

\* \* \* NOTE TIME & ROOM CHANGE \* \* \*  
AGENDA  
PUBLIC SAFETY & WELFARE COMMITTEE MEETING  
Kenosha Municipal Building - Room 204  
Monday, May 24, 2010  
4:30 PM  
*(Following Park Commission Meeting)*

Chairman: Jesse L. Downing  
Vice Chair: Anthony Kennedy  
Aldermen: Michael J. Orth  
Lawrence F. Green  
Rocco J. LaMacchia, Sr

Call to Order  
Roll Call

**A. APPROVAL OF MINUTES**

A-1. Approval of the minutes of the regular meeting held May 10, 2010.

**C. REFERRED TO COMMITTEE**

C-1. Application request for On Street Handicapped Parking in front of 1627 59<sup>th</sup> Street.  
*(District 8) (Staff recommends approval of a trial)*

C-2. Proposed Ordinance to Recreate Subsection 6.02 A. 21 (of the Code of General Ordinances) Regarding Park Rules and Regulations. *(Also referred to Parks Commission)*

C-3. Proposed Ordinance to Repeal & Recreate Section 13.025 (of the Code of General Ordinances) Regarding Peddler's Stand and other Structures as Obstructions. *(Also referred to Parks Commission and Licensing/Permit Committee)*

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

IF YOU ARE DISABLED AND IN NEED OF 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 -

Monday, May 10, 2010

The regular meeting of the Public Safety & Welfare Committee was held on Monday, May 10, 2010 in Room 202 of the Kenosha Municipal Building. The meeting was called to order at 5:48 pm. The following members were present: Chairman Downing, Alderman Kennedy, Orth, Green, and LaMacchia. Staff members in attendance were Paula Blise.

*It was moved by Alderman Orth, seconded by Alderman LaMacchia, to approve the minutes of the meeting held on Monday, April 26, 2010. Motion passed 5-0.*

C-1. Proposed Ordinance to Recreate, Renumber, Amend, and Create Various Sections of 13.02 J (of the Code of General Ordinances) entitled "Pawnbrokers and Dealer Requirements" (Licensing/Permit approved 5-0)

Public Hearing: Audrey Vesnefsky, 10320 75<sup>th</sup> St, Gold Diamond & Design, was present and expressed her concerns with getting a thumb print, digital photo, and a 30 day extension. Ed Block, 7620 Pershing Blvd, Herbert's Jewelers, was present and expressed his concerns and made a suggestion that the price of gold should be posted on the doors. Alderman Bogdala, 17<sup>th</sup> District, co-sponsor of the ordinance asked the committee to approve.

Alderman: Alderman Kennedy asked how they determine the price of gold. Alderman Orth said that getting finger printed is not demeaning, if fact he had to be finger printed to take a teaching job. This is to protect the consumer. Chairman Downing stated that because people have access to fake id's that getting a finger print will only help the consumer.

*It was moved by Alderman Kennedy to add "or" in front of required to provide a finger print. Motion failed for lack of a second.*

*It was moved by Alderman Orth, seconded by Alderman Green, to approve. Motion passed 5-0.*

DISCUSSION ITEM: Religious Institutions – Sign Ordinance Requirements. Paula Blise informed the committee that last year she was told to enforce for all entities, but she is getting different feed back and just wanted clarification on how to handle religious institutions. After discussion Alderman Orth informed Paula that she should continue on the same path until there is a change in the ordinance.

CITIZENS COMMENTS: Audrey Vesnefsky asked how getting a fingerprint will help the business from buying stolen property.

ALDERMAN COMMENTS: Chairman Downing explained that getting a fingerprint is helping the consumer not the business.

ADJOURNMENT - *There being no further business to come before the Public Safety & Welfare Committee, it was moved, seconded and unanimously carried to adjourn at 6:35 pm.*



**Engineering Division**  
Michael M. Lemens, P.E.  
Director/City Engineer  
**Fleet Maintenance**  
Mauro Lenci  
Superintendent  
**Administrative Supervisor**  
Janice D. Schroeder

**Street Division**  
John H. Prijic  
Superintendent  
**Waste Division**  
Rocky Bednar  
Superintendent  
**Park Division**  
Jeff Warnock  
Superintendent

C-1

## DEPARTMENT OF PUBLIC WORKS

**Ronald L. Bursek, P.E., Director**

Municipal Building - 625 - 52<sup>nd</sup> Street - RM 305 - Kenosha, WI 53140  
Telephone (262) 653-4050 - Fax (262) 653-4056

DATE: May 24, 2010  
TO: Public Safety and Welfare Committee  
FROM: Kevin Risch, P.E., Assistant City Engineer KKR 5-20-10  
SUBJECT: Request for One (1) Handicapped Parking for Private Residence at 1627 59<sup>th</sup> Street.  
(District 8)

An application for one (1) on street handicapped parking space in front of 1627 59<sup>th</sup> Street has been received (see attached).

Staff has reviewed and recommends a trial for one (1) handicapped space, 22 feet, designated in front of 1627 59<sup>th</sup> Street.

KKR:dt

cc: Alderman Katherine Marks - w/a  
Ronald L. Bursek, Director of Public Works - w/a  
Michael M. Lemens, Director of Engineering/City Engineer - w/a  
Randy LaClaire - w/a  
File - w/a

City of Kenosha  
Department of Public Works  
Application  
For  
On Street Handicapped Parking  
Private Residence

Name of Handicapped: Roger Phillipson

Address: 1627-59 Street

Kenosha, WI 53140

Phone: 262-654-0324

Date: 5/13/2010

Handicapped Designation Card #: P155062 exp. MAY 2013

Requested Location of Signage:

Front of House



Side of House



Application is hereby requested with the following stipulations:

- \$100.00 fee for application & sign installation
- Only 1 space allowed per single family
- Designated on street space shall be in accordance with other parking restrictions as designated by existing on street signage or other City Ordinances.

Signature: Roger Phillipson

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

**REDLINE VERSION**  
**04.16.10**

**BY: ALDERPERSON MICHAEL ORTH**

**TO RECREATE SUBSECTION 6.02 A. 21 OF THE CODE OF  
GENERAL ORDINANCES, REGARDING PARK RULES AND  
REGULATIONS**

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

**Section One:** Section 6.02 A.21 of the Code of General Ordinances for  
the City of Kenosha, Wisconsin, is hereby recreated as follows:

**6.02 RULES AND REGULATIONS**

No persons, other than authorized employees, agents, contractors and permittees of the City,  
shall engage in any of the following conduct:

**A. Parks.**

21. Sell or offer for sale any product, articles, food, beverages, goods or services, **except as follows:**

(a) Upon written request, the Board of Park Commissioners may allow the sale of any product, articles, food, beverages, goods or services provided that the applicant, when necessary, is appropriately licensed under state statute and local ordinance. In considering a request, the Board of Park Commissioners shall consider whether the proposed transactions are:

- (1) Are customarily associated with public use and enjoyment of parks and park properties;
- (2) Are in furtherance of public use and enjoyment of the park; or
- (3) Are incidental to an appropriate recreational or cultural use of said properties.

(b) Sales permitted pursuant to subsection (a) shall be subject to the following requirements:

- (1) Location. Permission shall be limited to the location designated by the Board of Park Commission.
- (2) Hours of Operation. Permission to sell or offer for sale shall be limited to the hours between 9:00 a.m. and 8:00 p.m.
- (3) Term. Permission shall be limited too no more than thirty (30) consecutive days.
- (4) Special Events. Permission shall not be required for vendors associated with a special event previously approved by the City.
- (5) Utilities. Vendors which require use of public utilities shall be required to pay utility fees as designated by the Superintendent of Parks;.
- (6) Noise. Noise levels emanating from the stand shall be kept to a minimum and shall be reasonable so as not to disturb the peace and quiet of those in the vicinity, including but not limited to residents, merchants and customers. Vendors shall be subject to all applicable City ordinances regarding noise and amplification and this ordinance shall not be interpreted to expand or contradict those other ordinances. In the event of a conflict, the more strict regulation or ordinance shall apply.

**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

**REDLINE VERSION**  
**04.16.10**

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

BY: ALDERPERSON MICHAEL ORTH

**TO REPEAL AND RECREATE SECTION 13.035 OF THE  
CODE OF GENERAL ORDINANCES, REGARDING PEDDLER'S  
STANDS AND OTHER STRUCTURES AS OBSTRUCTIONS**

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

**Section One:** Section 13.035 of the Code of General Ordinances for the

City of Kenosha, Wisconsin, is hereby repealed and amended as follows:

**13.035 PEDDLER'S STANDS AND OTHER STRUCTURES AS OBSTRUCTIONS**

No person, firm, party or corporation shall place or maintain a stand or structure from which peddling, as defined in §13.03, Ordinances, is engaged in or which are used for any other purposes, upon any City property, including street right-of-ways, sidewalks and lawn park areas, without first having obtained permission of the Common Council. Peddler's stands shall not be authorized within eight hundred (800') feet of any permanent business retailing similar or competing products located in a permanent building or structure and peddler's stands and other structures shall not be authorized where likely to create a public or private nuisance, or otherwise disturb the peace or obstruct vehicular or pedestrian traffic

A person shall be deemed to have a "stand", although there is no structure associated therewith, whenever a person remains in any one location for more than one (1) hour within an eight (8) hour period of time. A "location" shall be defined as **any City property including street right-of-ways, sidewalks and lawn park areas.** A "right-of-way" shall be defined as being within one hundred fifty (150') feet of any street or highway intersection measured from the center point thereof and shall also be defined as being within a right-of-way on either side of a street or highway from intersection to intersection.

Applications for permits shall be filed with the City Clerk on forms approved by the City Clerk, accompanied by a fee of One Hundred (\$100) Dollars. Permits shall be nonproratable and shall be for the period October 1 through September 30 of each year. A separate permit shall be required for each "stand". **Person(s) peddling from a stand as defined herein shall not be required to hold an individual peddler's license as required by § 13.03.**

**A. Review.** In reviewing a peddler stand permit application, the Common Council shall consider whether the proposed stand transactions are:  
**(1) Customarily associated with public use and enjoyment of the location proposed for the stand.**  
**(2) In furtherance of public use and enjoyment of the location proposed for the stand.**  
**(3) Incidental to an appropriate recreational or cultural use of the location proposed for the stand.**

**B. Operation.** Peddler stands issued a permit pursuant to Subsection A shall be subject to the following operations requirements:  
**(1) Location.** The stand location shall be limited to the area described in the permit application and approved by the Council.

(2) Term. An approved location shall be limited to thirty (30) consecutive days. Each stand may be relocated subject to the filing of a new permit application during the term of the permit and upon Common Council approval.

(3) Hours of Operation. Peddling is permitted at a stand location between the hours of 9:00 a.m. and 8:00 p.m.

(4) Special Events. A peddler stand permit shall not be required for vendors associated with a special event previously approved by the City.

(5) Utilities. Vendors which require use of public utilities shall pay utility charges as designated by Superintendent of Parks.

(6) Noise. Noise levels emanating from the stand shall be kept to a minimum and shall be reasonable so as not to disturb the peace and quiet of those in the vicinity, including but not limited to residents, merchants and customers. Vendors shall be subject to all applicable City ordinances regarding noise and amplification and this ordinance shall not be interpreted to expand or contradict those other ordinances. In the event of a conflict, the more strict regulation or ordinance shall apply.

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

ATTEST: \_\_\_\_\_ Deputy City Clerk  
Debra L. Salas

APPROVED: \_\_\_\_\_ Mayor                      Date: \_\_\_\_\_  
Keith G. Bosman

Passed:

Published:

Drafted By:  
MATTHEW A. KNIGHT,  
Deputy City Attorney