

AGENDA
PUBLIC SAFETY & WELFARE COMMITTEE MEETING
Kenosha Municipal Building - Room 204
Monday, October 14, 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 September 30, 2013.

1. Previous Trial to Remove the “Two-Hour Parking 8:00am to 6:00 pm Monday through Saturday Except Holidays” Signs, on the North Side of 77th Street, East of Pershing Boulevard. *(Deferred from the 9/30/13 meeting) (District 14) (Staff recommends denial)*
2. Ordinance by Aldersperson Jan Michalski, Co-Sponsors: Alderspersons Patrick Juliana, Scott N. Gordon, and Curt Wilson – To Create Section 16.152 *(of the Code of General Ordinances for the City of Kenosha)* Entitled Vacant Building Registry. *(Referred from Council on 9/4/13) (Deferred from the 9/9/13 meeting) (CP-Approve-Ayes 7:Noes 1)*
3. Ordinance by Aldersperson Chris Schwartz - To Repeal and Recreate Subsection 7.05 c. *(of the Code of General Ordinances)* Regarding Parking Limits. *(Referred from Council on 10/7/13) (Also referred to Public Works)*
4. Ordinance by the Mayor – To Amend Subsection 30.10 A. Regarding Filing of Complaints and to Repeal and Recreate Subsection 30.15 *(of the Code of General Ordinances)* Regarding Liability of Complainant for Costs and Expenses. *(Referred from Council on 10/7/13) (Also referred to Finance, Public Works, Stormwater Utility, Licensing/Permit Committees and Ethics Board)*
5. Set date and time for 2014 Budget Review.

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, September 30, 2013

A meeting of the Public Safety & Welfare Committee was held on Monday, September 30, 2013 in Room 204 of the Kenosha Municipal Building. The meeting was called to order at 6:37 pm by Chairman LaMacchia.

At roll call, the following members were present: Alderpersons Kennedy and Mathewson. Alderpersons Orth and Schwartz were excused. Staff members in attendance were: Sean Von Bergen, Assistant City Engineer; Brian Wilke, Development Coordinator; Deputy Police Chief Dan Miskinis; Alderperson G. John Ruffolo and Alderperson Curt Wilson.

It was moved by Alderperson Kennedy, seconded by Alderperson Mathewson to approve the minutes from the meeting held on Monday, September 9, 2013. Motion carried unanimously.

It was moved by Alderperson Kennedy, seconded by Alderperson Mathewson to move item #6 before to #1. Motion carried unanimously.

1. Aldermanic Request for a "No Parking, Stopping and Standing 7:00am to 4:30pm on School Days" Signs on Both Sides of 85th Street between 25th Avenue to 30th Avenue. *(District 13)*
(Staff recommends approval for a 90-day trial)
It was moved by Alderperson Kennedy, seconded by Alderperson Mathewson to approve. Staff/Alderperson: Sean Von Bergen, Alderperson Curt Wilson and Alderperson G. John Ruffolo spoke.
Motion to approve carried unanimously.
2. Previous Trial for Stop Signs at 95th Avenue and 62nd Place Intersection. *(District 17)*
(Staff recommends approval)
It was moved by Alderperson Kennedy, seconded by Alderperson Mathewson to approve. Staff/Alderperson: Sean Von Bergen and Alderperson G. John Ruffolo spoke.
Motion to approve carried unanimously.
3. Previous Trial to Remove the "Two-Hour Parking 8:00am to 6:00 pm Monday through Saturday Except Holidays" Signs, on the North Side of 77th Street, East of Pershing Boulevard. *(District 14)* *(Staff recommends denial)*
Staff/Alderperson: Sean Von Bergen and Alderperson G. John Ruffolo spoke.
It was moved by Alderperson Kennedy, seconded by Alderperson Mathewson to defer.
Motion to defer carried unanimously.
4. Previous Trial to Install "No Parking" Restriction on the South Side of 66th Place from Sheridan Rd to 294 feet West of Sheridan Road. *(District 3)* *(Staff recommends approval)*
It was moved by Alderperson Kennedy, seconded by Alderperson Mathewson to approve.
Motion to approve carried unanimously.
5. Special Exception from the Eight Hundred forty (840) Square Foot Size Limitation and Sixteen-foot Height Restriction in Order to Construct an Eight Hundred Seventy-five (875) Square-foot, Twenty-four-and-one-half-foot (24 ½') High Accessory Structure at 6323 7th Avenue *(District 2)*
Staff/Alderperson: Brian Wilke spoke.
It was moved by Alderperson Kennedy, seconded by Alderperson Mathewson to approve.
Motion to approve carried unanimously.

6. Resolution by Alderperson G. John Ruffolo - To Urge the Mayor to Include within the 2014 Budget a Sum Sufficient to Implement Locating a Med Unit at Fire Station 6. (*Referred from Council on 9/16/13*)

Public Hearing: Alderperson G. John Ruffolo, Cliff Johnson, J.D. Adams (Fire Station 5 Employee and Local 414 Member) spoke.

It was moved by Alderperson Kennedy to defer. Motion failed due to a lack of a second. It was then moved by Alderperson Mathewson, seconded by Alderperson Kennedy to approve. Motion to approve carried unanimously.

ADJOURNMENT - There being no further business to come before the Public Safety & Welfare Committee, it was moved, seconded and unanimously carried to adjourn at 7:09 pm.



Engineering Division
Shelly Billingsley
Director of Engineering
Fleet Maintenance
Mauro Lenci
Superintendent
Park 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
Shelly Billingsley, P.E., Deputy Director

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

Date: September 26, 2013

To: Alderman Rocco LaMacchia, Chairman
Public Safety and Welfare Committee

From: Sean Von Bergen, P.E.,
Assistant City Engineer SVB
DL

CC: Alderman Daniel Proznski
District 14

Subject: ***Previous Trial to Remove "Two-Hour Parking 8:00 AM to 6:00 PM Monday through Saturday Except Holidays" Signs, on the North Side of 77th Street, East of Pershing Boulevard***

BACKGROUND INFORMATION:

Staff received complaints from the businesses located at the northwest corner of 77th Street and Pershing Boulevard intersection. The owner of a Chiropractic Clinic complained that his patients do not have parking close to his clinic because some of the residences along the 77th Street park and leave their cars at this location for days. He claims his patients are usually not physically fit to walk the long distance from the parking lot to his office. He also claims that there is parking on 40th avenue and the northwest corner of 40th Avenue and 77th Street which the residence can use. He believes that with the time restriction, the residence can park at this location over night and on Sundays. He is requesting that the No Parking restriction be reinstated.

RECOMMENDATION:

Staff recommends denial of the removal of the "Two-Hour Parking 8:00 AM to 6:00 PM Monday through Saturday Except Holidays" signs on the north side of 77th Street, east of Pershing Boulevard.



Engineering Division
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Director/City Engineer
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Superintendent

2

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

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June 7, 2013

To: Rocco J. LaMacchia, Sr, Chairman
Public Safety and Welfare

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

Cc: Daniel Prozanski
District 14

Subject: ***Aldermanic Request for the Removal of the "Two-Hour Parking 8:00 AM to 6:00 PM Monday-Saturday Except Holidays" Signs, on the North Side of 77th Street, east of Pershing Boulevard.***

BACKGROUND INFORMATION

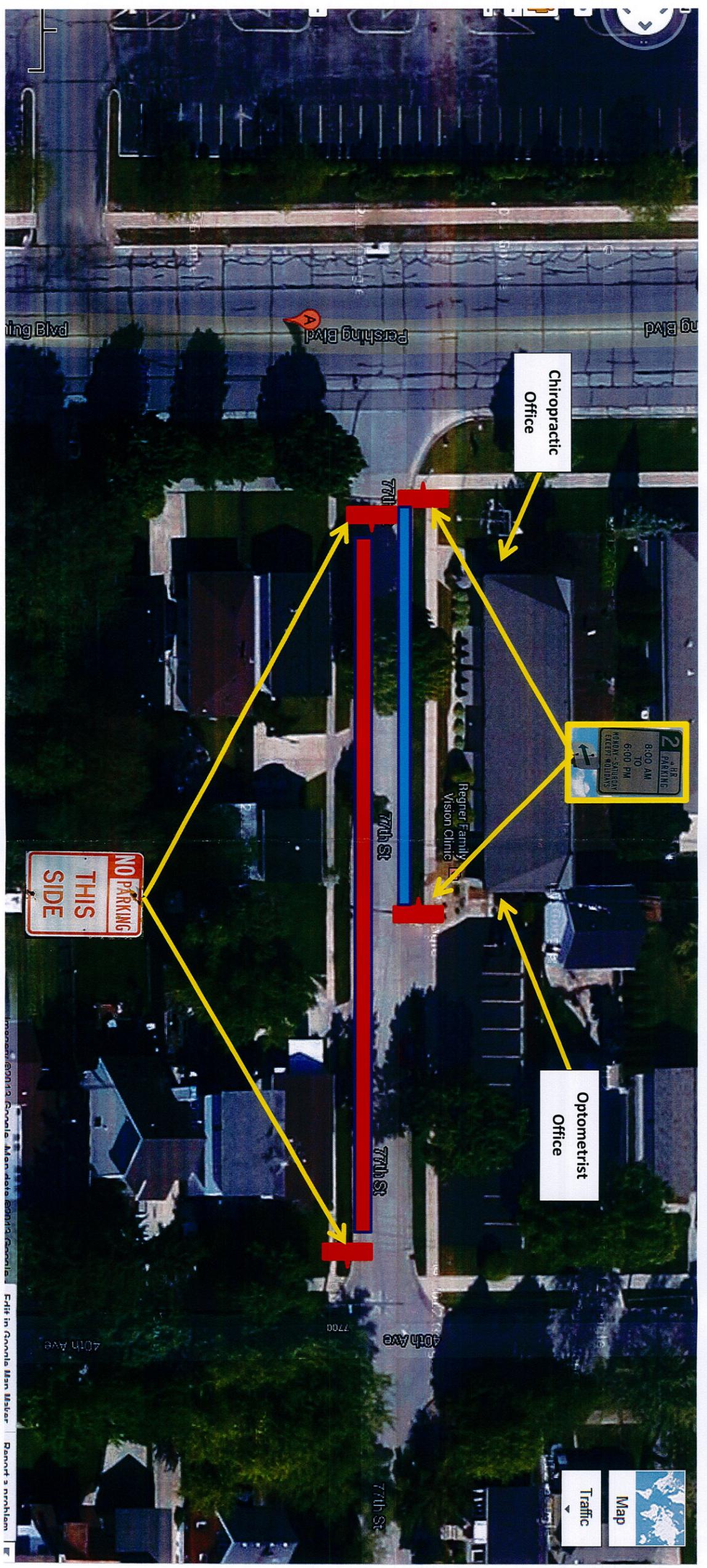
Alderman Daniel Prozanski, is requesting on the behalf of his constituents, to rescind Resolution No. 14-02 and to remove the two-hour parking restriction on the north side of 77th Street just east of Pershing Boulevard. Staff believes that the two-hour parking restriction, from 8:00 AM to 6:00 PM was established to provide parking to the two businesses located on the north side of the street. These businesses are Optometry and Chiropractic situated in the only building on the north side of this block. There is also a 12-stall parking lot located on the east side of the building. Signage and parking layout and resolution 14-02 are attached.

These types of businesses on this block do not generate huge vehicular traffic volume that would warrant special parking provisions. Staff does not envision parking concerns if the two-hour parking restriction is removed. Eliminating the two-hour parking restriction would also improve parking availability for residents along this segment of 77th Avenue.

RECOMMENDATION

Staff recommends a 90-day trial for the removal of the two-hour parking 8:00 AM to 6:00 PM, Monday-Saturday Except Holidays.

SIGN LAYOUT ON 77TH STREET BETWEEN PERSHING BOULEVARD AND 40TH AVENUE



- LEDGEND
-  No Parking
 -  2-Hour Parking

**COMMON COUNCIL
OFFICIAL PROCEEDINGS
February 4, 2002**

John M. Antaramian, Mayor

Jean A. Morgan, City Clerk

Attorney. The agreement shall determine responsibility and time frames for the construction and installation of all improvements required by the City, and all other improvements proposed by the owner and developer which will serve the certified survey. The certified survey shall not be recorded, and no permits for the development shall be issued, until the agreement has been approved and executed and all required assurances posted.

5. Payment of all taxes and special assessments prior to recording. Owner shall provide to the City Clerk-Treasurer a certificate from the County Treasurer that there are no past due real estate taxes or special assessments on the parcel of real estate which is being divided.

6. Compliance with all of the preceding conditions as a prerequisite for authorizing City Mayor and City Clerk-Treasurer to sign the certified survey map.

7. The certified survey map shall be null and void if not recorded within 90 days of approval by the Common Council.

Adopted this 4th day of February, 2002.

APPROVED:
JOHN M. ANTARAMIAN, MAYOR
ATTEST:

JEAN A. MORGAN, CITY CLERK

39. It was moved by Alderman Bradley, seconded by Alderman Polzin to adopt Resolution No. 14-02. On roll call vote, motion carried unanimously and said resolution was thereupon adopted as follows:

**RESOLUTION NO. 14-02
BY: COMMITTEE ON PUBLIC
SAFETY AND WELFARE
TO DESIGNATE AS "TWO HOUR
PARKING, 8 A.M. TO 6 P.M.,
MONDAY - SATURDAY, EXCEPT
HOLIDAYS", THE NORTH SIDE OF
77th STREET FROM PERSHING
BOULEVARD EAST
APPROXIMATELY ONE HUNDRED
FORTY (140) FEET**

BE IT RESOLVED by the Common Council of the City of Kenosha, Wisconsin, that the North side of 77th Street from Pershing Boulevard East

approximately one hundred forty (140) feet, be and is hereby designated as "TWO HOUR PARKING, 8 A.M. TO 6 P.M., MONDAY - SATURDAY, EXCEPT HOLIDAYS".

Adopted this 4th day of February, 2002.

APPROVED:
JOHN M. ANTARAMIAN, MAYOR
ATTEST:
JEAN A. MORGAN, CITY CLERK

OTHER CONTRACTS AND AGREEMENTS

40. It was moved by Alderman Pacetti, seconded by Alderman Ruef to approve the amendment to Marina License Agreement by and between the City of Kenosha and Gatti Marine Company.

On roll call vote, motion carried unanimously.

It was moved by Alderman Ruef, seconded by Alderman Ruffolo to approve:

41. Agreement for Professional Services Emergency Medical Service User Fee Billing Services by and between the City of Kenosha and Claims Processing & Receivables, Inc. (a/k/a CPR, Inc.)

42. Agreement between Kenosha Hospital and Medical Center, Inc. and the City of Kenosha (January 1, 2002 - December 31, 2002) to provide blood/body fluid exposure management services for personnel associated with the City of Kenosha.

43. Certified survey map agreement between Albert Namath, City of Kenosha, and Kenosha Water Utility for property located at 21st Street and 28th Avenue.

On roll call vote, motion carried unanimously.

RECOMMENDATIONS FROM THE COMMITTEE ON FINANCE

It was moved by Alderman Ruef, seconded by Alderman Ruffolo to approve:

44. Change Order #1 for Project 01-1417, Simmons Field Parking Lot Storm Sewer to DK Contractors, Inc. in the amount of \$4,736.50 for a new contract amount of \$24,541.50.

45. Disbursement Record #1 -



Municipal Service Request Public Works Engineering Division

Date: June 3, 2013

CONTACT:		MSR NO. 13-59
NAME: Stephen J. Miller		RECEIVED BY: Michael L.
PHONE: (262) 942-0325	ajmrpc@sbcglobal.net	REPORT BY: Clement A
ADDRESS: 4019 77th Street		DATE RECEIVED: 6/3/2013

LOCATION: 77th Street & Pershing Boulevard Intersection

REQUEST:

Alderman:

I must apologize and take personal responsibility. My staff never got this request, and my past e-mails do not indicate that I ever forwarded it. I did confirm that I got the prior messages and did in fact open the e-mails, so the blame lies with me. Clement will begin preparing the back up and we will have this item on the next Public Safety and Welfare Committee agenda a week from today.

M. Lemens

From: "Daniel Prozanski" <dprozanski@wi.rr.com>
To: mlemens@kenosha.org
Sent: Monday, June 3, 2013 10:09:02 AM
Subject: Fwd: Parking on the 4000 block of 77th Street

Mike,

I really need action on this. Someone from your staff needs to contact this constituent and take responsibility for the delay! Please make certain this happens Today!

Thank you,
Daniel Prozanski

From: Rsp <alveoli99@yahoo.com>
Date: June 3, 2013 9:12:57 AM CDT
To: district14 <district14@kenosha.org>
Subject: Fwd: Parking on the 4000 block of 77th Street

Dan,

I'd like a progress report on my request please. My last status check request on May 11 got no response from you.
Steve Miller

From: Rsp <alveoli99@yahoo.com>
Date: May 11, 2013 8:40:47 AM CDT
To: district14 <district14@kenosha.org>
Subject: Fwd: Parking on the 4000 block of 77th Street

Dan,

I am writing to check on the progress of my request. Please check in when you can to bring me up to date. Thank you.

Steve Miller

From: sjmrpc@sbcglobal.net
Date: April 6, 2013 2:35:43 PM CDT
To: district14 <district14@kenosha.org>
Subject: Parking on the 4000 block of 77th Street
Reply-To: sjmrpc@sbcglobal.net

Dan,

I'm writing to submit to you a request. I'd like you to look into rescinding the parking restriction that currently exists on the north side of 77th Street between the corner of 77th and Pershing Boulevard and the driveway to the parking lot for the optometrist/chiropractic office to the east. This restricts parking to two hours, Monday through Saturday, 8 AM to 6 PM. Eastward, beyond the entrance to the parking lot, there is no posted parking restriction. My ability to utilize street parking closest to my home is further restricted, because on the south side of 77th Street, there is no parking at any time. I do not have any complaint regarding the restriction of parking on the south side.

Both my neighbor to the east and I each have 4 vehicles registered to our addresses. My neighbor has the opportunity to park on the street across from their house with only the typical parking restrictions for a residential street. In my case, my ability to use the north side of the street at will is limited by the existing parking restriction which exists purely for the advantage of the optometrist and chiropractor offices.

I do not feel, as a residential property owner, that I should be less able to use the street than any other person. My need to use the street parking is no more or less important than is the need of any other. As I stated, the restriction in place serves only the optometrist and chiropractor. Rescinding the current parking restriction on that specific area would pose NO hardship whatsoever on the offices, as:

- 1.) they have a 12 slot parking lot that is used for both offices, including marked handicapped parking.
- 2.) their clients would still be able to freely use the area in question, even if the current parking restriction were rescinded.
- 3.) they have ample curb parking, which also exists, very conveniently, along Pershing Boulevard both north and south of the corner of Pershing and 77th Street.
- 4.) the chiropractor has office hours by appointment, negating the need for the rigid restrictions currently in place
- 5.) the optometrist has limited office hours on Fridays and is not open on Saturdays, again negating the need for the rigid restrictions currently in place.

Further:

1.) In the 11 years that I have lived in this house, it has been my observation that at no time do any of the clients for either office occupy space in the restricted area for anywhere close to two hours, which makes the restriction completely unnecessary.

2.) The use of the space in question is only for the offices during their erratic "business hours". My need is 24/7 as a residential property owner, therefore I feel that restricting MY use of the space at ANY time is unfair, unnecessary, and discriminatory.

In conclusion, as a 11 year resident of my property, given the number of vehicles registered to my address, I feel that I have the right, certainly over the right of businesses with erratic hours, to freely use the street for parking vehicles as our needs require. I do have a driveway, but logistically, there is a need in my home for street parking to allow us to move about freely without blocking each other in or the need to shift cars around. This logistical freedom would be achieved by lifting the parking restriction on the area in question and returning it to the standard rules of residential street parking. Given the specific circumstances, I do not feel as if the businesses have any just or valid reason to insist that the current restrictions NOT be lifted. I would appreciate your attention to this matter on an ongoing basis to conclusion. Given the facts at hand it is logical to expect that my request should be granted.

Thank you very much, in advance, for your efforts on my behalf.

Respectfully,

Stephen J. Miller

4019-77th Street

sjmrcp@sbcglobal.net

262 942 0325

DISPOSITION OF REQUEST:

Staff inspected 77th Street between Pershing Boulevard and 40th Avenue on June 3, 2013. This segment of 77th Street is 24 feet wide, parking prohibited on the south side of the street and a 2 hour parking restriction on the north side of the street, from Pershing Boulevard to about 140 feet east of Pershing Boulevard. There is one building on the north side of the street, which has an optometric office on the east end and a chiropractic office on the west end. There is a 12-stall parking lot on the east side of the property abutting 40th Avenue that serves both offices. The two offices are also served by a 2-hour on-street parking on the northwest end of this segment of 77th Street. Parking is available on the northeast end of this segment. There are two homes on the south side of 77th Street that also use the parking on the north side of the street.

Staff believes that the nature of the businesses on the north side of the street does not generate huge traffic volume that would require special parking provisions. Removing the 2-hour parking restriction would provide more parking to the residents on this block without creating parking issues for the businesses on the north side of the street.

RECOMMENDATION:

Staff recommends the removal of the 2-Hour parking restriction on the side of 77th Street, west of Pershing Boulevard.

RELATED TRAFFIC ORDER #: 13-59

Requestor Contacted (one): By Phone By Letter In Person By E-mail By Fax
By: Clement A. Date Completed: 02/12/2013

Planning & Zoning Division 625 52nd Street Kenosha, WI 53140 262.653.4030	Kenosha City Plan Commission FACT SHEET	October 10, 2013	Item 8
By Alderperson Jan Michalski, Co-Sponsors: Alderperson Patrick Juliana, Alderperson Scott N. Gordon, Alderperson Curt Wilson - To Create Section 16.152 of the Code of General Ordinances for the City of Kenosha entitled Vacant Building Registry. PUBLIC HEARING			

LOCATION/SURROUNDINGS:

Site: City-Wide

NOTIFICATIONS/PROCEDURES:

The Ordinance will also be reviewed by the Public Safety and Welfare Committee, the Common Council is the final review authority.

ANALYSIS:

- The Ordinance would require the Owner of a vacant building to register it with the City. The purpose of the registration is to provide the City with proper contact information for the vacant building.
- The attached Ordinance includes an Amendment, noted in red, which would exempt single-family homes for sale by a licensed real estate broker from being considered as a "vacant building".

RECOMMENDATION:

A recommendation is made to approve the Ordinance Amendment.


 Rich Schroeder, Deputy Director


 Jeffrey B. Labahn, Director

Recommended change proposed by Ald. Michalski

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

**TO CREATE SECTION 16.152 OF THE CODE OF GENERAL
ORDINANCES FOR THE CITY OF KENOSHA ENTITLED
VACANT BUILDING REGISTRY**

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

Section One: Subsection 16.152 of the Code of General Ordinances for the City of Kenosha, Wisconsin, is hereby created as follows:

16.152 VACANT BUILDING REGISTRY

A. Findings. The Common Council of the City of Kenosha finds that various City departments have been unable to make contact with Responsible Persons for Premises with vacant buildings. These situations may include the issuance of orders for repair by the Department of Community Development and Inspections and attempts by the Fire Department and Police Department to report fire damage and suspicious activity respectively. This inability to make contact with a responsible party has placed an undue and inappropriate burden on City staff and resulted in costs being unknowingly charged to Owners of the Premises.

B. Definitions. For purposes of this Ordinance, the terms:

1. "Owner" shall mean every person, entity, or service company, who alone or jointly or severally with others:

- a.** Has the legal or equitable title to any dwelling, dwelling unit, building, land, or structure.
- b.** Has care, charge, or control of any dwelling, dwelling unit, building, land, or structure, in any capacity including, but not limited to, agent, executor, administrator, trustee, or personal representative of the estate of the holder of legal title; or
- c.** Is a mortgagee under the terms of a mortgage, where the mortgagor no longer takes responsibility for the property, and where the mortgage in question contains a provision authorizing the mortgagee to act to secure or repair the property; or is a mortgagee that has instituted foreclosure proceedings against the mortgagor; or
- d.** Is an agent, trustee, receiver or other person appointed by the courts and vested with possession or control of any such property.

2. "Vacant" shall mean a structure that is lacking the habitual presence of human beings, who have a legal right to be on the premises, for 30 consecutive days, or at which substantially all lawful

business or construction activity or residential occupancy has ceased, or which is substantially devoid of contents. Residential structures which have been used as a residence by a person entitled to possession for a period of at least three months in the preceding nine months and said person entitled to possession intends to resume residing at the property shall not be deemed vacant. For the purposes of this ordinance, exceptions to this definition of “vacant” shall be made for those properties which are (1) under active, ongoing rehabilitation or reconstruction and are under permit with the City building department; and (2) single family residential properties listed for sale with a licensed real estate broker.

3. “Acquisition” shall include all the circumstances set forth in Section 16.152 (B)(1) set forth hereinabove.

4. The definitions set forth in 16.02 of this Chapter shall otherwise apply to this Ordinance.

C. Obligation of Owner. Any owner of real property with a vacant structure shall be required to register the Premises with the Department. The Department shall determine the information required to be provided by Owner but, at a minimum, it shall include the current name(s), address(es), and phone number(s) of all Responsible Persons. Owners shall register the Premises on or before the thirty (30) days from either the effective date of this Ordinance or the Owner's Acquisition of the Premises. The obligation to register a vacant structure is a continuing obligation which is effective through the time of a structure's vacancy such that the Owner is required to provide the Department with current information.

D. Enforcement Authority. The Code Official is authorized to administer and enforce the provision of this Ordinance. The Code Official may delegate the powers and duties under this Ordinance to an authorized designee.

E. Enforcement and Penalties. Any person found to be in violation of this Ordinance shall be subject to a forfeiture of not more than \$200.00, and in addition, shall pay the costs and expenses of prosecution. Each day a violation continues shall be considered a separate offense.

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

ATTEST: _____ City Clerk

APPROVED: _____ Mayor

Passed:

Published:

Drafted By:
WILLIAM K. RICHARDSON
Assistant City Attorney



ENGINEERING DIVISION
SHELLY BILLINGSLEY, P.E.
CITY ENGINEER

PARK DIVISION
JEFF WARNOCK
SUPERINTENDENT

FLEET MAINTENANCE
MAURO LENCI
SUPERINTENDENT

STREET DIVISION
JOHN H. PRIJIC
SUPERINTENDENT

WASTE DIVISION
ROCKY BEDNAR
SUPERINTENDENT

DEPARTMENT OF PUBLIC WORKS

MICHAEL M. LEMENS, P.E., DIRECTOR
SHELLY BILLINGSLEY, P.E., DEPUTY DIRECTOR

MUNICIPAL BUILDING · 625 - 52ND ST · RM 305 · KENOSHA, WI 53140
TELEPHONE (262) 653-4050 · FAX (262) 653-4056
EMAIL PUBLICWORKS@KENOSHA.ORG

October 11, 2013

To: Rocco LaMacchis, Sr., Chairman,
Public Safety & Welfare Committee

Eric Haugaard, Chairman,
Public Works Committee

From: Shelly Billingsley, P.E. *Shelly Billingsley*
Deputy Director of Public Works/City Engineer

Subject: Ordinance by Alderperson Chris Schwartz - To Repeal and Recreate Subsection 7.05 c. (of the Code of General Ordinances) Regarding Parking Limits.

BACKGROUND/ANALYSIS

As a request from Alderperson Schwartz, the Legal Department has prepared the following Ordinance for Subsection 7.05 c. of the Code of General Ordinances regarding Parking Limits.

RECOMMENDATION

Staff has no recommendation.

SB/dh

DRAFT 9.23.13

SPONSOR: ALDERPERSON CHRIS SCHWARTZ

**TO REPEAL AND RECREATE SUBSECTION 7.05 C. OF THE
CODE OF GENERAL ORDINANCES REGARDING PARKING LIMITS**

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

Section One: Subsection 7.05 C. of the Code of General Ordinances for the City

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

C. During the hours of 7:~~30~~³⁰ A.M. to 4:30 P.M., during school days, no operator or owner of any motor vehicle shall park, stop or leave standing, any motor vehicle, or permit the same to be done, upon the near side of a street, highway or roadway adjacent to a school housebuildings or adjacent school grounds used for any children below the 9th grade. School buses loading or unloading students shall be exempt from the application of this subsection, as shall be vehicles loading or unloading handicapped children.

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

ATTEST: _____ City Clerk

APPROVED: _____ Mayor

Passed:

Published:

Drafted By:
WILLIAM K. RICHARDSON
Assistant City Attorney

ORDINANCE NO. _____

SPONSOR: CHRIS SCHWARTZ

**TO REPEAL AND RECREATE SUBSECTION 7.05 C. OF THE
CODE OF GENERAL ORDINANCES REGARDING PARKING LIMITS**

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

Section One: Subsection 7.05 C. of the Code of General Ordinances for the City

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

C. During the hours of 7:00 A.M. to 4:30 P.M., during school days, no operator or owner of any motor vehicle shall park, stop or leave standing, any motor vehicle, or permit the same to be done, upon the near side of a street, highway or roadway adjacent to school buildings or adjacent school grounds used for any children below the 9th grade. School buses loading or unloading students shall be exempt from the application of this subsection, as shall be vehicles loading or unloading handicapped children.

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

ATTEST: _____ City Clerk

APPROVED: _____ Mayor

Passed:

Published:

Drafted By:
WILLIAM K. RICHARDSON
Assistant City Attorney



ENGINEERING DIVISION
SHELLY BILLINGSLEY, P.E.
CITY ENGINEER

PARK DIVISION
JEFF WARNOCK
SUPERINTENDENT

FLEET MAINTENANCE
MAURO LENCI
SUPERINTENDENT

STREET DIVISION
JOHN H. PRIJIC
SUPERINTENDENT

WASTE DIVISION
ROCKY BEDNAR
SUPERINTENDENT

DEPARTMENT OF PUBLIC WORKS

MICHAEL M. LEMENS, P.E., DIRECTOR
SHELLY BILLINGSLEY, P.E., DEPUTY DIRECTOR

MUNICIPAL BUILDING · 625 - 52ND ST · RM 305 · KENOSHA, WI 53140
TELEPHONE (262) 653-4050 · FAX (262) 653-4056
EMAIL PUBLICWORKS@KENOSHA.ORG

October 11, 2013

To: Rocco LaMacchis, Sr., Chairman,
Public Safety & Welfare Committee

Eric Haugaard, Chairman,
Public Works Committee

Patrick A. Juliana, Chairman,
Stormwater Utility Committee

From: Shelly Billingsley, P.E. *Shelly Billingsley*
Deputy Director of Public Works/City Engineer

Subject: Ordinance by the Mayor – To Amend Subsection 30.10 A. Regarding Filing of Complaints and to Repeal and Recreate Subsection 30.15 (*of the Code of General Ordinances*) Regarding Liability of Complainant for Costs and Expenses.

BACKGROUND/ANALYSIS

The Legal Department has prepared the following Ordinance for Subsection 30.10 A. Regarding Filing of Complaints and to Repeal and Recreate Subsection 30.15 of the Code of General Ordinances Regarding Liability of Complainant for Costs and Expenses.

RECOMMENDATION

Staff has no recommendation.

SB/dh

DRAFT 09/27/13

SPONSOR: MAYOR

TO AMEND SUBSECTION 30.10 A. REGARDING FILING OF COMPLAINTS AND TO REPEAL AND RECREATE SUBSECTION 30.15 OF THE CODE OF GENERAL ORDINANCES REGARDING LIABILITY OF COMPLAINANT FOR COSTS AND EXPENSES

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

Section One: Subsection **30.10 A.** of the Code of General Ordinances for

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

A. Filing of Complaints. Any person may file a complaint against any covered person alleging a violation of the Code of Ethics with the Ethics Board. The complaint shall be filed with the City Department of Human Resources. The complaint shall be in writing and shall be verified. A separate written verified complaint shall be required for each named covered person. The complaint shall state with specificity the date of the alleged offense, the provision of the Code of Ethics alleged to have been violated, and the facts and circumstances upon which the allegations are based. Allegations shall be deemed to be made upon personal knowledge unless stated as being made upon information and belief. No complaint shall be filed unless accompanied by a verified acknowledgment on a form prescribed by the City stating that the complainant has read, understands and agrees to be bound by the provisions of Section 30.15 A. of this Chapter entitled Liability Of Complainant For Costs And Expenses. Any complaint filed with the Department of Human Resources but not received by the Ethics Board prior to the effective date of this ordinance will not be received by the Ethics Board unless and until the complainant files the verified acknowledgment required pursuant to this paragraph.

Section Two: Subsection **30.15** of the Code of General Ordinances for the

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

30.15 REIMBURSEMENT OF LEGAL EXPENSES

~~In the event a complaint against an accused covered person is dismissed in its entirety the Ethics Board, the accused covered person shall be paid by the City for the reasonable cost of the defense upon assigning to the City any cause of action to recover the legal expenses incurred by the accused covered person from the complainant. The City in its discretion may pursue such assigned cause of action to recover the legal expenses from the complainant where the complaint has been dismissed in its entirety by the Ethics Board.~~

30.15 LIABILITY OF COMPLAINANT FOR COSTS AND EXPENSES

A. In the event a complaint against an accused covered person is dismissed in its entirety by the Ethics Board, the complainant shall be liable to the City to the fullest extent allowed by law for all costs and expenses, including all administrative personnel costs and actual

reasonable attorney fees, incurred by the City and the Ethics Board in any way related to the complaint together with all costs and expenses, including actual reasonable attorney fees, incurred by the accused covered person in defense of the complaint. Upon dismissal of a complaint in its entirety by the Ethics Board, the accused covered person shall be paid by the City for the costs and expenses, including actual reasonable attorney fees, incurred by the accused covered person in defense of the complaint upon assigning to the City any cause of action to recover the amount paid by the City from the complainant. The City may pursue the assigned cause of action against the complainant together with the cause of action to recover all costs and expenses described above incurred by the City and the Ethics Board. In addition to the above, the complainant shall also be liable to the fullest extent allowed by law for all costs and expenses, including actual reasonable attorney fees, incurred by the City in any action against the complainant to recover the costs and expenses which the complainant is obligated to pay pursuant to this Section.

B. Pursuant to Section 30.10 A., along with the complaint, a complainant shall file a signed acknowledgment that will include the following language:

“The undersigned complainant acknowledges, understands and agrees that in the event the Ethics Board dismisses the undersigned's ethics complaint in its entirety, the undersigned shall be liable to the City of Kenosha to the fullest extent allowed by law for all costs and expenses, including actual reasonable attorney fees, incurred by the City, the Ethics Board and the accused covered person in any way related to the undersigned's ethics complaint, together with all costs and expenses, including actual reasonable attorney fees, incurred by the City in collecting payment thereof from the complainant. The undersigned further acknowledges that the undersigned has read and understands Section 30.15 A. of the Code of General Ordinances entitled Liability Of Complainant For Costs And Expenses and agrees to be bound by its provisions.”

_____ **Section Three:** This Ordinance shall become effective upon passage and publication.

ATTEST: _____ City Clerk

APPROVED: _____ Mayor

Passed:

Published:

Drafted By:
JONATHAN A. MULLIGAN
Assistant City Attorney



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DEPARTMENT OF PUBLIC WORKS

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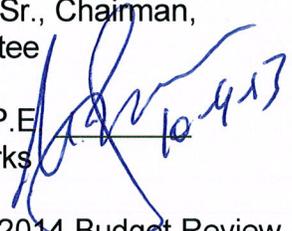
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October 11, 2013

To: Rocco L. LaMacchia, Sr., Chairman,
Public Works Committee

From: Michael M. Lemens, P.E.
Director of Public Works

Subject: Set date and time for 2014 Budget Review



BACKGROUND/ANALYSIS

Administration is asking the Public Safety and Welfare Committee to set up a date and time for the 2014 Budget Review.

RECOMMENDATION

Administration is recommending the meetings to be scheduled during the period of October 29, 2013 through November 1, 2013.

MML/dh