

**AGENDA**  
**PUBLIC SAFETY & WELFARE COMMITTEE MEETING**  
**Kenosha Municipal Building - Room 204**  
**Monday, January 28, 2013 - 5:00 pm**

<b>Chairman:</b>	<b>Rocco J. LaMacchia, Sr</b>	<b>Vice Chairman:</b>	<b>Chris Schwartz</b>
<b>Aldersperson:</b>	<b>Anthony Kennedy</b>	<b>Aldersperson:</b>	<b>Michael J. Orth</b>
<b>Aldersperson:</b>	<b>Kevin E. Mathewson</b>		

**Call to Order**  
**Roll Call**

**A. APPROVAL OF MINUTES**

A-1 Approval of the minutes of the meeting held on January 14, 2013.

**C. REFERRED TO COMMITTEE**

C-1 Proposed Ordinance - To Repeal and Recreate Subsection 14.01 D.1. *(of the Code of General Ordinances for the City of Kenosha)* Regarding Dogs and Cats.

C-2 Proposed Resolution - To Appoint Community Service Officer Morgan Jankiwicz as a Humane Officer *(for the City of Kenosha)*.

C-3 Proposed Ordinance – 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. *(Also referred to Parks & Public Works)*

C-4 Aldermanic Request to Remove the 15 Minute Parking Signs in Front of 4721-7<sup>th</sup> Avenue. *(District 2)*

**CITIZEN COMMENTS/ALDERMEN COMMENTS/OTHER BUSINESS AS AUTHORIZED BY LAW**

IF YOU ARE DISABLED AND NEED ASSISTANCE, PLEASE CALL 653-4050 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.

**PUBLIC SAFETY & WELFARE COMMITTEE**  
**Minutes of Meeting held Monday, January 14, 2013**

A meeting of the Public Safety & Welfare Committee was held on Monday, January 14, 2013 in Room 204 of the Kenosha Municipal Building. The meeting was called to order at 5:52 pm by Chairman LaMacchia.

At roll call, the following members were present: Alderpersons Schwartz, Orth, and Kennedy. Alderperson Mathewson was excused. Staff members in attendance were Shelly Billingsley, Deputy Director of Public Works/City Engineer; Clement Abongwa, Assistant City Engineer and Police Chief John Morrissey.

It was moved by Alderperson Kennedy, seconded by Alderperson Schwartz, to approve the minutes from the meeting held on Monday, December 10, 2012. Motion carried unanimously.

B-1. Aldermanic Request for 4-Way Stop Signs at the following Intersections:

- 35th Ave & 70th St
- 36th Ave & 70th St

*(District 8) (Deferred from the 10/8/12 & 12/10/12 meetings)*

Staff/Alderperson: Clement Abongwa spoke.

It was moved by Alderperson Orth, seconded by Alderperson Schwartz, to approve as recommended by staff. Motion carried unanimously.

B-2. Proposed Ordinance To Repeal and Recreate Subsection 7.129 C. *(of the Code of General Ordinances)* to Allow for Exceptions to Certain Parking Restrictions. *(Deferred from the 12/10/12 meeting)*

Staff/Alderperson: Police Chief Morrissey spoke.

It was moved by Alderperson Schwartz, seconded by Alderperson Orth, to approve. Motion carried unanimously.

ADJOURNMENT - There being no further business to come before the Public Safety & Welfare Committee, it was moved, seconded and unanimously carried to adjourn at 6:02 pm.

ORDINANCE NO. \_\_\_\_\_

DRAFT 01.17.13

SPONSOR: \_\_\_\_\_ALDERPERSON SCOTT GORDON

\_\_\_\_\_CO-SPONSOR: ALDERPERSON JAN MICHALSKI

**TO REPEAL AND RECREATE SUBSECTION 14.01 D.1.  
OF THE CODE OF GENERAL ORDINANCES FOR THE  
CITY OF KENOSHA REGARDING DOGS AND CATS**

**Section One:** Subsection 14.01 D.1. of the Code of General Ordinances for the City

of Kenosha, Wisconsin, is hereby repealed and recreated as follows:

**D.1. Run at Large.** It shall be unlawful for any person owning or possessing any dog or cat to permit it to run at large. **“Run at Large”** shall mean:

\_\_\_\_\_ (a) the presence of an animal which is not on a secured leash of six (6') feet or less on any public property or thoroughfare; or

\_\_\_\_\_ (b) the presence of an animal on any private property without the permission of the property owner or occupier; or

\_\_\_\_\_ (c) the presence of an unattended animal which is not secured by a fence, which is a minimum of three (3) feet in height with an engaged locking mechanism, when located on any private property beyond the front of the principal structure located on the property where the property on which the animal is located abuts a public right of way.

Dogs and cats which are not leashed in vehicles are not deemed to “run at large” if they are secured in a manner as will prevent their escape therefrom. This requirement does not apply to dogs utilized for law enforcement purposes.

**Section Two:** This Ordinance shall become effective upon passage and publication.

ATTEST: \_\_\_\_\_ City Clerk

APPROVED: \_\_\_\_\_ Mayor Date: \_\_\_\_\_

Passed:

Published:

Drafted By:  
MATTHEW A. KNIGHT  
Deputy City Attorney

RESOLUTION NO. \_\_\_\_\_

**SPONSOR: ALDERPERSON ROCCO J. LAMACCHIA, SR.**

**TO APPOINT COMMUNITY SERVICE OFFICER  
MORGAN JANKIEWICZ AS A HUMANE OFFICER  
FOR THE CITY OF KENOSHA**

**WHEREAS**, the City of Kenosha, Wisconsin has authorized the enforcement of City animal control laws by humane officers appointed by the City pursuant to Section 173.03(1), Wisconsin Statutes, and Section 14.076(B) of the Code of General Ordinances for the City of Kenosha, Wisconsin; and

**WHEREAS**, the State of Wisconsin authorizes humane officers to enforce certain state animal control laws by virtue of the powers and duties set forth in Section 173.07, Wisconsin Statutes; and

**WHEREAS**, Morgan Jankiewicz, a community service officer employed by the City of Kenosha Police Department, has obtained a Humane Officer Certification from the University of Missouri – Columbia.

**NOW THEREFORE, BE IT RESOLVED**, by the Common Council of the City of Kenosha, Wisconsin, that Morgan Jankiewicz is hereby appointed as a City Humane Officer for the City of Kenosha, Wisconsin, with full animal control enforcement powers and duties as authorized by Wisconsin Statutes and the Code of General Ordinances for the City of Kenosha, Wisconsin.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

ATTEST: \_\_\_\_\_ City Clerk

APPROVED: \_\_\_\_\_ Mayor

Date: \_\_\_\_\_

# University of Missouri - Columbia

## Vice Provost's Certificate

Hereby Certifies That

*Morgan Jankiewicz*

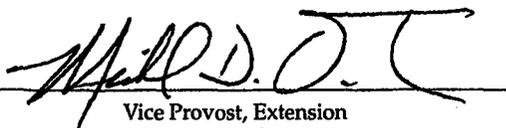
has participated in and successfully completed the

*Wisconsin Humane Officer Training*

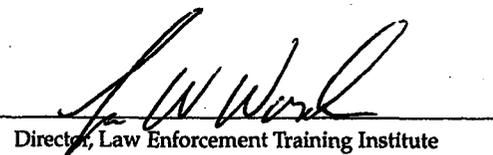
40 Hours

offered by the  
Law Enforcement Training Institute  
and  
University Extension

In Witness whereof this certificate is awarded  
*September 28, 2012*

  
Vice Provost, Extension



  
Director, Law Enforcement Training Institute

## ORDINANCE NO. \_\_\_\_

SPONSOR: 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**

The Common Council of the City of Kenosha, Wisconsin, do ordain as follows:

**Section One:** Section 14.021 of the Code of General Ordinances for the City of Kenosha, Wisconsin, is hereby created.

**14.021 Feeding Geese, Ducks, or Seagulls Upon Public Property Prohibited.**

No person may feed, provide or give any food or other edible item to any goose, duck, or seagull, or any flock of geese, ducks, or seagulls upon any public property or park in the City limits.

**Section Two:** Section 14.08 of the Code of General Ordinances for the City of Kenosha, Wisconsin, is hereby repealed and recreated as follows:

**14.08 Penalties.**

A. Any person violating §14.01 A., shall forfeit Thirty (\$30.00) Dollars, together with the costs of the action, and in default of the payment of such forfeiture and costs, shall be committed to the County Jail for a period not to exceed thirty (30) days.

B. Any person violating §14.01 C. shall forfeit not less than Fifty (\$50.00) Dollars nor more than Two Hundred (\$200.00) Dollars, together with the costs of the action, and in default of payment of such forfeiture and costs, shall be committed to the County Jail for a period not to exceed thirty (30) days.

C. Any person convicted of violating §14.01 D. 1. or §14.01 D. 3. shall forfeit not more than Two Hundred (\$200) Dollars, together with the costs of the action, and in default of payment of such forfeiture and costs, shall be committed to the County Jail for a period not to exceed thirty (30) days.

D. Any person violating §14.02 shall forfeit One Hundred (\$100.00) Dollars, together with the costs of the action, and in default of the payment of such forfeiture and costs, shall be committed to the County Jail for a period not to exceed thirty (30) days.

E. Any person violating §14.03 shall forfeit Fifty (\$50.00) Dollars, together with the costs

of the action, and in default of the payment of such forfeiture and costs, shall be committed to the County Jail for a period not to exceed thirty (30) days.

**F.** Any person violating §14.04 or §14.05 shall forfeit One Hundred (\$100.00) Dollars, together with the costs of the action, and in default of payment of such forfeiture and costs, shall be committed to the County Jail for a period not to exceed thirty (30) days.

**G.** Any person violating §14.055 shall forfeit not less than One Hundred (\$100.00) Dollars nor more than Five Hundred (\$500.00) Dollars, together with the costs of the action, and in default of payment of such forfeiture and costs, shall be committed to the County Jail for a period not to exceed thirty (30) days.

**H.1.** Any person violating §14.07 B. shall forfeit Fifty (\$50.00) Dollars, together with the costs of the action, and in default of payment of such forfeiture and costs, shall be committed to the County Jail for a period not to exceed thirty (30) days.

**2.** Any person violating §§14.07 F. 1., 14.07 F. 5., 14.07 F. 8. or 14.07 F.10., shall forfeit not less than Two Hundred (\$200.00) Dollars, nor more than Five Hundred (\$500.00) Dollars, together with the costs of the action, and in default of payment of such forfeiture and costs, shall be committed to the County Jail for a period not to exceed thirty (30) days.

**I.1.** Any person violating §14.013 or 14.014 of this Chapter or any other provision of Chapter 14 for which there is no separately listed penalty, shall, upon conviction thereof, forfeit not more than One Hundred (\$100) Dollars, plus the costs of prosecution, and in default of such payment of forfeiture and costs, shall be committed to the County Jail for a period not to exceed thirty (30) days.

**2.** Any person violating §14.013 D. of this Chapter shall, upon conviction thereof, forfeit not less than Three Hundred Fifty (\$350.00) Dollars and not more than Five Hundred (\$500.00) Dollars, together with the costs of the action, and in default of payment of such forfeiture and costs, shall be committed to the County Jail for a period not to exceed thirty (30) days.

**J.** Any person who violates §§ 14.06 A., 14.075 or 14.076 of this Chapter or Section 95.21, Chapter 173, Chapter 174, or Chapter 951, Wisconsin Statutes, shall, upon conviction, forfeit not more than Five Hundred (\$500.00) Dollars, together with the costs of prosecution, and in default of payment of such forfeiture and costs, shall be committed to the County Jail for a period not to exceed thirty (30) days.

**K.** For a first violation of any provision of §14.021 of this Chapter, a written warning will be issued. For the second and all subsequent violations of any provision of §14.021 of this Chapter, a person shall be subject to a forfeiture of not less than ten dollars (\$10.00) nor more than twenty five dollars (\$25.00), together with costs of prosecution, assessments, fees, and surcharges for each offense, and upon default in payment, shall be imprisoned in the Kenosha County Jail for not more than 20 days, or otherwise treated by the court as provided by law.

L. Except as otherwise provided, anyone violating any of the provisions of this Chapter, upon conviction thereof, shall be subject to a forfeiture not to exceed One Thousand (\$1,000.00) Dollars, together with the payment of the costs of prosecution, assessments, fees, and surcharges, and in default of the timely payment thereof, shall either be committed to the County Jail for a period not to exceed ninety (90) days, or the Court may suspend the Defendant's motor vehicle operating privileges until the forfeiture, assessment, surcharges and costs are paid, except that the suspension period may not exceed five (5) years

M. In addition to the imposition of a forfeiture, the City may seek injunctive relief.

N. Each incident and each day's continuance shall constitute a separate offense.

**Section Three:**

This Ordinance shall become effective upon passage

and publication.

ATTEST: \_\_\_\_\_ City Clerk

APPROVED: \_\_\_\_\_ Mayor

Passed:

Published:

Drafted By:  
EDWARD R. ANTARAMIAN  
City Attorney



ENGINEERING DIVISION  
SHELLY BILLINGSLEY, P.E.  
CITY ENGINEER

PARK DIVISION  
JEFF WARNOCK  
SUPERINTENDENT

FLEET MAINTENANCE  
MAURO LENCI  
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STREET DIVISION  
JOHN H. PRIJIC  
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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 24, 2013

To: Rocco J. LaMacchia, Sr, Chairman  
Public Safety and Welfare

From: Shelly Bilingsley, P.E.  
Director of Engineering

*Shelly Bilingsley*

Subject: ***Aldermanic Request to Remove Fifteen Minute Parking Signs In Front of 4721 7<sup>th</sup> Avenue***

**BACKGROUND INFORMATION**

Alderman of the second district, Chris Schwartz is requesting for the removal of the ***“15 Minute Parking Between Signs 8 A.M. to 6 P.M. Mon Thru Sat.”*** signs in front of 4721 7<sup>th</sup> Avenue. Photos of the signs are attached. Staff could not determine the reason for the installation of the signs or find the resolution in the City’s record that resolved the installation of the signs. Staff believes that the said signs were installed prior to 1973 due to City records.

The 15 minutes parking restriction is not suitable to the clothing retail store business that is currently at this address. Patrons usually shop for more than fifteen minutes and currently would have to park further away from the store. Removing the parking restriction would increase parking and make parking more convenient to patrons.

**RECOMMENDATION**

Staff recommends a 90-day trial for the removal of the ***“15 Minute Parking Between Signs 8 A.M. to 6 P.M Mon Thru Sat”*** signs in front of 4721 7<sup>th</sup> Avenue.

CC: Alderman Chris Schwartz  
District 2

FIFTEEN MINUTE PARKING RESTRICTION IN FRONT OF 4721 7<sup>TH</sup> AVENUE

