

**AGENDA**  
**BOARD OF PARK COMMISSIONERS**  
**Kenosha Municipal Building - Room 204**  
**Monday, September 10, 2012 - 5:00 pm**

|                      |                           |                       |                                |
|----------------------|---------------------------|-----------------------|--------------------------------|
| <b>Chairman:</b>     | <b>Michael J. Orth</b>    | <b>Vice Chairman:</b> | <b>Anthony Kennedy</b>         |
| <b>Commissioner:</b> | <b>Chris Schwartz</b>     | <b>Commissioner:</b>  | <b>Rocco J. LaMacchia, Sr.</b> |
| <b>Commissioner:</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 August 27, 2012.

**C. REFERRED TO COMMISSION**

C-1. Change Requests.

**INFORMATIONAL ITEMS:**

1. Project Status Report
2. Simmons Island Park Boardwalk/Access Development Grant
3. GLRI Grant for Simmons Island & Eichelman Beaches

DIRECTOR AND/OR SUPERINTENDENT COMMENTS

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

IF YOU ARE DISABLED AND NEED ASSISTANCE, PLEASE CALL 653-4052 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.

**BOARD OF PARK COMMISSIONERS**  
**Minutes of Meeting held Monday, August 27, 2012**

A meeting of the Board of Parks Commissioners was held on Monday, August 27, 2012 in Room 204 of the Kenosha Municipal Building. The meeting was called to order at 5:00 pm by Chairman Orth.

At roll call, the following members were present: Commissioners Schwartz, LaMacchia, Kennedy, and Mathewson. Staff members in attendance were Michael Lemens, Director of Public Works; Jeff Warnock, Parks Superintendent; Shelly Billingsley, Director of Engineering; Alderperson David Bogdala; Alderperson Eric Haugaard; Alderperson Jan Michalski; and Alderperson Scott Gordon.

It was moved by Commissioner LaMacchia, seconded by Commissioner Schwartz, to approve the minutes from the meeting held on Monday, August 13 & 20, 2012. Motion carried unanimously.

- C-1. Request from St. Joseph Catholic Academy to use Pennoyer Park to host their Annual Homecoming Bonfire on Saturday, September 22, 2012. (District 1)  
It was moved by Commissioner Kennedy, seconded by Commissioner LaMacchia, to approve. Motion carried unanimously.
- C-2. Award of Contract for Project 12-1423/12-1427 Sunrise Park Trail and Phase I Development (2829 50th Avenue) to BCF Construction Corp. (Waukesha, WI) in the amount of \$367,500. (Also referred to Public Works) (District 5)  
It was moved by Commissioner Kennedy, seconded by Commissioner LaMacchia, to approve. Motion carried unanimously.
- C-3. Award of Contract for Project 12-1428 Anderson Pool Equipment Room Re-Piping (8730 22<sup>nd</sup> Avenue) to Lee Plumbing (Kenosha, WI) the amount of \$40,000. (Also referred to Public Works) (District 9)  
It was moved by Commissioner Kennedy, seconded by Commissioner LaMacchia, to approve. Motion carried unanimously.
- C-4. Approval of Task Order for Professional Services by SAA Design Group, Inc., for the Master Park Plan for Southport Park. (District 12)  
Staff/Alderperson: Jeff Warnock, Shelly Billingsley, Alderperson Bogdala, Alderperson Haugaard, Alderperson Michalski, and Alderperson Gordon spoke.  
It was moved by Commissioner Kennedy, seconded by Commissioner Schwartz, to approve. It was then moved by Commissioner Kennedy, seconded by Commissioner Mathewson to open up to a public hearing.  
Public Hearing: George Clark, Jane Harrington-Heide, Michael Foster, Michelle Markiewicz, Margaret Heller, John Fox, Lou Rugani, and Joan Wilk spoke.  
Motion carried 4-1 (with Commissioner Mathewson voting nay) to approve.
- C-5. Approval of Agreement by and between the City of Kenosha Board of Parks Commissioners, Kenosha Cellular Telephone, L.P., and Kenosha County for Property Located at 7817 Sheridan Road. (District 12)  
It was moved by Commissioner Kennedy, seconded by Commissioner LaMacchia, to approve. Motion carried unanimously.

C-6. Change Request

- Forest Park Transfer to Anderson Splashpad

It was moved by Commissioner LaMacchia, seconded by Commissioner Schwartz, to approve. Motion carried unanimously.

INFORMATIONAL ITEMS:

1. Project Status Report

SUPERINTENDENT COMMENTS: Jeff spoke about the Accessibility in Parks and how the City is moving along in a good place.

CITIZEN COMMENTS: Tammy Conforti thanked the Aldermen and invited them to Kenosha Days in Port Washinton in September. John Fox suggested having Park signs with the date they were established and size. Lou Rugani commented on the Southport Beach House and the gate posts.

ADJOURNMENT - There being no further business to come before the Board of Parks Commissioners, it was moved, seconded and unanimously carried to adjourn at 6:06 pm.



**Engineering Division**  
Shelly Billingsley, P.E.  
Director/City Engineer  
**Fleet Maintenance**  
Mauro Lenci  
Superintendent  
**Parks Division**  
Jeff Warnock  
Superintendent

**Street Division**  
John H. Prijic  
Superintendent  
**Waste Division**  
Rocky Bednar  
Superintendent

**DEPARTMENT OF PUBLIC WORKS**  
**Michael M. Lemens, P.E., Director**

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

September 7, 2012

To: Michael Orth, Chairman  
Park Commission

From: Shelly Billingsley, P.E. *Shelly Billingsley*  
Director of Engineering / City Engineer

Subject: ***Change Requests***

**BACKGROUND INFORMATION**

There are no change requests at this time.

**RECOMMENDATION**

Receive and File

# Information #1

September 7, 2012

TO: Michael M. Lemens  
Director of Public Works

FROM: Shelly Billingsley, P.E.  
Director of Engineering / City Engineer

SUBJECT: Project Status Report



**Project #10-1415 Lakefront Water Feature** – The plumber should be done with his work by the end of the week. After that is complete, there is electrical work to be done related to controls, panel installation and start up. The project has been delayed due to field modifications needed due to underground conflicts and delays in receiving spray features from the manufacturer. [Camosy] (2)

**Project # 08-1443 Bike and Pedestrian Connections** - Plans have begun but a major focus on bike paths has been to complete the Bike Path crossing at Washington Road and the extension through Nash Park. Once these projects have been bid, design will be completed on this third phase. (Citywide)

**Project #11-1415 CORP Implementations** – Projects as outlined in the CORP and under the change requests have begun. (Citywide)

**Project #11-1416 Petzke Park Mass Grading** –The contractor is waiting for the light poles to be shipped by the supplier. [BCF Construction] (1)

**Project #11-1417 Strawberry Park Mass Grading, Trail and Shelter (DNR Stewardship Grant)** – Design work on the master plan implementation has begun. The property is currently undergoing the annexation process from the Village of Bristol and additional work will be needed with the submittal of the draft FEMA maps. The property is impacted by a proposed Floodway that staff is currently researching for conversion to flood fringe. [SAA Design Group] (16)

**Project #11-1419 Park Fee Study** – Staff is continuing to meet on the recommendation sections to the report. A draft copy of the report is anticipated to be submitted to the Park Commission in September. (Citywide)

**Project #11-1421 Southport Beachhouse Restoration (Wisconsin Coastal Management Grant)** – This project will be completed simultaneously with the Southport Park Master Plan. [Enberg Anderson] (12)

**Project #11-1423 Southport Shoreline Repair** –Staff has been issued the DNR permit for work to begin. (12)

**Project #11-1125 Pennoyer Beach Outfall Stormwater Infiltration Basin (GLRI Grant)** – [VEIT] Work has begun on the four bioswales and the infiltration basin will begin in the next week. (SWU) (1)

**Project #11-1137 Pike River Monitoring (WI Coastal Management Grant)** – Work associated with this grant has begun. (SWU) (1 and 4)

**Project #12-1414 Anderson Pool Modifications and Splash Pad** –. City will be direct purchasing the spray equipment. [SAA Design Group] (9)

**Project #12-1423 Sunrise Park Trail (DNR Stewardship Grant) / #12-1427 Sunrise Park Master Plan Implementation** – Staff is scheduling Public Information Meeting and Preconstruction meeting. [SAA Design Group] (5)

**Project #12-1420 Shagbark Trail (DNR Stewardship Grant)** – Design work has begun. Staff is anticipating that the project will be bid in Fall for a Spring 2013 construction [SAA Design Group] (10)

**Project #12-1424 Southport Park Trail (DNR Stewardship Grant)** –Staff is anticipating that this project will be put on hold until the Proposed Master Plan is completed [SAA Design Group] (12)

**Project #12-1410 Tree Removal** – The contract is in progress [Droprite] (Citywide)

**Project #12-1133 Tree Pruning** – The contract is in progress. [Trees R Us] (Citywide)

**Project #12-1412 Tree Planting** – The contract is in progress [Paul Swartz] (Citywide)

**Project #12-1426 Peorio Park Playground and Ice Rink** – Playground Equipment and Ice Rink area have been completed. The Parks Division is working on restoring the areas.

**Project #TBD Southport Park Master Plan** –. Staff is anticipating that the following dates will be held for the Public Information meetings that will be held during 3 phases of the plan. All meetings are tentative at this time: Meeting 1A will be September 26, Meeting 1B will be Oct 3, Meeting 2 will be November 1 and Meeting 3 will be December 5. [SAA Design Group] (9)

**Project #TBD Museum Fountain** – Starting the week of September 10<sup>th</sup> the contractor will begin all repairs needed to the fountain [Badger Pools] (2)

**Design Work**- Staff is working on the following projects:

Revisions to the Google Map, Simmons Island Park Boardwalk Grant, and miscellaneous specifications for direct purchase items as outlined in the CORP for 2012.



# Information #2

**Engineering Division**  
Shelly Billingsley, P.E.  
Director/City Engineer  
**Fleet Maintenance**  
Mauro Lenci  
Superintendent  
**Parks Division**  
Jeff Warnock  
Superintendent

**Street Division**  
John H. Prijic  
Superintendent  
**Waste Division**  
Rocky Bednar  
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**DEPARTMENT OF PUBLIC WORKS**  
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September 7, 2012

To: Michael Orth, Chairman  
Park Commission

From: Shelly Billingsley, P.E. *Shelly Billingsley*  
Director of Engineering / City Engineer

CC: Chris Schwartz  
District 2

Subject: ***Informational Item –Simmon’s Island Boardwalk Access Development Grant***

**BACKGROUND INFORMATION**

Staff has received and executed the attached Land and Water Conservation fund Aids for Simmon’s Island  
- Simmon’s Island from the Land and Water Conservation Fund Grant \$500,052 (\$250,026 grant and \$250,026 CIP)

**RECOMMENDATION**

Informational Only – No Action Required.

Notice: Collection of this information is authorized under ss. 23.09(11), 23.09(26), 350.12(4), 23.33, and 30.92, Wis. Stats., and chs. NR 7, NR 50, NR 51, and NR 64, Wis. Admin. Code. Personally identifiable information collected will be used for program administration and may be made available to requesters as required under Wisconsin's Open Records Law [ss. 19.31 - 19.39, Wis. Stats].

|  |   |              |                              |     |                         |              |                              |              |  |
|--|---|--------------|------------------------------|-----|-------------------------|--------------|------------------------------|--------------|--|
| <b>Grantee/Project Sponsor</b><br><br>City of Kenosha  | <b>Project Number</b><br><br>55-01873   |              |                              |     |                         |              |                              |              |  |
| <b>Project Title</b><br><br>City of Kenosha - Simmons Island Park Boardwalk/Access Development   |   |              |                              |     |                         |              |                              |              |  |
| <b>Period Covered by This Agreement</b><br><br>August 3, 2012 Through December 31, 2016  | <b>Name of Program</b><br><br>Land and Water Conservation Fund Aids                   |              |                              |     |                         |              |                              |              |  |
| <b>Project Scope and Description of Project</b><br><br>The City of Kenosha has requested federal (LAWCON) grant assistance for the proposed boardwalk and access improvements at their Simmons Island Park. The project will accomplish the installation of 900 plus feet of accessible boardwalk connecting to the city-wide waterfront bicycle trail. Other project scope items include engineering, site preparation, erosion control elements such as installation of armored dunes and outcropping stone, beach pier decking and landscaping and restoration. |   |              |                              |     |                         |              |                              |              |  |
| <b>PROJECT FINANCIAL ASSISTANCE SUMMARY:</b>   | The following documents are hereby incorporated into and made part of this agreement: |              |                              |     |                         |              |                              |              |  |
| <table border="0"> <tr> <td><b>Total Project Cost</b></td> <td style="text-align: right;">\$500,052.00</td> </tr> <tr> <td><b>Cost-Share Percentage</b></td> <td style="text-align: right;">50%</td> </tr> <tr> <td><b>State Aid Amount</b></td> <td style="text-align: right;">\$250,026.00</td> </tr> <tr> <td><b>Project Sponsor Share</b></td> <td style="text-align: right;">\$250,026.00</td> </tr> </table>   | <b>Total Project Cost</b>   | \$500,052.00 | <b>Cost-Share Percentage</b> | 50% | <b>State Aid Amount</b> | \$250,026.00 | <b>Project Sponsor Share</b> | \$250,026.00 | <ol style="list-style-type: none"> <li>1. <i>Chapter NR 51, Wisconsin Administrative Code</i></li> <li>2. <i>Application Dated 07/15/2011</i></li> </ol> |
| <b>Total Project Cost</b>  | \$500,052.00  |              |                              |     |                         |              |                              |              |  |
| <b>Cost-Share Percentage</b>   | 50%   |              |                              |     |                         |              |                              |              |  |
| <b>State Aid Amount</b>  | \$250,026.00  |              |                              |     |                         |              |                              |              |  |
| <b>Project Sponsor Share</b>   | \$250,026.00  |              |                              |     |                         |              |                              |              |  |

## A. General Conditions:

1. The State of Wisconsin Department of Natural Resources (Department) and the Sponsor mutually agree to perform this agreement in accordance with the Land and Water Conservation Fund Aids and with the project proposal, application, terms, promises, conditions, plans, specifications, estimates, procedures, maps and also any assurances attached and made a part of this agreement.
2. This agreement, together with any referenced parts and attachments, shall constitute the entire agreement and previous communications or agreements pertaining to the subject matter of this agreement are superseded. Any revisions, including cost adjustments, must be made by an amendment to this agreement or other written documentation, signed by both parties, prior to the termination date of the agreement. Time extensions and scope changes to the agreement may be granted to the Sponsor by the Department in writing without the requirements of Sponsor signature.
3. Failure by the sponsor to comply with the terms of this agreement shall not cause the suspension of all obligations of the State if, in the judgment of the Secretary of the Department, such failure was due to no fault of the Sponsor. In such case, any amount required to settle at minimum costs any irrevocable obligations properly incurred shall be eligible for assistance under this agreement, at the Department's discretion.

### The Project Sponsor:

4. Agrees to comply with all applicable Wisconsin Statutes and Wisconsin Administrative codes in fulfilling terms of this agreement. In particular, the Sponsor agrees to comply with the provisions of Chapter NR 51, Wis. Adm. Code, as well as comply with all applicable local and state contract and bidding requirements. The sponsor should consult its legal counsel with questions concerning contracts and bidding.
5. May decline the offer of financial assistance provided through this agreement, in writing, at any time prior to the starting of the project and before expending any funds. After the project has been started or funds expended, this agreement may be rescinded, modified, or amended only by mutual agreement in writing.
6. Agrees, to save, keep harmless, defend and indemnify the Department and all its officers, employees and agents, against any and all liability claims, costs of whatever kind and nature, for injury to or death of any person or persons, and for loss or damage to any property (state or other) occurring in connection with or in any way incident to or arising out of the occupancy, use, service, operation or performance of work in connection with this agreement or omissions of Sponsor's employees, agents or representatives.

Agrees to reimburse the Department of any and all funds the Department deems appropriate in the event the Sponsor fails to comply with the conditions of this agreement or project proposal as described, or fails to provide public benefits as indicated in the project application, proposal description or this agreement. In addition, should the Sponsor fail to comply with the conditions of this agreement, fail to progress due to non-appropriation of funds, or fail to progress with or complete the project to the satisfaction of the Department, all obligations of the Department under this agreement may be terminated, including further project cost payment.

8. Agrees, in connection with the performance of work under this agreement, not to discriminate against any employee or applicant for employment because of age, race, religion, color, disability, handicap, sex, physical condition, developmental disability as defined in s. 51.01(5), Wis. Status, sexual orientation or national origin. This provision shall include, but not be limited to, the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation; and selection for training, including apprenticeship. Except with respect to sexual orientation, the Sponsor further agrees to take affirmative action to ensure equal employment opportunities, as required by law. The Sponsor agrees to post in conspicuous places available, for employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of the nondiscrimination clause.

### The Department:

9. Promises, in consideration of the covenants and agreements made by the Sponsor, to obligate for the Sponsor the amount of \$250,026.00, and to tender to the Sponsor that portion of the obligation which is required to pay the Department's share of the costs based upon the state providing 50 percent of eligible project costs. The Sponsor promises, in consideration of the promises made by the Department, to execute the project described in accordance with this agreement.
10. Agrees that the Sponsor shall have sole control of the method, hours worked, and time and manner of any performance under this agreement other than as specifically provided in this document. The Department reserves the right only to inspect the job site or premises for the sole purpose of insuring that the performance is progressing or has been completed in compliance with the agreement. The Department takes no responsibility of supervision or direction of the performance of the agreement to be performed by the Sponsor or the Sponsor's employees or agents. The Sponsor is an Independent Contractor for all purposes, not an employee or agent of the Department. The Department further agrees that it will exercise no control over the selection and dismissal of the Sponsor's employees or agents.

**B. Special Conditions:**

*The following special project terms and conditions were added to this agreement before it was signed by the parties hereto:*

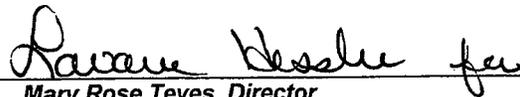
- a. Property acquired or developed with assistance from this program shall not be converted to uses inconsistent with public outdoor recreation without the approval of this Department.
- b. All regulatory permits and approvals, including water and wetland regulatory permits and approvals, required by federal, state or local agencies must be obtained prior to project construction and complied with fully during project construction.
- c. All facilities constructed with assistance from this program must be accessible to persons with disabilities. All facilities developed with these grant funds shall be connected by linkage trails to a main walkway and/or parking lot.
- d. Final construction plans must be approved for structural adequacy by the Department of Natural Resources before construction begins.
- e. All existing overhead utility services if feasible shall be buried and any new utility services provided through this project must be installed underground.
- f. The sponsor shall implement and maintain proper soil erosion and sediment control best management (BMPs) practices during construction of the project. Erosion and sediment control BMPs shall be accomplished using the guidelines in the Wisconsin Stormwater Technical Standards available via the internet at <http://dnr.wi.gov/runoff/stormwater/techstds.htm>. BMPs shall be properly installed, and maintained to function as intended until the project site is stabilized. All temporary erosion and sediment control practices (e.g. silt fence, etc.) shall be removed once the construction site has undergone final stabilization. Construction sites associated with land disturbing activities over one acre and grading sites of 10,000 sq. ft., or more on the bank of a navigable waterway require an erosion control and stormwater management plan prepared by the sponsor. Construction sites disturbing one or more acres of land require coverage under a construction site stormwater discharge permit prior to commencing any land disturbing construction activity.
- g. The Sponsor agrees to display a sign at the site acknowledging funding through the Federal Land and Water Conservation Fund.
- h. No ground-disturbing activities can take place on the project site until the proposed construction is reviewed by the State Historical Preservation Officer and a determination of no adverse effects will result in accordance with Section 106 of the National Historic Preservation Act of 1966.

*The persons signing for the Sponsor represents both personally and as an agent of his or her principal that he or she is authorized to execute this agreement and bind his or her principal, either by a duly adopted resolution or otherwise.*

By   
\_\_\_\_\_  
(Signature)  
Director of Public Works  
(Title)

09-04-12  
(Date)

STATE OF WISCONSIN  
DEPARTMENT OF NATURAL RESOURCES  
FOR THE SECRETARY

By   
\_\_\_\_\_  
Mary Rose Teves, Director  
Bureau of Community Financial Assistance

August 28, 2012  
(Date)



# Information #3

**Engineering Division**  
Shelly Billingsley, P.E.  
Director/City Engineer  
**Fleet Maintenance**  
Mauro Lenci  
Superintendent  
**Parks Division**  
Jeff Warnock  
Superintendent

**Street Division**  
John H. Prijic  
Superintendent  
**Waste Division**  
Rocky Bednar  
Superintendent

## DEPARTMENT OF PUBLIC WORKS Michael M. Lemens, P.E., Director

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

September 7, 2012

To: Michael Orth, Chairman  
Park Commission

Cc: Chris Schwartz  
District 2

From: Shelly Billingsley, P.E. *Shelly Billingsley*  
Director of Engineering / City Engineer

Subject: ***Informational Item – GLRI Grant for Simmon’s Island and Eichelman Beaches***

### **BACKGROUND INFORMATION**

The Stormwater Utility staff has been working with Julie Kinzelman, with the City of Racine, in testing the water quality of our beaches. Julie received a GLRI grant to conduct Beach Sanitary Surveys and is nearing the completion of her studies. However, during her analysis she completed concept plans for some beaches located along the Lake Michigan shoreline throughout the state of Wisconsin. With these concept plans and data she reapplied for a GLRI grant to complete the design drawing, specifications and construction of some beaches along the shoreline. Part of her proposal included two beaches within the City of Kenosha which were Simmon’s Island and Eichelman beaches.

Julie’s mission of the grant is the “Implementation of Beach Redesigns to Make Southern Wisconsin Beaches Safer” is a compilation of best management practices and beach redesign elements targeted (via the sanitary survey data) towards water quality improvements at beaches throughout WI. The southern WI project will include bid ready construction plans, implementation dollars to each of three SE WI communities (~\$80,000 per beach; Racine: Sam Meyers Park, South Milwaukee: Grant Park and Kenosha: Simmons Island and Eichelman), as well as post-implementation monitoring.”

Staff will be continuing to work with Julie throughout the planning stages and will be presenting informational items as soon as we have developed concepts that meet the requirements of the GLRI grant.

### **RECOMMENDATION**

Informational Only – No Action Required