, 5303-43<sup>rd</sup> Avenue, spoke against.

F.2.1. It was moved by Alderperson Ohnstad, seconded by Alderperson Juliana, to defer for 60 days.

On roll call vote, motion carried (10-6) with Alderpersons Kennedy, Orth, Bogdala, Ruffolo, Mathewson and Rosenberg voting nay.

At this time, Alderperson Bostrom left the meeting and was not present for the votes on Items F.3. Through F.5.

F.3. It was moved by Alderperson Juliana, seconded by Alderperson Michalski, to defer for two weeks Ordinance By Alderperson Jesse Downing - To Repeal, Recreate and Rename Various Subsections of 10.07 (of the Code of General Ordinances for the City of Kenosha) Regarding Cabaret Licenses.

A public hearing was held. No one spoke for or against said ordinance.

On a voice vote, motion carried.

F.4. It was moved by Alderperson Juliana, seconded by Alderperson Kennedy, to adopt Ordinance 46-13.

A public hearing was held. No one spoke for or against said ordinance.

On roll call vote, motion carried unanimously (Alderperson Bostrom was not present for the vote) and said ordinance was thereupon adopted:

#### **Ordinance 46-13**

**By Alderperson Chris Schwartz - To Repeal and Recreate Subsection 7.05 C. (of the Code of General Ordinances) Regarding Parking Limits.**

F.5. It was moved by Alderperson Michalski, seconded by Alderperson Mathewson, to adopt Ordinance 47-13.

A public hearing was held. No one spoke for or against said ordinance.

On roll call vote, motion carried unanimously (Aldersperson Bostrom was not present for the vote) and said ordinance was thereupon adopted:

**Ordinance 47-13**

**By the Mayor - To Amend Subsection 1.056 paragraph 4 (of the Code of General Ordinances) regarding Eligibility for Appointment to City Boards, Commissions, Authorities and Committees.**

At this time, Aldersperson Bostrom returned to the meeting.

F.6. It was moved by Aldersperson Michalski, seconded by Aldersperson Schwartz, to defer for two weeks Ordinance By the Mayor – To Amend Subsection 30.10 A. Regarding Filing of Complaints and to Repeal and Recreate Subsection 30.15 (of the Code of General Ordinances) Regarding Liability of Complainant for Costs and Expenses.

A public hearing was held. No one spoke for or against said ordinance.

Mayor Bosman recognized Aldersperson Juliana's statement that he would be abstaining.

On roll call vote, motion carried (12-1-3) with Aldersperson Mathewson voting nay and Alderspersons Gordon, Bostrom and Ruffolo abstaining. NOTE: the vote should have been (11-1-4) with Alderspersons Juliana, Gordon, Bostrom and Ruffolo abstaining.

**G. ZONING ORDINANCES 2ND READING**

G.1. It was moved by Aldersperson Kennedy, seconded by Aldersperson LaMacchia, to adopt Ordinance 48-13.

A public hearing was held. Katherine Marks, property owner, spoke in favor.

On roll call vote, motion carried unanimously and said ordinance was thereupon adopted:

**Ordinance 48-13**

**By the Mayor - To Rezone property at 1821- 65th Street from B-2 Community Business District to RG-1 General Residential District (in conformance with Section 10.02 of the Zoning Ordinance).**

G.2. It was moved by Aldersperson Rosenberg, seconded by Aldersperson Juliana, to adopt Ordinance 49-13.

A public hearing was held. Jeffrey Zyglar, Vice President-Development, KTR Partners appeared.

On roll call vote, motion carried unanimously and said ordinance was thereupon adopted:

**Ordinance 49-13**

**By the Mayor - To Create Subsection 18.02 v. (of the Zoning Ordinance) to Amend the Land Use Plan Map for the City of Kenosha: 2035. (Next Partners I, LLC/KTR Capital Partners)**

G.3. It was moved by Aldersperson Downing, seconded by Aldersperson LaMacchia, to adopt Ordinance 50-13.

A public hearing was held. No one spoke for or against said ordinance.

On roll call vote, motion carried unanimously and said ordinance was thereupon adopted:

**Ordinance 50-13**

**By the Mayor – To Rezone a portion of the property at the northeast corner of 38th Street and 120th Avenue from C-2 Lowland Resource Conservancy District to M-2 Heavy Manufacturing (in conformance with Section 10.02 of the Zoning Ordinance). (Next Partners I, LLC/KTR Capital Partners)**

**H. RESOLUTIONS**

Full text of resolutions are on file in the office of the City Clerk.

H.1. It was moved by Aldersperson LaMacchia, seconded by Aldersperson Kennedy, to approve Resolution 157-13.

On roll call vote, motion carried unanimously and said resolution was thereupon adopted:

**Resolution 157-13**

**By the Mayor- Awarding the Sale of \$18,200,000 Taxable General Obligation Promissory Notes, Series 2013A.**

H.2. It was moved by Aldersperson LaMacchia, seconded by Aldersperson Kennedy, to approve Resolution 158-13.

On roll call vote, motion carried unanimously and said resolution was thereupon adopted:

**Resolution 158-13**

**By the Mayor – to Negotiate in Good Faith with Developer of Tax Incremental District #16 for Future Development.**

H.3. It was moved by Aldersperson LaMacchia, seconded by Aldersperson Kennedy, to approve Resolution 159-13.

On roll call vote, motion carried unanimously and said resolution was thereupon adopted:

**Resolution 159-13**

**By the Committee on Finance - To Approve the 2014 Consolidated Plan - Annual Plan for the Community Development Block Grant/HOME Program.**

H.4. It was moved by Aldersperson LaMacchia, seconded by Aldersperson Kennedy, to approve Resolution 160-13.

On roll call vote, motion carried unanimously and said resolution was thereupon adopted:

**Resolution 160-13**

**By the Committee on Finance – To Amend the City of Kenosha Capital Improvement Program for 2013 By Increasing PK09-001 “Harbor Dredging” in the Amount of \$25,000 With Outside Funding from a State of Wisconsin, Boating Infrastructure Grant Program in the Amount of \$25,000 for a Net Change of \$0.**

H.5. It was moved by Aldersperson Michalski, seconded by Aldersperson Gordon, to approve Resolution 161-13.

A hearing was held. No one appeared.

On roll call vote, motion carried unanimously and said resolution was thereupon adopted:

**Resolution 161-13**

**By the Committee on Finance - To Transfer Postponed Special Assessment to Active Special Assessment Roll (Angotti).**

At this time, Aldersperson Mathewson left the meeting.

H.6. It was moved by Aldersperson Ohnstad, seconded by Aldersperson Gordon, to deny Resolution by the Committee on Finance - To Rescind a Special Charge in the Amount of \$110.56 for Grass Cutting at 6420-20th Avenue (Qiuling Huang, owner; Parcel #05-123-06-256-021)

A hearing was held. No one appeared.

On roll call vote, motion carried unanimously (Aldersperson Mathewson was not present for the vote).

H.7. It was moved by Aldersperson Kennedy, seconded by Aldersperson Michalski, to approve Resolution 162-13.

On roll call vote, motion carried unanimously (Aldersperson Mathewson was not present for the vote) and said resolution was thereupon adopted:

**Resolution 162-13**

**By the Board of Water Commissioners - To place special assessments against benefited parcels of property on the 2013 real estate tax roll for the construction of water/sewer mains, connection/lateral assessments, and delinquent water, sewerage and household hazardous waste bills, etc., in the amount of \$1,915,555.00.**

H.8. It was moved by Aldersperson Kennedy, seconded by Aldersperson Michalski, to approve Resolution 163-13.

On roll call vote, motion carried unanimously (Aldersperson Mathewson was not present for the vote) and said resolution was thereupon adopted:

**Resolution 163-13**

**by the Mayor - Providing for a Spring Primary for City Elections**

H.9. It was moved by Alderperson Kennedy, seconded by Alderperson Michalski, to approve Resolution 164-13.  
On roll call vote, motion carried unanimously (Alderperson Mathewson was not present for the vote) and said resolution was thereupon adopted:

**Resolution 164-13**

**By the Mayor - To Place Special Assessments against Benefited Parcels of Property on the 2013 Real Estate Tax Roll for Delinquent Storm Water Bills in an Amount not to Exceed \$604,684.63.**

**L. APPOINTMENTS/  
REAPPOINTMENTS BY THE MAYOR**

It was moved by Alderperson Kennedy, seconded by Alderperson Michalski, to approve:  
I.1. Reappointment of Ronald Frederick (6038-34th Avenue, Kenosha) to the Community Development Block Grant Committee and the HOME Program Commission, for terms to expire November 15, 2016.  
I.2. Reappointments to the Redevelopment Authority for a term to expire November 15, 2018:  
a. Katherine Marks (1821-65th Street, Kenosha)  
b. Douglas Williams (2602-23rd Avenue, Kenosha)  
On roll call vote, motion carried unanimously (Alderperson Mathewson was not present for the vote).

**J. PUBLIC CONSTRUCTION AND IMPROVEMENT CONTRACTS**

**K. OTHER CONTRACTS AND AGREEMENTS**

K.1 It was moved by Alderperson Kennedy, seconded by Alderperson Michalski to approve Sublease Agreement between SSR Properties, LLC and World Skydiving Center LLC #10460.  
On roll call vote, motion carried unanimously (Alderperson Mathewson was not present for the vote).

**L. RECOMMENDATIONS FROM THE COMMITTEE ON FINANCE**

L.1. It was moved by Alderperson Kennedy, seconded by Alderperson Michalski, to approve Disbursement Record #19 - \$4,530,164.94.  
On roll call vote, motion carried unanimously (Alderperson Mathewson was not present for the vote).  
(At this time, Alderperson Bostrom left the meeting).  
L.2. It was moved by Alderperson Bogdala, seconded by Alderperson Gordon, to defer for two weeks Surrender of Real Estate at 5814-19th Avenue to City of Kenosha and Request for Forgiveness of TID Rehabilitation Loan.  
On roll call vote, motion carried unanimously (Alderpersons Mathewson and Bostrom were not present for the vote).

**M. RECOMMENDATIONS FROM THE COMMITTEE ON PUBLIC WORKS**

**N. RECOMMENDATIONS FROM THE COMMITTEE ON  
PUBLIC SAFETY & WELFARE**

**O. REPORTS AND RECOMMENDATIONS OF BOARDS AND COMMISSIONS**

O.1. It was moved by Alderperson Bogdala, seconded by Alderperson Kennedy, to deny Claim of Stuart Sabath.  
On roll call vote, motion carried unanimously (Alderpersons Mathewson and Bostrom were not present for the vote).  
O.2. It was moved by Alderperson Bogdala, seconded by Alderperson Kennedy, to approve Claim of Mark McCray v. City of Kenosha as recommended by the City Attorney.  
On roll call vote, motion carried unanimously (Alderpersons Mathewson and Bostrom were not present for the vote).  
O.3. It was moved by Alderperson Bogdala, seconded by Alderperson Kennedy, to deny Claim of Daniel G. Wilson v. City of Kenosha.  
On roll call vote, motion carried unanimously (Alderpersons Mathewson and Bostrom were not present for the vote).  
Alderpersons Mathewson and Bostrom returned to the meeting.  
Alderperson Juliana left the meeting during Alderperson comments.

**P. Alderperson Comments.**

**ADJOURNMENT**

There being no further business to come before the Common Council, it was moved by Alderperson Ohnstad, seconded by Alderperson Kennedy, to adjourn at 9:15 pm.  
On a voice vote, motion carried.

Approved:

**KEITH G. BOSMAN  
MAYOR**

Attest:

**DEBRA L. SALAS  
CITY CLERK/TREASURER**

**COMMON COUNCIL  
OFFICIAL PROCEEDINGS  
November 18, 2013**

Keith G. Bosman, Mayor

Debra L. Salas, City Clerk

**KENOSHA MUNICIPAL  
BUILDING COUNCIL  
CHAMBERS ROOM 200  
November 18, 2013**

At a meeting of the Common Council held this evening, His Honor, Mayor Keith G. Bosman presided.

The meeting was called to order at 7:01 p.m.

On roll call, the following members of the Common Council were present: Alderpersons Haugaard, Schwartz, Michalski, Ruffolo, LaMacchia, Ohnstad, Mathewson, Rosenberg, Gordon, Bostrom, Wilson, Downing and Bogdala. Alderpersons Juliana, Prozanski, and Orth were excused. Alderperson Kennedy arrived at 7:06 p.m.

A moment of silence was observed in lieu of the invocation.

It was moved by Alderperson LaMacchia, seconded by Alderperson Michalski, to approve the minutes of the meeting held November 4, 2013.

Mayor Bosman then led the Council in the Pledge of Allegiance to the American Flag.

Mayor's Youth Commission Awards were given by the Mayor.

It was moved by Alderperson Downing, seconded by Alderperson Gordon to recess at 7:12 p.m. On a voice vote, motion carried unanimously. The meeting reconvened at 7:20 p.m.

Three (3) Citizens spoke during Citizen's Comments: Diana Kanecki, Virginia Hoekstra, and Dave Paff.

**A. REFERRALS**

**TO THE COMMITTEE ON FINANCE**

A.1. Ordinance by Alderperson Kevin E. Mathewson - To Create Section 1.03 F.18 (of the Code of General Ordinances) Regarding the Procedure for a Presiding Officer to Participate in Debate. (Also referred to Public Works, Public Safety & Welfare, Stormwater Utility and Licensing/Permit Committees)

A.2. Ordinance by Alderperson Kevin E. Mathewson - To Repeal and Recreate Various Sections of Chapters XVI and XVIII (of the Code of General Ordinances) to Terminate the Board of Housing Appeals and to Designate the Finance Committee to Assume Appeal Duties. (Also referred to Public Safety & Welfare Committee)

**TO THE PUBLIC WORKS COMMITTEE**

A.3. Petition to vacate a portion of the alley between 20th Avenue and 21st Avenue, south of 48th Street. (Clair/Juliana) (District #7) (Also referred to City Plan Commission)

**TO THE CITY PLAN COMMISSION**

A.4. Request for a Special Exception to the Major Street Setback for property at 3221-60th Street (in accordance with Section 5.04 of the Zoning Ordinance for the City of Kenosha, Wisconsin). (Our Kenosha Tap) (District #3)

A.5. Petition to rezone property located at 5821 5th Avenue from M-1 Light Manufacturing to B-4 Mixed Use District and property located at 5825 4th Avenue from B-3 Central Business District to B-4 Mixed Use District (in conformance with Section 10.02 of the Zoning Ordinance) (Keno Wells, LLC) (District #2)

**TO THE PARK COMMISSION**

A.6. Resolution by Alderperson Steve G. Bostrom - To Reconstitute the Membership of the Southport Beach House Citizen Committee.

**B. COMMUNICATIONS,  
PETITIONS, REPORTS  
OF DEPARTMENTS**

B.1. It was moved by Alderperson Kennedy, seconded by Alderperson Mathewson, to approve:

- a. 20 applications for an Operator's (Bartenders) license, per list on file in the office of the City Clerk.
- b. There were no application(s) for a transfer of agent status of Beer and/or Liquor licenses, per list on file in the office of the City Clerk.
- c. 1 application(s) for a special Class "B" Beer and/or "Class B" Wine license per list on file in the office of the City Clerk.

**COMMON COUNCIL  
OFFICIAL PROCEEDINGS  
November 18, 2013**

Keith G. Bosman, Mayor

Debra L. Salas, City Clerk

d. 1 application(s) for a Taxi Driver's license per list on file in the office of the City Clerk.  
On a voice vote, motion carried.

**C. RECOMMENDATIONS FROM THE COMMITTEE ON LICENSING/PERMITS**

C.1. It was moved by Alderperson Downing, seconded by Alderperson Wilson, to approve applications for new Operator's (Bartender's) licenses, subject to:

- 10 demerit points:

a. Nicholas Perrelle

b. Betty Julin

- 30 demerit points:

c. Reina Northern

- 40 demerit points:

d. John Quinn

A hearing was held. The applicants did not appear. On a voice vote, motion carried.

C.2. It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to deny applications for new Operator's (Bartender's) licenses based on material police record:

a. Nathan Baternik

b. Bradley Mays

A hearing was held. The applicants did not appear. On a voice vote, motion carried.

C.3. It was moved by Alderperson Kennedy, seconded by Alderperson Wilson, to deny application of Paul Conforti for a new Taxi Driver's License based on material police record. A hearing was held. The applicant did not appear. On a voice vote, motion carried.

C.4. It was moved by Alderperson Kennedy, seconded by Alderperson Gordon, to approve application of KenoshaFest, Inc., Michael P. Wais, Agent, for a Class "A" Beer/"Class A" Liquor License located at 3207-80th Street (Festival Foods) to be effective December 6, 2013, upon surrender of a similar license from Festmark, Inc., subject to 25 demerit points. (District #14) A hearing was held. Michael P. Wais spoke. On a voice vote, motion carried.

C.5. It was moved by Alderperson LaMacchia, seconded by Alderperson Kennedy, to approve application of STT Lighthouse LLC, for a Transfer of Agent status of the Class "B" Beer/"Class B" Liquor License located at 5130-4th Avenue (Breakwater Bar and Grill), from Lisa Meyers to Laura Lynn Saarnio, subject to 0 demerit points. (District #2) (Ayes 5, Noes 0) A hearing was held. The applicant did not appear. On a voice vote, motion carried.

**D. ORDINANCES 1ST READING**

It was moved by Alderperson Kennedy, seconded by Alderperson Downing to send the following ordinances on their way:

D.1.By Alderperson David F. Bogdala - To Repeal and Recreate Subparagraph 1.03 A. (of the Code of General Ordinances) entitled "Order of Business", to Amend Subparagraph 1.03 A.9.c. entitled "Speaker Sign-up" and to Repeal and Recreate Subparagraph 1.03 A.9.e. entitled "Public Hearings".

D.2.By Alderperson Curt Wilson - Co-Sponsors: Alderperson Rocco J. LaMacchia Sr. and Alderperson Chris Schwartz -To Amend Subsection 13.02 A.1 (of the Code of General Ordinances) Regarding Pawnbrokers and Secondhand Article and Jewelry Dealers Definitions and Subsection 13.02 H. Regarding Fees.

On a voice vote, motion carried.

**E. ZONING ORDINANCES 1ST READING**

It was moved by Alderperson Kennedy, seconded by Alderperson Downing, to send the following ordinances on their way:

E.1.By the City Plan Commission - To Create Subsection 18.02 z. (of the Zoning Ordinance) to Amend the Land Use Plan Map for the City of Kenosha: 2035. (Estes) (District #1)

E.2.By the Mayor - To Rezone properties at 3803 and 3809 Seventh Avenue from IP Institutional Park to RG-1 General Residential District (in conformance with Section 10.02 of the Zoning Ordinance). (Estes) (District #1)

E.3.By Alderperson Curt Wilson, Co-Sponsors: Alderperson Rocco J. LaMacchia, Sr., Alderperson Chris Schwartz,

**COMMON COUNCIL  
OFFICIAL PROCEEDINGS  
November 18, 2013**

**Keith G. Bosman, Mayor**

**Debra L. Salas, City Clerk**

Aldersperson Jan Michalski - To Repeal, Recreate and Create Various Subparagraphs of 3.14, 3.15 and 3.155 (of the Zoning Ordinance) Regarding B-2, B-3 and B-4 Business and Mixed-Use Districts; To Create Subsection 4.06 B.27 entitled "Pawnbroker" and Subsection 4.06 B.28 entitled "Secondhand Jewelry Dealer" and To Amend Table 4.01 Group 2 entitled "Business Conditional Uses".

On a voice vote, motion carried.

**F. ORDINANCES 2ND READING**

Full text of ordinances are on file in the office of the City Clerk.

F.1. It was moved by Aldersperson Downing, seconded by Aldersperson LaMacchia, to amend Ordinance 51-13 by moving "No application for an Annual License will be accepted earlier than forty-five (45) days prior to the expiration of a valid Probationary Cabaret License" from B. Application to the end of the paragraph in C. 1. On a voice vote, motion carried. to adopt Ordinance 51-13. On roll call vote, motion carried unanimously and said ordinance was thereupon adopted:

**Ordinance 51-13**

**By Aldersperson Jesse Downing:**

**To Repeal, Recreate and Renumber Various Subsections of 10.07 of the Code of General Ordinances for the City of Kenosha Regarding Cabaret Licenses.**

F.2. It was moved by Aldersperson Michalski, seconded by Aldersperson Ohnstad to approve as amended per the copy in the Alderspersons' packets the Ordinance By the Mayor – To Amend Subsection 30.10 A. Regarding Filing of Complaints and to Repeal and Recreate Subsection 30.15 (of the Code of General Ordinances) Regarding Liability of Complainant for Costs and Expenses. Alderspersons Gordon, Bostrom, Mathewson, and Ruffolo stated they would abstain. City Attorney Antaramian stated the better procedure would be to make the amendment on the floor. It was then determined that there would not be a quorum present to vote on an amendment due to the four (4) Alderspersons abstaining. It was moved by Aldersperson LaMacchia, seconded by Aldersperson Downing to defer two (2) weeks. On a voice vote, motion to defer carried unanimously.

**G. ZONING ORDINANCES 2ND READING**

Full text of ordinances are on file in the office of the City Clerk.

G.1. It was moved by Aldersperson Downing, seconded by Aldersperson LaMacchia to adopt Ordinance 52-13. A public hearing was held. Gerald Mengo, property owner, spoke for said ordinance.

On roll call vote, motion carried unanimously and said ordinance was thereupon adopted:

**Ordinance 52-13**

**By Aldersperson Jesse Downing:**

**To Create Subsections 3017 C.12 and 3.18 C.41 Regarding Conditional Uses, To Amend Section IV Group 3 to Add Physical Fitness Center and To Create Subsection 4.06 C.7 Entitled Physical Fitness Center in the M-1 or M-2 Districts.**

**H. RESOLUTIONS**

Full text of resolutions are on file in the office of the City Clerk.

H.1. It was moved by Aldersperson Mathewson, seconded by Aldersperson Ohnstad to defer two (2) weeks the Resolution by the Committee on Finance - To Rescind a Special Charge in the Amount of \$172.00 for a Property Maintenance Reinspection Fee for 2112-53rd Street (Parcel #12-223-31-329-007); (Petitioner/Owner: Jolene Trznadel Flatley) (Amends Resolution 129-13) (District #7). A hearing was held. No one spoke. On a voice vote, motion carried.

**I. APPOINTMENTS/  
REAPPOINTMENTS BY THE MAYOR**

It was moved by Aldersperson Gordon, seconded by Aldersperson LaMacchia, to approve:

I.1. Reappointment of Maria Caravati (5901-6th Avenue, Kenosha) to the Lakeshore Business Improvement District Board of Directors for a term to expire November 18, 2016.

I.2. Reappointment of Mary Pat Andrea (2401-60th Street Kenosha) to the Commission on the Arts for a term to expire November 1, 2015.

**COMMON COUNCIL  
OFFICIAL PROCEEDINGS  
November 18, 2013**

**Keith G. Bosman, Mayor**

**Debra L. Salas, City Clerk**

I.3. Appointment of K. Scott Plank (525 Longview Drive, Antioch, IL) to the Art Commission for a term to expire November 1, 2015. On a voice vote, motion carried.

**J. PUBLIC CONSTRUCTION AND IMPROVEMENT CONTRACTS**

J.1. It was moved by Alderperson Gordon, seconded by Alderperson LaMacchia, to defer two (2) weeks the Approval of Award of Professional Service Contract for Project 13-1417 Lawn Park Area Tree Removal #2 to Droprite Tree & Landscape (Somers, Wisconsin) in the amount of \$50,000.00.

On voice vote, motion to defer carried.

**K. OTHER CONTRACTS AND AGREEMENTS**

It was moved by Alderperson Kennedy, seconded by Alderperson Schwartz, to approve:

K.1. Addendum to Agreement By and Between the City of Kenosha Wisconsin, a Municipal Corporation, and Waste Management of Wisconsin, Inc., a Wisconsin Corporation. On roll call vote, motion carried unanimously.

**L. RECOMMENDATIONS FROM THE COMMITTEE ON FINANCE**

It was moved by Alderperson Kennedy, seconded by Alderperson Schwartz, to approve:

L.1. Surrender of Real Estate at 5814-19th Avenue to City of Kenosha and Request for Forgiveness of TID Rehabilitation Loan. (District #2) Tony Geliche, Community Development Specialist answered questions.

L.1.Disbursement Record #20 - \$6,665,488.90. On roll call vote, motion carried unanimously

**M. RECOMMENDATIONS FROM THE COMMITTEE ON PUBLIC WORKS**

M.1. It was moved by Alderperson Kennedy, seconded by Alderperson Schwartz to approve change order for : Change Order for Project 13-1025 56<sup>th</sup> Street Resurfacing (56<sup>th</sup> Street – Sheridan Road to 13<sup>th</sup> Avenue). (District #2) On roll call vote, motion carried unanimously.

**N. RECOMMENDATIONS FROM THE COMMITTEE ON  
PUBLIC SAFETY & WELFARE**

**ADJOURNMENT**

There being no further business to come before the Common Council, it was moved by Alderperson Mathewson, seconded by Alderperson LaMacchia, to adjourn at 8:00 p.m.

On a voice vote, motion carried.

Approved:

**KEITH G. BOSMAN  
MAYOR**

Attest:

**DEBRA L. SALAS  
CITY CLERK/TREASURER**

**COMMON COUNCIL  
OFFICIAL PROCEEDINGS  
November 25 & 26, 2013**

Keith G. Bosman, Mayor

Debra L. Salas, City Clerk

**KENOSHA MUNICIPAL  
BUILDING COUNCIL  
CHAMBERS ROOM 200  
November 25 & 26, 2013**

At a meeting of the Common Council held this evening, His Honor, Mayor Keith G. Bosman presided.

The meeting was called to order at 5:03 p.m.

On roll call, the following members of the Common Council were present: Alderpersons Haugaard, Schwartz, Michalski, Ruffolo, LaMacchia, Ohnstad, Mathewson, Rosenberg, Kennedy, Gordon, Bostrom, Wilson, Prozanski, Orth, Downing and Bogdala. Alderperson Juliana was excused.

A moment of silence was held in lieu of the invocation. Mayor Bosman then led the Council in the Pledge of Allegiance to the American Flag.

1. Public Hearing on the 2014 – 2018 Capital Improvement Plan. No one spoke.

2. Public Hearing on the 2014 City of Kenosha Budget. One (1) person spoke, Dino Marchesini.

It was moved, seconded and unanimously carried to adjourn the special Common Council meeting at 5:07 pm.

**KENOSHA COMMON COUNCIL  
COMMITTEE OF THE WHOLE**

2014 Budget Changes			
	2014	Reduction	Savings
Council - Other Professional	\$65,000	\$34,000	\$34,000
HR - Other Professional	\$128,900	\$75,000	\$75,000
CDI - Part Time	\$14,338	\$7,099	\$7,099
EMS Overtime Savings	\$275,000	\$30,000	\$30,000
Parks - Special Events (code 369)	\$14,500	\$14,500	\$14,500
Parks - Baseball (code 369)	\$12,000	\$12,000	\$12,000
Fuel Savings (493,000 gallons x \$3.40)	\$1,725,500	\$49,300	\$49,300
			\$221,899

2014 Administration CIP Changes		
Project Number	Project	2014 Requested
AD-14-001	Job Classification Study (New)	\$75,000
AD-13-002	Kenosha Joint Services Software	\$900,000
New 2014 Administration CIP Total		\$975,000
PK-	Baseball Equipment	\$12,000
PK-	Special Events	\$14,500

Plan A	
Mayor's Proposed Budget	\$64,467,430
Budget Savings	\$221,899
Council Budget	\$64,245,531

Expenditure Restraint Program	\$64,417,627
Council Budget	\$64,245,531
Allowable Difference	\$172,096

Addition of Fire Fighters	\$170,000
Council New Budget	\$64,245,531
Total New Budget	\$64,415,531
Expenditure Restraint Program	\$64,417,627
New Allowable Difference	\$2,096

Mayor's Budget	\$64,467,430
New Budget	\$64,415,531
Difference	\$51,899

**KENOSHA, WISCONSIN  
Monday, November 25, 2013**

Following Conclusion of the special Common Council Meeting, at the Kenosha Committee of the Whole meeting, His Honor, Mayor Keith G. Bosman presided.

The meeting was called to order at 5:08 p.m.

On roll call, the following members of the Common Council were present: Alderpersons Haugaard, Schwartz, Michalski, Ruffolo, LaMacchia, Ohnstad, Mathewson, Rosenberg, Kennedy, Gordon, Bostrom, Wilson, Prozanski, Orth, Downing and Bogdala. Alderperson Juliana joined the meeting during the break to make copies of Alderperson Bogdala's proposed amendment, approximately 5:19 pm.

1. 2014 – 2018 Capital Improvement Plan. It was moved by Alderperson Prozanski, seconded by Alderperson Ohnstad to recommend to the Common Council that the City of Kenosha 2014-2018 Capital Improvement Plan, be approved as amended by the Finance Committee.

**COMMON COUNCIL  
OFFICIAL PROCEEDINGS  
November 25 & 26, 2013**

**Keith G. Bosman, Mayor**

**Debra L. Salas, City Clerk**

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1.1 It was moved by Alderperson Bostrom, seconded by Alderperson Mathewson to amend PK13-002, by adding \$200,00 in 2014, 2015 and 2016. On roll call vote, motion failed (7-9) with Alderpersons Bostrom, Downing, Bogdala, Schwartz, Michalski, Ruffolo and Mathewson voting aye. On roll call vote, motion to recommend that the 2014-2018 be approved as amended by the Finance Committee carried (13-3) with Alderpersons Bostrom, Bogdala and Mathewson voting nay.

2. 2014 City of Kenosha Budgets, Making Appropriations, and Levying 2013 Property Taxes. It was moved by Alderperson Prozanski, seconded by Alderperson LaMacchia to recommend to the Common Council that the 2014 City of Kenosha budgets, appropriations, and levying of 2013 property taxes be approved as amended by the Finance Committee.

2.1 It was moved by Alderperson Bogdala, seconded by Alderperson Bostrom to amend as presented by Alderperson Bogdala. It was requested for the Council to receive copies of the amendment (Illustration 1).

It was moved by Alderperson Gordon, seconded by Alderperson Kennedy to take a recess at 5:10 pm, to make copies.

At this time, 5:19 pm., Alderperson Juliana joined the meeting. At approximately 5:22 pm the committee reconvened.

Alderperson Orth questioned whether the motion to amend as presented by Alderperson Bogdala was in order since it included changes to the 2014-2018 Capital Improvement Plan, which was already acted on. The City Attorney advised the motion to amend the Capital Improvement Plan was not in order. The maker, Alderperson Bogdala and seconder, Alderperson Bostrom withdrew the motion to amend as presented.

2.2 It was moved by Alderperson Bogdala, seconded by Alderperson Bogdala to amend the 2014 City of Kenosha Budget to include changes recommended in the table labeled "2014 Budget Changes", including Plan A as presented. On roll call vote, motion failed (4-13) with Alderpersons Bostrom, Bogdala, Ruffolo and Mathewson voting aye.

On roll call vote, motion to recommend to the Common Council that the 2014 City of Kenosha budgets, appropriations, and levying of 2013 property taxes be approved as amended by the Finance Committee carried (12-5) with Alderpersons Bostrom, Downing, Bogdala, Ruffolo and Mathewson voting nay.

3. 2014 Public Library Tax Levy. It was moved by Alderperson Prozanski, seconded by Alderperson LaMacchia to recommend to the Common Council that the 2014 Public Library Tax Levy be approved in the amount of \$4,843,589 as recommended by the Finance Committee. On roll call vote, motion carried (15-2) with Alderpersons Bogdala and Mathewson voting nay.

4. 2014 Public Museum Budget. It was moved by Alderperson Prozanski, seconded by Alderperson LaMacchia to recommend to the Common Council that the 2014 Public Museum budget be approved as recommended by the Finance Committee. On roll call vote, motion carried (15-2) with Alderpersons Bostrom and Downing voting nay.

5. Resolution By the Mayor – To Approve the 2014 Budget and Operating Plan of the Kenosha Lakeshore Business Improvement District (BID) and to Levy Special Assessments. It was moved by Alderperson Prozanski, seconded by Alderperson LaMacchia to recommend to the Common Council that the Resolution by the Mayor be approved as recommended by the Finance Committee. On roll call vote, motion carried (16-1) with Alderperson Mathewson voting nay.

6. Resolution By the Mayor – To Approve the 2013 Allowable Municipal Levy Limit of \$59,674,171. It was moved by Alderperson Prozanski, seconded by Alderperson LaMacchia to recommend to the Common Council that the resolution by the Mayor be approved. On roll call vote, motion carried (13-4) with Alderpersons Bostrom, Downing, Bogdala and Mathewson voting nay.

7. Resolution By the Mayor – To Approve the Table of Organization of the City of Kenosha, to Reclassify Positions, to Modify the Compensation Plans for Non-Represented Managerial, Supervisory, and Professional Employees; Limited Term, Seasonal, Temporary, and Part Time Employees; and to Modify Employee Benefits for Both Represented and Non-Represented Employees for 2014. It was moved by Alderperson Prozanski, seconded by Alderperson LaMacchia to recommend to the Common Council that the resolution by the Mayor be approved. On roll call vote, motion carried (15-2) with Alderpersons Bogdala and Mathewson voting nay.

**COMMON COUNCIL  
OFFICIAL PROCEEDINGS  
November 25 & 26, 2013**

**Keith G. Bosman, Mayor**

**Debra L. Salas, City Clerk**

8. Resolution By the Mayor – To Establish Stormwater Utility Rates within the City of Kenosha, Wisconsin. It was moved by Alderperson Juliana, seconded by Alderperson Ohnstad to recommend to the Common Council that the resolution by the Mayor be approved. On roll call vote, motion carried (13-4) with Alderpersons Bostrom, Bogdala, Ruffolo and Mathewson voting nay.

**ADJOURNMENT**

There being no further business to come before the Common Council, it was moved by Alderperson Haugaard, seconded by Alderperson Prozanski, to adjourn at 6:24 p.m.

On a voice vote, motion carried.

Approved:

**KEITH G. BOSMAN  
MAYOR**

Attest:

**DEBRA L. SALAS  
CITY CLERK/TREASURER**

**SPECIAL COMMON COUNCIL MEETING  
TUESDAY, NOVEMBER 26, 2013**

At a special meeting of the Common Council held this evening, His Honor, Mayor Keith G. Bosman presided.

The meeting was called to order at 5:00 p.m.

On roll call, the following members of the Common Council were present: Alderpersons Haugaard, Schwartz, Michalski, Ruffolo, LaMacchia, Ohnstad, Juliana, Rosenberg, Kennedy, Gordon, Bostrom, Wilson, Prozanski, Orth, Downing and Bogdala. Alderperson Mathewson during discussion of item #1.

A moment of silence was held in lieu of the invocation. Mayor Bosman then led the Council in the Pledge of Allegiance to the American Flag.

1. Resolution By Committee on Finance – To Approve the 2014 – 2018 Capital Improvement Plan. It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia to approve Resolution 165-13.

1.1 It was then moved by Alderperson Bostrom, seconded by Alderperson Bogdala to amend PK13-002 by adding \$100,000 to 2014. On roll call vote, motion failed (8-9) with Alderpersons Haugaard, Kennedy, Bostrom, Downing, Bogdala, Michalski, Ruffolo and Mathewson voting aye.

On roll call vote, motion to approve Resolution 165-13 carried (15-2) with Alderpersons Bostrom and Ruffolo voting nay and said resolution was thereupon adopted.

(full text of resolutions on file in the Office of the City Clerk)

**RESOLUTION #165-13**

**By: Finance Committee**

**RESOLUTION TO APPROVE THE 2014 - 2018 CAPITAL IMPROVEMENT PLAN**

2. Resolution By Committee on Finance – Adopting 2014 City of Kenosha Budgets, Making Appropriations and Levying 2013 Property Taxes. It was moved by Alderperson Prozanski, seconded by Alderperson Juliana to approve Resolution 166-13. On roll call vote, motion carried (13-4) with Alderpersons Bostrom, Bogdala, Ruffolo and Mathewson voting nay and said resolution was thereupon adopted.

**Resolution 166-13**

**BY: Committee on Finance**

**ADOPTING 2014 BUDGETS, MAKING APPROPRIATIONS  
AND LEVYING 2013 PROPERTY TAXES**

3. Resolution By the Mayor – To Approve the 2014 Budget and Operating Plan of the Kenosha Lakeshore Business Improvement District (BID) and to Levy Special Assessments. It was moved by Alderperson Kennedy, seconded by Alderperson Gordon to approve Resolution 167-13. On roll call vote, motion carried (16-1) with Alderperson Mathewson voting nay and said resolution was thereupon adopted.

**COMMON COUNCIL  
OFFICIAL PROCEEDINGS  
November 25 & 26, 2013**

Keith G. Bosman, Mayor

Debra L. Salas, City Clerk

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**RESOLUTION NO. 167-13**

**BY: THE MAYOR**

**TO APPROVE THE 2014 BUDGET AND OPERATING PLAN OF THE  
KENOSHA LAKESHORE BUSINESS IMPROVEMENT DISTRICT (BID)  
AND TO LEVY SPECIAL ASSESSMENTS**

4. Resolution By the Mayor – To Approve the 2013 Allowable Municipal Levy Limit of \$59,674,171. It was moved by Alderperson Prozanski, seconded by Alderperson Juliana to approve Resolution 168-13. On roll call vote, motion carried (13-4) with Alderpersons Bostrom, Bogdala, Ruffolo and Mathewson voting nay and said resolution was thereupon adopted.

**RESOLUTION NO. 168-13**

**By: The Mayor**

**To Approve the 2013 Allowable Municipal Levy Limit of \$59,674,171**

5. Resolution By the Mayor – To Approve the Table of Organization of the City of Kenosha, to Reclassify Positions, to Modify the Compensation Plans for Non-Represented, Managerial, Supervisory, and Professional Employees; Limited Term, Seasonal, Temporary, and Part Time Employees; and to Modify Employee Benefits for both Represented and Non-Represented Employees for 2014. It was moved by Alderperson Prozanski, seconded by Alderperson Juliana to approve Resolution 169-13. On roll call vote, motion carried (15-2) with Alderpersons Bogdala and Mathewson voting nay and said resolution was thereupon adopted.

**RESOLUTION NO. 169-13**

**BY: THE MAYOR**

**RESOLUTION TO APPROVE**

**THE TABLE OF ORGANIZATION OF THE CITY OF KENOSHA, TO RECLASSIFY POSITIONS,  
TO MODIFY THE COMPENSATION PLANS FOR NON-REPRESENTED MANAGERIAL,  
SUPERVISORY AND PROFESSIONAL EMPLOYEES; LIMITED TERM, SEASONAL,  
TEMPORARY, AND PART TIME EMPLOYEES; AND TO MODIFY EMPLOYEE BENEFITS FOR  
BOTH REPRESENTED AND NON-REPRESENTED EMPLOYEES FOR 2014**

6. Resolution By the Mayor – To Establish Stormwater Utility Rates within the City of Kenosha, Wisconsin. It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia to approve Resolution 170-13. On roll call vote, motion carried (13-4) with Alderpersons Bostrom, Bogdala, Ruffolo and Mathewson voting nay and said resolution was thereupon adopted.

**RESOLUTION NO. 170-13**

**BY: THE MAYOR**

**TO ESTABLISH STORMWATER UTILITY RATES  
WITHIN THE CITY OF KENOSHA, WISCONSIN**

**ADJOURNMENT**

There being no further business to come before the Common Council, it was moved by Alderperson Prozanski, seconded by Alderperson Kennedy, to adjourn at 5:27 p.m.

On a voice vote, motion carried.

Approved:

**KEITH G. BOSMAN  
MAYOR**

Attest:

**DEBRA L. SALAS  
CITY CLERK/TREASURER**

**COMMON COUNCIL  
OFFICIAL PROCEEDINGS  
December 2, 2013**

**Keith G. Bosman, Mayor**

**Debra L. Salas, City Clerk**

**KENOSHA MUNICIPAL  
BUILDING COUNCIL  
CHAMBERS ROOM 200  
December 2, 2013**

At a meeting of the Common Council held this evening, Council President Eric Haugaard was seated as Acting Mayor.

The meeting was called to order at 7:05 p.m.

On roll call, the following members of the Common Council were present: Alderpersons Schwartz, Michalski, Ruffolo, LaMacchia, Ohnstad, Juliana, Mathewson, Rosenberg, Kennedy, Gordon, Bostrom, Wilson, Prozanski, Orth, Downing and Bogdala.

A moment of silence was observed in lieu of the invocation.

Acting Mayor Haugaard then led the Council in the Pledge of Allegiance to the American Flag.

It was moved by Alderperson Michalski, seconded by Alderperson Prozanski, to approve the minutes of the meeting held November 18, 2013.

Motion carried unanimously.

Five Citizens spoke during Citizen's Comments: Virginia Hoekstra, Tammy Conforti, Samhan Samhan, Mahdi Samhan, Lindsay Post.

**A. REFERRALS**

**TO THE COMMITTEE ON FINANCE**

A.1. Ordinance by the Mayor - To Repeal and Recreate Sections 1.055 12.a., 12.b. and 12.c.; and to Create Sections 1.055 12.a.(6), 1.055 12.a.(7) and 1.055 12.b.(4) (of the Code of General Ordinances) regarding Fees, Costs and Surcharges in Municipal Court.

A.2. Resolution By the Finance Committee - To Reallocate Community Development Block Grant Funds and Amend the 2013 Consolidated Plan-Annual Plan. (Also referred to City Plan Commission)

**TO THE PUBLIC WORKS COMMITTEE**

A.3. Development Agreement between the City of Kenosha, Kenosha Water Utility and Meijer Stores Limited Partnership regarding property at 7701 Green Bay Road. (Meijer) (District #14) (Also referred to City Plan Commission, Board of Water Commissioners and Stormwater Utility Committee)

A.4. Approve acceptance of the Quit Claim Deed from Meijer Stores Limited Partnership to the City of Kenosha for 76th Street right-of-way, west of 64th Avenue. (Meijer) (District #14) (Also referred to City Plan Commission)

A.5. Permanent Sidewalk and Multi-Use Path Easement and Agreement By and Between Meijer Stores Limited Partnership and the City of Kenosha, Wisconsin. (Meijer) (District #14) (Also referred to City Plan Commission)

**TO THE PUBLIC SAFETY & WELFARE COMMITTEE**

A.6. Proposed Ordinance by the Mayor - To Repeal and Recreate Subsection 16.13 b.2 of the Code of General Ordinances Regarding Board of Housing Appeals Membership of Boards; Quorum and Officers.

**TO THE STORMWATER UTILITY COMMITTEE**

A.7. Approve the Stormwater Management Practices Maintenance Agreement for Stormwater Maintenance Facilities By and Between the City of Kenosha, Wisconsin and Meijer Stores Limited Partnership.

A.8. Approve the Permanent Storm Sewer And Detention Pond Easement & Agreement By and

**COMMON COUNCIL  
OFFICIAL PROCEEDINGS  
December 2, 2013**

**Keith G. Bosman, Mayor**

**Debra L. Salas, City Clerk**

Between the City of Kenosha, Wisconsin and Meijer Stores Limited Partnership and the City of Kenosha, Wisconsin.

**TO THE CITY PLAN COMMISSION**

A.9. Amendment to the Conditional Use Permit to construct a 250,040 s.f. addition to the existing distribution facility at 8505-50th Street. (Rustoleum) (District #16)

A.10. Conditional Use Permit to construct a physical fitness center in the existing warehouse at 4611 Green Bay Road. (Kenosha Personal Training) (District #16)

A.11. Amendment to the Conditional Use Permit regarding basin construction and deadlines to obtain permits for development at 7701 Green Bay Road. (Meijer) (District #14)

**B. COMMUNICATIONS,  
PETITIONS, REPORTS  
OF DEPARTMENTS**

B.1. It was moved by Alderperson Downing, seconded by Alderperson Gordon, to approve:

a. 23 applications for an Operator's (Bartenders) license, per list on file in the office of the City Clerk.

b. 1 application(s) for a transfer of agent status of Beer and/or Liquor licenses, per list on file in the office of the City Clerk.

c. 1 application(s) for a special Class "B" Beer and/or "Class B" Wine license per list on file in the office of the City Clerk.

d. There were no application(s) for a Taxi Driver's license per list on file in the office of the City Clerk.

On a voice vote, motion carried.

B.2. It was moved by Alderperson Michalski, seconded by Alderperson Schwartz to approve Special Exception Request to the Major Street Setback for property at 3221-60th Street (in accordance with Section 5.04 of the Zoning Ordinance for the City of Kenosha, Wisconsin). (Our Kenosha Tap) (District #3). A public hearing was held. Nasser Museitif appeared. On a voice vote, motion carried.

B.3. It was moved by Alderperson LaMacchia, seconded by Alderperson Michalski to approve Special Exception Request to the Off-Street Parking Requirement (of Section 6.01 F.31 of the Zoning Ordinance) for the property at 3221-60th Street. (Our Kenosha Tap) (District #3). A public hearing was held. Nasser Museitif appeared. On a voice vote, motion carried.

B.4. It was moved by Alderperson Mathewson, seconded by Alderperson Kennedy to approve Communication from the Mayor regarding K. Scott Plank's term on Commission on the Arts. On a voice vote, motion carried.

**C. RECOMMENDATIONS FROM THE COMMITTEE ON LICENSING/PERMITS**

C.1. It was moved by Alderperson Kennedy, seconded by Alderperson Ohnstad to approve Application of Dante Bindelli for a new Operator's (Bartender's) license, with a recommendation from the City Attorney to grant, subject to 45 demerit points. A hearing was held. The applicant did not appear. On a voice vote, motion carried.

C.2. It was moved by Alderperson Downing, seconded by Alderperson Ohnstad to approve Application of Speedway, LLC, Michael Cobb, Agent, for a Class "A" Retail Beer Only License located at 3708-60th Street (Speedway #4029) with no adverse recommendations. (District #11) A hearing was held. Anthony Nudo appeared. On a voice vote, motion carried with Alderperson Bostrom abstaining.

C.3. It was moved by Alderperson Downing, seconded by Alderperson Ohnstad to approve Application of Kenosha Midnight, Inc, for a Transfer of Agent status of the Class "B"

**COMMON COUNCIL  
OFFICIAL PROCEEDINGS  
December 2, 2013**

**Keith G. Bosman, Mayor**

**Debra L. Salas, City Clerk**

Beer/"Class B" Liquor License located at 5605-22nd Avenue (Kenosha Midnight) from Laurie Mueller to Samhan Samhan, with a recommendation from the City Attorney to grant, subject to 25 demerit points. (District #2) A hearing was held. Samhan Samhan appeared. On a voice vote, motion carried with Alderperson Ohnstad not present for the vote.

**D. ORDINANCES 1ST READING**

**E. ZONING ORDINANCES 1ST READING**

**F. ORDINANCES 2ND READING**

Full text of ordinances are on file in the office of the City Clerk.

F.1. It was moved by Alderperson Bogdala, seconded by Alderperson Ruffolo, to adopt ordinance By Alderperson David F. Bogdala - To Repeal and Recreate Subparagraph 1.03 A. (of the Code of General Ordinances) entitled "Order of Business", to Amend Subparagraph 1.03 A.9.c. entitled "Speaker Sign-up" and to Repeal and Recreate Subparagraph 1.03 A.9.e. entitled "Public Hearings" (on file in the Office of the City Clerk).

**ORDINANCE NO. \_\_\_\_\_**

**DRAFT 11/14/13**

This version represents a change made by the Sponsor pursuant to Paragraph 1.03E.2. of our Code of General Ordinances. It does not reflect amendments recommended by Committees to the prior version.

**SPONSOR: ALDERPERSON DAVID F. BOGDALA**

**TO REPEAL AND RECREATE SUBPARAGRAPH 1.03 A. OF  
THE CODE OF GENERAL ORDINANCES ENTITLED "ORDER  
OF BUSINESS", TO AMEND SUBPARAGRAPH 1.03 A.9.c.  
ENTITLED "SPEAKER SIGN-UP" AND TO REPEAL AND  
RECREATE SUBPARAGRAPH 1.03 A.9.e. ENTITLED "PUBLIC  
HEARINGS"**

The Common Council of the City of Kenosha, Wisconsin, do ordain as follows:

**Section One:** The Subparagraph of 1.03 A. of the Code of General

Ordinances for the City of Kenosha, Wisconsin, is hereby repealed and recreated as follows:

**A. Order of Business.**

The order of business of the Common Council is not subject to change through a motion to suspend the rules, with the exception of subparagraph 1.03A.9.a. The business of the Council shall be conducted in the following order:

1. Call to order by presiding Officer.
2. Roll Call. If a quorum is not present, the meeting shall thereupon be adjourned to a specific date and hour.
3. Invocation.
4. Pledge of Allegiance.
5. Approval of the minutes, subject to corrections, of the previous meeting and of any other regular or special meeting where the minutes have not been approved.
6. Non-Agenda matters referred to Committees, Boards, Commissions and authorities by the Mayor.
7. Presentations, Commendations and Awards by Mayor.
8. Awards and commendations from Boards, Commissions, Authorities and Committees.
9. Citizen's Comments.
  - a. Maximum Total Time Limit: Forty-five (45) minutes for all speakers. The Common Council by a majority vote of the members present, may extend the time period to permit all speakers who have signed up pursuant to subparagraph 9.c. an opportunity to speak.
  - b. Maximum Individual Time Limit: Five (5) minutes for each individual speaker, with no extension or use of another person's time.

**COMMON COUNCIL  
OFFICIAL PROCEEDINGS  
December 2, 2013**

**Keith G. Bosman, Mayor**

**Debra L. Salas, City Clerk**

- c. **Speaker Sign-Up:** Speakers must personally sign in with the City Clerk/Treasurer between 6:30 P.M. and the 7:00 P.M., prior to commencement of the Common Council meeting and provide their home address, including city, village or town. Only speakers who are timely signed in will be permitted to speak. The City Clerk/Treasurer, during Citizen's Comments, will call speakers forward, two (2) at a time.
  - d. **Rules:** Citizens are bound by the same rules as the Common Council, with particular reference to "Decorum in Debate", per Robert's Rules of Order, revised.
  - e. **Public Hearings:** §1.03 E.3.c. of the Code of General Ordinances shall remain applicable to Citizen's Comments on agenda items.
10. Economic Development Reports and other presentations authorized by the Mayor.
  11. Agenda matters referred to Committees, Boards, Commissions and Authorities.
  12. Communications, Petitions, and Reports of Departments.
  13. Reports and recommendations from the Committee on Licenses/Permits.
  14. General Ordinances, first reading.
  15. Zoning Ordinances, first reading.
  16. General Ordinances, second reading.
  17. Zoning Ordinances, second reading.
  18. Resolutions.
- 
19. Appointments/Reappointments by the Mayor.
  20. Public construction and improvement contracts.
  21. Other contracts and agreements.
  22. Reports and recommendations from Committee on Finance.
  23. Reports and recommendations from the Committee on Public Works.
  24. Reports and recommendations from the Committee on Public Safety and Welfare.
  25. Reports and recommendations of Boards and Commissions
  26. Such other matters as are authorized by law or regular business.
  27. Legislative report.
  28. Mayor's comments.
  29. Alderpersons comments

The Mayor shall appoint one (1) or more members of the City Clerk's Office to read the Agenda, take minutes and conduct roll calls at meetings of the Common Council.

~~The order of business of the Common Council is not subject to change through a motion to suspend the rules.~~

**Section Two:** Subparagraph 1.03 A.9.e. of the Code of General

Ordinances for the City of Kenosha, Wisconsin, is hereby repealed and recreated as follows:

**e. Public Hearings :** §1.03 EF.3.c. of the Code of General Ordinances shall remain applicable to Citizen's Comments on agenda items.

**Section Four:** This Ordinance shall become effective upon passage and publication.

A public hearing was held. Four citizens spoke: Doug Williams, Louis Rigani, Lindsay Post, and Virginia Hoekstra.

F.1.1. It was then moved by Alderperson Prozanski, seconded by Alderperson Michalski to amend as follows (on file in the Office of the City clerk):

COMMON COUNCIL  
OFFICIAL PROCEEDINGS  
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Keith G. Bosman, Mayor

Debra L. Salas, City Clerk

ORDINANCE NO. \_\_\_\_\_

**DRAFT 11/14/13**

This version represents a change made by the Sponsor pursuant to Paragraph 1.03E.2. of our Code of General Ordinances. It does not reflect amendments recommended by Committees to the prior version.

SPONSOR: ALDERPERSON DAVID F. BOGDALA

**TO REPEAL AND RECREATE SUBPARAGRAPH 1.03 A. OF THE CODE OF GENERAL ORDINANCES ENTITLED "ORDER OF BUSINESS", TO AMEND SUBPARAGRAPH 1.03 A.9.c. ENTITLED "SPEAKER SIGN-UP" AND TO REPEAL AND RECREATE SUBPARAGRAPH 1.03 A.9.e. ENTITLED "PUBLIC HEARINGS"**

Proposed recommendation by Ald. Prozanski 12/02/13

The Common Council of the City of Kenosha, Wisconsin, do ordain as follows:

**Section One:** The Subparagraph of 1.03 A. of the Code of General

Ordinances for the City of Kenosha, Wisconsin, is hereby repealed and recreated as follows:

**A. Order of Business.**

The order of business of the Common Council is not subject to change through a motion to suspend the rules... with the exception of subparagraph 1.03A.9.a. The business of the Council shall be conducted in the following order:

1. Call to order by presiding Officer.
2. Roll Call. If a quorum is not present, the meeting shall thereupon be adjourned to a specific date and hour.
3. Invocation.
4. Pledge of Allegiance.
5. Approval of the minutes, subject to corrections of the previous meeting and of any other regular or special meeting where the minutes have not been approved.
6. Non-Agenda matters referred to Committees, Boards, Commissions and authorities by the Mayor.
7. Presentations, Commendations and Awards by Mayor.
8. Awards and commendations from Boards, Commissions, Authorities and Committees.
9. Citizen's Comments.
  - a. Maximum Total Time Limit: Forty-five (45) minutes for all speakers. ~~The Common Council by a majority vote of the members present may extend the time period to permit all speakers who have signed up pursuant to subparagraph 2.c. an opportunity to speak.~~
  - b. Maximum Individual Time Limit: Five (5) minutes for each individual speaker, with no extension or use of another person's time.
  - c. Speaker Sign-Up: Speakers must personally sign in with the City Clerk/Treasurer between 6:30 P.M. and the 7:00 P.M., prior to commencement of the Common Council meeting and provide their home address, including city, village or town. Only speakers who are timely signed in will be permitted to speak. The City Clerk/Treasurer, during Citizen's Comments, will call speakers forward, two (2) at a time.
  - d. Rules: Citizens are bound by the same rules as the Common Council, with particular reference to "Decorum in Debate", per Robert's Rules of Order, revised.
  - e. ~~Public Hearings: §1.03 E.3.c. of the Code of General Ordinances shall remain applicable to Citizen's Comments on agenda items. Citizen Comments on an item otherwise scheduled for a Public Hearing on the current agenda shall be prohibited during Citizen Comments. Such comments shall be heard at the Public Hearing of said agenda item.~~
10. Economic Development Reports and other presentations authorized by the Mayor.
11. Agenda matters referred to Committees, Boards, Commissions and Authorities.
12. Communications, Petitions, and Reports of Departments.
13. Reports and recommendations from the Committee on Licenses/Permits.
14. General Ordinances, first reading.
15. Zoning Ordinances, first reading.
16. General Ordinances, second reading.
17. Zoning Ordinances, second reading.
18. Resolutions.
19. Appointments/Reappointments by the Mayor.
20. Public construction and improvement contracts.
21. Other contracts and agreements.
22. Reports and recommendations from Committee on Finance.
23. Reports and recommendations from the Committee on Public Works.
24. Reports and recommendations from the Committee on Public Safety and Welfare.
25. Reports and recommendations of Boards and Commissions
26. Such other matters as are authorized by law or regular business.
27. Legislative report.
28. Mayor's comments.
29. Alderpersons comments

The Mayor shall appoint one (1) or more members of the City Clerk's Office to read the Agenda, take minutes and conduct roll calls at meetings of the Common Council.

~~The order of business of the Common Council is not subject to change through a motion to suspend the rules.~~

**Section Two:** Subparagraph 1.03 A.9.e. of the Code of General

Ordinances for the City of Kenosha, Wisconsin, is hereby repealed and recreated as follows:

**c. Public Hearings :** §1.03 EF.3.c. of the Code of General Ordinances shall remain applicable to Citizen's Comments on agenda items.

**Section Four:** This Ordinance shall become effective upon passage and

publication.

**COMMON COUNCIL  
OFFICIAL PROCEEDINGS  
December 2, 2013**

**Keith G. Bosman, Mayor**

**Debra L. Salas, City Clerk**

F.1.2. It was then moved by Alderperson Michalski, seconded by Alderperson Prozanski to amend as follows (on file in the Office of the City Clerk):

**ORDINANCE NO. \_\_\_\_\_**

**DRAFT 11/14/13**

This version represents a change made by the Sponsor pursuant to Paragraph 1.03E.2. of our Code of General Ordinances. It does not reflect amendments recommended by Committees to the prior version.

**SPONSOR: ALDERPERSON DAVID F. BOGDALA**

**TO REPEAL AND RECREATE SUBPARAGRAPH 1.03 A. OF THE CODE OF GENERAL ORDINANCES ENTITLED "ORDER OF BUSINESS", TO AMEND SUBPARAGRAPH 1.03 A.9.c. ENTITLED "SPEAKER SIGN-UP" AND TO REPEAL AND RECREATE SUBPARAGRAPH 1.03 A.9.e. ENTITLED "PUBLIC HEARINGS"**

Proposed  
recommendation by  
Ald. Michalski  
11/20/13

The Common Council of the City of Kenosha, Wisconsin, do ordain as follows:

**Section One:** The Subparagraph of 1.03 A. of the Code of General

Ordinances for the City of Kenosha, Wisconsin, is hereby repealed and recreated as follows:

**A. Order of Business.**

The order of business of the Common Council is not subject to change through a motion to suspend the rules, with the exception of subparagraph 1.03A.9.a. The business of the Council shall be conducted in the following order:

1. Call to order by presiding Officer.
2. Roll Call. If a quorum is not present, the meeting shall thereupon be adjourned to a specific date and hour.
3. Invocation.
4. Pledge of Allegiance.
5. Approval of the minutes, subject to corrections, of the previous meeting and of any other regular or special meeting where the minutes have not been approved.
6. Non-Agenda matters referred to Committees, Boards, Commissions and authorities by the Mayor.
7. Presentations, Commendations and Awards by Mayor.
8. Awards and commendations from Boards, Commissions, Authorities and Committees.
9. Citizen's Comments
  - a. Maximum Total Time Limit: Forty-five (45) minutes for all speakers. The Common Council by a majority vote of the members present, may extend the time period to permit all speakers who have signed up pursuant to subparagraph 9.c., an opportunity to speak. Any such extension of time shall, however, be provided to those speakers immediately prior to such time as the Mayor's comments are entitled to be heard.
  - b. Maximum Individual Time Limit: Five (5) minutes for each individual speaker, with no extension or use of another person's time.
  - c. Speaker Sign-Up: Speakers must personally sign in with the City Clerk/Treasurer between 6:30 P.M. and the 7:00 P.M., prior to commencement of the Common Council meeting and provide their home address, including city, village or town. Only speakers who are timely signed in will be permitted to speak. The City Clerk/Treasurer, during Citizen's Comments, will call speakers forward, two (2) at a time.
  - d. Rules: Citizens are bound by the same rules as the Common Council, with particular reference to "Decorum in Debate", per Robert's Rules of Order, revised.
  - e. Public Hearings: §1.03 E.3.c. of the Code of General Ordinances shall remain applicable to Citizen's Comments on agenda items.
10. Economic Development Reports and other presentations authorized by the Mayor.
11. Agenda matters referred to Committees, Boards, Commissions and Authorities.
12. Communications, Petitions, and Reports of Departments.
13. Reports and recommendations from the Committee on Licenses/Permits.
14. General Ordinances, first reading.
15. Zoning Ordinances, first reading.
16. General Ordinances, second reading.
17. Zoning Ordinances, second reading.

1.03 A. Order of Business

1

18. Resolutions.
19. Appointments/Reappointments by the Mayor.
20. Public construction and improvement contracts.
21. Other contracts and agreements.
22. Reports and recommendations from Committee on Finance.
23. Reports and recommendations from the Committee on Public Works.
24. Reports and recommendations from the Committee on Public Safety and Welfare.
25. Reports and recommendations of Boards and Commissions
26. Such other matters as are authorized by law or regular business.
27. Legislative report.
28. Mayor's comments.
29. Alderpersons comments

The Mayor shall appoint one (1) or more members of the City Clerk's Office to read the Agenda, take minutes and conduct roll calls at meetings of the Common Council.

~~The order of business of the Common Council is not subject to change through a motion to suspend the rules.~~

**Section Two:** Subparagraph 1.03 A.9.e. of the Code of General

Ordinances for the City of Kenosha, Wisconsin, is hereby repealed and recreated as follows:

**e. Public Hearings : §1.03 EF.3.c.** of the Code of General Ordinances shall remain applicable to Citizen's Comments on agenda items.

**Section Four:** This Ordinance shall become effective upon passage and

publication.

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**Debra L. Salas, City Clerk**

F.1.3. It was then moved by Alderperson Orth, seconded by Alderperson LaMacchia to defer the item for two weeks. On roll call vote, motion carried 14-3 with Alderpersons Bogdala, Ruffolo, and Mathewson voting nay.

F.2. It was moved by Alderperson Ohnstad, seconded by Alderperson LaMacchia to adopt Ordinance 53-13. A public hearing was held. No one spoke for or against said ordinance. On roll call vote, motion carried 15-2, with Alderpersons Bogdala and Mathewson voting nay and said ordinance was thereupon adopted:

**Ordinance 53-13**

**By Alderperson Curt Wilson – Co Sponsors: Alderperson Rocco J. LaMacchia Sr. and Alderperson Chris Schwartz -To Amend Subsection 13.02 A.1 (of the Code of General Ordinances) Regarding Pawnbrokers and Secondhand Article and Jewelry Dealers Definitions and Subsection 13.02 H. Regarding Fees.**

F.3. It was moved by Alderperson Ohnstad, seconded by Alderperson LaMacchia to adopt ordinance By the Mayor – To Amend Subsection 30.10 A. Regarding Filing of Complaints and to Repeal and Recreate Subsection 30.15 (of the Code of General Ordinances) Regarding Liability of Complainant for Costs and Expenses.

F.3.1. It was then moved by Alderperson Michalski, seconded by Alderperson Ohnstad to amend as follows (on file in the Office of the City Clerk):

ORDINANCE NO. \_\_\_\_\_

DRAFT 09/27/13

11/18/13 Proposed amendment by Ald. Michalski

SPONSOR: MAYOR

TO AMEND SUBSECTION 30.10 A. REGARDING FILING OF  
COMPLAINTS AND TO REPEAL AND RECREATE SUBSECTION  
30.15 OF THE CODE OF GENERAL ORDINANCES REGARDING  
LIABILITY OF COMPLAINANT FOR COSTS AND EXPENSES

The Common Council of the City of Kenosha, Wisconsin, do ordain as follows:

**Section One:** Subsection 30.10 A. of the Code of General Ordinances for

the City of Kenosha, Wisconsin, is hereby amended as follows:

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**Debra L. Salas, City Clerk**

**A. Filing of Complaints.** Any person may file a complaint against any covered person alleging a violation of the Code of Ethics with the Ethics Board. The complaint shall be filed with the City Department of Human Resources. The complaint shall be in writing and shall be verified. A separate written verified complaint shall be required for each named covered person. The complaint shall state with specificity the date of the alleged offense, the provision of the Code of Ethics alleged to have been violated, and the facts and circumstances upon which the allegations are based. Allegations shall be deemed to be made upon personal knowledge unless stated as being made upon information and belief. No complaint shall be filed unless accompanied by a verified acknowledgment on a form prescribed by the City stating that the complainant has read, understands and agrees to be bound by the provisions of Section 30.15 A. of this Chapter entitled Liability Of Complainant For Costs And Expenses. Any complaint filed with the Department of Human Resources but not received by the Ethics Board prior to the effective date of this ordinance will not be received by the Ethics Board unless and until the complainant files the verified acknowledgment required pursuant to this paragraph.

**Section Two:** Subsection 30.15 of the Code of General Ordinances for the

City of Kenosha, Wisconsin, is hereby repealed and recreated as follows:

**~~30.15 REIMBURSEMENT OF LEGAL EXPENSES~~**

~~In the event a complaint against an accused covered person is dismissed in its entirety the Ethics Board, the accused covered person shall be paid by the City for the reasonable cost of the defense upon assigning to the City any cause of action to recover the legal expenses incurred by the accused covered person from the complainant. The City in its discretion may pursue such assigned cause of action to recover the legal expenses from the complainant where the complaint has been dismissed in its entirety by the Ethics Board.~~

**30.15 LIABILITY OF COMPLAINANT FOR COSTS AND EXPENSES**

**A. Definition**

“To maintain a frivolous complaint” means to commence, use, or continue an action on a

OR 30.15 EthicCompl Expense LiabilityMAYOR-MICHALSKI Amend(R-L)092413.doc

from the complainant. The City may pursue the assigned cause of action against the complainant together with the cause of action to recover all costs and expenses described above incurred by the City and the Ethics Board. In addition to the above, the complainant shall also be liable to the fullest extent allowed by law for all costs and expenses, including actual reasonable attorney fees, incurred by the City in any action against the complainant to recover the costs and expenses which the complainant is obligated to pay pursuant to this Section.

**B. C.** Pursuant to Section 30.10 A., along with the complaint, a complainant shall file a signed acknowledgment that will include the following language:

“The undersigned complainant acknowledges, understands and agrees that in the event the Ethics Board dismisses the undersigned’s ethics complaint in its entirety finds that the undersigned maintained a frivolous complaint, the undersigned shall be liable to the City of Kenosha to the fullest extent allowed by law for all costs and expenses, including actual reasonable attorney fees, incurred by the City, the Ethics Board and the accused covered person in any way related to the undersigned’s ethics complaint, together with all costs and expenses, including actual reasonable attorney fees, incurred by the City in collecting payment thereof from the complainant. The undersigned further acknowledges that the undersigned has read and understands Section 30.15 A.-B. of the Code of General Ordinances entitled Liability Of Complainant For Costs And Expenses and agrees to be bound by its provisions.”

**Section Three:** This Ordinance shall become effective upon passage and publication.

F.3.2. It was then moved by Alderperson Kennedy, seconded by Alderperson Bostrom to take a ten minute recess at 9:04p.m. On voice vote, motion carried.

F.3.3. It was moved by Alderperson Ruffolo, seconded by Alderperson LaMacchia to reconvene at 9:13p.m. On voice vote, motion carried.

F.3.4. After a brief discussion, it was then moved by Alderperson Bogdala, seconded by Alderperson Prozanski to defer the item for two weeks. On roll call vote, motion carried 12-0 with Alderpersons Bostrom, Gordon, Juliana, Mathewson, and Ruffolo abstaining.

**G. ZONING ORDINANCES 2ND READING**

G.1. It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia to adopt Ordinance 54-13. A public hearing was held. No one spoke for or against said ordinance. On roll call vote, motion carried 16-0, with Alderperson Ruffolo not present for the vote and said ordinance was thereupon adopted:

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**Ordinance 54-13**

**By the City Plan Commission – To Create Subsection 18.02 z. (of the Zoning Ordinance) to Amend the Land Use Plan Map for the City of Kenosha: 2035.**

G.2. It was moved by Alderperson Kennedy, seconded by Alderperson Michalski to adopt Ordinance 55-13. A public hearing was held. Alderperson Bogdala called Steve Estes to speak. On roll call vote, motion carried 16-0, with Alderperson Ruffolo not present for the vote and said ordinance was thereupon adopted:

**Ordinance 55-13**

**By the Mayor - To Rezone properties at 3803 and 3809 Seventh Avenue from IP Institutional Park to RG-1 General Residential District (in conformance with Section 10.02 of the Zoning Ordinance).**

G.3. It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia to approve Ordinance 56-13. A public hearing was held. No one spoke for or against said ordinance.

G.3.1. It was then moved by Alderperson Mathewson, seconded by Alderperson Orth to amend Sections Seven 27.a. and Seven 28.a. and replace the words “*in anticipation*” with “*is anticipating*” and “*business creates*” with “*businesses that may create*”.

G.3.2. It was then moved by Alderperson Orth, seconded by Alderperson Mathewson to amend the proposed amendment and replace the words “*businesses that may create*” with “*businesses may create*”.

On roll call vote, motion carried 16-1 to amend as stated, with Alderperson Bogdala voting nay.

On roll call vote, motion to approve the amendment carried 16-1 with Alderperson Bogdala voting nay.

**H. RESOLUTIONS**

Full text of resolutions are on file in the office of the City Clerk.

H.1. It was moved by Alderperson Ohnstad, seconded by Alderperson LaMacchia to deny Resolution by the Committee on Finance - To Rescind a Special Charge in the Amount of \$172.00 for a Property Maintenance Reinspection Fee for 2112-53rd Street (Parcel #12-223-31-329-007). A hearing was held. Jolene Flatley spoke. On roll call vote, motion carried 16-1 with Alderperson Bogdala voting nay.

H.2. It was moved by Alderperson Juliana, seconded by Alderperson LaMacchia to deny Resolution by the Committee on Finance – To Rescind a Special Charge in the Amount of \$260.00 for Trash & Debris for 2112-53rd Street (Parcel #12-223-31-329-007). A hearing was held. Jolene Flatley spoke. On roll call vote, motion carried 15-2 with Alderpersons Kennedy and Ruffolo voting nay.

H.3. It was moved by Alderperson Ohnstad, seconded by Alderperson Juliana to deny Resolution by the Committee on Finance – To Rescind a Special Charge in the Amount of \$260.00 for a Sidewalk Special Assessment for 1915-19th Avenue (Parcel #10-223-19-251-003). A hearing was held. No one spoke for or against said resolution. On roll call vote, motion carried unanimously.

H.4. It was moved by Alderperson Gordon, seconded by Alderperson Juliana to deny Resolutions by the Finance Committee – To Rescind Special Charges as follows for Property Maintenance Reinspection Fees for 7006-13th Avenue (Parcel #05-123-06-312-018); Petitioner: Martin Landree for Landree Family Trust (District #12):

- a. In the Amount of \$1,380.00 (Amends Resolution #013-13)
- b. In the Amount of \$460.00 (Amends Resolution #023-13)
- c. In the Amount of \$460.00 (Amends Resolution #035-13)
- d. In the Amount of \$460.00 (Amends Resolution #065-13)
- e. In the Amount of \$460.00 (Amends Resolution #079-13)
- f. In the Amount of \$460.00 (Amends Resolution #099-13)

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g. In the Amount of \$460.00 (Amends Resolution #118-13)

h. In the Amount of \$460.00 (Amends Resolution #129-13)

i. In the Amount of \$460.00 (Amends Resolution #138-13). A hearing was held. No one spoke for or against said resolution. On roll call vote, motion carried unanimously.

H.5. It was moved by Alderperson Gordon, seconded by Alderperson LaMacchia to deny Resolutions by the Finance Committee – To Rescind Special Charges as follows for Property Maintenance Reinspection Fees for 7008-13th Avenue (Parcel #05-123-06-312-017); Petitioner: Martin Landree for Landree Family Trust:

a. In the Amount of \$1,380.00 (Amends Resolution #013-13)

b. In the Amount of \$460.00 (Amends Resolution #023-13)

c. In the Amount of \$460.00 (Amends Resolution #035-13)

d. In the Amount of \$460.00 (Amends Resolution #065-13)

e. In the Amount of \$460.00 (Amends Resolution #079-13)

f. In the Amount of \$460.00 (Amends Resolution #099-13)

g. In the Amount of \$460.00 (Amends Resolution #118-13)

h. In the Amount of \$460.00 (Amends Resolution #129-13)

i. In the Amount of \$460.00 (Amends Resolution #138-13)

A hearing was held. No one spoke for or against said resolution. On roll call vote, motion carried unanimously.

H.6. It was moved by Alderperson Ohnstad, seconded by Alderperson Juliana to deny Resolutions by the Finance Committee – To Rescind Special Charges as follows for Grass and Weed Cutting for 4718-10th Avenue (Parcel #12-223-31-133-007); Petitioner: Martin Landree for Helen Landree (deceased) (District #2):

a. In the Amount of \$218.68 (Amends Resolution #012-13)

b. In the Amount of \$242.68 (Amends Resolution #098-13)

c. In the Amount of \$242.68 (Amends Resolution #117-13)

A hearing was held. No one spoke for or against said resolution. On roll call vote, motion carried unanimously.

H.7. It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia to approve Resolution 171-13. On roll call vote, motion carried unanimously and said resolution was thereupon adopted:

**Resolution 171-13**

**Resolution by the Committee on Public Safety and Welfare - To Rescind Resolution 14-02 Designating as “Two-Hour Parking 8:00 am to 6:00 pm Monday – Saturday, Except Holidays”, the North Side of 77th Street from Pershing Boulevard East Approximately 140 feet; and to Designate as “Two-Hour Parking 8:00 am to 6:00 pm Monday – Saturday, Except Holidays”, the North Side of 77th Street from Pershing Boulevard East Approximately 60 feet.**

H.8. It was moved by Alderperson LaMacchia, seconded by Alderperson Gordon to approve resolution By the Mayor – To Amend the City of Kenosha Capital Improvement Program for 2012 and 2013 By Moving the 2012 Authorization Balance of \$80,199 from Line FI12-001 "Radio Equipment" to the 2013 Authorization Balance for Line FI13-003 "Fire Administration Office" for a Net Change of \$0.

H.8.1. It was then moved by Alderperson Bogdala, seconded by Alderperson Bostrom to defer proposed resolution for two weeks. On roll call vote, motion carried 14-3 with Alderpersons Kennedy, Orth, and Juliana voting nay.

H.9. It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia to approve resolution 172-13. On roll call vote, motion carried 16-1 with Alderperson Downing voting nay and said resolution was thereupon adopted:

**Resolution 172-13**

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**By Committee on Finance - Transfer of Funds Totaling \$41,000 from the 2013  
Contingency Budget to 2013 Council Budget.**

**I. APPOINTMENTS/  
REAPPOINTMENTS BY THE MAYOR**

It was moved by Alderperson Kennedy, seconded by Alderperson Ohnstad, to approve:

I.1. Reappointment of Scott Holloway (715-57th Street, Kenosha) to the Lakeshore Business Improvement District Board of Directors for a term to expire November 18, 2016.

On roll call vote, motion carried unanimously.

**J. PUBLIC CONSTRUCTION AND IMPROVEMENT CONTRACTS**

J.1. Award of Professional Service Contract for Project 13-1417 Lawn Park Area Tree Removal #2 to Droprite Tree & Landscape (Somers, Wisconsin) in the amount of \$50,000.00.

On roll call vote, motion carried unanimously.

**K. OTHER CONTRACTS AND AGREEMENTS**

K.1. It was moved by Alderperson LaMacchia, seconded by Alderperson Ohnstad, to approve: Amendment to the 2013 Community Development Block Grant Subgrantee Agreements

- Extension for Use of Funds:

- a. Club Breakaway (Facility Improvements)
- b. Kenosha County Interfaith Human Concerns Network, Inc. (Emergency Family Shelter)
- c. Kenosha Human Development Services (Shelter Facility Improvements)
- d. Kenosha Literacy Council (Literacy at Work)
- e. Oasis Youth Center (Facility Improvements)
- f. Urban League of Racine and Kenosha, Inc. (Facility Improvements)
- g. Urban League of Racine and Kenosha, Inc. (Reducing Employment Barriers)
- h. Urban League of Racine and Kenosha, Inc. (Sickle Cell Awareness Education and Training)
- i. Wisconsin Women's Business Initiative Corp (Micro Enterprise Loans)
- j. Women and Children's Horizons, Inc. (Shelter Facility Improvements)
- k. Women and Children's Horizons, Inc. (Legal Advocacy Program-Legal Coordinator)

A public hearing was held. Jean Napitel spoke. On roll call vote, motion carried unanimously.

K.2. It was moved by Alderperson LaMacchia, seconded by Alderperson Ohnstad to approve: Amendment to the 2013 Community Development Block Grant Subgrantee Agreements Extension for Use of Funds/Budget Amendment:

- a. Kenosha YMCA, Inc. - Frank Neighborhood Project

A public hearing was held. No one spoke. On roll call vote, motion carried unanimously.

K.3. It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia to approve: Revised HOME Agreement between the City of Kenosha and Kenosha Seniors Limited Partnership for the Glenwood Senior Apartment Complex at 1920-27th Avenue.

A public hearing was held. No one spoke. On roll call vote, motion carried unanimously.

**L. RECOMMENDATIONS FROM THE COMMITTEE ON FINANCE**

L.1. It was moved by Alderperson LaMacchia, seconded by Alderperson Ohnstad, to approve: Disbursement Record #21 - \$7,033,103.01.

On roll call vote, motion carried unanimously.

**M. RECOMMENDATIONS FROM THE COMMITTEE ON PUBLIC WORKS**

**N. RECOMMENDATIONS FROM THE COMMITTEE ON  
PUBLIC SAFETY & WELFARE**

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**O. REPORTS AND RECOMMENDATIONS FOF BOARDS AND COMMISSIONS**

**AND SUCH MATTERS AS ARE AUTHORIZED BY LAW OR REGULAR BUSINESS**

**ADJOURNMENT**

There being no further business to come before the Common Council, it was moved by Alderperson LaMacchia, seconded by Alderperson Kennedy, to adjourn at 10.25 p.m.

On a voice vote, motion carried.

Approved:

**KEITH G. BOSMAN  
MAYOR**

Attest:

**DEBRA L. SALAS  
CITY CLERK/TREASURER**

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**KENOSHA MUNICIPAL BUILDING  
COUNCIL CHAMBERS ROOM 200**

At a meeting of the Common Council held this evening, His Honor, Mayor Keith G. Bosman presided.

The meeting was called to order at 7:04 p.m.

On roll call, the following members of the Common Council were present: Alderpersons Haugaard, Schwartz, Michalski, Ruffolo, LaMacchia, Ohnstad, Mathewson, Kennedy, Gordon, Bostrom, Wilson, Prozanski, Orth, Downing and Bogdala. Alderpersons Juliana and Rosenberg were excused.

The Mayor announced the presence of two Boy Scouts from Troop 480 and their leader that were in attendance.

The invocation was given by Alderperson Gordon.

Mayor Bosman then led the Council in the Pledge of Allegiance to the American Flag.

It was moved by Alderperson Michalski, seconded by Alderperson LaMacchia, to approve the minutes of the meetings held November 25, 26 and December 2, 2013.

Motion carried unanimously.

Eight Citizens spoke during Citizen's Comments: Diana Kanecki, Virginia Hoekstra, Doug Williams, John D.Bilotti, Tammy Conforti, Violet Ricker, Vermetrias Warner and Jadvyga Valiagua.

**A. REFERRALS**  
**TO THE COMMITTEE ON FINANCE**

A.1. Resolution by the Mayor - To Transfer \$1,000,000 from the Housing Rehabilitation and Commercial Loan Program to the Kenosha Area Business Alliance, Inc. to Administer the City TID #4 Revolving Loan Fund Program.

A.2. Agreement by and between the City of Kenosha and Kenosha Business Alliance, Inc. for the TID #4 Revolving Loan Fund Program.

A.3. Resolution by the Mayor - To Create Tax Incremental District #17, City of Kenosha, Wisconsin, Under Section 66.1105(4)(gm), Wisconsin Statutes. (Keno Wells, LLC) (District #2) (Also referred to City Plan Commission)

A.4. Resolution by the Mayor - To Adopt Tax Incremental District #17, City of Kenosha, Wisconsin, Under Section 66.1105(4)(g), Wisconsin Statutes. (Keno Wells, LLC) (District #2) (Also referred to City Plan Commission)

A.5. Resolution by the Mayor - To Approve The Revised City Of Kenosha, Wisconsin, Bond Schedule For Municipal Court.

**B. COMMUNICATIONS,  
PETITIONS, REPORTS  
OF DEPARTMENTS**

B.1. It was moved by Alderperson Downing, seconded by Alderperson LaMacchia, to approve the following applications per list on file in the Office of the City Clerk:

- a. 18 Operator's (Bartender's) licenses.
- b. 0 Transfer of Agent Status of Beer and/or Liquor licenses.
- c. 1 Special Class "B" Beer and/or Special "Class B" Wine license.
- d. 2 Taxi Driver's Licenses.

On a voice vote, motion carried unanimously.

B.2. It was moved by Alderperson Ohnstad, seconded by Alderperson LaMacchia, to approve Special Exception Request to the Off-Street Parking Requirement (of Section 6.01 F.19 and Section 6.01 F.29 of the Zoning Ordinance) for the property at 11748-75th Street. (Shell/Dunkin

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Donuts). A public hearing was held. The applicant, Robert Stambolik, appeared.

B.2.1. It was moved by Alderperson Kennedy, seconded by Alderperson Gordon, to defer to the next meeting and refer to Public Safety & Welfare Committee. On a voice vote, motion carried.

**C. RECOMMENDATIONS FROM THE COMMITTEE ON LICENSING/PERMITS**

C.1. It was moved by Alderperson Kennedy, seconded by Alderperson Michalski, to approve applications for Operator's (Bartender's) licenses subject to:

- 0 demerit points:

- a. Alyssa Roberts
- b. Deion Scarbrough

- 20 demerit points:

- c. Aja Kunza
- d. Mariah Martinez

- 25 demerit points:

- e. Pamela Rolle
- f. Crystal Burdine
- g. Nasseem Samhan

- 30 demerit points:

- h. Lacey Rowsey
- i. Robert McDermott, III
- j. Nicholas Klein
- k. Erika Olivares

- 40 demerit points:

- l. Marcos Perez

- 50 demerit points:

- m. Ryan Krehbiel
- n. Andrew Smith
- o. Kristina Sorrentino
- p. Jacob Donohue
- q. Rebecca Hickey

- 80 demerit points:

- r. Jaimie Budzinski
- s. Katherine Matalas

A hearing was held. The applicants did not appear.

C.1.1. It was moved by Alderperson Bogdala, seconded by Alderperson Bostrom, to separate a. through q. from r. and s.

On a voice vote, motion carried.

C.1.2. It was moved by Alderperson Bogdala, seconded by Alderperson Wilson, to approve a. through q.

On a voice vote, motion carried.

C.1.3. On the original motion to approve r. through s., on a voice vote the vote was unclear and the Mayor called for a roll call vote.

Motion carried (11-4) with Alderpersons Gordon, Bostrom, Bogdala and Ruffolo voting nay.

C.2. It was moved by Alderperson Kennedy, seconded by Alderperson Downing, to deny applications for new Operator's (Bartender's) licenses based on material police record:

- a. Iris Nunez
- b. Sam Jiminez

A hearing was held. Applicant b. was present.

On a voice vote, motion carried.

C.3. It was moved by Alderperson Bogdala, seconded by Alderperson Mathewson, to defer

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application of Eugene Schiaffino for a new Operator's (Bartender's) license to the next meeting.

A

hearing was held. The applicant did not appear.

On a voice vote, motion carried.

C.4. It was moved by Alderperson Bogdala, seconded by Alderperson Mathewson, to defer application of Brandon Thomas for a new Operator's (Bartender's) license to the next meeting.

A hearing was held. The applicant did not appear.

On a voice vote, motion carried.

C.5. It was moved by Alderperson Kennedy, seconded by Alderperson Downing, to approve applications for new Taxi Driver's licenses subject to:

- 20 demerit points:

a. Jason Mouzes

- 80 demerit points:

b. Robert Eyler

A hearing was held. Applicant a. appeared.

On a voice vote, motion carried.

C.6. It was moved by Alderperson Downing, seconded by Alderperson Schwartz, to approve application of Richard Beiser for a new Taxi Driver's license subject to 75 demerit points.

A hearing was held. The applicant appeared.

On a voice vote, motion carried.

C.7. It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to defer applications for new Taxi Driver's licenses to the next meeting:

a. Modeen Museitef

b. Antonio Turner

A hearing was held. The applicants did not appear.

On a voice vote, motion carried.

C.8. It was moved by Alderperson Kennedy, seconded by Alderperson Michalski, to approve renewal application of Food and Fun First, LLC (The Good Garden Cafe and Wine Gallery) for an Outdoor Dining Area with Outdoor Extension License located at 5925-6th Avenue, subject to non-renewal revocation. A hearing was held. Raymond Roberts, member, appeared.

On a voice vote, motion carried.

C.9. It was moved by Alderperson Kennedy, seconded by Alderperson Michalski, to approve application of Yolanda Green for a Public Entertainment License located at 3010 Roosevelt Road (Children's Recreational Club DF8), with no adverse recommendations.

A hearing was held. The applicant appeared.

C.9.1. It was moved by Alderperson Mathewson, seconded by Alderperson Downing, to defer to the next meeting.

On a voice vote, motion carried.

C.10. Application of Abdul Kaisani for a Probationary Cabaret License located at 3214-60th Street (Olympus Bar & Lounge). **This item was withdrawn by the applicant.**

C.11. It was moved by Alderperson Downing, seconded by Alderperson Ohnstad, to approve renewal application of GNT Financial, LLC, for a Pawn Broker License located at 7944 Sheridan Road, #3 (GNT Jewelry & Loan), with no adverse recommendations.

A hearing was held. Thomas Stout, member, appeared.

On a voice vote, motion carried.

C.12. It was moved by Alderperson Kennedy, seconded by Alderperson Gordon, to approve renewal applications for Secondhand Article Dealer's licenses, with no adverse recommendations:

a. Colosseum Games, LLC (Colosseum Games, 5719-75th Street)

b. Jerome E. Binsfeld (JB Coins, 6040-39th Avenue, Ste. 7)

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- c. Keynote, Inc. (Music Go Round, 5708 A-75th Street)
- d. Maggie Mae's, LLC (Maggie Mae's, 1016-60th Street)
- e. A Vintage Vault, LLC (A Vintage Vault, 3816 Roosevelt Road)
- f. Old Toys Live On, LLC (Old Toys Live On, 7619 Sheridan Road)
- g. John P. Fox (CJD Aversa Antiques, 619-58th Street)
- h. Bonnie Mirkiewicz (Forever Grateful Resale Boutique & Art Gallery, 5000-7th Avenue)
- i. Suburban Ore, LLC (Suburban Ore, 627-58th Street) (District #2)
- j. CD DVD Game, LLC (CD DVD Game Warehouse, 3717-80th Street)

A hearing was held. The applicants did not appear.

On a voice vote, motion carried.

C.13. It was moved by Alderperson Ohnstad, seconded by Alderperson Wilson, to approve renewal applications for Secondhand Jewelry Dealer's licenses, with no adverse recommendations:

- a. Gold Diamond & Design, Inc. (Gold Diamond & Design, 10320-75th Street, Ste. B)
- b. Jacob Sadoff (Midwest Goldbuyers, 3824 Roosevelt Road)
- c. Westown of Kenosha, Inc. (Westown Food & Liquor, 3203 -60th Street)

A hearing was held. Applicant b. Renee Schmidt, store manager appeared.

On a voice vote, motion carried.

C.14. It was moved by Alderperson Ohnstad, seconded by Alderperson Kennedy, to approve renewal application of Nowshad Irani for a Secondhand Jewelry Dealer's License located at 2400-52nd Street (Superior Gold Express).

A hearing was held. The applicant did not appear.

On a voice vote, motion carried.

C.15. It was moved by Alderperson Mathewson, seconded by Alderperson LaMacchia, to approve renewal applications for Secondhand Article and Secondhand Jewelry Dealer's licenses, with no adverse recommendations:

- a. Goldtronics, LLC (Jewelry & Electronics Exchange, 6212-22nd Avenue)
- b. Anita M. Wellman (Lucky 7 Thrift, 711-57th Street)
- c. Christopher Ruland (Roosevelt Road Antiques, 3720 Roosevelt Road)
- d. Christine Isham (Monica's Thrift Shop, 1916-52nd Street)
- e. GNT Financial, LLC (GNT Jewelry & Loan, 7944 Sheridan Road #3)

A hearing was held. The applicants did not appear.

On a voice vote, motion carried.

C.16. It was moved by Alderperson Downing, seconded by Alderperson LaMacchia, to approve renewal applications for Massage Therapist Licenses, with no adverse recommendations:

- a. Jadvyga Valiauga
- b. Lin Liang Wu
- c. Cunjun Wang

Applicant a. was present.

On a voice vote, motion carried.

C.17. It was moved by Alderperson Mathewson, seconded by Alderperson Ruffolo, to approve renewal applications for Kennel & Pet Shop Licenses, with no adverse recommendations:

- a. Kenosha County Humane Society (Safe Harbor, 7811-60th Avenue)
- b. Wagin' Tail Resort (5403-52nd Street)
- c. Puppy Tub & Motel, Inc. (Puppy Tub & Motel, 2419-52nd Street)
- d. Puparotzi Palace, LLC (Puparotzi Palace, 7609 Sheridan Road)
- e. Kindred Kitties, Ltd. (Kindred Kitties, 614-59th Street)
- f. Lemke & Lemke (Jim's Aquarium & Pets, 6205-75th Street)
- g. Jo's Exotic Birds, Ltd. (Jo's Exotic Birds, 7534 Sheridan Road)
- h. Happy Tails Doggy Day Care, LLC (Central Bark Doggy Day Care, 7600- 75th Street)

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i. Petco Animal Supplies Stores, Inc. (Petco #618, 6910 Green Bay Road)  
A hearing was held. Applicant b., Nancy Croft, president, appeared.  
On a voice vote, motion carried.

**D. ORDINANCES 1ST READING**

It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia to send the following ordinances on their way:

D.1. Ordinance by Alderperson Kevin E. Mathewson – To Create Section 1.03 F.18 (of the Code of General Ordinances) Regarding the Procedure for a Presiding Officer to Participate in Debate.

D.2. Ordinance by Alderperson Kevin E. Mathewson - To Repeal and Recreate Various Sections of Chapters XVI, XXVII and XXVIII (of the Code of General Ordinances) to Terminate the Board of Housing Appeals and to Designate the Finance Committee to Assume Appeal Duties.

D.3. Ordinance by the Mayor - To Repeal and Recreate Subsection 16.13 b.2 of the Code of General Ordinances Regarding Board of Housing Appeals Membership of Boards; Quorum and Officers.

D.4. Ordinance by the Mayor - To Repeal and Recreate Sections 1.055 12.a., 12.b. and 12.c.; and to Create Sections 1.055 12.a.(6), 1.055 12.a.(7) and 1.055 12.b.(4) (of the Code of General Ordinances) regarding Fees, Costs and Surcharges in Municipal Court.

On a voice vote, motion carried.

**E. ZONING ORDINANCES 1ST READING**

It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to send the following ordinances on their way:

E.1. By the City Plan Commission - To Create Subsection 18.02 aa. (of the Zoning Ordinance) to Amend the Land Use Plan Map for the City of Kenosha: 2035. (Keno Wells, LLC)

E.2. By the Mayor – To rezone property located at 5821-5th Avenue from M-1 Light Manufacturing to B-4 Mixed Use District and property located at 5825-4th Avenue from B-3 Central Business District to B-4 Mixed Use District (in conformance with Section 10.02 of the Zoning Ordinance). (Keno Wells, LLC)

On a voice vote, motion carried.

**F. ORDINANCES 2ND READING**

Full text of ordinances are on file in the office of the City Clerk.

F.1. It was moved by Alderperson Bogdala, seconded by Alderperson Kennedy, to approve Ordinance 57-13 as jointly proposed by Alderpersons Bogdala and Prozanski.

F.1.1. Alderperson Michalski made a friendly amendment to add the following text at the end of 9.c.: *“unless needing assistance due to physical disability”*. The sponsors indicated their approval.

F.1.2. Alderperson Gordon made a friendly amendment to add the following text to 9.c. after “City Clerk Treasurer”: *“or their designee”*.

On roll call vote, motion to approve (with friendly amendments) carried unanimously and said ordinance was thereupon adopted:

**Ordinance 57-13**

**By Alderperson David F. Bogdala - To Repeal and Recreate Subparagraph 1.03 A. (of the Code of General Ordinances) entitled “Order of Business”, to Amend Subparagraph 1.03 A.9.c. entitled “Speaker Sign-up” and to Repeal and Recreate Subparagraph 1.03 A.9.e. entitled “Public Hearings”.**

F.2. It was moved by Alderperson Ohnstad, seconded by Alderperson LaMacchia, to approve Ordinance By the Mayor – To Amend Subsection 30.10 A. Regarding Filing of Complaints and to Repeal and Recreate Subsection 30.15 (of the Code of General Ordinances) Regarding

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Liability of Complainant for Costs and Expenses. The following Alderpersons stated that they would be abstaining: Mathewson, Bostrom, Gordon and Ruffolo. Quorum on this item was lost. F.2.1. It was moved by Alderperson Bogdala, seconded by Alderperson LaMacchia, to defer to the next meeting. On a voice vote, motion carried.

**G. ZONING ORDINANCES 2ND READING**

**H. RESOLUTIONS**

Full text of resolutions are on file in the office of the City Clerk.

H.1. It was moved by Alderperson Bogdala, seconded by Alderperson LaMacchia, to defer Resolution by the Committee on Finance - To Reallocate Community Development Block Grant Funds and Amend the 2013 Consolidated Plan-Annual Plan to the next meeting.

On a voice vote, motion carried.

At this time, Alderperson Mathewson left the meeting.

H.2. It was moved by Alderperson LaMacchia, seconded by Alderperson Ohnstad, to approve Resolution 173-13.

On roll call vote, motion carried unanimously and said resolution was thereupon adopted:

**Resolution 173-13**

**By the Committee on Finance – Transfer of Funds Totaling \$41,000 from the 2013 Contingency Budget to 2013 Council Budget.**

H.3. It was moved by Alderperson LaMacchia, seconded by Alderperson Wilson, to approve Resolution 174-13.

On roll call vote, motion carried unanimously and said resolution was thereupon adopted:

**Resolution 174-13**

**By Alderperson Steve G. Bostrom -To Reconstitute the Membership of the Southport Beach House Citizen Committee.**

Alderperson Mathewson returned to the meeting.

H.4. It was moved by Alderperson Orth, seconded by Alderperson Gordon, to approve Resolution by the Mayor - To Amend the City of Kenosha Capital Improvement Program for 2012 and 2013 By Moving the 2012 Authorization Balance of \$80,199 from Line FI12-001 "Radio Equipment" to the 2013 Authorization Balance for Line FI13-003 "Fire Administration Office" for a Net Change of \$0.

H.4.1. It was moved by Alderperson Ruffolo, seconded by Alderperson Bostrom, to defer to the next meeting.

On roll call vote, motion carried (11-4) with Alderpersons Kennedy, Gordon, Prozanski and Orth voting nay.

**I. APPOINTMENTS/  
REAPPOINTMENTS BY THE MAYOR**

It was moved by Alderperson Wilson, seconded by Alderperson LaMacchia, to approve:

I.1. Appointment of Violet J. Ricker (5707-6th Avenue, Kenosha) to the Historic Preservation Commission for a term to expire June 1, 2016.

On a voice vote, motion carried.

It was moved by Alderperson Kennedy, seconded by Alderperson Schwartz, to approve:

I.2. Appointment of Election Officials, (pursuant to Wis. Stats. 7.30(4)), to serve a 2-year term (2014-2015) (per list on file in the Office of the City Clerk). Alderperson Wilson said he would be abstaining on the vote for Anne Wilson.

On a voice vote, motion carried.

**J. PUBLIC CONSTRUCTION AND IMPROVEMENT CONTRACTS**

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**K. OTHER CONTRACTS AND AGREEMENTS**

It was moved by Alderperson LaMacchia, seconded by Alderperson Kennedy, to approve:

K.1. Agricultural Lease between the City of Kenosha, Wisconsin and Glenn E. Fenske.

On roll call vote, motion carried unanimously.

It was moved by Alderperson LaMacchia, seconded by Alderperson Kennedy, to approve:

K.2. Lease Agreement between the City of Kenosha, Wisconsin and Hangar 3000, LLC #10290.

On roll call vote, motion carried unanimously.

It was moved by Alderperson Kennedy, seconded by Alderperson Ruffolo, to approve:

K.3. Development Agreement between the City of Kenosha, Kenosha Water Utility and Meijer Stores Limited Partnership regarding property at 7701 Green Bay Road. (Meijer)

K.4. Acceptance of the Quit Claim Deed from Meijer Stores Limited Partnership to the City of Kenosha for 76th Street right-of-way, west of 64th Avenue. (Meijer)

On roll call vote, motion carried unanimously.

It was moved by Alderperson Kennedy, seconded by Alderperson Gordon, to approve:

K.5. Permanent Sidewalk and Multi-Use Path Easement and Agreement by and between Meijer Stores Limited Partnership and the City of Kenosha, Wisconsin. (Meijer) Attorney Brian Randle spoke on behalf of Meijer Stores Limited Partnership.

K.6. Stormwater Management Practices Maintenance Agreement for Stormwater Maintenance Facilities By and Between the City of Kenosha, Wisconsin and Meijer Stores Limited Partnership.

K.7. Permanent Storm Sewer and Detention Pond Easement and Agreement By and Between Meijer Stores Limited Partnership and the City of Kenosha, Wisconsin.

K.8. Addendum to Professional Services Agreement with Mandlik and Rhodes Information Systems, Inc., for Redemption Processing of Yardwaste Coupons.

K.9. Real Estate Transfer Agreement Between the Estate of Barbara Marquart and the City of Kenosha for property at 5814-19th Avenue.

On roll call vote, motion carried unanimously.

**L. RECOMMENDATIONS FROM THE COMMITTEE ON FINANCE**

It was moved by Alderperson Kennedy, seconded by Alderperson Ohnstad, to approve:

L.1. Disbursement Record #22 - \$29,585,301.86.

On roll call vote, motion carried unanimously.

It was moved by Alderperson Prozanski, seconded by Alderperson Wilson, to amend to pay one-half the amount for:

L.2. Change Order for Project 13-1421 Emerald Ash Borer Phase I.

L.2.1. It was moved by Alderperson Mathewson, seconded by Alderperson Bostrom, to defer to the next meeting.

On a voice vote, motion carried.

It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia, to approve:

L.3. Change Order for Project 13-1013 CDBG Resurfacing (CDBG Area (13th Court - 43rd Street to 42nd Street, 41st Street - 22nd Avenue to 21st Avenue) Alternate II Area (70th Street - 39th Avenue to 40th Avenue, Lincoln Road Intersections).

On roll call vote, motion carried unanimously.

**M. RECOMMENDATIONS FROM THE COMMITTEE ON PUBLIC WORKS**

It was moved by Alderperson Kennedy, seconded by Alderperson LaMacchia to approve:

M.1. Final Acceptance of Project 13-1019 Joint, Crack Cleaning & Sealing (Citywide Locations) which has been satisfactorily completed by Fahrner Asphalt Sealers (Waunakee, Wisconsin). The final amount of the contract is \$123,518.25.

M.2. Final Acceptance of Project 13-1527 Northside Library Parking Lot Resurfacing (1500-

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27th Avenue) which has been satisfactorily completed by Cicchini Asphalt, LLC (Kenosha, Wisconsin). The final amount of the contract is \$125,132.31.

On roll call vote, motion carried unanimously.

At this time, Alderperson Mathewson left the meeting.

**N. RECOMMENDATIONS FROM THE COMMITTEE ON  
PUBLIC SAFETY & WELFARE**

**O. REPORTS AND RECOMMENDATIONS OF BOARDS AND COMMISSIONS.**

O.1. It was moved by Alderperson Downing, seconded by Alderperson LaMacchia, to approve Amendment to the Conditional Use Permit to construct a 250,040 s.f. addition to the existing distribution facility at 8505-50th Street (Rustoleum).

A public hearing was held. The applicant, Adam Moore, First Industrial Realty Trust, Inc., appeared.

On roll call vote, motion carried unanimously.

Alderperson Mathewson returned to the meeting.

O.2. It was moved by Alderperson LaMacchia, seconded by Alderperson Downing, to approve Conditional Use Permit to construct a physical fitness center in the existing warehouse at 4611 Green Bay Road (Kenosha Personal Training).

A public hearing was held. Attorney J. Michael McTernan and Gerald Mengo, ME Enterprises LLC, spoke.

On roll call vote, motion carried unanimously.

O.3. It was moved by Alderperson Michalski, seconded by Alderperson Orth, to approve Amendment to the Conditional Use Permit regarding basin construction and deadlines to obtain permits for development at 7701 Green Bay Road (Meijer).

A public hearing was held. Attorney Brian C. Randall spoke on behalf of Meijer Stores Limited Partnership.

On roll call vote, motion carried unanimously.

**P. AND SUCH MATTERS AS ARE AUTHORIZED BY LAW OR REGULAR BUSINESS**

P.1. It was moved by Alderperson Mathewson, seconded by Alderperson LaMacchia, to defer until the next meeting Discussion on the Litigation with Regard to Robert Johnson, et al. v City of Kenosha (United States District Court - Eastern District of Wisconsin) Case No. 13-C-0443.

On a voice vote, motion carried.

**ADJOURNMENT**

There being no further business to come before the Common Council, it was moved by Alderperson LaMacchia, seconded by Alderperson Ruffolo, to adjourn at 9:08 p.m.

On a voice vote, motion carried.

Approved:

**KEITH G. BOSMAN  
MAYOR**

Attest:

**DEBRA L. SALAS  
CITY CLERK/TREASURER**