



**Agenda**  
**Special Meeting**  
**Board of Parks Commission**

**625-52nd St, Kenosha, WI, Room 202**  
**Monday, July 18, 2016**  
**6:45pm**

Chairperson:	Eric Haugaard	Vice Chairperson:	Jan Michalski
Commissioner:	Keith W. Rosenberg	Commissioner:	Rocco J. LaMacchia, Sr.
Commissioner:	Jack Rose		

Call to Order  
Roll Call  
Citizen Comments

1. Request from Matt Schumacher (*Big Matt's BBQ*) for permission to operate a peddler stand business at Pennoyer Park/Bandshell on Tuesdays from 11am-8:30pm. (*District 1*) (*L/P-Recommendation Pending*)

**ALDERPERSONS' COMMENTS**

*IF YOU ARE DISABLED AND NEED ASSISTANCE, PLEASE CALL 653-4050 BY NOON BEFORE THIS MEETING TO MAKE ARRANGEMENTS FOR REASONABLE ON-SITE ACCOMMODATIONS.*



SHELLY BILLINGSLEY, MBA, PE  
Director of Public Works

July 15, 2016

TO: Eric Haugaard, Chairperson  
Board of Park Commissioners

FROM: Shelly Billingsley, Director of Public Works

SUBJECT: Request from Matt Schumacher (*Big Matt's BBQ*) for permission to operate a peddler stand business at Pennoyer Park/Bandshell on Tuesdays from 11am-8:30pm. (*District 1*) (*L/P-Recommendation Pending*)

**BACKGROUND/ANALYSIS**

Staff received a request from Matt Schumacher for permission to operate his peddler stand in Pennoyer Park/Bandshell on Tuesdays from 11am-8:30pm. The vending will also occur during the "Tuesdays at the Shell" Event. Mr. Frank Carmichael, Event Coordinator for the Tuesdays at the Shell Events, has approved Big Matt's BBQ to be there during these events.

Mr. Schumacher has applied for a peddler stand license with the City Clerk's office on July 8, 2016. The peddler stand license will expire September 30.

**RECOMMENDATION**

Staff recommends approval

SB/dm

262-716-8232

HOLD: FOOD PERMIT  
PARKS APPROVAL



**PEDDLER STAND**

FILED	7/8/16
INITIALS	JA
ADVERSE/NO ADV	
LP	
CC	

E-MAILED JUL 11 2016

TYPE: 129 Fee: \$100.00/term

Expires: September 30, 2016

- Applicant: Matt Schumacher District # 9
  - Driver's License or I.D. copy attached  and Applicant's Report - Police Record copy attached
  - Residence Address: 900 2 - Sheridan Rd #14 Phone: 262-716-8232
  - Email: MattSchumacher11@gmail.com  
(correspondence will be via email if address is given)
  - Business Name & Mailing Address: Big Matt's BBQ / same as above N/A
  - Location of Stand: Pennoyer Park / Tuesdays @ the Shell  
(Address or Intersection)
  - Is Stand Located In a City Park or City Property? Yes  No   
If yes, approval needed from Parks Department or Public Works
  - Date(s) Stand will operate: 7/12 - 9/3/16 Time: 11 am to 8:30 pm  
(9:00am to 8:00pm only)
  - Describe the food, beverages, merchandise or services to be sold: Ribs, pulled pork  
Sandwich, roast Beef & cheddar, chicken sandwich & soft drinks
  - Are You Selling Food? Yes  No  If selling food, a copy of Kenosha County Food Permit is required attached Yes  No
  - I have received or I can obtain at [www.kenosha.org](http://www.kenosha.org), a copy of the Ordinance pertaining to Peddler's & Peddler's Stand License(s). Yes  No
  - Will a car or truck be used to conduct business? Yes  No  If yes, certificate of liability attached
- Motor vehicles shall, at the cost and expense of applicant/permit holder, be inspected by an Automotive Service Excellence (A.S.E.) Certified Technician, who shall fill out, date and sign a Safety and Maintenance Inspection Report and a copy of their certification. The Report shall verify that the motor vehicle inspected is safe for operation on City streets. The Report shall be filed with the City Clerk/Treasurer with the permit application/renewal or at any time prior to which a motor vehicle will be utilized, or at any time directed by the Police Chief of designee thereof, based upon personal observation of a police officer indicating a lack of required maintenance.
- Vehicle inspection by an A.S.E. Certified Technician Yes  No  n/a  Report & Certification attached
  - Does the motor vehicle contain sound amplifying equipment (example-ice cream truck-music)  
Yes  No  If so, attach a copy of your Kenosha County Sound Truck application receipt.  
\*Attached Yes  No  n/a

15. Motor vehicles are required to be marked on both sides with the name of the owner in letters not less than two and one-half (2 1/2") inches in height in a color contrasting with the color of the vehicle.

Is vehicle marked? Yes  No  n/a IF NO, LICENSE WILL NOT BE ISSUED.

**PLEASE READ:**

Probationary Term. An approved location shall be subject to a probationary period of thirty (30) consecutive days. If no written complaints or objections with respect to the approved location are received by the Clerk during the probationary period, the location shall be the "location" of the stand for the remainder of the licensing period. If a complaint or objection is received, it shall be forwarded to the Common Council for further consideration of the stand location. The probationary period shall be extended as long as the location remains under Council consideration. The Council shall either confirm or amend the location. 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.

I hereby appoint the municipal clerk for the City of Kenosha or his/her agent to accept service of process in any civil action brought against me in connection with direct sales activities if I cannot, after reasonable effort, be personally served.

I hereby certify that I am the applicant named in the foregoing application, and I have read each and every question and answered each and every question truly, correctly and completely, under penalty of law for failure to do so.

Applicant's Signature:

Matt Gorman

Date:

7/8/11



FOR OFFICE USE ONLY

APPLICANT'S REPORT - POLICE RECORD  
CLK001 (rev. 01/16)

NAME: Matthew E Schwemacher

ADDRESS: 9002 - Sheridan Rd #14

DATE OF BIRTH: 12/30/70

DRIVER'S LICENSE #: S52654457047009  
(must indicate if this is not a WI DL)

LICENSE APPLIED FOR: Peddler stand

Applicant must truly, correctly and completely answer the following questions, or in the alternative, subject themselves to the penalties specified in §1.22 of the Code of General Ordinances, a copy of which is printed on the reverse side of this application. In the event the information is untrue, incorrect, and/or incomplete it will be denied.

1. Have you, as an adult, ever been convicted of a major crime (felony) or minor crime (misdemeanor) in Wisconsin, or in any other State; or do you have a charge pending at this time?  Yes  No  
If yes, state: charge, year, result  
\_\_\_\_\_  
\_\_\_\_\_

2. Have you, as an adult, ever been convicted of violating a municipal or county ordinance in Wisconsin or in any state; or do you have a charge pending at this time?  Yes  No  
If yes, state: charge, year, result  
\_\_\_\_\_  
\_\_\_\_\_

3. Have you, as an adult, ever served time; or have been sentenced to serve time in a jail or prison in Wisconsin or any other State?  Yes  No If yes, explain:  
\_\_\_\_\_  
\_\_\_\_\_

4. Have you ever had your driver's license suspended or revoked in Wisconsin or in any other State?  
 Yes  No If yes, explain:  
As a youth suspension for unpaid tickets  
\_\_\_\_\_  
\_\_\_\_\_

5. Have you received any traffic citations in Wisconsin or in any other State within the past five (5) years; or do you have any such citations pending?  Yes  No If yes, state: charge, year, result

\_\_\_\_\_

\_\_\_\_\_

6. Have you, as an adult, within the past five (5) years, while operating a business or engaged in a profession, been convicted of any state or federal charges; or do you have charges pending at this time involving unfair trade practices, unethical conduct, or discrimination?  Yes  No If yes, state: charge, year, result

Big M's BBQ

\_\_\_\_\_

7. List the name and address of all employers for which you have worked and/or businesses you have operated in the past five (5) years:

Self Employed past 5 years

\_\_\_\_\_

8. List all addresses at which you have lived in the past five (5) years:

19737-84 Place, Bristol, VT.  
9002-Shoreline Rd, Kenosha, WI

\_\_\_\_\_

Applicant's Signature:  Date: 7/8/16

**PLEASE READ: §1.22 LICENSE/PERMIT APPLICATIONS - CODE OF GENERAL ORDINANCES**  
A. Prohibition It shall be unlawful for any person, acting as an individual, a partner, a corporate officer, or an agent, to execute or file with any City Department, or to authorize any person to do so on their behalf, a license or permit application which is not true, correct and/or complete in all material respects and which was known by said person to be untrue, incorrect and/or incomplete. The term "in all material respects" shall mean with respect to some fact, which, if known to the granting authority, would be a basis or a consideration for license or permit denial.

B. Penalty  
1) Any person violating Subsection A. above, shall, upon conviction thereof, be subject to a forfeiture not to exceed Five Hundred (\$500) Dollars, plus the payment of the costs of prosecution, and, in default of the timely payment thereof, shall be committed to the County Jail until such forfeiture has been paid, but not to exceed a period of thirty (30) days.  
2) The license or permit granting authority may grant, but withhold the issuance of, any license or permit for a period not to exceed thirty (30) days from the date of granting under circumstances wherein an application is found by the granting authority to have violated Section A. above, and the applicant was provided with an opportunity to appear before the granting authority. The granting authority may also issue a written warning to the applicant which shall be made part of their license/permit record for two (2) consecutive license/permit years. Where such finding and penalty is made and imposed by other than the Common Council, applicant may, within ten (10) days of receipt of oral or written notice of the imposition of any such penalty, whichever is first, if both oral and written notice is provided, file a Notice of Appeal with the City Clerk and have such matter reviewed by the Common Council.

**§1.225 ADMINISTRATIVE CHARGE FOR PROCESSING LICENSE/PERMIT APPLICATIONS**  
The first Twenty-five (\$25) Dollars of the application fee for any License/Permit shall be retained by the City in the event of a License/Permit denial or the withdrawal of the application by applicant for administrative and processing costs, and the balance, if any, refunded to the applicant. Where the application fee is less than Twenty-five (\$25) Dollars, the entire application fee shall be retained by the City for administrative and processing costs.

Applicant's Report -- Police Record, page 2



PUBLIC WORKS  
PARKS

July 13, 2016

Matt Schumacher  
9002 Sheridan Rd Lot 14  
Kenosha, WI 53143

RE: Pedder Stand request for Pennoyer Park/Bandshell.

Dear Mr Schumacher:

Your request for a peddler stand business in Pennoyer Park/Bandshell on Tuesday from 11am-8:30pm will be reviewed by the Board of Parks Commission. The meeting is scheduled for:

**Monday, July 18, 2016**  
**6:45 p.m.**  
**Room 202**  
**Kenosha Municipal Building, 625-52nd Street**

You and/or your representative are required to appear.

If you have any questions, you may contact me at 262-653-4065.

Sincerely,

Diane S. Miles  
Secretary of the Parks Commission

cc: Board of Parks Commission  
Shelly Billingsley, Acting Director of Public Works – w/a  
Jeff Warnock, Superintendent of Parks – w/a