

**AGENDA
PUBLIC WORKS
COMMITTEE**

**MONDAY, OCTOBER 15, 2012
ROOM 202
5:00 P.M.**

**Eric Haugaard, Chairman
Jan Michalski, Vice Chairman
Steve Bostrom**

**Scott N. Gordon
Patrick Juliana
G. John Ruffolo**

A. APPROVAL OF MINUTES

A-1 Approval of minutes of regular meeting held on September 17, 2012.

B. DEFERRED BY COMMITTEE

B-1 Request from Dan & Frank Esposito (1021 & 1024 60th Street) to pave the lawn park areas. **(District 2)** (deferred from September 17, 2012 meeting)

C. REFERRED TO COMMITTEE

C-1 Request from Staff to pave the lawn park area at First Congregational Church (5934 8th Avenue) . **(District 2)**

C-2 Request from Karl Davis (2418 67th Street) to pave the lawn park area. **(District 8)**

C-3 Request from Trustone Financial (6218 26th Avenue) for new sign installation that encroaches the public right-of-way. **(District 3)**

C-4 Proposed Ordinance to Create Subsection 5.04 of the Zoning Ordinance, Add Definitions in Chapter 12 for the Setback of Major Streets, and Repeal and Recreate the Definition of Build-to Line.

C-5 Acceptance of Project 11-1211 2011 Windstorm Damage Sidewalk & Curb/Gutter Program which has been satisfactorily completed by Marvin Gleason Contractor, Inc. (Franksville, Wisconsin), in the amount of \$143,314.28.
(Districts east of 30th Avenue)

C-6 Policy Discussion Regarding Paving of Lawn Park Areas

INFORMATIONAL: Project Status Report

CITIZENS COMMENTS RELATED ONLY TO JURISDICTION OF PUBLIC WORKS COMMITTEE

ALDERMAN COMMENTS

IF YOU ARE DISABLED AND IN NEED OF ASSISTANCE CALL 653-4050 BEFORE NOON ON THE DATE INDICATED FOR 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 WORKS COMMITTEE
- MINUTES -

MONDAY, SEPTEMBER 17, 2012
5:30 P.M.

Eric Haugaard, Chairman
Jan Michalski, Vice Chairman
Steve Bostrom

Scott N. Gordon
Patrick Juliana
G. John Ruffolo

The regular meeting of the Public Works Committee was held on Monday, September 17, 2012 in Room 202 of the Municipal Building. The following members were present: Chairman Eric Haugaard, Vice Chairman Jan Michalski, Aldermen Steve Bostrom, Scott N. Gordon, and Patrick Juliana. Alderman G. John Ruffolo was excused. The meeting was called to order at 5:34 PM. Staff members in attendance were Mike Lemens and Shelly Billingsley.

- A-1 Approval of minutes of regular meeting held on September 5, 2012.
It was moved by Alderman Juliana, seconded by Alderman Gordon to approve. Motion passed 5-0.
- C-1 Request from Dan & Frank Esposito (1021 & 1024 60th Street) to pave the lawn park areas. **(District 2)**
A public hearing was held, no one spoke. Mike Lemens and Shelly Billingsley explained staff recommendation. It was moved by Alderman Bostrom, seconded by Alderman Juliana to approve. It was then moved by Alderman Bostrom, seconded by Alderman Gordon to defer for two weeks. Motion passed 5-0.
- C-2 Request to discontinue a portion of a storm sewer easement at 7837 45th Avenue (Joseph Germinaro). **(District 14)**
A public hearing was held, Joseph Germinaro, 7837 45th Avenue, spoke. Mike Lemens also spoke. It was moved by Alderman Gordon, seconded by Alderman Juliana to approve. Motion passed 5-0.
- C-3 Award of Contract for Project 12-1027 Epoxy Pavement Markings (Citywide Locations) to Century Fence Company (Waukesha, Wisconsin) in the amount of \$65,500. **(All Districts)**
It was moved by Alderman Michalski, seconded by Alderman Gordon to approve. Motion passed 5-0.

INFORMATIONAL:

1. 18th Street & 30th Avenue Intersection Concept – *Mike Lemens spoke.*
2. 18th Street & 39th Avenue Intersection Concept Change and 35 MPH Trial – *Mike Lemens spoke.*
3. Project Status Report – *Shelly Billingsley spoke.*

ALDERMAN COMMENTS: Alderman Haugaard asked for updates on the dredging and the Pennoyer Outfall projects. Mike Lemens updated the committee on both projects.

ADJOURNMENT - *There being no further business to come before the Public Works Committee, it was moved, seconded and unanimously approved to adjourn the meeting at 6:23 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 52nd ST · RM 305 · Kenosha, WI 53140
Telephone (262) 653-4050 · Fax (262) 653-4056

September 14, 2012

To: Eric Haugaard, Chairman
Public Works Committee

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

cc: Chris Schwartz
District 2

Subject: *Request to pave Lawn Park Area – 1021 and 1024 60th Street (Dan & Frank Esposito)*

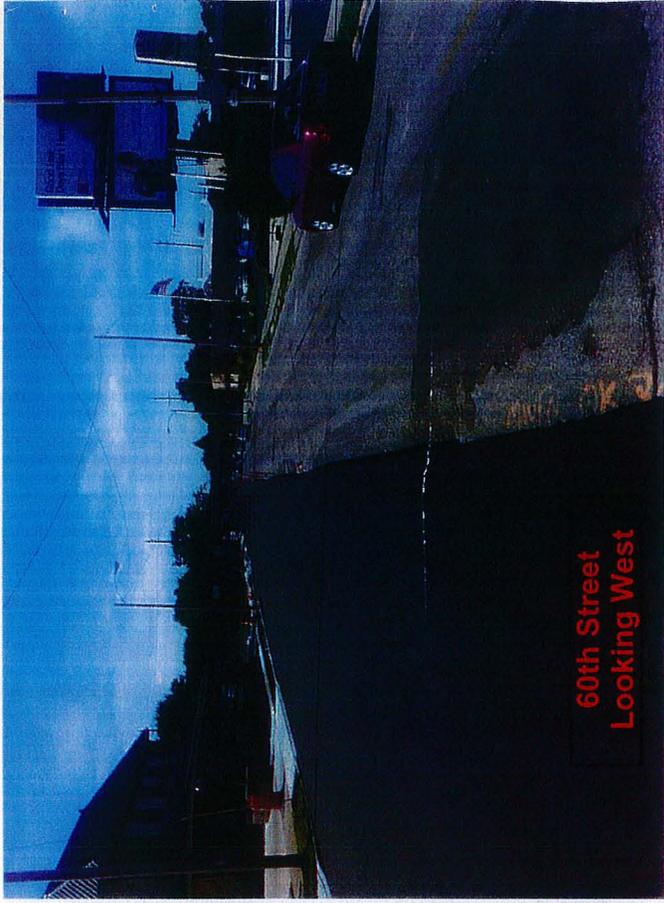
BACKGROUND INFORMATION

Staff has received a request from Dan & Frank Esposito to pave the lawn park area on 60th Street and 11th Avenue. This location is within the construction limits of the 60th Street resurfacing project where some curb and gutter and sidewalk was repaired. In accordance with the polity directive from Public Works Committee, all paved lawn park areas where impacted by new curb and gutter were also removed and will be replaced with grass as called for in the ordinances. In accordance with Section 5.051 of the Code of General Ordinances, petitioners can request and receive permission of the Public Works Committee to allow paving in the lawn park area in front of their building. Where approved, the lawn park area pavement treatments provided an aesthetically consistent enhancement therefore in the past Public Works Committee has allowed for the use stamped concrete, brick pavers, or even plain concrete due to the width of certain parkways.

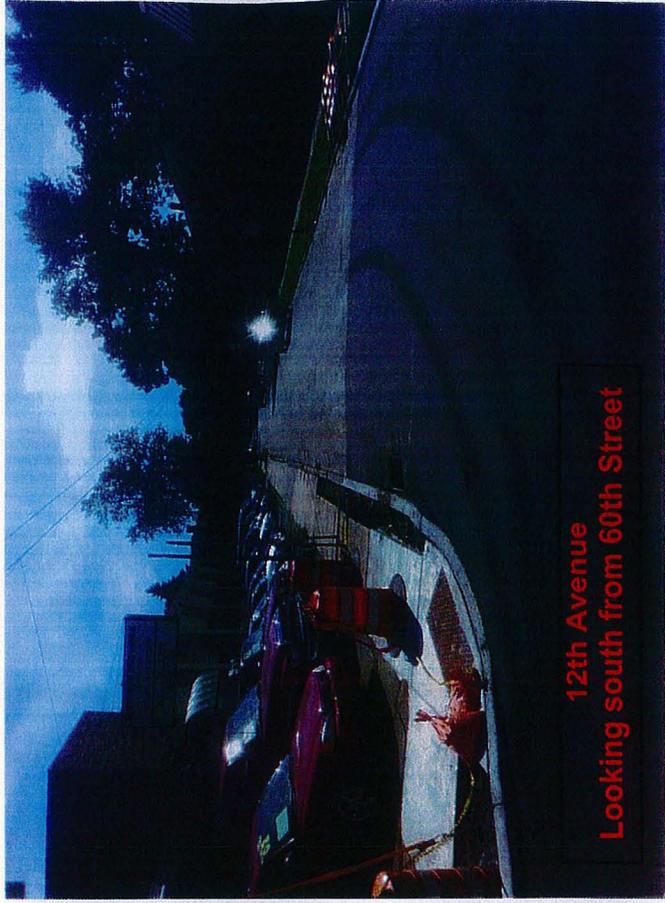
The property owner has requested the use of exposed aggregate concrete pavement which for aesthetically consistent enhancements staff would like to deny this request. The area located at 1021 60th Street that is requested is not required for people to get in and out of vehicles. The area located at 1024 60th Street that is requested is required for people to get in and out of vehicles to visit the Chiropractic office and bus stop. The areas along 60th Street are very narrow as shown in the attached photos.

RECOMMENDATION

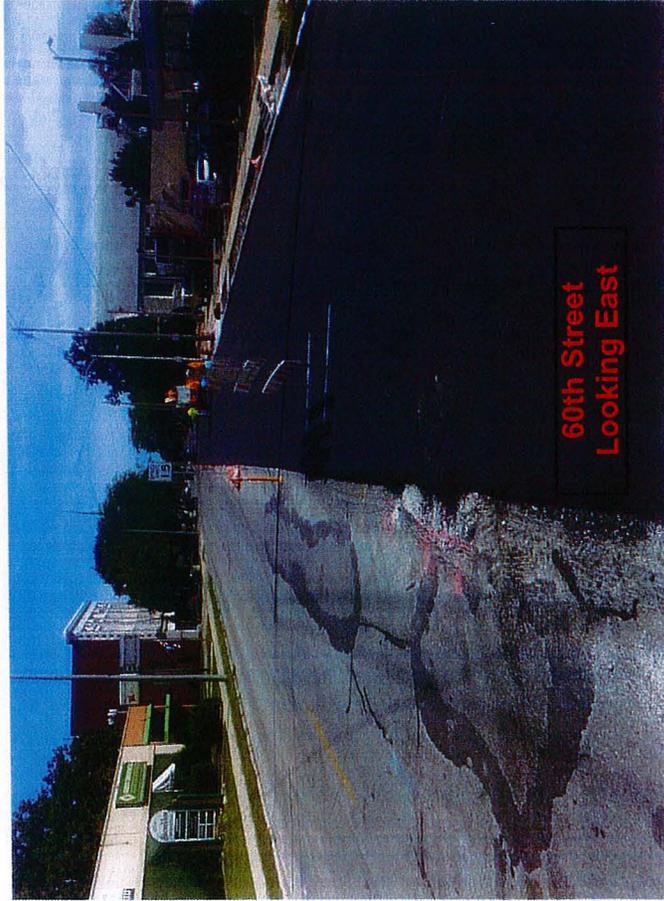
Recommend that the petition be denied for 1021 60th Street and approved for 1024 60th Street replacing the existing paved lawn park area with exposed aggregate per the owner's request. Although the property owner at 1021 60th Street would be responsible for any costs, there does not seem to be a hardship or need for this area to be paved. The property owner at 1024 60th Street does acknowledge that they are responsible for the cost of installation (material and labor).



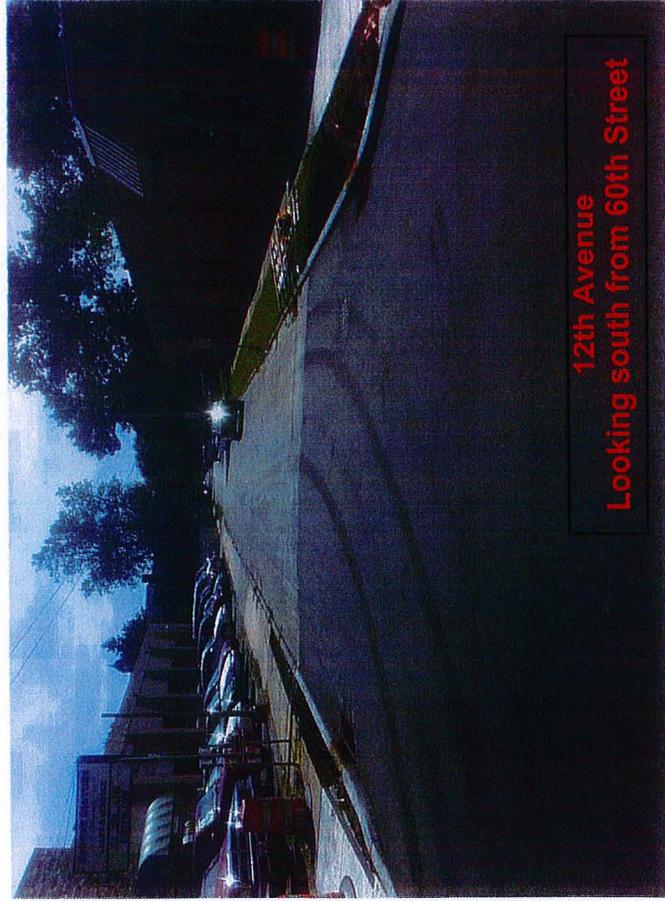
60th Street
Looking West



12th Avenue
Looking south from 60th Street



60th Street
Looking East



12th Avenue
Looking south from 60th Street

September 11, 2012

Mr. Michael M. Lemens
Director of Public Works
City of Kenosha
625 52 Street, Room 305
Kenosha, WI 53140

RE: Pavement for Lawn Park Area

Dear Mr. Lemens:

This letter is in regards to the properties located at 1021 60th Street, and 1024 60th Street both of which are owned by Daniel and Frank Esposito. We would like to request permission to pour a decorative exposed aggregate concrete pavement in the front of the building located at 1021 60th Street as well as on the west side parkway of said building. We would also like to pour the same decorative exposed aggregate concrete pavement at 1024 60th Street in front of the building from the light post east to the parking lot.

As the property owners of the said properties, we fully understand that we will assume full cost of all materials and labor regarding this request. It is our belief that such action will beautify the overall appearance of these buildings.

We are requesting to pour this concrete pavement in the parkway for several reasons. Mostly we think this poured concrete will beautify both buildings; will improve the ability to move cars on and off the lot at 1021 60th Street, as well as to make snow removal easier at both locations. During the snow season, it is extremely difficult to keep the snow cleared on these parkways. Having the concrete parkway will help in the snow removal process at both locations as well as keep the area from turning into mud which can be a hazard to the public. Lastly, such is being requested for the overall safety of the general public and the patients and customers of both businesses as it would provide an easier access the properties from the street.

The addition of the concrete parkways will make the buildings more attractive and easier to maintain rather than the grass and/or weeds that are present now. In the past the weeds and grass have become rutted with potholes which is another concern for the safety of the public.

In closing, our overall objective has a dual affect which will enhance both buildings aesthetically and will improve general safety of the public. We thank you for your consideration in this matter.

Sincerely,



Dan Esposito



Frank Esposito







11th AVE

600th St

BEEHIVE

804th St
12-223-31-450-004

59



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
Michael M. Lemens, P.E., Director

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September 26, 2012

To: Eric Haugaard, Chairman
Public Works Committee

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

cc: Chris Schwartz
District 2

Subject: ***Request to pave Lawn Park Area – 5934 Eighth Avenue, First Congregational Church***

BACKGROUND INFORMATION

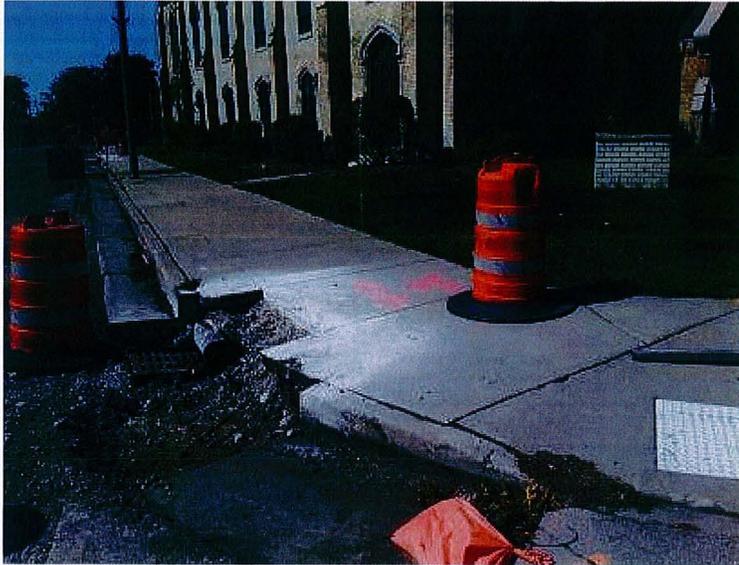
Staff is completing the resurfacing project for 60th Street and with this project a storm sewer inlet needs to be repaired. As part of the inlet repair, they have to excavate an area within the right-of-way. In the case of First Congregational Church, the concrete curb lawn area will need to be removed in the immediately adjacent area. In accordance with Public Works Committee policy, restoration of the paved lawn park treatment must be approved by the Public Works Committee. The proposed restoration is not aesthetic, it is a very small area, and staff would require the contractor to restore the existing conditions in-kind.

Because the work was not be controlled by the property owner, staff would recommend that the request be approved.

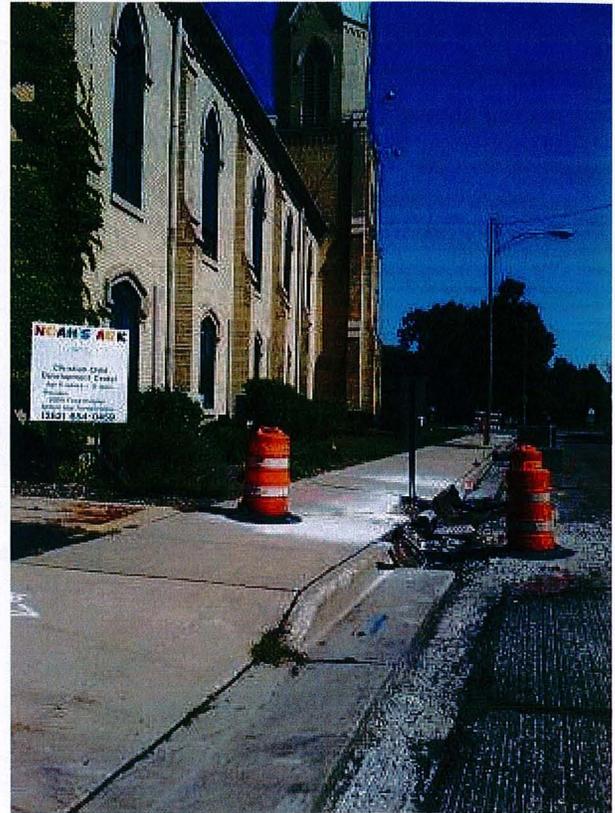
RECOMMENDATION

Recommend that the request be approved for replacing the existing paved lawn park area by City's contractor with the same material as the existing.

First Congregational Church -- 5934 8th Ave -- September 25, 2012



At 8th Ave looking West on 60th St



On 60th St looking East towards 8th Ave



On 60th St looking East towards 8th Ave



On 60th St looking West towards Sheridan Rd



Engineering Division
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Director/City Engineer
Fleet Maintenance
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Superintendent
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Superintendent

Street Division
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October 12, 2012

To: Eric Haugaard, Chairman
Public Works Committee

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

cc: Kevin Mathewson
District 8

Subject: ***Request to pave Lawn Park Area – 2418 67th Street (Karl Davis)***

BACKGROUND INFORMATION

Staff has received a request from Karl Davis to pave the lawn park area on his residential property located at 2418 67th Street. In accordance with our polity, the vacated alley approach was removed and replaced with full height curb and grass. In accordance with Section 5.051 of the Code of General Ordinances, petitioners can request and receive permission of the Public Works Committee to allow paving in the lawn park area.

The property owner has requested the use of concrete pavement within an area of the removed alley approach staff would like to deny this request. The area located at 2418 67th Street that is requested is not required for people to get in and out of vehicles. Their existing driveway approach measures 25 feet wide at the curb and gutter location which is the maximum flare width according to Section 5.085 (C)(6)(a) of the Code of General Ordinances. Even though the property owner will have full height curb in the location of the requested paved parkway staff is still denying the request as the driveway meets the maximum permitted approach dimensions.

RECOMMENDATION

Recommend that the petition be denied for 2418 67th Street. Although the property owner would be responsible for any costs, there does not seem to be a hardship or need for this area to be paved.

Karl Davis
2418 67th Street
(262) 652-2124

September 20, 2012

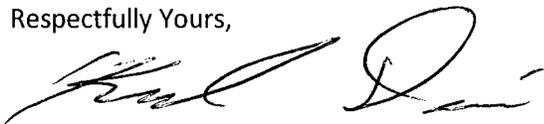
ATTN: Chase Kuffel

RE: Request for approval to replace landscape on the parkway with stamped concrete.

I am requesting for approval to replace the parkway landscape to the east of my driveway approach with concrete. My driveway approach is next to a vacated alley approach, with half of the alley approach being on my property. This has facilitated parking vehicles in my driveway. With the new construction, the vacated alley approach is being removed. With this approach removed, parking maneuvering will become difficult, resulting in my family driving on the parkway, damaging the parkway's aesthetics. I am requesting that six feet of parkway to the east of my approach be replaced with concrete to allow for easier maneuverability of my vehicles in my driveway, improved the aesthetics of the area, and easier maintenance in the winter time. If approved, my driveway approach would remain 20 feet in width per Ordinance 5.085.C.6(a) and the parkway adjacent to my driveway approach would be concrete with a full curb head.

I have attached two sketches to this request: one showing the existing parkway conditions, and the other showing how I would prefer to replace the parkway landscape. If you have any questions or need more information, please feel free to call me at (262) 652-2124. Thank you for taking the time to review my request.

Respectfully Yours,

A handwritten signature in black ink, appearing to read 'Karl Davis', written in a cursive style.

Karl Davis

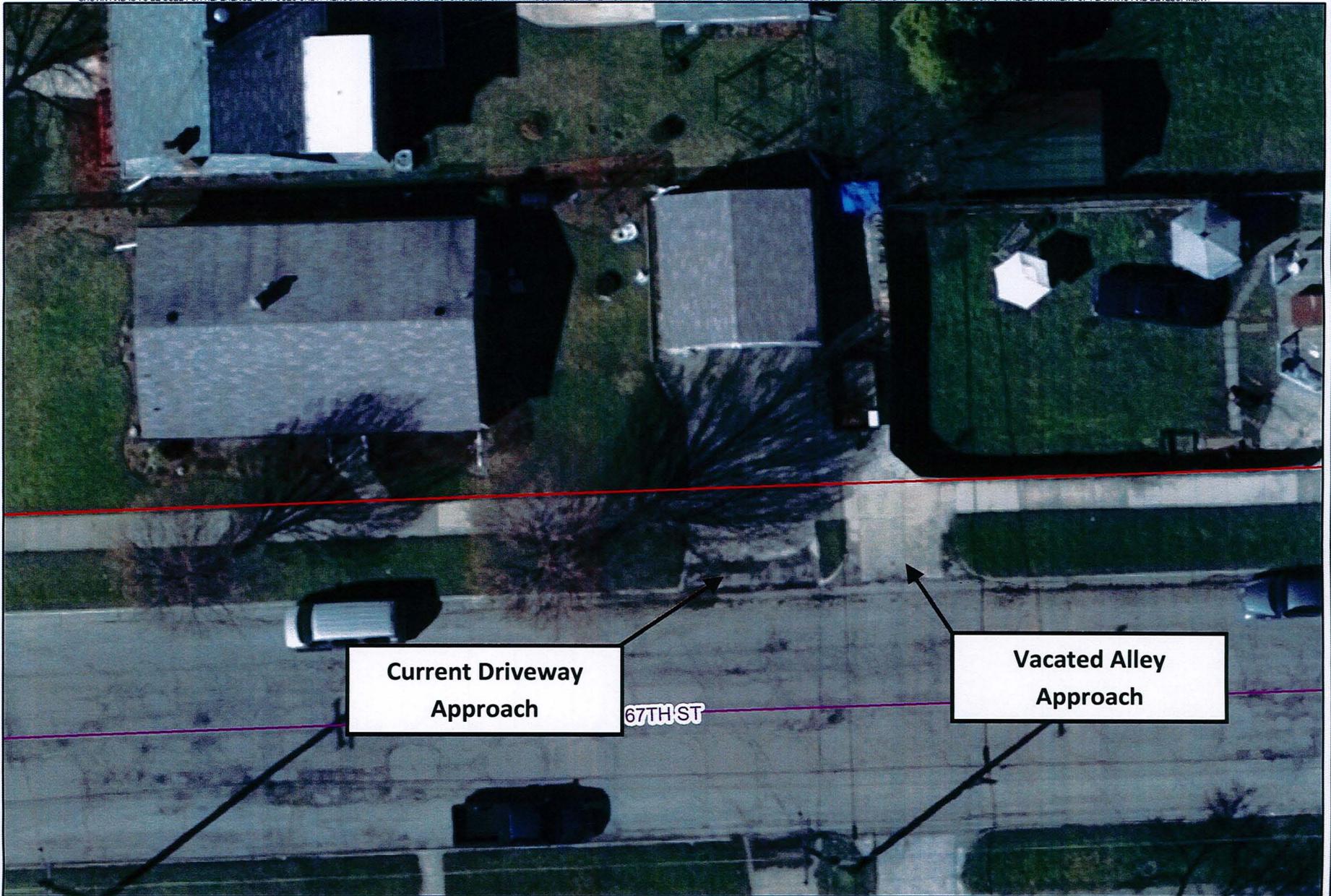
2418 67th Street Existing Conditions

1 inch = 20 feet
Map Printed: 9/11/2012



THIS MAP IS NEITHER A LEGALLY RECORDED MAP NOR A SURVEY AND IS NOT INTENDED TO BE USED AS ONE. THIS DRAWING IS A COMPILATION OF RECORDS, DATA AND INFORMATION LOCATED IN VARIOUS STATE, COUNTY AND MUNICIPAL OFFICES AND OTHER SOURCES AFFECTING THE AREA SHOWN AND IS TO BE USED FOR REFERENCE PURPOSES ONLY. KENOSHA COUNTY IS NOT RESPONSIBLE FOR ANY INACCURACIES HEREIN CONTAINED. IF DISCREPANCIES ARE FOUND, PLEASE CONTACT THE LAND INFORMATION DIVISION OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT.

Kenosha County Interactive Mapping Site



Source: Kenosha County Department of Planning and Development

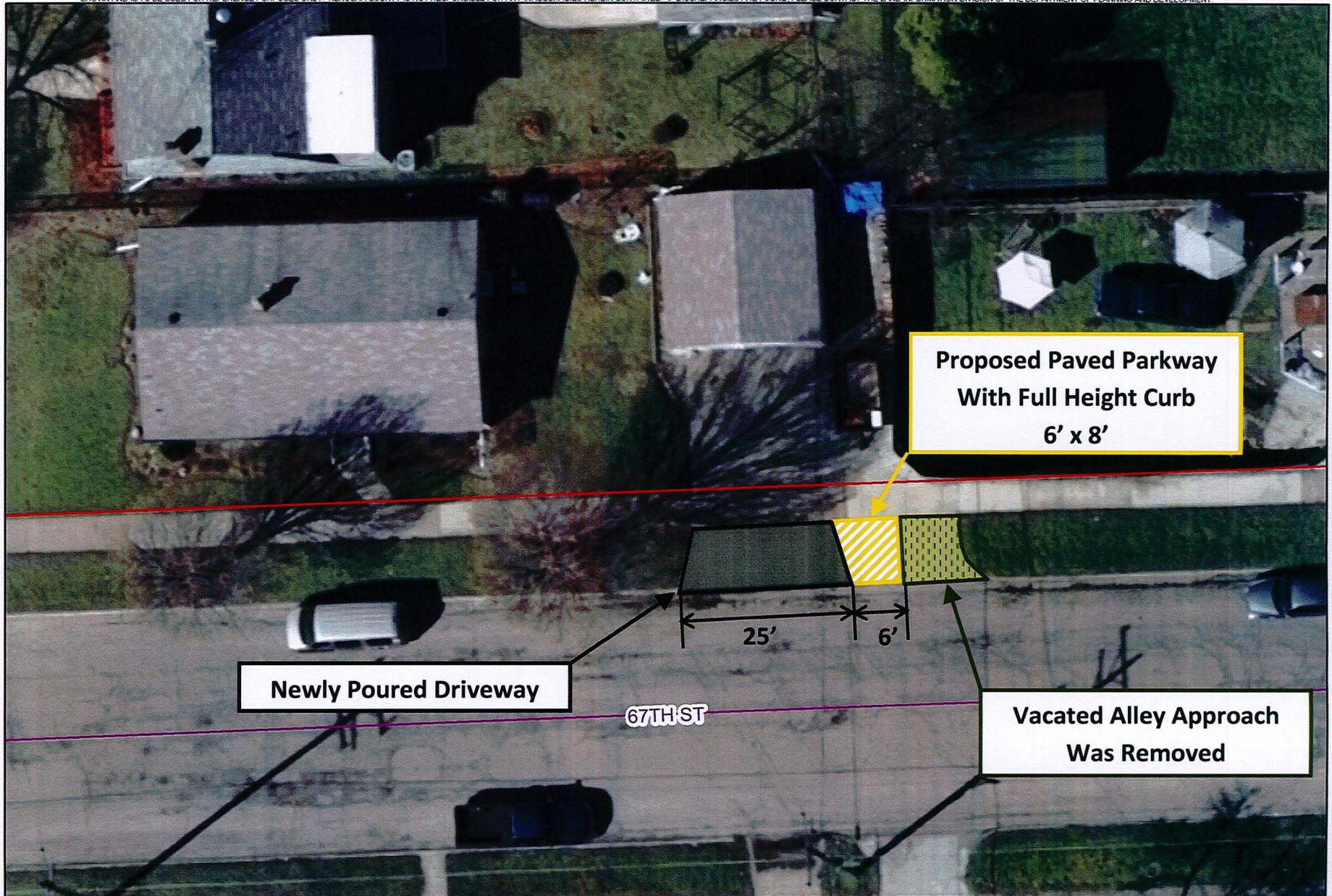
2418 67th Street Paved Parkway Proposal

1 inch = 20 feet
Map Printed: 9/11/2012



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Kenosha County Interactive Mapping Site

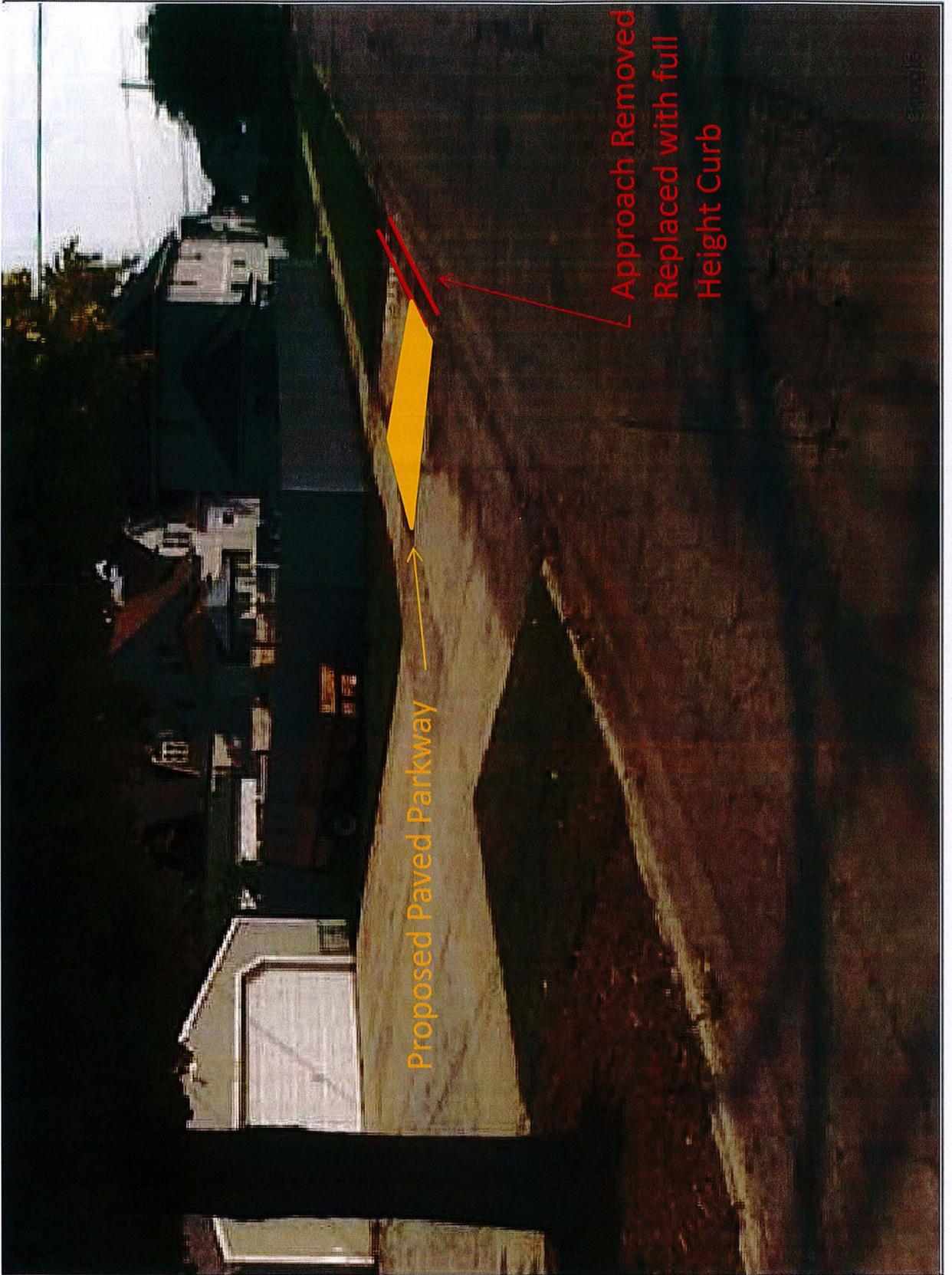


**Proposed Paved Parkway
With Full Height Curb
6' x 8'**

Newly Poured Driveway

67TH ST

**Vacated Alley Approach
Was Removed**



C-3



Engineering Division
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Director/City Engineer
Fleet Maintenance
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DEPARTMENT OF PUBLIC WORKS
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October 12, 2012

To: Eric Haugaard, Chairman
Public Works Committee

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

Subject: TruStone Financial Sign Overhanging R/W

BACKGROUND/ANALYSIS

There are many instances where private signs overhang the public right-of-way. In instances where the a business has changes, but the new business wishes to use the existing sign installation with new/updated lights and faces, staff has brought such requests to the Public Works Committee for approval of the encroachment in the R/W.

RECOMMENDATION

Staff recommends approval of the sign overhanging the public right-of-way.

MML

Zimbra**kbrown@kenosha.org**

Fwd: Signs Now for TruStone Financial

From : Diane Hoff <dhoff@kenosha.org>
Subject : Fwd: Signs Now for TruStone Financial
To : Kristin Brown <kbrown@kenosha.org>

Tue, Oct 09, 2012 10:38 AM

📎 1 attachment

From: "Michael Lemens" <mlemens@kenosha.org>
To: "Robert Thomas SignsNow" <robert@signsnowplymouth.com>, "Paula Blise" <pblise@kenosha.org>, "Diane Hoff" <dhoff@kenosha.org>
Cc: chad@signsnowplymouth.com, sbillingsley@kenosha.org
Sent: Tuesday, October 9, 2012 10:35:28 AM
Subject: Re: Signs Now for TruStone Financial

All:

The existing sign overhangs the right-of-way, but after checking with legal it was confirmed that this request will require approval of the Public Works Committee for the encroachment. The request as submitted by e-mail will appear on the agenda for the next meeting of the Public Works Committee scheduled for October 15, 2013.

M. Lemens

From: "Robert Thomas SignsNow" <robert@signsnowplymouth.com>
To: mlemens@kenosha.org, sbillingsley@kenosha.org
Cc: chad@signsnowplymouth.com
Sent: Thursday, October 4, 2012 2:16:22 PM
Subject: Signs Now for TruStone Financial

Hello,

Paula Blise the Kenosha Zoning Coordinator said that I need to contact you regarding a pre-existing pylon sign that we were hoping to permit for a new LED illuminated cabinet and pole cover. The pole is in good condition and is to remain.

The pre-existing cabinet hangs over the private property line and that means that I

will need your approval first before Zoning can issue a sign permit. I am told.

Please see the picture attached of the current sign and the picture of the proposed sign with the new cabinet. There are actually two pylons on the property but only one is an issue. I attached pictures of both.

The Property is at

6218 26th Avenue
Kenosha, WI 53143

Text from Paula

"The sign height and area meets sign ordinance criteria, however we will need approval from our Public Works Department for any new sign installation that encroaches into the public-right-of-way (i.e. sidewalk). It does appear that, at least, one of the pre-existing signs is over the private property line"

Thank You

Robert Thomas

Visual Marketing Specialist
Cell 952-838-5637



design | services | solutions

Plymouth | Blaine

robert@signsnowplymouth.com or robert@signsnowblaine.com

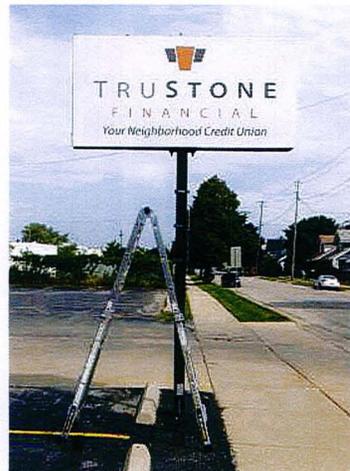
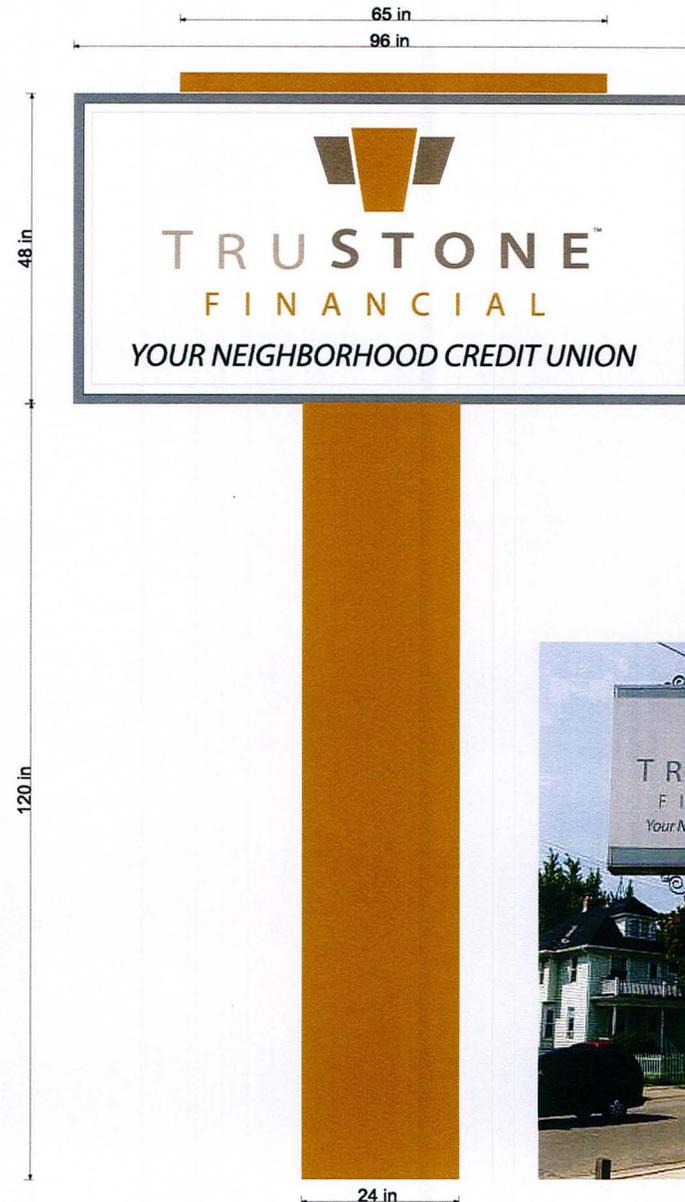




Company: _____ Date: _____

Fax: E-mail

Uptown Location - Pylon Re-branding Project
2 Existing Pylons - one in the back parking lot and one on the front corner
New 2 sided 48 x 96 LED illuminated Cabinet
Polycarbonate pan faces with second surface graphics
24 x 120 x 5" Aluminum Pole Cover



2600 Fernbrook Lane North, 101
Plymouth, MN 55447
Phone: 763-746-0020
Fax: 763-746-0021

Customer Signature: _____ Date: _____

C-4

Planning & Zoning Division 625 52 nd Street Kenosha, WI 53140 262.653.4030	Kenosha City Plan Commission FACT SHEET	September 6, 2012	Item 1
By Alderperson Michalski: To Create Subsection 5.04 of the Zoning Ordinance, Add Definitions in Chapter 12 for the Setback of Major Streets, and Repeal and Recreate the Definition of Build-to Line. PUBLIC HEARING			

LOCATION/SURROUNDINGS:

City-Wide

NOTIFICATIONS/PROCEDURES:

The Common Council is the final review authority.

ANALYSIS:

- Chapter 5 of the Zoning Ordinance designates Major Streets and establish base lines and setbacks in the City. Major Streets tend to be the more heavily traveled streets of the City (i.e. 22nd Avenue, 52nd Street, etc.).
- On each of the designated Major Streets, there exists an established base line, and a setback measured from that base line. In some instances, the setback is identical to the existing right-of-way. In other cases, the setback extends past the right-of-way onto private property. In those cases, the Zoning Ordinance does not allow structures to be built within the Major Street setback.
- The attached Zoning Ordinance Amendment would create a Special Exception procedure for anyone who wishes to construct a structure in the Major Street setback. The Common Council would be the designated review authority for the request.
- A condition of any Special Exception granted would be that current or subsequent owners would be required to remove any structures in the Major Street setback at their own expense if the road right-of-way was to be expanded in the future.
- The City Plan Commission is included in the Zoning Ordinance Amendment as having a chance to review the Special Exception request before the request is reviewed by the Common Council.

RECOMMENDATION:

For Commission review and recommendation.


 Brian Wilke, Development Coordinator


 Jeffrey B. Laparra, Director

/u2/accl/cp/ckays/1CPC/2012/Sep6/fact-zo-504-setback.odt

ORDINANCE NO. _____

SPONSOR: JAN MICHALSKI
CO-SPONSORS: PATRICK A. JULIANA
TOD OHNSTAD
ROCCO J. LAMACCHIA, SR.

**TO CREATE SUBSECTION 5.04 OF THE ZONING ORDINANCE, ADD
DEFINITIONS IN CHAPTER 12 FOR SETBACK OF MAJOR STREETS,
AND REPEAL AND RECREATE THE DEFINITION OF BUILD-TO LINE**

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

Section One: Section 5.04 of the Zoning Ordinance for the City of Kenosha,

Wisconsin, is hereby created as follows:

5.04 Construction of Structures within the Area Setback from Major Streets.

A. Intent. Prior to enactment of this Subsection 5.04 there existed a prohibition on any construction of an encroaching structure to be located between the street right of way and the setback line of any major street. It is the intent of this Subsection 5.04 to allow limited construction of what would otherwise have been a prohibited encroaching structure within that area between the street right of way and the setback line of any major street, subject to conditions and consistent with the general purpose stated in Subsections 1.03 and 1.04 of the Zoning Ordinance.

B. Conditions Necessary to Grant the Special Exception. Construction of the encroaching structure within the area located between the right of way in a major street and the setback line of any major street, which construction is prohibited by other provisions of this Zoning Ordinance, may be allowed as a special exception by the Common Council subject to the following conditions:

(1) a joint application for the special exception must be signed by all of the fee title owners to the property, who will hereinafter be collectively termed "applicant", containing the following:

(a) scale drawings in plan view and appropriate elevation views of the encroaching structure; the plan view must show the location of the encroaching structure on the property, specifically showing dimensions with respect to other existing and proposed structures on the property and the adjacent setback lines of a major street; nevertheless, the filing of drawings required herein does not obviate the need to provide other drawings associated with a review of a conditional use permit application, a site plan review, a building permit, or other required permit;

(b) a statement in a form that is legally enforceable by the City through injunctive relief that the encroaching structure will be built according to the drawings, and once constructed, with the exception of the removal of the entirety of the structure, the applicant will not allow modifications to the exterior of the encroaching structure;

(c) a deed restriction in the form attached to and incorporated into the application, addressing those issues required in paragraph B.2; and

(d) evidence of payment by the applicant to the City Clerk of a special exception application fee, the amount of which fee having been established by the Common Council from time to time by resolution, to cover the cost of processing the application and recording the deed restriction.

(2) a deed restriction in recordable form that has been approved by the Office of the City Attorney, that

has been executed by the applicant, and that contains provisions addressing the following:

(a) the deed restriction is for the benefit of the City of Kenosha, is enforceable by the City, and may only be released by the City of Kenosha;

(b) the applicant and subsequent property owners will not allow modification to the exterior of the encroaching structure, unless the modification is removal of the entirety of it;

(c) as one of the purposes of prohibiting construction of an encroaching structures in the area between the right of way and the setback line to a major street is to minimize the cost to the public for ultimate expansion of the major street, the deed restriction will require that within thirty (30) days of notification by the City through any means of service of process recognized by then-prevailing Wisconsin law to the fee title owner of the property at the time of the notice that the major street will be widened, the fee title owner of the property will remove the encroaching structure without cost to the City; moreover, should the applicant or their successors-in-interest otherwise be entitled to compensation for other structures or lost business for enforcement of an eminent domain right, the applicant and their successors-in-interest waive compensation for any damages associated with the encroaching structure, such waiver shall specifically include costs for the use, lost business, or relocation of the encroaching structure.

(3) Such other conditions that the Common Council deems necessary.

C. Grant of Special Exception

In its consideration of whether to grant the special exception, the Common Council must: (1) hold a public hearing whereby the Common Council may hear from the applicant and the public; (2) consider the reports of the Police Department, Fire Department, the Department of Public Works, and the Department of Community Development and Inspections as to the propriety of the construction of the proposed encroaching structure; (3) the recommendations made by the City Plan Commission within 45 days of referral to it regarding the propriety of the encroachment, the sufficiency of the deed restriction, and/or other factors the Commission deems should be considered by the Common Council; and (4) have determined to accept the language of the deed restriction, either as proposed by the applicant or as amended by the Common Council.

D. Conditions Subsequent to the Grant of the Special Exception. Prior to the issuance of the special exception and prior to the issuance of any required building permit for construction of the encroaching structure, the executed deed restriction with the language accepted by the Common Council must be recorded with the Register of Deeds.

Section Two: The definition of "Setback Line" in Section 12 of the Zoning Ordinance for the City of Kenosha, Wisconsin, is hereby repealed.

Section Three: Section 12 of the Zoning Ordinance for the City of Kenosha, Wisconsin, is hereby amended to create a definition for "Setback Line of a Major Street":

Setback Line of any Major Street means a boundary on a property that is adjacent to or within a Major Street, which boundary is spaced a distance from a Base Line, the distance of the spacing being specified in Subsection 5.03 of this Zoning Ordinance.

Section Four: The definition of "Build-To Line" in Section 12 of the Zoning Ordinance for the City of Kenosha, Wisconsin, is hereby repealed and recreated as follows:

Build-To Line. A line parallel to a lot line or or if adjacent to a major street, parallel to the setback line of any major street, which line is spaced a distance from the lot line or the setback line of any major street, the distance of spacing being specified in Section 3, along which line a portion of a building, determined by use, must be built.

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

ATTEST: _____ City Clerk

APPROVED: _____ Mayor

Passed:

Published:

Drafted By:
EDWARD R. ANTARAMIAN
City Attorney



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

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

C-5

DEPARTMENT OF PUBLIC WORKS

Michael M. Lemens, P.E., Director

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

September 19, 2012

To: Eric Hugaard, Chairman, Public Works Committee
Patrick Juliana, Chairman, Stormwater Utility Committee

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

Subject: Acceptance of Project 11-1211 2011 Windstorm Damage Sidewalk & Curb/Gutter Program

Location: Districts east of 30th Avenue

Please be advised that the above referenced project has been satisfactorily completed by Marvin Gleason Contractor, Inc., Franksville, Wisconsin. This project consisted of construction of wind storm damaged concrete sidewalk and curb & gutter, handicap ramps, excavation and landscaping.

It is recommended that the project be accepted in the final amount of \$143,314.28. Original contract amount for sidewalk was \$92,838.55 plus \$8,161.45 for contingency for a sidewalk contract amount of \$101,000, funding was from CIP Line Item IN-93-004; original contract amount for curb/gutter was \$27,166.50 plus \$2,683.50 for contingency for a curb/gutter contract amount of \$29,850, funding was from CIP Line Item SW-93-005; total contract award was for \$130,850.00. A change order to increase the sidewalk portion of the contract for \$12,467.13 was approved by Common Council on May 21, 2012 bringing the contract total to \$143,317.13.

SAB/kjb



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

C-6

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

Municipal Building · 625 52nd ST · RM 305 · Kenosha, WI 53140
Telephone (262) 653-4050 · Fax (262) 653-4056
September 28, 2012

To: Eric Hugaard, Chairman
Public Works Committee

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

Subject: Lawn Park Area Paving Policy

[Handwritten signature and date: 9-28-12]

BACKGROUND/ANALYSIS

At its regular meetings of November 26, 2001, December 10, 2001, and January 14, 2002 the Public Works Committee reviewed the ordinance and policy regarding paving of lawn park areas. At that time staff suggested that some minor ordinance change granting administrative authority to allow paving in lawn park areas on street resurfacing and/or reconstruction projects under certain conditions could expedite construction and avoid loading the Committee's agenda with mundane issues. Specifically the proposal would have made it possible for staff to administratively grant an exception to the sod requirement in areas where the width of lawn park from the back of curb to sidewalk is nominally 2 feet or less. Committee member consensus at that time was to strictly interpret the current ordinance and direct to staff to bring all situations of paved lawn park area to the Public Works Committee for review and approval.

Several recent petitions for approval of lawn park paving in an area where the width of proposed sod is only 2 to 3 feet has prompted the Public Works Committee to direct staff to review the previous consideration of an ordinance change allowing for an administrative authority to grant an exception to the sod requirement in marginally small lawn park area.

Staff suggests that the Committee can take one of the following actions:

- Continue with the current practice of reviewing each incident on a case-by-case basis;
- Amend the current practice to allow any previously paved lawn park area to be removed and replaced in-kind when it is affected by a construction project initiated by either the City or a public utility;
- Propose a revision to the ordinance that would allow limited staff authority to approve exceptions to the lawn park sod requirement in areas where the width of lawn park between the back of curb and sidewalk is nominally 2 feet or less and at intersections or locations where ramps, power poles, traffic signals, bus stops, etc. warrant pavement treatments; and where previously paved lawn park areas would need to be replaced in-kind due to minimal impact of project-related concrete removals

RECOMMENDATION

Staff recommends that the City Attorney be directed to draft an amendment to the existing ordinance that would grant administrative authority to the Director of Public Works or assign to approve alternate treatments of the lawn park areas, including paving with concrete, in areas where the width of the lawn park between the sidewalk and back of curb is 2 feet or less, where the lawn park was previously paved, or at intersections.

MML

November 21, 2001

To: G. John Ruffolo, Chairman
Public Works Committee

From: Michael M. Lemens, P.E. _____
Director of Engineering

Subject: ***Request for Approval of Paving Lawn Park Areas
Sheridan Road 50th Street to 60th Street***

BACKGROUND/ANALYSIS

South of 60th Street and north of 50th Street there are locations where the existing Right-of-Way has limited the width of the lawn park area to 2 feet or less. In such conditions often the existing lawn park is already paved, or else the establishment of grass is so difficult that it creates a long term maintenance issue. WisDOT standards usually indicate full width sidewalk from the back of curb to the planned edge of sidewalk, except where the owner would request sod. Strict compliance with Section 5.051 of the Code of General Ordinances would require that the project be constructed with sod.

Staff has inspected the sodded lawn park areas completed with the Sheridan Road project from 60th Street to 75th Street constructed in 1999. Very little of the sodded areas are maintained by the property owners in an acceptable or even marginally attractive condition.

RECOMMENDATION

Formally approve the paving of the lawn park areas proposed or constructed with this project.

 Also, direct staff to draft a revision to the Code of General Ordinances which would allow administrative approval to pave the lawn park areas where the width of the right-of-way from the back of curb to the property line is less than 8 feet.

November 21, 2001

To: G. John Ruffolo, Chairman
Public Works Committee

From: Michael M. Lemens, P.E. _____
Director of Engineering

Subject: ***Request for Approval of Paving Lawn Park Areas
Sheridan Road 75th Street to 83rd Street***

BACKGROUND/ANALYSIS

Throughout much of the project limits there are locations where the existing Right-of-Way has limited the width of the lawn park area to 2 feet or less. In such conditions often the existing lawn park is already paved, or else the establishment of grass is so difficult that it creates a long term maintenance issue. WisDOT standards usually indicate full width sidewalk from the back of curb to the planned edge of sidewalk, except where the owner would request sod. Strict compliance with Section 5.051 of the Code of General Ordinances would require that the project be constructed with sod.

Staff has inspected the sodded lawn park areas completed with the Sheridan Road project from 60th Street to 75th Street constructed in 1999. Very little of the sodded areas are maintained by the property owners in an acceptable or even marginally attractive condition.

RECOMMENDATION

Formally approve the paving of the lawn park areas proposed or constructed with this project.

 Also, direct staff to draft a revision to the Code of General Ordinances which would allow administrative approval to pave the lawn park areas where the width of the right-of-way from the back of curb to the property line is less than 8 feet.

December 6, 2001

To: G. John Ruffolo, Chairman
Public Works Committee

From: Michael M. Lemens, P.E. _____
Director of Engineering

Subject: ***Staff Request for Approval to Pave Lawn Park Areas
Abutting Properties on Sheridan Road***

BACKGROUND/ANALYSIS

At the November 26, 2001 meeting of the Public Works Committee, the issue of paving the lawn park areas was discussed with respect to the WisDOT projects on Sheridan Road. It is standard specification for the state to pave the full area between the sidewalk and back of curb when that area nominally 2 feet wide or less, except when the property owner wants grass. The justification for that practice is the difficulty in establishing and maintaining a satisfactory growth of sod. The Committee viewed photographs of similar areas on the portion of Sheridan Road from 60th Street to 75th Street which was paved in 1999, and it was evident that the vegetation in the small lawn park areas has almost all reverted to weeds.

Section 5.051.D of the Code of General Ordinances states that the Committee on Public Works may grant an exception to the lawn park areas improvement requirements upon petition of the abutting property owner for issues relating to lawn park maintenance and access to the premises. In this case the owners have not petitioned. Staff deferred to the state standards in the plan review. A list of affected property addresses is attached, and an exhibit map will be presented to the Committee at the meeting.

After discussing this matter at length with the City Attorney, it was concluded that current language in the ordinance does not address this condition. The Committee can take one of three actions at this time:

- Propose a revision to the ordinance which allows limited staff authority to approve exceptions to the lawn park sod requirements in areas where the width of lawn park between the back of curb and sidewalk is nominally 2 feet or less, and at intersections, where ramps, power poles, traffic signals, etc warrant pavement treatments.
- Obtain petitions from each of the property owners affected. Both the design engineer and the construction project engineer have informed city staff that the residents are pleased to have the narrow strips paved with concrete, but there is no way to guarantee that all owners have been contacted.
- Order the concrete removed and replaced with sod. This would require a separate contract and would be all city cost.

RECOMMENDATION

 Staff recommends that the City Attorney be directed to draft an amendment to the ordinance granting staff the administrative authority to approve alternate treatments of the lawn park areas, including paving with concrete, in areas where the width of lawn park area between the back of curb and sidewalk is nominally 2 feet or less, and at intersections.

January 10, 2002

To: G. John Ruffolo, Chairman
Public Works Committee

From: Ronald L. Bursek, P.E. _____
Director of Public Works

Subject: ***Ordinance to Repeal and Recreate Section 5.051 D. of the Code of General Ordinances
Respecting Exception to Grass in the Lawn Park Areas (referred from December 10, 2001)***

BACKGROUND/ANALYSIS

Section 5.051.D of the Code of General Ordinances states that the Committee on Public Works may grant an exception to the lawn park areas improvement requirements upon petition of the abutting property owner for issues relating to lawn park maintenance and access to the premises. In this case the owners did not petition. Staff deferred to state standards in the plan review.

At its December 10, 2001 meeting, members of the Public Works Committee discussed the paving of lawn park areas, and City Attorney Conway appeared to answer questions. After lengthy discussions, the Committee voted to defer action until its next meeting and they directed the City Attorney to draft a revision to the ordinances regarding paving in the lawn park areas for their consideration. The City Attorney drafted the revision, and on December 11, 2001 submitted the draft to the Public Works Director for the next Public Works Committee agenda. A copy of the draft ordinance revision is attached for review by the Committee.

As a parallel course of action, and in response to administrative concerns, Public Works staff contacted property owners along Sheridan Road by letter to confirm preferences regarding the treatments of lawn park areas as constructed or as proposed for construction with the Sheridan Road projects. A copy of the letter is attached for reference. A total of 66 letters were sent to the owners of the 78 parcels that had the narrow lawn park paved. As of January 9, 2002, responses have been received representing 45 of the parcels. Forty-one parcel owners preferred the concrete and four preferred the sod.

The estimated cost of removing all existing concrete and replacing it with sod is approximately \$18,000.

RECOMMENDATION

 Table discussion regarding the draft amendment indefinitely, and direct Public Works Department Staff to complete the investigation regarding property owner preferences, and report final results of the survey to the Committee once all returns are in.

October 12, 2012

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

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



SUBJECT: Project Status Report

- Project #08-1443 – Bike Path Extensions** – Project design is nearly complete. City is waiting for WisDOT approval. (16)
- Project #11-1211 – Windstorm Damage Walk**– [Gleason] Work is complete and is requested for final acceptance. (Citywide)
- Project #08-1021 – 39th Avenue from 18th Street to 24th Street** – [LaLonde] Project is complete. Closeout by State.
- Project #09-1413 – Washington Park Veledrome Facility** – [Rasch] Building has temporary occupancy working on railing for retaining wall. (6)
- Project #11-1416 Petzke Park Mass Grading** – [BCF Construction] Final punchlist items. (1)
- Project #11-1133 – Windstorm C&G Replacement** – [Gleason] Work is complete and is requested for final acceptance. (Citywide)
- Project #09-1121 Forest Park Evaluation** – Staff is in the final phases of finalizing the report. Final comments are being drafted and will be submitted to Strand in May. (1)
- Project #10-1126 Wetland Mitigation Bank** - [Wetlands and Waterways Consulting LLC] The consultant has received comments from the DNR regarding the proposed plan. Changes are have been made to the report and is being reviewed by the DNR before the report can be finalized. (16)
- Project #10-1131 River Crossing Swale Restoration** – [Applied Ecological Services] Applied Ecological Services has begun the treatment of the invasive and non-native species. Future treatment times will occur again in August and October. (17)
- Project #11-1128 Multi-Plate Pipe Storm Sewer Inspection and Evaluation** – [Ruekert-Mielke] The consultant will be submitting a draft report for Staff to review and discuss repair alternatives. (2 and 7)
- Project #11-1125 Pennoyer Beach Outfall Stormwater Infiltration Basin (GLRI Grant)** – Plantings will be completed the week of October 15. The stockpile of material will be removed as soon as the contractor is allowed on the Chrysler site as it will be used for fill in the excavation of the Underground Storage Tanks. It is anticipated that these piles will be removed in early November. (1 and 6)
- Project #11-1127 MacWhyte Water Quality Basin** – [Cicchini] Contractor has hydroseeded basin and Staff will continue to monitor. (1)
- Project #11-1135 Stormwater Management Plan Development** – [Ruekert-Mielke] Contract has been executed work has begun. Staff met with Consultant to review the progress of the first major drainage area. (City wide)
- Project #11-1137 Pike River Monitoring (WI Coastal Management Grant)** – The City of Racine has begun monitoring. Staff will be receiving the draft report soon. (1 and 4)
- Project #12-1136 Pike River Monitoring (Fund for Lake Michigan Grant)** – The City of Racine has begun monitoring. Staff will be receiving the draft report soon. (1 and 4)
- Project #12-1012 Resurfacing I** – (32nd Ave: 55th St to 52nd St; 33rd Ave: 55th St to 52nd St; 27th Ave: 35th St to 33rd St; 60th Ave: 82nd St to 80th St) –Work on 60th Avenue and 27th Avenue have punch list items remaining. 33rd Avenue and 32nd Avenue restoration work and punchlist items are being completed. (6,11,14)
- Project #12-1024 60th Street Resurfacing: 8th Ave to 22nd Ave** – Phase II is currently under construction. Concrete work is in progress. Storm sewer work is tentatively scheduled for completion the week of October 15th. (2,8).
- Project #12-1015 Lincoln Road Resurfacing** – Punchlist items remain. (13)

Project #12-1208 Sidewalk Repair Program – [AW Oakes] Work has begun on phase II. (City wide).

Project #10-1415 Lakefront Water Feature – [Camosy] Contractor has punchlist items remaining (2).

Project #11-2013 Harbor and Marina Dredging – [Ruekert Mielke] Work is continuing (2).

Project #12-1420 Shagbark Trail Development – [SAA] Design works has been started by SAA as outlined in the Stewardship Grant. Construction is scheduled for 2013. (10)

Project #12-1410 Tree Removal – [Droprite] The contract has been executed. (Citywide).

Project #12-2032 Underground Storage Tank Area Interim Action at KEP – [Veit] The project is on hold until the Trust provides access and agrees to all paperwork supplied. (7)

Project #12-1019 Joint, Crack Cleaning and Sealing – [Behm Pavement Maintenance] The project has begun and is tentatively scheduled for completion by the end of October. (City Wide)

Project #12-1414 Anderson Pool Splashpad – [Sherrer] Equipment has been purchased and currently being manufactured. Contractor has begun demolition work. (9)

Project #12-1013 CDBG Resurfacing – [Cicchini]. 57th Street has completed utility, concrete and binder. 67th Street, 65th Street and 68th Street utility and Concrete work is in progress. (2, 3, 8, 12)

Project #12-1014 Concrete Street Repairs – [Zignego]. Punchlist items remain. (City Wide)

Project #12-1027 Epoxy Pavement Markings [Century Fence] Work will begin in the end of October. (City Wide)

Project #12-1423/12-1427 Sunrise Park Trail and Phase I Development- [BCF] Work has begun. (5)

Project #12-1428 Anderson Pool Equipment Room Re-piping – [Lee Plumbing] Contractor has begun work (9)

Design Work – Staff is working the following projects: Miscellaneous Bike Path projects, GIS Survey City Wide, 122nd Ave from 71st Street to 75th Street, Sump Pump Priorities, SWPPP Updates, Website Design, GPS Data Forms, Storm Sewer Investigation for Roadway Projects, Permit Compliance, SWU Reporting, Pollution Prevention Structures, Stormwater Management Facility Inspections, Miscellaneous Storm Sewer projects for contractor and SWU crews, Southport Shoreline Repair, Parks Master Design Contract, Park Fee Study, Southport Beach house Master Plan, Strawberry Creek Trail and Shelter Grant, Simmons Island Park Boardwalk Grant, Shagbark Basin Trail Grant, Strawberry Creek Mass Grading and Museum Fountain.

DOT and County Projects: Staff will discuss at meeting.