

AGENDA
BOARD OF PARK COMMISSIONERS
Kenosha Municipal Building - Room 204
Monday, January 13, 2014 - 5:00 pm

Chairman:	Michael J. Orth	Vice Chairman:	Anthony Kennedy
Commissioner:	Chris Schwartz	Commissioner:	Rocco J. LaMacchia, Sr.
Commissioner:	Kevin E. Mathewson		

Call to Order
Roll Call

Approval of the minutes of the meetings held on December 9, 2013 and January 8, 2014.

1. Approval of Grant Agreement Between the State of Wisconsin Department of Natural Resources and the City *(of Kenosha)* for the Kenosha Southport Marina Harbor Dredging. *(Also referred to Finance) (PW-Ayes 4:Noes 0)*
2. Acceptance of Project 11-1416 Petzke Park Phase I – Mass Grading & Parking Lot *(1700 29th Street, which has been satisfactorily completed)* by BCF Construction Corp. *(Waukesha, Wisconsin)*. The final amount of the contract is \$584,766.83. *(\$471,766.83 Park funds) (District 1) (Also referred to Public Works and Stormwater Utility)*
3. Change Requests.

INFORMATIONAL ITEMS:

1. Project Status Report

DIRECTOR AND/OR SUPERINTENDENT COMMENTS
CITIZEN COMMENTS/COMMISSIONER COMMENTS/OTHER BUSINESS AS AUTHORIZED BY LAW

IF YOU ARE DISABLED AND NEED ASSISTANCE, PLEASE CALL 653-4052 BEFORE THIS MEETING

NOTICE IS HEREBY GIVEN THAT A MAJORITY OF THE MEMBERS OF THE COMMON COUNCIL MAY BE PRESENT AT THE MEETING, AND ALTHOUGH THIS MAY CONSTITUTE A QUORUM OF THE COMMON COUNCIL, THE COUNCIL WILL NOT TAKE ANY ACTION AT THIS MEETING.

BOARD OF PARK COMMISSIONERS
Minutes of Meeting held Monday, December 9, 2013

A meeting of the Board of Park Commissioners was held on Monday, December 9, 2013 in Room 204 of the Kenosha Municipal Building. The meeting was called to order at 5:00 pm by Chairman Orth

At roll call, the following members were present: Commissioners Schwartz, LaMacchia, and Mathewson. Commissioner Kennedy arrived before item #3. Staff members in attendance were Michael Lemens, Director of Public Works; Shelly Billingsley, Deputy Director of Public Works/City Engineer; Sean Von Bergen, Assistant City Engineer; Jeff Warnock, Superintendent of Parks; Deputy Police Chief Dan Miskins; Rich Schroeder, Deputy Director of Community Development and Inspections; and Alderperson Curt Wilson.

It was moved by Commissioner LaMacchia, seconded by Commissioner Schwartz, to approve the minutes from the meeting held on Monday, November 11, 2013. Motion carried unanimously.

1. Change Order for Project 13-1421 Emerald Ash Borer Phase I (*Citywide Locations*). Staff/Alderperson: Jeff Warnock and Michael Lemens spoke. It was moved by Commissioner LaMacchia, seconded by Commissioner Schwartz, to approve. Motion carried 3-1 (with Mathewson voting nay).
2. Approval of Master Contract between SAA Design Group, Inc., and the City (*of Kenosha*) for Professional Services. Staff/Alderperson: Shelly Billingsley spoke. It was moved by Commissioner LaMacchia, seconded by Commissioner Schwartz, to approve. Motion carried unanimously.
3. Resolution by Alder person Steve G. Bostrom -To Reconstitute the Membership of the Southport Beach House Citizen Committee. (*Referred from Council on 11/18/13*) It was moved by Commissioner Mathewson, seconded by Commissioner Schwartz, to approve. Motion carried unanimously.
4. Approval of 2014 Golf Course Fees. Staff/Alderperson: Jeff Warnock spoke. It was moved by Commissioner LaMacchia, seconded by Commissioner Schwartz, to approve. Motion carried unanimously.
5. Change Requests. It was moved by Commissioner Kennedy, seconded by Commissioner LaMacchia, to receive and file. Motion carried unanimously.
6. Approve date and time of next meeting due to the Holidays. It was moved by Commissioner Schwartz, seconded by Commissioner LaMacchia, to cancel the December 30, 2013 meeting. Motion carried unanimously.

INFORMATIONAL ITEMS:

1. Project Status Report

DIRECTOR/SUPERINTENDENT COMMENTS: Michael Lemens let the members know that the Parks Division is working on cleaning up the snow from the City owned properties. Jeff Warnock notified the Commission that Roosevelt Playground will start to be removed.

CITIZEN COMMENTS: Cliff Johnson said the Simmons Ball Park is a great asset. Phil Kraus commented on item #1 and told the Commissioners that the Parks Division has planted 55 trees in the last couple of weeks.

COMMISSIONER COMMENTS: LaMacchia asked if Winter at the Golf Course will be on this year. Jeff Warnock answered.

ADJOURNMENT - There being no further business to come before the Board of Parks Commissioners, it was moved, seconded and unanimously carried to adjourn at 5:19 pm.

BOARD OF PARK COMMISSIONERS
Minutes of Meeting held Wednesday, January 8, 2014

A special meeting of the Board of Park Commissioners was held on Wednesday, January 8, 2014 in Room 100 of the Kenosha Municipal Building. The meeting was called to order at 6:36 pm by Acting Chairman Kennedy.

At roll call, the following members were present: Commissioners Schwartz and LaMacchia. Chairman Orth and Commissioner Mathewson were excused. Staff members in attendance was Michael Lemens, Director of Public Works.

1. Approve the Right of Entry Agreement for Material Placement at Pennoyer Park from the Army Corps of Engineers 2014 Kenosha Harbor Dredging Project.
Staff/Aldersperson: Michael Lemens spoke.
It was moved by Commissioner Schwartz, seconded by Commissioner LaMacchia, to approve. Motion carried unanimously.

ADJOURNMENT - There being no further business to come before the Board of Parks Commissioners, it was moved, seconded and unanimously carried to adjourn at 6:37 pm.



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ENGINEERING DIVISION
SHELLY BILLINGSLEY, P.E.
CITY ENGINEER

PARK DIVISION
JEFF WARNOCK
SUPERINTENDENT

FLEET MAINTENANCE
MAURO LENCI
SUPERINTENDENT

STREET DIVISION
JOHN H. PRIJIC
SUPERINTENDENT

WASTE DIVISION
ROCKY BEDNAR.
SUPERINTENDENT

DEPARTMENT OF PUBLIC WORKS

MICHAEL M. LEMENS, P.E., DIRECTOR
SHELLY BILLINGSLEY, P.E., DEPUTY DIRECTOR

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Date: January 2, 2014

TO: Eric Haugaard, Chairman Michael Orth, Chairman Jan Michalski, Chairmain
Public Works Committee Parks Commission Water Commission

FROM: Sean Von Bergen, P.E.
Assistant City Engineer

Subject: *Approval of Right of Entry Agreement for material handling from the Army Corps of Engineers 2014 Kenosha Harbor Dredging Project:*

BACKGROUND INFORMATION

The Army Corps of Engineers have authorized a dredging project in the Kenosha Harbor for 2014. Staff has been working with the Army Corps to identify locations for offloading and placement of the dredged material. The Right of Entry Agreement gives the Army Corps of Engineers and their contractor access to the following sites:

The property adjacent to the north pier of the harbor has been identified as the preferred location to offload the dredging materials. This property is owned by the City of Kenosha and the City of Kenosha Water Utility. This location has been successfully used in the past to offload dredging materials from previous City of Kenosha dredging projects. The Army Corps of Engineers will fully restore the site to existing conditions once their dredging project is completed.

Pennoyer Park was identified as a suitable placement location for the dredging materials. The city used Pennoyer Park as a placement location in 2012 for the cities dredging project. The Army Corps estimates 20,000 cubic yards of material will be placed as part of their project. It is estimated Pennoyer Park has the capacity to have approximately 40,000 cubic yards to level the area between 7th Avenue and Kennedy Drive. The Army Corps of Engineers will fully restore the site with topsoil and seed once their dredging project is completed.

RECOMMENDATION

Staff recommends approval of the Right of Entry Agreement for material handling from the Army Corps of Engineers 2014 Kenosha Harbor Dredging Project and authorize the Director of Public Works to execute the agreement.



DEPARTMENT OF THE ARMY
DETROIT DISTRICT, CORPS OF ENGINEERS
477 MICHIGAN AVENUE
DETROIT, MICHIGAN 48226-2550

December 20, 2013

IN REPLY REFER TO:
Real Estate Division

Michael Lemens, P.E.
Director of Public Works
City of Kenosha
625 52nd Street, Room 305
Kenosha, Wisconsin 53140

Dear Mr. Lemens:

Please reference your recent communications with the Corps of Engineers regarding a Right of Entry authorizing the Corps of Engineers and its contractors, to enter upon lands owned by the City of Kenosha for use as an offloading/transfer site and a dredged material placement site, in support of maintenance dredging activities at the Kenosha Harbor Federal Navigation Project, Wisconsin.

Attached are four copies of Department of the Army Right of Entry No. W911XK-9-14-3004 and a Certificate of Authority. Please have the responsible party with authority for signature at the City of Kenosha sign and return three (3) copies of the Right of Entry, and complete and return the Certificate of Authority. The fourth copy of the Right of Entry is for your records until a fully executed copy is returned to you.

If you have any questions or concerns, please contact Shawn Sanchez of my staff by e-mail at Shawn.S.Sanchez@usace.army.mil or by phone at (313) 226-1326.

Sincerely,

A handwritten signature in black ink, appearing to read "Victor L. Kotwicki".

Victor L. Kotwicki
Chief, Real Estate Division
Detroit, Buffalo, and Chicago Districts

Enclosures

NOTE: THE CERTIFICATE OF AUTHORITY must be executed by an individual other than by the person who signed the agreement. The individual must certify that the official who signed the agreement was authorized to act in that capacity.

CERTIFICATE OF AUTHORITY

I, _____, do hereby certify that I am the
(someone other than the person signing the agreement)

_____ of the City of
(my position of responsibility within the organization)

Kenosha, Wisconsin, and that _____,

who signed the agreement on behalf of the City was at the time

of signature its _____,
(position held)

and that the person who executed the agreement on behalf

of the City acted within his/her statutory authority.

IN WITNESS WHEREOF, I have made and executed this certification

this _____ day of _____, _____.

(Signature)

DEPARTMENT OF THE ARMY

RIGHT OF ENTRY

City of Kenosha, Wisconsin

(Site Name)

City of Kenosha Offloading Site and
Dredged Material Placement Site

(Tract)

The City of Kenosha, Wisconsin, hereinafter called the "Owner," in consideration for the mutual benefits of the work described below, hereby grants the UNITED STATES OF AMERICA, hereinafter called the "Government," its agents, employees, representatives, contractors, right of entry upon the following terms and conditions:

1. The Owner hereby grants to the Government an irrevocable right to enter upon the lands described in Exhibit "A", attached hereto and made a part hereof, beginning on April 1, 2014, and ending on December 31, 2014, or at the conclusion of the project, whichever is sooner, for use as an offloading/transfer site and dredged material placement site, by mechanical means, in support of maintenance dredging at the Kenosha Harbor Federal Navigation Project, Wisconsin.
2. This Right of Entry includes the right of ingress and egress on other lands of the Owner provided that such ingress and egress is necessary and not otherwise conveniently available to the Government.
3. All tools, equipment, and other property taken or placed upon the lands by the Government shall remain the property of the Government, and may be removed by the Government at any time within a reasonable period after the expiration of this Right of Entry.
4. The Government shall have the right to patrol and police the lands during the period of this Right of Entry.
5. If any action of the Government in the exercise of the rights granted herein results in damage to the property, the Government will, in its sole discretion, either repair such damage or make an appropriate settlement with the Owner. In no event shall such repair or settlement exceed the fair market value of the fee simple title to the real property at the time immediately preceding such damage. The Government's liability under this clause is subject to the availability of appropriations for such payment, and nothing contained in this agreement may be considered as implying that Congress will at a later date appropriate funds sufficient to meet any deficiencies. The provisions of this clause are without prejudice to any rights the Owner may have to make a claim under applicable laws for any damages other than those provided for herein.
6. The lands affected by this Right of Entry are located in the State of Wisconsin, County of Kenosha, City of Kenosha, and are shown in Exhibit "A" as attached.

WITNESS MY HAND AND SEAL this _____ day of _____, _____.

CITY OF KENOSHA, WISCONSIN

Signature (SEAL)

Printed Name

Printed Title

Accepted:

UNITED STATES OF AMERICA

By: _____

VICTOR L. KOTWICKI
Real Estate Contracting Officer
Detroit, Buffalo, and Chicago Districts

Date: _____

FY13 Kenosha Harbor MD

Overview of Dredging, Offloading, and Placement Area

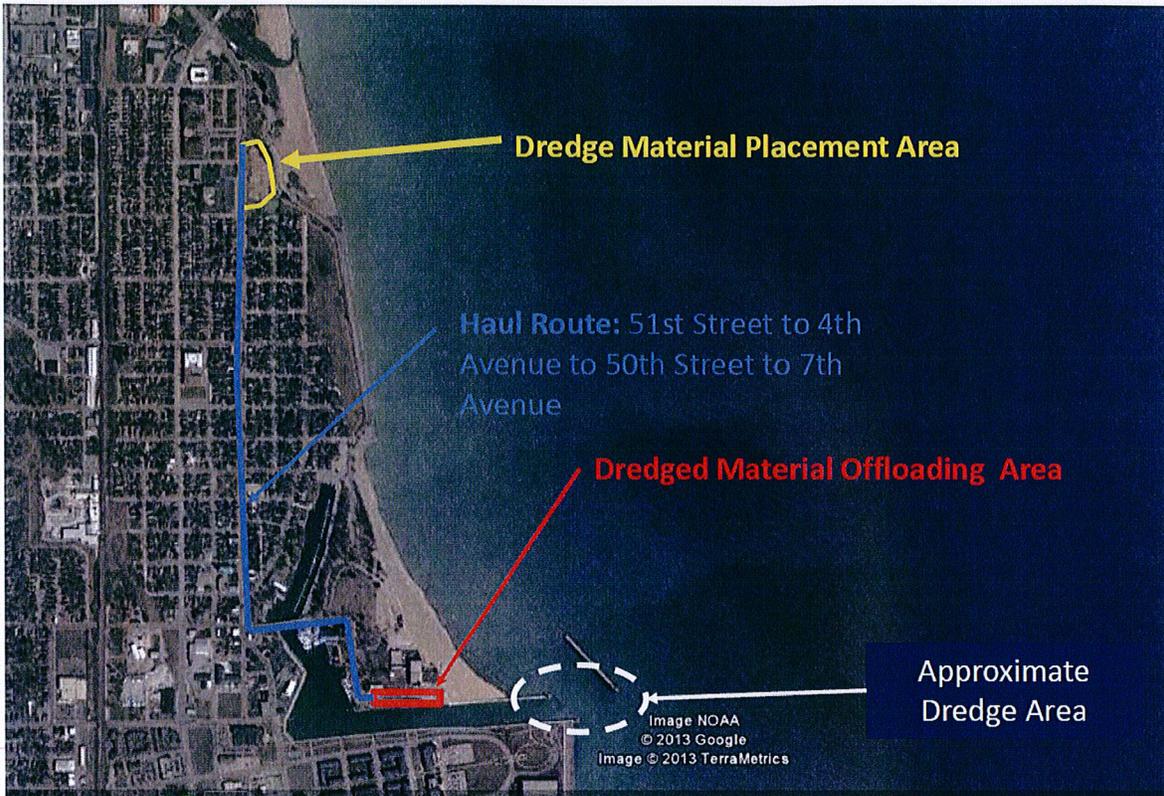


Exhibit "A"
(Sheet 1 of 3)

FY13 Kenosha Harbor MD Detail of Dredged Material Offloading Area



Exhibit "A"
(Sheet 2 of 3)

FY13 Kenosha Harbor MD Detail of Dredged Material Placement Site



Exhibit "A"
(Sheet 3 of 3)



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January 8, 2014

To: Eric Hugaard, Chairman, Public Works Committee
Patrick Juliana, Chairman, Stormwater Utility Committee
Michael Orth, Chairman, Park Commission

From: Shelly Billingsley, P.E. *Shelly Billingsley*
Deputy Director of Public Works/City Engineer

Subject: Acceptance of Project 11-1416 Petzke Park – Phase I Mass Grading & Parking Lot

Location: 1700 29th Street

Please be advised that the above referenced project has been satisfactorily completed by BCF Construction Corp., Waukesha, Wisconsin. This project consisted of the expansion of Petzke Park and redesign of the existing park with the removal of an existing parking lot, mass grading, tree removal, installing storm sewer, installing new parking lot off 14th Avenue, installing sidewalk paths, installation of LED lights in parking lot and along the main path, and site restoration.

It is recommended that the project be accepted in the final amount of \$584,766.83. Original contract amount was \$16,432 plus \$1,568 for storm sewer for a total of \$18,000 funding from CIP Line Item SW-95-001; \$517,182 plus \$52,818 for contingency for a total of \$570,000 funding from PK-08-13, PK-10-004, PK-11-001 and TID #9 (Frost Grant). The total contract amount of \$588,000.

Under CIP Line Item PK-11-001 the City will also direct purchase lights for walkway and parking lot that will be installed by the contractor. The light fixture and pole quote is approximately \$26,000 which will be in addition to the contract total.

SAB/kjb



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January 10, 2014

To: Michael Orth, Chairman
Parks Commission

From: Shelly Billingsley, P.E. *Shelly Billingsley*
Deputy Director of Public Works/City Engineer

Subject: Change Request

BACKGROUND INFORMATION

At the May 14, 2012 meeting the Commissioners agreed this item should appear on all future agendas. There are no change requests at this time.

RECOMMENDATION

Receive and file.

SB/dh