

AGENDA
PUBLIC SAFETY & WELFARE COMMITTEE MEETING
Kenosha Municipal Building - Room 204
Monday, May 13, 2013 - 5:00 pm

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

Call to Order
Roll Call

Approval of the minutes of the meeting held on April 29, 2013.

1. Proposed Ordinance by Aldersperson Patrick Juliana, Co-Sponsor Aldersperson Scott N. Gordon – 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. *(Referred from Council on 5/6/13) (Also referred to Public Works, Finance, and Licensing/Permit)*
2. Proposed Resolution by Aldersperson Patrick Juliana, Co-Sponsors: Aldersperson Scott N. Gordon, Aldersperson Curt Wilson – To Establish a Definitive Procedure for Outside Requests To City Employees. *(Referred from Council on 5/6/13) (Also referred to Public Works, Finance, and Licensing/Permit)*
3. Proposed Resolution by Aldersperson Curt Wilson - To Establish a Moratorium on the Granting of Secondhand Article Dealer and Secondhand Jewelry Licenses. *(Referred from Council on 5/6/13) (Also referred to Licensing/Permit)*
4. Reschedule of May 27, 2013 meeting.

DISCUSSION ITEM:

1. Homicide Crimes

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, April 29, 2013

A meeting of the Public Safety & Welfare Committee was held on Monday, April 29, 2013 in Room 204 of the Kenosha Municipal Building. The meeting was called to order at 5:47 pm by Chairman LaMacchia.

At roll call, the following members were present: Alderpersons Schwartz and Orth. Alderperson Kennedy was absent. Alderperson Mathewson was excused. Staff members in attendance were Michael Lemens, Director of Public Works; Shelly Billingsley, Deputy Director of Public Works/City Engineer; Alderperson Curt Wilson; Deputy Police Chief Dan Miskinis; Alderperson Curt Wilson and Alderperson Scott Gordon.

It was moved by Alderperson Schwartz, seconded by Alderperson Orth, to approve the minutes from the meeting held on Monday, April 8, 2013. Motion carried unanimously.

C-1. Proposed Resolution 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. *(Also referred to Licensing/Permit)*

Staff/Alderperson: Alderperson Curt Wilson spoke.

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

2. Election of Committee Chairman 2013/2014.

It was moved by Alderperson Orth, seconded by Alderperson Schwartz to nominate Chairman LaMacchia as Committee Chairman. Alderperson LaMacchia accepted. Motion carried unanimously.

3. Election of Committee Vice Chairman 2013/2014.

It was moved by Alderperson Orth, seconded by Alderperson LaMacchia to nominate Vice Chairman Schwartz as Committee Vice Chairman. Alderperson Schwartz accepted. Motion carried unanimously.

STAFF COMMENTS: Deputy Police Chief Dan Miskinis notified the committee of the Law Enforcement Memorial at the Museum at noon on May 8th, 2013.

ADJOURNMENT - There being no further business to come before the Public Safety & Welfare Committee, it was moved, seconded and unanimously carried to adjourn at 5:55 pm.

ORDINANCE NO. _____

SPONSOR: 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**

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

Section One: Subparagraph 1.03 D.5.a. of the Code of General Ordinances

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

5. References to and Reports of Committees.

a. All Ordinances, Resolutions, communications and other matters submitted to the Council shall be read by naming the author and giving the title or substance thereof, ~~and~~ Except for ordinances all other matters submitted to the Council shall ~~may~~ be acted upon immediately by the Council, unless referred to an appropriate committee, commission, board, or authority by the Mayor or by majority vote of the Council. Any alder~~person~~man may require the reading in full of any matter at any time it is before the Council.

Section Two: Paragraphs 1.03 E. 2 and 1.03 E. 4 of the Code of General Ordinances for the City of Kenosha, Wisconsin, are hereby renumbered as Paragraphs 1.03 F. 16 and 1.03 F. 17, respectively.

Section Three: Paragraph 1.03 E. 1 of the Code of General Ordinances for the City of Kenosha, Wisconsin, is hereby amended as follows:

E. Ordinances and Resolutions.

- 1. Any of the following may sponsor an Ordinance or Resolution:
 - a. The Mayor.
 - b. One (1) or more ~~Aldermen~~Alders~~person(s)~~.
 - c. A Committee of the Common Council with respect to matters within its jurisdiction.
 - d. The Board of Water Commissioners with respect to matters within its jurisdiction.
 - e. The Board of Park Commissioners with respect to matters within its jurisdiction.
 - f. The Museum Board with respect to matters within its jurisdiction.

g. The Library Board with respect to matters within its jurisdiction.

Section Four: Paragraph 1.03 E. 3 of the Code of General Ordinances

for the City of Kenosha, Wisconsin, is hereby amended as follows:

3. Before the adoption of any Ordinance the same shall be read at two separate meetings of the Council. Before the second reading the title of the Ordinance shall be published in full in the official newspaper. On the second reading of the Ordinance a public hearing thereon shall be had. An aye and no vote of the Council shall be taken on an Ordinance **only** after such public hearing **has been held**.

Section Five: Paragraph 1.03 E. 5 of the Code of General Ordinances for

the City of Kenosha, Wisconsin, is hereby renumbered as Paragraph 1.03 E. 2.

Section Six: Paragraph 1.03 E. 4 of the Code of General Ordinances for

the City of Kenosha, Wisconsin, is hereby created as follows:

4. No ordinance may be considered by the Common Council for final passage unless one of the following has occurred:

(a) if the ordinance was directly referred for comment through the Common Council agenda by either the Mayor pursuant to paragraph 1.03 A. 6. or by the Common Council pursuant to paragraph 1.03 A. 11., to one or more committees of the Common Council, to one or more commissions, boards, or authorities of the City, or to a combination thereof, either:

(i) if the ordinance was referred only to a committee or committees and not to any commission, board, or authority, all committees of the Common Council to which the ordinance was referred have reported on it or the time specified in subparagraph 1.03 C 5.f has elapsed; or

(ii) if the ordinance was referred to any single commission, board, or authority, or was referred to a combination of committees, commissions, boards, or authorities, all such bodies to which the ordinance was referred have reported on it or forty-five days have elapsed since the most-recent referral was made.

(b) if the ordinance was not directly referred for comment, a committee of the Common Council has nonetheless reported on it.

Section Seven: Paragraph 1.03 E. 5 of the Code of General Ordinances for

the City of Kenosha, Wisconsin, is hereby created as follows:

5. No ordinance or resolution that affects the rules or procedures of the Common Council, or that is directed specifically to alderpersons, including but not limited to rules respecting dress code at meetings, and respecting compensation or reimbursement of alderpersons, may be

considered for adoption unless it has first been referred pursuant to provisions of subsection 1.03 A. to the following standing committees of the Common Council: the Committee on Finance, the Committee on Public Works, the Committee on Public Safety and Welfare, and the Committee on Licenses/Permits.

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

ATTEST: _____ City Clerk

APPROVED: _____ Mayor

Passed:

Published:

Drafted By:
EDWARD R. ANTARAMIAN
City Attorney

RESOLUTION _____

SPONSOR: ALDERPERSON PATRICK JULIANA
CO-SPONSOR: ALDERPERSON SCOTT N. GORDON
ALDERPERSON CURT WILSON

**TO ESTABLISH A DEFINITIVE PROCEDURE FOR
OUTSIDE REQUESTS TO CITY EMPLOYEES**

WHEREAS, as a part of the budget process, each year the Common Council approves a table of organization for employees of the City of Kenosha; and

WHEREAS, a table of organization provides a chain of command to provide a framework for supervision and accountability; and

WHEREAS, in order to have effective supervision and accountability, responsibilities and prioritization therefor must be formulated at the highest levels of the supervisory chain of command and communicated through the chain to those responsible; and

WHEREAS, interjection of priorities, projects, requests, directives, and/or comments by alderpersons to employees within the chain of command has a disruptive effect as such interjections compete with priorities assigned by the employee's supervisors.

NOW THEREFORE BE IT RESOLVED that other than requests for bulk pick up of garbage, for immediately available answers to simple questions, or for copies of documents already created, alderpersons shall limit all requests to the Mayor, City Administrator, Directors of appropriate departments, or superintendents or directors of divisions, or their respective designees; such limitation shall exclude directives from chairs of committees, commissions, or boards to the secretary of the particular committee, commission, or board.

BE IT FURTHER RESOLVED that all requests for establishing priorities, projects, directives, or comments must be in writing, either electronically or in hard copy, to the

appropriate city staff identified herein; the requirement that a request be in writing will not apply to requests for bulk pick up of garbage or to requests to the appropriate city staff identified herein, or their designees, for inquiries for immediately available answers to simple questions that do not require research or investigation, or for copies of documents already created.

BE IT FURTHER RESOLVED that any city employee who fails to follow a priority, project, request, or directive, from an alderperson or other person outside of his or her chain of command will not be subject to discipline.

BE IT FURTHER RESOLVED that the City Administrator is directed to create a brochure to be presented to all alderpersons at the organizational meeting each even year with a summary of the requirements of this resolution.

Adopted this _____ day of _____, 2013.

ATTEST:

Debra Salas, City Clerk/Treasurer

APPROVED:

Keith G. Bosman, Mayor

Drafted By:
EDWARD R. ANTARAMIAN
City Attorney

RESOLUTION _____**SPONSOR: ALDERPERSON CURT WILSON****TO ESTABLISH A MORATORIUM ON THE
GRANTING OF SECONDHAND ARTICLE
DEALER AND SECONDHAND JEWELRY LICENSES**

WHEREAS, the operation of secondhand article dealer and secondhand jewelry enterprises is minimally regulated by §138.10 of the the Wisconsin Statutes and is further regulated by Chapter 13 of the Code of General Ordinances for the City of Kenosha; and

WHEREAS, the City has no specific zoning laws regarding secondhand article dealer and secondhand jewelry enterprises; and

WHEREAS, although siting standards were not specifically articulated in the existing laws relative to secondhand article dealer and secondhand jewelry enterprises, a recent application for a secondhand article dealer and secondhand jewelry license was considered for denial on public safety and welfare grounds due to its proposed location not being a proper fit for the neighborhood in which it was to be located; and

WHEREAS, the Common Council has otherwise recently considered the City's zoning rules for convenient cash enterprises that are perceived for city planning purposes as being comparable to secondhand article dealer and secondhand jewelry enterprises, which zoning rules for convenient cash enterprises include siting limitations as well as conditional use permit obligations; and

WHEREAS, the City Council needs a reasonable period of time to study the comparability and compatibility of secondhand article dealer and secondhand jewelry enterprises to other businesses for zoning consideration and to study the need to adopt more comprehensive regulations necessary to protect the health, safety and welfare of residents with respect to secondhand article dealer and secondhand jewelry establishment rules.

NOW THEREFORE BE IT RESOLVED THAT a moratorium of eight (8) months is imposed upon the Common Council's granting of new Secondhand Article Dealer and Secondhand Jewelry Licenses at new locations to permit the Common Council an opportunity to review and revise the provisions of Chapter 13 of the Code of General Ordinances respecting eligibility for such licenses and other related matters and the Zoning Ordinance; said moratorium will earlier expire upon passage and effectiveness of new legislation contemplated herein. During the period of this moratorium, the City Clerk/Treasurer is directed to not accept any applications subject to this moratorium.

BE IT FURTHER RESOLVED a Secondhand Article Dealer and Secondhand Jewelry Review Workgroup, subject to the open meetings and public records law, is created with the purpose of examining the existing rules for Secondhand Article Dealer and Secondhand Jewelry and related ordinances, and reporting thereon with recommendations for amendments, as follows:

- (a) The Chair of the Committee on Licenses/Permits or his designee from that Committee.
- (b) The Chair of the Committee on Public Safety & Welfare or his designee from that Committee.
- (c) The President of the Common Council or his designee from the Common Council.
- (d) The City Administrator.
- (e) The Chief of Police or his designee.
- (f) The Director of Community Development and Inspection or his designee.
- (g) The City Attorney or his designee.

BE IT FURTHER RESOLVED that the Secondhand Article Dealer and Secondhand Jewelry Review Workgroup shall have no budget and will disband upon the termination of the moratorium.

Adopted this _____ day of _____, 2013.

ATTEST:

Debra L. Salas, City Clerk/Treasurer

APPROVED:

Keith G. Bosman, Mayor

Drafted By:
MATTHEW A. KNIGHT
Deputy City Attorney