

AGENDA  
PUBLIC SAFETY & WELFARE COMMITTEE MEETING  
Kenosha Municipal Building - Room 202  
Monday, August 23, 2010  
5:00 PM

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 August 9, 2010.

**C. REFERRED TO COMMITTEE**

C-1. Proposed Ordinance To Repeal and Recreate Various Sections (*of the Code of General Ordinances*) Replacing “City Plan Commission” with “Common Council”. (*Also referred to Public Works Committee and City Plan Commission*)

**INFORMATIONAL:**

1. Animal Control Contract Update
2. Joint Service Update

**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, August 9, 2010

The regular meeting of the Public Safety & Welfare Committee was held on Monday, August 9, 2010 in Room 202 of the Kenosha Municipal Building. The meeting was called to order at 5:09 pm. The following members were present: Vice Chairman Kennedy, Alderman Green, and LaMacchia. Previously excused Chairman Downing and Alderman Orth. Staff members in attendance were Kevin Risch.

*It was moved by Alderman LaMacchia, seconded by Alderman Green, to approve the minutes of the meeting held on Monday, July 26, 2010. Motion passed 3-0.*

C-1. Request to remove previous Trial to Install No Parking, 8:00am – 5:00pm, Monday – Friday, April 1<sup>st</sup> to October 31<sup>st</sup> west Side of 10<sup>th</sup> Avenue – 5100 block. (District 2)  
Alderman Ruffalo, 2<sup>nd</sup> District, was present to answer any questions.  
*It was moved by Alderman Green, seconded by Alderman LaMacchia, to approve a 90 day trial. Motion passed 3-0.*

C-2. Previous Trial to lengthen the No Parking area on the South Side of 27<sup>th</sup> Street from 90 feet to 160 feet East of 30<sup>th</sup> Avenue. (District 5)  
*It was moved by Alderman LaMacchia, seconded by Alderman Green, to approve. Motion passed 3-0.*

C-3. Previous Trials for Yield Controls:  
a. N/S Yield Control for 19<sup>th</sup> Avenue and 33<sup>rd</sup> Street (District 6)  
b. WB Yield Control for 16<sup>th</sup> Place and 16<sup>th</sup> Avenue (District 1)  
c. N/S Yield Control for 55<sup>th</sup> Avenue and 28<sup>th</sup> Street (District 5)  
*It was moved by Alderman LaMacchia, seconded by Alderman Green, to approve. Motion passed 3-0.*

C-4. Previous Trial for Stop Control for 48<sup>th</sup> Street and 38<sup>th</sup> Avenue.  
*It was moved by Alderman Green, seconded by Alderman LaMacchia, to approve. Motion passed 3-0.*

ALDERMEN COMMENTS: Alderman LaMacchia commended the City, Fire, & Police on a job well done when a truck hit the overpass on Washington Road last week. Vice Chair Kennedy asked if flashing lights would help trucks.

ADJOURNMENT - *There being no further business to come before the Public Safety & Welfare Committee, it was moved, seconded and unanimously carried to adjourn at 5:21 pm.*

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

**DRAFT 8.04.10**

**BY: ALDERPERSON DAVID BOGDALA  
ALDERPERSON ANTHONY NUDO**

**TO REPEAL AND RECREATE VARIOUS SECTIONS  
OF THE CODE OF GENERAL ORDINANCES REPLACING  
“CITY PLAN COMMISSION” WITH “COMMON COUNCIL”.**

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

**Section One:** Chapter 1.31 C. of the Code of General Ordinances for the City

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

**C. Review Guidelines.** The ~~City Plan Commission~~Common Council will review Public Art Proposals and accept only those Proposals which are in the best interest of the City, and meet the goals and criteria and the other requirements of this Ordinance.

**Section Two:** To eliminate “City Plan Commission” from the title of Chapter 2.02 D.

of the Code of General Ordinances for the City of Kenosha, Wisconsin as follows:

**5. Review and Report by the** ~~City Plan Commission~~Committees of Council; and Adoption by the Common Council.

**Section Three:** Chapter 15.02 “Definitions” of the Code of General Ordinances for the

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

**Unified Business Center.** A shopping center consisting of a group of permitted and/or conditional retail and/or commercial uses which are located in multiple buildings on a single lot or group of lots. The center is planned, developed and functions as a unit with common shared access, building materials and/or architectural features. A Unified Business Center is located on property zoned B-2. A Unified Business Center must be so designated by the ~~City Plan Commission~~Common Council.

**Section Four:** Chapter 17.04 E. of the Code of General Ordinances for the City

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

**E. Land Suitability.** No land shall be divided for any use which is determined to be unsuitable for such use by the ~~City Plan Commission~~Common Council, upon the recommendation of the City Engineer or any other agency consulted by the ~~City Plan Commission~~Common Council, for reason of flooding, inadequate drainage, adverse soil condition or rock formation, unfavorable topography or any other feature likely to be detrimental to the health, safety or welfare of the future residents/occupants of

the proposed Land Division. In addition, the City may require that lands altered or filled to a depth of four (4') feet or more with earth or nonearth materials shall not be divided into building sites, except where soil tests prepared by a professional engineer clearly show that the soils are suited to development. Soil reports may be required to consider, but need not be limited to, an evaluation of soil permeability, depth to groundwater, depth to bedrock, soil bearing capacity, soil compaction, and the presence of toxic or hazardous materials. Where the ~~City Plan Commission~~Common Council determines land is not suitable for development, it shall, in writing, recite the particular facts upon which it bases its conclusion and afford the Subdivider an opportunity to present evidence in rebuttal to such finding of unsuitability. Thereafter, the ~~City Plan Commission~~Common Council may affirm, modify, or withdraw its determination of unsuitability

**Section Five:** Chapter 17.04 L.1. of the Code of General Ordinances for the City

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

1. The City Planner shall, within thirty (30) days from the date of filing of the survey with the City Planner, unless the time is extended by mutual consent of the City Planner and Subdivider, approve or reject the survey, and transmit the decision in writing to the Subdivider. If the Survey is rejected, the reason(s) shall be stated in a written statement forwarded to the Subdivider. Any Subdivider objecting to the decision of the City Planner may appeal the decision to the ~~City Plan Commission~~Common Council. Such appeal shall be filed with the City Planner within thirty (30) days of the date of the decision by the City Planner.

**Section Six:** Chapter 17.09 I. Paragraph 2 of the Code of General Ordinances for the

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

**I. Public Sites and Open Spaces.** Suitable sites of adequate area shall be dedicated or reserved for schools, parks, environmental corridors, drainage ways and other public purposes as provided in the Development Agreement. If designated on the Comprehensive Plan, such areas shall be made a part of the Plat as stipulated in Section 17.04 C. of this Ordinance. If not so designated, consideration shall be given in the location of such sites to the preservation of scenic and historic sites, woodlands, and other environmentally significant lands.

The Subdivider of land in the City of Kenosha shall, at the discretion and direction of the ~~City Plan Commission~~Common Council, either dedicate public and open space lands designated on the Comprehensive Plan or where no public or open space lands are dedicated, pay a public site fee. The ~~City Plan Commission~~Common Council shall, at the time of reviewing the Preliminary Plat or Certified Survey Map, select one of the following options and record such selection in the minutes of the meeting at which the Land Division is presented for approval.

**Section Seven:** Chapter 17.10 C. of the Code of General Ordinances for the City

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

**C. Grading.** After the installation of the temporary block corner monuments by the Subdivider and establishment of street grades by the City Engineer, the Subdivider shall grade the full width of the right-of-way of all streets proposed to be dedicated in accordance with plans and standard specifications approved by the ~~City Plan Commission~~Common Council, upon the recommendation of the City

Engineer. The Subdivider shall grade the roadbeds in the street right-of-ways to subgrade. Cut and filled lands shall be graded to a maximum slope of one on four or the soil s angle of repose, whichever is the less, and covered with permanent vegetation.

**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