

AGENDA
KENOSHA COMMON COUNCIL
KENOSHA, WISCONSIN
Council Chambers – Room 200 – Kenosha Municipal Building
Monday, October 17, 2011
7:00 P.M.

CALL TO ORDER
ROLL CALL
INVOCATION
PLEDGE OF ALLEGIANCE

MINUTES Amended Minutes from September 19, 2011 Meeting and Minutes from October 3, 2011 and October 12, 2011 Meetings.

Matters referred to the Committee by the Mayor.
Presentations, Commendations and Awards by the Mayor.
Awards and Commendations from Boards, Commissions, Authorities and Committees.

CITIZENS' COMMENTS

A. REFERRALS

TO THE COMMITTEE ON FINANCE

- A.1. By the Finance Committee - Resolution to approve the 2012 Consolidated Plan - Annual Plan for the Community Development Block Grant/HOME Program. (*CDBG portion also referred to City Plan Commission*)

TO THE CITY PLAN COMMISSION

- A.2. Conditional Use Permit for a 4,320 s.f. restaurant with a drive-thru to be located at the southwest corner of 81st Street and Sheridan Road (*Culver's*). (*District #3*)
- A.3. Conditional Use Permit for a non-conforming residential use to be located at 5820 5th Avenue (*Greskoviak*). (*District #2*)
- A.4. By the Mayor - Resolution to Amend the Official Map for the City of Kenosha, Wisconsin, To include the Attachment of Parcel #80-4-222-233-0110, located at 5523 23rd Street in the Town of Somers, Kenosha County, Wisconsin, in accordance with the approved City of Kenosha/Town of Somers Cooperative Plan under Section 66.0307 of the Wisconsin Statutes (*Pinnacle Towers, LLC*). (*District #5*)
- A.5. By the Mayor - Resolution to Amend the Official Map for the City of Kenosha, Wisconsin, To include the Attachment of Parcel #81-4-223-183-0110, located at 2020 Birch Road in the Town of Somers, Kenosha County, Wisconsin, in accordance with the approved City of Kenosha/Town of Somers Cooperative Plan under Section 66.0307 of the Wisconsin Statutes (*Angotti*). (*District #1*)
- A.6. By the Mayor - To Rezone properties located east and west of 14th Avenue, north of 31st Street from M-2 Heavy Manufacturing to IP Institutional Park in conformance with Section 10.02 of the Zoning Ordinance (*Petzke Park*). (*District #1*)

- A.7. By the Mayor - To Create Subsection 18.02 I. of the Zoning Ordinance to Amend the Comprehensive Plan for the City of Kenosha: 2035 (*Petzke Park*). (*District #1*)

B. COMMUNICATIONS, PETITIONS, REPORTS OF DEPARTMENTS

- B.1. Approval of the following applications per list on file in the Office of the City Clerk:
a. _____ Operator's (Bartenders) license(s).
b. _____ Transfer of Agent Status of Beer and/or Liquor license(s).
c. _____ Special Class "B" Beer and/or Special "Class B" Wine license(s).
d. _____ Taxi Driver License(s). **AT MEETING**
- B.2. Special Exception Request to Install a Twelve-square-foot (12 sf) Sign onto a Pre-Existing Eighty-Square-Foot (80 sf) Monument Sign [*Total Area of Proposed Sign: Ninety-two Square Feet (92 sf)*]: Petitioner: Ed Wamboldt; Location: 4235 Green Bay Road. (*District #16*) **HEARING PAGES 1-15**

C. RECOMMENDATIONS FROM THE COMMITTEE ON LICENSING/PERMITS

NOTE: All licenses and permits are subject to withholding of issuance by the City Clerk as specified in Section 1.045 of the Code of General Ordinances.

- C.1. Approve Applications for new Operator's (Bartender) licenses, subject to:
a. Laura Saarnio (**20 demerit points**)
b. Kerry Bennett (**20 demerit points**)
c. Melissa Reed (**20 demerit points**)
d. Damon Piraino (**40 demerit points**)
e. April Gustafson (**40 demerit points**)
f. Giuseppe Delle-Grazie (**80 demerit points**)
(L/P – Ayes 4, Nays 0) **HEARING PAGES 16-22**
- C.2. Deny Application of Zoei Mahaffy for a new Operator's (Bartender) licenses based on **material police record** (*Referred back to L/P on 09/19/2011*).
(L/P - Recommendation Pending) **HEARING PAGES 23-27**
- C.3. Deny Application of Baron Olsen for a new Operator's (Bartender) licenses based on **material police record** (*Referred back to L/P on 10/03/2011*).
(L/P - Recommendation Pending) **HEARING PAGES 28-35**
- C.4. Approve Applications for new Operator's (Taxi Driver's) license
a. J.M. Johnson (**35 demerit points**)
b. Damian Pavlovich (**95 demerit points**)(*Deferred by L/P on 09/26/11*)
(L/P – Ayes 5, Nays 0) **HEARING PAGES 36-42**
- C.5. Approve Application of Jill's Place Inc., Jill M. Rzeplinski, Agent, for a Class "B" Beer/"Class B" Liquor License located at 1400 - 52nd Street, (*Jill's Place*), with acceptance of a conditional surrender of a similar license at the same location from The McCool Corporation, to be effective October 18, 2011, subject to **40 demerit points** (*District #7*). (L/P – Ayes 5, Nays 0) **HEARING PAGES 43-49**

- C.6. Deny Request of GNC Hook, LLC (*Art Bar*), for an extension of the Class “B” Beer/“Class B” Liquor License to include the upstairs portion of the property (*District #7*). (L/P – Ayes 5, Nays 0) **HEARING** **PAGES 50-53**
- C.7. Approve Application of Traci Peterson (*Hatrix*) for a change in the closing hours to 1:30 a.m. on the Outdoor Extension located at 2425 - 60th Street (*District #7*). (L/P – Ayes 5, Nays 0) **HEARING** **PAGES 54-55**
- C.8. Approve 6 Applications for Yearly Cabaret Licenses (*2011–2012 Term*), with no adverse recommendations per list on file in the Office of the City Clerk. (L/P – Ayes 5, Nays 0) **HEARING** **PAGES 56-57**
- C.9. Approve new Application of Naster, Inc., 3221 60th Street (*Our Kenosha Tap*) for a Yearly Cabaret license (*2011-2012 Term*), with no adverse recommendation (*District #11*) (L/P – Recommendation Pending) **HEARING** **PAGES 58-59**
- C.10. Approve Applications of Bacchus Billiards, LLC (*Brian D'Angelo, Agent*) for Daily Cabaret Licenses located at 5010 - 7th Avenue (*Deep Blues*) on October 20th and October 21st as amended at Licensing and Permit Committee (*District #2*). (L/P – Ayes 5, Nays 0) **HEARING** **PAGES 60-64**
- C.11. Approve Application of Randy Westphal, for an Amusement and Recreation Enterprise Supervisor License located at 3812 - 60th Street (*Chutes & Ladders Pub & Grill*), with no adverse recommendations (*District #11*). (L/P – Ayes 5, Nays 0) **HEARING** **PAGES 65-66**
- C.12. Approve Application of Donna Miller, for an Amusement and Recreation Enterprise Supervisor License located at 4237 Green Bay Road (*Monkey Joe's*), with no adverse recommendations. (L/P – Ayes 5, Nays 0) **HEARING** **PAGES 67-68**
- C.13. Deny Application of Amanda Murphy, for an Amusement and Recreation Enterprise Supervisor License located at 4237 Green Bay Road (*Monkey Joe's*), based on **material police record** (L/P – Ayes 5, Nays 0) **HEARING** **PAGES 69-71**
- C.14. Approve Applications for Yearly Cabaret Licenses (*2011–2012 Term*), with no adverse recommendations per list on file in the Office of the City Clerk. (L/P – Recommendations Pending) **HEARING** **AT MEETING**

D. ORDINANCES 1ST READING

- D.1. By The Mayor - Attachment and Temporary Zoning District Classification Under Section 66.0307, Wisconsin Statutes, City of Kenosha/Town of Somers Cooperative Plan for property at 5523 23rd Street (*Pinnacle Tower, LLC*). (*District #5*) (CP – Recommendation Pending) **PAGES 72-79**

- D.2. By The Mayor - Attachment and Temporary Zoning District Classification Under Section 66.0307, Wisconsin Statutes, City of Kenosha/Town of Somers Cooperative Plan for property at 2020 Birch Road (*Angotti*). (*District #1*) (CP – Recommendation Pending) **PAGES 80-86**

E. ZONING ORDINANCES 1ST READING

F. ORDINANCES 2ND READING

- F.1. By the Public Safety and Welfare Committee – To Repeal and Recreate Various Sections of Chapter 15 of the Code of General Ordinances Related to Off-Premise Signs (*Deferred from 09/19/2011 & 10/03/2011 meetings*). (PSW - Ayes 5, Nays 0; no further action taken) **PAGES 87-96**
- F.2. By Alderperson Ray Misner - To Repeal and Recreate Various Sections of the Code of General Ordinances to Reflect the Change in Responsibilities of the “Committee on Licensing/Permit” allocating them to the “Commission on Licensing/Permit” or “Committee on Judicial Review” or Similar Terminology Wherever Those Phrases Appear. (L/P – No Recommendation - Ayes 4, Nays 0) **PUBLIC HEARING**
PAGES 97-144
- F.3. By the Mayor - To repeal and recreate Section 1.05 K. as “Department of Community Development and Inspections”; to repeal Section 1.05 N. entitled “Department of Neighborhood Services and Inspections”; to repeal and recreate Sections 1.15 B. and 1.15 C. entitled “Annexation Ordinances Preliminary Reports”; to repeal and recreate Paragraph 17.11 A.7 entitled “Enforcement”; to amend various sections of the Code of General Ordinances to reflect a change in name by substituting “Department of Community Development and Inspections” for the “Department of City Development” and the “Department of Neighborhood Services and Inspections” or similar terminology wherever those phrases appear; and to amend various sections of the Code of General Ordinances to reflect a change in name by substituting “Director of Community Development and Inspections” for “City Planner” or similar terminology wherever that phrase may appear. (PSW – Ayes: 4, Nays 0; Fin – Recommendation Pending) **PUBLIC HEARING** **PAGES 145-151**

G. ZONING ORDINANCES 2ND READING

- G.1. By the Mayor - To Create Subsection 18.02 j. of the Zoning Ordinance to Amend the Comprehensive Plan to add a portion of right-of-way at 39th Avenue and 24th Street to the Official Map (*District #5*). (CP – Ayes 7, Nays 0) **PUBLIC HEARING**
PAGES 152-156
- G.2. By the Mayor - To Create Subsection 18.02 k. of the Zoning Ordinance to Amend the Comprehensive Plan to add a portion of right-of-way at 51st Street between 17th and 18th Avenues to the Official Map (*District #7*). (CP – Ayes 7, Nays 0) **PUBLIC HEARING**
PAGES 157-161

- G.3. By the Mayor - To Repeal and Recreate various Sections of the Zoning Ordinance for the City of Kenosha to reflect a change in name by substituting "Department of Community Development and Inspections" for the "Department of City Development" and the "Department of Neighborhood Services and Inspections" or similar terminology wherever those phrases appear; To Amend various Sections of the Zoning Ordinance to reflect a change in name by substituting "Director of Community Development and Inspections" for "City Planner"; To Amend various Sections of the Zoning Ordinance to reflect a change in name by substituting "Department of Community Development and Inspections" for "City Plan Division" or similar terminology wherever those phrases appear; To Amend various Sections of the Zoning Ordinance to replace the terms "Chief of Inspection" and "Zoning Administrator" with "Administrator"; To Amend the following various Sections of the Zoning Ordinance 12.0 B. entitled "Specific Words and Phrases" by replacing "Chief of the Inspection Department" with "Director of the Department of Community Development and Inspections"; To Create a Definition for the "Department of Community Development and Inspections"; To Repeal the Definition of "Division (CPD)"; and To Amend "Review Authority". (CP-Ayes 8; Noes 0) **PUBLIC HEARING**
PAGES 162-167

H. RESOLUTIONS

- H.1. By Alderpersons Michael J. Orth, Ray Misner, David F. Bogdala, Rocco LaMacchia, Sr. and Jan Michalski – To Subname 58th Street between its intersections with Sheridan Road and 7th Avenue as "Howard J. Brown Drive" (*Districts #1 & 2*). (PW - Ayes 6, Nays 0) **PAGES 168-170**
- H.2. By the Mayor - To Amend the Official Map for the City of Kenosha to Designate the 7.01 feet East of 39th Avenue at 24th Street as Future Street, Pursuant to Section 62.23(6) Wisconsin Statutes (*District #5*). (CP – Ayes 7, Nays 0; PW – Ayes 5, Nays 0) **PAGES 171-173**
- H.3. By the Mayor - To Amend the Official Map for the City of Kenosha to Designate 18 Feet South of 51st Street between 17th and 18th Avenues as Future Street, Pursuant to Section 62.23(6) Wisconsin Statutes (*District #7*). (CP – Recommendation Pending; PW – Ayes 4, Nays 0) **PAGES 174-176**
- H.4. By Alderperson Jan Michalski – To Urge City Administration to Pursue a Wal-mart Store to be Located in Downtown Kenosha. **PAGES 177**

I. APPOINTMENTS/REAPPOINTMENTS BY THE MAYOR

- I.1. Appointments to the Mayor's Youth Commission:
a. Sarah Park, 1909 33rd Street, Kenosha (*term to expire Nov. 1, 2013*)
b. Semone Love, 1369 30th Avenue, Kenosha (*term to expire Nov. 1, 2012*)
PAGES 178-183

- I.2. Appointments to the Board of Review:
a. Ellen Kupfer, 3701 75th Street, Kenosha (*term to expire April 15, 2016*)
b. Matt Augustine, 4306 31st Avenue, Kenosha (*term to expire April 15, 2013*)
PAGES 184-189
- I.3. Re-appointments to the Mayor's Youth Commission (*terms to expire Nov. 1, 2013*):
a. Officer Jeff Wamboldt, 1000 55th Street, Kenosha
b. Kimberly Renkas, 3810 61st Street, Kenosha
PAGES 190-194
- I.4. Appointments to the Commission on the Arts (*terms to expire Nov. 1, 2013*):
a. Donald Miller, 320B 55th Street, Kenosha
b. Maureen Cashin Bolog, 518 56th Street, Kenosha
c. Emily Delabrue, 600 52nd Street, Kenosha
d. Jayne Herring, 4301 6th Avenue, Kenosha
e. Francisco Loyola, 1355 62nd Street, #3, Kenosha
f. MaryPat Andrea, 2401 60th Street, Kenosha
PAGES 195-207

J. PUBLIC CONSTRUCTION AND IMPROVEMENT CONTRACTS

K. OTHER CONTRACTS AND AGREEMENTS

- K.1. Approval of Assignment and Second Amendment of Lease between MAYRA KENOSHA, INC., Lessee, and the City of Kenosha, Wisconsin, Lessor and Parkside Hotel Limited Partnership for premises known as Best Western Harborside, 5125 - 6th Avenue, Kenosha, Wisconsin (*District #2*). (Fin – Recommendation Pending)
PAGES 208-239

L. RECOMMENDATIONS FROM THE COMMITTEE ON FINANCE

- L.1. Approve Disbursement Record #18 in the amount of \$18,603,842.43.
(Fin – Recommendation Pending) **PAGES 240-282**
- L.2. Requests to Refund Certain Penalty Fees Assessed to Trottier Chiropractic (*Michael Trottier*) at 3120 80th Street, as follows:
a. \$720.00 for an Occupancy Permit **PAGES 283-287**
b. \$90.00 for a Sign Permit **PAGES 288-292**
(*District #13*) (Fin - Recommendation Pending) **HEARING**
- L.3. Discussion of Proposed Offer of Judgment regarding Thomas Tatroe, et.al. v. City of Kenosha (Fin – Recommendation Pending)
CLOSED SESSION: The Common Council may go into Closed Session regarding this item, pursuant to §19.85(1)(g), Wisconsin Statutes. The Common Council may or may not reconvene into open session for purposes of holding a hearing and making a final determination.
AT MEETING

M. RECOMMENDATIONS FROM THE COMMITTEE ON PUBLIC WORKS

- M.1. Approve Final Acceptance of Project 11-1526 Northside Library Community Room Expansion (1500 27th Avenue) completed by Absolute Construction Enterprises, Inc. (Racine, Wisconsin), in the amount of \$41,186.00 (*District #4*). (PW – Ayes 5, Nays 0)
PAGE 293

N. RECOMMENDATIONS FROM THE COMMITTEE ON PUBLIC SAFETY & WELFARE

O. REPORTS AND RECOMMENDATIONS OF BOARDS AND COMMISSIONS

P. ANY SUCH MATTERS AS ARE AUTHORIZED BY LAW OR REGULAR BUSINESS

- P.1. Status of Litigation Regarding Kenosha County v. City of Kenosha - Redistricting, Case No. 11CV1813 (Kenosha County Circuit Court)
CLOSED SESSION: The Common Council may go into Closed Session regarding this item, pursuant to §19.85(1)(g). The Common Council may or may not reconvene into open session for purposes of holding a hearing and making a final determination. And such matters as are authorized by law.

**LEGISLATIVE REPORT
MAYOR'S COMMENTS
ALDERPERSONS' COMMENTS**

IF YOU ARE DISABLED AND IN NEED OF ASSISTANCE OR SPECIAL ACCOMODATIONS,
PLEASE CALL 653-4020 BEFORE THIS MEETING.
web site: www.kenosha.org



**COMMON COUNCIL
OFFICIAL PROCEEDINGS**

Monday, September 19, 2011

**Keith G. Bosman, Mayor Michael K. Higgins, City Clerk
Council Chambers – Room 200 – Kenosha Municipal Building**

At a meeting of the Common Council this evening, His Honor, Mayor Keith G. Bosman presided. The meeting was called to order at 7:03 p.m.

Upon Roll Call, the following members of the Common Council were present: Alderpersons Kennedy, Nudo, Bostrom, Misner, Prozanski, Orth, Downing, Bogdala, Ruffalo, Michalski, Ruffolo, LaMacchia, Ohnstad, Juliana, Marks, and Green. Alderperson Haugaard was excused.

A moment of silence was followed by the Pledge of Allegiance led by Mayor Bosman.

Matters referred to the Committees by the Mayor – None.

Presentation, Commendations and Awards by Mayor – None.

Awards and Commendations from Boards, Commissions, Authorities and Committees – None.

CITIZENS' COMMENTS

Two (2) Citizens spoke during Citizen's Comments:

- Mary Dixon, 6201 5th Avenue, Kenosha, WI
- Ellen Fernerda, 7824 5th Avenue, Kenosha, WI

A. REFERRALS

TO THE COMMITTEE ON FINANCE

- A.1. Proposed Ordinance by Alderperson Patrick Juliana - To Create Section 1.06 A.A. Of the Code of General Ordinances Entitled "Ethics Board" and to Repeal and Recreate Various Sections of Chapter 30 of the Code of General Ordinances Entitled "Code of Ethics" (*Also Referred PW, PSW, L/P and SWU Committees*).
- A.2. Proposed Ordinance by Alderperson Steve Bostrom - To Repeal Chapter 28 of the Code of General Ordinances for the City of Kenosha, Entitled "Vacant Building Code" in its Entirety (*Also Referred to PSW Committee*).

TO THE PUBLIC WORKS COMMITTEE

- A.3. Proposed Resolution by the Public Works Committee - To Vacate a Portion of the Alley located Between 30th and 31st Streets, from 19th Avenue to 100 Feet West of 18th Avenue (*Lindquist District #6*) (*Also Referred to Plan Commission*).

TO THE PUBLIC SAFETY AND WELFARE COMMITTEE

- A.4. Proposed Ordinance Regarding 13.0112 of the General Code of Ordinances Entitled "Non-Structural Demolition."
- A.5. Proposed Ordinance Regarding 9.17 B.3 of the General Code of Ordinances Entitled "Foundation of Razed Building."

B. COMMUNICATIONS, PETITIONS, REPORTS OF DEPARTMENTS

- B.1. A motion was made by Alderperson Nudo, and seconded by Alderperson Green: To approve the following applications as per list on file in the Office of the City Clerk, as amended:
- a. 15 Operator's (Bartenders) license(s).
 - b. 0 Transfer of Agent Status of Beer and/or Liquor license(s).
 - c. 4 Special Class "B" Beer and/or Special "Class B" Wine license(s).
 - d. 0 Taxi Driver License(s).
- The voice vote was unanimous and the motion carried.

C. RECOMMENDATIONS FROM THE COMMITTEE ON LICENSING/PERMITS

NOTE: All licenses and permits are subject to withholding of issuance by the City Clerk as specified in Section 1.045 of the Code of General Ordinances.

- C.1. Motion by Alderperson Nudo and seconded by Alderperson Downing: To Concur with the Licensing/Permit Committee: To Approve the following Applications for New Operator's (Bartender) Licenses,
- a. Dustin Stang (*subject to, 20 demerit points*)
 - b. Andrea Felker (*subject to, 20 demerit points*)
 - c. Justin Cornell (*subject to, 20 demerit points*)
 - d. Jeremy Bousson (*subject to, 20 demerit points*)
 - e. Deanna Hoff (*subject to, 20 demerit points*)
 - f. Karen Schwoebel (*subject to, 20 demerit points*)
 - g. Megan Cullen (*subject to, 20 demerit points*)
 - h. Russel Timms (*subject to, 20 demerit points*)
 - i. Jon Wachowiak (*subject to, 40 demerit points*)
 - j. Jamie Schafer (*subject to, 40 demerit points*)
 - k. Stephanie Perekovich (*subject to, 60 demerit points*)
- A hearing was held. No one spoke for or against said licenses. Upon voice vote, the motion carried.
- C.2. Motion by Alderperson Misner and seconded by Alderperson Green: To Refer the Application of Zoei Mahaffy for New Operator's (Bartender) License back to the Licensing/Permit Committee. A hearing was held. The applicant did not appear. Discussion ensued. Upon voice vote, the motion carried.
- C.3. A motion was made by Alderperson Nudo, seconded by Alderperson Downing: To Concur with the Licensing/Permit Committee: To Approve the following Applications for Renewal Operator's (Bartender) Licenses, Subject to non-renewal revocation due to false or incomplete information:
- a. Edward Strzelecki
 - b. Dan Brockman
- A hearing was held. The applicants did not appear. Upon voice vote, the motion carried.

- C.4. A motion was made by Alderperson Ruffalo, seconded by Alderperson Nudo: To Concur with the Licensing/Permit Committee: To Approve the following Applications for New Operator's (Taxi Driver's) Licenses:
- a. James Berrier (*subject to, 10 demerit points*)
 - b. Dennis Greleck (*subject to, 30 demerit points*)
 - c. William Molinaro (*subject to, 40 demerit points*)
 - d. Ronald McCrary (*subject to, 40 demerit points*)
 - e. Jonathan McAlister (*subject to, 45 demerit points*)
 - f. William Harding (*subject to, 60 demerit points*)
 - g. Jimmie Anderson (*subject to, 65 demerit points*)
 - h. Guy Marano (*subject to, 70 demerit points*)
- A hearing was held. Dennis Greleck, 1558 30th Avenue, Kenosha, WI appeared and testified on behalf of C.4.b. The hearing closed. Upon a voice vote, the motion carried.
- C.5. Motion by Alderperson Nudo and seconded by Alderperson LaMacchia: To Concur with the Licensing/Permit Committee: To Deny the following Applications for New Operator's (Taxi Driver's) Licenses, Based on material police record:
- a. Brandon Griffin
 - b. Don Cantwell
 - c. Kevin Lain
 - d. Douglas Price
- A hearing was held. The applicants did not appear. Upon a voice vote, the motion carried.
- C.6. A motion was made by Alderperson Ruffalo and seconded by Alderperson Kennedy: To Concur with the Licensing/Permit Committee: To Approve the Application of La Quemada, Inc., Amanda Chavez, Agent (*La Quemada*) for a Class "B" Beer/"Class C" Wine License located at 3029 - 52nd Street, to be effective September 20, 2011. (*10th District*), Subject to, a Stipulation being Signed and Attached to the Application. A public hearing was held. Maria Chavez, 8620 39th Avenue, Kenosha, WI appeared and testified that the Stipulation has been signed. Her testimony was given with the assistance of Amanda Chavez, interpreter,. A voice vote was taken followed by a roll call vote, which was: Ayes 16: Noes 2 (*with Alderpersons Nudo and Orth voting nay*). The motion carried.
- C.7. A motion was made by Alderperson Ruffalo and seconded by Alderperson LaMacchia: To Concur with the Licensing/Permit Committee: To Approve the Application of R & V Development, Inc., Robert T. LaTessa, Agent, for a Class "B" Beer/"Class C" Wine License located at 5513-5515 6th Avenue, (Brat Stop Too) to be effective September 20, 2011, with No Adverse recommendations (*2nd District*). A hearing was held. The property owner, Gerald Rasmussen, 12304-75th Street, Kenosha, WI appeared and testified. Upon voice vote, the motion carried.
- C.8. Motion by Alderperson Nudo, seconded by Alderperson Downing: To Concur with the Licensing/Permit Committee: To Approve the Application of Sunset Grille, LLC, for an Outdoor Cafe Area License, located at 2500 - 52nd Street, (*Sunset Grille & Mulligan's Pub*), with a Request to Change the Closing Hours of the Outdoor Cafe Area to Midnight. A hearing was held. The applicant did not appear. Discussion ensued. Upon a voice vote, the motion carried.

- C.9. Motion by Alderperson Nudo, seconded by Alderperson Green: To Concur with the Licensing/Permit Committee: To Approve the Application of BC Tavern of Kenosha, Inc., for an Outdoor Extension of the Class “B” Beer/”Class B” Liquor License located at 4626 Sheridan Road (*Sports on Sheridan*), and a Request to Change the Closing Hours of the Outdoor Extension to Midnight. A hearing was held. The applicant did not appear. Discussion ensued. Upon voice vote, the motion carried.
- C.10. A motion was made by Alderperson Ruffalo and seconded by Alderperson Ohnstad: To Concur with the Licensing/Permit Committee: To Approve the Application of GWK, Inc., for an Outdoor Extension of the Class “B” Beer/”Class B” Liquor License located at 2427 - 52nd Street, (*Shenanigan's Pub on 52nd*), and a Request to Change the Closing Hours of the Outdoor Extension to Midnight. A hearing was held. The applicant did not appear. Upon voice vote, the motion carried.
- C.11. A motion was made by Alderperson Ruffalo and seconded by Alderperson LaMacchia: To Concur with the Licensing/Permit Committee: To Approve the Application of CLS, Inc., for an Outdoor Extension of the Class “B” Beer/”Class B” Liquor License located at 8303 - 22nd Avenue, (*Shenanigan's Pub & Grill*), and a request to change the closing hours of the Outdoor Extension to Midnight. Discussion ensued. Upon voice vote, the motion carried.
- C.12. A motion was made by Alderperson Green and seconded by Alderperson Nudo: To Concur with the Licensing/Permit Committee: To Approve the Application of Michelle Traylor for an Outdoor Extension of the Class “B” Beer/”Class B” Liquor License located at 8735 Sheridan Road, (*Mikki's Rat Race*), and a Request to Change the Closing Hours of the Outdoor Extension to Midnight. A hearing was held. Ruth Tobo, 8743 Sheridan Road, Kenosha, WI appeared and testified. Upon a voice vote, the motion carried.
- C.13. A motion was made by Alderperson LaMacchia and seconded by Alderperson Kennedy: To Concur with the Licensing/Permit Committee: To Approve the Application of Imagine 4, LLC, (*Big Shotz*), for a change of the closing hours of the Outdoor Extension of the Class “B” Beer/”Class B” Liquor Combination License located at 3000 Roosevelt Road to 1:30 a.m. A hearing was held. The applicant did not appear. Discussion ensued. The voice vote was inaudible Upon a roll call, the vote was: Ayes 5, Noes 10. Motion Failed.
- C.14. Motion by Alderperson Bogdala, seconded by Alderperson Downing: To Concur with the Licensing/Permit Committee: To Deny the Application of Brat Stop, Inc., (*Brat Stop*), for a Change of the Closing Hours of the Outdoor Extension of the Class “B” Beer/”Class B” Liquor Combination License located at 12304 - 75th Street to 1:30 a.m. A hearing was held. The property owner, Gerald Rasmussen, 12304-75th Street, Kenosha, WI appeared and testified. Discussion ensued. The voice vote was inaudible. Upon roll call, the vote was: Ayes 12, Noes 4 (*with Alderpersons Kennedy, Michalski, LaMacchia, and Ohnstad voting nay*). The motion carried.

- C.15. Motion by Alderperson Prozanski, seconded by Alderperson Green: To Concur with the Licensing/Permit Committee: To Approve the Application of GGR, LLC, for a Yearly Cabaret License located at 4017 - 80th Street, (*Bull and Bear Eatery and Tavern*), with No Adverse Recommendations. A hearing was held. The applicant did not appear. Discussion followed. Upon voice vote, the motion carried.
- C.16. Motion by Alderperson Nudo, seconded by Alderperson Prozanski: To Concur with the Licensing/Permit Committee: To Approve the Application of GGR, LLC, for a 1-day Cabaret License located at 4017 - 80th Street, (*Bull and Bear Eatery and Tavern*) for the Dates of October 1st and October 2nd, 2011. A hearing was held. The applicant did not appear. Discussion followed. Upon voice vote, the motion carried.
- C.17. A motion was made by Alderperson LaMacchia and seconded by Alderperson Green: To Concur with the Licensing/Permit Committee: To Approve the Application of Stephanie Perekovich, for an Amusement and Recreation Supervisor License, located at Pub 22, Subject to 60 Demerit Points. A hearing was held. The applicant did not appear. Upon voice vote, the motion carried.
- C.18. A motion was made by Alderperson Juliana and seconded by Alderperson LaMacchia: To Concur with the Licensing/Permit Committee: To Approve the Application of Katherine Nicole Christenson, for an Amusement and Recreation Supervisor License, located at Finney's Lounge, with No Adverse Recommendations. A hearing was held. The applicant did not appear. Upon voice vote, the motion carried.
- C.19. A motion was made by Alderperson Ohnstad and seconded by Alderperson Juliana: To Concur with the Licensing/Permit Committee: To Approve the Application of Eureka Gold Buyers, LLC, for a Secondhand Jewelry Dealer License located at 5737-75th Street, (*Eureka Gold Buyers*), with No Adverse Recommendations. A hearing was held. The owner, Eric Barden, 7018 53rd St. #82, Kenosha, WI, appeared and testified. Upon voice vote, the motion carried.
- C.20. A motion was made by Alderperson Orth and seconded by Alderperson Downing: To Concur with the Licensing/Permit Committee: To Approve the Application of Leonard Bolton for a Pet Fancier Permit. A hearing was held. The applicant did not appear. Upon voice vote, the motion carried.

D. ORDINANCES 1st READING – None.

E. ZONING ORDINANCES 1st READING

A motion was made by Alderperson Orth and seconded by Alderperson Downing: To send first reading zoning ordinances E1 through E2 on their way after being read by the clerk, by omnibus vote as follows:

- E.1. By the City Plan Commission – To Create Subsection 18.02 i. of the Zoning Ordinance to Amend the Land Use Plan for the City of Kenosha: 2035. (*Murillo*) (*District #12*)
- E.2. By the Mayor - To Rezone property at 6832 24th Avenue from RG-1 General Residential District to B-2 Community Business District in conformance with Section 10.02 of the Zoning Ordinance. (*Murillo*) (*District #12*)

Upon a voice vote, the motion carried.

F. ORDINANCES 2nd READING

- F.1. A motion was made by Alderperson Ruffalo and seconded by Alderperson Nudo: To adopt **ORDINANCE NO. 47-11 as amended, an Ordinance By the Public Works Committee – To Create Section 5.041 of the Code of Ordinances for the City of Kenosha, Wisconsin Entitled “Honorary Street Subnames.”** A public hearing was held. No one spoke for or against this matter. Discussion ensued. F.1.1. A motion was made by Alderperson Michalski and seconded by Alderperson Kennedy – To restore the language to include the Plan Commission as originally introduced. Discussion ensued. Upon roll call, the vote was: Ayes 3: Noes 12 (*with Alderpersons Nudo, Bostrom, Misner, Prozanski, Orth, Downing, Bogdala, Ruffalo, Ruffolo, LaMacchia, Ohnstad, and Green voting nay*). Motion to amend failed. F.1.2. A motion was made by Alderperson Misner and seconded by Alderperson Green – To amend the Ordinance to include “*Restriction shall not apply to Mayor or aldermanic sponsorship.*” Discussion ensued. Upon roll call, the vote was: Ayes 11, Noes 5 (*with Alderpersons Kennedy, Nudo, Ruffalo, Michalski, and Marks voting nay*). The motion carried. Upon roll call vote on the amended motion, the vote was: Ayes 14, Noes 2 (*with Alderpersons Juliana and Marks voting nay*). Motion carried.
- F.2. A motion was made by Alderperson Nudo and seconded by Alderperson Downing: To adopt **ORDINANCE NO. 48-11, an Ordinance By the Public Safety and Welfare Committee – To Amend Subsection 7.13 D.1. of the Code of General Ordinances Entitled “No Left Turn” that No Vehicle Shall Turn Left or Travel Straight from 87th Place at 30th Avenue (District #9).** A public hearing was held. No one spoke for or against this matter. Upon roll call, the vote was: Ayes 16, Noes 0. The motion carried.
- F.3. A motion was made by Alderperson Downing, seconded by Alderperson Prozanski: To Defer the proposed Ordinance By the Public Safety and Welfare Committee: To Repeal and Recreate Various Sections of Chapter 15 of the Code of General Ordinances Related to Off-Premise Signs. The public hearing was deferred. Upon voice vote, the motion carried.
- F.4. A motion was made by Alderperson Nudo, seconded by Alderperson Green: To adopt **ORDINANCE NO. 49-11, an Ordinance By the Public Safety and Welfare Committee – To Amend Section 7.12 C. of the Code of General Ordinances to Remove the Requirement All Vehicles Traveling on 63rd Street Shall Stop Before Entering the Intersection with 37th Avenue and to Amend Section 7.12 B of the Code of General Ordinances to Include a Four Way Stop at the Intersection of 63rd Street and 37th Avenue (District #11).** A public hearing was held. No one spoke for or against this matter. Upon roll call, the vote was: Ayes 15, Noes 0. The motion carried.
- F.5. A motion was made by Alderperson Bogdala, seconded by Alderperson Green: To adopt an Ordinance By the Public Safety and Welfare Committee – To Amend Section 7.12 C. of the Code of General Ordinances to Remove a Stop Sign on 68th Place at the Intersection with 59th Street and 111th Avenue; Remove a Stop Sign on 111th Court at the Intersection with 69th Street and 111th Avenue and to Amend Section 7.12 B of the Code of General Ordinances Entitled “Stop Streets” to Include a Four Way Stop at the Intersection of 68th Place and 111th Avenue/69th

Street and 111th Court (*District #17*). A public hearing was held. No one spoke for or against this matter. Discussion ensued. F.5.1. An amended motion was made by Alderperson Bogdala and seconded by Alderperson Green to replace 59th Street with 69th Street in the title of the Ordinance. The voice vote was unanimous and the motion carried. Upon roll call for the original motion as amended: To adopt **ORDINANCE NO. 50-11, an Ordinance By the Public Safety and Welfare Committee – To Amend Section 7.12 C. of the Code of General Ordinances to Remove a Stop Sign on 68th Place at the Intersection with 69th Street and 111th Avenue; Remove a Stop Sign on 111th Court at the Intersection with 69th Street and 111th Avenue and to Amend Section 7.12 B of the Code of General Ordinances Entitled “Stop Streets” to Include a Four Way Stop at the Intersection of 68th Place and 111th Avenue/69th Street and 111th Court (*District #17*)**. Upon roll call, the vote was: Ayes 15, Noes 0. The motion carried.

- F.6. Motion by Alderperson Nudo and seconded by Alderperson Ruffalo: To Deny the proposed Ordinance By the Mayor – To Repeal and Recreate Subsection 3.05.A. of the Code of General Ordinances Entitled “Duties” (*Annual Fire Prevention Inspection Fee*). A public hearing was previously held on 09/07/2011. Discussion ensued. F.6.1. A motion was made by Alderperson Orth and seconded by Alderperson Prozanski: To approve the proposed Ordinance as read above. Discussion followed. F.6.2. A motion was made by Alderperson Orth and seconded by Alderperson LaMacchia: To amend the proposed ordinance by removing “*Annual Fire Prevention Inspection*” from the wording of the proposed Ordinance, specifically to remove “Annual Fire Prevention Inspection” from Section A.1. lines three and four, Section A.2. line one, as well as changing the word “fee” to “fees”. Discussion ensued. A brief recess was called by the Mayor. The Common Council reconvened. F.6.1. And F.6.2. Motions were withdrawn. F.6.3. The Mayor called the question to end debate. Upon roll call, the vote was: Ayes 13, Nays 1 (*with Alderperson Kennedy voting nay*). The motion carried to end debate. F.6. Action was then taken on the original Denial Motion. The voting was canceled and reset. Upon roll call, the vote was: Ayes 5, Nays 10 (*with Alderpersons Kennedy, Misner, Prozanski, Orth, Downing, Michalski, LaMacchia, Ohnstad, Juliana, and Marks voting nay*). F.6.4. A motion was made by Alderperson Orth and seconded by Alderperson Prozanski: To consider amendments to the Ordinance, as stated and discussed under action item F.6.2. A voice vote was taken and passed unanimously. F.6.5. A motion was made by Alderperson Ruffolo and seconded by Alderperson Bostrom: To adopt **ORDINANCE NO. 51-11, as amended, By the Mayor – To Repeal and Recreate Subsection 3.05.A. of the Code of General Ordinances Entitled “Duties” (*Annual Fire Prevention Inspection Fee*)**. Upon roll call, the vote was: Ayes 10, Nays 4 (*with Alderpersons Nudo, Bostrom, Bogdala, and Ruffolo voting nay*). The motion carried.

G. ZONING ORDINANCES 2nd READING

- G.1. A motion was made by Alderperson Nudo and seconded by Alderperson Michalski: To adopt **ORDINANCE NO. 52-11, an Ordinance By the City Plan Commission – To Create Subsection 18.02 h. of the Zoning Ordinance to Adopt a New Comprehensive Outdoor Recreation Plan as Referenced in the Comprehensive Plan for the City (2035)**. A public hearing was held. No one spoke for or against this item. Upon roll call, the vote was: Ayes 15, Noes 0). Motion carried.

- G.2. A motion was made by Alderperson Orth and seconded by Alderperson Prozanski: To Deny a proposed Ordinance By Alderpersons Eric Haugaard, Rocco LaMacchia, Tod Ohnstad, Jan Michalski, Steve Bostrom and Jesse Downing - To Renumber Sections 3.03 F., 3.03 G., and 3.03 H. (of the Zoning Ordinance for the City of Kenosha) as Sections 3.03 G., 3.03 H., and 3.03 I. and to Create Section 3.03 F. Entitled Accessory Building Exemptions for Residential Property. A public hearing was held on 09/07/2011. Discussion ensued. G.2.1. A motion was made by Alderperson LaMacchia and seconded by Alderperson Juliana to Defer action on this matter. Upon a voice vote, the motion carried.
- G.3. A motion was made by Alderperson Bogdala and seconded by Alderperson Orth to Defer for 90 days the proposed Ordinance By the City Plan Commission - To Create Subsection 18.02 g. of the Zoning Ordinance to Amend the Land Use Plan Map for the City, 2035 (*District #17*). (*American Albanian Islamic Center of WI*) A public hearing was held. Greg Governatori from Kapur and Associates, 6025 S. Pine Street, Burlington, WI appeared and testified. After further discussion, the maker of the motion agreed to change the deferral to 120 days. Upon roll call, the vote was: Ayes 12, Noes 3 (*with Alderpersons Prozanski, Orth, and Michalski voting nay*). The motion carried and the item was deferred for 120 days.
- G.4. A motion was made by Alderperson Marks and seconded by Alderperson Ruffalo to Defer for 120 days the proposed Ordinance By the Mayor - To Rezone a Portion of the Property at 6001 88th Avenue from RR3- Urban Single-Family Residential to IP Institutional Park in Conformance with Section 10.02 of the Zoning Ordinance (*District #17*). (*American Albanian Islamic Center of WI*) A public hearing was held. No one spoke for or against this item. Upon voice vote, the motion carried.

H. RESOLUTIONS

- H.1. A motion was made by Alderperson LaMacchia and seconded by Alderperson Kennedy: To concur with the Finance Committee's recommendation to pass Resolutions, as follows: By the Finance Committee – *To Levy 5 Special Assessment Resolutions Upon Various Parcels of Property Located in the City per List on File in the Office of the City Clerk:*
- a. **RESOLUTION NO. 109-11, a Resolution approving Building and Zoning Reinspection Fees in the Total Amount of \$3,244.00**
 - b. **RESOLUTION NO. 110-11, a Resolution approving Property Maintenance Reinspection Fees in the Total Amount of \$3,858.00**
 - c. **RESOLUTION NO. 111-11, a Resolution approving Boarding and Securing in the Total Amount of \$1,858.48**
 - d. **RESOLUTION NO. 112-11, a Resolution approving Grass and Weed Cutting in the Total Amount of \$19,842.30**
 - e. **RESOLUTION NO. 113-11, a Resolution approving Graffiti Removal (Miscellaneous Assessment) in the Total Amount of \$220.00**
- A public hearing was held. No one spoke for or against this item. Upon roll call, the vote was: Ayes 15, Noes 0. The motion carried.

A motion was made by Alderperson Kennedy, seconded by Alderperson Nudo: To approve items H.2 and H.3. By omnibus vote, as follows:

- H.2. **RESOLUTION NO. 114-11, a Resolution By the Parks Commission – To Designate the Second Saturday of May as International Migratory Bird Day.**
- H.3. **RESOLUTION NO. 115-11, a Resolution By Alderperson G. John Ruffolo – To Authorize the Interim Director of Public Works to File the Recycling Grants to Responsible Units and Recycling Efficiency Incentive Grant Applications.**

Upon roll call, the vote was: Ayes 15, Noes 0. The motion carried.

- H.4. A motion was made by Alderperson Bostrom and seconded by Alderperson Nudo: To pass **RESOLUTION NO. 116-11, a Resolution By Alderperson Steve Bostrom – To Urge the Mayor to Evaluate and Pursue Raze Orders for all Vacant Gas Stations located in the City of Kenosha Pursuant to Section 16.12 of the General Code of Ordinances.** Discussion ensued. Upon roll call, the vote was: Ayes 15, Noes 0. The motion carried.

A motion was made by Alderperson Bostrom and seconded by Alderperson Nudo: To approve agenda items H.5. through K.2. by omnibus vote, as follows:

- H.5. **RESOLUTION NO. 117-11, a Resolution By Alderperson Jesse Downing – To Refund or Waive Certain Cabaret License Fees for the 2011-2012 License Year.**

I. APPOINTMENTS/REAPPOINTMENTS BY THE MAYOR

- I.1. Appointment of Amy Castelic to the Mayor's Youth Commission for a Term to Expire November 1, 2011
- I.2. Reappointments to the Library Board, as follows:
a. Barbara Micheln (term to expire July 1, 2014)
b. Thomas J. Noer (term to expire July 1, 2014)

J. PUBLIC CONSTRUCTION AND IMPROVEMENT CONTRACTS – None.

K. OTHER CONTRACTS AND AGREEMENTS

- K.1. Approval of Contract by and between the City of Kenosha Transit and the County of Kenosha and its Department of Human Services, Division of Aging and Disability Services in the amount of \$25,000.00.
- K.2. Approval of Assignment and Assumption of Lease between the City of Kenosha and Capital First Aviation, LLC., #10440 and Norstates Bank
Upon roll call, the vote was: Ayes 15, Noes 0. The motion carried.
- K.3. A motion was made by Alderperson Nudo and seconded by Alderperson Ruffalo: To Concur with the Finance Committee's Recommendation: To Approve of Agreement between the City of Kenosha and Brookstone Homes, Inc., as amended by the Finance Committee. Discussion

followed. K.3.1. A motion was made by Alderperson Kennedy and seconded by Alderperson Juliana to Defer this matter for two weeks. Discussion ensued. A voice vote was inaudible. Upon roll call, the vote was: Ayes 5, Noes 10 (*with Alderpersons Nudo, Bostrom, Misner, Prozanski, Orth, Downing, Bogdala, Ruffalo, Ruffolo, and LaMacchia*). The motion failed. K.3. Upon conclusion of further discussion, the roll call vote was: Ayes 13, Noes 2 (*with Alderpersons Kennedy and Juliana voting nay*). The motion carried.

- K.4. A motion was made by Alderperson Michalski and Alderperson Juliana: To approve the Proposed Extension of the Intergovernmental Agreement executed by the Menominee Indian Tribe of Wisconsin, the Menominee Kenosha Gaming Authority, City of Kenosha and the County of Kenosha. A public hearing was held. Eric Olson, 7705 49th Ave., Kenosha, WI, agent of behalf of the Kenosha Casino Project appeared and testified. K.4.1. A motion was made by Alderperson Ohnstad, and seconded by Alderperson LaMacchia to Extend this matter for 60 days. Upon request, County Board Chairman Mark Molinaro, Jr., 1010 56th Street, Kenosha, WI appeared and testified. Discussion ensued. K.4.2. A motion was made by Alderperson Ohnstad and seconded by Alderperson LaMacchia: To Amend the Extension from 60 to 90 Days. The voice vote was inaudible. Upon roll call, the vote was: Ayes 10, Noes 4 (*with Alderpersons Misner, Bogdala, Ruffalo, and Ruffolo voting nay*). The motion carried. K.4.1. Action was taken on the 90 Day Extension. The first roll call vote was canceled. Upon roll call, the vote was: Ayes 11, Noes 3 (*with Alderpersons Bogdala, Ruffalo, and Ruffolo voting nay*).
- K.5. A motion was made by Alderperson LaMacchia and seconded by Alderperson Ohnstad: To Approve the Short Sale Offer for 6207 5th Avenue - HELP LOAN. Discussion ensued. Upon request, Mary Dixon appeared and testified. Upon roll call, the vote was: Ayes 12, Noes 2 (*with Alderpersons Kennedy and Bostrom voting nay*). The motion carried.
- K.6. A motion was made Alderperson Nudo, seconded by Alderperson Downing: To Approve an Airport Lease Renewal between City of Kenosha, Wisconsin and James R. Kenevan #9420. Upon roll call, the vote was: Ayes 14, Noes 0. The motion carried.

L. RECOMMENDATIONS FROM THE COMMITTEE ON FINANCE

- L.1. A motion was made by Alderperson Kennedy and seconded by Alderperson Orth: To Approve the Disbursement Record #16 in the amount of \$21,841,268.62. Discussion ensued. Upon roll call, the vote was: Ayes 14, Noes 0. The motion carried.
- L.2. A motion was made by Alderperson Marks, seconded by Alderperson LaMacchia: To Concur with the Finance Committee's Recommendation to pass **RESOLUTION NO. 118-11, a Resolution to Correct Resolution No. 62-11** by Rescinding Snow Removal Special Assessment for Richard & Kristine Coshun, 7618-6th Ave. (06-123-07-103-015) \$239.00. A public hearing was held on 09/07/2011. Upon request, Richard & Kristine Coshun appeared and testified. Discussion ensued. Upon roll call, the vote was: Ayes 7, Noes 7 (*with Alderpersons Nudo, Bostrom, Misner, Prozanski, Orth, Bogdala, and Ruffolo voting nay*). The Mayor voted Aye to break the tie vote. The motion carried and the Special Assessment was rescinded.

- L.3. Motion by Alderperson Ohnstad, seconded by Alderperson LaMacchia: To Concur with the Recommendation by the Finance Committee: To Deny the Request to Rescind Weed Cutting Special Assessment for Jonathan Tutlewski, 5710-22nd Ave. (09-222-36-483-023) \$108.50. A public hearing was held. Jonathan Tutlewski appeared and testified. Discussion ensued. Upon roll call, the vote was: Ayes 12, Noes 2 (*with Alderpersons Kennedy and LaMacchia voting nay*). The motion carried.

M. RECOMMENDATIONS FROM THE COMMITTEE ON PUBLIC WORKS

N. RECOMMENDATIONS FROM THE COMMITTEE ON PUBLIC SAFETY & WELFARE

O. REPORTS AND RECOMMENDATIONS OF BOARDS AND COMMISSIONS

- O.1. Motion by Alderperson Prozanski and seconded by Alderperson Ohnstad: To Approve a Conditional Use Permit for a 4,794 s.f. Addition to the Horticultural Building for Gateway Technical College at 3520 30th Avenue (*District #5*). A public hearing was held. County Board Chairman Mark Molinaro, Jr. appeared and testified. Upon roll call, the vote was: Ayes 14, Noes 0. The motion carried.
- O.2. Motion by Alderperson Ruffolo and seconded by Alderperson Ohnstad: To Concur with the Kenosha Joint Services Board: To Appoint Candidate Thomas W. Genthner to the Position of Director for Kenosha Joint Services with appointment being in Accordance with the Intergovernmental Agreement. Discussion ensued. Thomas Genthner appeared and addressed the Common Council. Upon roll call, the vote was: Ayes 14, Noes 0. The motion carried. Applause.

P. ANY SUCH MATTERS AS ARE AUTHORIZED BY LAW OR REGULAR BUSINESS

A motion was made by Alderperson Bogdala and seconded by Alderperson Ruffalo: To go into Closed Session, pursuant to Wis. Stats. §19.85(1)(g) to discussion items P.1. through P.4. after the reading by the Clerk. As per the notice as provided in the agenda, the Common Council may or may not reconvene into open session for purposes of holding a hearing and making a final determination. And such matters as are authorized by law:

- P.1. Status of Litigation Regarding Adams Outdoor Advertising v. City of Kenosha, Case No. 10C-776 (U.S. Federal Court Eastern District of Wisconsin)
- P.2. Status of Litigation Regarding Bear Development LLC, v. City of Kenosha et. al., Case No. 10CV1141 (U.S. Federal Court Eastern District of Wisconsin)
- P.3. Status of Litigation Regarding Kenosha County v. City of Kenosha - Health Department, Case No. 10CV3329 (Kenosha County Circuit Court)

P.4. Status of Litigation Regarding Kenosha County v. City of Kenosha - Redistricting, Case No. 11CV1813 (Kenosha County Circuit Court)

Upon roll call, the vote was: Ayes 12, Noes 0. Thereupon the meeting was closed to the public at 11:10 p.m. For the record, Alderperson Bostrom was not present during the discussion of Agenda Item P.1. And Alderperson Nudo was not present during the discussion of Agenda Item P.2.

A motion was made by Alderperson Ruffalo and seconded by Alderperson Michalski: To Reconvene the meeting into Open Session at 12:55 a.m. The voice vote was unanimous and the motion carried.

ADJOURNMENT

There being no further business to come before the Common Council, it was moved by Alderperson Michalski, seconded by Alderperson Ruffalo: To adjourn the meeting at 12:55 a.m. The voice vote was unanimous and the motion carried.

Approved:

**KEITH G. BOSMAN
MAYOR**

Attest:

**MICHAEL HIGGINS
CITY CLERK**

**COMMON COUNCIL
OFFICIAL PROCEEDINGS**

Monday, October 3, 2011

**Keith G. Bosman, Mayor Michael K. Higgins, City Clerk
Council Chambers – Room 200 – Kenosha Municipal Building**

At a meeting of the Common Council this evening, His Honor, Mayor Keith G. Bosman presided. The meeting was called to order at 7:33 p.m.

Upon Roll Call, the following members of the Common Council were present: Alderpersons Bogdala, Bostrom, Downing, Green, Haugaard, Juliana, Kennedy, Marks, Michalski, Misner, Nudo, Ohnstad, Orth, Prozanski, Ruffalo, and Ruffolo. Alderperson LaMacchia was excused.

A moment of silence was followed by the Pledge of Allegiance led by Mayor Bosman.

MINUTES

A motion was made by Alderperson Kennedy and seconded by Alderperson Green to approve by omnibus vote the minutes of September 7, 2011, September 19, 2011 and September 22, 2011, as amended. The voice vote was unanimous and the motion carried.

Matters referred to the Committees by the Mayor - None.

PRESENTATIONS

Presentation, Commendations and Awards by Mayor – Army Sargent Dan Gitzlaff presented the United States Flag flown by the U.S. Army in Afghanistan on September 11, 2011 for 11 minutes. The presentation was coordinated by Rachel Harrison. The flag will be on display in the City's Municipal Building.

Mayor Bosman presented the draft 2012 Operating Budget and draft 2012 Capital Improvements Budget (copies are available for viewing in the Finance Department).

Awards and Commendations from Boards, Commissions, Authorities and Committees – None.

CITIZENS' COMMENTS

One (1) Citizen spoke during Citizen's Comments: Sharon Szarbailo, 4108-45th Street, Kenosha, WI

A. REFERRALS

TO THE COMMITTEE ON FINANCE

- A.1. Proposed Resolution by Alderperson Jesse L. Downing – To Prohibit Carrying, Possessing or Controlling a Weapon in any City Owned, Occupied or Controlled Building. *(Also referred to PSW.)*

TO THE PUBLIC WORKS COMMITTEE

- A.2. Proposed Resolution by Alderperson Michael J. Orth – To Subname 58th Street between its Intersections with Sheridan Road and 7th Avenue as “Howard Brown Drive” *(Districts #1 & 2).*

B. COMMUNICATIONS, PETITIONS, REPORTS OF DEPARTMENTS

- B.1. A motion was made by Alderperson Nudo and seconded by Alderperson Kennedy: To concur with the Licensing/Permit Committee and Approve the following applications per list on file in the Office of the City Clerk:
- a. 9 Operator's (Bartenders) license(s).
 - b. 0 Transfer of Agent Status of Beer and/or Liquor license(s).
 - c. 3 Special Class "B" Beer and/or Special "Class B" Wine license(s).
 - d. 0 Taxi Driver License(s).
- Upon voice vote, the motion carried.

C. RECOMMENDATIONS FROM THE COMMITTEE ON LICENSING/PERMITS

NOTE: All licenses and permits are subject to withholding of issuance by the City Clerk as specified in Section 1.045 of the Code of General Ordinances.

- C.1. A motion was made by Alderperson Nudo and seconded by Alderperson Kennedy: To concur with the Licensing/Permit Committee and Approve the following Applications for new Operator's (Bartender) licenses, with a recommendation from the City Attorney to grant:
- a. Sheyla Rickabaugh (*subject to 20 demerit points*)
 - b. Aislinn Vega (*subject to 20 demerit points*)
 - c. Tyler Jake (*subject to 20 demerit points*)
 - d. Hayley Kolar (*subject to 20 demerit points*)
 - e. Kristin Holcomb (*subject to 40 demerit points*)
- A hearing was held. No applicants appeared. Upon voice vote, the motion carried.
- C.2. A motion was made by Alderperson Nudo and seconded by Alderperson Green: To concur with the recommendations of the Licensing/Permit Committee and Deny the following applications for new Operator's (Bartender) licenses based on *material police record*: a. Baron Olsen, and b. Riley Sengbusch. A hearing was held. Applicant Baron Olsen appeared and testified. C.2.1. A motion was made by Alderperson Nudo and seconded by Alderperson Ohnstad: To separate items C2a and C2b. The voice vote was unanimous and the motion carried. C.2.2. A motion was made by Alderperson Kennedy and seconded by Alderperson Nudo to Refer item C2a regarding the application of Baron Olsen back to the Licensing/Permit Committee. Upon voice vote, the motion carried. C.2.3. A motion was made by Alderperson Kennedy and seconded by Alderperson Nudo: To concur with the Licensing/Permit Committee and Deny the following Applications for new Operator's (Bartender) licenses based on *material police record*: b. Riley Sengbusch. Upon voice vote, the motion carried.
- C.3. A motion was made by Alderperson Nudo and seconded by Alderperson Green: To concur with the Licensing/Permit Committee and Approve Application for new Operator's (Taxi Driver's) licenses, *subject to 80 demerit points*: a. David Gerger. A hearing was held. The applicant appeared and testified. Upon voice vote, the motion carried.

- C.4. A motion was made by Alderperson Michalski and seconded by Alderperson Ruffalo: To concur with the Licensing/Permit Committee and Deny Application for new Operator's (Taxi Driver's) licenses based on *material police record*: a. Rico Davis, Sr. A hearing was held. The applicant appeared and testified. Upon voice vote, the motion carried.
- C.5. A motion was made by Alderperson Nudo and seconded by Alderperson Ruffalo: To concur with the Licensing/Permit Committee and Deny Application for new Operator's (Taxi Driver's) license based on *material police record*: a. Raquel Flores. A hearing was held. The applicant did not appear. Upon voice vote, the motion carried.
- C.6. A motion was made by Alderperson Downing and seconded by Alderperson Nudo: To concur with the Licensing/Permit Committee and Approve Application of ECW, Inc. of Kenosha (*Edward Wamboldt, Agent*), for permission to maintain the Class "B" Beer/"Class B" Liquor License, (*not open for business within ninety (90) days*) located at 4235 Green Bay Road, Suite 7 (*Slice*). (District #16) A hearing was held. The applicant did not appear. Upon voice vote, the motion carried.
- C.7. A motion was made by Alderperson Nudo and seconded by Alderperson Green: To concur with the Licensing/Permit Committee and Approve 54 Applications and Deny 1 Application of Kenosha Tap for Yearly Cabaret Licenses (2011 – 2012 Term), with no adverse recommendations per list on file in the Office of the City Clerk. A hearing was held. No applicants appeared. Discussion followed. C.7.1. A motion was made by Alderperson Kennedy and seconded by Alderperson Green: To separate out the application of Kenosha Tap. The voice vote was unanimous and the motion carried. Discussion ensued. C.7.2. A motion was made by Alderperson Ohnstad and seconded by Alderperson Michalski to Defer the application of Our Kenosha Tap to provide the applicant an opportunity to come into compliance with the City Ordinances. Discussion ensued. Upon voice vote, the motion failed. C.7.a. Thereupon the conclusion of said discussion, action was taken: To concur with the Licensing/Permit Committee and Deny the Application of Our Kenosha Tap for a Yearly Cabaret License (2011-2012 Term). Upon roll call, the vote was: Ayes 12, Nays 4 (*with Alderpersons Kennedy, Downing, Michalski, and Ohnstad voting nay*). The motion carried. C.7.b. Immediately following, action was taken: To concur with the Licensing/Permit Committee and Approve 54 Applications for Yearly Cabaret Licenses (2011-2012 Term) per list on file in the Office of the City Clerk. Upon voice vote, the motion carried. Alderperson Green abstained from voting and any discussion on the application of VFW.
- C.8. A motion was made by Alderperson Nudo and seconded by Alderperson Downing: To concur with the Licensing/Permit Committee and Deny the Application of GMR Entertainment, LLC, for a Yearly Cabaret License (2011-2012 Term), with an adverse recommendation (*District #12*). A public hearing was held. The applicant did not appear. Upon voice vote, the motion carried.

D. ORDINANCES 1ST READING

- D.1. The Mayor announced that this Ordinance has been pulled from its first reading: By Alderperson

Jesse L. Downing – To create Section 11.035 E. of the Code of General Ordinances entitled “Trespass” and to Repeal and Recreate Section 11.06D. Entitled “Carrying Concealed Weapons”.

A motion was made by Alderperson Nudo and seconded by Alderperson Kennedy: To send items D2 through E3 on their way upon being read by the Clerk, as follows:

- D.2. By Alderperson Ray Misner - To Repeal and Recreate Various Sections of the Code of General Ordinances to Reflect the Change in Responsibilities of the “Committee on Licensing/Permit” allocating them to the “Commission on Licensing/Permit” or “Committee on Judicial Review” or Similar Terminology Wherever Those Phrases Appear.
- D.3. By the Mayor - To repeal and recreate Section 1.05 K. as “Department of Community Development ”; to repeal Section 1.05 N. entitled “Department of Neighborhood Services and Inspections”; to repeal and recreate Sections 1.15 B. and 1.15 C. entitled “Annexation Ordinances Preliminary Reports”; to repeal and recreate Paragraph 17.11 A.7 entitled “Enforcement”; to amend various sections of the Code of General Ordinances to reflect a change in name by substituting “Department of Community Development” for the “Department of City Development” and the “Department of Neighborhood Services and Inspections” or similar terminology wherever those phrases appear; and to amend various sections of the Code of General Ordinances to reflect a change in name by substituting “Director of Community Development” for “City Planner” or similar terminology wherever that phrase may appear.

E. ZONING ORDINANCES 1ST READING

- E.1. By the Mayor - To Create Subsection 18.02 j. of the Zoning Ordinance to Amend the Comprehensive Plan to add a portion of right-of-way at 39th Avenue and 24th Street to the Official Map (District #5).
- E.2. By the Mayor - To Create Subsection 18.02 k. of the Zoning Ordinance to Amend the Comprehensive Plan to add a portion of right-of-way at 51st Street between 17th and 18th Avenues to the Official Map (*District #7*).

Upon Items D2 through E2 being read: A voice vote was taken and the motion carried.

- E.3. To send this item on its way. By the Mayor - To Repeal and Recreate various Sections of the Zoning Ordinance for the City of Kenosha to reflect a change in name by substituting “Department of Community Development” for the “Department of City Development” and the “Department of Neighborhood Services and Inspections” or similar terminology wherever those phrases appear; To Amend various Sections of the Zoning Ordinance to reflect a change in name by substituting “Director of Community Development” for “City Planner”; To Amend various Sections of the Zoning Ordinance to reflect a change in name by substituting “Department of Community Development” for “City Plan Division” or similar terminology wherever those phrases appear; To Amend various Sections of the Zoning Ordinance to replace the terms “Chief of Inspection” and “Zoning Administrator” with “Administrator”; To Amend the following

various Sections of the Zoning Ordinance 12.0 B. entitled “Specific Words and Phrases” by replacing “Chief of the Inspection Department” with “Director of the Department of Community Development”; To Create a Definition for the “Department of Community Development”; To Repeal the Definition of “Division (CPD)”; and To Amend “Review Authority”. The voice vote was unanimous and the motion carried.

Upon Item E3 being read: A voice vote was taken and the motion carried.

F. ORDINANCES 2ND READING

- F.1. A motion was made by Alderperson Kennedy and seconded by Alderperson Green: To adopt an Ordinance By the Public Safety and Welfare Committee – To Repeal and Recreate Various Sections of Chapter 15 of the Code of General Ordinances Related to Off-Premise Signs. A public hearing was held on 09/19/2011. F.1.1. A motion was made by Alderperson Orth and seconded by Alderperson Green: To amend the Ordinance as recommended by the Public Safety and Welfare Committee. Upon voice vote, the motion carried. Discussion ensued. F.1.2. A motion was made by Alderperson Ruffalo and seconded by Alderperson Michalski: To Defer after holding a public hearing. F.1.3. A motion was made by Alderperson Kennedy and Alderperson Michalski: To open a public hearing. The voice vote was unanimous and the motion carried. A public hearing was held. Two (2) people testified: Jason Sorry, Cottage Grove, WI 53527 & Mike Rausch, Mequon, WI 53092. Upon further discussion this matter was deferred.
- F.2. A motion was made by Alderperson Orth and seconded by Alderperson Green: To approve an Ordinance, By the Mayor - To Create, Amend, Repeal, Recreate and Renumber Various Provisions of 13.0112 of the Code of General Ordinances Entitled “Non-Structural Demolition”. F.2.1. The Mayor requested that this matter be deferred. A motion was made by Alderperson Orth and seconded by Alderperson Green: To Defer this item. A public hearing was held. No one spoke for or against this item. Upon voice vote, the motion carried.
- F.3. A motion was made by Alderperson Ohnstad and seconded by Alderperson Green: To Defer consideration of an Ordinance, By the Mayor - To Repeal and Recreate Various Provisions of Section 9.17 of the Code of General Ordinances for the City of Kenosha entitled “Razing of Buildings” Relating to Alternate Forms of Security, Operating Requirements, and Exceptions and Exemptions to the Requirements. A public hearing was held. No one spoke for or against this item. Upon voice vote, the motion carried.

G. ZONING ORDINANCES 2ND READING

- G.1. A motion was made by Alderperson Kennedy and seconded by Alderperson Green: To adopt **ORDINANCE NO. 53-11, an Ordinance By Alderpersons Eric Haugaard, Rocco LaMacchia, Tod Ohnstad, Jan Michalski, Steve Bostrom , Jesse Downing, and Anthony Nudo - To Renumber Sections 3.03 F., 3.03 G., and 3.03 H. of the Zoning Ordinance for the City of Kenosha as Sections 3.03 G., 3.03 H., and 3.03 I. and to Create Section 3.03 F. Entitled Accessory Building Exemptions for Residential Property.** A public hearing was held

on 9/07/2011. Discussion ensued. G.1.1. A motion was made by Alderperson Prozanski and seconded by Alderperson Misner: To amend the Ordinance to include a \$500 Application Fee. Discussion ensued. Upon roll call vote: Ayes 10, Nays 5 (*with Alderpersons Haugaard, Downing, Ruffalo, Michalski, Ohnstad, and Marks voting nay*). The motion carried. F.1. Action was then taken on the original motion. Upon roll call vote: Ayes 11, Nays 5 (*with Alderpersons Misner, Prozanski, Orth, Bogdala, and Ruffolo voting nay*). The motion carried.

- G.2. A motion was made by Alderperson Kennedy and seconded by Alderperson Downing: **To adopt ORDINANCE NO. 54-11, an Ordinance By the Mayor and Alderperson Ray Misner - To Rezone properties at 2929 75th Street from M-1 Light Manufacturing District and RG-1 General Residential District to B-2 Community Business District in conformance with Section 10.02 of the Zoning Ordinance (Southport Lumber Company) (District #13).** A public hearing held on 8/15/2011. Discussion ensued. Upon roll call vote: Ayes 15, Nays 0. The motion carried.
- G.3. A motion was made by Alderperson Kennedy and seconded by Alderperson Michalski: To adopt **ORDINANCE NO. 55-11, an Ordinance By the City Plan Commission to Create Subsection 18.02 i. of the Zoning Ordinance to Amend the Land Use Plan for the City of Kenosha: 2035 (Murillo; 6832 24th Avenue) (District #12).** A public hearing was held. No one spoke for or against this item. Upon roll call vote: Ayes 15, Nays 0. The motion carried.
- G.4. A motion was made by Alderperson Green and seconded by Alderperson Michalski: To adopt **ORDINANCE NO. 56-11, an Ordinance By the Mayor - To Rezone property at 6832 24th Avenue from RG-1 General Residential District to B-2 Community Business District in conformance with Section 10.02 of the Zoning Ordinance (Murillo) (District #12).** A public hearing was held. No one spoke for or against them item. Upon roll call vote: Ayes 16, Nays 0. The motion carried.

H. RESOLUTIONS

- H.1. A motion was made by Alderperson Bogdala and seconded by Alderperson Ohnstad: To Concur with the Finance Committee's Recommendations to Approve Resolutions By the Finance Committee – To Levy Seven (7) Special Assessment Resolutions Upon Various Parcels of Property Located in the City per List on File in the Office of the City Clerk:
- a. **RESOLUTION NO. 119-11, a Resolution for Boarding and Securing in the Total Amount of \$658.24**
 - b. **RESOLUTION NO. 120-11, a Resolution for Grass and Weed Cutting in the Total Amount of \$10,471.05**
 - c. **RESOLUTION NO. 121-11, a Resolution for Property Maintenance Reinspection Fees in the Total Amount of \$4,686.00**
 - d. **RESOLUTION NO. 122-11, a Resolution for Razing of Properties in the Total Amount of \$45,346.48**
 - e. **RESOLUTION NO. 123-11, a Resolution for Permit Fees in the Total Amount of \$12,335.20**

- f. **RESOLUTION NO. 124-11, a Resolution for Building and Zoning Reinspection Fees in the Total Amount of \$19,214.00**
- g. **RESOLUTION NO. 125-11, a Resolution for Erosion Control Reinspection Fees in the Total Amount of \$986.00**

A public hearing was held. No one spoke for or against these items. Discussion ensued. Upon roll call vote: Ayes 16, Nays 0. The motion carried.

- H.2. A motion was made by Alderperson Bogdala and seconded by Alderperson Michalski: To approve **RESOLUTION NO. 126-11, a Resolution By the Finance Committee – To Levy a Special Assessment under Authority of Charter Ordinance No. 26, (As Amended)**. A hearing was held. No one spoke for or against this item. Upon roll call vote: Ayes 16, Nays 0. The motion carried.
- H.3. A motion was made by Alderperson Kennedy and seconded by Alderperson Green: To approve **RESOLUTION NO. 127-11, a Resolution By the Finance Committee - To Levy Special Assessments for Hazardous Walk and Driveway Approach Repair Only (for Project 11-1012 Resurfacing Phase / 32nd Avenue - 60th Street to 55th Street, Taft Road – Pershing Blvd to 39th Avenue, 25th Avenue - 32nd Street to 31st Street to be levied against the respective parcels of property as shown by a report of the City Engineer and filed in the office of the City Clerk of the City of Kenosha), in the Total Amount of \$33,211.70. (District # 5, 11, 13, & 15)** A hearing was held. No one spoke for or against this item. Upon roll call vote: Ayes 16, Nays 0. The motion carried.

A motion was made by Alderperson Kennedy and seconded by Alderperson Green: To Concur with the Committees' Recommendations to approve items H4 through M1 by omnibus vote after being read by the Clerk, as follows:

- H.4. **RESOLUTION NO. 128-11, a Resolution By Finance Committee – To Amend the City of Kenosha Capital Improvement Program for 2010 by Decreasing SW10-004 “Flood Control Management” in the amount of \$35,000 and Increasing SW93-005 “Curb and Gutter” in the amount of \$35,000 for a net change of \$0.**

I. APPOINTMENTS/REAPPOINTMENTS BY THE MAYOR

J. PUBLIC CONSTRUCTION AND IMPROVEMENT CONTRACTS

K. OTHER CONTRACTS AND AGREEMENTS

L. RECOMMENDATIONS FROM THE COMMITTEE ON FINANCE

- L.1. To approve the Disbursement Record #17 in the amount of \$3,940,596.88.
- L.2. To concur with the Finance Committee's Recommendation to DENY the Request to Rescind Reinspection Fees in the amount of \$162.00 (Ref.#149090) 5024 Green Bay Road / Property

Owner: Bay Ridge Center, LLC (*District # 16*).

- L.3. To concur with the Finance Committee's Recommendation to Approve a Change Order for Project 11-1208 Sidewalk & Curb/Gutter Program (Citywide Locations) (*All Districts*).

M. RECOMMENDATIONS FROM THE COMMITTEE ON PUBLIC WORKS

- M.1. To concur the Recommendation for the Committee on Public Works and Approve Final Acceptance of Project 10-1017 39th Avenue Reconstruction (30th Street to 24th Street) completed by Payne & Dolan, Inc., (Kenosha, Wisconsin), in the amount of \$1,401,112.51 (*District #5*).

Upon roll call vote: Ayes 16, Nays 0. The motion carried for items H4 through M1.

N. RECOMMENDATIONS FROM THE COMMITTEE ON PUBLIC SAFETY & WELFARE

O. REPORTS AND RECOMMENDATIONS OF BOARDS AND COMMISSIONS

P. ANY SUCH MATTERS AS ARE AUTHORIZED BY LAW OR REGULAR BUSINESS

Mayor Bosman announced that the first meeting of the Legislative Commission is scheduled for Monday, October 10, 2011.

ADJOURNMENT

There being no further business to come before the Common Council, it was moved by Alderperson Green and seconded by Alderperson Ruffolo: To adjourn the meeting at 9:23 p.m. The voice vote was unanimous and the motion carried.

Approved:

KEITH G. BOSMAN
MAYOR

Attest:

MICHAEL HIGGINS
CITY CLERK

**COMMON COUNCIL
OFFICIAL PROCEEDINGS**

Wednesday, October 12, 2011

**Keith G. Bosman, Mayor Michael K. Higgins, City Clerk
Council Chambers – Room 200 – Kenosha Municipal Building**

At a special meeting of the Common Council this evening, His Honor, Mayor Keith G. Bosman presided. The meeting was called to order at 6:30 p.m.

Upon Roll Call, the following members of the Common Council were present: Alderpersons Bogdala, Bostrom, Downing, Green, Kennedy, LaMacchia, Michalski, Misner, Nudo, Ohnstad, Orth, Prozanski, Ruffalo, and Ruffolo. Alderperson Marks arrived at the start of Closed Session. Alderpersons Haugaard and Juliana were excused.

The Pledge of Allegiance led by Mayor Bosman. A motion was made by Alderperson Kennedy and seconded by Alderperson Ohnstad: To suspend the dress code. Motion carried unanimously (14/0).

F. ORDINANCES 2nd READING

- F.1 A motion was made by Alderperson Nudo and seconded by Alderperson Michalski: To approve after being read, as follows: **ORDINANCE NO. 57-11, an Ordinance by the Mayor: To Create, Amend, Repeal, Recreate and Renumber Various Provisions of 13.0112 of the Code of General Ordinances Entitled “Non-Structural Demolition”**. Motion carried unanimously (14/0).
- F.2 A motion was made by Alderperson Nudo and seconded by Alderperson Kennedy: To approve after being read, as follows: **ORDINANCE NO. 58-11, an Ordinance by the Mayor: To Repeal and Recreate Various Provisions of Section 9.17 of the Code of General Ordinances for the City of Kenosha Entitled “Razing of Buildings” relating to Alternate Forms of Security, Operating Requirements, and Exceptions to the Requirements**. Motion carried unanimously (14/0).

H. RESOLUTIONS

- H.1 At 6:32 p.m., a motion was made by Alderperson Nudo and seconded by Alderperson Ohnstad: To enter into Closed Session pursuant to Wis. Stats. § 19.85 (1) (g) to discuss the settlement of the litigation in the context of litigation strategies with the City's Legal Counsel. Motion carried unanimously (14/0).

Alderperson Marks arrived at the start of Closed Session.

A motion was made by Alderperson Prozanski and seconded by Alderperson Misner: To reconvene into Open Session at 7:25 p.m. Motion carried unanimously (15/0).

A motion was made by Alderperson Nudo and seconded by Alderperson Michalski: To approve after being read item H1 and N1 by omnibus vote, as follows:

- H.1. **RESOLUTION NO. 129-11, a Resolution by the Mayor: To Accept the Stipulation and Agreed Order between Old Carco Liquidation Trust, the United States Government, the State of Wisconsin and the City of Kenosha et.al.**

**N. RECOMMENDATIONS FROM
THE COMMITTEE ON PUBLIC SAFETY & WELFARE**

N.1 Approval of an Application of Old Carco Liquidation Trust for Non-Structural Demolition Permit for property located at 5555 30th Avenue.

The motion carried unanimously (15/0).

ADJOURNMENT

There being no further business to come before the Common Council, it was moved by Alderperson Michalski and seconded by Alderperson Green: To adjourn the meeting at 7:28 p.m. The voice vote was unanimous (15/0) and the motion carried.

Approved:

**KEITH G. BOSMAN
MAYOR**

Attest:

**MICHAEL HIGGINS
CITY CLERK**



City of Kenosha
Department of Neighborhood Services and Inspections
625 52nd Street, Room 100, Kenosha, WI 53140
Phone: 262.653.4263, Fax: 262.653.4254

Building Inspection

Property Maintenance

Zoning Enforcement

TO: Keith G. Bosman, Mayor
Members of the City of Kenosha Common Council

FROM: Paula A. Blise, Zoning Coordinator *P. Blise*
Department of Neighborhood Services and Inspections

SUBJECT: Special Exception Request to install a 12 s.f. sign onto a pre-existing 80 s.f. monument sign (Total sign area requested: 92 s.f.)
Petitioner: Ed Wamboldt Location: 4235 Green Bay Road
October 17, 2011 Common Council Agenda Item

DATE: October 4, 2011

The City of Kenosha Sign Ordinance allows installation of the following signs, if the sign and/or sign structure does not maintain a fifteen (15') foot setback from all property lines:

Monument sign: 80 s.f. total surface area; maximum height: 10';
Freestanding pole sign: 49 s.f. sign area; maximum height: 15'

A conforming monument sign, as photographed below, exists on the petitioner's property, and maintains an eight (8') setback from the petitioner's property line.



The petitioner is requesting relief to install an additional twelve (12) square foot sign onto the existing sign, resulting in a total sign area of ninety-two (92) s.f.

Supplemental Information

The applicant makes reference to the Barth Storage sign, (photograph below) which consists of an overall sign and sign structure area of ninety-four (94[±]) square feet.



Documentation related to the issuance of permits obtained to erect the Barth Storage sign are unavailable, and it is conceivable that the sign was installed prior to the enactment of current Sign Ordinance standards.

The petitioner's request to install a 12 s.f. message board cannot be granted by staff, as the sign does not maintain a fifteen (15') foot setback from the private property line. The petitioner is unable to maintain the fifteen (15') foot property line, as a relocation of the sign to meet that criteria would situate the sign in the parking lot of the subject property.

The Department of Neighborhood Services and Inspections is not adverse to approval of the petitioner's request.

:pab

CITY OF KENOSHA
DEPARTMENT OF NEIGHBORHOOD SERVICES AND INSPECTIONS

COPY

CHAPTER 15 - SIGN ORDINANCE
APPEALS / SPECIAL EXCEPTIONS TO COMMON COUNCIL
APPLICATION FORM

625 52nd Street · Kenosha, WI 53140 · Telephone: 262.653.4263

OWNER Edward Wamboldt PHONE NUMBER 262-945-1798

ADDRESS 4235 Green Bay Road Kenosha, WI 53144

If the applicant is other than the property owner, a notarized signature of the property owner authorizing the applicant to act on his/her behalf is required

APPLICANT Edward Wamboldt PHONE NUMBER 262-945-1798

ADDRESS 4235 Green Bay Road Kenosha, WI 53144

ADDRESS OF SPECIAL EXCEPTION REQUEST 4235 Green Bay Road Kenosha, WI 53144
(If the property is undeveloped, a parcel number is required)

SPECIFIC SPECIAL EXCEPTION USE BEING REQUESTED See attached letter

Attach the necessary supplemental forms as defined in the
"SPECIAL EXCEPTION APPLICATION INSTRUCTIONS"

Documentation: On a separate sheet(s) of paper, a full justification of your request is required.

I hereby authorize City of Kenosha's staff and elected officials to inspect the premises of the above-described property. I hereby affirm that all statements herein and attached hereto are true and correct to the best of my knowledge and belief.

[Signature]
SIGNATURE (Owner or Agent for Owner)

9/6/11
DATE

FOR OFFICIAL USE ONLY
Date Filed _____ Receipt Number _____

September 6, 2011

Paula A. Blise
City of Kenosha Zoning Coordinator
Dept. of Neighborhood Services & Inspections
625 52nd Street, Room 100
Kenosha, WI 53140

Paula,

We would like to add a message board on the top of our existing sign located at 4235 Green Bay Road Kenosha, WI. The current monument sign is 8 feet by 8 feet with a 2 foot by 8 foot base. It sits 25.5 feet from the road. The message board we would like to install is approximately 2 feet by 6 feet which would add an additional 12 square feet of signage to the already existing monument. The actual signage is approximately 64 sq. feet. The set back from the private property line is however is only 8 feet.

Enclosed please find pictures of our sign and Barth Storage sign.

Note: Barth Storage sign is 7 feet wide by 12 feet 6 inches high with a 2 foot by 5 foot 6 inch base and is also only approximately 8 feet off of private property line.

Thank you for your consideration in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ed Wamboldt', with a long horizontal flourish extending to the right.

Ed Wamboldt

COPY

CITY OF KENOSHA
DEPARTMENT OF NEIGHBORHOOD SERVICES & INSPECTIONS
625-52ND STREET, ROOM 100 KENOSHA, WI 53140

RECEIVED FROM: ECW INC. OF KEN.DBA SLICE
DATE RECEIVED: OCTOBER 04, 2011
AMOUNT RECEIVED: \$125.00
OPERATOR ID.: HGAILR

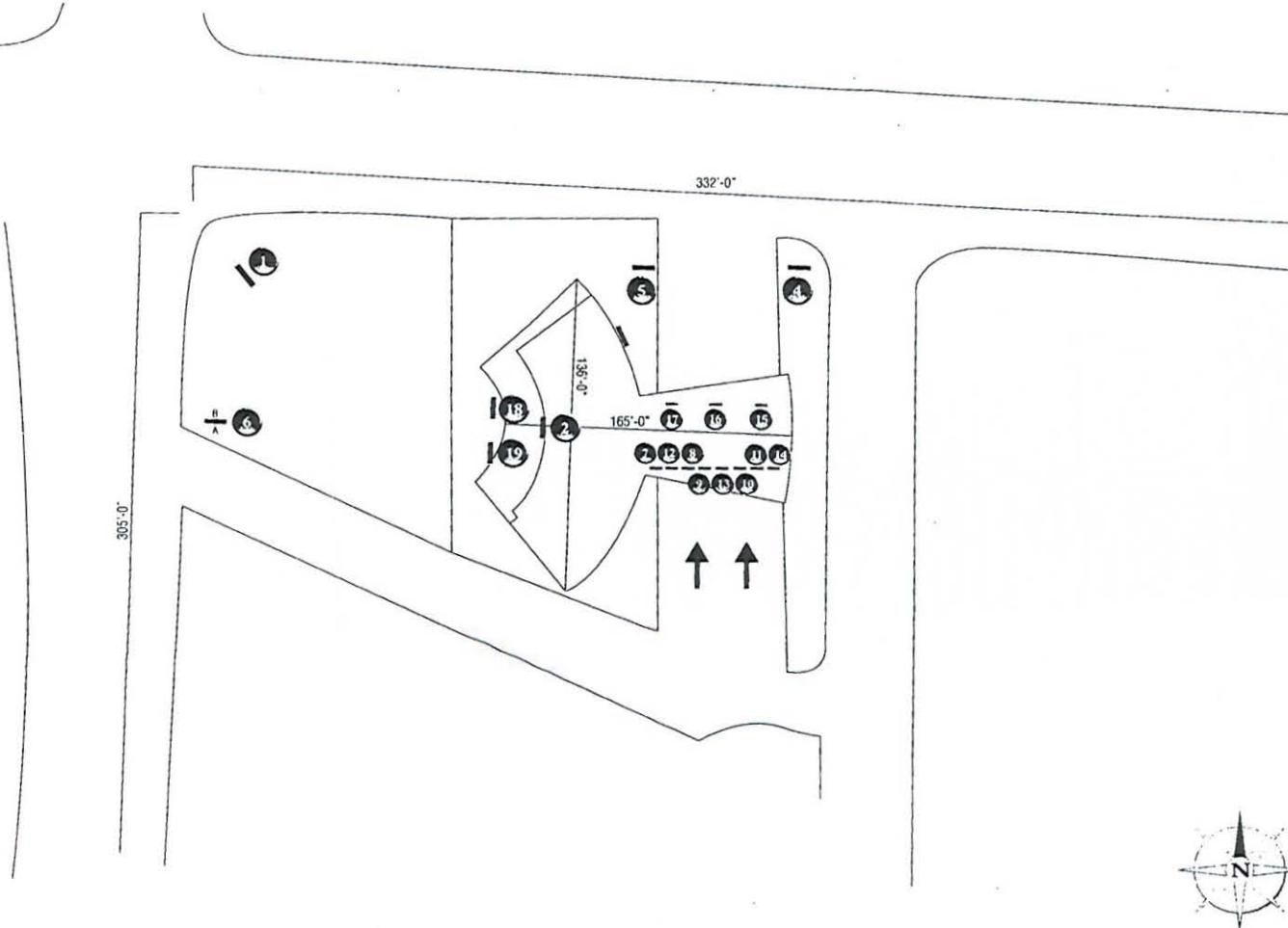
RECEIPT TYPE: MISCELLANEOUS
PAYMENT METHOD: CHECK NO.: 503

DESCRIPTION	AMOUNT
=====	=====
ED WAMBOLDT/4235 GREEN BAY RD. SIGN APPEAL TO COMMON COUNCIL	\$125.00

SIGN LEGEND & LOCATION PLAN

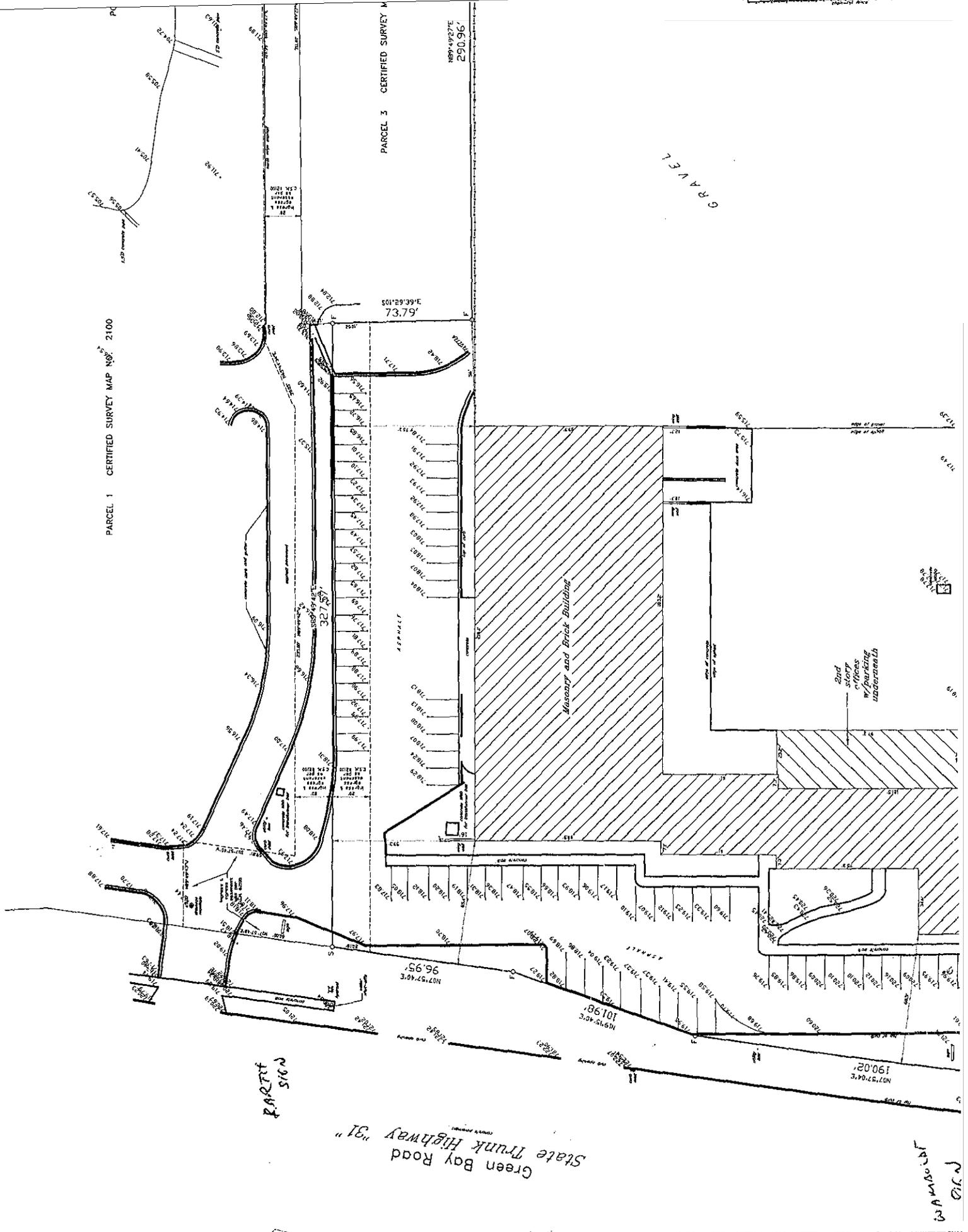
Common Council Agenda Item B2

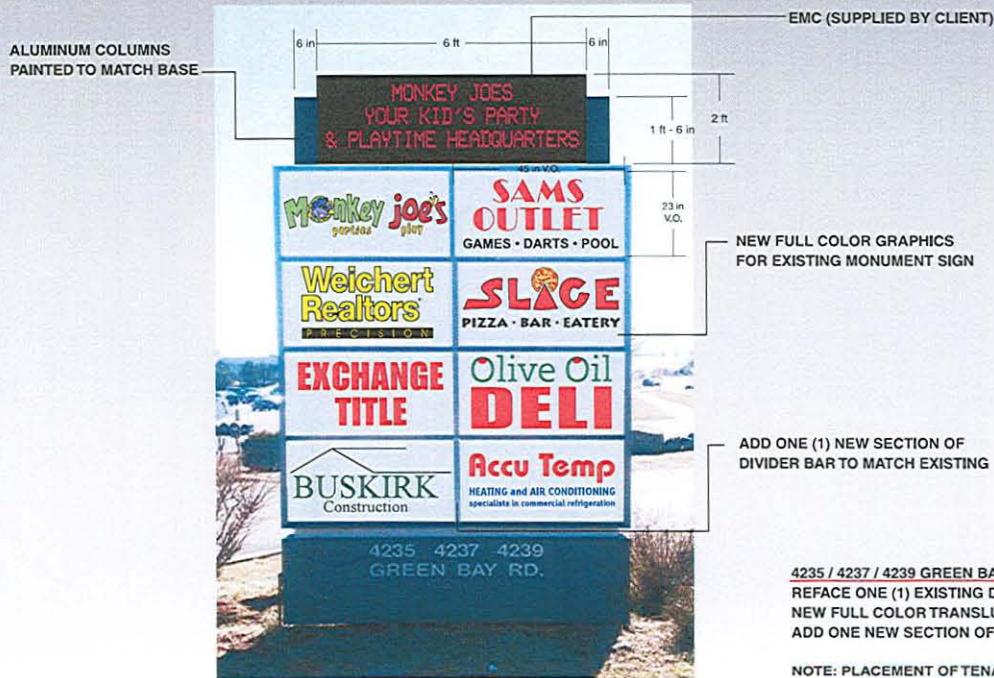
October 17, 2011 Page 6



Proposed Sign Inventory

Site #	#	Sign Code	Description
515792	1	P-100	Pylon
515792	2	LIF-WBO-12	Channel Letters
515792	3	LIF-WBO-16	Channel Letters
515792	4	D-5	Directional
515792	5	D-5	Directional
515792	6	D-5	Directional
515792	7	DU-B	Land Designator
515792	8	DU-B	Land Designator
515792	9	DU-B	Land Designator
515792	10	DU-B	Land Designator
515792	11	DU-C	Land Designator
515792	12	TC-CL-W	Clearance
515792	13	TC-CL-W	Clearance
515792	14	TC-CL-W	Clearance
515792	15	TC-W-H	Regulatory
515792	16	TC-W-H	Regulatory
515792	17	TC-W-H	Regulatory
515792	18	TC-P-C-ADA	Regulatory
515792	19	TC-P-C-ADA	Regulatory
515792	20	REMOVE/REPLACE	Remove/Replace
515792	21	REMOVE/REPLACE/RESTORE	Remove/Replace/Rest
515792	22	REMOVE/REPLACE	Remove/Replace
515792	23	REMOVE/REPLACE	Remove/Replace
515792	24	REMOVE/REPLACE	Remove/Replace
515792	25	REMOVE/REPLACE/RESTORE	Remove/Replace/Res
515792	26	REMOVE/REPLACE/RESTORE	Remove/Replace/Res
515792	27	REMOVE/REPLACE/RESTORE	Remove/Replace/Res
515792	28	REMOVE/REPLACE/RESTORE	Remove/Replace/Res
515792	29	REMOVE/REPLACE/RESTORE	Remove/Replace/Res
515792	30	REMOVE/REPLACE/RESTORE	Remove/Replace/Res
515792	31	REMOVE/REPLACE/RESTORE	Remove/Replace/Res
515792	32	REMOVE/REPLACE/RESTORE	Remove/Replace/Res
515792	33	REMOVE/REPLACE/RESTORE	Remove/Replace/Res
515792	34	REMOVE/REPLACE/RESTORE	Remove/Replace/Res
515792	35	REMOVE/REPLACE	Remove/Replace
515792	36	REMOVE/REPLACE	Remove/Replace
515792	37	NEW	new
515792	38	REMAIN	Remain





EMC (SUPPLIED BY CLIENT)

ALUMINUM COLUMNS PAINTED TO MATCH BASE

NEW FULL COLOR GRAPHICS FOR EXISTING MONUMENT SIGN

ADD ONE (1) NEW SECTION OF DIVIDER BAR TO MATCH EXISTING

4235 / 4237 / 4239 GREEN BAY RD. - MONUMENT SIGN
 REFACE ONE (1) EXISTING DOUBLE SIDED, ILLUMINATED MONUMENT SIGN
 NEW FULL COLOR TRANSLUCENT VINYL GRAPHICS
 ADD ONE NEW SECTION OF DIVIDER BAR

NOTE: PLACEMENT OF TENANTS TBD

<p>PH: (262) 554-6066 TOLL FREE: (800) 554-8110</p>	Client: KENOSHA BUILDING	Date: 4/5/11	REVISION	Illumination: <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES TYPE: <input type="checkbox"/> SINGLE SIDED <input checked="" type="checkbox"/> DOUBLE SIDED Electrical Requirements: <input type="checkbox"/> 120 <input type="checkbox"/> 277 Sign Specifications: NOTED ABOVE	Paint Colors (Matthew Acrylic Polymer): <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Vinyl Film Colors (3M Scotchcal): <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Client Signature: _____ Signature _____ Date _____ NOTICE: Michael's Signs, Inc. does NOT provide primary electrical to sign location - RESPONSIBILITY OF OTHERS The ideas and designs contained in this original and unpublished drawing are the sole property of Michael's Signs, Inc. and MAY NOT BE USED OR REPRODUCED in whole or in part without written permission.
	Address: -	Drawing #: 11(1)	Δ 4/11/11 Δ	Quantity: 1			
	City, State: KENOSHA, WI	Sheet: 1 of 1	Δ Δ				
	Sales Rep: STEPHEN PROCHASKA	Scale: 3/8"=1'	Δ Δ				

NOTE: DUE TO THE PHYSICAL LIMITATIONS OF THE PAPER AND INK INVOLVED IN THIS PRINTING PROCESS, THIS CUSTOM ARTWORK IS NOT INTENDED TO PROVIDE AN EXACT MATCH TO THE ACTUAL FINISHED PAINTED PRODUCT.



23 11:18 PM

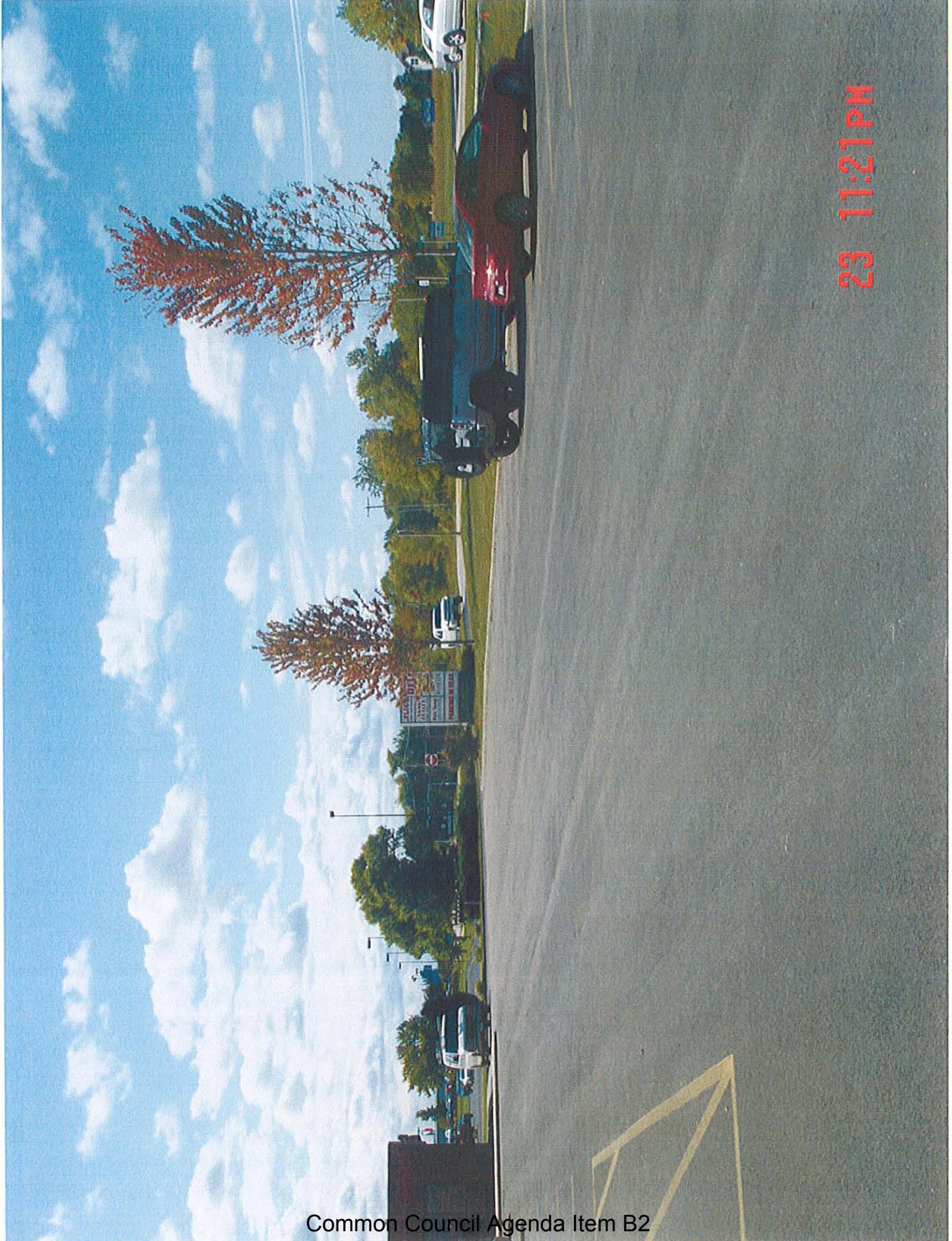


SLICE PIZZA • BAR • EATERY	Olive Oil DELI
SAMS OUTLET DARTS • POOL	Weichert Realtors
Accu Temp HVAC • HEAT PUMPS • AIR CONDITIONING	BUSKIRK Construction
PARKING IN REAR	

1225 - 4237 - 4229
GREEN BAY RD

23 11:17 PM





23 11:21 PM



4211
GREEN BAY ROAD

**BARTH
STORAGE**

KENOSHA ATHLETIC

KID'S CASTLE
Pre-School Child Care

Acupuncture & Oriental Medicine Clinic
Marilyn J. Fulin
262.221.5008

23 11:20 PM

4211
GREEN BAY ROAD

**BARTH
STORAGE**


KENOSHA ATHLETIC
CENTER

KID'S CASTLE
Pre-School Child Care

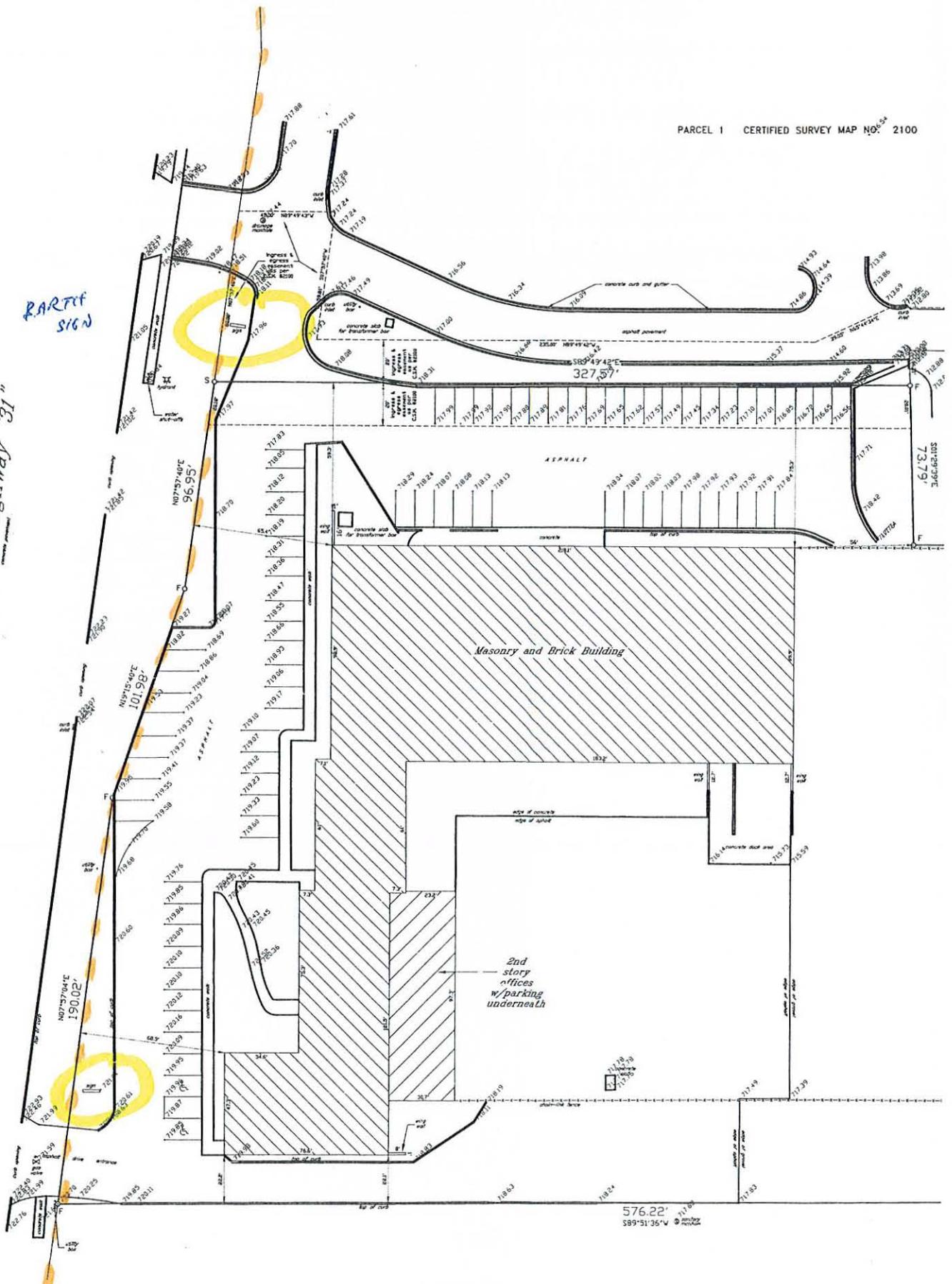

Acupuncture & Oriental Medicine Clinic
Patricia J. Fullin 262-925-9018

23 11:19 PM

Green Bay Road
State Trunk Highway "31"

RAMP SIGN

WAMBOLAT SIGN



— PROPERTY LINE

WAMBOLAT PROPERTIES

Common Council Agenda Item B2S

1

To the Honorable Mayor and Common Council:

Your Committee on: Licensing/Permit Committee Monday, October 10, 2011:

to whom was referred: Applications for new Operator's (Bartender) licenses, with a recommendation from the City Attorney to grant, subject to:

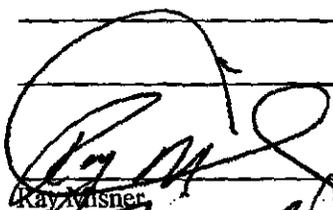
- 20 demerit points:
 - a. Laura Saarnio
 - b. Kerry Bennett
 - c. Melissa Reed
- 40 demerit points:
 - d. Damon Piraino
 - e. April Gustafson
- 80 demerit points:
 - f. Giuseppe Delle-Grazie

MOTION: G

SECOND: D

Respectfully report and recommend:

4.0 approve

 Ray Wisner	Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
 Jesse Downing	Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
 Anthony Nudo	Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
 Lawrence Green	Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Patrick Juliana	Aye <input type="checkbox"/>	Nay <input type="checkbox"/>

Operator (Bartender) License Police Record Report
Applicant Information

Date of Application:	Driver's License Status:	Name of Applicant:	Date of Birth:
09/23/11	VALID	Laura L. Saarnio	04/29/68

Address of Applicant:	Business (where license is to be used):	Business Address:
4531 - 21st Ave Upper	Breakwater Bar & Grill	5130 - 4th Ave
License Number: N663		Expiration Date: 06/30/13

Date of Charge	Offense	Status	Was Offense Listed on Application? (Y/N)	Points
11-28-07	OPERATING WHILE INTOXICATED	GUILTY	Y	20
04-14-11	LIQUOR, LICENSE VIOLATION	DISMISSED	N/A	

City Attorney Recommendation:

Offense Demerit Points (above)	20
Were all Offenses Listed on Application?	Y
Total Demerit Points	20

X	Grant, Subject to	20	Demerit Points
	DENY, based on material police record (substantially related to the license activity)		
	DENY, false application		

City Attorney Comments:

**Operator (Bartender) License Police Record Report
Applicant Information**

Date of Application:	Driver's License Status:	Name of Applicant:	Date of Birth:
09/21/11	VALID	Kerry L. Bennett	03/31/86

Address of Applicant:	Business (where license is to be used):	Business Address:
12109 -28th Ave	Big Daddy's Sport's Lounge	3214 60th St
License Number:N660		Expiration Date:06/30/13

Date of Charge	Offense	Status	Was Offense Listed on Application? (Y/N)	Points
06-09-07	OPERATING WHILE INTOXICATED- 1 st OFFENSE 2007TR7527	GUILTY DUE TO NO CONTEST	Y	20

City Attorney Recommendation:

Offense Demerit Points (above)	20
Were all Offenses Listed on Application?	Y
Total Demerit Points	20

X	Grant, Subject to	20	Demerit Points
	DENY, based on material police record (substantially related to the license activity)		
	DENY, false application		
City Attorney Comments:			

Operator (Bartender) License Police Record Report
Applicant Information

Date of Application:	Driver's License Status:	Name of Applicant:	Date of Birth:
08/17/11	VALID	Melissa L. Reed	10/31/92

Address of Applicant:	Business (where license is to be used):	Business Address:
1736 Madison Rd	Pick N' Save	2811 18th Ave
License Number: N634		Expiration Date: June 30, 2013

Date of Charge	Offense	Status	Was Offense Listed on Application? (Y/N)	Points
01-30-11	IN PARK AFTER HOURS	GUILTY	Y	20

City Attorney Recommendation:

Offense Demerit Points (above)	20
Were all Offenses Listed on Application?	Y
Total Demerit Points	20

X	Grant, Subject to	20	Demerit Points
	DENY, based on material police record (substantially related to the license activity)		
	DENY, false application		

City Attorney Comments:

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Operator (Bartender) License Police Record Report
Applicant Information

Date of Application:	Driver's License Status:	Name of Applicant:	Date of Birth:
09/02/11	SUSPENDED	Damon Piraino	02/22/84

Address of Applicant:	Business (where license is to be used):	Business Address:
10726-69th Ave. 53142		
License Number:N629		Expiration Date:2013

Date of Charge	Offense	Status	Was Offense Listed on Application? (Y/N)	Points
05-25-10	OPERATING WHILE SUSPENDED	GUILTY	Y	20
12-18-10	OPERATING WHILE SUSPENDED	GUILTY	Y	20

City Attorney Recommendation:

Offense Demerit Points (above)	40
Were all Offenses Listed on Application?	Y
Total Demerit Points	40

X	Grant, Subject to	40	Demerit Points
	DENY, based on material police record (substantially related to the license activity)		
	DENY, false application		
City Attorney Comments:			

Operator (Bartender) License Police Record Report
Applicant Information

Date of Application:	Driver's License Status:	Name of Applicant:	Date of Birth:
09/26/11	VALID	April M. Gustafson	04/25/89

Address of Applicant:	Business (where license is to be used):	Business Address:
7307 10th Ave		
License Number: N665		Expiration Date: 06/30/13

Date of Charge	Offense	Status	Was Offense Listed on Application? (Y/N)	Points
08-12-08	THEFT/SHOPLIFTING \$1-49	GUILTY	Y	20
02-25-09	DC/DOMESTIC ABUSE	DISPO PENDING	Y	20

City Attorney Recommendation:

Offense Demerit Points (above)	40
Were all Offenses Listed on Application?	Y
Total Demerit Points	40

<input checked="" type="checkbox"/>	Grant, Subject to	40	Demerit Points
	DENY, based on material police record (substantially related to the license activity)		
	DENY, false application		

City Attorney Comments:

**Operator (Bartender) License Police Record Report
Applicant Information**

Date of Application:	Driver's License Status:	Name of Applicant:	Date of Birth:
09/16/11	REVOKED	Giuseppe P. Delle-Grazie	08/31/79

Address of Applicant:	Business (where license is to be used):	Business Address:
6624 - 52nd Ave	Big Daddy's Sports Lounge	3214 - 60th Str
License Number:N361		Expiration Date:06/30/13

Date of Charge	Offense	Status	Was Offense Listed on Application? (Y/N)	Points
10-14-07	OPERATING WHILE INTOXICATED	GUILTY	Y	40
08-01-09	IMPLIED CONSENT	GUILTY	Y	N/A
08-01-09	OPERATING WHILE INTOXICATED	GUILTY	Y	40

City Attorney Recommendation:

Offense Demerit Points (above)	80
Were all Offenses Listed on Application?	Y
Total Demerit Points	80

Grant, Subject to	Demerit Points
DENY, based on material police record (substantially related to the license activity)	
DENY, false application	

City Attorney Comments:

--

License # 6/6 Issue Date _____

Beverage Course OK HOLD for Beverage Course Initials JK

APPLICATION

CITY OF KENOSHA OPERATOR'S (BARTENDER) LICENSE

(\$125.17, Wisconsin Statutes, §10.02 C. of the City of Kenosha Code of General Ordinances)

FEE: \$75.00 (Type 217)

City of Kenosha
625-52nd St, Room 105
Kenosha, WI 53140
262-653-4020

hereby apply for an Operator's License to serve Alcoholic Beverages in any place of business operated under a Class B", "Class B", Class "A", "Class A" License in the City of Kenosha to and including the 30th day of June, 2011. 2013
(Unless sooner revoked). I hereby note that I am responsible for knowing and abiding by the contents of Chapter 125, Wisconsin Statutes and Chapter 10 of the Code of General Ordinances and that my license may be suspended, revoked, not renewed, and/or I may be subject to a civil forfeiture for non-compliance therewith.

THE FOLLOWING QUESTIONS MUST BE ANSWERED (PLEASE READ)

Last Name Mahaffy First Name Zoei MI A.

(NOTE: Name must appear exactly as it appears on driver's license or state ID)

Date of Birth 1/22/83 Sex F Day Phone # 262-748-7844

Home Address 6400-38th Ave. #3

City/State/Zip Kenosha, WI 53142

Email Address portuguese_dream@yahoo.com

Driver's License or State ID Number WI00-9818-3522-07
(Must indicate the state if this is not a Wisconsin DL or ID)

Name of Business Where License

to be Used (If Unknown At This Time, Leave Blank. NOTE: license may only be used in the City of Kenosha)

Kaiser's Pizza & Pub

Address of Business Where License is to be Used 510-57th St. Kenosha, WI 53140

Have you, as an adult, ever been convicted of a major crime (felony), a minor crime (misdemeanor), or of violating a municipal or county ordinance in Wisconsin or in any other state, or do you have such a charge pending at this time?

Yes No If Yes, state charge, year offense committed or alleged to be committed, and disposition: was convicted of Forgery in 2002. (See attachments).

Have you, as an adult, ever served time, or been sentenced to serve time, in a jail or prison in Wisconsin or in any other state? Yes No If yes, please explain: 60 days in Kenosha County Jail for not complying w/ probation in 2002.

Have you ever had your driver's license suspended or revoked in Wisconsin or in any other state? Yes No If yes, please explain: Was suspended/revoked after not taking a required traffic class due to an OWI in 2008.

Have you received any traffic citations in Wisconsin or in any other state within the past five years, or do you have any such citations pending? Yes No If yes, state charge, year offense committed or alleged to be committed, and disposition: (Please see attachments).

Have you, as an adult, been convicted of any state or federal charges, or do you have such charges pending at this time, involving unfair trade practices, unethical conduct, or discrimination? Yes No If yes, state charge, year offense committed or alleged to be committed, and disposition: If question #1 is a state or federal charge, then yes. Otherwise no.

List the name and address of all employers for which you have worked and/or businesses you have operated in the past five years: (Please include employment that is not related to the license applied for.)
Kaiser's Pizzeria Pub 510-57th St. Kenosha WI 53140, The Lighthouse Bistro 5130-4th Ave. Kenosha, WI 53140, Gianni's 4814-Sheridan Rd. Kenosha, WI 53140, House of Gerhard 3927-75th St. Kenosha, WI 53142

List all addresses at which you have lived in the past five years: 6400-38th Ave. #3 Kenosha, WI 53142, 5229-31st Ave. Kenosha, WI 53140

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

signed: Zoeia Mahaffy
APPLICANT'S SIGNATURE
date: 8/25/11

APPLICANTS PLEASE READ

NOTICE: If this application contains statements or information which is untrue, incorrect and/or incomplete in any material respect, it will be denied.

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

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

Section 1.225 of the Code of General Ordinances, "The first Twenty-Five Dollars of the application fee for any License/Permit shall be retained by the City in the event of a License/Permit denial or the withdrawal of the application by applicant for administrative and processing costs, and the balance, if any, refunded to the applicant. Where the application fee is less than twenty-five Dollars, the entire application fee shall be retained by the City for administrative and processing costs.

Please file this application and pay the appropriate fee in person.

Operator (Bartender) License Police Record Report
Applicant Information

Date of Application:	Driver's License Status:	Name of Applicant:	Date of Birth:
8/25/11	VALID	Zoei A Mahaffy	1/22/83

Address of Applicant:	Business (where license is to be used):	Business Address:
6400 38th Ave #3	Kaiser's Pizza & Pub	510-57 th St
License Number: N616		Expiration Date: 6/30/13

Date of Charge	Offense	Status	Was Offense Listed on Application? (Y/N)	Points
05-30-08	DRIVING WHILE INTOXICATED	GUILTY	Y	20
05-30-08	OPER M/V W/ PAC	GUILTY	Y	20
11-09-08	OPERATING AFTER REVOCATION	GUILTY-NO CONTEST	Y	40
02-16-10	OPERATING AFTER REVOCATION	GUILTY	N/A	20
04-02-10	OPERATING AFTER REVOCATION	GUILTY-NO CONTEST	N/A	20
05-11-10	OPERATING AFTER REVOCATION	GUILTY	N/A	40
04-15-02	FORGERY - 2 CTS - FELONY	GUILTY	Y	100

City Attorney Recommendation:

Offense Demerit Points (above)	240
Were all Offenses Listed on Application?	Attached Record
Total Demerit Points	240

Grant, Subject to	Demerit Points
X DENY, based on material police record (substantially related to the license activity)	
DENY, false application	
City Attorney Comments:	

To whom it may concern -

I am writing this letter in regards to receiving a bartenders license for the City of Kenosha. I have been working in the service industry for 5 years and currently have been at the same establishment (Kaiser's Pizza and Pub) for over a year now. I have an opportunity there to make more money hourly and better shifts by becoming a bartender. In order to do that I need to have my bartender's license. My application has come up for review, but was deferred due to points. Though I make no excuses for my actions, I own them completely, I would like to take a moment to explain my situation and my steps going forward.

I currently have 240 points against me. Over a decade ago I made some bad choices. I was convicted of forging checks which is a class D felony and 100 points. I was young and stupid, but paid my societal dues. I never served any time for this crime, though I repaid all of the monies in question, fulfilled my probation requirements, and made ammends with the injured party. I know it was wrong and I can't explain myself because I am no longer the 18 year old kid who committed this offense. I am a contributing, functioning, and responsible member of society. Even though it is in the past, I still have the felony status haunting me. I am currently trying to have this expunged from my record and have been reaching out to several different sources to help define what my course of action will be.

My DWI counts as the other 140 points. The initial offense was only 20, but I recieved 5 citations for a total of 120 points for driving after revocation. This was not the way to conduct myself, but I did what my family needed. I completed all of my requirements for the OWI: I paid all of the fines and attended all of my classes - except for one that cost \$280. It was not something I could afford at the time. I am a single mom supporting 2 kids - they come first. I know I made a bad choice by driving, but I couldn't not work because of them. Every time I was pulled over for driving I was on my way to or from work. It is what I had to do to support my family and also come up with the \$280. I would have rather taken the class and been done with the OWI, but it's what I had to do at the time.

As I previously stated, there are no excuses - I own my actions. Hind sight is 20/20 and I wish I knew then what I know now, but I didn't and here I am. I am trying to make an honest living for myself and my family, getting my license is the first step in obtaining that. I would be willing to prove myself to the council by giving quarterly reports and updates on my progress in getting my record straightened out and my points reduced.

It's been over a year since I was last given any citations. I now realize how important it is to stay on the straight and narrow to keep my license - jeopardizing it is not an option. I have made poor choices in the past, but have made the conscious decision to turn my life around and make the right choices. I work, pay my bills, and take care of my family - those are my priorities. Please reconsider me for the bartender's license, it would make a world of difference.

Thanks in advance for your consideration.

Zoei Mahaffy



October 5, 2011

Kaiser's Pizza and Pub
510 57th Street
Kenosha, WI 53140

TO WHOM IT MAY CONCERN:

LETTER OF RECOMMENDATION: Zoei Mahaffy

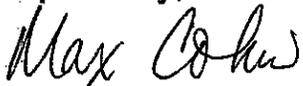
Zoei Mahaffy has been employed at Kaiser's Pizza and Pub for over one year. She has made consistent progress as a Server during her tenure. Zoei always reports on time for her shifts. Her job assignments are complete and accurate. She receives high praise on her performance from customers.

Zoei has been designated as a "first call" resource for other staff needing shift coverage. She has always covered additional shifts when presented the opportunity.

At this time Zoei is being considered for a promotion which includes bartending duties and shifts.

Thank you for your time and consideration. Please call me if you have any questions.

Respectfully,



Max Cohen,
Store Manager
Kaiser's Pizza and Pub
262-653-5897

Zimbra

kventura@kenosha.org

± Font size ±

Baron Olsen's Documents for common council

From : Baron Olsen <BOlsen@hysafetech.com>

Thu, Oct 13, 2011 12:02 PM

Subject: Baron Olsen's Documents for common council

2 attachments

To : cityattorney@kenosha.org

Cc : jdowning@kenosha.org, anudo@kenosha.org

Good Morning,

Attached is a letter from the bar owner I currently work for an have known since I was a young boy, a letter from my sponsor as requested by Alderman Nudo, a flyer from this past 50th Anniversary party where not only did I host a panel for sponsorship and service work, but I also worked at receiving a donation from the Green Bay Packers to help raise money for the Kenosha Alano club.

If you would require any further information please feel free to contact me at any time. My contact information is listed below for my full time job here in Union Grove and after 4:30pm I can be reached on my cell @ 262-412-1129.

Thank you again for this opportunity to help a friend in need and I look forward to our upcoming meeting on Monday October 17th @ 6:45pm.

HY-SAFE
TECHNOLOGY

Baron L. Olsen
Business Development
960 Commerce Drive
Union Grove, WI 53182

t. 800-642-0775 ext. 2576
f. 262-752-2410

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HY-SAFE
TECHNOLOGY

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15 KB



Baron Olsen <baronolsen13@gmail.com>

Baron Olsen

It's All About Us Bar & Grill <itsallaboutusllc@yahoo.com>
To: Baron Olsen <baronolsen13@gmail.com>

Wed, Oct 12, 2011 at 3:46 PM

To whom it may concern,

Baron Olsen has been a part-time bartender for our establishment for over two years on weekends and special events.

I never allow any of my bartenders to drink during their shift, so they can responsibly serve and monitor the amounts served to patrons.

Baron has been going to AA for over a year and I have never even seen him drink even after his shift.

I feel Baron is truly trying to change his life around for the better. I have also known Baron personally since he was nine years old.

If you have any direct questions, please feel free to call me 262-989-9573.

Barbara Olsen
Owner

It's All About US, LLC
Bar/Grill/Banquet
20715 Durand Ave
Union Grove, WI. 53182

Sent from my iPhone

Kenosha Alano Club 50 Years of Service

October 1st, 2011- All day event

Coffee /Fellowship—10:00 am

Chili Lunch at 12 p.m.

Speaker Panels: 1-6 p.m.

1:00-2:00- Baron O. 2:00-3:00- Nick G. 3:00-4:00 -Justin B.

4:00-5:00- Dawn O. 5:00-6:00- Michelle (Alanon)

Dinner at 6:30 p.m. Dinner/Banquet \$10.00 pp

(Kids 12 and under FREE)

Open Speaker Meeting 8 p.m.

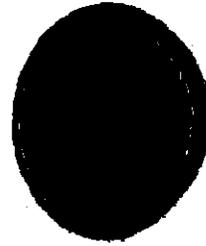
Guest Speakers Dick and Dotty F.

**50/50 Raffle, Lifetime Memberships, and LOTS of chances to
win excellent prizes.**

Dance at 9:30 p.m.



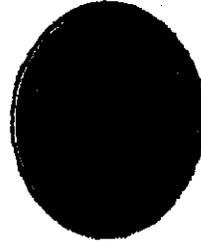
2 months



1 month



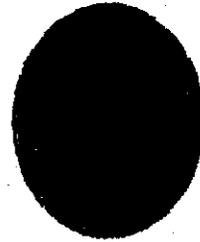
4 months



3 months



1 year



5 months

My Achievement coins

Dear Common Council Committee,

My name is John Marinan and I have been Baron Olsen's sponsor since July 2010. In this past year and three plus months, I have met with Baron weekly and have gotten to know him very well. He has completed the 12 steps and is continuing to work the steps of the program, as well as furthering his service work by recently working on the committee for the Kenosha Alano's 50th Anniversary Celebration. He regularly attends meetings and at least one a week with myself.

I know Baron. He has worked for a company full time in Union Grove, WI doing business development and sales and has been doing a very good job with them. I also know that he has bartended for a family owned bar & restaurant in Union Grove as well for a couple of years now. Since we have been working these 12 steps together he has never once relapsed as he is actively working his 12 step program.

I hope that this letter will confirm that Baron Olsen is taking the right steps in bettering his life. He is learning from his mistakes and learning how to live life the right way. If you should have any questions you may call me on my cell at 262-496-6957.

Sincerely,

John Marinan

Operator (Bartender) License Police Record Report
Applicant Information

Date of Application:	Driver's License Status:	Name of Applicant:	Date of Birth:
09/01/11	REVOKED	Baron L. Olsen	08/02/73

Address of Applicant:	Business (where license is to be used):	Business Address:
4809-24th Ave. - Upper 53140	Scotty's	2117-50th St. 53140
License Number:N627		Expiration Date:2013

Date of Charge	Offense	Status	Was Offense Listed on Application? (Y/N)	Points
05-17-08	OPERATING WHILE INTOXICATED-2 ND OFFENSE	GUILTY	Y	40
07-04-10	OPERATING WHILE INTOXICATED-3 RD OFFENSE	GUILTY	Y	40
03-28-07	DC/PERSON	GUILTY	Y	20

City Attorney Recommendation:

Offense Demerit Points (above)	100
Were all Offenses Listed on Application?	Y
Total Demerit Points	100

Grant, Subject to	Demerit Points
X DENY, based on material police record (substantially related to the license activity)	
DENY, false application	

City Attorney Comments:

FOR OFFICE USE ONLY:

License # N 627 Issue Date _____

Beverage Course OK HOLD for Beverage Course Initials JK

City of Kenosha
625-52nd St, Room 105
Kenosha, WI 53140
262-653-4020

APPLICATION
CITY OF KENOSHA OPERATOR'S (BARTENDER) LICENSE
(\$125.17, Wisconsin Statutes, §10.02 C. of the
City of Kenosha Code of General Ordinances)
FEE: \$75.00 (Type 217)

I hereby apply for an Operator's License to serve Alcoholic Beverages in any place of business operated under a Class "B", "Class B", Class "A", "Class A" License in the City of Kenosha to and including the 30th day of June, 2013. (Unless sooner revoked). I hereby note that I am responsible for knowing and abiding by the contents of Chapter 125, Wisconsin Statutes and Chapter 10 of the Code of General Ordinances and that my license may be suspended, revoked, or not renewed, and/or I may be subject to a civil forfeiture for non-compliance therewith.

THE FOLLOWING QUESTIONS MUST BE ANSWERED (PLEASE READ)

Last Name Olsen First Name Baron MI L
(NOTE: Name must appear exactly as it appears on driver's license or state ID)

Date of Birth 8/2/73 Sex M Day Phone # 262-752-2400 ext 2576

Home Address 4809 24th Ave - upper

City/State/Zip Kenosha, WI 53140

Email Address baronolsen13@gmail.com

Driver's License or State ID Number 0425-0727-3282-09
(Must indicate the state if this is not a Wisconsin DL or ID)

Name of Business Where License is to be Used (If Unknown At This Time, Leave Blank. NOTE: license may only be utilized in the City of Kenosha) Scotty's

Address of Business Where License is to be Used 2117 50th Street Kenosha, WI 53140

1. Have you, as an adult, ever been convicted of a major crime (felony), a minor crime (misdemeanor), or of violating a municipal or county ordinance in Wisconsin or in any other state, or do you have such a charge pending at this time?
 Yes No If Yes, state charge, year offense committed or alleged to be committed, and disposition:
~~DC/PERSON - WI - 2007 - GUILTY, DUI - WI - 2008 - GUILTY, DWI - WI - 2010 - GUILTY~~
no charges pending at this time

2. Have you, as an adult, ever served time, or been sentenced to serve time, in a jail or prison in Wisconsin or in any other state? Yes No If yes, please explain: for DUI in Kenosha County

3. Have you ever had your driver's license suspended or revoked in Wisconsin or in any other state? Yes No If yes, please explain: for dui

4. Have you received any traffic citations in Wisconsin or in any other state within the past five years, or do you have any such citations pending? Yes No If yes, state charge, year offense committed or alleged to be committed, and disposition: NONE PENDING, 2008 - Following to closely (dismissed), 2008 - OPERATING WHILE UNDER THE INFLUENCE - (GUILTY), OPER M/V w/ PAC - (dismissed), 2010 - INATTENTIVE DRIVING (dismissed), OPERATING WHILE UNDER THE INFLUENCE - (GUILTY), OPERATING M/V w/ PAC (dismissed)

5. Have you, as an adult, been convicted of any state or federal charges, or do you have such charges pending at this time, involving unfair trade practices, unethical conduct, or discrimination? Yes No If yes, state charge, year offense committed or alleged to be committed, and disposition: _____

6. List the name and address of all employers for which you have worked and/or businesses you have operated in the past five years: (Please include employment that is not related to the license applied for.)

Hy Safe Technology - 960 Commerce Drive, Union Grove, WI 53182
It's All About Us - 20715 Durend Ave Union Grove, WI 53182, ENSA Access + Rescue 11624 S. West Ave
Waukesha, WI 53189

7. List all addresses at which you have lived in the past five years: 4809 24th Ave - upper Kenosha, WI 53140

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

Signed: _____

APPLICANT'S SIGNATURE

Date: 9/27/11

APPLICANTS PLEASE READ

NOTICE: If this application contains statements or information which is untrue, incorrect and/or incomplete in any material respect, it will be denied.

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

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

Per §1.225 of the Code of General Ordinances, "The first Twenty-Five Dollars of the application fee for any License/Permit shall be retained by the City in the event of a License/Permit denial or the withdrawal of the application by applicant for administrative and processing costs, and the balance, if any, refunded to the applicant. Where the application fee is less than Twenty-five Dollars, the entire application fee shall be retained by the City for administrative and processing costs.

Please file this application and pay the appropriate fee in person.

PAGE 2

To the Honorable Mayor and Common Council:

Your Committee on: Licensing/Permit Committee Monday, October 10, 2011:

to whom was referred: Applications for new Operator's (Taxi Driver's) license, with a recommendation from the City Attorney to grant, subject to:

- 35 demerit points:

a. J.M. Johnson

- 95 demerit points:

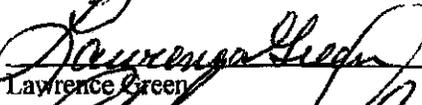
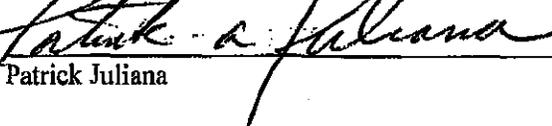
b. Damian Pavlovich (Deferred from the meeting on September 26, 2011)

MOTION: N

SECOND: D

Respectfully report and recommend:

Concur 5-0

 Ray Mispel	} Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
 Jesse Downing	} Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
 Anthony Nudo	} Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
 Lawrence Green	} Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
 Patrick Juliana	} Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>

FOR OFFICE USE ONLY:

License Number 46

Date Granted _____

Date Issued _____

**CITY OF KENOSHA, WISCONSIN
APPLICATION FOR TAXI DRIVER'S LICENSE**

Fee: \$30.00 New/\$30.00 Renewal

Expires: April 30th

Type: 144

City of Kenosha
625-S2nd St, Room 105
Kenosha, WI 53140
262-653-4020

The undersigned requests that a license be granted in accordance with Chapter XIII, Section 13.07 G. of the Code of General Ordinances of the City of Kenosha, and certifies that the following information is true and correct to the best of his/her knowledge.

Johnson

J.

M.

Last Name

First Name

Middle Initial

2001 60th St Kenosha

WI

53140

262-989-2836

Address

City

State

Zip

Phone Number

05-16-1961

J-525-4336-1176-07

05-16-2014

Date of Birth

State of Wisconsin Driver's License Number and Expiration Date (Required)

KENO CAB CO 5107-28 AV KENOSHA WI

Name of Business & Address of Business Where License is to be Used (If Unknown At This Time, Leave Blank)

1. Have you, as an adult, ever been convicted of a major crime (felony), a minor crime (misdemeanor), or of violating a municipal or county ordinance in Wisconsin or in any other state, or do you have such a charge pending at this time? Yes No If Yes, state charge, year offense committed or alleged to be committed, and disposition: _____
2. Have you, as an adult, ever served time, or been sentenced to serve time, in a jail or prison in Wisconsin or in any other state? Yes No If yes, please explain: Content of Court, Child Support
3. Have you ever had your driver's license suspended or revoked in Wisconsin or in any other state? Yes No If yes, please explain: 1989 - Child Support.
4. Have you received any traffic citations in Wisconsin or in any other state within the past five years, or do you have any such citations pending? Yes No If yes, state charge, year offense committed or alleged to be committed, and disposition: _____
5. Have you, as an adult, been convicted of any state or federal charges, or do you have such charges pending at this time, involving unfair trade practices, unethical conduct, or discrimination? Yes No If yes, state charge, year offense committed or alleged to be committed, and disposition: _____

-OVER-

Common Council Agenda Item C4

6. List the name and address of all employers for which you have worked and/or businesses you have operated in the past five years: (Please include employment that is not related to the license applied for.)

KENO CAB Co. KENOSHA
COUNTRY TRUCKING Co. BURLINGTON

7. List all addresses at which you have lived in the past five years:

2001- 60th St

2102- 60th St

8. I have read and understand the "Applicants Please Read" section of this application. I certify that I am the applicant named in the foregoing application, and that I have read each and every question and answered each and every question truly, correctly and completely, under penalty of law for failure to do so. I also certify that:

- I am able to read and write the English language, and I am not addicted to the use of intoxicating liquors or drugs.
- I am at least 18 years of age and that I have a valid Wisconsin Driver's License.
- I have never been arrested, except as listed above.

J. M. Johnson

SIGNATURE

Called Mr Johnson

SEPT 1st 2011

DATE

APPLICANTS PLEASE READ

9-21-11

NOTICE: If this application contains statements or information which is not true, correct and/or complete in any material respect, it may be denied. You may be subject to a forfeiture of five hundred (\$500) dollars, your license fee will be forfeited, you may be ineligible to reapply for this license for thirty days, and you may be subject to twenty-five demerit points. §1.22 of the Code of General Ordinances states the following:

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

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

Per §1.225 of the Code of General Ordinances, "The first Twenty-five Dollars of the application fee for any License/Permit shall be retained by the City in the event of a License/Permit denial or the withdrawal of the application by applicant for administrative and processing costs, and the balance, if any, refunded to the applicant. Where the application fee is less than Twenty-five Dollars, the entire application fee shall be retained by the City for administrative and processing costs.

After filing this application for a Taxi Driver's License with the City Clerk, you must go to the Safety Building at 1000-55th Street, to have your picture and fingerprints taken. You must do this Monday through Friday between the hours of 1:00 and 3:00 p.m. ONLY.

**Taxi Driver's License Police Record Report
Applicant Information**

Date of Application:	Driver's License Status:	Name of Applicant:	Date of Birth:
9/01/11	VALID	J. M. Johnson	05/16/61

Address of Applicant:	Business (where license is to be used):	Business Address:
2001 - 60th Str	Keno Cab Co	5107 - 28th Ave
License Number:N46		Expiration Date:04/30/12

Date of Charge	Offense	Status	Was Offense Listed on Application? (Y/N)	Points
07-21-10	FAILURE TO FASTEN SEATBELT	GUILTY	N	10

City Attorney Recommendation:

Offense Demerit Points (above)	10
Were all Offenses Listed on Application?	N 25
Total Demerit Points	35

<input checked="" type="checkbox"/>	Grant, Subject to	35	Demerit Points
	DENY, based on material police record (substantially related to the license activity)		
	DENY, false application		

City Attorney Comments:

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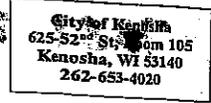
*** Amended**

FOR OFFICE USE ONLY:

License Number: N29 Date Granted: _____ Date Issued: _____

**CITY OF KENOSHA, WISCONSIN
APPLICATION FOR TAXI DRIVER'S LICENSE**

Fee: \$30.00 New/\$30.00 Renewal
Expires: April 30th
Type: 144



The undersigned requests that a license be granted in accordance with Chapter XIII, Section 13.07 G. of the Code of General Ordinances of the City of Kenosha, and certifies that the following information is true and correct to the best of his/her knowledge.

Pavlovich Last Name **Damian** First Name **J** Middle Initial
7821 22AVE Address **Kenosha WI** City State **53149** Zip **262 652 8579** Phone Number
8-17-87 Date of Birth **PI41 1708 7297 05** State of Wisconsin Driver's License Number and Expiration Date (Required) **8-17-18**

Keno Cab Co. Inc. Name of Business & Address of Business Where License is to be Used (If Unknown At This Time, Leave Blank) **5107 - 28th AVE**

1. Have you, as an adult, ever been convicted of a major crime (felony), a minor crime (misdemeanor), or of violating a municipal or county ordinance in Wisconsin or in any other state, or do you have such a charge pending at this time? Yes No If Yes, state charge, year offense committed or alleged to be committed, and disposition: _____

DP 9-28-11
drug/possess Marijuana - 3-11-11 - found guilty
drug/paraphernalia sell/p - 3-11-11 - found guilty

2. Have you, as an adult, ever served time, or been sentenced to serve time, in a jail or prison in Wisconsin or in any other state? Yes No If yes, please explain: _____

3. Have you ever had your driver's license suspended or revoked in Wisconsin or in any other state? Yes No If yes, please explain: _____

4. Have you received any traffic citations in Wisconsin or in any other state within the past five years, or do you have any such citations pending? Yes No If yes, state charge, year offense committed or alleged to be committed, and disposition: mandatory seatbelts - 5-19-10 - found guilty
side in vehicle w/o wearing seat belt - 3-11-11 - ~~found~~ guilty due to
speeding - 7-26-11 - found guilty
speeding - September - pending

5. Have you, as an adult, been convicted of any state or federal charges, or do you have such charges pending at this time, involving unfair trade practices, unethical conduct, or discrimination? Yes No If yes, state charge, year offense committed or alleged to be committed, and disposition: _____

-OVER-

6. List the name and address of all employers for which you have worked and/or businesses you have operated in the past five years: (Please include employment that is not related to the license applied for.)
Lakeshore Yaught Services Racine Marble and Tile

7. List all addresses at which you have lived in the past five years:
7821 22 Ave

8. I have read and understand the "Applicants Please Read" section of this application. I certify that I am the applicant named in the foregoing application, and that I have read each and every question and answered each and every question truly, correctly and completely, under penalty of law for failure to do so. I also certify that:

- I am able to read and write the English language, and I am not addicted to the use of intoxicating liquors or drugs.
- I am at least 18 years of age and that I have a valid Wisconsin Driver's License.
- I have never been arrested, except as listed above.

[Handwritten Signature]

SIGNATURE

6-13-11

DATE

APPLICANTS PLEASE READ

NOTICE: If this application contains statements or information which is not true, correct and/or complete in any material respect, it may be denied. You may be subject to a forfeiture of five hundred (\$500) dollars, your license fee will be forfeited, you may be ineligible to reapply for this license for thirty days, and you may be subject to twenty-five demerit points. §1.22 of the Code of General Ordinances states the following:

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After filing this application for a Taxi Driver's License with the City Clerk, you must go to the Safety Buidling at 1000-55th Street, to have your picture and fingerprints taken. You must do this Monday through Friday between the hours of 1:00 and 3:00 p.m. ONLY.

**Taxi Driver's License Police Record Report
Applicant Information**

Date of Application:	Driver's License Status:	Name of Applicant:	Date of Birth:
09/23/11	VALID	Damian J. Pavlovich	08/17/87

Address of Applicant:	Business (where license is to be used):	Business Address:
7821 - 22nd Ave	Keno Cab Co. Inc.	5107 - 28th Ave
License Number: N29		Expiration Date: 04/30/12

Date of Charge	Offense	Status	Was Offense Listed on Application? (Y/N)	Points
04-22-09	SPEEDING INTERMEDIATE	GUILTY	Y	20
05-19-10	FAILURE TO FASTEN SEATBELT	GUILTY	Y	10
03-11-11	FAILURE TO FASTEN SEATBELT	GUILTY	Y	10
03-11-11	DRUG/POSSESS MARIJUANA	GUILTY	Y	35
03-11-11	DRUG/PARAPHERNALIA SELL/P	GUILTY	Y	20

City Attorney Recommendation:

Offense Demerit Points (above)	95
Were all Offenses Listed on Application?	Y
Total Demerit Points	95

X	Grant, Subject to	95	Demerit Points
	DENY, based on material police record (substantially related to the license activity)		
	DENY, false application		

City Attorney Comments:

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(6)

To the Honorable Mayor and Common Council:

Your Committee on: Licensing/Permit Committee Monday, October 10, 2011:

to whom was referred: Application of Jill's Place Inc., Jill M. Rzeplinski, Agent, for a Class "B" Beer/"Class B" Liquor License located at 1400 - 52nd Street, (Jill's Place), with acceptance of a conditional surrender of a similar license at the same location from The McCool Corporation, to be effective October 18, 2011, with a recommendation from the City Attorney to grant, subject to 40 demerit points. (7th District)

MOTION: J

SECOND: N

Respectfully report and recommend:

Approve 5-0

	} Aye <u> </u>	Nay <u> </u>
Ray M. ...		
	} Aye <u> X </u>	Nay <u> </u>
Jesse Downing		
	} Aye <u> X </u>	Nay <u> </u>
Anthony Nudo		
	} Aye <u> X </u>	Nay <u> </u>
Lawrence Green		
	} Aye <u> </u>	Nay <u> </u>
Patrick Juliana		

ORIGINAL ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

For the license period beginning _____ 20____
ending June 30 20____

TO THE GOVERNING BODY of the: Town of } KENOSHA
 Village of }
 City of }

County of KENOSHA Aldermanic Dist. No. _____ (if required by ordinance)

1. The named INDIVIDUAL PARTNERSHIP LIMITED LIABILITY COMPANY
 CORPORATION/NONPROFIT ORGANIZATION

hereby makes application for the alcohol beverage license(s) checked above.

2. Name (individual/partners give last name, first, middle; corporations/limited liability companies give registered name): Jill Place Inc.

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the name, title, and place of residence of each person.

	Title	Name	Home Address	Post Office & Zip Code
President/Member	<u>President</u>	<u>Jill M. Rzepiowski</u>	<u>28700-60</u>	<u>SALAM, WI 53168</u>
Vice President/Member				
Secretary/Member				
Treasurer/Member				
Agent	<u>same</u>			
Directors/Managers				

3. Trade Name Jill's Place Business Phone Number 262-654-0637
4. Address of Premises 1400-52st Kenosha WI Post Office & Zip Code Kenosha, WI 53140

5. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? Yes No
6. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant? Yes No
7. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? Yes No
8. (a) Corporate/limited liability company applicants only: Insert state WI and date 2003 of registration.
(b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? Yes No
(c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? Libby Lake Resort Yes No
(NOTE: All applicants explain fully on reverse side of this form every YES answer in sections 5, 6, 7 and 8 above.)

9. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) BACK ROOM, BASEMENT TAVEN AREA
10. Legal description (omit if street address is given above):
11. (a) Was this premises licensed for the sale of liquor or beer during the past license year? Yes No
(b) If yes, under what name was license issued? McCools Corp Hooking And
12. Does the applicant understand they must file a Special Occupational Tax return (TTB form 5630.5) before beginning business? [phone 1-800-937-8864] Yes No
13. Does the applicant understand a Wisconsin Seller's Permit must be applied for and issued in the same name as that shown in Section 2, above? [phone (608) 266-2776] Yes No
14. Is the applicant indebted to any wholesaler beyond 15 days for beer or 30 days for liquor? Yes No

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signers. Signers agree to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants and each member of a partnership applicant must sign; corporate officer(s), members/managers of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

SUBSCRIBED AND SWORN TO BEFORE ME

this 26th day of September, 2011
[Signature]
(Clerk/Notary Public)

[Signature]
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner/Individual)
[Signature]
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner)
[Signature]
(Additional Partner(s)/Member/Manager of Limited Liability Company if Any)

My commission expires 3/15/15

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk <u>9/28/11</u>	Date reported to council/board	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	

**Transfer of Agent Beer/Liquor License Police Record Report
Applicant Information**

Driver's License Status:	Name of Applicant & Agent:	Date of Birth:
VALID	Jill M. Rzeplinski	01/23/67

Trade Name & Address:	License Type:
Jill's Place	Class "B" Beer/"Class B" Liquor

Date of Charge	Offense	Status	Was Offense Listed on Application? (Y/N)	Points
08-15-09	LIQUOR, LICENSE VIOLATION	GUILTY	Y	20
08-15-09	LIQUOR, VIOLATION OTHER	GUILTY	Y	20

City Attorney Recommendation:

Offense Demerit Points (above)	40
Were all Offenses Listed on Application?*	Y
Total Demerit Points	40

*Offense not listed = 25 demerit points.

X	Grant, Subject to	40	Demerit Points
	DENY, based on material police record (substantially related to the license activity)		
	DENY, based on material police record (substantially related to the license activity) & false application		

City Attorney Comments:

--

LICENSE SURRENDER

STATE OF WISCONSIN

KENOSHA COUNTY } SS

SHAWN P. Mc HUGH / MC COOL CORPORATION
(Individual/Partners/Corporation Name)

being first duly sworn on oath, says that he/she is the holder of the following license(s) (check all that apply) issued by the City of Kenosha, Wisconsin:

- "Class B" Liquor
- Class "B" Beer (Fermented Malt Beverage)
- "Class A" Liquor
- Class "A" Beer (Fermented Malt Beverage)
- "Class C" Wine

Affiant will surrender said license #(s) 128 to the City Clerk.

That this affidavit is made to inform the City Council that the affiant hereby intends not to apply for said license(s) for the ensuing year, and to propose to the said council that said license(s) be granted to:

JILL M. RZEPUNSKI / JILL'S PLACE, INC.

to whom your affiant has sold his business and, to whom your affiant surrenders all of his privileges to apply for a license.

Affiant will surrender said license(s) # 128, to the City Clerk

prior to the time a license is issued to JILL M. RZEPUNSKI / JILL'S PLACE, INC.

and provide further that a license is granted to JILL M. RZEPUNSKI / JILL'S PLACE, INC. the person herein designated.

Shawn P. McHugh
Individual/Partner/President of Corporation

Partner/Corporate Officer

SHAWN P. McHUGH

Subscribed and sworn to before me this 12th day of SEPTEMBER, 2011

[Signature]

Notary Public ROBERT C. KUPFER
Kenosha County, Wisconsin

My Commission Expires: 15 NOVEMBER

**CITY OF KENOSHA STATEMENT OF ECONOMIC IMPACT
APPLICATION FOR A NEW BEER/LIQUOR LICENSE**

Check One:

<input type="checkbox"/>	Class "A" Retail Beer
<input type="checkbox"/>	Class "B" Beer Only
<input checked="" type="checkbox"/>	Class "B" Beer/"Class B" Liquor Combination

1. Applicant Name (Jim Mary Rzeplinski) Jills PLACE INC

2. Business Name Jill PLACE ~~INC~~

3. Property Information

a. Address 1400-52nd St Kenosha, WI 53140

b. Owner Jim M. Rzeplowski

c. If applicant is not owner, does applicant have a lease agreement with the owner? yes no (Please note: Proof of property ownership or proof of an executed lease must be provided to the City Clerk before the license will be issued)

d. Square Footage of Building UPPER + Lower 3,264 ENT Assessed Value of Property 126,400⁰⁰

e. Assessed Value of Personal Property (furniture, fixtures, equipment) to be used in the business 20,000

4. Number of Full Time Employees 6 Number of Part Time Employees 2

5. Gross Monthly Revenue
According to Section 10.03, applicants must come within 70% of the estimate for alcohol beverages after one full license term or the license may be subject to revocation. Also, according to Section 4.05, smoking is prohibited in restaurants.

	Gross Monthly Revenue
Alcoholic Beverages	<u>12,000.⁰⁰</u>
Food	<u>7,000.⁰⁰</u>
Other (specify)	
Total Gross Monthly Revenue	<u>19,000.⁰⁰</u>

Basis for estimates
20 years Exp.

6. Explain how the issuance of this license will benefit the City:

Improving the Neighborhood Area + helping the economy of City of Kenosha

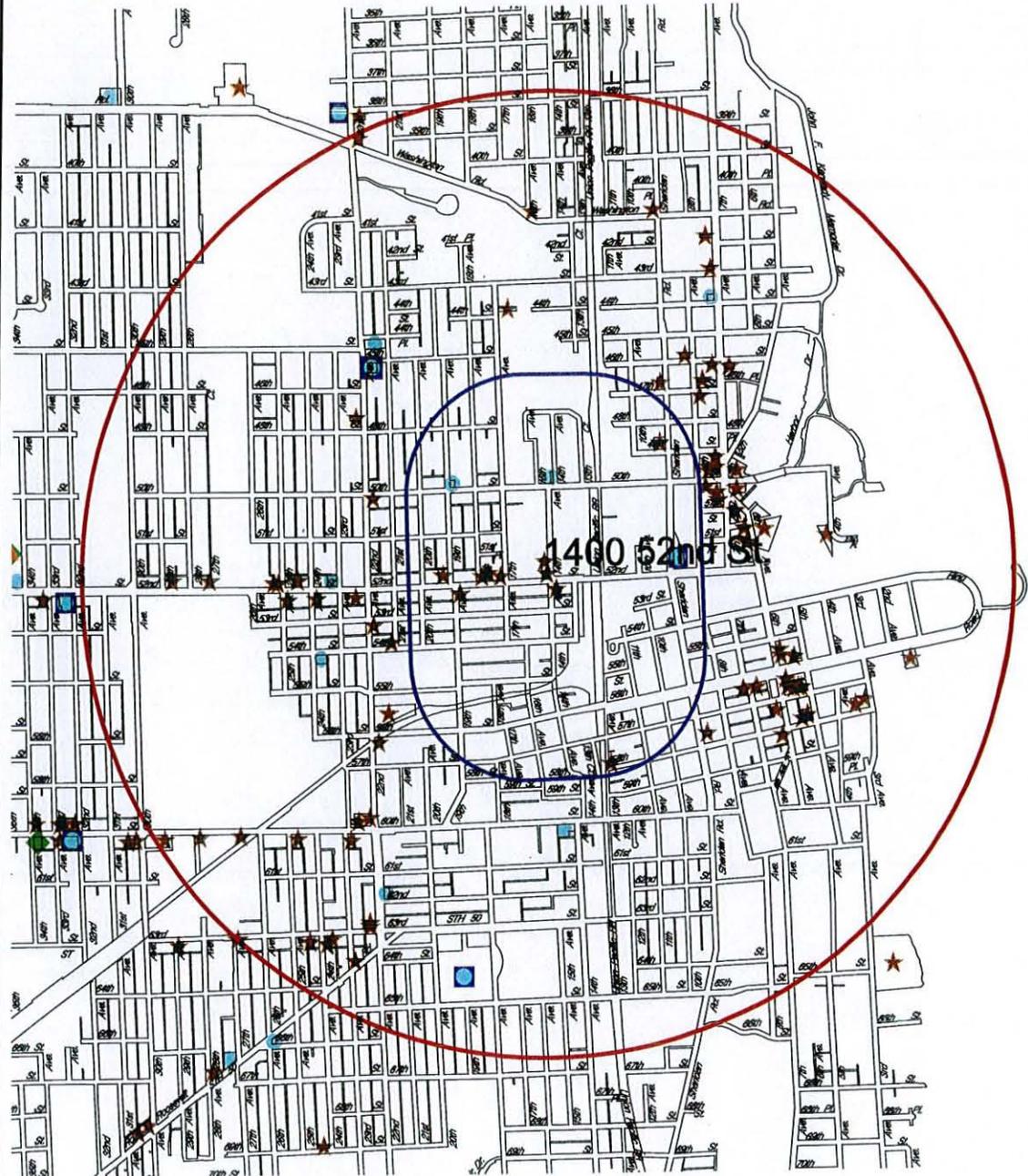
7. List other factors the Common Council should consider: The Experience I have in the Liquor Business

Applicant Signature [Signature]

FOR OFFICE USE ONLY

Within a 6 block radius:
Class "B" Beer only _____ Class B Combination _____ Class "A" Beer _____ "Class A" Liquor _____ "Class C" Wine _____

Class "B" Beer / "Class B" Liquor Application
1400 52nd Street



● Class "A"
 ■ "Class A"
 ◆ Class "B"
 ★ Class "B" & "Class B"
 ▲ "Class C"

— 5,280 ft from Applicant

— 6 blocks from Applicant

5,280 ft Radius	Class				
	Class "A"	Class "A"	Class "B"	Class "B" & Class "B"	Class "C"
Residential Districts	0	0	0	4	0
Business Districts	11	0	0	77	0
Other Districts	0	0	0	0	0

6 Block Radius	Class				
	Class "A"	Class "A"	Class "B"	Class "B" & Class "B"	Class "C"
Residential Districts	0	0	0	0	0
Business Districts	3	1	0	10	0
Other Districts	0	0	0	0	0

NORTH



Common Council Agenda Item C5
City of Kenosha

Class "B" Beer / "Class B" Liquor Application
1400 52nd Street



- Class "A"
- "Class A"
- ◆ Class "B"
- ★ Class "B" & "Class B"
- ▲ "Class C"

Note: Residential Districts are not colored.
Note: Business Districts are colored as follows: B-1 B-2 B-3 B-4

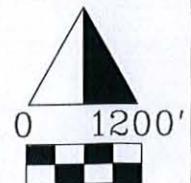
— 5,280 ft from Applicant

— 6 blocks from Applicant

5,280 ft Radius	Class "A"				
	Class "A"	"Class A"	Class "B"	Class "B" & "Class B"	"Class C"
Residential Districts	0	0	0	4	0
Business Districts	11	0	0	77	0
Other Districts	0	0	0	0	0

6 Block Radius	Class "A"				
	Class "A"	"Class A"	Class "B"	Class "B" & "Class B"	"Class C"
Residential Districts	0	0	0	0	0
Business Districts	3	1	0	10	0
Other Districts	0	0	0	0	0

NORTH



To the Honorable Mayor and Common Council:

Your Committee on: Licensing/Permit Committee Monday, October 10, 2011:

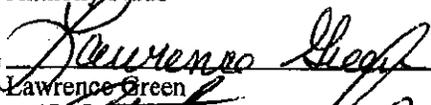
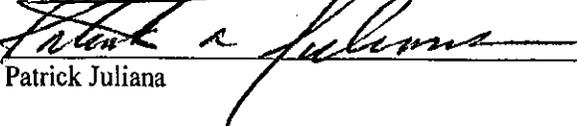
to whom was referred: Request of GNC Hook, LLC (Art Bar), for an extension of the Class "B" Beer/"Class B" Liquor License to include the upstairs portion of the property.

MOTION: J

SECOND: S

Respectfully report and recommend:

deny 5.0

	} Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Ray Misner		
	} Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Jesse Downing		
	} Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Anthony Nudo		
	} Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Lawrence Green		
	} Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Patrick Juliana		

Art Bar
5301 22nd Ave
Kenosha, WI 53140

September 22, 2011

City of Kenosha
Municipal Building
625 52nd St.
Kenosha, WI 53140

Attention: License Committee

Dear City of Kenosha Licensing Committee:

I am writing this to inform you of our intent to extend our liquor license, Permit # 015053 to include the upstairs of the property. Our intended use of the space is as follows: Independent film showings, movie nights, private parties including birthday parties, bar mitzvahs, and misc. events of sorts, the Sunday morning Art Market where local artists will be selling original art, and most of all art gallery exhibits. We ask that the city of Kenosha extend our liquor license to the 2nd floor of the property to aid in the growth of our business, these projects, and the Art community of Kenosha.

Thank you,



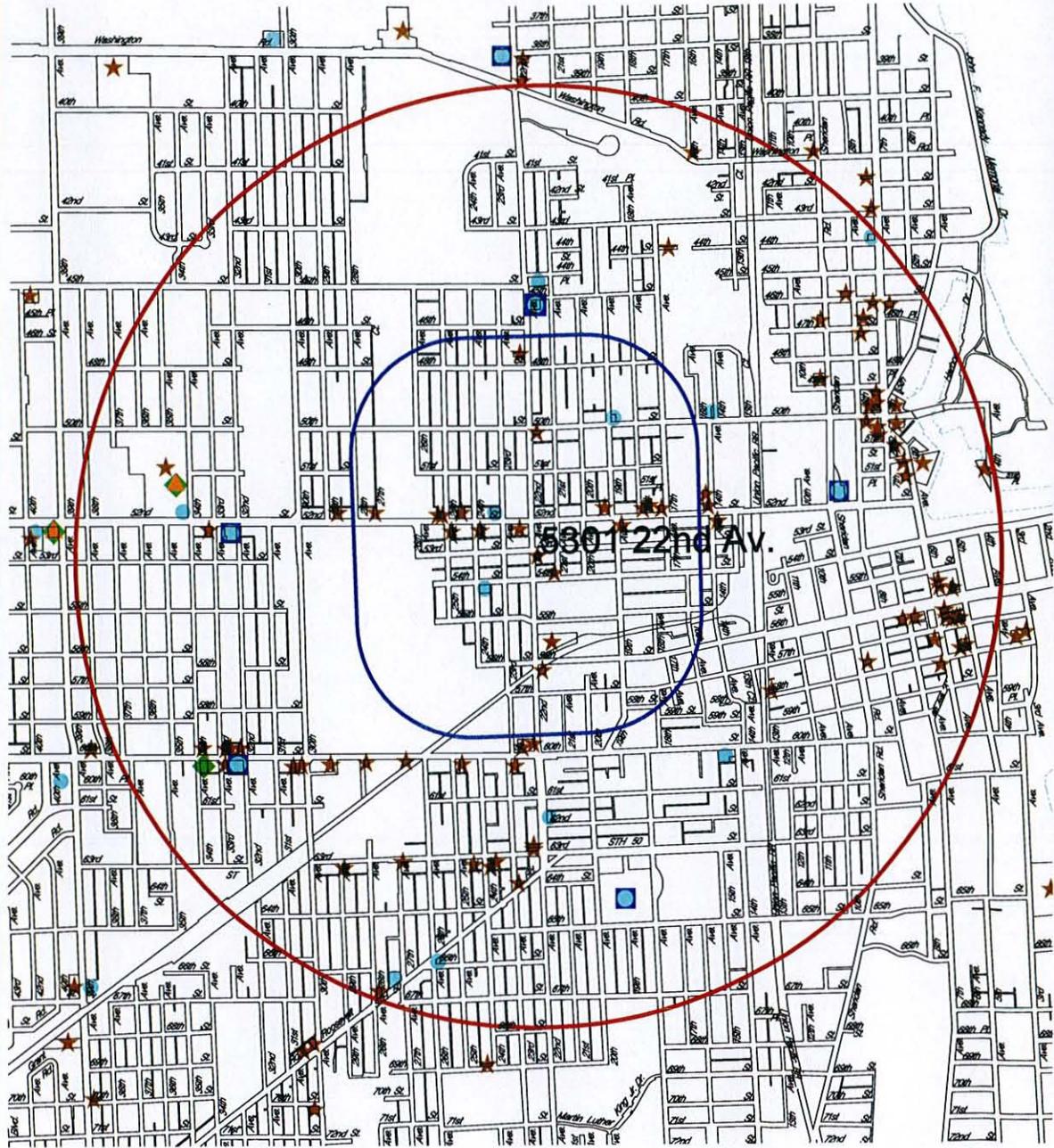
Penny Schuch
License Agent
Art Bar

SEP 22 2011

4:10 PM
TJ

City of Kenosha

Class "B" Beer/"Class B" Liquor Combination Application
5301 22nd Avenue



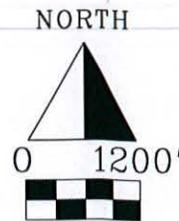
● Class "A" ■ "Class A" ◆ Class "B" ★ Class "B" & "Class B" ▲ "Class C"

— 5,280 ft from Applicant

— 6 blocks from Applicant

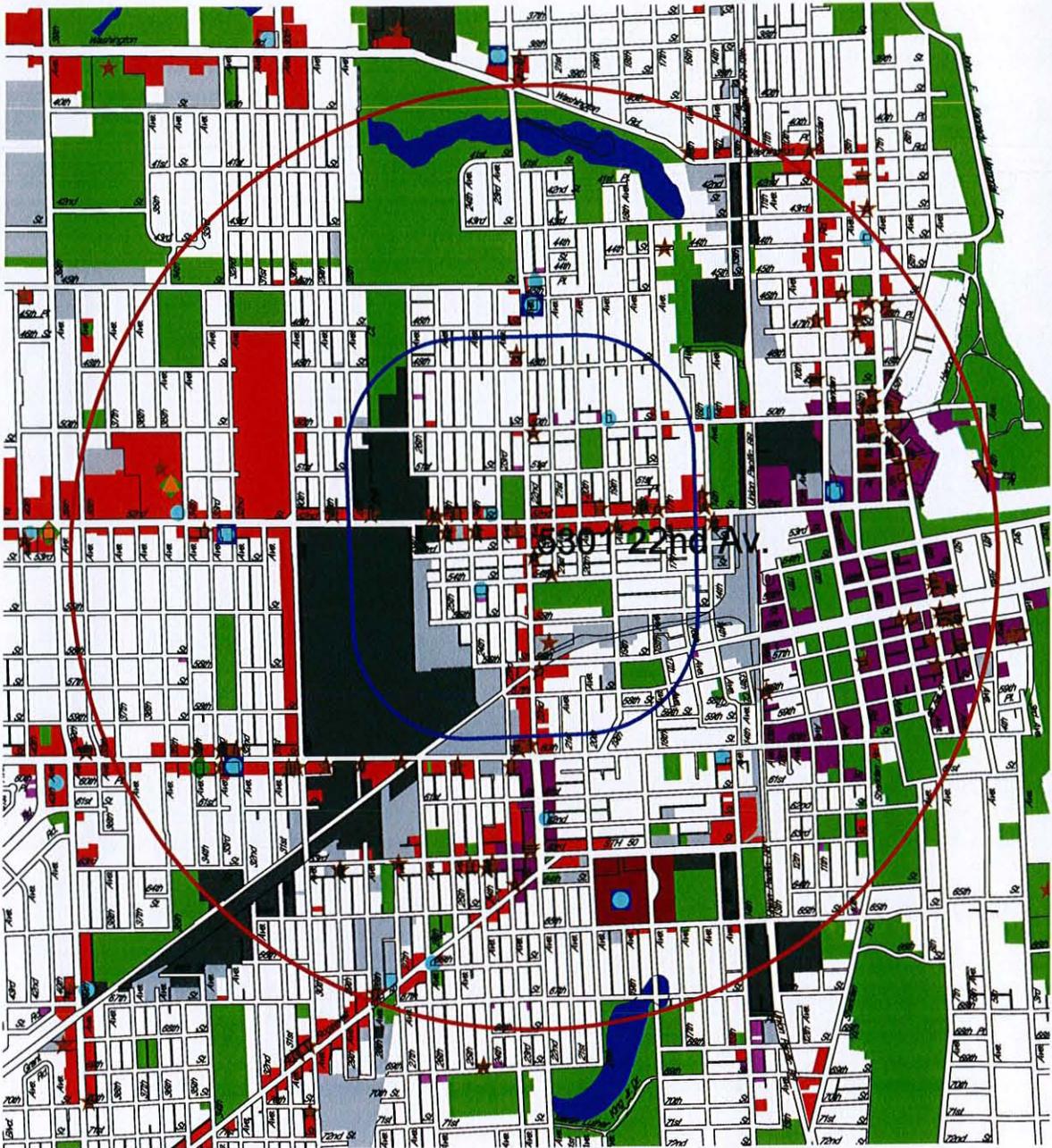
5,280 ft Radius	Class				
	"A"	"A"	"B"	"B" & "B"	"C"
Residential Districts	0	0	4	0	0
Business Districts	15	5	2	82	1
Other Districts	0	0	0	0	0

6 Block Radius	Class				
	"A"	"A"	"B"	"B" & "B"	"C"
Residential Districts	0	0	0	2	0
Business Districts	3	0	0	16	0
Other Districts	0	0	0	0	0



City of Kenosha

Class "B" Beer/"Class B" Liquor Combination Application
5301 22nd Avenue



- Class "A"
- "Class A"
- ◆ Class "B"
- ★ Class "B" & "Class B"
- ▲ "Class C"

Note: Residential Districts are not colored.

Note: Business Districts are colored as follows: B-1 B-2 B-3 B-4

— 5,280 ft from Applicant

— 6 blocks from Applicant

5,280 ft Radius	Districts				
	Class "A"	"Class A"	Class "B"	Class "B" & "Class B"	"Class C"
Residential Districts	0	0	0	4	0
Business Districts	15	5	2	82	1
Other Districts	0	0	0	0	0

6 Block Radius	Districts				
	Class "A"	"Class A"	Class "B"	Class "B" & "Class B"	"Class C"
Residential Districts	0	0	0	2	0
Business Districts	3	0	0	16	0
Other Districts	0	0	0	0	0

NORTH



20

To the Honorable Mayor and Common Council:

Your Committee on: Licensing/Permit Committee Monday, October 10, 2011:

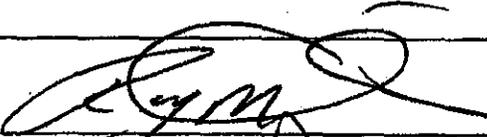
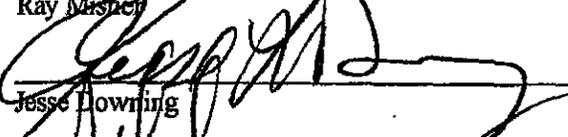
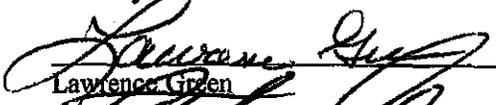
to whom was referred: Application of Traci Peterson, (Hatrix) for a change in the closing hours to 1:30 a.m. on the Outdoor Extension located at 2425 - 60th Street.

MOTION: D

SECOND: J

Respectfully report and recommend:

Approve 5-0

	Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Ray Misner		
	Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Jesse Downing		
	Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Anthony Nudo		
	Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Lawrence Green		
	Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Patrick Juliana		

OUTDOOR EXTENSION
CITY ORDINANCE §10.075

REQUEST TO CHANGE CLOSING HOURS to 1:30 AM TO 8:00 AM*

Licensee Name Traci Peterson

Trade Name Hatrix Trade Address 2425-60th Street

City Clerk Verification:

***The outdoor hours of the above referenced outdoor extension were extended to 12:00 Midnight to 8 a.m. in the previous license term.**

Signature: Rachael M Lovetro

Title: City Clerk's Office
City Clerk

Applicant:

The undersigned is hereby applying for a change of the closing hours of the outdoor extension of the Class "B" Beer/"Class B" Liquor Combination license in accordance with §10.075 F. of the Code of General Ordinances to **1:30 a.m. to 8:00 a.m.**, and has had its outdoor hours extended by the Common Council to **12:00 Midnight** in the previous license term.

In making this application, I understand that amplified music or sound otherwise permitted under Section 10.75 E.2. shall not be allowed after 10:00.

Traci Peterson
(Individual/Partner/President of Corporation)

(Partner/Secretary of Corporation)

SUBSCRIBED TO AND SWORN TO BEFORE ME

THIS 29th OF September, 2011.

Rachael M Lovetro
Notary Public

My commission expires 7-26-15
[/u2/acct/clerk/ckarenf/SHARE CLERKS/LICENSES/BEER LIQUOR LICENSES/OUTDOOR EXTENSIONS/waiver hours 1:30am.odt](#)

(11)

To the Honorable Mayor and Common Council:

Your Committee on: Licensing/Permit Committee Monday, October 10, 2011:

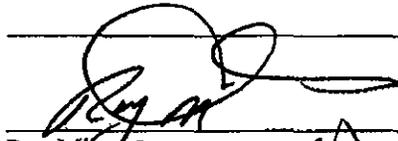
to whom was referred: 7 Applications for Yearly Cabaret Licenses (2011-2012 Term), with no adverse recommendations per list on file in the Office of the City Clerk.

MOTION:

SECOND:

Respectfully report and recommend:

N-D Separate NASSAR - Dark-Tap 5-0
N-D 1- thru 6 - 5-0 approve
GA- J defu item 7 to 10/17/11 spec. mtg. 5-0

 Ray Miser	} Aye <u>Y</u>	Nay _____
 Jesse Downing	} Aye <u>X</u>	Nay _____
 Anthony Nudo	} Aye <u>X</u>	Nay _____
 Lawrence Green	} Aye <u>X</u>	Nay _____
 Patrick Juliana	} Aye <u>X</u>	Nay _____

Sheet1

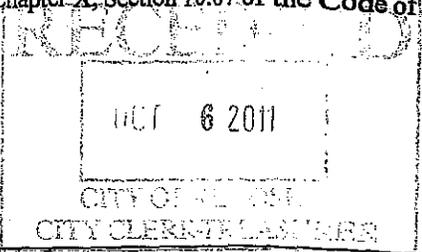
APPLICATION FOR YEARLY CABARET LICENSE: 10/17/11 EXPIRES: 06/30/11				
Licensee Name	Business Name	Business Address	Agent	Received
Boat House Pub & Eatery Inc	Boat House Pub & Eatery	4927-7 th Av	James Matzur	10/04/11
Dishes to Die For INC	TG's Restaurant & Pub	4120-7 th Av	Theresa Revis	10/04/11
GNC Hook LLC	Art Bar	5301-22 nd Av	Penny Schuch	10/04/11
House of Gerhard LTD	House of Gerhard Restaurant	3927-75 th St	Angelika Rudin	09/23/11
McDonald Institute LLC	Wine Knot	5611-6 th Av	Terry McDonald	10/04/11
Tera-Ala Corp	Finney's Lounge	2208-60 th St	Teresa Groves	10/04/11

APPLICATION FOR YEARLY CABARET LICENSE

CITY OF KENOSHA

NOTE: ALLOW 15 DAYS FOR PROCESSING & APPROVAL

PLEASE NOTE: This license is non-renewable. Applications shall be referred by the City Clerk to the Police Department. The Police Department shall make a report, in writing, to the City Attorney as to any police record of the applicant, which may reflect upon good moral character or business responsibility. The City Attorney shall examine said record and make a recommendation to the Committee on Licenses/Permits based thereon as to whether the license shall be granted. The Committee on Licenses/Permits shall review all applications, any reports, the recommendation of the City Attorney and all other information before it. Said Committee shall recommend to the Common Council either the granting or denial of each application. (In accordance to Chapter X, Section 10.07 of the Code of General Ordinances of the City of Kenosha.)



Type: 212-Yearly (Pink) \$300.00/Year

Date of Application 10/6/2011

1. Licensee Name Naster Inc.

(NOTE: must be same name as beer/liquor license)

2. Business Name & Address Our Kenosha Tap 3221-60th St.

3. If license is in the name of a Corporation or LLC, Agent Name Naster Inc. NASSER MUSCHT

Licensee: Individual, or if Corporation/LLC, Agent completes following:

4. Date of Birth of Agent (if Corporation/LLC) or Individual 11/28/65

5. Address 6021-33 Ave 53142

6. Driver's License Number: M231-6296-5428-06 WI. (MUST INDICATE IF THIS IS NOT A WISCONSIN DL)

7. Have you, as an adult, ever been convicted of a major crime (felony) or minor crime (misdemeanor) in Wisconsin, or in any other State, or do you have such a charge pending at this time? [] Yes [x] No If yes, state charge, year offense committed or alleged to be committed, and disposition:

8. Have you, as an adult, ever been convicted of violating a municipal or county ordinance in Wisconsin or in any state, or do you have such a charge pending at this time? [] Yes [x] No If yes, state charge and year offense committed or alleged to be committed, and disposition:

9. Have you, as an adult, ever served time, or been sentenced to serve time, in a jail or prison in Wisconsin or in any other State? [] Yes [x] No If yes, explain:

-OVER-

10. Have you ever had your driver's license suspended or revoked in Wisconsin or in any other State?

Yes No If yes, explain:

11. Have you received any traffic citations in Wisconsin or in any other State within the past five (5) years, or do you have any such citations pending? Yes No If yes, state charge, year offense committed or alleged to be committed, and disposition:

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

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

Our Kenosha Tap 3221-60th St.
City of Kenosha / Street Dept. Kenosha

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

6021-33 Ave
Kenosha, WI 53142

Applicant's Signature



Date: 10/6/2011

PLEASE READ: §1.22 LICENSE/PERMIT APPLICATIONS - CODE OF GENERAL ORDINANCES

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

B. Penalty 1) Any person violating Subsection A. above, shall, upon conviction thereof, be subject to a forfeiture not to exceed Five Hundred (\$500) Dollars, plus the payment of the costs of prosecution, and, in default of the timely payment thereof, shall be committed to the County Jail until such forfeiture has been paid, but not to exceed a period of thirty (30) days.

2) The license or permit granting authority may grant, but withhold the issuance of, any license or permit for a period not to exceed thirty (30) days from the date of granting under circumstances wherein an application is found by the granting authority to have violated Section A. above, and the applicant was provided with an opportunity to appear before the granting authority. The granting authority may also issue a written warning to the applicant which shall be made part of their license/permit record for two (2) consecutive license/permit years.

Where such finding and penalty is made and imposed by other than the Common Council, applicant may, within ten (10) days of receipt of oral or written notice of the imposition of any such penalty, whichever is first, if both oral and written notice is provided, file a Notice of Appeal with the City Clerk and have such matter reviewed by the Common Council.

§1.225 ADMINISTRATIVE CHARGE FOR PROCESSING LICENSE/PERMIT APPLICATIONS

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

10/29

To the Honorable Mayor and Common Council:

Your Committee on: Licensing/Permit Committee Monday, October 10, 2011:

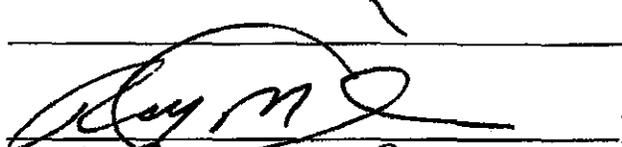
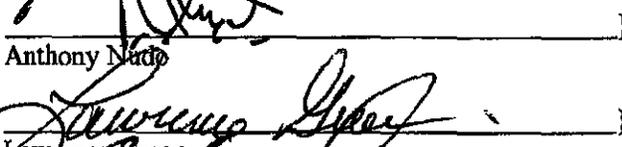
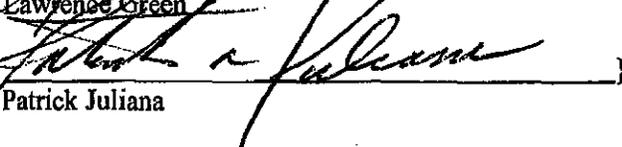
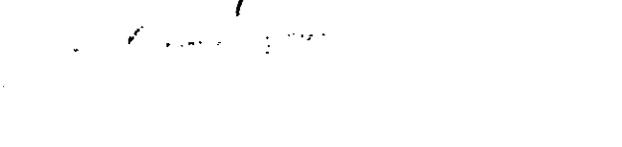
to whom was referred: Applications of Bacchus Billiards, LLC (Brian D'Angelo, Agent), for Daily Cabaret Licenses located at 5010 - 7th Avenue (Deep Blues) on October 20th, October 21st and October 29th, 2011.

MOTION: C.

SECOND: D

Respectfully report and recommend:

exclude 10/29 date - No longer needed
approve 5.0

 Ray Misner	Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
 Jesse Downing	Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
 Anthony Nade	Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
 Lawrence Green	Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
 Patrick Juliana	Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>

**APPLICATION FOR DAILY CABARET LICENSE
CITY OF KENOSHA**

NOTE: ALLOW 15 DAYS FOR PROCESSING & APPROVAL

PLEASE NOTE: This license is non-renewable. Applications shall be referred by the City Clerk to the Police Department. The Police Department shall make a report, in writing, to the City Attorney as to any police record of the applicant, which may reflect upon good moral character or business responsibility. The City Attorney shall examine said record and make a recommendation to the Committee on Licenses/Permits based thereon as to whether the license shall be granted. The Committee on Licenses/Permits shall review all applications, any reports, the recommendation of the City Attorney and all other information before it. Said Committee shall recommend to the Common Council either the granting or denial of each application. (In accordance to Chapter X, Section 10.07 of the Code of General Ordinances of the City of Kenosha.)

Type: 213-Daily (Yellow) \$50.00/Day

Date of Application 9-30-11 Date of Event ~~10-20-11~~ 10-20-11

Explanation of Event ~~KARAOKE~~ "MAMA JANE"

1. Licensee Name ~~BROWN ANGELS~~ BACCHUS B. (LINDS) LLC
(NOTE: must be same name as beer/liquor license)

2. Business Name & Address DEEP BLUES / 5010 7 AVE KENOSHA 53140

3. If license is in the name of a Corporation or LLC, Agent Name BROWN ANGELS

Licensee: Individual, or if Corporation/LLC, Agent completes following:

4. Date of Birth of Agent (if Corporation/LLC) or Individual 11-27-57

5. Address 2917 GREEN TREE LANE RACINE 53402

6. Driver's License Number: D524-0765-7427-04
(MUST INDICATE IF THIS IS NOT A WISCONSIN DL)

7. Have you, as an adult, ever been convicted of a major crime (felony) or minor crime (misdemeanor) in Wisconsin, or in any other State, or do you have such a charge pending at this time? Yes No If yes, state charge, year offense committed or alleged to be committed, and disposition:

8. Have you, as an adult, ever been convicted of violating a municipal or county ordinance in Wisconsin or in any state, or do you have such a charge pending at this time? Yes No If yes, state charge and year offense committed or alleged to be committed, and disposition:

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

-OVER- SEP 30 2011

10. Have you ever had your driver's license suspended or revoked in Wisconsin or in any other State?

Yes No If yes, explain:

96 DUT MANITOWOC

11. Have you received any traffic citations in Wisconsin or in any other State within the past five (5) years, or do you have any such citations pending? Yes No If yes, state charge, year offense committed or alleged to be committed, and disposition:

INATTENTIVE DRIVING

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

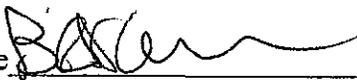
13. List the name and address of all employers for which you have worked and/or businesses you have operated in the past five (5) years:

BARTHUS BILLIARDS 5010-7th KENO 53140

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

2917-6250 TEE LANE RACING 53402

Applicant's Signature



Date:

9-30-11

PLEASE READ: §1.22 LICENSE/PERMIT APPLICATIONS - CODE OF GENERAL ORDINANCES

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

B. Penalty 1) Any person violating Subsection A. above, shall, upon conviction thereof, be subject to a forfeiture not to exceed Five Hundred (\$500) Dollars, plus the payment of the costs of prosecution, and, in default of the timely payment thereof, shall be committed to the County Jail until such forfeiture has been paid, but not to exceed a period of thirty (30) days.

2) The license or permit granting authority may grant, but withhold the issuance of, any license or permit for a period not to exceed thirty (30) days from the date of granting under circumstances wherein an application is found by the granting authority to have violated Section A. above, and the applicant was provided with an opportunity to appear before the granting authority. The granting authority may also issue a written warning to the applicant which shall be made part of their license/permit record for two (2) consecutive license/permit years.

Where such finding and penalty is made and imposed by other than the Common Council, applicant may, within ten (10) days of receipt of oral or written notice of the imposition of any such penalty, whichever is first, if both oral and written notice is provided, file a Notice of Appeal with the City Clerk and have such matter reviewed by the Common Council.

§1.225 ADMINISTRATIVE CHARGE FOR PROCESSING LICENSE/PERMIT APPLICATIONS

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APPLICATION FOR DAILY CABARET LICENSE

CITY OF KENOSHA

NOTE: ALLOW 15 DAYS FOR PROCESSING & APPROVAL

PLEASE NOTE: This license is non-renewable. Applications shall be referred by the City Clerk to the Police Department. The Police Department shall make a report, in writing, to the City Attorney as to any police record of the applicant, which may reflect upon good moral character or business responsibility. The City Attorney shall examine said record and make a recommendation to the Committee on Licenses/Permits based thereon as to whether the license shall be granted. The Committee on Licenses/Permits shall review all applications, any reports, the recommendation of the City Attorney and all other information before it. Said Committee shall recommend to the Common Council either the granting or denial of each application. (In accordance to Chapter X, Section 10.07 of the Code of General Ordinances of the City of Kenosha.)

Type: 213-Daily (Yellow) \$50.00/Day

Date of Application 9-30-11 Date of Event 10-21-11

Explanation of Event BLUE CLASS BAND BLUE EDGE OF THE MARIE

1. Licensee Name ~~BRYAN DIANGELO~~ BACCHUS BILLIARDS LLC 5010 7AVG (NOTE: must be same name as beer/liquor license)

2. Business Name & Address DEEP BLUES / BACCHUS BILLIARDS LLC 5010-7AV KENOSHA

3. If license is in the name of a Corporation or LLC, Agent Name BRYAN DIANGELO 53140

Licensee: Individual, or if Corporation/LLC, Agent completes following:

4. Date of Birth of Agent (if Corporation/LLC) or Individual 11-27-57

5. Address 2917 GREEN TREE LANE BACCHUS 53140

6. Driver's License Number DS24 0765-7427-04 (MUST INDICATE IF THIS IS NOT A WISCONSIN DL)

7. Have you, as an adult, ever been convicted of a major crime (felony) or minor crime (misdemeanor) in Wisconsin, or in any other State, or do you have such a charge pending at this time? [] Yes [X] No If yes, state charge, year offense committed or alleged to be committed, and disposition:

8. Have you, as an adult, ever been convicted of violating a municipal or county ordinance in Wisconsin or in any state, or do you have such a charge pending at this time? [] Yes [X] No If yes, state charge and year offense committed or alleged to be committed, and disposition:

9. Have you, as an adult, ever served time, or been sentenced to serve time, in a jail or prison in Wisconsin or in any other State? [] Yes [X] No If yes, explain:

SEP 30 2011

-OVER-

10. Have you ever had your driver's license suspended or revoked in Wisconsin or in any other State?

Yes No If yes, explain:

96 DUB MANITOWOC

11. Have you received any traffic citations in Wisconsin or in any other State within the past five (5) years, or do you have any such citations pending? Yes No If yes, state charge, year offense committed or alleged to be committed, and disposition:

IN ATTENTIVE DRIVING

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

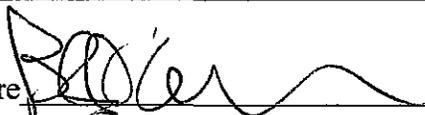
13. List the name and address of all employers for which you have worked and/or businesses you have operated in the past five (5) years:

BARTHUS BILLINGS 5010-7AVE KENO 53140

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

2917 GREEN TREELANDS BLVD WIS 53402

Applicant's Signature



Date:

9-30-11

PLEASE READ: §1.22 LICENSE/PERMIT APPLICATIONS - CODE OF GENERAL ORDINANCES

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

B. Penalty 1) Any person violating Subsection A. above, shall, upon conviction thereof, be subject to a forfeiture not to exceed Five Hundred (\$500) Dollars, plus the payment of the costs of prosecution, and, in default of the timely payment thereof, shall be committed to the County Jail until such forfeiture has been paid, but not to exceed a period of thirty (30) days.

2) The license or permit granting authority may grant, but withhold the issuance of, any license or permit for a period not to exceed thirty (30) days from the date of granting under circumstances wherein an application is found by the granting authority to have violated Section A. above, and the applicant was provided with an opportunity to appear before the granting authority. The granting authority may also issue a written warning to the applicant which shall be made part of their license/permit record for two (2) consecutive license/permit years.

Where such finding and penalty is made and imposed by other than the Common Council, applicant may, within ten (10) days of receipt of oral or written notice of the imposition of any such penalty, whichever is first, if both oral and written notice is provided, file a Notice of Appeal with the City Clerk and have such matter reviewed by the Common Council.

§1.225 ADMINISTRATIVE CHARGE FOR PROCESSING LICENSE/PERMIT APPLICATIONS

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

(15)

To the Honorable Mayor and Common Council:

Your Committee on: Licensing/Permit Committee Monday, October 10, 2011:

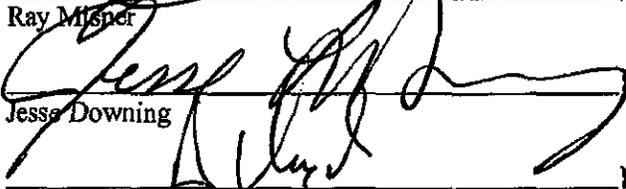
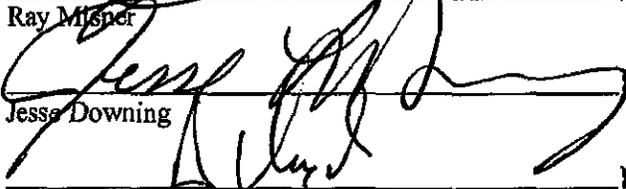
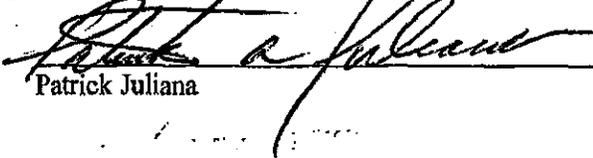
to whom was referred: Application of Randy Westphal, for an Amusement and Recreation Enterprise Supervisor License located at 3812 - 60th Street (Chutes & Ladders Pub & Grill), with no adverse recommendations.

MOTION: D

SECOND: N

Respectfully report and recommend:

Approve 5-0

	Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Ray Mispner		
	Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Jesse Downing		
	Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Anthony Nudo		
	Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Lawrence Green		
	Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Patrick Juliana		

**APPLICATION FOR AMUSEMENT AND RECREATION
ENTERPRISE SUPERVISOR LICENSE**

(Includes: Bowling Alleys, Pool Halls, Skating Rinks, Shooting Galleries, and Public Dance)

Type: 123

Fee: \$25.00

Expires: May 31st

Check One: Original Application Renewal Application

PLEASE PRINT

Name Randy Westphal

Address 1215-52 ave somers 53144

Date of Birth 9/22/62

(must be at least 18 years of age)

Home Phone 262-552-7577

Trade Name of Amusement Enterprise (where this license will be used):

Charles + Ladders Pub + Grill

Please fill out the attached "Applicant's Report - Police Record"
(Be sure to include your middle initial)

Applicant's Signature Randy Westphal

Date 9/26/11

Subscribed and Sworn to before me this
26th day of September, 2011.

Rachael M Lovetro
Notary Public

My Commission Expires 7-26-15

FOR OFFICE USE ONLY

License # 120016

Clerk Initials ddl

Date Received/Filed 9/26/11

Date License Granted by Council _____

To the Honorable Mayor and Common Council:

Your Committee on: Licensing/Permit Committee Monday, October 10, 2011:

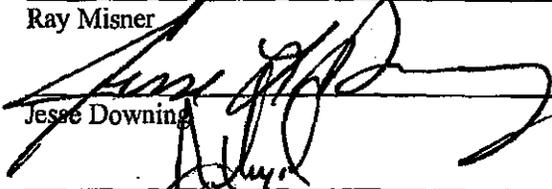
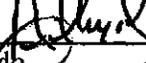
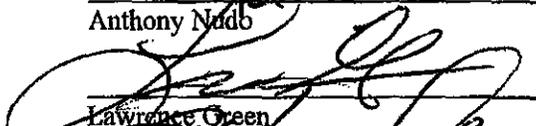
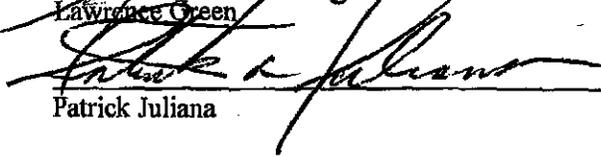
to whom was referred: Application of Donna Miller, for an Amusement and Recreation Enterprise Supervisor License located at 4237 Green Bay Road (Monkey Joe's), with no adverse recommendations.

MOTION: G.

SECOND: N

Respectfully report and recommend:

approve 5-0

	}	Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Ray Misner			
	}	Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Jesse Downing			
	}	Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Anthony Nudd			
	}	Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Lawrence Green			
	}	Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Patrick Juliana			

120017

APPLICATION FOR AMUSEMENT AND RECREATION
ENTERPRISE SUPERVISOR LICENSE

(Includes: Bowling Alleys, Pool Halls, Skating Rinks, Shooting Galleries, and Public Dance)

Type: 123

Fee: \$25.00

Expires: May 31st

Check One: Original Application Renewal Application

PLEASE PRINT

Name Donna M Miller

Address 15899 88th ST Bristol WI 53104

Date of Birth 8-19-62

(must be at least 18 years of age)

Home Phone 414-322-7474

Trade Name of Amusement Enterprise (where this license will be used):

Monkey Joe's

Please fill out the attached "Applicant's Report - Police Record"

(Be sure to include your middle initial)

Applicant's Signature Donna M Miller

Date 9-23-11

Subscribed and Sworn to before me this

27th day of October, 2011.

Notary Public Kaw J Fosberg

My Commission Expires 3/15/15

FOR OFFICE USE ONLY

License # _____

Clerk Initials fw

Date Received/Filed 9/23/11

Date License Granted by Council _____

To the Honorable Mayor and Common Council:

Your Committee on: Licensing/Permit Committee Monday, October 10, 2011:

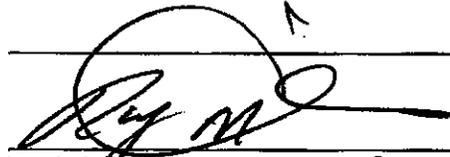
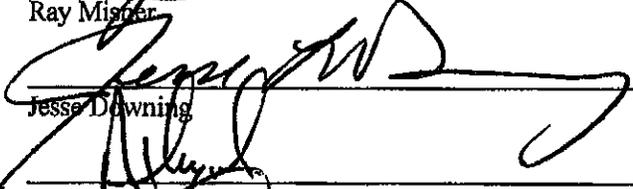
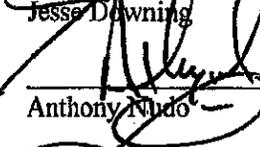
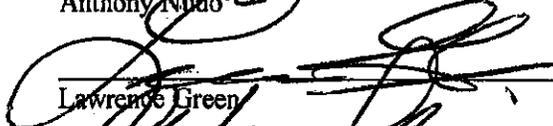
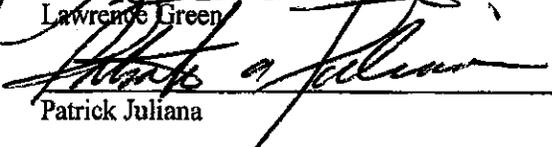
to whom was referred: Application of Amanda Murphy, for an Amusement and Recreation Enterprise Supervisor License located at 4237 Green Bay Road (Monkey Joe's), with a recommendation from the City Attorney to deny, based on material police record.

MOTION: G.

SECOND: D

Respectfully report and recommend:

Concur 5-0 (To Deny)

	Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Ray Miser		
	Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Jesse Downing		
	Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Anthony Guido		
	Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Lawrence Green		
	Aye <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Patrick Juliana		

N 120018

APPLICATION FOR AMUSEMENT AND RECREATION
ENTERPRISE SUPERVISOR LICENSE

(Includes: Bowling Alleys, Pool Halls, Skating Rinks, Shooting Galleries, and Public Dance)

Type: 123

Fee: \$25.00

Expires: May 31st

Check One: Original Application ~~Renewal Application~~

PLEASE PRINT

Name Amanda Murphy

Address 6321-45 St

Date of Birth 01-11-79

(must be at least 18 years of age)

Home Phone 262-220-4132

Trade Name of Amusement Enterprise (where this license will be used):

Monkey Joes 4237 - Green Bay Rd

Please fill out the attached "Applicant's Report - Police Record"
(Be sure to include your middle initial)

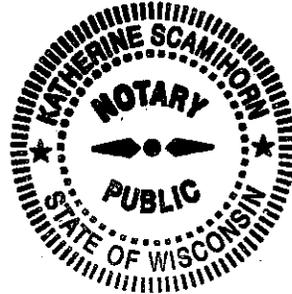
Applicant's Signature Amanda Murphy

Date 9/23/11

Subscribed and Sworn to before me this 26 day of August 2011

Katherine Scamhorn
Notary Public

My Commission Expires May 20 2012



FOR OFFICE USE ONLY

License # _____

Clerk Initials AM

Date Received/Filed 9/27/11

Date License Granted by Council _____

Amusement and Recreation Supervisor License Police Record Report

Applicant Information

Date of Application:	Driver's License Status:	Name of Applicant:	Date of Birth:
09/23/11	SUSPENDED	Amanda Murphy	01/11/79

Address of Applicant:	Business (where license is to be used):	Business Address:
6321 - 45th St	Monkey Joes	4237 Green Bay Rd

Expiration Date: 5/31/12

Date of Charge	Offense	Status	Was Offense Listed on Application? (Y/N)	Points
08-17-07	LICENSE NOT ON PERSON	GUILTY	N	25
08-28-07	OPERATING WHILE SUSPENDED	GUILTY	N	25
01-28-08	OPERATING WHILE SUSPENDED	GUILTY	N	25
01-28-08	OPERATING WHILE SUSPENDED	GUILTY	N	25
03-23-08	LICENSE NOT ON PERSON	GUILTY	N	25
12-30-09	OPERATING WHILE SUSPENDED	GUILTY	N	25
02-08-10	OPERATING WHILE SUSPENDED	GUILTY	N	25
05-07-10	OPERATING WHILE SUSPENDED	GUILTY	N	25
10-22-10	OPERATING WHILE SUSPENDED	GUILTY	N	25

City Attorney Recommendation:

Offense Demerit Points (above)	200
Were all Offenses Listed on Application?*	N 25
Total Demerit Points	225

*Offense not listed = 25 demerit points.

Grant, Subject to	Demerit Points
	DENY, based on material police record (substantially related to the license activity)
X	DENY, based on material police record (substantially related to the license activity) & false application

City Attorney Comments:

DEPARTMENT OF CITY DEVELOPMENT
625 - 52ND STREET - ROOM 308
KENOSHA, WISCONSIN 53140
(262) 653-4030
FAX (262) 653-4045
www.kenosha.org



CITY PLAN
REAL ESTATE
HISTORIC PRESERVATION
COMMUNITY DEVELOPMENT BLOCK GRANT
REDEVELOPMENT

JEFFREY B. LABAHN
Director of City Development

MEMO

TO: Mayor Keith Bosman
Members of the Common Council

FROM: Rich Schroeder, Department of City Development *RS*

RE: **Attachment and Temporary Zoning District Classification
Under Section 66.0307, Wisconsin Statutes
City of Kenosha/Town of Somers Cooperative Plan
Property at 5523 23rd Street - Parcel #80-4-222-233-0110 (Pinnacle Towers, LLC)**

DATE: October 6, 2011

Attached is an ordinance regarding the property petitioned to be attached to the City of Kenosha from the Town of Somers. The attachment area is located at 5523 23rd Street, and consists of 5.051 acres, more or less.

The attachment is a Unanimous Consent Petition and is consistent with the City of Kenosha/Town of Somers State Approved Cooperative Plan.

Other pertinent information regarding this attachment petition include the following:

Existing development: Communication Tower
Proposed land use(s): No Change
Projected population: -0-
Development schedule: N/A

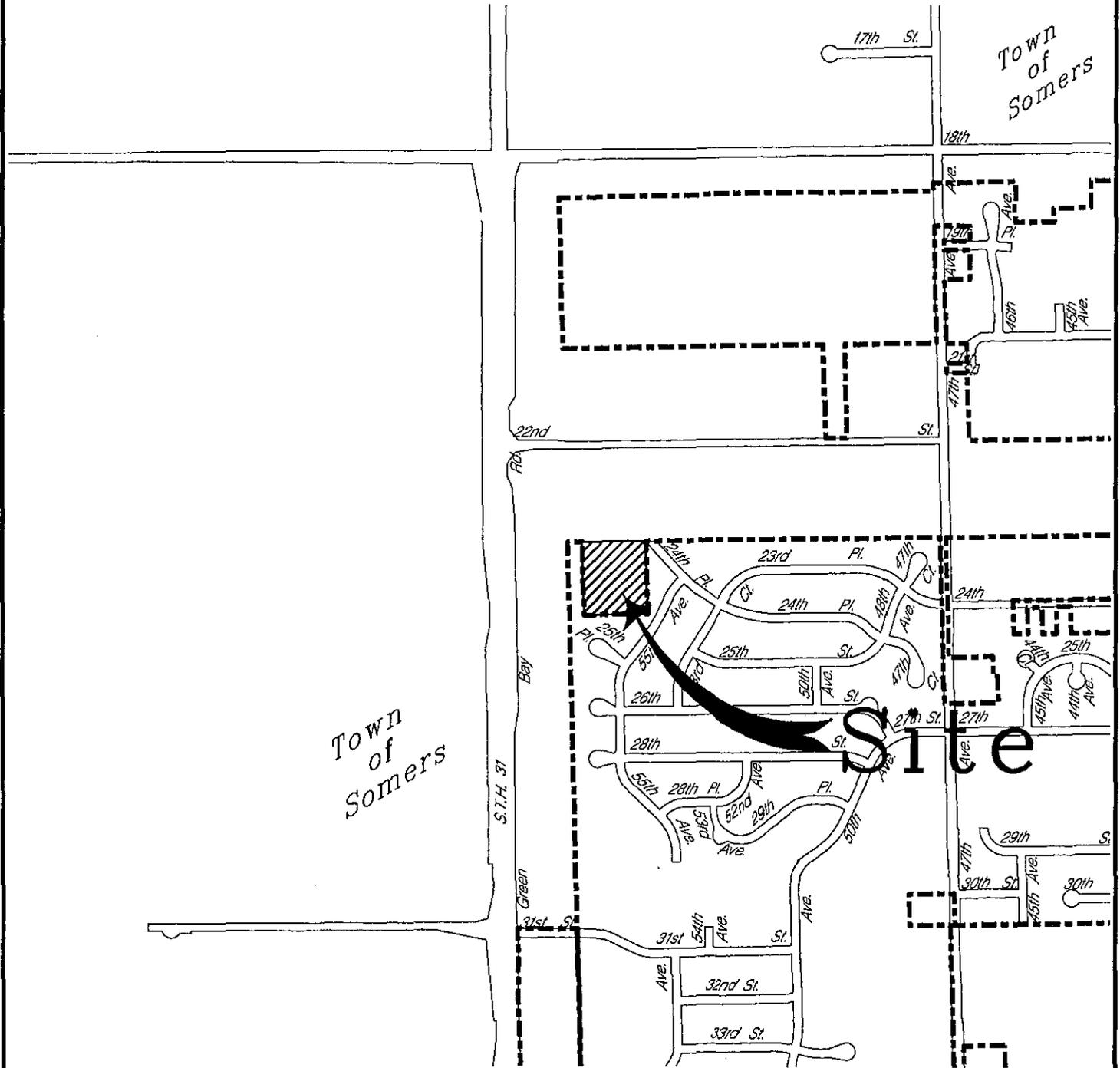
Owner's Name(s)	Property Address	Parcel Number
Pinnacle Towers LLC	5523 23rd Street	80-4-222-233-0110

RS:kas
Attachment

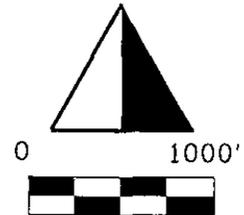
CITY OF KENOSHA

Vicinity Map

Pinnacle Towers, LLC Attachment



NORTH



ATTACHMENT AND ZONING DISTRICT CLASSIFICATION ORDINANCE
Under Section 66.0307, Wisconsin Statutes,
City of Kenosha/Town of Somers
State Approved Cooperative Plan

Parcel No. 80-4-222-233-0110
[Property Located 5523 23rd Street]
Town of Somers
[Pinnacle Towers, LLC - Property Owner]

ORDINANCE NO. _____

BY: THE MAYOR

Attaching to the City of Kenosha, Wisconsin, territory in the Town of Somers, Kenosha County, Wisconsin, and providing zoning district classifications under Section 66.0307, Wisconsin Statutes, City of Kenosha/Town of Somers State Approved Cooperative Plan:

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

Section One: Territory Attached. In accordance with City of Kenosha/Town of Somers Cooperative Plan under Section 66.0307 of the Wisconsin Statutes, approved by the Wisconsin Department of Administration, Intergovernmental Relations, Municipal Boundary Review, on August 8, 2005, the territory in the Town of Somers, Kenosha County, Wisconsin, with an associated population of zero (0), described on the attached legal description, Attachment "A", and map, Attachment "B", is hereby attached to the City of Kenosha, Wisconsin, as hereinafter provided.

Section Two: Effect of Attachment. From and after November 7, 2011, the date of attachment, the territory described in Section One shall be a part of the City of Kenosha for any and all purposes provided by law, and all persons coming or residing within such territory shall be subject to all Ordinances, rules and regulations governing the City of Kenosha.

Section Three: Zoning District Classifications. The territory described in Section One, upon attachment, shall have the zoning district classifications shown on Attachment "C". This zoning district classification shall be and remain in effect for the parcel of land described therein until this Zoning District Classification Ordinance is amended as prescribed in Section 62.23(7)(d), Wisconsin Statutes.

Section Four: District and Ward Designation. The territory described in Section

One is hereby made a part of the 77th Ward of the 5th District of the City of Kenosha, subject to the Ordinances, rules and regulations of the City governing Wards and Districts until January 1, 2012, at which time the property shall be made part of the 19th Ward of the 5th District of the City of Kenosha. The County Board of Supervisors for Kenosha County is requested to have the attached area included in the same District and Ward for the County Supervisory seat as for the City Aldermanic seat.

Section Five: Connection To City Utilities. The territory described in Section One shall, by submission of the Attachment Petition, require connection of existing and any future habitable buildings to municipal water and sewer, within the time limits established by Chapter 32 of the Code of General Ordinances for the City of Kenosha, Wisconsin.

Section Six: Severability. If any provision of this Ordinance is invalid or unconstitutional, or if the application of this Ordinance to any person or circumstances is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid or unconstitutional provision or application.

Section Seven: Effective Date. This Ordinance, the Attachment, and the Zoning District Classifications shall take effect on November 11, 2011, after passage and publication, as provided by law.

ATTEST: _____ City Clerk

APPROVED: _____ Mayor Date: _____

Passed:

Published:

Drafted By:
JONATHAN A. MULLIGAN
Assistant City Attorney

PINNACLE TOWERS LLC

SECRETARY'S CERTIFICATE

I, Donald J. Reid, Jr., do hereby certify that I am the Secretary of Pinnacle Towers LLC, a Delaware limited liability company (the "Company"), and further CERTIFY that:

1. William Barnett is the Area Director of Property -- Midwest Area of the Company and continues to hold such office as of the date below; and
2. pursuant to the Commitment Authority Policy of the Company dated September 2, 2011, an Area Director of Property -- Midwest Area of the Company is authorized to execute agreements relating to his Area of the Company having an aggregate expenditure limit of up to \$ 100,000.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 13th day of September, 2011.

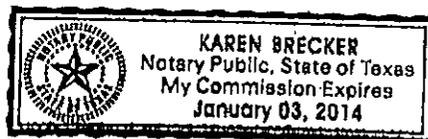

Donald J. Reid, Jr., Secretary

STATE OF TEXAS
COUNTY OF HARRIS

This certificate was subscribed and sworn before me on the 13th day of September, 2011, by Donald J. Reid, Jr., Secretary of Pinnacle Towers LLC.


Notary Public

My Commission Expires: 01-03-2014



**CITY OF KENOSHA
DISTRICT MAP
ATTACHMENT ORDINANCE**

SUPPLEMENT NO. _____ ACOMPANYING ORD. NO. _____

PINNACLE TOWERS, LLC PETITION

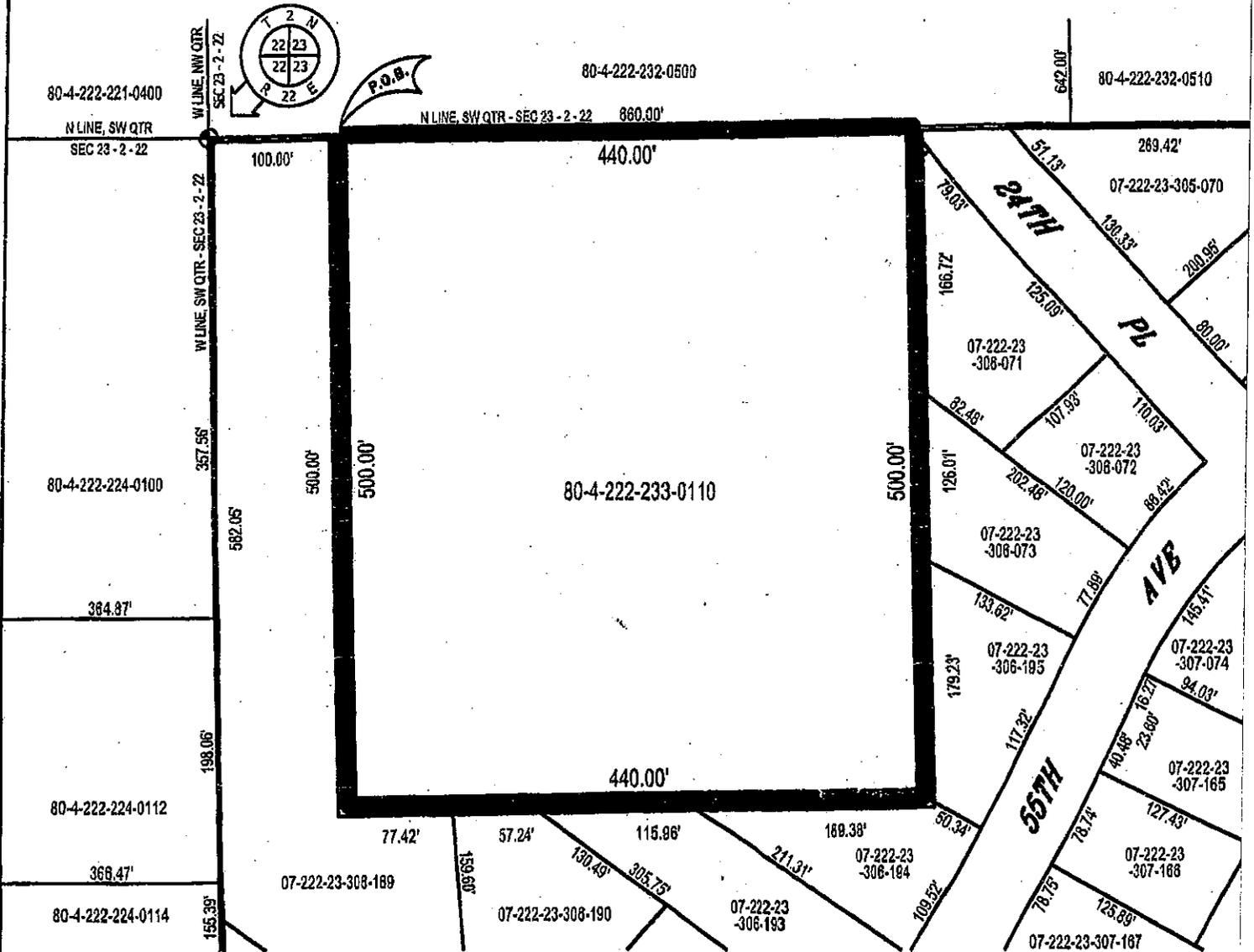


EXHIBIT B

 DENOTES PRESENT CORPORATE LIMITS, CITY OF KENOSHA
 DENOTES AREA TO BE ATTACHED TO THE CITY OF KENOSHA

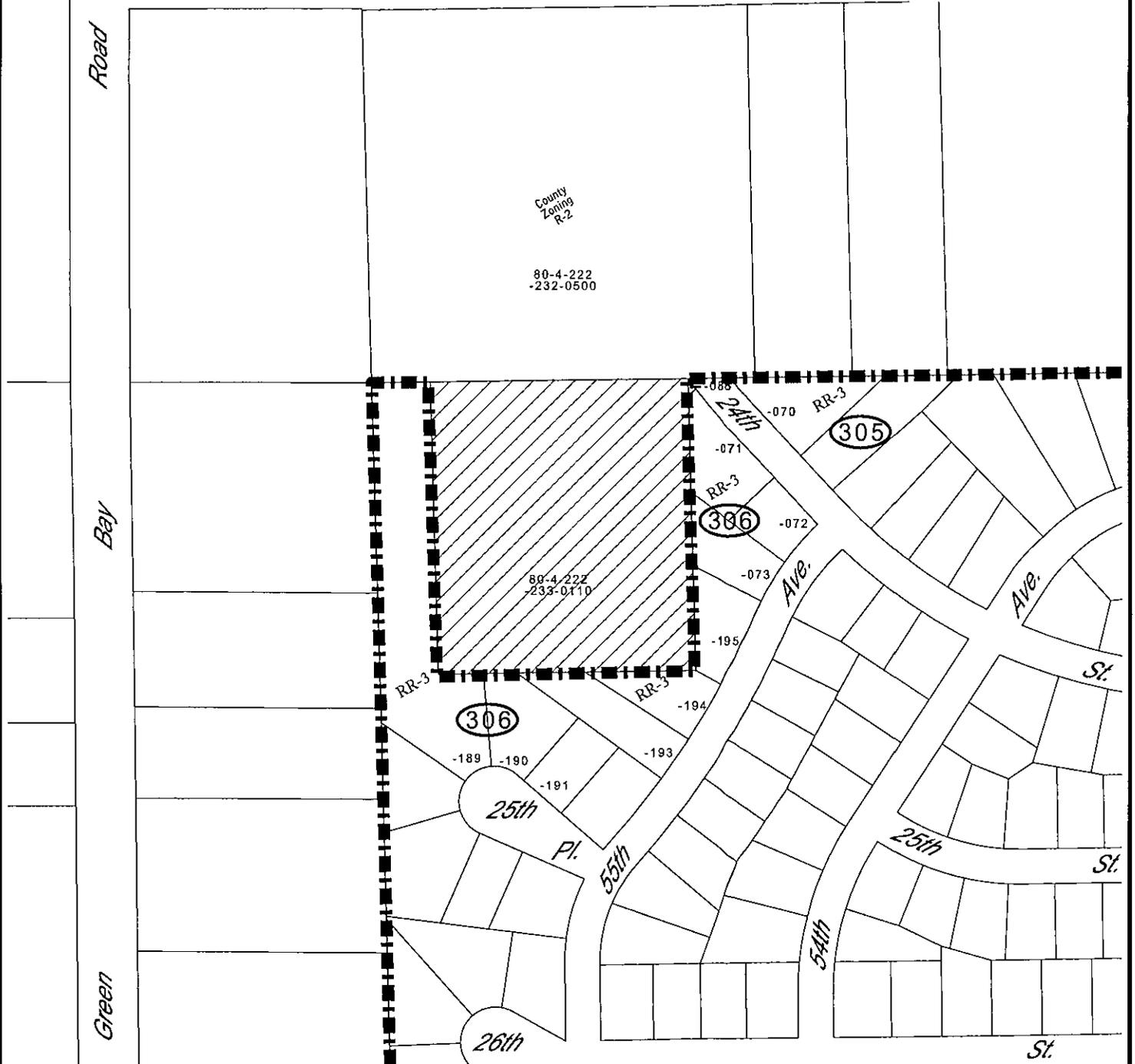
CITY OF KENOSHA

Zoning District Classification Map
Attachment "C"

Pinnacle Towers, LLC Petition

SUPPLEMENT NO. AT1-11

ORDINANCE NO. _____



Property to be zoned:

 *IP Institutional Park*

 *Municipal Boundary*

NORTH



0 250'



222-22-1&4
222-23-2&3

DEPARTMENT OF CITY DEVELOPMENT
625 - 52ND STREET - ROOM 308
KENOSHA, WISCONSIN 53140
(262) 653-4030
FAX (262) 653-4045
www.kenosha.org



CITY PLAN
REAL ESTATE
HISTORIC PRESERVATION
COMMUNITY DEVELOPMENT BLOCK GRANT
REDEVELOPMENT

JEFFREY B. LABAHN
Director of City Development

MEMO

TO: Mayor Keith Bosman
Members of the Common Council

FROM: Rich Schroeder, Department of City Development *RS*

RE: **Attachment and Temporary Zoning District Classification
Under Section 66.0307, Wisconsin Statutes
City of Kenosha/Town of Somers Cooperative Plan
Property at 2020 Birch Road - Parcel #81-4-223-183-0110 (Angotti)**

DATE: October 6, 2011

Attached is an Ordinance regarding the property petitioned to be attached to the City of Kenosha from the Town of Somers. The attachment area is located at 2020 Birch Road, and consists of 0.663 acres, more or less.

The attachment is a Unanimous Consent Petition and is consistent with the City of Kenosha/Town of Somers State Approved Cooperative Plan.

Other pertinent information regarding this attachment petition include the following:

Existing development: Single Family Home
Proposed land use(s): No Change
Projected population: 1
Development schedule: N/A

Owner's Name(s)	Property Address	Parcel Number
John Angotti	2020 Birch Road	81-4-223-183-0110

RS:kas
Attachment

ATTACHMENT AND ZONING DISTRICT CLASSIFICATION ORDINANCE
Under Section 66.0307, Wisconsin Statutes,
City of Kenosha/Town of Somers
State Approved Cooperative Plan

Parcel No. 81-4-223-183-0110
[Property Located 2020 Birch Road]
Town of Somers
[Angotti - Property Owner]

ORDINANCE NO. _____

BY: THE MAYOR

Attaching to the City of Kenosha, Wisconsin, territory in the Town of Somers, Kenosha County, Wisconsin, and providing zoning district classifications under Section 66.0307, Wisconsin Statutes, City of Kenosha/Town of Somers State Approved Cooperative Plan:

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

Section One: Territory Attached. In accordance with City of Kenosha/Town of Somers Cooperative Plan under Section 66.0307 of the Wisconsin Statutes, approved by the Wisconsin Department of Administration, Intergovernmental Relations, Municipal Boundary Review, on August 8, 2005, the territory in the Town of Somers, Kenosha County, Wisconsin, with an associated population of one (1), described on the attached legal description, Attachment "A", and map, Attachment "B", is hereby attached to the City of Kenosha, Wisconsin, as hereinafter provided.

Section Two: Effect of Attachment. From and after November 7, 2011, the date of attachment, the territory described in Section One shall be a part of the City of Kenosha for any and all purposes provided by law, and all persons coming or residing within such territory shall be subject to all Ordinances, rules and regulations governing the City of Kenosha.

Section Three: Zoning District Classifications. The territory described in Section One, upon attachment, shall have the zoning district classifications shown on Attachment "C". This zoning district classification shall be and remain in effect for the parcel of land described therein until this Zoning District Classification Ordinance is amended as prescribed in Section 62.23(7)(d), Wisconsin Statutes.

Section Four: District and Ward Designation. The territory described in Section

One is hereby made a part of the 80th Ward of the 1st District of the City of Kenosha, subject to the Ordinances, rules and regulations of the City governing Wards and Districts until January 1, 2012, at which time the property shall be made part of the 16th Ward of the 4th District of the City of Kenosha. The County Board of Supervisors for Kenosha County is requested to have the attached area included in the same District and Ward for the County Supervisory seat as for the City Aldermanic seat.

Section Five: Connection To City Utilities. The territory described in Section One shall, by submission of the Attachment Petition, require connection of existing and any future habitable buildings to municipal water and sewer, within the time limits established by Chapter 32 of the Code of General Ordinances for the City of Kenosha, Wisconsin.

Section Six: Severability. If any provision of this Ordinance is invalid or unconstitutional, or if the application of this Ordinance to any person or circumstances is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid or unconstitutional provision or application.

Section Seven: Effective Date. This Ordinance, the Attachment, and the Zoning District Classifications shall take effect on November 11, 2011, after passage and publication, as provided by law.

ATTEST: _____ City Clerk

APPROVED: _____ Mayor Date: _____

Passed:

Published:

Drafted By:
JONATHAN A. MULLIGAN
Assistant City Attorney

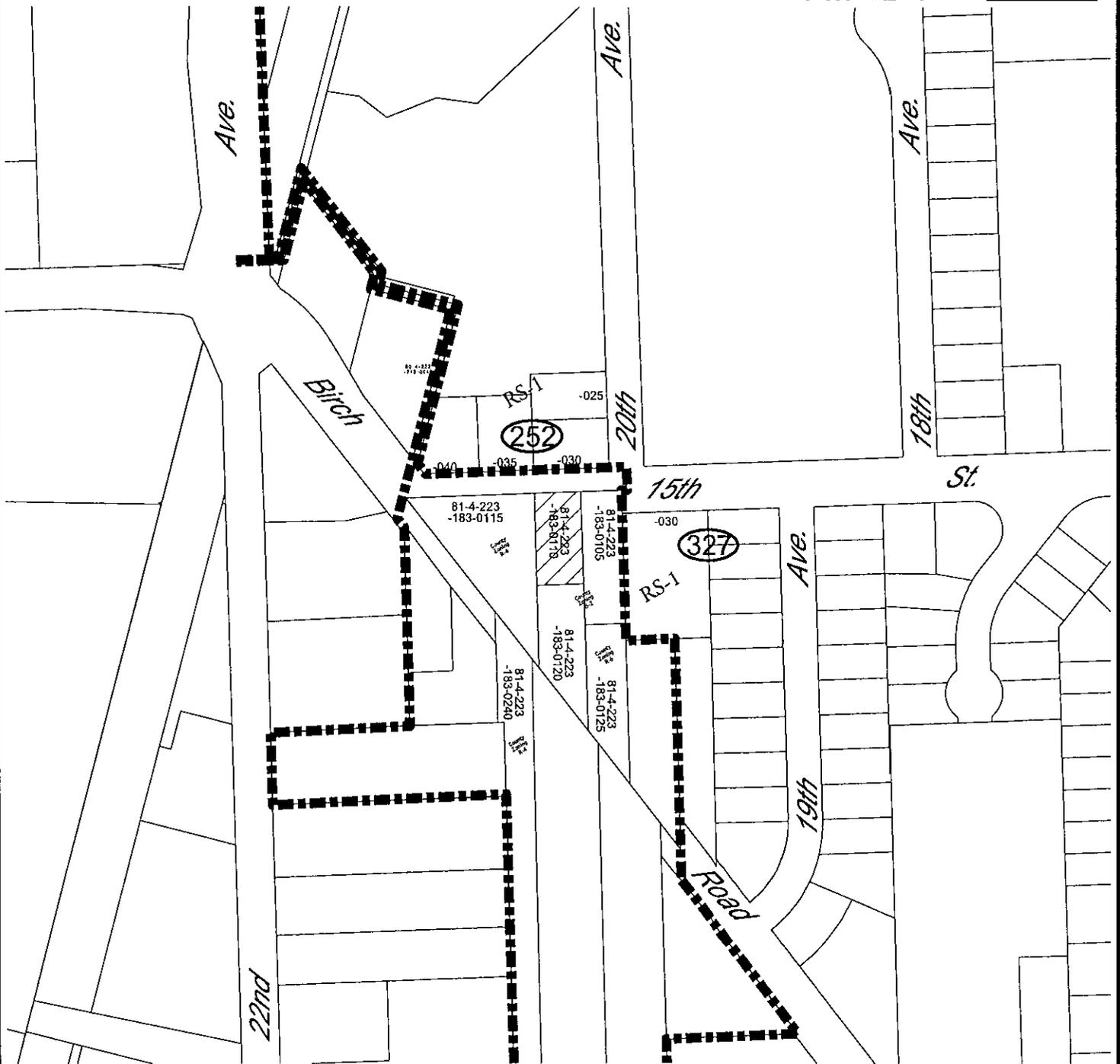
CITY OF KENOSHA

Zoning District Classification Map
Attachment "C"

SUPPLEMENT NO. AT2-11

ORDINANCE NO. _____

Angotti Petition

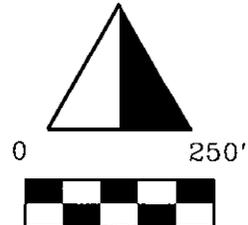


Property to be zoned:

 RS-1 Single Family Residential

 Municipal Boundary

NORTH



DRAFT 08/31/11

REVISED CHANGES OF PSW COMM 09/12/11

SPONSOR: PUBLIC SAFETY & WELFARE COMMITTEE

**TO REPEAL AND RECREATE VARIOUS SECTIONS OF
CHAPTER 15 OF THE CODE OF GENERAL ORDINANCES
RELATED TO OFF-PREMISE SIGNS.**

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

Section One: Section 15.07 F. of the Code of General Ordinances for the City of Kenosha, Wisconsin, is hereby repealed.

Section Two: Section 15.12 of the Code of General Ordinances for the City of Kenosha, Wisconsin, is hereby repealed and recreated as follows:

15.12 PROHIBITED SIGNS

All Signs not expressly permitted are prohibited in any location in the City. The following Signs are specifically prohibited:

1. Signs containing statements, words or pictures of an obscene or pornographic nature.
2. A Sign, handbill, notice or poster affixed to a tree, fence, pole, Street Sign, Traffic Sign or other structure not constructed or intended for use as a Sign base, which is not authorized by this Ordinance.
3. Revolving Signs.
4. Roof Signs.
5. Signs which are structurally dangerous, or unsafe.
6. Abandoned/Obsolete Signs.
7. Flashing and Animated Signs.
8. Deteriorated Signs.
9. Signs used beyond time limits provided in this Ordinance.
- ~~10. Off-premise commercial signs.~~

Section Three: Section 15.15 A. of the Code of General Ordinances for the City of Kenosha, Wisconsin, is hereby repealed and recreated as follows:

15.15 OFF-PREMISE SIGNS

A. Purpose. This Section is intended to protect the public health, safety and welfare by regulating the construction, materials, placement/location, size, height, spacing and maintenance of Off-Premise Commercial Signs. This Section is designed to ensure that Off-Premise Commercial Signs are compatible with other Signs and land uses, and are not detrimental to the aesthetic quality of the community. All Off-Premise Commercial Signs existing in the City shall be maintained in accordance with the following conditions and restrictions. Table 2 of this ordinance identifies off-premise sign review procedure requirements.

Section Four: Sections 15.15 D.2., D.4. and D.5. of the Code of General Ordinances for the City of Kenosha, Wisconsin, are hereby repealed and recreated as follows:

2. The Sign may be sold, leased, or otherwise transferred without affecting its Nonconforming status, but its location may not be changed. ~~A nonconforming off-premise commercial sign removed as a result of a street Right-of-Way taking or for any other reason may be relocated. only if the sign is made to conform to this ordinance.~~

4. In accordance with Section 62.23(7)(h), Wisconsin Statutes, ~~the Signs which are a nonconforming use~~ must remain ~~substantially~~ the same as ~~it was they were~~ on the effective date of this Ordinance and may not be enlarged or expanded. Any extension, enlargement, rebuilding, changing the materials of the Sign structure, changing the size of the Sign structure materials, adding catwalks, adding guys or struts for stabilization of the Sign or structure, adding lights to a nonilluminated Sign, changing the height of the Sign aboveground, ~~structural alteration to prolong the life of the sign~~ or re-erection of the Sign is ~~prohibited shall not during the sign's life exceed 50 percent of the assessed value of the sign unless permanently changed to a conforming use.~~ ~~The Sign may not be structurally altered so as to prolong the life of the Sign.~~

5. The Sign may continue in use as long as it is not ~~destroyed, extended, expanded, abandoned,~~ or discontinued. ~~A Sign is deemed destroyed when it is rendered any or all of the following descriptions: dismantled, removed or modified from its original state. A Sign shall be deemed expanded if any or all of the following standards are met: increase in size, mass, volume or scope in any direction; provide greater detail; to spread out; to increase or grow in extent; or, to increase in width or circumference.~~ A Sign is deemed abandoned or discontinued if for a period of twelve (12) months or longer, it is composed of obsolete advertising matter, or is without advertising matter, or is in need of substantial repair provided that any period of involuntary discontinuance which occurs during the period a street is closed shall not be considered. A Sign is deemed abandoned or discontinued if the name of the owner does not appear thereon and if the name and address of the current owner is not readily ascertainable from records on file with the Department of Neighborhood Services and Inspections.

An unsafe to abandoned Sign is declared a public nuisance, which shall be abated by the owner within sixty (60) days of receiving notice from the Department. After sixty (60) days, the Sign may be removed by the Department, and the cost thereof shall be placed on the tax roll as a special assessment and become a lien against the benefited property, unless paid sooner.

Section Five: Sections 15.15 G. and H. of the Code of General Ordinances for the

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

GH. Replacement Sign Credits. Off-Premise Signs constructed as a result of Replacement Sign Credits ~~granted prior to June 16, 2008,~~ shall be subject to the following Ordinance standards. ~~enacted March 6, 1995. An Off-Premise Sign Permit shall be obtained prior to the expiration of subject credits.~~

1. Permitted Zoning Districts. Off-Premise Signs are permitted only in the B-2, M-1, M-2 Zoning Districts and are subject to the regulations of those districts.

2. Size Requirements. Off-Premise Signs shall not exceed ~~three hundred (300)~~ six hundred seventy-two (672) square feet of Sign Face area per Sign Face, not including any trim, supporting frame work, uprights or decorative fencing/apron, with no more than two (2) sides per Sign structure and only one (1) Sign Face per side, for a total Sign Face area of ~~six hundred (600)~~ one thousand three hundred forty-four (1,344) square feet to include both sides and faces. The Sign Face area per Sign Face shall be calculated on the basis of adding together the area of the Off-Premise Sign Face(s) that can be read from one (1) direction at one (1) time. Where two identical Off-Premise Signs are placed back-to-back on the same Sign supports, the Signs shall not be separated by more than four (4') feet so that both Sign Faces cannot be read from one direction simultaneously. A Sign extension comprising no more than ten (10%) percent of the allowable Sign Face area may be added

providing the extension does not extend more than five (5') feet beyond the perimeter of the Sign Face.

3. Setback Requirements. Off-Premise Signs shall be set back ~~thirty (30)~~ (fifteen (15')) from the Street Right-Of-Way and shall be located so as to avoid any contact with communication and/or electrical lines. The distance will be measured from the area of the Sign structure closest to the Street Right-Of-Way. Off-Premise Signs shall also comply with setback and other requirements of State law when located abutting Federal or State highways, or interchanges.

4. Spacing Between Off-Premise Signs. Off-Premise Signs shall comply with the spacing requirements of State laws, rules, and regulations, and in no case shall Off-Premise Signs be permitted to be constructed, erected or installed within a ~~seven hundred fifty (750)~~ five hundred (500) foot ~~radius~~ of another Off-Premise Sign on the same side of the street.

5. Height. The maximum height to the top of any Off-Premise Sign shall be ~~twenty~~ thirty-five (25/35') feet. The height of a such Sign shall be computed as the distance from the base of the Sign at normal grade to the top of the highest attached component of the Sign. Normal grade shall be construed to be the higher of: the existing grade prior to construction; or the newly established grade after construction exclusive of any filling, berming or excavating solely for the purpose of locating the Sign. In cases in which the normal grade cannot reasonably be determined, height shall be computed on the assumption that the elevation of the normal grade at the base of the Sign is equal to the elevation of the nearest point of the crown of a public street. Off-Premise Signs located on a premise ~~adjacent to frontage roads, on interstates, expressways, or State highways where pavement grade may be higher due to bridges, entrance/exit ramps may be allowed to achieve a maximum height of thirty-five (35') feet above the highest point of that pavement grade, or within one thousand (1,000') feet of the Interstate Highway Right-of-Way shall have a maximum height of forty (40') feet above the center line of the roadway from which it is intended to be viewed, or grade at the sign structure, whichever is greater. If adjacent to an Interstate Highway bridge or viaduct shall have a maximum height of fifty (50') feet above the center line of the roadway from which it is intended to be viewed or grade at the sign structure, whichever is greater.~~

6. Off-Premise Signs are prohibited in any Historic District, on any bridge crossing, and shall not be located on or over the roof of a building.

7. Off-Premise Signs shall not be constructed, erected or installed within seventy-five (75') feet of the B-3 Central Business District.

Off-Premise Signs shall not be constructed, erected or installed one hundred fifty (150') feet of any Residential or IP Institutional Park District. This restriction shall not be applicable to any Residential or IP Institutional Park District Zoned property located on State Highways.

Off-Premise Signs shall not be constructed, erected or installed within ~~five~~ two hundred (500/200') feet of any Historic Site or Historic District, or any school, church, public park, Recreation Area, or public playground, ~~or environmental corridor.~~ This distance shall be measured from the outermost portion of the Off-Premise Sign structure.

8. No Off-Premise Sign shall be erected in a location prohibited by this Ordinance.

9. No Off-Premise Sign shall be erected so as to prevent ingress or egress from any door or window, or any other exitway required by the Building or Fire Codes of the City.

10. No Off-Premise Sign shall be located in such a manner as to obscure, or otherwise interfere with the effectiveness of a traffic Sign, signal or device, obstruct or physically interfere with a motor vehicle operator's view of approaching, merging or intersecting traffic.

11. No Off-Premise Sign shall be attached to a standpipe, gutter drain or fire escape.

12. No Off-Premise Sign shall be erected so to impair access to a roof.

HI. Off-Premises Signs in City Parks or Recreation Areas. This section does not apply to off-premise signs placed in City parks or recreational areas pursuant to authorization for non-permanent placement, from the Parks Commission.

Section Six: To create Section 15.15 G. of the Code of General Ordinances for the City of Kenosha, Wisconsin, as follows:

G. Replacement Sign Credit. The owner of a ~~nonconforming~~ an existing Off-Premise Sign may receive a Replacement Sign Credit upon removal of a ~~Noneonforming~~ an existing Off-Premise Sign. The owners or operators of ~~Noneonforming~~ Off-Premise Signs which are ordered to be removed by the Administrator to protect the public's welfare and safety, or Signs which are damaged or destroyed beyond twenty-five (25%) percent of its then current value, may also receive a Replacement Sign Credit.

The Replacement Sign Credit shall be subject to the following conditions:

1. The Replacement Sign Credit shall ~~not expire.~~ be valid for a period of one (19) year.
2. Replacement Sign Credits are ~~not~~ transferable.
3. The holder of the Replacement Sign Credit shall locate and construct, install and erect an Off-Premise Sign in accordance with this Ordinance as it exists at the time of construction, erection and installation.
4. A Replacement Sign Credit shall be awarded for each sign face removed.

Section Seven: To create Subsection J. of the Code of General Ordinances for the City of Kenosha, Wisconsin, as follows:

J. Off-Premise Sign Cap. The number of Off-Premise Signs in the City is limited to the number of such Signs in existence on the 1st day of October 3, 2011. The installation of an Off-Premise Sign is permitted only with Replacement Sign Credits. ~~Upon expiration of each Replacement Sign Credit, the total number of allowable Off-Premise Sign Faces within the City of Kenosha shall be reduced by one.~~

Section Eight: To create and add a definition to Section 15.11 of the Code of General Ordinances for the City of Kenosha, Wisconsin, as follows:

Digital Display Off-Premises Sign. An off-premises advertising sign, display or device that ~~changes the message copy on the sign by means of light emitting diodes (LED's), fiber optics, light bulbs or other illumination devices within the display area, and includes tri-vision signs and mechanically operated signs.~~ may contain multiple or variable messages, including messages on louvers that are rotated and messages formed solely by use of lights or other electronic or digital displays, that may be changed by any electronic process.

Section SevenNine: To create ~~the line pertaining to off-premises in~~ Table 12 of Chapter 15 of the Code of General Ordinances for the City of Kenosha, Wisconsin, ~~pertaining to off-premise signs~~ as follows:

SIGN DESCRIPTIONS	B-1/B-2/B-3/B-4	IP	M-1/M-2	RG/RS/RD/RR	RM
Digital Display Off-Premises Signs (Refer to Chapter 4 of the Zoning Ordinance)	CONDITIONAL only in B-2	NOT PERMITTED	CONDITIONAL	NOT PERMITTED	NOT PERMITTED

SIGN DESCRIPTIONS	B-1/B-2/B-3/B-4	IP	M-1/M-2	RG/RS/RD/RR/TR D	RM
Off-Premises Sign Replacement (Same location/Same size)	OFF-PREMISE SIGN PERMIT	NOT PERMITTED	OFF-PREMISE SIGN PERMIT	NOT PERMITTED	NOT PERMITTED
Off-Premises Sign – New location or relocation	SITE PLAN REVIEW	NOT PERMITTED	SITE PLAN REVIEW	NOT PERMITTED	NOT PERMITTED
Off-Premises Sign – Bulletin Size (14' x 48')	CONDITIONAL USE PERMIT	NOT PERMITTED	CONDITIONAL USE PERMIT	NOT PERMITTED	NOT PERMITTED
Off-Premises Sign – Not in Compliance with 15.15 H.7. of G.C.	CONDITIONAL USE PERMIT	NOT PERMITTED	CONDITIONAL USE PERMIT	NOT PERMITTED	NOT PERMITTED
Digital Display Off-Premises Sign	CONDITIONAL USE PERMIT	NOT PERMITTED	CONDITIONAL USE PERMIT	NOT PERMITTED	NOT PERMITTED

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

ATTEST: _____ City Clerk

APPROVED: _____ Mayor

Passed:

Published:

Drafted By:
MATTHEW A. KNIGHT
Deputy City Attorney

ORDINANCE NO. _____

SPONSOR: PUBLIC SAFETY & WELFARE COMMITTEE

**TO REPEAL AND RECREATE VARIOUS SECTIONS OF
CHAPTER 15 OF THE CODE OF GENERAL ORDINANCES
RELATED TO OFF-PREMISE SIGNS.**

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

Section One: Section 15.07 F. of the Code of General Ordinances for the City of Kenosha, Wisconsin, is hereby repealed.

Section Two: Section 15.12 of the Code of General Ordinances for the City of Kenosha, Wisconsin, is hereby repealed and recreated as follows:

15.12 PROHIBITED SIGNS

All Signs not expressly permitted are prohibited in any location in the City. The following Signs are specifically prohibited:

1. Signs containing statements, words or pictures of an obscene or pornographic nature.
2. A Sign, handbill, notice or poster affixed to a tree, fence, pole, Street Sign, Traffic Sign or other structure not constructed or intended for use as a Sign base, which is not authorized by this Ordinance.
3. Revolving Signs.
4. Roof Signs.
5. Signs which are structurally dangerous, or unsafe.
6. Abandoned/Obsolete Signs.
7. Flashing and Animated Signs.
8. Deteriorated Signs.
9. Signs used beyond time limits provided in this Ordinance.

Section Three: Section 15.15 A. of the Code of General Ordinances for the City of Kenosha, Wisconsin, is hereby repealed and recreated as follows:

15.15 OFF-PREMISE SIGNS

A. Purpose. This Section is intended to protect the public health, safety and welfare by regulating the construction, materials, placement/location, size, height, spacing and maintenance of Off-Premise Commercial Signs. This Section is designed to ensure that Off-Premise Commercial Signs are compatible with other Signs and land uses, and are not detrimental to the aesthetic quality of the community. All Off-Premise Commercial Signs existing in the City shall be maintained in accordance with the following conditions and restrictions. Table 2 of this ordinance identifies off-premise sign review procedure requirements.

Section Four: Sections 15.15 D.2., D.4. and D.5. of the Code of General Ordinances for the City of Kenosha, Wisconsin, are hereby repealed and recreated as follows:

2. The Sign may be sold, leased, or otherwise transferred without affecting its Nonconforming status, but its location may not be changed. A off-premise commercial sign removed as a result of a street Right-of-Way taking or for any other reason may be relocated.

4. In accordance with Section 62.23(7)(h), Wisconsin Statutes, Signs which are a nonconforming use must remain the same as they were on the effective date of this Ordinance and may not be enlarged or expanded. Any extension, enlargement, rebuilding, changing the materials of the Sign structure, changing the size of the Sign structure materials, adding catwalks, adding guys or struts for stabilization of the Sign or structure, adding lights to a nonilluminated Sign, changing the height of the Sign aboveground, structural alteration to prolong the life of the sign or re-erection of the Sign shall not during the sign's life exceed 50 percent of the assessed value of the sign unless permanently changed to a conforming use.

5. The Sign may continue in use as long as it is not abandoned or discontinued. A Sign is deemed abandoned or discontinued if for a period of twelve (12) months or longer, it is composed of obsolete advertising matter, or is without advertising matter, or is in need of substantial repair provided that any period of involuntary discontinuance which occurs during the period a street is closed shall not be considered. A Sign is deemed abandoned or discontinued if the name of the owner does not appear thereon and if the name and address of the current owner is not readily ascertainable from records on file with the Department of Neighborhood Services and Inspections.

An unsafe to abandoned Sign is declared a public nuisance, which shall be abated by the owner within sixty (60) days of receiving notice from the Department. After sixty (60) days, the Sign may be removed by the Department, and the cost thereof shall be placed on the tax roll as a special assessment and become a lien against the benefited property, unless paid sooner.

Section Five: Sections 15.15 G. and H. of the Code of General Ordinances for the

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

H. Replacement Sign Credits. Off-Premise Signs constructed as a result of Replacement Sign Credits shall be subject to the following Ordinance standards.

1. Permitted Zoning Districts. Off-Premise Signs are permitted only in the B-2, M-1, M-2 Zoning Districts and are subject to the regulations of those districts.

2. Size Requirements. Off-Premise Signs shall not exceed six hundred seventy-two (672) square feet of Sign Face area per Sign Face, not including any trim, supporting frame work, uprights or decorative fencing/apron, or a total Sign Face area of one thousand three hundred forty-four (1,344) square feet to include both sides and faces. The Sign Face area per Sign Face shall be calculated on the basis of adding together the area of the Off-Premise Sign Face(s) that can be read from one (1) direction at one (1) time. Where two identical Off-Premise Signs are placed back-to-back on the same Sign supports, the Signs shall not be separated by more than four (4') feet so that both Sign Faces cannot be read from one direction simultaneously. A Sign extension comprising no more than ten (10%) percent of the allowable Sign Face area may be added providing the extension does not extend more than five (5') feet beyond the perimeter of the Sign Face.

3. Setback Requirements. Off-Premise Signs shall be set back fifteen (15') from the Street Right-Of-Way and shall be located so as to avoid any contact with communication and/or electrical lines. The distance will be measured from the area of the Sign structure closest to the Street Right-Of-Way. Off-Premise Signs shall also comply with setback and other requirements of State law when located abutting Federal or State highways, or interchanges.

4. Spacing Between Off-Premise Signs. Off-Premise Signs shall comply with the spacing requirements of State laws, rules, and regulations, and in no case shall Off-Premise Signs be permitted to be constructed, erected or installed within a five hundred (500) foot of another Off-Premise Sign on the same side of the street.

5. Height. The maximum height to the top of any Off-Premise Sign shall be thirty-five (35') feet. The height of a such Sign shall be computed as the distance from the base of the Sign at normal grade to the top of the highest attached component of the Sign. Normal grade shall be construed to be the higher of: the existing grade prior to construction; or the newly established grade after construction exclusive of any filling, berming or excavating solely for the purpose of locating the Sign. In cases in which the normal grade cannot reasonably be determined, height shall be computed on the assumption that the elevation of the normal grade at the base of the Sign is equal to the elevation of the nearest point of the crown of a public street. Off-Premise Signs located on a premise within one thousand (1,000') feet of the Interstate Highway Right-of-Way shall have a maximum height of forty (40') feet above the center line of the roadway from which it is intended to be viewed, or grade at the sign structure, whichever is greater. If adjacent to an Interstate Highway bridge or viaduct shall have a maximum height of fifty (50') feet above the center line of the roadway from which it is intended to be viewed or grade at the sign structure, whichever is greater.

6. Off-Premise Signs are prohibited in any Historic District, on any bridge crossing, and shall not be located on or over the roof of a building.

7. Off-Premise Signs shall not be constructed, erected or installed within seventy-five (75') feet of the B-3 Central Business District.

Off-Premise Signs shall not be constructed, erected or installed one hundred fifty (150') feet of any Residential or IP Institutional Park District. This restriction shall not be applicable to any Residential or IP Institutional Park District Zoned property located on State Highways.

Off-Premise Signs shall not be constructed, erected or installed within two hundred (200') feet of any Historic Site or Historic District, or any school, church, public park, Recreation Area or public playground. This distance shall be measured from the outermost portion of the Off-Premise Sign structure.

8. No Off-Premise Sign shall be erected in a location prohibited by this Ordinance.

9. No Off-Premise Sign shall be erected so as to prevent ingress or egress from any door or window, or any other exitway required by the Building or Fire Codes of the City.

10. No Off-Premise Sign shall be located in such a manner as to obscure, or otherwise interfere with the effectiveness of a traffic Sign, signal or device, obstruct or physically interfere with a motor vehicle operator's view of approaching, merging or intersecting traffic.

11. No Off-Premise Sign shall be attached to a standpipe, gutter drain or fire escape.

12. No Off-Premise Sign shall be erected so to impair access to a roof.

I. Off-Premises Signs in City Parks or Recreation Areas. This section does not apply to off-premise signs placed in City parks or recreational areas pursuant to authorization for non-permanent placement, from the Parks Commission.

Section Six: To create Section 15.15 G. of the Code of General Ordinances for the City of Kenosha, Wisconsin, as follows:

G. Replacement Sign Credit. The owner of a an existing Off-Premise Sign may receive a Replacement Sign Credit upon removal of a an existing Off-Premise Sign. The owners or operators of Off-Premise Signs which are ordered to be removed by the Administrator to protect the public's welfare and safety, or Signs which are damaged or destroyed beyond twenty-five (25%) percent of its then current value, may also receive a Replacement Sign Credit.

The Replacement Sign Credit shall be subject to the following conditions:

1. The Replacement Sign Credit shall not expire.
2. Replacement Sign Credits are transferable.
3. The holder of the Replacement Sign Credit shall locate and construct, install and erect an Off-Premise Sign in accordance with this Ordinance as it exists at the time of construction, erection and installation.
4. A Replacement Sign Credit shall be awarded for each sign face removed.

Section Seven: To create Subsection J. of the Code of General Ordinances for the City of Kenosha, Wisconsin, as follows:

J. Off-Premise Sign Cap. The number of Off-Premise Signs in the City is limited to the number of such Signs in existence on the 1st day of October 3, 2011. The installation of an Off-Premise Sign is permitted only with Replacement Sign Credits.

Section Eight: To create and add a definition to Section 15.11 of the Code of General Ordinances for the City of Kenosha, Wisconsin, as follows:

Digital Display Off-Premises Sign. An off-premises advertising sign, display or device that may contain multiple or variable messages, including messages on louvers that are rotated and messages formed solely by use of lights or other electronic or digital displays, that may be changed by any electronic process.

Section Nine: To create Table 2 of Chapter 15 of the Code of General Ordinances for the City of Kenosha, Wisconsin, pertaining to off-premise signs as follows:

SIGN DESCRIPTIONS	B-1/B-2/B-3/B-4	IP	M-1/M-2	RG/RS/RD/RR/TR D	RM
Off-Premises Sign Replacement (Same location/Same size)	OFF-PREMISE SIGN PERMIT	NOT PERMITTED	OFF-PREMISE SIGN PERMIT	NOT PERMITTED	NOT PERMITTED
Off-Premises Sign – New location or relocation	SITE PLAN REVIEW	NOT PERMITTED	SITE PLAN REVIEW	NOT PERMITTED	NOT PERMITTED
Off-Premises Sign – Bulletin Size (14' x 48')	CONDITIONAL USE PERMIT	NOT PERMITTED	CONDITIONAL USE PERMIT	NOT PERMITTED	NOT PERMITTED
Off-Premises Sign – Not in Compliance with 15.15 H.7. of G.C.	CONDITIONAL USE PERMIT	NOT PERMITTED	CONDITIONAL USE PERMIT	NOT PERMITTED	NOT PERMITTED
Digital Display Off-Premises Sign	CONDITIONAL USE PERMIT	NOT PERMITTED	CONDITIONAL USE PERMIT	NOT PERMITTED	NOT PERMITTED

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

ATTEST: _____ City Clerk

APPROVED: _____ Mayor

Passed:

Published:

Drafted By:
MATTHEW A. KNIGHT
Deputy City Attorney

ORDINANCE NO. _____

DRAFT ONLY
09/29/11

SPONSOR: ALDERPERSON RAY MISNER

TO REPEAL AND RECREATE VARIOUS SECTIONS OF THE CODE OF GENERAL ORDINANCES TO REFLECT THE CHANGE IN RESPONSIBILITIES OF THE “COMMITTEE ON LICENSING/PERMIT” ALLOCATING THEM TO THE “COMMISSION ON LICENSING/PERMIT” OR “COMMITTEE ON JUDICIAL REVIEW” OR SIMILAR TERMINOLOGY WHEREVER THOSE PHRASES APPEAR

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

Section One: **Subsection 1.025 C.** of the Code of General Ordinances for the City of

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

C. Requirement. All members of the Common Council shall wear proper attire to all regular meetings of the Common Council and Committee of the Whole meetings. During committee meetings of the Finance Committee, Public Works Committee, Board of Water Commissioners, Storm Water Utility Committee, Public Safety and Welfare Committee, Board of Park Commissioners, ~~and License and Permit Committee and~~ Committee on Judicial Review, business casual attire shall be worn.

Section Two: **Subsection 1.03 A.13.** of the Code of General Ordinances for the

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

13. Reports and recommendations from the ~~Committee~~ Commission on Licenses/Permits.

Section Three: **Subsection 1.03 C.1.** of the Code of General Ordinances for the City of

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

1. The Committees on Finance, Public Works (Board of Public Works), Public Safety and Welfare, Stormwater Utility, and ~~Licenses/Permits~~ Judicial Review shall be appointed by the Mayor and confirmed by a majority vote of the members present at the organizational meeting of the newly elected Council on the third Tuesday of April, or as soon thereafter as may be possible.

Section Four: **Subsection 1.03 C.1.d.** of the Code of General Ordinances for the City

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

~~d. Committee on Licenses/Permits which shall make recommendations to the Common Council with respect to the granting, denial, nonrenewal, suspension or revocation of any license or permit over which the Common Council has jurisdiction, and with respect to license or permit fees.~~

d. Committee on Judicial Review shall be —It may also be the body before which license or permit nonrenewal, suspension or revocation hearings are held. Upon holding such hearing, it shall submit a report to the City Common Council, including findings of fact, conclusions of law and a recommendation as to what action, if any, the City Common Council should take with respect to the license or permit. The Committee on ~~Licenses/Permits~~ Judicial Review shall provide the complainant and the licensee with a copy of the report. Either the complainant or the licensee may file an objection to the City Common Council. The City Common

Council shall determine whether the arguments shall be presented orally or in writing, or both. If the City Common Council, after considering the Committee on Licenses/ Permits/Judicial Review report and any arguments presented by the complainant or the licensee, finds the Complaint to be true, or if there is no objection to a report recommending nonrenewal suspension or revocation, the license or permit shall not be renewed, suspended or revoked as provided by law. If the City Common Council finds the Complaint untrue, the proceedings shall be dismissed without cost to the accused. The City Clerk shall give notice of nonrenewal, suspension or revocation to the party whose license or permit is affected. Any Ordinances to the contrary shall be null and void.

Section Five: **Subsection 1.03 C.2** of the Code of General Ordinances for the City

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

2. The Committees on Finance, Public Works, and Stormwater Utility shall consist of six (6) members of the Council and the Committees on Public Safety & Welfare and Licenses/Permits and Judicial Review shall consist of five (5) members of the Council, all which members shall be appointed by the Mayor on or before the first Monday of May of each even numbered year. The Committees of Public Works and Stormwater Utility shall be made up of the same members. The initial Committee on Judicial Review shall consist of the members of the Committee on Licenses/Permits as of September 1, 2011.

Section Six: **Subsection 1.03 C.5.d.** of the Code of General Ordinances for the City

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

5. References to and Reports of Committees.

b. Four members shall constitute a quorum of every Council Committee, except for the Public Safety & Welfare Committee and Committee on Licenses/Permits Judicial Review, which shall have a quorum of three. Each Committee shall at the next regular meeting, if possible, but not later than 45 days, submit a written report to the Council on all matters referred to it. Such report shall be signed by at least four members of the Committee, with the exception of the Public Safety & Welfare Committee and Committee on Licenses/Permits Judicial Review, which shall have its reports signed by at least three members of the Committee and shall indicate the division of the vote on the report. Any member or members may write his/her objection to the action taken by the majority of the Committee members reporting.

Section Seven: **Subsection 1.06 P.** of the Code of General Ordinances for the City of

Kenosha, Wisconsin, is hereby created as follows:

2. Members. The membership of said Commission shall be: the Common Council President and the respective Chairperson of the Committee on Finance, the Committee on Public Works, the Committee on Public Safety and Welfare, the Committee on Stormwater Utility, the Committee on Licenses/Permits, and the Board of Park Commissioners. In the event a member is unable or unwilling to serve, he/she shall immediately appoint a member in the manner as follows:

a. Common Council President. The Common Council President shall appoint a member of the Common Council who is not serving on the Commission.

b. Chairperson of Committees. The Chairperson of a Committee shall appoint a member of his/her Committee.

Section Eight: **Subsection 1.06 Z.** of the Code of General Ordinances for the City of

Kenosha, Wisconsin, is hereby created as follows:

Z. Commission on Licenses/Permits which shall make recommendations to the Common Council with respect to the granting, denial, nonrenewal, suspension or revocation of any license or permit over which the Common Council has jurisdiction as more specifically designated within the Code of General Ordinances. The Commission shall be composed of the City Plan Commission. Additionally, the Mayor shall appoint two (2) additional non-voting advisory commissioners, one of whom is nominated by the Kenosha Tavern League and who is a member of the Kenosha Tavern League and one who is nominated by the Kenosha Concerned Citizens Coalition

Section Nine: Subsections 5.046 B., D., I., L., M., N. and P. of the Code of General

Ordinances for the City of Kenosha, Wisconsin, are hereby repealed and recreated as follows:

B. Permit Required. No person, party, firm or corporation shall be permitted to use the public right-of-way, a Major Street Setback Area or Public Property for an Outdoor Dining Area without first obtaining a permit from the Committee on Licenses/PermitsPublic Works. Any expansion or change in ownership of the business adjacent to the Outdoor Dining Area shall require a new application, fee, review and approval.

D. Review and Approval. The City Clerk/Treasurer shall send the application to the Department of City Development, who shall forward a copy of the application to appropriate departments for review and written comment. Following the review period, the Department of City Development shall send a copy of the application and comments from City departments to the City Clerk/Treasurer to be forwarded to the Committee on Licenses/PermitsPublic Works. The permit may be subject to reasonable terms and conditions.

I. Renewal, Nonrenewal, Revocation or Suspension. The City Clerk/Treasurer shall, on an annual basis, notify the Department of Neighborhood Services and Inspections by November 1 and supply a list of current Outdoor Dining Area Permits. The Department of Neighborhood Services and Inspections shall, within ten (10) business days, provide written comments on the type and number of violations issued to the permit holder through written orders during the previous year, if any, and a recommendation if the permit should be renewed.

The City Clerk/Treasurer shall verify the number of demerit points the Applicant's business has accumulated under Section 10.063 D. of the Code of General Ordinances at the time of renewal, if applicable. Businesses that have accumulated fifty (50) or more demerit points at the time of renewal shall be subject to suspension or revocation of an Outdoor Dining Area Permit. Recommendation for nonrenewal, revocation or suspension shall be forwarded to the Committee on Licenses/PermitsJudicial Review for action, at any time, following a hearing. The determination of the Committee may be appealed to the Common Council by filing a notice of appeal with the City Clerk/Treasurer within ten (10) days of the date of the hearing determination.

L. Alcohol Beverages in Outdoor Dining Area. Applicants who propose to sell/serve Alcohol Beverages in an Outdoor Dining Area must also complete an application for an Outdoor Extension of Retail "Class B", Class "B", or "Class C" License as regulated by Section 10.075 of the Code of General Ordinances. Said application may be filed concurrently with the Outdoor Dining Area Permit. Approval of an Outdoor Dining Area Permit involving the sale/serving of Alcohol Beverages by the CommitteeCommission on Licenses/Permits shall be conditioned upon approval of the Outdoor Extension License by the Common Council.

M. Appeal. Should the Committee on Licenses/PermitsPublic Works deny the application for an Outdoor Dining Area, the Applicant, by filing a written Notice of Appeal with the City Clerk/Treasurer within five (5) business days following, but not including, the day of denial, may appeal said denial to the Common Council. The appeal will be heard at a scheduled Common Council meeting as soon as practicable. However, to

be heard at a given Common Council meeting, the Notice of Appeal must be filed a minimum of two (2) City business days prior to said meeting, not including the day of the scheduled meeting.

N. Suspension or Revocation of Permit and Removal of Outdoor Dining Area and Dining

Appurtenances. The committee on [Licenses/Permits Committee on Judicial Review](#) may suspend or revoke any permit issued hereunder and order the removal of an Outdoor Dining Area and Dining Accessory which is operated contrary to the terms of a permit issued under this Ordinance, upon providing permit holder with a reasonable time, not to exceed ten (10) days, in which to file a written request with the City Clerk/Treasurer to be heard in said matter, and show cause why the proposed action should not be taken. However, an Outdoor Dining Area and all Dining Appurtenances may be removed without prior notice or opportunity to be heard where it constitutes an immediate danger to the public health, safety or welfare, where it is not in conformance with representations made in the application, where the Certificate of Insurance was not provided or has expired, or where placed within any public right-of way without a permit, contrary to the provisions of this Ordinance. In such cases, an opportunity for a post-removal hearing shall be provided following the foregoing provisions for an appeal.

P. Special Exceptions. With respect to the following items, the Department of City Development shall have the discretion to recommend approval of alternative standards to the Committee on [Licenses/Permits Public Works](#). The exceptions shall not present any hazard or danger to the public safety, health or welfare, and shall also meet the standards listed under each item.

Section Ten: Subsection 9.21 F. of the Code of General Ordinances for the City of

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

F. License Suspension and Revocation. The Code Official may suspend or revoke any license issued hereunder, for cause, upon ten (10) days advance, written notice to the license holder, specifying the basis for the suspension/revocation and notice of an opportunity to be heard. The decision of the Code Official may be appealed to the Committee on [Licenses/Permits Judicial Review](#) within ten (10) days of the date of issuance.

Section Eleven: Subsection 9.28 C. of the Code of General Ordinances for the City of

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

C. City License. Appeals regarding actions taken against a City HVAC Contractor or City Demolition Contractor shall be made in writing to the Committee on [Licenses/Permits Judicial Review](#).

Section Twelve: Subsections 10.011 B.8 through B.16 of the Code of General

Ordinances for the City of Kenosha, Wisconsin, are hereby renumbered as B.9 through B.17, Subsection 10.011

9 is recreated and Subsection 10.011 B.8 is hereby created as follows:

8. Commission – the License/Permit Commission

9. Committee - the [License/Permit committee on Judicial Review](#);

10. Conditional surrender - whereby a license holder surrenders his/her license(s) to the City on the condition that the City grants a similar license(s) to a person designated by the license holder;

11. Council - the Common Council for the City of Kenosha, Wisconsin;

12. Ordinances - the Code of General Ordinances for the City of Kenosha, Wisconsin;

13. Provisional Operator's License - see Section 125.17(5), Wisconsin Statutes.

14. Reserve "Class B" License - see Section 125.51(4)(bm), Wisconsin Statutes.

- ~~14~~15. Temporary Class "B" License - see Section 125.26(6), Wisconsin Statutes.
- ~~15~~16. Temporary "Class B" License - see Section 125.51(10), Wisconsin Statutes.
- ~~16~~17. Transfer - See Section 125.04(12), Wisconsin Statutes.

Section Thirteen: Subsections 10.03 B., C.1., C.3., C.5., D.1., D.3., and D.6. of the

Code of General Ordinances for the City of Kenosha are hereby repealed and recreated as follows:

B. Operators and Agents Inspection and Recommendation. Applications for agent status or Operator's Licenses shall be referred by the City Clerk to the Police Department. The Police Department shall make a report, in writing, to the City Attorney as to any police record of the applicant which may reflect upon good moral character or business responsibility. The City Attorney shall examine said record and make a recommendation to the ~~Committee on Licenses/Permits~~ Committee Commission based thereon as to whether the license should be granted or agent status approved. In the event the application is determined to be untrue, incorrect or incomplete upon review by the City Attorney, the application shall be denied. In the event a renewal application is determined to be untrue, incorrect or incomplete upon review by the City Attorney, the application shall be granted subject to a nonrenewal/revocation hearing. Said ~~Committee~~Commission shall recommend to the Common Council either the granting or denial of the application.

C. Retail and Wholesale Establishments.

1. Upon receipt of an application for a new Retail Class "A", Class "B", "Class B" or "Class C" License or combination thereof or Wholesale License, or transfer of any such license under Section 125.04(12)(a), Wisconsin Statutes, the City Clerk/Treasurer shall send copies thereof to the Class "B", or "Class B" License or combination Department of Neighborhood Services Inspections, the Fire Department, the Health Department, and Police Department. The Department of Neighborhood Services and Inspections, the Fire Department, and Health Department, either jointly or severally, within ten (10) days of receiving such copies, shall make a report, in writing, to the ~~Committee~~Commission on Licenses/Permits, as to whether the premises meet the requirements of this Chapter and the Building, Zoning, Fire, and Health Codes. The Police Department shall report, in writing, to the City Attorney as to any police record of the applicant for a new license (not a statutory transfer of a license), which may reflect upon good moral character or business responsibility. The City Attorney shall examine said record and make a recommendation to the ~~Committee~~Commission on Licenses/Permits based thereon as to whether or not the license should be granted. In the event the application is determined to be untrue, incorrect or incomplete upon review by the City Attorney, the application shall be denied.

3. The ~~Committee~~Commission on Licenses/Permits shall review the application, the reports of the departments, the recommendation of the City Attorney, the Economic Impact Statement, if one is required, and all other information before it and make a recommendation to the Common Council.

5. Where a license is granted or transferred following review of an Economic Impact Statement, the economic impact of the licensed premises shall be reviewed by the ~~Committee~~Commission on Licenses/Permits at the license application renewal review following the first full license year.

D. Retail "Class A" Liquor Licenses.

1. Upon receipt of an application for a new Retail "Class A" License, or transfer of any such license under Section 125.04(12)(a), Wisconsin Statutes, the City Clerk/Treasurer shall send copies thereof to the Department of Neighborhood Services and Inspections, the Fire Department, the Health Department, and Police Department. The Department of Neighborhood Services and Inspections, the Fire Department, and Health Department, either jointly or severally, within ten (10) days of receiving such copies, shall make a report, in writing, to the ~~Committee~~Commission on Licenses/Permits, as to whether the premises meet the requirements of

this Chapter and the Building, Zoning, Fire, and Health Codes. The Police Department shall report, in writing, to the City Attorney as to any police record of the applicant for a new license (not a statutory transfer of a license), which may reflect upon good moral character or business responsibility. The City Attorney shall examine said record and make a recommendation to the CommitteeCommission on Licenses/Permits based thereon as to whether or not the license should be granted. In the event the application is determined to be untrue incorrect or incomplete upon review by the City Attorney, the application shall be denied.

3. The CommitteeCommission on Licenses/Permits shall review the application, the reports of the departments, the recommendation of the City Attorney, the Economic Impact Statement, if one is required, and all other information before it and make a recommendation to the Common Council.

6. Where a license is granted or transferred following review of an Economic Impact Statement, the economic impact of the licensed premises shall be reviewed by the CommitteeCommission on Licenses/Permits at the license application renewal review following the first full license year.

Section Fourteen: Subsections 10.05 G.1., G.1.a. (2)., G.1.a.(4)., G.1.b. And G.1.c. of

the Code of General Ordinances for the City of Kenosha are hereby repealed and recreated as follows:

G. Operational Requirements.

1. Within ninety (90) days from the granting of a "Class A", Class "A", "Class B", or Class "B" License, or any combination thereof, the licensee shall be open for business with stock and equipment. In the event of the licensee's failure to be open for business within such time, said license or licenses shall be subject to revocation by the Common Council after a public hearing. The CommitteeCommission on Licenses/Permits may, for good cause shown, extend said ninety (90) day period.

(2) at the time of application, the real property sought to be licensed is either owned by the applicant, or is under lease to the applicant for a period greater than one (1) year from the date of application, or is subject to an accepted offer to purchase, whether or not conditioned on a future event. The deed, lease, or offer to purchase must be presented to the CommitteeCommission on Licenses/Permits for review at the time it is reviewing the application; and,

(4) the applicant agrees in writing, as part of the application, to submit to the CommitteeCommission on Licenses/Permits within ninety (90) days of granting of the license or licenses, a copy of the Building Permit and, if the applicant is not the owner or lessee of the property at the time of the application, a copy of the deed showing present ownership of the real property by the applicant; and

b. The CommitteeCommission on Licenses/Permits may extend the one hundred eighty (180) day period by a period of time to be determined by the CommitteeCommission in its sound discretion where the following conditions have been met:

c. If at any review hearing held before it, the Committee Commission-on Licenses/Permits is satisfied that any of the conditions in Paragraphs a. and b. of this Section have not been met, the CommitteeCommission may commence recommend a Revocation Hearing pursuant to the procedures contained within this Chapter

Section Fifteen: Subsection 10.062. B. the Code of General Ordinances for the City of

Kenosha is hereby repealed and recreated as follows:

B. Conditional Surrender. A Class "A", "Class A", Class "B", "Class B" or "Class C" License may not

be conditionally surrendered when any proceeding has been commenced by any authorized person or party to revoke or suspend such License or when any proceeding is authorized by the License/Permit ~~Committee~~ Commission or Common Council to revoke or suspend such license.

Section Sixteen: Subsections 10.063 B., C., D.6.b.2., D.6.c.5., D.10., I., K. and M. of

the Code of General Ordinances for the City of Kenosha are hereby repealed and recreated as follows:

B. License Investigations. The following may initiate requests for investigations before the Committee which may result in orders, suspensions, nonrenewals, delays in License issuance or revocation: The Mayor; The Common Council; The Commission; The Committee; The State of Wisconsin; An Alderman; The Police Chief; The City Attorney; and, Any Resident Of The City of Kenosha.

C. License Review Upon Renewal Application. Any License which is the subject of renewal shall, prior to License expiration, be reviewed in accordance with the procedure for License investigation contained in Subsection B., and in accordance with such additional procedures as the ~~Committee~~ Commission may require. License renewal applications which are granted, shall be granted subject to applicable demerit points, if any.

b. Forty (40) Demerit Points:

2. Failing to appear before the Commission, Committee or Common Council when ordered to do so by either such body.

c. One Hundred (100) Demerit Points:

1. Violation on a licensed premises of any municipal, State, or Federal law prohibiting the possession, attempted possession, trafficking in, delivery, attempted delivery, or possession with intent to deliver any controlled substance or marijuana, or knowingly permitting any person to commit such violation.
2. A conviction for a violation of State or Federal criminal law which is a felony, if the circumstances of the charge substantially relate to the circumstances of the licensed activity.
3. Noncompliance with a Court ordered alcohol and drug assessment and driver safety plan.
4. Violation of an Order of the Common Council.
5. Submission of an untrue, incorrect or incomplete application for review.

10. Demerit Point Appearance. During the course of a licensing term, if it is determined that a license has accumulated eighty (80) demerit points within three hundred sixty-five (365) consecutive days, the clerk shall issue licensee an order to appear before the Licensing/Permit ~~Committee~~ Commission. Failure to appear as ordered shall result in the assessment of twenty (20) demerit points. The assessment dates shall be the date of the notice.

I. Disciplinary Hearings. Disciplinary hearings, hearings, including nonrenewal, suspension and revocation hearings, shall be held before the Committee, which shall submit a report to the Common Council, including Findings of Fact, Conclusions of Law and a recommendation as to what action, if any, the Common Council should take with respect to the License. The Committee shall provide the Complainant and the Licensee with a copy of the report. Either the Complainant or Licensee may make an objection, orally or in writing, to the report and shall have the opportunity to present arguments supporting the objection to the Common Council. The Common Council shall determine whether the arguments shall be presented orally or in writing, or both. If the Common Council, after considering the Committee's report and any arguments presented by the Complainant and Licensee, finds the complaint to be true, or if there is no objection to a report recommending a suspension, revocation or nonrenewal, the Licensee shall be suspended, revoked or not renewed as provided by law. If the Common Council finds the complaint untrue, the proceedings shall be dismissed without cost to the accused. The City Clerk shall give notice of each suspension, revocation or nonrenewal to the party whose License is

affected.

K. Application For Determination of Demerit Points. Any Licensee or party entitled to initiate a request for an investigation under Subsection B. hereof, may, at any time, request the Common Council to determine whether or not conduct which has occurred constitutes a basis for demerit points, and, if so, how many demerit points. The Common Council, in making this determination, shall have before it the recommendation of the [CommitteeCommission](#) and of the City Attorney's Office.

M. Periodic Reports By Police Chief. The Police Chief shall file periodic reports with the City Attorney advising said City Attorney of conduct by any Licensee, or employees thereof, which may constitute a basis for disciplinary action. The City Attorney, at License renewal time, or at any earlier time deemed appropriate, shall bring such matters to the attention of the [CommitteeCommission](#) and make a recommendation on disciplinary action.

Section Seventeen: **Subsections 10.064. C.** of the Code of General Ordinances for the City of Kenosha is hereby amended as follows:

C. Complaints. Complaints may be made by:

- The Mayor;
- The Common Council;
- [The Commission;](#)
- The Committee;
- The State of Wisconsin;
- An Alderperson;
- The Police Chief;
- The City Attorney; and,
- Any Resident of the City of Kenosha

Section Eighteen: **Subsections 10.07 E., F.4., H.3., .** of the Code of General Ordinances for the City of Kenosha, Wisconsin, are hereby repealed and recreated as follows:

E. License Review and Recommendation. Applications shall be referred by the City Clerk to the Police Department. The Police Department shall make a report, in writing, to the City Attorney as to any police record of the applicant, which may reflect upon good moral character or business responsibility. The City Attorney shall examine said record and make a recommendation to the [CommitteeCommission](#) on Licenses/Permits based thereon as to whether the license shall be granted. The [CommitteeCommission](#) on Licenses/Permits shall review all applications, any reports, the recommendation of the City Attorney and all other information before it. Said [CommitteeCommission](#) shall recommend to the Common Council either the granting or denial of each application.

F. Regulations.

4. Adequate parking accommodations may be deemed necessary by the Police Department and/or Licensing/Permit [CommitteeCommission](#) for safety reasons; lighted parking facilities may be maintained so as to accommodate anticipated capacities.

H. Revocation of License.

3. The Common Council may, after the hearing described in [Subsection A 10.063 I.](#), revoke such Cabaret License upon sufficient proof that the holder has permitted or suffered the licensed premises to be conducted by himself, his employees, patrons or others in violation of health regulations or in a disorderly or

improper manner, or in violation of the laws of the State, or rules and regulations of the Common Council, or for any reasons set forth in Subsection 2.

Section Nineteen:

Sections 10.075 D.2., H., J., and K.4. of the Code of General

Ordinances for the City of Kenosha, Wisconsin, are hereby repealed and recreated as follows:

10.075 OUTDOOR EXTENSION OF A “CLASS B”, CLASS “B’ AND/OR “CLASS C” LICENSE PREMISES.

D. Requirements

2. Any or all of the prohibitions set forth in §10.075 D.1. and D.3. of the Code of General Ordinances maybe waived by the Common Council if the area sought to be included within the description of the Class "B", "Class B" and/or Class C licensed premises is located wholly within an area in the City zoned institutional, if the applicant is operating as a restaurant as defined by Section 5.046 A.9. of the Code of General Ordinances, or if it is an Outdoor Dining Area authorized and subject to a permit under Section 5.046 of the Code of General Ordinances. Any applicant for a waiver pursuant to this paragraph must file with his or her application a list of names and addresses of all property owners residing within twenty-five (25') feet of the boundaries of the outdoor area sought to be included within the description of the Class "B", "Class B" or Class C licensed premises. The application, along with the list of names, shall be filed with the Office of the City Clerk/Treasurer no later than fourteen (14) days before final action of the Common Council. Upon receipt of the Outdoor Extension Application and list of property owners within prescribed twenty-five (25') foot radius of subject licensed premises, the City Clerk/Treasurer shall forward said information to the Building Inspector for verification. Upon verification, the Building Inspector shall return said information to the City Clerk/Treasurer who will notify all property owners named on subject list. Said notice shall inform the addressee of dates, times and locations of the License/Permit CommitteeCommission meeting and Common Council meeting where the matter of the application shall be discussed.

H. Scope of Use. The Common Council, upon notice and hearing and following review and recommendation by the CommitteeCommission on Licenses/Permits, may limit the scope of the use of the outdoor area included or sought to be included within the description of the "Class B", Class "B" and/or “Class C” licensed premises, either in the process of the original approval or after the initial approval of the application for an extension of a "Class B", Class "B" and/or “Class C” License to an outdoor area. The limitation imposed may provide for a limitation on the activities permissible within the outdoor area during part or all of the time which the outdoor area is permitted to be or remain open. After the initial granting of permission for an outdoor area being included within the description of "Class B", Class "B" and/or “Class C” licensed premises under this Ordinance, the Common Council, in order to protect the rights of abutting owners and occupiers of land, may limit the Closing Hours of outdoor areas to any hour between 8:00 P.M. and 10:00 P.M.

J. Restriction Waiver. Upon written application to the City Clerk/Treasurer, the restrictions of Subsections E.1. and E.2. shall be waived if the application is filed seventy-two (72) hours prior to the date for which the waiver is sought, not including weekends and holidays, commencing at 8:00 A.M. of the day following the date at which a properly completed application was filed with the City Clerk/Treasurer; if the proposed waiver is limited to the hours of 10:00 A.M. to 10:00 P.M.; if the application is co-sponsored by the Alderperson of the district in which the license is located, or in the event that the Alderperson of the district is unavailable, co-sponsored by a member of the CommitteeCommission on Licenses/Permits who is an Alderperson; and, if the Licensee/Applicant has not been issued a municipal citation for a violation of Chapter 10 of the Code of General Ordinances and/or Wisconsin Statutes Section 125 within the three hundred sixty-five (365) days preceding the application date. Should the applicant not meet the preceding qualifications, the application shall be referred to the CommitteeCommission on Licenses/Permits for review. Said CommitteeCommission shall recommend to the Common Council either the granting or denial of the application. Upon review, the Common Council may grant or deny the waiver application. Each application shall be made on

forms furnished by the City Clerk/Treasurer and requires payment of a nonrefundable processing fee of Fifty (\$50.00) Dollars per application at the time the application is filed with the City Clerk/Treasurer. Licensees shall be limited to no more than four (4) days of waiver per licensing term. Additionally, in support of a charity event, nonprofit organization or bona fide club, Licensees may co-sponsor a waiver application. Co-sponsored applications shall be made on forms furnished by the City Clerk/Treasurer. Licensees shall be limited to no more than four (4) co-sponsored days of waiver per licensing term.

K. Violations.

4. Upon notice and after hearing before the Committee on [Licenses/Permits](#)Judicial Review, the Common Council may revoke the outdoor extension granted herein.

Section Twenty: Sections 10.076 D. Par.1., I., J.1.d., K.4. and M of the Code of

General Ordinances for the City of Kenosha, Wisconsin, are hereby repealed and recreated as follows:

10.076 OUTDOOR CAFE OF A “CLASS B; CLASS “B” AND/OR “CLASS C” LICENSED PREMISES IN A PUBLIC RIGHT-OF-WAY

D. Review and Approval. The City Clerk/Treasurer shall send the application to the Department of City Development, who shall forward a copy of the application to appropriate departments for review and written comment. Following the review period, the Department of City Development shall send a copy of the application and comments from City departments to the City Clerk/Treasurer to be forwarded to the [Committee](#)Commission on Licenses/Permits and the Public Works Committee for a recommendations to the Common Council. The Common Council shall grant or deny the application. The permit may be subject to reasonable terms and conditions.

I. Renewal, Nonrenewal, Revocation or Suspension. The City Clerk/Treasurer shall verify the number of demerit points the Applicant's business has accumulated under Section 10.063 D. of the Code of General Ordinances at the time of renewal. Businesses that have accumulated fifty (50) or more demerit points at the time of renewal shall be subject to suspension or revocation of an Outdoor Cafe Area Permit. Recommendation for nonrenewal, revocation or suspension shall be forwarded to the Committee on [Licenses/Permits](#)Judicial Review for action, at any time, following a hearing. The determination of the Committee may be appealed to the Common Council by filing a notice of appeal with the City Clerk/Treasurer within ten (10) days of the date of the hearing determination.

J. Conditions of Issuance of Permit.

1. Design Regulations.

d. All cafe-appurtenances located in an Outdoor Cafe Area must be approved by the [Commission on Licenses/Permits and the](#) Committee on [Licenses/Permits](#)Public Works prior to use.

K. Violations.

4. Upon notice and after hearing before the Committee on [Licenses/Permits](#)Judicial Review, the Common Council may revoke the outdoor Cafe granted herein pursuant to Section 10.063 I. However, all Outdoor Appurtenances may be removed without prior notice or opportunity to be heard where it constitutes an immediate danger to the public health, safety or welfare, where it is not in conformance with representations made in the application, where the Certificate of Insurance was not provided or has expired, or where placed within any public right-of-way without a permit, contrary to the provisions of this Ordinance. In such cases, an opportunity for a post-removal hearing shall be provided following the foregoing provisions for an appeal.

M. Special Exceptions. With respect to the following items, the Department of City Development shall

have the discretion to recommend approval of alternative standards to the [Committee on Public Works and Committee Commission](#) on Licenses/Permits. The exceptions shall not present any hazard or danger to the public safety, health or welfare, and shall also meet the standards listed under each item.

Section Twenty-One: Subsection 11.026 B. and C. of the Code of General

Ordinances for the City of Kenosha, Wisconsin, are hereby repealed and recreated as follows:

11.026 PROHIBITING THE DRINKING OF INTOXICANTS ON PUBLIC STREETS AND SIDEWALKS, OR WITHIN ANY PARKED MOTOR VEHICLE

B. Unless otherwise properly licensed, It shall be unlawful for any person to consume any fermented malt beverage or intoxicating liquor or to possess the same in other than a sealed container while upon any public walk, street, public park, other public place in the City or over which the City has any lease or jurisdiction, on any parking lot open to and available to the public, or within a parked vehicle located on any street within the City of Kenosha.

However, the sale, service, giving away and consumption of fermented malt beverages, where authorized under City and State law, is permitted upon City streets and sidewalks where said areas are blocked off and in use for a street party authorized under §5.04 B. , Ordinances, or where said activity is associated with a community event and where a Special Class "B" Fermented Malt Beverage License has been granted and issued, and where a permit therefor is reviewed by the [Committee Commission](#) on Licensing/Permits and approved by the Common Council. Any permit issued must particularly describe the area in which said activity will be permitted and temporary signs must be posted within the permit area informing the public of the terms and limitations of the permit.

C. Intoxicants Permitted On City Sidewalks In An Outdoor Dining Area/Outdoor Cafe. The sale, service, giving away and consumption of intoxicants is permitted upon City sidewalks in an Outdoor Dining Area authorized and subject to a Permit under Section 5.046 [or 10.076](#) of the Code of General Ordinances.

Section Twenty-Two: Subsection 12.001 B. 3 of the Code of General Ordinances

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

12.001 AMUSEMENT DEVICE LICENSE

B. License Required.

3. Review. Licenses will be reviewed by the City Clerk. If the City Clerk is satisfied that the applicant should be entitled to a license the Clerk shall issue a license. However, any applicant desiring to appeal the City Clerk's or designee's ruling to the Common Council may do so by filing a written Notice of Appeal with the City Clerk. Appeals may be acted upon by the Council following the review and recommendation made by the [Committee on Licenses/Permits](#) [Committee on Judicial Review](#).

Section Twenty-Three: Subsections 12.01 B.1.b., B.3.a.(3)(b), B.3.c., B.3.d., B.3.f, and B.3.g.

(1)(2) and (3), of the Code of General Ordinances for the City of Kenosha, Wisconsin, are hereby repealed and recreated as follows:

12.01 AMUSEMENT AND RECREATION ENTERPRISE LICENSE

B. Licenses Required.

1.b. Inspection and Recommendation. Upon receipt of any application, the City Clerk shall send copies thereof to the Department of Neighborhood Services and Inspections, County Health Department, and Fire Department who, within ten (10) days of receiving such copies, shall make a report, in writing, as to whether the premises meet the requirements in Subsection "C". with any other pertinent information. The City Clerk shall also send a copy of the application to the Police Department, who shall report, in writing, to the City Attorney, as to any police record of applicant which may reflect upon good moral character. The City Attorney, or designee thereof, shall examine said record and make a recommendation based thereon as to whether or not the license should be granted or agent status approved. A recommendation for denial shall consider only such portions of the record as are materially related to the licensed activity. Such reports shall be delivered to the City Clerk who, in turn, shall deliver them, with the application, to the ~~Committee~~Commission on Licenses/Permits. Such ~~Committee~~Commission shall recommend to the Common Council either the granting or denial of the application.

3. Revocations, NonRenewal and Suspension of Licenses.

a. Criteria For License Revocation, NonRenewal or Suspension.

(3) Fifty (50) Demerit Points:

(b). Failing to appear before the ~~Committee~~Commission Licensing and Permit, Committee on Judicial Review or Common Council when ordered to do so by ~~either~~ such body.

c. Disciplinary, NonRenewal, Suspension and Revocation Hearings. Disciplinary hearings, including nonrenewal, suspension and revocation hearings, shall be held before the ~~Committee on Licenses/Permits,~~ Committee on Judicial Review which shall submit a report to the Common Council, including Findings of Fact, Conclusions of Law and a recommendation as to what action, if any, the Common Council should take with respect to the License. The ~~Committee on Licenses/Permits~~ Committee on Judicial review shall provide the Complainant and the Licensee with a copy of the report. Either the Complainant or Licensee may make an objection, orally or in writing, to the report and shall have the opportunity to present arguments supporting the objection to the Common Council. The Common Council shall determine whether the arguments shall be presented orally or in writing, or both. If the Common Council, after considering the ~~Committee on Licenses/Permits'~~ Committee on Judicial Reviews's report and any arguments presented by the Complainant and Licensee, finds the complaint to be true, or if there is no objection to a report recommending a suspension, revocation or nonrenewal, the Licensee shall be suspended, revoked or not renewed as provided by law. If the Common Council finds the complaint untrue, the proceedings shall be dismissed without cost to the accused. The City Clerk shall give notice of each suspension, revocation or nonrenewal to the party whose License is affected.

d. Application for Determination of Demerit Points. Any Licensee or the City Clerk, or his/her designee, or the City Attorney, or his/her designee, may, at any time, request the Common Council to determine whether or not conduct which has occurred constitutes a basis for demerit points, and, if so, how many demerit points. The Common Council, in making this determination, shall have before it the recommendation of the ~~Committee~~ Committee on Judicial Review and of the City Attorney's Office.

f. Periodic Reports by Police Chief. The Police Chief shall file periodic reports with the City Attorney advising said City Attorney of conduct by any Licensee, or employees thereof, which may constitute a basis for disciplinary action. The City Attorney, at Licensee renewal time, or at any earlier time deemed appropriate, shall bring such matters to the attention of the ~~Committee~~Committee on Judicial Review and make a recommendation on disciplinary action

g. Off Premises Conduct of Patrons as a Basis for Disciplinary Actions.

(1) **Initial Meeting.** The ~~Licenses/Permits Committee~~Committee on Judicial Review shall direct the Licensee to appear before it to discuss complaints and potential solutions. If mutual agreements are arrived at, the matter shall be held in abeyance to provide Licensee an opportunity to comply with such mutual agreements, which shall be reduced to writing and served upon Licensee.

(2) ~~Committee~~Commission **Hearing on Proposed Order.** In the event the initial meeting does not result in a mutual agreement to resolve complaints, the City Attorney shall draft a tentative order which mandates certain specific corrective action, and Licensee shall be served with a copy thereof and directed to appear before the ~~Licenses/Permits Committee~~Committee on Judicial Review to discuss the proposed order. Following Licensee being heard, or being provided with an opportunity to be heard, the ~~Committee on Licenses/Permits~~ Committee on Judicial Review shall determine the proposed form of such order.

(3) **Common Council Hearing on Proposed Order.** Licensee shall be served with the proposed order of the ~~Licenses/Permits Committee~~Committee on Judicial Review and be directed to appear before the Common Council to discuss the proposed order. Following Licensee being provided with an opportunity to be heard, the Common Council shall determine the final form of such order, which shall be served on Licensee.

Section Twenty-Four: Subsections 12.01 G.1., G.2., G.3 of the Code of General

Ordinances for the City of Kenosha, Wisconsin, are hereby repealed and recreated as follows

G. Off Premises Conduct of Patrons As A Basis for Disciplinary Actions.

1. **Initial Meeting.** The ~~Committee~~Commission on Licenses/Permits shall direct the Licensee to appear before it to discuss complaints and potential solutions. If mutual agreements are arrived at, the matter shall be held in abeyance to provide Licensee an opportunity to comply with such mutual agreements, which shall be reduced to writing and served upon Licensee.

2. ~~Committee~~Commission **Hearing On Proposed Order.** In the event the initial meeting does not result in a mutual agreement to resolve complaints, the City Attorney, or designee thereof, shall draft a tentative order which mandates certain specific corrective action, and Licensee shall be served with a copy thereof and directed to appear before the ~~Committee~~Commission on Licenses/Permits to discuss the proposed order. Following Licensee being heard, or being provided with an opportunity to be heard, the ~~Committee~~Commission on Licenses/Permits shall determine the proposed form of such order.

3. **Common Council Hearing On Proposed Order.** Licensee shall be served with the proposed order of the ~~Committee~~Commission on Licenses/Permits and be directed to appear before the Common Council to discuss the proposed order. Following Licensee being provided with an opportunity to be heard, the Common Council shall determine the final form of such order, which shall be served on Licensee.

Section Twenty-Five: Subsections 12.04 B.1.b., B.1.e., B.3., B.5., B.6.a., B.6.b., and

B.6.c. of the Code of General Ordinances for the City of Kenosha, Wisconsin, are hereby repealed and recreated as follows:

12.04 THEATERS.

B. Licenses Required.

1.b. **Inspection and Recommendation.** Upon receipt of any application, the City Clerk shall send copies thereof to the Department of Neighborhood Services and Inspections, County Health Department, and Fire Department who, within ten (10) days of receiving such copies, shall make a report, in writing, as to

whether the premises upon which a licensed activity will be conducted meet the requirements in Subsection "C". with any other pertinent information. The Fire Department shall determine the seating or holding capacity of the premises to be licensed. The City Clerk shall also send a copy of the application to the Police Department, who shall report, in writing, to the City Attorney, as to any police record of applicant which may reflect upon good moral character. The City Attorney, or designee thereof, shall examine said record and make a recommendation based thereon as to whether or not the license should be granted or agent status approved. A recommendation for denial shall consider only such portions of the record as are materially related to the licensed activity. Such reports shall be delivered to the City Clerk who, in turn, shall deliver them, with the application, to the Committee Commission on Licenses/Permits. Such Committee Commission shall recommend to the Common Council either the granting or denial of the application.

e. Temporary License. The Common Council may issue a Temporary License for a period not to exceed thirty (30) calendar days in any year and waive any regulations respecting premises which are not applicable due to the nature of the event and/or premises. The fee shall be Fifty (\$50.00) Dollars for any period of consecutive days within the thirty (30) day limit for such license. The Common Council may waive the fee in accordance with Subsection B.1.c. The license may be conditioned in accordance with recommendations made by departments conducting inspections and making recommendations to the Committee Commission on Licenses and Permits, and the Common Council.

3. Par 1. Disciplinary, NonRenewal, Suspension and Revocation Hearings. Disciplinary hearings, including nonrenewal, suspension and revocation hearings, shall be held before the Committee on Licenses/Permits Judicial Review, which shall submit a report to the Common Council, including Findings of Fact, Conclusions of Law and a recommendation as to what action, if any, the Common Council should take with respect to the License. The Committee on Licenses/Permits Judicial Review shall provide the Complainant and the Licensee with a copy of the report. Either the Complainant or Licensee may make an objection, orally or in writing, to the report and shall have the opportunity to present arguments supporting the objection to the Common Council. The Common Council shall determine whether the arguments shall be presented orally or in writing, or both. If the Common Council, after considering the Committee on Licenses/Permits' Judicial Reviews' report and any arguments presented by the Complainant and Licensee, finds the complaint to be true, or if there is no objection to a report recommending a suspension, revocation or nonrenewal, the Licensee shall be suspended, revoked or not renewed as provided by law. If the Common Council finds the complaint untrue, the proceedings shall be dismissed without cost to the accused. The City Clerk shall give notice of each suspension, revocation or nonrenewal to the party whose License is affected.

5. Periodic Reports By Police Chief. The Police Chief shall file periodic reports with the City Attorney advising said City Attorney of conduct by any Licensee, or employees thereof, which may constitute a basis for disciplinary action. The City Attorney, at License renewal time, or at any earlier time deemed appropriate, shall bring such matters to the attention of the Committee on Judicial Review and make a recommendation on disciplinary action.

6. Off Premises Conduct of Patrons As A Basis For Disciplinary Actions.

a. Initial Meeting. The Licenses/Permits Committee Commission shall direct the Licensee to appear before it to discuss complaints and potential solutions. If mutual agreements are arrived at, the matter shall be held in abeyance to provide Licensee an opportunity to comply with such mutual agreements, which shall be reduced to writing and served upon Licensee.

b. Committee Hearing On Proposed Order. In the event the initial meeting does not result in a mutual agreement to resolve complaints, the City Attorney shall draft a tentative order which mandates certain specific corrective action, and Licensee shall be served with a copy thereof and directed to appear before the Licenses/Permits Committee on Judicial Review to discuss the proposed order. Following Licensee being heard, or being provided with an opportunity to be heard, the Finance Committee on Judicial Review shall determine the proposed form of such order.

c. Common Council Hearing On Proposed Order. Licensee shall be served with the proposed order of the Licenses/Permits Committee on Judicial Review and be directed to appear before the Common Council to discuss the proposed order. Following Licensee being provided with an opportunity to be heard, the Common Council shall determine the final form of such order, which shall be served on Licensee.

Section Twenty-Six: Subsections 12.05 B., E., G.3. and H. of the Code of

General Ordinances for the City of Kenosha, Wisconsin, are hereby repealed and recreated as follows:

12.05 PUBLIC ENTERTAINMENT LICENSE

B. Application. Upon application to the City Clerk and the payment of the fee therefor, a Public Entertainment License will be issued subject to the conditions and regulations set forth in this Section. An application for a license provided for in this Section shall be made to the City Clerk in writing, accompanied by the required fee. Applications shall be on City forms and shall be true, correct and complete in all respects. No application for such license shall be accepted unless accompanied by the appropriate fee. Within twenty-eight (28) days of receiving an application for a Public Entertainment License, the City Clerk shall notify the applicant whether the application is granted or denied. The application not reviewed by Common Council within twenty-eight (28) days shall be granted. In determining whether a Public Entertainment License should be granted, the Common Council shall consider the following factors, giving to each whatever weight is appropriate in the particular factual circumstances:

E. License Application Review and Recommendation. Applications shall be referred by the City Clerk to the Police Department. The Police Department shall make a report, in writing, to the City Attorney as to any police record of the applicant, which may reflect upon good moral character or business responsibility. The City Attorney shall examine said record and make a recommendation to the CommitteeCommission on Licenses/Permits based thereon as to whether the license shall be granted. The CommitteeCommission on Licenses/Permits shall review all applications, any reports, the recommendation of the City Attorney and all other information before it. Said CommitteeCommission shall recommend to the Common Council either the granting or denial of each application.

G. Regulations.

3. Adequate parking accommodations may be deemed necessary by the Police Department and/or Licensing/Permit CommitteeCommission for safety reasons; lighted parking facilities may be maintained so as to accommodate anticipated capacities.

H. Administrative Suspension. Upon written request made and filed with the City Clerk/Treasurer of the City of Kenosha by the Chief of Police, the Mayor may immediately suspend any license issued under this Section. A written order of administrative suspension shall be served upon the Licensee. All licensed activities shall remain suspended until completion of an administrative review hearing. Upon administrative suspension, an administrative review hearing shall be scheduled for license review within ten (10) days pursuant to the terms of Subsection 12.05 H. of this Ordinance before the Committee on Judicial Review.

Section Twenty-Seven: Subsections 13.01D.Par.1., G., O., P.4., P.5 and Q. of the

Code of General Ordinances for the City of Kenosha, Wisconsin, is hereby repealed and recreated as follows:

13.01 SCRAP SALVAGE DEALERS AND SCRAP SALVAGE COLLECTORS

D. Enforcement. The Director of the Department of Neighborhood Services and Inspections, or

designee thereof, shall have the primary responsibility to enforce this Ordinance through the coordination of inspections and shall be responsible for submitting inspection reports of all enforcing departments to the Common Council and its Licensing eommittee Commission.

G. Recommendation. Upon receipt of any application, the City Clerk shall send copies thereof to the Department of Neighborhood Services and Inspections, Fire Department, Health Department and Police Department. The Department of Neighborhood Services and Inspections, Fire Department and Health Department, either jointly or severally, within ten (10) days of receiving such copies, shall make a report, in writing, as to whether the premises meet the requirements hereof, along with any other pertinent information. The Police Department shall report in writing, to the City Attorney, as to any police record of applicant which may reflect upon their good moral character or business responsibility. The City Attorney shall examine said record and make a recommendation based thereon as to whether or not the license should be granted. Such reports shall be delivered to the City Clerk or clerk for the CommitteeCommission on Licensing and Permit who, in turn, shall deliver them with the application, to the CommitteeCommission on Licensing and Permit. Such CommitteeCommission shall recommend to the Common Council either the granting or denial of the application or such other action as may be appropriate.

O. Appeals From Orders. A Licensee, where the public health, safety and welfare is not in immediate jeopardy, may appeal to the Common Council any order issued by any enforcing Department under authority of this Ordinance by filing a written Notice of Appeal with said Department within ten (10) days of receipt of said order, or within the compliance period, whichever is shorter. The Common Council may direct that the appeal be heard by athe-Committee on Judicial Review. -thereof

P. Revocation and suspension of Licenses.

4. Failing to commence doing business within ninety (90) days of being granted a license or within ninety (90) days of the first day of the license term, whichever is longer, unless an extension of time is applied for and granted by the Finance-Committee Commission on Licensing and Permit.

5. Suspending doing business for a period of ninety (90) consecutive days, unless permission is applied for and granted by the Finance-Committee Commission on Licensing and Permit.

Q. Disciplinary Hearings. Disciplinary hearings, including nonrenewal, suspension and revocation hearings, may be held before the Common Council or before the Committee on Judicial Review charged with license review responsibilities.

The Committee on LicensingJudicial Review, when it conducts a hearing, shall submit a report to the City Common Council, including findings of fact, conclusions of law and a recommendation as to what action, if any, the City Common Council should take with respect to the license. Said Committee shall provide the complainant and the licensee with a copy of the report. Either the complainant or Licensee may file an objection to the report and shall have the opportunity to present arguments supporting the objection to the Common Council. The City Common Council shall determine whether the arguments shall be presented orally or in writing, or both. If the City Common Council, after considering the Committee's report and any arguments presented by complainant or Licensee, finds the complaint to be true, or if there is no objection to a report recommending a suspension, revocation or nonrenewal of the license, it shall be suspended, revoked or not renewed as provided by law. If the City Common Council finds the complaint untrue, the proceedings shall be dismissed without cost to the accused. The City Clerk shall give notice of each suspension, revocation or nonrenewal to the party whose license is affected. The Common Council may also order corrective action to be taken within a specified time as a condition of license maintenance, at any time, following notice and an opportunity to be heard.

Section Twenty-Eight:

Subsections 13.011 D., 13.011 O., P.4., P.5., Q., of the Code of

General Ordinances for the City of Kenosha, Wisconsin, are hereby repealed and recreated as follows:

13.011 RECYCLING CENTER ACTIVITY LICENSE

D. Application Review. Upon receipt of any application, the City Clerk shall send copies thereof to the Department of Neighborhood Services and Inspections, Fire Department, Health Department and Police Department. The Department of Neighborhood Services and Inspections, Fire Department and Health Department, either jointly or severally, within ten (10) days of receiving such copies, shall make a report, in writing, as to whether the premises meet the requirements hereof, along with any other pertinent information. The Police Department shall report in writing, to the City Attorney, as to any police record of applicant which may reflect upon their good moral character or business responsibility. The City Attorney shall examine said record and make a recommendation based thereon as to whether or not the license should be granted. Such reports shall be delivered to the City Clerk or clerk for the ~~Committee~~Commission on Licensing who, in turn, shall deliver them with the application, to the ~~Committee~~Commission on Licensing. Such ~~Committee~~Commission shall recommend to the Common Council either the granting or denial of the application or such other action as may be appropriate.

O. Appeals From Orders. A Licensee, where the public health, safety and welfare is not in immediate jeopardy, may appeal to the Common Council any order issued by any enforcing Department under authority of this Ordinance by filing a written Notice of Appeal with said Department within ten (10) days of receipt of said order, or within the compliance period, whichever is shorter. The Common Council may direct that the appeal be heard by ~~a~~ the ~~Committee~~ on Judicial Review thereof.

P. Revocation and Suspension Of Licenses.

4. Failing to commence doing business within ninety (90) days of being granted a license or within ninety (90) days of the first day of the license term, whichever is longer, unless an extension of time is applied for and granted by the ~~Committee~~Commission on Licenses and Permits.

5. Suspending doing business for a period of ninety (90) consecutive days, unless permission is applied for and granted by the ~~Committee~~Commission on Licenses and Permits

Q. Disciplinary Hearings. Disciplinary hearings, including nonrenewal, suspension and revocation hearings, may be held before the Common Council or before the ~~Committee~~ on Judicial Review ~~charged with license review responsibilities.~~

The ~~Committee on Licenses and Permits~~ Judicial Review, when it conducts a hearing, shall submit a report to the City Common Council, including findings of fact, conclusions of law and a recommendation as to what action, if any, the City Common Council should take with respect to the license. Said ~~Committee~~ shall provide the complainant and the licensee with a copy of the report. Either the complainant or Licensee may file an objection to the report and shall have the opportunity to present arguments supporting the objection to the Common Council. The City Common Council shall determine whether the arguments shall be presented orally or in writing, or both. If the City Common Council, after considering the ~~Committee's~~ report and any arguments presented by complainant or Licensee, finds the complaint to be true, or if there is no objection to a report recommending a suspension, revocation or nonrenewal of the license, it shall be suspended, revoked or not renewed as provided by law. If the City Common Council finds the complaint untrue, the proceedings shall be dismissed without cost to the accused. The City Clerk shall give notice of each suspension, revocation or nonrenewal to the party whose license is affected. The Common Council may also order corrective action to be taken within a specified time as a condition of license maintenance, at any time, following notice and an opportunity to be heard.

Section Twenty-Nine:

Subsection 13.02 F. of the Code of General Ordinances for the

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

13.02 PAWNBROKERS AND SECONDHAND ARTICLE AND JEWELRY DEALERS

F. Investigation Of License Applicant. Upon receipt of an application, the City Clerk shall send copies thereof to the Department of Neighborhood Services and Inspections and the Kenosha Police Department. The Department of Neighborhood Services and Inspections, within ten (10) days of receiving such copy, shall make a report, in writing, to the CommitteeCommission on Licenses/Permits as to whether the premises meet the requirements of this Chapter and the Building and Zoning Codes. The Kenosha Police Department shall investigate each applicant for a pawnbroker's, secondhand article dealer's or secondhand jewelry dealer's license to determine whether the applicant has been convicted within the preceding ten (10) years of a felony or within the preceding five (5) years of a misdemeanor, statutory violation punishable by forfeiture or county or municipal Ordinance violation described under E.3. and, if so, the nature and date of the offense and the penalty assessed. The Kenosha Police Department shall furnish the information derived from that investigation in writing to the City Attorney. The City Attorney, or his or her designee, shall examine said record and make a recommendation based thereon as to whether or not the license should be granted. Such reports shall be delivered to the City Clerk or Clerk for the CommitteeCommission on Licenses/Permits who, in turn shall deliver them, with the application, to the CommitteeCommission on Licenses/Permits. Such CommitteeCommission shall recommend to the Common Council either the granting or denial of the application, or such other action as may be appropriate.

Section Thirty: To Repeal and Recreate **Subsections 13.07 G.5.a; G.5.b; G.5.c; G.5.k;**

and G.5.m. of the Code of General Ordinances for the City of Kenosha, Wisconsin, as follows:

13.07 TAXICABS AND DRIVERS

G. Driver's License.

5. Policy & Procedure For Disciplinary Actions Relative To Taxi Driver's License.

a. Definitions.

- (1) **LICENSE** means a Taxi Driver's License authorized under this Section 13.07.
- (2) **LICENSEE** shall mean the holder of a License.
- (3) **COMMITTEE** shall mean the Committee on Licenses/PermitsJudicial Review.
- (4) **COMMISSION** shall mean the Commission on Licenses/Permits.

b. License Investigations. The following may initiate requests for investigations before the Committee which may result in orders, suspensions, nonrenewals, delays in License issuance or revocation:

The Mayor;
The Common Council;
The Committee;
The Commission
The State of Wisconsin;
An Alderman;
The Police Chief;
The City Attorney; and,
Any resident of the City of Kenosha.

Requests for investigations shall contain a brief statement of the alleged misconduct. The request shall be forwarded by the requesting party to the City Clerk who shall place said request on the Common Council Agenda for referral to the CommitteeCommission or directly on the CommitteeCommission Agenda with the

permission of the [CommitteeCommission](#) Chairperson. The City Clerk or the [CommitteeCommission](#) Secretary shall order the Licensee to attend the [CommitteeCommission](#) meeting at which said matter will be reviewed. Documents which form a basis for a request for an investigation shall be available for the inspection of the Licensee.

The [CommitteeCommission](#) may reconsider any evidence or argument presented or made before it, whether or not obtained in or related to the written request for an investigation.

The [CommitteeCommission](#), upon requesting and receiving a recommendation from the City Attorney's Office, shall recommend to the Common Council:

- (1) That no action be taken;
- (2) That the License shall be suspended, not renewed or revoked following Statutory notice and opportunity to be heard, where the criteria for such action in Subsection [Dd](#). is met;
- (3) That an order be issued and served upon the Licensee requiring that certain action be taken as a condition of maintaining said License and providing notice that revocation may be the penalty for failure to strictly comply with the letter and spirit thereof.

The [CommitteeCommission](#) shall have the obligation of notifying the Licensee of any further proceedings before the Common Council.

The Common Council may affirm, deny or modify any recommendations of the [CommitteeCommission](#).

c. License Review Upon Renewal Application. Any License which is the subject of renewal shall, prior to License expiration, be reviewed in accordance with the procedure for License investigation contained in Subsection [Bb](#)., and in accordance with such additional procedures as the [CommitteeCommission](#) may require. License renewal applications which are granted, shall be granted subject to applicable demerit points, if any.

k. Application For Determination Of Demerit Points. Any Licensee or party entitled to initiate a request for an investigation under Subsection [Bb](#). hereof, may, at any time, request the Common Council to determine whether or not conduct which has occurred constitutes a basis for demerit points, and, if so, how many demerit points. The Common Council, in making this determination, shall have before it the recommendation of the [CommitteeCommission](#) and of the City Attorney's Office.

m. Periodic Reports By Police Chief. The Police Chief shall file periodic reports with the City Attorney advising said City Attorney of conduct by any Licensee, or employees thereof, which may constitute a basis for disciplinary action. The City Attorney, at Licensee renewal time, or at any earlier time deemed appropriate, shall bring such matters to the attention of the [CommitteeCommission](#) and make a recommendation on disciplinary action.

Section Thirty-One: **Subsection 13.12 E.** of the Code of General Ordinances for the

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

13.12 TOWING SERVICE

E. Standards for License Issuance. The Common Council and its [licensingFinance e](#)Committee may not consider or grant a license to an applicant who does not meet the following minimum requirements:

Section Thirty-Two: **Subsections 13.125 C.2., C.6 and C.8.** of the Code of General

Ordinances for the City of Kenosha, Wisconsin, are hereby repealed and recreated as follows:

13.125 MASSAGE THERAPISTS

C. Licenses. Massage Therapist Licenses shall be granted by the Common Council and issued by the City Clerk when all conditions for license issuance have been met.

2. Recommendation. The City Clerk shall send a copy of the application to the Police Department, who shall report, in writing, to the City Attorney, as to the arrest and conviction record of applicant, which may reflect upon good moral character. The City Attorney, or designee thereof, shall examine said record and make a recommendation based thereon as to whether or not the applicant should be licensed. A recommendation for denial shall consider only such portions of the record as are materially related to the licensed activity. Such reports shall be delivered to the City Clerk, who, in turn, shall deliver them, with the application, to the Committee Commission on Licenses/Permits. Such Committee Commission shall recommend to the Common Council either the granting or denial of the application.

6. Disciplinary, NonRenewal, Suspension and Revocation Hearings. Disciplinary hearings, including nonrenewal, suspension and revocation hearings, shall be held before the Committee on Licenses/Permits Judicial Review, which shall submit a report to the Common Council, including Findings of Fact, Conclusions of Law and a recommendation as to what action, if any, the Common Council should take with respect to the License. The Committee on Licenses/Permits Judicial Review shall provide the Complainant and the Licensee with a copy of the report. Either the Complainant or Licensee may make an objection, orally or in writing, to the report and shall have the opportunity to present arguments supporting the objection to the Common Council. The Common Council shall determine whether the arguments shall be presented orally or in writing, or both. If the Common Council, after considering the Committee on Licenses/Permits' Judicial Reviews' report and any arguments presented by the Complainant and Licensee, finds the complaint to be true, or if there is no objection to a report recommending a suspension, revocation or nonrenewal, the Licensee shall be suspended, revoked or not renewed as provided by the Common Council. If the Common Council finds the complaint untrue, the proceedings shall be dismissed without cost to the accused. The City Clerk shall give notice of each suspension, revocation or nonrenewal to the party whose License is affected. The judgment of conviction of any Licensee, or employee or agent thereof, in any Municipal, State or Federal Court, irrespective of whether obtained following trial, plea agreement, or bond forfeiture, shall be prima facie proof of said violation for purposes of this Ordinance. However, in the instance of any judgment of conviction entered pursuant to a no contest plea, or considered in law to be rendered pursuant to a no contest plea, said judgment of conviction as a prima facie case may be rebutted. Further mitigating circumstances may be introduced with respect to any judgment of conviction.

8. Reports By Police Chief. The Police Chief shall file reports with the City Attorney advising said City Attorney of conduct by a Licensee, or employees thereof, which may constitute a basis for disciplinary action. The City Attorney, at License renewal time, or at any earlier time deemed appropriate, shall bring such matters to the attention of the Committee Commission and make a recommendation on disciplinary action

Section Thirty-Three: Subsections 13.13 I., N. and Q. of the Code of General

Ordinances for the City of Kenosha, Wisconsin, are hereby repealed and recreated as follows:

13.13 REFUGE CENTERS

I. Recommendation. Upon receipt of an application for a license under this Section, the City Clerk shall send copies thereof to the Department of Neighborhood Services and Inspections, Fire Department, Health Department, and Police Department. The Department of Neighborhood Services and Inspections, Fire Department, and Health Department, either jointly or severally, within ten (10) days of receiving such copies,

shall make a report, in writing, as to whether the premises meet the requirements hereof, along with any other pertinent information. The Police Department shall report in writing, to the City Attorney, as to any police record of applicant which may reflect upon their good moral character or business responsibility. The City Attorney shall examine said record and make a recommendation based thereon as to whether or not the license should be granted. Such reports shall be delivered to the City Clerk or clerk for the Licensing/Permit ~~Committee~~Commission who, in turn, shall deliver them with the application, to the Licensing/Permit ~~Committee~~Commission. Such ~~Committee~~Commission shall recommend to the Common Council either the granting or denial of the application or such other action as may be appropriate.

N. Appeals From Orders. A Licensee, where the public health, safety or welfare is not in immediate jeopardy, may appeal to the Common Council any order issued by any Enforcing Department under authority of this Ordinance. Orders issued pursuant to ordinances subject to specific appeal procedure must be appealed through that specific appeal procedure. All other orders issued pursuant to ordinances that are not subject to a specific appeal procedure, may be appealed to the Common Council by filing a written Notice of Appeal with the Enforcing Department that issued the order within ten (10) days of receipt of said order, or within the compliance period, whichever is shorter. The Common Council may direct that an appeal to it be heard by a ~~Committee thereof.~~ the Judicial Review Committee.

Q. Disciplinary Hearings. Disciplinary hearings, including suspension and revocation hearings, may be held before the Common Council or before the ~~Committee charged with license review responsibilities~~ Committee on Judicial Review. The ~~Licensing/Permit~~ Committee on Judicial Review, when it conducts a hearing, shall submit a report to the Common Council, including findings of fact, conclusions of law and a recommendation as to what action, if any, the Common Council should take with respect to the license. Said Committee shall provide the complainant and the licensee with a copy of the report. Either the complainant or Licensee may file an objection to the report and shall have the opportunity to present arguments supporting the objection to the Common Council. The Common Council shall determine whether the arguments shall be presented orally or in writing, or both. If the Common Council, after considering the Committee's report and any arguments presented by complainant or Licensee, finds the complaint to be true, or if there is no objection to a report recommending a suspension or revocation of the license, it shall be suspended, revoked, or not renewed as provided by law. If the Common Council finds the complaint untrue, the proceedings shall be dismissed without cost to the accused. The City Clerk shall give notice of each suspension or revocation to the party whose license is affected. The Common Council may also order corrective action to be taken within a specified time as a condition of license maintenance, at any time, following notice and an opportunity to be heard.

Section Thirty-Four: Subsections 14.013 D.1. and D.9 of the Code of General

Ordinances for the City of Kenosha, Wisconsin, are hereby repealed and recreated as follows:

14.013 LIMITATION ON NUMBER OF DOGS AND CATS PER RESIDENTIALLY ZONED LOT

D. Pet Fancier Permit. Notwithstanding the provisions of subsection (B), it shall be lawful to keep up to five (5) dogs, cats or combination thereof, over the age of five (5) months if the owner complies with all of the following requirements:

1. Applies for and receives a pet fancier's permit from the ~~Committee~~Commission on Licenses and Permits.

9. Revocation, Suspension and Non-Renewal of Permit. Permits granted hereunder may be revoked, suspended, or not renewed for just cause, upon notice and an opportunity to be heard. The hearing shall be conducted by the ~~Committee on Licenses/Permits~~ Committee on Judicial Review.

Section Thirty-Five:

Subsection 14.015 B. and 14.015 O.3. of the Code of General

Ordinances for the City of Kenosha, Wisconsin, are hereby repealed and recreated as follows:

14.015 KENNELS AND PET SHOPS

B. LICENSE REQUIRED/FEE. It is unlawful for any person, party, firm or corporation to operate, keep or maintain within the City limits a kennel or pet shop without first having obtained a license from the City Common Council and being in compliance with all provisions of this Ordinance. License applications shall be reviewed, prior to action by the Common Council, by the ~~Committee~~Commission on Licenses/Permits. The City Clerk, or designee thereof, shall issue licenses which have been granted by the Common Council. The fee for a license issued hereunder or renewal thereof shall be Two Hundred (\$200) Dollars per calendar year or fraction thereof.

O. SUSPENSION, REVOCATION OR DENIAL OF RENEWAL OF LICENSE

3. Disciplinary hearings, including nonrenewal, suspension and revocation hearings, shall be held before the ~~Committee on Licenses/Permits~~ Committee on Judicial Review, which shall submit a report to the Common Council, including Findings of Fact, Conclusions of Law and a recommendation as to what action, if any, the Common Council should take with respect to the License. The Committee shall provide the Complainant and the Licensee with a copy of the report. Either the Complainant or the Licensee may make an objection, orally or in writing, to the report and shall have the opportunity to present arguments supporting the objection to the Common Council. The Common Council shall determine whether the arguments shall be presented orally or in writing, or both. If the Common Council, after considering the Committee's report and any arguments presented by the Complainant and Licensee, finds the complaint to be true, or if there is no objection to a report recommending a suspension, revocation or nonrenewal, the Licensee shall be suspended, revoked or not renewed as provided by law. If the Common Council finds the complaint untrue, the proceedings shall be dismissed without cost to the accused. The City Clerk shall give notice of each suspension, revocation or nonrenewal to the party whose License is affected.

Section Thirty-Six:

Subsection 14.024 B. and 14.024 I.3. of the Code of General

Ordinances for the City of Kenosha, Wisconsin, are hereby repealed and recreated as follows:

14.024 VIETNAMESE POTBELLIED PIG LICENSE

B. LICENSE REQUIRED/FEE. It is unlawful for any person, party, firm or corporation to keep or maintain within the City limits a Vietnamese Potbellied Pig without first having obtained a license from the City Common Council and being in compliance with all provisions of this Ordinance. License applications shall be reviewed, prior to action by the Common Council, by the ~~Committee~~Commission on Licenses/Permits. The City Clerk, or designee thereof, shall issue licenses which have been granted by the Common Council. The fee for a license issued hereunder or renewal thereof shall be One Hundred (\$100) Dollars per calendar year or fraction thereof. Excepted from the license requirement is any law enforcement agency or agency under contract with the City to care for stray or unwanted animals.

I. SUSPENSION, REVOCATION OR DENIAL OF RENEWAL OF LICENSE

3. Disciplinary hearings, including nonrenewal, suspension and revocation hearings, shall be held before the ~~Committee on Licenses/Permits~~ Committee on Judicial Review, which shall submit a report to the Common

Council, including Findings of Fact, Conclusions of Law and a recommendation as to what action, if any, the Common Council should take with respect to the License. The Committee shall provide the Complainant and the Licensee with a copy of the report. Either the Complainant or the Licensee may make an objection, orally or in writing, to the report and shall have the opportunity to present arguments supporting the objection to the Common Council. The Common Council shall determine whether the arguments shall be presented orally or in writing, or both. If the Common Council, after considering the Committee's report and any arguments presented by the Complainant and Licensee, finds the complaint to be true, or if there is no objection to a report recommending a suspension, revocation or nonrenewal, the License shall be suspended, revoked or not renewed as provided by law. If the Common Council finds the complaint untrue, the proceedings shall be dismissed without cost to the accused. The City Clerk shall give notice of each suspension, revocation or nonrenewal to the party whose License is affected.

Section Thirty-Seven: **Subsection 14.025 E.** of the Code of General Ordinances for

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

14.025 HORSE DRAWN VEHICLES/LICENSE AND PERMIT - OTHER ANIMAL DRAWN VEHICLES PROHIBITED

E. Revocation, Suspension and NonRenewal of Licenses/Permits. Licenses/Permits granted hereunder may be revoked, suspended, or not renewed for just cause, upon notice and an opportunity to be heard. With respect to Licenses granted hereunder, hearing shall be conducted by the ~~on Licenses/Permits Committee~~ Committee on Judicial Review.

Section Thirty-Eight: **Subsections 21.06 G. H. and I.** of the Code of General

Ordinances for the City of Kenosha, Wisconsin, are hereby repealed and recreated as follows:

21.06 WEIGHING AND MEASURING DEVICE LICENSE

G. Suspension of Licenses. Notwithstanding the other provisions of this Ordinance, whenever the Health Administrator finds that any licensed premises is conducted or managed in such a manner that there are serious or repeated violations of this Ordinance or violation of any of the Ordinances or regulations of the City, the laws of the State of Wisconsin or regulations of the National Bureau of Standards relating to weights and measure, he/she may, without warning, notice or hearing, issue a written notice to the license holder, operator or employee in charge of the licensed premises citing such condition and specifying the corrective action to be taken and if deemed necessary such order shall state that the license is immediately suspended and all weighing and measuring operations are to be discontinued. Any person to whom such an order is issued shall comply immediately, but upon written petition to the Health Administrator, shall be afforded a hearing before the ~~Licensing/Permit~~ Committee on Judicial Review within twenty (20) days of such petition. Failure to allow an inspector immediate access to the premises to determine whether such grounds exist shall also be grounds for suspension.

H. Revocation of Licenses. For serious or repeated violations of any of the requirements of this Ordinance, or for interference with the Health Administrator, or designees thereof in the performance of their duties, the license may be permanently revoked after an opportunity for a hearing has been made by the ~~Licensing/Permit~~ Committee on Judicial Review prior to such action, the Health Administrator shall notify the license holder in writing, stating the reasons for which the license is subject to revocation, and advising that the license shall be permanently revoked at the end of five (5) days following the service of such notice, unless a request for a hearing is filed with the Health Administrator, by the license holder within such five (5) day period.

I. Hearings. The hearings provided for in this Section shall be conducted by the [Licensing/Permit Committee](#) [on Judicial Review](#) at a time and place designated by it. Based upon the record of such hearing, the Health Administrator shall be charged with enforcing the decisions of the board. A written report of the hearing decision shall be furnished to the license holder by the Health Administrator.

Section Thirty-Nine: This Ordinance shall become effective upon passage and publication.

ATTEST: _____ City Clerk

APPROVED: _____ Mayor

Passed:

Published:

Drafted By:
MATTHEW A. KNIGHT
Deputy City Attorney

ORDINANCE NO. _____

SPONSOR: ALDERPERSON RAY MISNER

TO REPEAL AND RECREATE VARIOUS SECTIONS OF THE CODE OF GENERAL ORDINANCES TO REFLECT THE CHANGE IN RESPONSIBILITIES OF THE “COMMITTEE ON LICENSING/PERMIT” ALLOCATING THEM TO THE “COMMISSION ON LICENSING/PERMIT” OR “COMMITTEE ON JUDICIAL REVIEW” OR SIMILAR TERMINOLOGY WHEREVER THOSE PHRASES APPEAR

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

Section One: Subsection 1.025 C. of the Code of General Ordinances for the City of

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

C. Requirement. All members of the Common Council shall wear proper attire to all regular meetings of the Common Council and Committee of the Whole meetings. During committee meetings of the Finance Committee, Public Works Committee, Board of Water Commissioners, Storm Water Utility Committee, Public Safety and Welfare Committee, Board of Park Commissioners and Committee on Judicial Review business casual attire shall be worn.

Section Two: Subsection 1.03 A.13. of the Code of General Ordinances for the

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

13. Reports and recommendations from the Commission on Licenses/Permits.

Section Three: Subsection 1.03 C.1. of the Code of General Ordinances for the City of

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

1. The Committees on Finance, Public Works (Board of Public Works), Public Safety and Welfare, Stormwater Utility, and Judicial Review shall be appointed by the Mayor and confirmed by a majority vote of the members present at the organizational meeting of the newly elected Council on the third Tuesday of April, or as soon thereafter as may be possible.

Section Four: Subsection 1.03 C.1.d. of the Code of General Ordinances for the City

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

d. Committee on Judicial Review shall be the body before which license or permit nonrenewal, suspension or revocation hearings are held. Upon holding such hearing, it shall submit a report to the City Common Council, including findings of fact, conclusions of law and a recommendation as to what action, if any, the City Common Council should take with respect to the license or permit. The Committee on Judicial Review shall provide the complainant and the licensee with a copy of the report. Either the complainant or the licensee may file an objection to the City Common Council. The City Common Council shall determine whether the arguments shall be presented orally or in writing, or both. If the City Common Council, after considering the Committee on Judicial Review report and any arguments presented by the complainant or the licensee, finds the

Complaint to be true, or if there is no objection to a report recommending nonrenewal suspension or revocation, the license or permit shall not be renewed, suspended or revoked as provided by law. If the City Common Council finds the Complaint untrue, the proceedings shall be dismissed without cost to the accused. The City Clerk shall give notice of nonrenewal, suspension or revocation to the party whose license or permit is affected. Any Ordinances to the contrary shall be null and void.

Section Five: **Subsection 1.03 C.2** of the Code of General Ordinances for the City

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

2. The Committees on Finance, Public Works, and Stormwater Utility shall consist of six (6) members of the Council and the Committees on Public Safety & Welfare and and Judicial Review shall consist of five (5) members of the Council, all which members shall be appointed by the Mayor on or before the first Monday of May of each even numbered year. The Committees of Public Works and Stormwater Utility shall be made up of the same members. The initial Committee on Judicial Review shall consist of the members of the Committee on Licenses/Permits as of September 1, 2011.

Section Six: **Subsection 1.03 C.5.d.** of the Code of General Ordinances for the City

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

5. References to and Reports of Committees.

b. Four members shall constitute a quorum of every Council Committee, except for the Public Safety & Welfare Committee and Committee on Judicial Review, which shall have a quorum of three. Each Committee shall at the next regular meeting, if possible, but not later than 45 days, submit a written report to the Council on all matters referred to it. Such report shall be signed by at least four members of the Committee, with the exception of the Public Safety & Welfare Committee and Committee on Judicial Review, which shall have its reports signed by at least three members of the Committee and shall indicate the division of the vote on the report. Any member or members may write his/her objection to the action taken by the majority of the Committee members reporting.

Section Seven: **Subsection 1.06 P.** of the Code of General Ordinances for the City of

Kenosha, Wisconsin, is hereby created as follows:

2. **Members.** The membership of said Commission shall be: the Common Council President and the respective Chairperson of the Committee on Finance, the Committee on Public Works, the Committee on Public Safety and Welfare, the Committee on Stormwater Utility, the Committee on Licenses/Permits, and the Board of Park Commissioners. In the event a member is unable or unwilling to serve, he/she shall immediately appoint a member in the manner as follows:

a. **Common Council President.** The Common Council President shall appoint a member of the Common Council who is not serving on the Commission.

b. **Chairperson of Committees.** The Chairperson of a Committee shall appoint a member of his/her Committee.

Section Eight: **Subsection 1.06 Z.** of the Code of General Ordinances for the City of

Kenosha, Wisconsin, is hereby created as follows:

Z. Commission on Licenses/Permits which shall make recommendations to the Common Council with

respect to the granting, denial, nonrenewal, suspension or revocation of any license or permit over which the Common Council has jurisdiction as more specifically designated within the Code of General Ordinances. The Commission shall be composed of the City Plan Commission. Additionally, the Mayor shall appoint two (2) additional non-voting advisory commissioners, one of whom is nominated by the Kenosha Tavern League and who is a member of the Kenosha Tavern League and one who is nominated by the Kenosha Concerned Citizens Coalition

Section Nine: Subsections 5.046 B., D., I., L., M., N. and P. of the Code of General

Ordinances for the City of Kenosha, Wisconsin, are hereby repealed and recreated as follows:

B. Permit Required. No person, party, firm or corporation shall be permitted to use the public right-of-way, a Major Street Setback Area or Public Property for an Outdoor Dining Area without first obtaining a permit from the Committee on Public Works. Any expansion or change in ownership of the business adjacent to the Outdoor Dining Area shall require a new application, fee, review and approval.

D. Review and Approval. The City Clerk/Treasurer shall send the application to the Department of City Development, who shall forward a copy of the application to appropriate departments for review and written comment. Following the review period, the Department of City Development shall send a copy of the application and comments from City departments to the City Clerk/Treasurer to be forwarded to the Committee on Public Works. The permit may be subject to reasonable terms and conditions.

I. Renewal, Nonrenewal, Revocation or Suspension. The City Clerk/Treasurer shall, on an annual basis, notify the Department of Neighborhood Services and Inspections by November 1 and supply a list of current Outdoor Dining Area Permits. The Department of Neighborhood Services and Inspections shall, within ten (10) business days, provide written comments on the type and number of violations issued to the permit holder through written orders during the previous year, if any, and a recommendation if the permit should be renewed.

The City Clerk/Treasurer shall verify the number of demerit points the Applicant's business has accumulated under Section 10.063 D. of the Code of General Ordinances at the time of renewal, if applicable. Businesses that have accumulated fifty (50) or more demerit points at the time of renewal shall be subject to suspension or revocation of an Outdoor Dining Area Permit. Recommendation for nonrenewal, revocation or suspension shall be forwarded to the Committee on Judicial Review for action, at any time, following a hearing. The determination of the Committee may be appealed to the Common Council by filing a notice of appeal with the City Clerk/Treasurer within ten (10) days of the date of the hearing determination.

L. Alcohol Beverages in Outdoor Dining Area. Applicants who propose to sell/serve Alcohol Beverages in an Outdoor Dining Area must also complete an application for an Outdoor Extension of Retail "Class B", Class "B", or "Class C" License as regulated by Section 10.075 of the Code of General Ordinances. Said application may be filed concurrently with the Outdoor Dining Area Permit. Approval of an Outdoor Dining Area Permit involving the sale/serving of Alcohol Beverages by the Commission on Licenses/Permits shall be conditioned upon approval of the Outdoor Extension License by the Common Council.

M. Appeal. Should the Committee on Public Works deny the application for an Outdoor Dining Area, the Applicant, by filing a written Notice of Appeal with the City Clerk/Treasurer within five (5) business days following, but not including, the day of denial, may appeal said denial to the Common Council. The appeal will be heard at a scheduled Common Council meeting as soon as practicable. However, to be heard at a given Common Council meeting, the Notice of Appeal must be filed a minimum of two (2) City business days prior to said meeting, not including the day of the scheduled meeting.

N. Suspension or Revocation of Permit and Removal of Outdoor Dining Area and Dining

Appurtenances. The committee on Committee on Judicial Review may suspend or revoke any permit issued hereunder and order the removal of an Outdoor Dining Area and Dining Accessory which is operated contrary to the terms of a permit issued under this Ordinance, upon providing permit holder with a reasonable time, not to exceed ten (10) days, in which to file a written request with the City Clerk/Treasurer to be heard in said matter, and show cause why the proposed action should not be taken. However, an Outdoor Dining Area and all Dining Appurtenances may be removed without prior notice or opportunity to be heard where it constitutes an immediate danger to the public health, safety or welfare, where it is not in conformance with representations made in the application, where the Certificate of Insurance was not provided or has expired, or where placed within any public right-of way without a permit, contrary to the provisions of this Ordinance. In such cases, an opportunity for a post-removal hearing shall be provided following the foregoing provisions for an appeal.

P. Special Exceptions. With respect to the following items, the Department of City Development shall have the discretion to recommend approval of alternative standards to the Committee on Public Works. The exceptions shall not present any hazard or danger to the public safety, health or welfare, and shall also meet the standards listed under each item.

Section Ten: Subsection 9.21 F. of the Code of General Ordinances for the City of

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

F. License Suspension and Revocation. The Code Official may suspend or revoke any license issued hereunder, for cause, upon ten (10) days advance, written notice to the license holder, specifying the basis for the suspension/revocation and notice of an opportunity to be heard. The decision of the Code Official may be appealed to the Committee on Judicial Review within ten (10) days of the date of issuance.

Section Eleven: Subsection 9.28 C. of the Code of General Ordinances for the City of

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

C. City License. Appeals regarding actions taken against a City HVAC Contractor or City Demolition Contractor shall be made in writing to the Committee on L Judicial Review.

Section Twelve: Subsections 10.011 B.8 through B.16 of the Code of General

Ordinances for the City of Kenosha, Wisconsin, are hereby renumbered as B.9 through B.17, Subsection 10.011

9 is recreated and Subsection 10.011 B.8 is hereby created as follows:

8. Commission – the License/Permit Commission
9. Committee - the committee on Judicial Review;
10. Conditional surrender - whereby a license holder surrenders his/her license(s) to the City on the condition that the City grants a similar license(s) to a person designated by the license holder;
11. Council - the Common Council for the City of Kenosha, Wisconsin;
12. Ordinances - the Code of General Ordinances for the City of Kenosha, Wisconsin;
13. Provisional Operator’s License - see Section 125.17(5), Wisconsin Statutes.
14. Reserve "Class B" License - see Section 125.51(4)(bm), Wisconsin Statutes.
15. Temporary Class "B" License - see Section 125.26(6), Wisconsin Statutes.
16. Temporary "Class B" License - see Section 125.51(10), Wisconsin Statutes.
17. Transfer - See Section 125.04(12), Wisconsin Statutes.

Section Thirteen: Subsections 10.03 B., C.1., C.3., C.5., D.1., D.3., and D.6. of the

Code of General Ordinances for the City of Kenosha are hereby repealed and recreated as follows:

B. Operators and Agents Inspection and Recommendation. Applications for agent status or Operator's Licenses shall be referred by the City Clerk to the Police Department. The Police Department shall make a report, in writing, to the City Attorney as to any police record of the applicant which may reflect upon good moral character or business responsibility. The City Attorney shall examine said record and make a recommendation to the Commission based thereon as to whether the license should be granted or agent status approved. In the event the application is determined to be untrue, incorrect or incomplete upon review by the City Attorney, the application shall be denied. In the even a renewal application is determined to be untrue, incorrect or incomplete upon review by the City Attorney, the application shall be granted subject to a nonrenewal/revocation hearing. Said Commission shall recommend to the Common Council either the granting or denial of the application.

C. Retail and Wholesale Establishments.

1. Upon receipt of an application for a new Retail Class "A", Class "B", "Class B" or "Class C" License or combination thereof or Wholesale License, or transfer of any such license under Section 125.04(12)(a), Wisconsin Statutes, the City Clerk/Treasurer shall send copies thereof to the Class "B", or "Class B" License or combination Department of Neighborhood Services Inspections, the Fire Department, the Health Department, and Police Department. The Department of Neighborhood Services and Inspections, the Fire Department, and Health Department, either jointly or severally, within ten (10) days of receiving such copies, shall make a report, in writing, to the Commission on Licenses/Permits, as to whether the premises meet the requirements of this Chapter and the Building, Zoning, Fire, and Health Codes. The Police Department shall report, in writing, to the City Attorney as to any police record of the applicant for a new license (not a statutory transfer of a license), which may reflect upon good moral character or business responsibility. The City Attorney shall examine said record and make a recommendation to the Commission on Licenses/Permits based thereon as to whether or not the license should be granted. In the event the application is determined to be untrue, incorrect or incomplete upon review by the City Attorney, the application shall be denied.

3. The Commission on Licenses/Permits shall review the application, the reports of the departments, the recommendation of the City Attorney, the Economic Impact Statement, if one is required, and all other information before it and make a recommendation to the Common Council.

5. Where a license is granted or transferred following review of an Economic Impact Statement, the economic impact of the licensed premises shall be reviewed by the Commission on Licenses/Permits at the license application renewal review following the first full license year.

D. Retail "Class A" Liquor Licenses.

1. Upon receipt of an application for a new Retail "Class A" License, or transfer of any such license under Section 125.04(12)(a), Wisconsin Statutes, the City Clerk/Treasurer shall send copies thereof to the Department of Neighborhood Services and Inspections, the Fire Department, the Health Department, and Police Department. The Department of Neighborhood Services and Inspections, the Fire Department, and Health Department, either jointly or severally, within ten (10) days of receiving such copies, shall make a report, in writing, to the Commission on Licenses/Permits, as to whether the premises meet the requirements of this Chapter and the Building, Zoning, Fire, and Health Codes. The Police Department shall report, in writing, to the City Attorney as to any police record of the applicant for a new license (not a statutory transfer of a license), which may reflect upon good moral character or business responsibility. The City Attorney shall examine said record and make a recommendation to the Commission on Licenses/Permits based thereon as to whether or not

the license should be granted. In the event the application is determined to be untrue incorrect or incomplete upon review by the City Attorney, the application shall be denied.

3. The Commission on Licenses/Permits shall review the application, the reports of the departments, the recommendation of the City Attorney, the Economic Impact Statement, if one is required, and all other information before it and make a recommendation to the Common Council.

6. Where a license is granted or transferred following review of an Economic Impact Statement, the economic impact of the licensed premises shall be reviewed by the Commission on Licenses/Permits at the license application renewal review following the first full license year.

Section Fourteen: Subsections 10.05 G.1., G.1.a. (2), G.1.a.(4), G.1.b. And G.1.c. of the Code of General Ordinances for the City of Kenosha are hereby repealed and recreated as follows:

G. Operational Requirements.

1. Within ninety (90) days from the granting of a "Class A", Class "A", "Class B", or Class "B" License, or any combination thereof, the licensee shall be open for business with stock and equipment. In the event of the licensee's failure to be open for business within such time, said license or licenses shall be subject to revocation by the Common Council after a public hearing. The Commission on Licenses/Permits may, for good cause shown, extend said ninety (90) day period.

(2) at the time of application, the real property sought to be licensed is either owned by the applicant, or is under lease to the applicant for a period greater than one (1) year from the date of application, or is subject to an accepted offer to purchase, whether or not conditioned on a future event. The deed, lease, or offer to purchase must be presented to the Commission on Licenses/Permits for review at the time it is reviewing the application; and,

(4) the applicant agrees in writing, as part of the application, to submit to the Commission on Licenses/Permits within ninety (90) days of granting of the license or licenses, a copy of the Building Permit and, if the applicant is not the owner or lessee of the property at the time of the application, a copy of the deed showing present ownership of the real property by the applicant; and

b. The Commission on Licenses/Permits may extend the one hundred eighty (180) day period by a period of time to be determined by the Commission in its sound discretion where the following conditions have been met:

c. If at any review hearing held before it, the Commission on Licenses/Permits is satisfied that any of the conditions in Paragraphs a. and b. of this Section have not been met, the Commission may recommend a Revocation Hearing pursuant to the procedures contained within this Chapter

Section Fifteen: Subsection 10.062. B. the Code of General Ordinances for the City of Kenosha is hereby repealed and recreated as follows:

B. Conditional Surrender. A Class "A", "Class A", Class "B", "Class B" or "Class C" License may not be conditionally surrendered when any proceeding has been commenced by any authorized person or party to revoke or suspend such License or when any proceeding is authorized by the License/Permit Commission or Common Council to revoke or suspend such license.

Section Sixteen: Subsections 10.063 B., C., D.6.b.2., D.6.c.5., D.10., I., K. and M. of

the Code of General Ordinances for the City of Kenosha are hereby repealed and recreated as follows:

B. License Investigations. The following may initiate requests for investigations before the Committee which may result in orders, suspensions, nonrenewals, delays in License issuance or revocation: The Mayor; The Common Council; The Commission; The Committee; The State of Wisconsin; An Alderman; The Police Chief; The City Attorney; and, Any Resident Of The City of Kenosha.

C. License Review Upon Renewal Application. Any License which is the subject of renewal shall, prior to License expiration, be reviewed in accordance with the procedure for License investigation contained in Subsection B., and in accordance with such additional procedures as the Commission may require. License renewal applications which are granted, shall be granted subject to applicable demerit points, if any.

b. Forty (40) Demerit Points:

2. Failing to appear before the Commission, Committee or Common Council when ordered to do so by either such body.

c. One Hundred (100) Demerit Points:

1. Violation on a licensed premises of any municipal, State, or Federal law prohibiting the possession, attempted possession, trafficking in, delivery, attempted delivery, or possession with intent to deliver any controlled substance or marijuana, or knowingly permitting any person to commit such violation.
2. A conviction for a violation of State or Federal criminal law which is a felony, if the circumstances of the charge substantially relate to the circumstances of the licensed activity.
3. Noncompliance with a Court ordered alcohol and drug assessment and driver safety plan.
4. Violation of an Order of the Common Council.
5. Submission of an untrue, incorrect or incomplete application for review.

10. Demerit Point Appearance. During the course of a licensing term, if it is determined that a license has accumulated eighty (80) demerit points within three hundred sixty-five (365) consecutive days, the clerk shall issue licensee an order to appear before the Licensing/Permit Commission. Failure to appear as ordered shall result in the assessment of twenty (20) demerit points. The assessment dates shall be the date of the notice.

I. Disciplinary Hearings. Disciplinary hearings, hearings, including nonrenewal, suspension and revocation hearings, shall be held before the Committee, which shall submit a report to the Common Council, including Findings of Fact, Conclusions of Law and a recommendation as to what action, if any, the Common Council should take with respect to the License. The Committee shall provide the Complainant and the Licensee with a copy of the report. Either the Complainant or Licensee may make an objection, orally or in writing, to the report and shall have the opportunity to present arguments supporting the objection to the Common Council. The Common Council shall determine whether the arguments shall be presented orally or in writing, or both. If the Common Council, after considering the Committee's report and any arguments presented by the Complainant and Licensee, finds the complaint to be true, or if there is no objection to a report recommending a suspension, revocation or nonrenewal, the Licensee shall be suspended, revoked or not renewed as provided by law. If the Common Council finds the complaint untrue, the proceedings shall be dismissed without cost to the accused. The City Clerk shall give notice of each suspension, revocation or nonrenewal to the party whose License is affected.

K. Application For Determination of Demerit Points. Any Licensee or party entitled to initiate a request for an investigation under Subsection B. hereof, may, at any time, request the Common Council to determine whether or not conduct which has occurred constitutes a basis for demerit points, and, if so, how many

demerit points. The Common Council, in making this determination, shall have before it the recommendation of the Commission and of the City Attorney's Office.

M. Periodic Reports By Police Chief. The Police Chief shall file periodic reports with the City Attorney advising said City Attorney of conduct by any Licensee, or employees thereof, which may constitute a basis for disciplinary action. The City Attorney, at License renewal time, or at any earlier time deemed appropriate, shall bring such matters to the attention of the Commission and make a recommendation on disciplinary action.

Section Seventeen: **Subsections 10.064. C.** of the Code of General Ordinances for the City of Kenosha is hereby amended as follows:

C. Complaints. Complaints may be made by:
The Mayor;
The Common Council;
The Commission;
The Committee;
The State of Wisconsin;
An Alderperson;
The Police Chief;
The City Attorney; and,
Any Resident of the City of Kenosha

Section Eighteen: **Subsections 10.07 E., F.4., H.3., ,** of the Code of General Ordinances for the City of Kenosha, Wisconsin, are hereby repealed and recreated as follows:

E. License Review and Recommendation. Applications shall be referred by the City Clerk to the Police Department. The Police Department shall make a report, in writing, to the City Attorney as to any police record of the applicant, which may reflect upon good moral character or business responsibility. The City Attorney shall examine said record and make a recommendation to the Commission on Licenses/Permits based thereon as to whether the license shall be granted. The Commission on Licenses/Permits shall review all applications, any reports, the recommendation of the City Attorney and all other information before it. Said Commission shall recommend to the Common Council either the granting or denial of each application.

F. Regulations.

4. Adequate parking accommodations may be deemed necessary by the Police Department and/or Licensing/Permit Commission for safety reasons; lighted parking facilities may be maintained so as to accommodate anticipated capacities.

H. Revocation of License.

3. The Common Council may, after the hearing described in 10.063 I., revoke such Cabaret License upon sufficient proof that the holder has permitted or suffered the licensed premises to be conducted by himself, his employees, patrons or others in violation of health regulations or in a disorderly or improper manner, or in violation of the laws of the State, or rules and regulations of the Common Council, or for any reasons set forth in Subsection 2.

Section Nineteen:

Sections 10.075 D.2., H., J., and K.4. of the Code of General

Ordinances for the City of Kenosha, Wisconsin, are hereby repealed and recreated as follows:

10.075 OUTDOOR EXTENSION OF A “CLASS B”, CLASS “B’ AND/OR “CLASS C” LICENSE PREMISES.

D. Requirements

2. Any or all of the prohibitions set forth in §10.075 D.1. and D.3. of the Code of General Ordinances maybe waived by the Common Council if the area sought to be included within the description of the Class "B", "Class B" and/or Class C licensed premises is located wholly within an area in the City zoned institutional, if the applicant is operating as a restaurant as defined by Section 5.046 A.9. of the Code of General Ordinances, or if it is an Outdoor Dining Area authorized and subject to a permit under Section 5.046 of the Code of General Ordinances. Any applicant for a waiver pursuant to this paragraph must file with his or her application a list of names and addresses of all property owners residing within twenty-five (25') feet of the boundaries of the outdoor area sought to be included within the description of the Class "B", "Class B" or Class C licensed premises. The application, along with the list of names, shall be filed with the Office of the City Clerk/Treasurer no later than fourteen (14) days before final action of the Common Council. Upon receipt of the Outdoor Extension Application and list of property owners within prescribed twenty-five (25') foot radius of subject licensed premises, the City Clerk/Treasurer shall forward said information to the Building Inspector for verification. Upon verification, the Building Inspector shall return said information to the City Clerk/Treasurer who will notify all property owners named on subject list. Said notice shall inform the addressee of dates, times and locations of the License/Permit Commission meeting and Common Council meeting where the matter of the application shall be discussed.

H. Scope of Use. The Common Council, upon notice and hearing and following review and recommendation by the Commission on Licenses/Permits, may limit the scope of the use of the outdoor area included or sought to be included within the description of the "Class B", Class "B" and/or “Class C” licensed premises, either in the process of the original approval or after the initial approval of the application for an extension of a "Class B", Class "B" and/or “Class C” License to an outdoor area. The limitation imposed may provide for a limitation on the activities permissible within the outdoor area during part or all of the time which the outdoor area is permitted to be or remain open. After the initial granting of permission for an outdoor area being included within the description of "Class B", Class "B" and/or “Class C” licensed premises under this Ordinance, the Common Council, in order to protect the rights of abutting owners and occupiers of land, may limit the Closing Hours of outdoor areas to any hour between 8:00 P.M. and 10:00 P.M.

J. Restriction Waiver. Upon written application to the City Clerk/Treasurer, the restrictions of Subsections E.1. and E.2. shall be waived if the application is filed seventy-two (72) hours prior to the date for which the waiver is sought, not including weekends and holidays, commencing at 8:00 A.M. of the day following the date at which a properly completed application was filed with the City Clerk/Treasurer; if the proposed waiver is limited to the hours of 10:00 A.M. to 10:00 P.M.; if the application is co-sponsored by the Alderperson of the district in which the license is located, or in the event that the Alderperson of the district is unavailable, co-sponsored by a member of the Commission on Licenses/Permits who is an Alderperson; and, if the Licensee/Applicant has not been issued a municipal citation for a violation of Chapter 10 of the Code of General Ordinances and/or Wisconsin Statutes Section 125 within the three hundred sixty-five (365) days preceding the application date. Should the applicant not meet the preceding qualifications, the application shall be referred to the Commission on Licenses/Permits for review. Said C Commission shall recommend to the Common Council either the granting or denial of the application. Upon review, the Common Council may grant or deny the waiver application. Each application shall be made on forms furnished by the City Clerk/Treasurer and requires payment of a nonrefundable processing fee of Fifty (\$50.00) Dollars per application at the time the application is filed with the City Clerk/Treasurer. Licensees shall be limited to no more than four (4) days of waiver per licensing term. Additionally, in support of a charity event, nonprofit organization or bona fide club,

Licensees may co-sponsor a waiver application. Co-sponsored applications shall be made on forms furnished by the City Clerk/Treasurer. Licensees shall be limited to no more than four (4) co-sponsored days of waiver per licensing term.

K. Violations.

4. Upon notice and after hearing before the Committee on Judicial Review, the Common Council may revoke the outdoor extension granted herein.

Section Twenty: Sections 10.076 D. Par.1., I., J.1.d., K.4. and M of the Code of

General Ordinances for the City of Kenosha, Wisconsin, are hereby repealed and recreated as follows:

10.076 OUTDOOR CAFE OF A “CLASS B; CLASS “B” AND/OR “CLASS C” LICENSED PREMISES IN A PUBLIC RIGHT-OF-WAY

D. Review and Approval. The City Clerk/Treasurer shall send the application to the Department of City Development, who shall forward a copy of the application to appropriate departments for review and written comment. Following the review period, the Department of City Development shall send a copy of the application and comments from City departments to the City Clerk/Treasurer to be forwarded to the Commission on Licenses/Permits and the Public Works Committee for recommendations to the Common Council. The Common Council shall grant or deny the application. The permit may be subject to reasonable terms and conditions.

I. Renewal, Nonrenewal, Revocation or Suspension. The City Clerk/Treasurer shall verify the number of demerit points the Applicant's business has accumulated under Section 10.063 D. of the Code of General Ordinances at the time of renewal. Businesses that have accumulated fifty (50) or more demerit points at the time of renewal shall be subject to suspension or revocation of an Outdoor Cafe Area Permit. Recommendation for nonrenewal, revocation or suspension shall be forwarded to the Committee on Judicial Review for action, at any time, following a hearing. The determination of the Committee may be appealed to the Common Council by filing a notice of appeal with the City Clerk/Treasurer within ten (10) days of the date of the hearing determination.

J. Conditions of Issuance of Permit.

1. Design Regulations.

d. All cafeappurtenances located in an Outdoor Cafe Area must be approved by the Commission on Licenses/Permits and the Committee on Public Works prior to use.

K. Violations.

4. Upon notice and after hearing before the Committee on Judicial Review, the Common Council may revoke the outdoor Cafe granted herein pursuant to Section 10.063 I. However, all Outdoor Appurtenances may be removed without prior notice or opportunity to be heard where it constitutes an immediate danger to the public health, safety or welfare, where it is not in conformance with representations made in the application, where the Certificate of Insurance was not provided or has expired, or where placed within any public right-of-way without a permit, contrary to the provisions of this Ordinance. In such cases, an opportunity for a post-removal hearing shall be provided following the foregoing provisions for an appeal.

M. Special Exceptions. With respect to the following items, the Department of City Development shall have the discretion to recommend approval of alternative standards to the Committee on Public Works and Commission on Licenses/Permits. The exceptions shall not present any hazard or danger to the public safety, health or welfare, and shall also meet the standards listed under each item.

Section Twenty-One:

Subsection 11.026 B. and C. of the Code of General

Ordinances for the City of Kenosha, Wisconsin, are hereby repealed and recreated as follows:

11.026 PROHIBITING THE DRINKING OF INTOXICANTS ON PUBLIC STREETS AND SIDEWALKS, OR WITHIN ANY PARKED MOTOR VEHICLE

B. Unless otherwise properly licensed, It shall be unlawful for any person to consume any fermented malt beverage or intoxicating liquor or to possess the same in other than a sealed container while upon any public walk, street, public park, other public place in the City or over which the City has any lease or jurisdiction, on any parking lot open to and available to the public, or within a parked vehicle located on any street within the City of Kenosha.

However, the sale, service, giving away and consumption of fermented malt beverages, where authorized under City and State law, is permitted upon City streets and sidewalks where said areas are blocked off and in use for a street party authorized under §5.04 B. , Ordinances, or where said activity is associated with a community event and where a Special Class "B" Fermented Malt Beverage License has been granted and issued, and where a permit therefor is reviewed by the Commission on Licensing/Permits and approved by the Common Council. Any permit issued must particularly describe the area in which said activity will be permitted and temporary signs must be posted within the permit area informing the public of the terms and limitations of the permit.

C. Intoxicants Permitted On City Sidewalks In An Outdoor Dining Area/Outdoor Cafe. The sale, service, giving away and consumption of intoxicants is permitted upon City sidewalks in an Outdoor Dining Area authorized and subject to a Permit under Section 5.046 or 10.076 of the Code of General Ordinances.

Section Twenty-Two:

Subsection 12.001 B. 3 of the Code of General Ordinances

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

12.001 AMUSEMENT DEVICE LICENSE

B. License Required.

3. Review. Licenses will be reviewed by the City Clerk. If the City Clerk is satisfied that the applicant should be entitled to a license the Clerk shall issue a license. However, any applicant desiring to appeal the City Clerk's or designee's ruling to the Common Council may do so by filing a written Notice of Appeal with the City Clerk. Appeals may be acted upon by the Council following the review and recommendation made by the Committee on Judicial Review.

Section Twenty-Three:

Subsections 12.01 B.1.b., B.3.a.(3)(b), B.3.c., B.3.d., B.3.f, and B.3.g.

(1)(2) and (3), of the Code of General Ordinances for the City of Kenosha, Wisconsin, are hereby repealed and recreated as follows:

12.01 AMUSEMENT AND RECREATION ENTERPRISE LICENSE

B. Licenses Required.

1.b. Inspection and Recommendation. Upon receipt of any application, the City Clerk shall send copies thereof to the Department of Neighborhood Services and Inspections, County Health Department, and

Fire Department who, within ten (10) days of receiving such copies, shall make a report, in writing, as to whether the premises meet the requirements in Subsection "C". with any other pertinent information. The City Clerk shall also send a copy of the application to the Police Department, who shall report, in writing, to the City Attorney, as to any police record of applicant which may reflect upon good moral character. The City Attorney, or designee thereof, shall examine said record and make a recommendation based thereon as to whether or not the license should be granted or agent status approved. A recommendation for denial shall consider only such portions of the record as are materially related to the licensed activity. Such reports shall be delivered to the City Clerk who, in turn, shall deliver them, with the application, to the Commission on Licenses/Permits. Such Commission shall recommend to the Common Council either the granting or denial of the application.

3. Revocations, NonRenewal and Suspension of Licenses.

a. Criteria For License Revocation, NonRenewal or Suspension.

(3) Fifty (50) Demerit Points:

(b). Failing to appear before the Commission Licensing and Permit, Committee on Judicial Review or Common Council when ordered to do so by such body.

c. Disciplinary, NonRenewal, Suspension and Revocation Hearings. Disciplinary hearings, including nonrenewal, suspension and revocation hearings, shall be held before the Committee on Judicial Review which shall submit a report to the Common Council, including Findings of Fact, Conclusions of Law and a recommendation as to what action, if any, the Common Council should take with respect to the License. The Committee on Judicial review shall provide the Complainant and the Licensee with a copy of the report. Either the Complainant or Licensee may make an objection, orally or in writing, to the report and shall have the opportunity to present arguments supporting the objection to the Common Council. The Common Council shall determine whether the arguments shall be presented orally or in writing, or both. If the Common Council, after considering the Committee on Judicial Reviews's report and any arguments presented by the Complainant and Licensee, finds the complaint to be true, or if there is no objection to a report recommending a suspension, revocation or nonrenewal, the Licensee shall be suspended, revoked or not renewed as provided by law. If the Common Council finds the complaint untrue, the proceedings shall be dismissed without cost to the accused. The City Clerk shall give notice of each suspension, revocation or nonrenewal to the party whose License is affected.

d. Application for Determination of Demerit Points. Any Licensee or the City Clerk, or his/her designee, or the City Attorney, or his/her designee, may, at any time, request the Common Council to determine whether or not conduct which has occurred constitutes a basis for demerit points, and, if so, how many demerit points. The Common Council, in making this determination, shall have before it the recommendation of the Committee on Judicial Review and of the City Attorney's Office.

f. Periodic Reports by Police Chief. The Police Chief shall file periodic reports with the City Attorney advising said City Attorney of conduct by any Licensee, or employees thereof, which may constitute a basis for disciplinary action. The City Attorney, at Licensee renewal time, or at any earlier time deemed appropriate, shall bring such matters to the attention of the Committee on Judicial Review and make a recommendation on disciplinary action

g. Off Premises Conduct of Patrons as a Basis for Disciplinary Actions.

(1) Initial Meeting. The Committee on Judicial Review shall direct the Licensee to appear before it to discuss complaints and potential solutions. If mutual agreements are arrived at, the matter shall be held in abeyance to provide Licensee an opportunity to comply with such mutual agreements, which shall be reduced to writing and served upon Licensee.

(2) Commission Hearing on Proposed Order. In the event the initial meeting does not result in a

mutual agreement to resolve complaints, the City Attorney shall draft a tentative order which mandates certain specific corrective action, and Licensee shall be served with a copy thereof and directed to appear before the Committee on Judicial Review to discuss the proposed order. Following Licensee being heard, or being provided with an opportunity to be heard, the Committee on Committee on Judicial Review shall determine the proposed form of such order.

(3) Common Council Hearing on Proposed Order. Licensee shall be served with the proposed order of the Committee on Judicial Review and be directed to appear before the Common Council to discuss the proposed order. Following Licensee being provided with an opportunity to be heard, the Common Council shall determine the final form of such order, which shall be served on Licensee.

Section Twenty-Four: Subsections 12.01 G.1., G.2., G.3 of the Code of General

Ordinances for the City of Kenosha, Wisconsin, are hereby repealed and recreated as follows

G. Off Premises Conduct of Patrons As A Basis for Disciplinary Actions.

1. Initial Meeting. The Commission on Licenses/Permits shall direct the Licensee to appear before it to discuss complaints and potential solutions. If mutual agreements are arrived at, the matter shall be held in abeyance to provide Licensee an opportunity to comply with such mutual agreements, which shall be reduced to writing and served upon Licensee.

2. Commission Hearing On Proposed Order. In the event the initial meeting does not result in a mutual agreement to resolve complaints, the City Attorney, or designee thereof, shall draft a tentative order which mandates certain specific corrective action, and Licensee shall be served with a copy thereof and directed to appear before the Commission on Licenses/Permits to discuss the proposed order. Following Licensee being heard, or being provided with an opportunity to be heard, the Commission on Licenses/Permits shall determine the proposed form of such order.

3. Common Council Hearing On Proposed Order. Licensee shall be served with the proposed order of the Commission on Licenses/Permits and be directed to appear before the Common Council to discuss the proposed order. Following Licensee being provided with an opportunity to be heard, the Common Council shall determine the final form of such order, which shall be served on Licensee.

Section Twenty-Five: Subsections 12.04 B.1.b., B.1.e., B.3., B.5., B.6.a., B.6.b., and

B.6.c. of the Code of General Ordinances for the City of Kenosha, Wisconsin, are hereby repealed and recreated as follows:

12.04 THEATERS.

B. Licenses Required.

1.b. Inspection and Recommendation. Upon receipt of any application, the City Clerk shall send copies thereof to the Department of Neighborhood Services and Inspections, County Health Department, and Fire Department who, within ten (10) days of receiving such copies, shall make a report, in writing, as to whether the premises upon which a licensed activity will be conducted meet the requirements in Subsection "C". with any other pertinent information. The Fire Department shall determine the seating or holding capacity of the premises to be licensed. The City Clerk shall also send a copy of the application to the Police Department, who shall report, in writing, to the City Attorney, as to any police record of applicant which may reflect upon good moral character. The City Attorney, or designee thereof, shall examine said record and make a recommendation based thereon as to whether or not the license should be granted or agent status approved. A recommendation for denial shall consider only such portions of the record as are materially related to the licensed activity. Such reports shall be delivered to the City Clerk who, in turn, shall deliver them, with the application, to the Commission on Licenses/Permits. Such Commission shall recommend to the Common Council either the

granting or denial of the application.

e. Temporary License. The Common Council may issue a Temporary License for a period not to exceed thirty (30) calendar days in any year and waive any regulations respecting premises which are not applicable due to the nature of the event and/or premises. The fee shall be Fifty (\$50.00) Dollars for any period of consecutive days within the thirty (30) day limit for such license. The Common Council may waive the fee in accordance with Subsection B.1.c. The license may be conditioned in accordance with recommendations made by departments conducting inspections and making recommendations to the Commission on Licenses and Permits, and the Common Council.

3. Par 1. Disciplinary, NonRenewal, Suspension and Revocation Hearings. Disciplinary hearings, including nonrenewal, suspension and revocation hearings, shall be held before the Committee on Judicial Review, which shall submit a report to the Common Council, including Findings of Fact, Conclusions of Law and a recommendation as to what action, if any, the Common Council should take with respect to the License. The Committee on Judicial Review shall provide the Complainant and the Licensee with a copy of the report. Either the Complainant or Licensee may make an objection, orally or in writing, to the report and shall have the opportunity to present arguments supporting the objection to the Common Council. The Common Council shall determine whether the arguments shall be presented orally or in writing, or both. If the Common Council, after considering the Committee on Judicial Reviews' report and any arguments presented by the Complainant and Licensee, finds the complaint to be true, or if there is no objection to a report recommending a suspension, revocation or nonrenewal, the Licensee shall be suspended, revoked or not renewed as provided by law. If the Common Council finds the complaint untrue, the proceedings shall be dismissed without cost to the accused. The City Clerk shall give notice of each suspension, revocation or nonrenewal to the party whose License is affected.

5. Periodic Reports By Police Chief. The Police Chief shall file periodic reports with the City Attorney advising said City Attorney of conduct by any Licensee, or employees thereof, which may constitute a basis for disciplinary action. The City Attorney, at License renewal time, or at any earlier time deemed appropriate, shall bring such matters to the attention of the Committee on Judicial Review and make a recommendation on disciplinary action.

6. Off Premises Conduct of Patrons As A Basis For Disciplinary Actions.

a. Initial Meeting. The Licenses/Permits Commission shall direct the Licensee to appear before it to discuss complaints and potential solutions. If mutual agreements are arrived at, the matter shall be held in abeyance to provide Licensee an opportunity to comply with such mutual agreements, which shall be reduced to writing and served upon Licensee.

b. Committee Hearing On Proposed Order. In the event the initial meeting does not result in a mutual agreement to resolve complaints, the City Attorney shall draft a tentative order which mandates certain specific corrective action, and Licensee shall be served with a copy thereof and directed to appear before the Committee on Judicial Review to discuss the proposed order. Following Licensee being heard, or being provided with an opportunity to be heard, the Committee on Judicial Review shall determine the proposed form of such order.

c. Common Council Hearing On Proposed Order. Licensee shall be served with the proposed order of the Committee on Judicial Review and be directed to appear before the Common Council to discuss the proposed order. Following Licensee being provided with an opportunity to be heard, the Common Council shall determine the final form of such order, which shall be served on Licensee.

Section Twenty-Six:

Subsections 12.05 B., E., G.3. and H. of the Code of

General Ordinances for the City of Kenosha, Wisconsin, are hereby repealed and recreated as follows:

12.05 PUBLIC ENTERTAINMENT LICENSE

B. Application. Upon application to the City Clerk and the payment of the fee therefor, a Public Entertainment License will be issued subject to the conditions and regulations set forth in this Section. An application for a license provided for in this Section shall be made to the City Clerk in writing, accompanied by the required fee. Applications shall be on City forms and shall be true, correct and complete in all respects. No application for such license shall be accepted unless accompanied by the appropriate fee. Within twenty-eight (28) days of receiving an application for a Public Entertainment License, the City Clerk shall notify the applicant whether the application is granted or denied. The application not reviewed by Common Council within twenty-eight (28) days shall be granted. In determining whether a Public Entertainment License should be granted, the Common Council shall consider the following factors, giving to each whatever weight is appropriate in the particular factual circumstances:

E. License Application Review and Recommendation. Applications shall be referred by the City Clerk to the Police Department. The Police Department shall make a report, in writing, to the City Attorney as to any police record of the applicant, which may reflect upon good moral character or business responsibility. The City Attorney shall examine said record and make a recommendation to the Commission on Licenses/Permits based thereon as to whether the license shall be granted. The Commission on Licenses/Permits shall review all applications, any reports, the recommendation of the City Attorney and all other information before it. Said Commission shall recommend to the Common Council either the granting or denial of each application.

G. Regulations.

3. Adequate parking accommodations may be deemed necessary by the Police Department and/or Licensing/Permit Commission for safety reasons; lighted parking facilities may be maintained so as to accommodate anticipated capacities.

H. Administrative Suspension. Upon written request made and filed with the City Clerk/Treasurer of the City of Kenosha by the Chief of Police, the Mayor may immediately suspend any license issued under this Section. A written order of administrative suspension shall be served upon the Licensee. All licensed activities shall remain suspended until completion of an administrative review hearing. Upon administrative suspension, an administrative review hearing shall be scheduled for license review within ten (10) days before the Committee on Judicial Review.

Section Twenty-Seven:

Subsections 13.01D.Par.1., G., O., P.4., P.5 and Q. of the

Code of General Ordinances for the City of Kenosha, Wisconsin, is hereby repealed and recreated as follows:

13.01 SCRAP SALVAGE DEALERS AND SCRAP SALVAGE COLLECTORS

D. Enforcement. The Director of the Department of Neighborhood Services and Inspections, or designee thereof, shall have the primary responsibility to enforce this Ordinance through the coordination of inspections and shall be responsible for submitting inspection reports of all enforcing departments to the Common Council and its Licensing Commission.

G. Recommendation. Upon receipt of any application, the City Clerk shall send copies thereof to the

Department of Neighborhood Services and Inspections, Fire Department, Health Department and Police Department. The Department of Neighborhood Services and Inspections, Fire Department and Health Department, either jointly or severally, within ten (10) days of receiving such copies, shall make a report, in writing, as to whether the premises meet the requirements hereof, along with any other pertinent information. The Police Department shall report in writing, to the City Attorney, as to any police record of applicant which may reflect upon their good moral character or business responsibility. The City Attorney shall examine said record and make a recommendation based thereon as to whether or not the license should be granted. Such reports shall be delivered to the City Clerk or clerk for the Commission on Licensing and Permit who, in turn, shall deliver them with the application, to the Commission on Licensing and Permit. Such Commission shall recommend to the Common Council either the granting or denial of the application or such other action as may be appropriate.

O. Appeals From Orders. A Licensee, where the public health, safety and welfare is not in immediate jeopardy, may appeal to the Common Council any order issued by any enforcing Department under authority of this Ordinance by filing a written Notice of Appeal with said Department within ten (10) days of receipt of said order, or within the compliance period, whichever is shorter. The Common Council may direct that the appeal be heard by the Committee on Judicial Review..

P. Revocation and suspension of Licenses.

4. Failing to commence doing business within ninety (90) days of being granted a license or within ninety (90) days of the first day of the license term, whichever is longer, unless an extension of time is applied for and granted by the Commission on Licensing and Permit.

5. Suspending doing business for a period of ninety (90) consecutive days, unless permission is applied for and granted by the Commission on Licensing and Permit.

Q. Disciplinary Hearings. Disciplinary hearings, including nonrenewal, suspension and revocation hearings, may be held before the Common Council or before the Committee on Judicial Review .

The Committee on Judicial Review, when it conducts a hearing, shall submit a report to the City Common Council, including findings of fact, conclusions of law and a recommendation as to what action, if any, the City Common Council should take with respect to the license. Said Committee shall provide the complainant and the licensee with a copy of the report. Either the complainant or Licensee may file an objection to the report and shall have the opportunity to present arguments supporting the objection to the Common Council. The City Common Council shall determine whether the arguments shall be presented orally or in writing, or both. If the City Common Council, after considering the Committee's report and any arguments presented by complainant or Licensee, finds the complaint to be true, or if there is no objection to a report recommending a suspension, revocation or nonrenewal of the license, it shall be suspended, revoked or not renewed as provided by law. If the City Common Council finds the complaint untrue, the proceedings shall be dismissed without cost to the accused. The City Clerk shall give notice of each suspension, revocation or nonrenewal to the party whose license is affected. The Common Council may also order corrective action to be taken within a specified time as a condition of license maintenance, at any time, following notice and an opportunity to be heard.

Section Twenty-Eight: Subsections 13.011 D., 13.011 O., P.4., P.5., Q., of the Code of

General Ordinances for the City of Kenosha, Wisconsin, are hereby repealed and recreated as follows:

13.011 RECYCLING CENTER ACTIVITY LICENSE

D. Application Review. Upon receipt of any application, the City Clerk shall send copies thereof to the Department of Neighborhood Services and Inspections, Fire Department, Health Department and Police Department. The Department of Neighborhood Services and Inspections, Fire Department and Health

Department, either jointly or severally, within ten (10) days of receiving such copies, shall make a report, in writing, as to whether the premises meet the requirements hereof, along with any other pertinent information. The Police Department shall report in writing, to the City Attorney, as to any police record of applicant which may reflect upon their good moral character or business responsibility. The City Attorney shall examine said record and make a recommendation based thereon as to whether or not the license should be granted. Such reports shall be delivered to the City Clerk or clerk for the Commission on Licensing who, in turn, shall deliver them with the application, to the Commission on Licensing. Such Commission shall recommend to the Common Council either the granting or denial of the application or such other action as may be appropriate.

O. Appeals From Orders. A Licensee, where the public health, safety and welfare is not in immediate jeopardy, may appeal to the Common Council any order issued by any enforcing Department under authority of this Ordinance by filing a written Notice of Appeal with said Department within ten (10) days of receipt of said order, or within the compliance period, whichever is shorter. The Common Council may direct that the appeal be heard by the Committee on Judicial Review thereof.

P. Revocation and Suspension Of Licenses.

4. Failing to commence doing business within ninety (90) days of being granted a license or within ninety (90) days of the first day of the license term, whichever is longer, unless an extension of time is applied for and granted by the Commission on Licenses and Permits.

5. Suspending doing business for a period of ninety (90) consecutive days, unless permission is applied for and granted by the Commission on Licenses and Permits

Q. Disciplinary Hearings. Disciplinary hearings, including nonrenewal, suspension and revocation hearings, may be held before the Common Council or before the Committee on Judicial Review .

The Committee on Judicial Review, when it conducts a hearing, shall submit a report to the City Common Council, including findings of fact, conclusions of law and a recommendation as to what action, if any, the City Common Council should take with respect to the license. Said Committee shall provide the complainant and the licensee with a copy of the report. Either the complainant or Licensee may file an objection to the report and shall have the opportunity to present arguments supporting the objection to the Common Council. The City Common Council shall determine whether the arguments shall be presented orally or in writing, or both. If the City Common Council, after considering the Committee's report and any arguments presented by complainant or Licensee, finds the complaint to be true, or if there is no objection to a report recommending a suspension, revocation or nonrenewal of the license, it shall be suspended, revoked or not renewed as provided by law. If the City Common Council finds the complaint untrue, the proceedings shall be dismissed without cost to the accused. The City Clerk shall give notice of each suspension, revocation or nonrenewal to the party whose license is affected. The Common Council may also order corrective action to be taken within a specified time as a condition of license maintenance, at any time, following notice and an opportunity to be heard.

Section Twenty-Nine:

Subsection 13.02 F. of the Code of General Ordinances for the

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

13.02 PAWNBROKERS AND SECONDHAND ARTICLE AND JEWELRY DEALERS

F. Investigation Of License Applicant. Upon receipt of an application, the City Clerk shall send copies thereof to the Department of Neighborhood Services and Inspections and the Kenosha Police Department. The Department of Neighborhood Services and Inspections, within ten (10) days of receiving such copy, shall make a report, in writing, to the Commission on Licenses/Permits as to whether the premises meet the requirements of this Chapter and the Building and Zoning Codes. The Kenosha Police Department shall investigate each applicant for a pawnbroker's, secondhand article dealer's or secondhand jewelry dealer's license to determine

whether the applicant has been convicted within the preceding ten (10) years of a felony or within the preceding five (5) years of a misdemeanor, statutory violation punishable by forfeiture or county or municipal Ordinance violation described under E.3. and, if so, the nature and date of the offense and the penalty assessed. The Kenosha Police Department shall furnish the information derived from that investigation in writing to the City Attorney. The City Attorney, or his or her designee, shall examine said record and make a recommendation based thereon as to whether or not the license should be granted. Such reports shall be delivered to the City Clerk or Clerk for the Commission on Licenses/Permits who, in turn shall deliver them, with the application, to the Commission on Licenses/Permits. Such Commission shall recommend to the Common Council either the granting or denial of the application, or such other action as may be appropriate.

Section Thirty: To Repeal and Recreate **Subsections 13.07 G.5.a; G.5.b; G.5.c; G.5.k;**

and G.5.m. of the Code of General Ordinances for the City of Kenosha, Wisconsin, as follows:

13.07 TAXICABS AND DRIVERS

G. Driver's License.

5. Policy & Procedure For Disciplinary Actions Relative To Taxi Driver's License.

a. Definitions.

- (1) **LICENSE** means a Taxi Driver's License authorized under this Section 13.07.
- (2) **LICENSEE** shall mean the holder of a License.
- (3) **COMMITTEE** shall mean the Committee on Judicial Review.
- (4) **COMMISSION** shall mean the Commission on Licenses/Permits.

b. License Investigations. The following may initiate requests for investigations before the Committee which may result in orders, suspensions, nonrenewals, delays in License issuance or revocation:

The Mayor;
The Common Council;
The Committee;
The Commission
The State of Wisconsin;
An Alderman;
The Police Chief;
The City Attorney; and,
Any resident of the City of Kenosha.

Requests for investigations shall contain a brief statement of the alleged misconduct. The request shall be forwarded by the requesting party to the City Clerk who shall place said request on the Common Council Agenda for referral to the Commission or directly on the Commission Agenda with the permission of the Commission Chairperson. The City Clerk or the Commission Secretary shall order the Licensee to attend the Commission meeting at which said matter will be reviewed. Documents which form a basis for a request for an investigation shall be available for the inspection of the Licensee.

The Commission may reconsider any evidence or argument presented or made before it, whether or not obtained in or related to the written request for an investigation.

The Commission, upon requesting and receiving a recommendation from the City Attorney's Office, shall recommend to the Common Council:

- (1) That no action be taken;
- (2) That the License shall be suspended, not renewed or revoked following Statutory notice and

opportunity to be heard, where the criteria for such action in Subsection d. is met;

(3) That an order be issued and served upon the Licensee requiring that certain action be taken as a condition of maintaining said License and providing notice that revocation may be the penalty for failure to strictly comply with the letter and spirit thereof.

The Commission shall have the obligation of notifying the Licensee of any further proceedings before the Common Council.

The Common Council may affirm, deny or modify any recommendations of the Commission.

c. License Review Upon Renewal Application. Any License which is the subject of renewal shall, prior to License expiration, be reviewed in accordance with the procedure for License investigation contained in Subsection b., and in accordance with such additional procedures as the Commission may require. License renewal applications which are granted, shall be granted subject to applicable demerit points, if any.

k. Application For Determination Of Demerit Points. Any Licensee or party entitled to initiate a request for an investigation under Subsection b. hereof, may, at any time, request the Common Council to determine whether or not conduct which has occurred constitutes a basis for demerit points, and, if so, how many demerit points. The Common Council, in making this determination, shall have before it the recommendation of the Commission and of the City Attorney's Office.

m. Periodic Reports By Police Chief. The Police Chief shall file periodic reports with the City Attorney advising said City Attorney of conduct by any Licensee, or employees thereof, which may constitute a basis for disciplinary action. The City Attorney, at Licensee renewal time, or at any earlier time deemed appropriate, shall bring such matters to the attention of the Commission and make a recommendation on disciplinary action.

Section Thirty-One: **Subsection 13.12 E.** of the Code of General Ordinances for the

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

13.12 TOWING SERVICE

E. Standards for License Issuance. The Common Council and its Finance Committee may not consider or grant a license to an applicant who does not meet the following minimum requirements:

Section Thirty-Two: **Subsections 13.125 C.2., C.6 and C.8.** of the Code of General

Ordinances for the City of Kenosha, Wisconsin, are hereby repealed and recreated as follows:

13.125 MESSAGE THERAPISTS

C. Licenses. Massage Therapist Licenses shall be granted by the Common Council and issued by the City Clerk when all conditions for license issuance have been met.

2. Recommendation. The City Clerk shall send a copy of the application to the Police Department, who shall report, in writing, to the City Attorney, as to the arrest and conviction record of applicant, which may reflect upon good moral character. The City Attorney, or designee thereof, shall examine said record and make a recommendation based thereon as to whether or not the applicant should be licensed. A recommendation for denial shall consider only such portions of the record as are materially related to the licensed activity. Such reports shall be delivered to the City Clerk, who, in turn, shall deliver them, with the application, to the

Commission on Licenses/Permits. Such Commission shall recommend to the Common Council either the granting or denial of the application.

6. Disciplinary, NonRenewal, Suspension and Revocation Hearings. Disciplinary hearings, including nonrenewal, suspension and revocation hearings, shall be held before the Committee on Judicial Review, which shall submit a report to the Common Council, including Findings of Fact, Conclusions of Law and a recommendation as to what action, if any, the Common Council should take with respect to the License. The Committee on Judicial Review shall provide the Complainant and the Licensee with a copy of the report. Either the Complainant or Licensee may make an objection, orally or in writing, to the report and shall have the opportunity to present arguments supporting the objection to the Common Council. The Common Council shall determine whether the arguments shall be presented orally or in writing, or both. If the Common Council, after considering the Committee on Judicial Reviews' report and any arguments presented by the Complainant and Licensee, finds the complaint to be true, or if there is no objection to a report recommending a suspension, revocation or nonrenewal, the Licensee shall be suspended, revoked or not renewed as provided by the Common Council. If the Common Council finds the complaint untrue, the proceedings shall be dismissed without cost to the accused. The City Clerk shall give notice of each suspension, revocation or nonrenewal to the party whose License is affected. The judgment of conviction of any Licensee, or employee or agent thereof, in any Municipal, State or Federal Court, irrespective of whether obtained following trial, plea agreement, or bond forfeiture, shall be prima facie proof of said violation for purposes of this Ordinance. However, in the instance of any judgment of conviction entered pursuant to a no contest plea, or considered in law to be rendered pursuant to a no contest plea, said judgment of conviction as a prima facie case may be rebutted. Further mitigating circumstances may be introduced with respect to any judgment of conviction.

8. Reports By Police Chief. The Police Chief shall file reports with the City Attorney advising said City Attorney of conduct by a Licensee, or employees thereof, which may constitute a basis for disciplinary action. The City Attorney, at License renewal time, or at any earlier time deemed appropriate, shall bring such matters to the attention of the Commission and make a recommendation on disciplinary action

Section Thirty-Three: Subsections 13.13 I., N. and Q. of the Code of General

Ordinances for the City of Kenosha, Wisconsin, are hereby repealed and recreated as follows:

13.13 REFUGE CENTERS

I. Recommendation. Upon receipt of an application for a license under this Section, the City Clerk shall send copies thereof to the Department of Neighborhood Services and Inspections, Fire Department, Health Department, and Police Department. The Department of Neighborhood Services and Inspections, Fire Department, and Health Department, either jointly or severally, within ten (10) days of receiving such copies, shall make a report, in writing, as to whether the premises meet the requirements hereof, along with any other pertinent information. The Police Department shall report in writing, to the City Attorney, as to any police record of applicant which may reflect upon their good moral character or business responsibility. The City Attorney shall examine said record and make a recommendation based thereon as to whether or not the license should be granted. Such reports shall be delivered to the City Clerk or clerk for the Licensing/Permit Commission who, in turn, shall deliver them with the application, to the Licensing/Permit Commission. Such Commission shall recommend to the Common Council either the granting or denial of the application or such other action as may be appropriate.

N. Appeals From Orders. A Licensee, where the public health, safety or welfare is not in immediate jeopardy, may appeal to the Common Council any order issued by any Enforcing Department under authority of this Ordinance. Orders issued pursuant to ordinances subject to specific appeal procedure must be appealed

through that specific appeal procedure. All other orders issued pursuant to ordinances that are not subject to a specific appeal procedure, may be appealed to the Common Council by filing a written Notice of Appeal with the Enforcing Department that issued the order within ten (10) days of receipt of said order, or within the compliance period, whichever is shorter. The Common Council may direct that an appeal to it be heard by the Judicial Review Committee.

Q. Disciplinary Hearings. Disciplinary hearings, including suspension and revocation hearings, may be held before the Common Council or before the Committee on Judicial Review. The Committee on Judicial Review, when it conducts a hearing, shall submit a report to the Common Council, including findings of fact, conclusions of law and a recommendation as to what action, if any, the Common Council should take with respect to the license. Said Committee shall provide the complainant and the licensee with a copy of the report. Either the complainant or Licensee may file an objection to the report and shall have the opportunity to present arguments supporting the objection to the Common Council. The Common Council shall determine whether the arguments shall be presented orally or in writing, or both. If the Common Council, after considering the Committee's report and any arguments presented by complainant or Licensee, finds the complaint to be true, or if there is no objection to a report recommending a suspension or revocation of the license, it shall be suspended, revoked, or not renewed as provided by law. If the Common Council finds the complaint untrue, the proceedings shall be dismissed without cost to the accused. The City Clerk shall give notice of each suspension or revocation to the party whose license is affected. The Common Council may also order corrective action to be taken within a specified time as a condition of license maintenance, at any time, following notice and an opportunity to be heard.

Section Thirty-Four: Subsections 14.013 D.1. and D.9 of the Code of General

Ordinances for the City of Kenosha, Wisconsin, are hereby repealed and recreated as follows:

14.013 LIMITATION ON NUMBER OF DOGS AND CATS PER RESIDENTIALLY ZONED LOT

D. Pet Fancier Permit. Notwithstanding the provisions of subsection (B), it shall be lawful to keep up to five (5) dogs, cats or combination thereof, over the age of five (5) months if the owner complies with all of the following requirements:

1. Applies for and receives a pet fancier's permit from the Commission on Licenses and Permits.

9. Revocation, Suspension and Non-Renewal of Permit. Permits granted hereunder may be revoked, suspended, or not renewed for just cause, upon notice and an opportunity to be heard. The hearing shall be conducted by the Committee on Judicial Review.

Section Thirty-Five: Subsection 14.015 B. and 14.015 O.3. of the Code of General

Ordinances for the City of Kenosha, Wisconsin, are hereby repealed and recreated as follows:

14.015 KENNELS AND PET SHOPS

B. LICENSE REQUIRED/FEE. It is unlawful for any person, party, firm or corporation to operate, keep or maintain within the City limits a kennel or pet shop without first having obtained a license from the City Common Council and being in compliance with all provisions of this Ordinance. License applications shall be reviewed, prior to action by the Common Council, by the Commission on Licenses/Permits. The City Clerk, or designee thereof, shall issue licenses which have been granted by the Common Council. The fee for a license issued hereunder or renewal thereof shall be Two Hundred (\$200) Dollars per calendar year or fraction thereof.

O. SUSPENSION, REVOCATION OR DENIAL OF RENEWAL OF LICENSE

3. Disciplinary hearings, including nonrenewal, suspension and revocation hearings, shall be held before the Committee on Judicial Review, which shall submit a report to the Common Council, including Findings of Fact, Conclusions of Law and a recommendation as to what action, if any, the Common Council should take with respect to the License. The Committee shall provide the Complainant and the Licensee with a copy of the report. Either the Complainant or the Licensee may make an objection, orally or in writing, to the report and shall have the opportunity to present arguments supporting the objection to the Common Council. The Common Council shall determine whether the arguments shall be presented orally or in writing, or both. If the Common Council, after considering the Committee's report and any arguments presented by the Complainant and Licensee, finds the complaint to be true, or if there is no objection to a report recommending a suspension, revocation or nonrenewal, the Licensee shall be suspended, revoked or not renewed as provided by law. If the Common Council finds the complaint untrue, the proceedings shall be dismissed without cost to the accused. The City Clerk shall give notice of each suspension, revocation or nonrenewal to the party whose License is affected.

Section Thirty-Six: **Subsection 14.024 B. and 14.024 I.3.** of the Code of General

Ordinances for the City of Kenosha, Wisconsin, are hereby repealed and recreated as follows:

14.024 VIETNAMESE POTBELLIED PIG LICENSE

B. LICENSE REQUIRED/FEE. It is unlawful for any person, party, firm or corporation to keep or maintain within the City limits a Vietnamese Potbellied Pig without first having obtained a license from the City Common Council and being in compliance with all provisions of this Ordinance. License applications shall be reviewed, prior to action by the Common Council, by the Commission on Licenses/Permits. The City Clerk, or designee thereof, shall issue licenses which have been granted by the Common Council. The fee for a license issued hereunder or renewal thereof shall be One Hundred (\$100) Dollars per calendar year or fraction thereof. Excepted from the license requirement is any law enforcement agency or agency under contract with the City to care for stray or unwanted animals.

I. SUSPENSION, REVOCATION OR DENIAL OF RENEWAL OF LICENSE

3. Disciplinary hearings, including nonrenewal, suspension and revocation hearings, shall be held before the Committee on Judicial Review, which shall submit a report to the Common Council, including Findings of Fact, Conclusions of Law and a recommendation as to what action, if any, the Common Council should take with respect to the License. The Committee shall provide the Complainant and the Licensee with a copy of the report. Either the Complainant or the Licensee may make an objection, orally or in writing, to the report and shall have the opportunity to present arguments supporting the objection to the Common Council. The Common Council shall determine whether the arguments shall be presented orally or in writing, or both. If the Common Council, after considering the Committee's report and any arguments presented by the Complainant and Licensee, finds the complaint to be true, or if there is no objection to a report recommending a suspension, revocation or nonrenewal, the License shall be suspended, revoked or not renewed as provided by law. If the Common Council finds the complaint untrue, the proceedings shall be dismissed without cost to the accused. The City Clerk shall give notice of each suspension, revocation or nonrenewal to the party whose License is affected.

Section Thirty-Seven: **Subsection 14.025 E.** of the Code of General Ordinances for

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

14.025 HORSE DRAWN VEHICLES/LICENSE AND PERMIT - OTHER ANIMAL DRAWN VEHICLES PROHIBITED

E. Revocation, Suspension and NonRenewal of Licenses/Permits. Licenses/Permits granted hereunder may be revoked, suspended, or not renewed for just cause, upon notice and an opportunity to be heard. With respect to Licenses granted hereunder, hearing shall be conducted by the Committee on Judicial Review.

Section Thirty-Eight: Subsections 21.06 G, H, and I. of the Code of General

Ordinances for the City of Kenosha, Wisconsin, are hereby repealed and recreated as follows:

21.06 WEIGHING AND MEASURING DEVICE LICENSE

G. Suspension of Licenses. Notwithstanding the other provisions of this Ordinance, whenever the Health Administrator finds that any licensed premises is conducted or managed in such a manner that there are serious or repeated violations of this Ordinance or violation of any of the Ordinances or regulations of the City, the laws of the State of Wisconsin or regulations of the National Bureau of Standards relating to weights and measure, he/she may, without warning, notice or hearing, issue a written notice to the license holder, operator or employee in charge of the licensed premises citing such condition and specifying the corrective action to be taken and if deemed necessary such order shall state that the license is immediately suspended and all weighing and measuring operations are to be discontinued. Any person to whom such an order is issued shall comply immediately, but upon written petition to the Health Administrator, shall be afforded a hearing before the Committee on Judicial Review within twenty (20) days of such petition. Failure to allow an inspector immediate access to the premises to determine whether such grounds exist shall also be grounds for suspension.

H. Revocation of Licenses. For serious or repeated violations of any of the requirements of this Ordinance, or for interference with the Health Administrator, or designees thereof in the performance of their duties, the license may be permanently revoked after an opportunity for a hearing has been made by the Committee on Judicial Review prior to such action, the Health Administrator shall notify the license holder in writing, stating the reasons for which the license is subject to revocation, and advising that the license shall be permanently revoked at the end of five (5) days following the service of such notice, unless a request for a hearing is filed with the Health Administrator, by the license holder within such five (5) day period.

I. Hearings. The hearings provided for in this Section shall be conducted by the Committee on Judicial Review at a time and place designated by it. Based upon the record of such hearing, the Health Administrator shall be charged with enforcing the decisions of the board. A written report of the hearing decision shall be furnished to the license holder by the Health Administrator.

Section Thirty-Nine: This Ordinance shall become effective upon passage and

publication.

ATTEST: _____ City Clerk

APPROVED: _____ Mayor

Passed:

Published:

Drafted By:
MATTHEW A. KNIGHT
Deputy City Attorney

DRAFT 09/26/11

Recommended changes by PSW on 10/10/11

SPONSOR: THE MAYOR

To repeal and recreate Section 1.05 K. as “Department of Community Development **and Inspections**”; to repeal Section 1.05 N. entitled “ Department of Neighborhood Services and Inspections”; to repeal and recreate Sections 1.15 B. and 1.15 C. entitled “Annexation Ordinances Preliminary Reports”; to repeal and recreate Paragraph 17.11 A.7 entitled “Enforcement”; to amend various sections of the Code of General Ordinances to reflect a change in name by substituting “Department of Community Development **and Inspections**” for the “Department of City Development” and the “Department of Neighborhood Services and Inspections” or similar terminology wherever those phrases appear; to amend various sections of the Code of General Ordinances to reflect a change in name by substituting “Director of Community Development **and Inspections**” for “City Planner” or similar terminology wherever that phrase may appear

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

Section One: Section 1.05 K. of the Code of General Ordinances for the City of

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

K. Department of City Community Development **and Inspections.**

~~1. The Department of City Development shall be under the general supervision of the Mayor and City Administrator and the Committee on Finance, and is charged with the duties of administering the City Community Development program and the City Plan Department. The Director of City Development shall serve as Secretary of the City Plan Commission, administer the City of Kenosha Housing Authority policies, supervise personnel assigned to the Housing Authority, administer the City of Kenosha economic development policies, and perform related work as required.~~

~~2. The administrative head of this department shall be known as the Director of City Development and shall hold said office under Civil Service. Any vacancy occurring in said office shall be filled through appointment by the Mayor, subject to the approval of the Common Council from an eligible list supplied according to the Ordinances and Rules of Civil Service.~~

1. The Department of Community Development **and Inspections** shall be under the general supervision of the Mayor and City Administrator and the Public Safety and Welfare Committee. The department is charged

with the duties of administering various programs and activities including, but not limited to, planning, zoning, Community Development Block Grant program, administers Home Investment Partnership Act (HOME) program, redevelopment, historic preservation programs, property maintenance, building inspection and Minimum Housing and Sign Code enforcement.

2. The Administrative Head of the Department of Community Development **and Inspections** shall be the Director, who shall hold his/her office under Civil Service. Any vacancy occurring in said office shall be filled through appointment by the Mayor, subject to confirmation by the Common Council in accordance with the Civil Service System Ordinance and Personnel Rules and Regulations. The Director of Community Development **and Inspections** shall serve as Secretary of the City Plan Commission and Redevelopment Authority of the City of Kenosha.

Section Two: Section 1.05 N. of the Code of General Ordinances for the City of Kenosha, Wisconsin, is hereby repealed.

N. Department of Neighborhood Services and Inspections.

~~1. The Department of Neighborhood Services and Inspections shall be under the general supervision of the Mayor and City Administrator and shall be charged with the development, implementation, and administration of the City's Inspection, Code Enforcement and Housing Programs.~~

~~2. The Administrative Head of the Department of Neighborhood Services and Inspections shall be the Director, who shall hold his/her office under Civil Service and any vacancy in his/her office shall be filled by appointment of the Mayor, subject to confirmation by the Common Council, from an eligibility list supplied by the Personnel Department in accordance with the Civil Service System Ordinance and Personnel Rules and Regulations.~~

Section Three: Sections 1.15 B. and 1.15 C. of the Code of General Ordinances for the City of Kenosha, Wisconsin, are hereby repealed and recreated as follows:

1.15 ANNEXATION ORDINANCES PRELIMINARY REPORTS

B. Report of City Attorney. Within three weeks after the filing of a petition for annexation of territory to the City, the City Attorney shall examine the petition, notices, reports of City Plan Commission, City

Engineer, and ~~Director of Planning in the Department of Resource Development~~ the State Department of Administration and give his written opinion to the Council as to whether there has been such compliance with the Wisconsin Statutes as to authorize the enactment of an Ordinance annexing the territory.

C. Report of City Engineer. Within three weeks after the filing of a petition for annexation of territory to the City, the City ~~Plan~~ Engineer shall report to Council, in writing, as to the cost and benefits, if any to the City based on reports made to him by the heads of departments who are in a position to estimate such costs and benefits

Section Four : Paragraph 17.11 A.7 of the Code of General Ordinances for the City of Kenosha, Wisconsin, is hereby repealed and recreated as follows:

7. Enforcement. Occupancy Permits may be withheld with respect to any parcel of property within an approved Subdivision Plat or Certified Survey Map until the Department of ~~City~~Community Development **and Inspections** certifies ~~to the Department of Neighborhood Services and Inspections~~ that the requirements of this Ordinance have been met. In the event any work specified in the Development Agreement is not completed in accordance with the Development Agreement and this Ordinance, the City and/or Kenosha Water Utility may do or cause said work to be done, and charge the cost thereof against any posted assurance or charge the benefited property through a special assessment where there is no applicable or insufficient assurance. Any guarantee or warranty shall remain in effect and be enforced to the full extent of the law.

Section Five: Chapters One; Two; Three; Four; Five; Eight; Nine; Ten; Eleven; Twelve; Thirteen; Fourteen; Fifteen; Sixteen; Seventeen; Twenty; Twenty-Two; Twenty-Seven; Twenty-Eight; Thirty-Two; Thirty-Three; Thirty-Four and Thirty-Five of the Code of General Ordinances for the City of Kenosha, Wisconsin, are amended by substituting therein the phrases “Department of Community Development **and Inspections**” for the “Department of City Development”, the “Department of Neighborhood Services and Inspections”, City Plan Division of the Department of City Development”, combinations and variations thereof, or similar terminology wherever those phrases appear.

Section Six: Chapters Two, Five and Seventeen of the Code of General Ordinances for the City of Kenosha, Wisconsin, are amended by substituting therein the phrase “Director of the Department

of Community Development **and Inspections**” for “City Planner” or similar terminology wherever those phrases appear.

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

ATTEST: _____ City Clerk

APPROVED: _____ Mayor

Passed:

Published:

Drafted By:
EDWARD R. ANTARAMIAN
City Attorney

ORDINANCE NO. _____

SPONSOR: THE MAYOR

To repeal and recreate Section 1.05 K. as “Department of Community Development and Inspections ”; to repeal Section 1.05 N. entitled “ Department of Neighborhood Services and Inspections”; to repeal and recreate Sections 1.15 B. and 1.15 C. entitled “Annexation Ordinances Preliminary Reports”; to repeal and recreate Paragraph 17.11 A.7 entitled “Enforcement”; to amend various sections of the Code of General Ordinances to reflect a change in name by substituting “Department of Community Development and Inspections” for the “Department of City Development” and the “Department of Neighborhood Services and Inspections” or similar terminology wherever those phrases appear; to amend various sections of the Code of General Ordinances to reflect a change in name by substituting “Director of Community Development and Inspections” for “City Planner” or similar terminology wherever that phrase may appear

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

Section One: Section 1.05 K. of the Code of General Ordinances for the City of

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

K. Department of Community Development and Inspections.

1. The Department of Community Development and Inspections shall be under the general supervision of the Mayor and City Administrator and the Public Safety and Welfare Committee. The department is charged with the duties of administering various programs and activities including, but not limited to, planning, zoning, Community Development Block Grant program, administers Home Investment Partnership Act (HOME) program, redevelopment, historic preservation programs, property maintenance, building inspection and Minimum Housing and Sign Code enforcement.

2. The Administrative Head of the Department of Community Development and Inspections shall be the Director, who shall hold his/her office under Civil Service. Any vacancy occurring in said office shall be filled through appointment by the Mayor, subject to confirmation by the Common Council in accordance with the Civil Service System Ordinance and Personnel Rules and Regulations. The Director of Community Development and Inspections shall serve as Secretary of the City Plan Commission and Redevelopment Authority of the City of Kenosha.

Section Two: Section 1.05 N. of the Code of General Ordinances for the City of Kenosha, Wisconsin, is hereby repealed.

Section Three: Sections 1.15 B. and 1.15 C. of the Code of General Ordinances for the City of Kenosha, Wisconsin, are hereby repealed and recreated as follows:

1.15 ANNEXATION ORDINANCES PRELIMINARY REPORTS

B. Report of City Attorney. Within three weeks after the filing of a petition for annexation of territory to the City, the City Attorney shall examine the petition, notices, reports of City Plan Commission, City Engineer, and the State Department of Administration and give his written opinion to the Council as to whether there has been such compliance with the Wisconsin Statutes as to authorize the enactment of an Ordinance annexing the territory.

C. Report of City Engineer. Within three weeks after the filing of a petition for annexation of territory to the City, the City Engineer shall report to Council, in writing, as to the cost and benefits, if any to the City based on reports made to him by the heads of departments who are in a position to estimate such costs and benefits

Section Four : Paragraph 17.11 A.7 of the Code of General Ordinances for the City of Kenosha, Wisconsin, is hereby repealed and recreated as follows:

7. Enforcement. Occupancy Permits may be withheld with respect to any parcel of property within an approved Subdivision Plat or Certified Survey Map until the Department of Community Development and Inspections certifies that the requirements of this Ordinance have been met. In the event any work specified in the Development Agreement is not completed in accordance with the Development Agreement and this Ordinance, the City and/or Kenosha Water Utility may do or cause said work to be done, and charge the cost thereof against any posted assurance or charge the benefited property through a special assessment where there is no applicable or insufficient assurance. Any guarantee or warranty shall remain in effect and be enforced to the full extent of the law.

Section Five: Chapters One; Two; Three; Four; Five; Eight; Nine; Ten; Eleven; Twelve; Thirteen; Fourteen; Fifteen; Sixteen; Seventeen; Twenty; Twenty-Two; Twenty-Seven; Twenty-Eight;

Thirty-Two; Thirty-Three; Thirty-Four and Thirty-Five of the Code of General Ordinances for the City of Kenosha, Wisconsin, are amended by substituting therein the phrases “Department of Community Development and Inspections” for the “Department of City Development”, the “Department of Neighborhood Services and Inspections”, City Plan Division of the Department of City Development”, combinations and variations thereof, or similar terminology wherever those phrases appear.

Section Six: Chapters Two, Five and Seventeen of the Code of General Ordinances for the City of Kenosha, Wisconsin, are amended by substituting therein the phrase “Director of the Department of Community Development and Inspections” for “City Planner” or similar terminology wherever those phrases appear.

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

ATTEST: _____ City Clerk

APPROVED: _____ Mayor

Passed:

Published:

Drafted By:
EDWARD R. ANTARAMIAN
City Attorney

City Plan Division 625 52 nd Street Kenosha, WI 53140 262.653.4030	Kenosha City Plan Commission FACT SHEET	September 8, 2011	Item 4
By the Mayor - To Create Subsection 18.02 j. of the Zoning Ordinance to Amend the Comprehensive Plan to add a portion of right-of-way at 39th Avenue and 24th Street to the Official Map, District #5. PUBLIC HEARING			

LOCATION/SURROUNDINGS:

Site: 39th Avenue and 24th Street

NOTIFICATIONS/PROCEDURES:

The alderman of the district, Alderman LaMacchia, has been notified. The Common Council is the final review authority.

ANALYSIS:

- The Common Council adopted *A Comprehensive Plan for the City of Kenosha: 2035* on April 19, 2010.
- Wisconsin Statutes require the Common Council to adopt an Ordinance for Amendments to the Comprehensive Plan.
- The attached Zoning Ordinance references a separate Resolution which identifies the Amendment to the City's Official Map and Land Use Plan in the Comprehensive Plan.

RECOMMENDATION:

A recommendation is made to approve the proposed Zoning Ordinance.



Brian R. Wilke, Development Coordinator



Jeffrey B. Labahn, Director of City Development

/u2/accl/cp/ckays/CPC/2011/Sep8/fact-zo-1802j-39a.odt

ZONING ORDINANCE NO. _____

BY: CITY PLAN COMMISSION

**TO CREATE SUBSECTION 18.02 j. OF THE ZONING
ORDINANCE TO AMEND THE COMPREHENSIVE
PLAN TO ADD A PORTION OF RIGHT-OF WAY AT 39TH
AVENUE AND 24TH STREET TO THE OFFICIAL MAP**

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

Section One: Subsection 18.02 j. of the Zoning Ordinance for the City of

Kenosha, Wisconsin, is hereby created as follows:

18.02 The comprehensive plan adopted in subsection 18.01 is amended by the following:

j. By Common Council Resolution _____ -11 on file with the City Clerk.

Section Two: This Ordinance shall become effective upon passage and

publication.

ATTEST: _____ City Clerk

APPROVED: _____ Mayor

Passed:

Published:

Drafted By:
MATTHEW A. KNIGHT
Deputy City Attorney

ZONING ORDINANCE NO. _____

BY: CITY PLAN COMMISSION

**TO CREATE SUBSECTION 18.02 j. OF THE ZONING
ORDINANCE TO AMEND THE COMPREHENSIVE
PLAN TO ADD A PORTION OF RIGHT-OF WAY AT 39TH
AVENUE AND 24TH STREET TO THE OFFICIAL MAP**

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

Section One: Subsection 18.02 j. of the Zoning Ordinance for the City of

Kenosha, Wisconsin, is hereby created as follows:

18.02 The comprehensive plan adopted in subsection 18.01 is amended by the following:

j. By Common Council Resolution ____-11 on file with the City Clerk.

Section Two: This Ordinance shall become effective upon passage and

publication.

ATTEST: _____ City Clerk

APPROVED: _____ Mayor

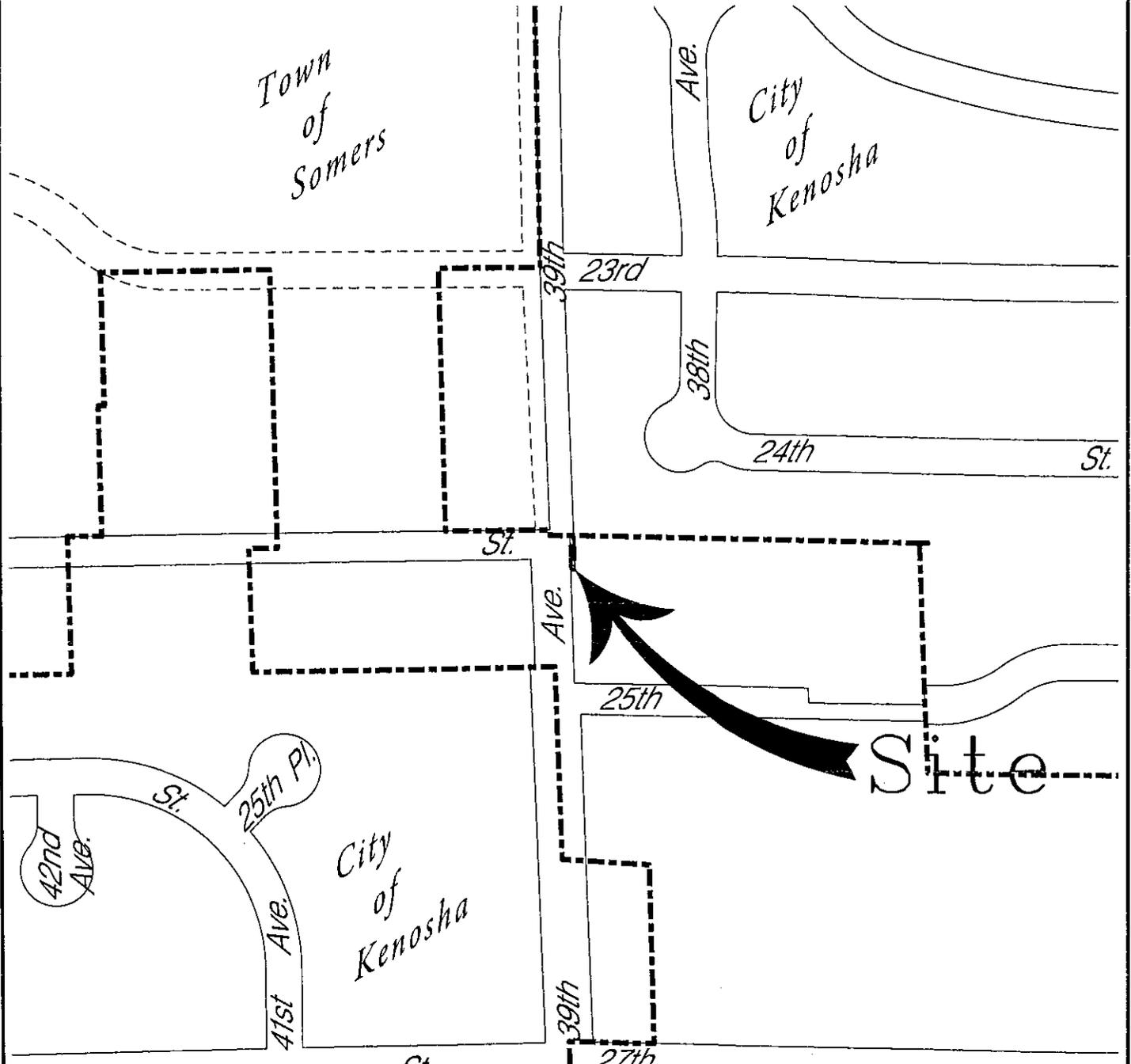
Passed:

Published:

Drafted By:
MATTHEW A. KNIGHT
Deputy City Attorney

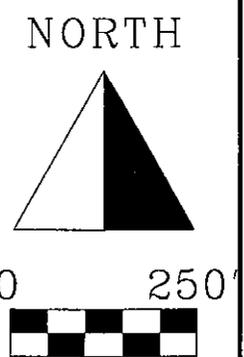
City of Kenosha
 Official Map Amendment
 39th Avenue at 24th Street

SUPPLEMENT NO. FS2-11
 RESOLUTION NO. _____



 Future Street to be added to Official Map
 7' wide x 56' deep portion of parcel 80-4-222-243-0101

 Municipal Boundary



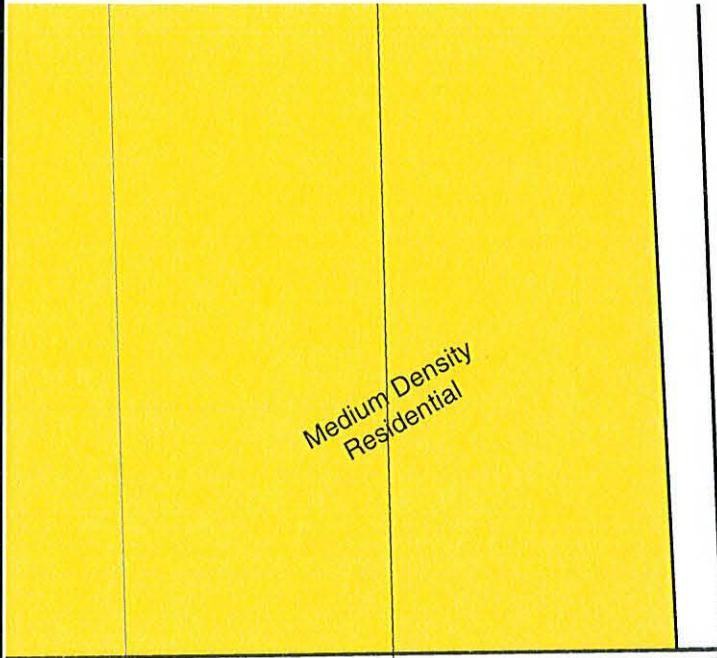
City of Kenosha

Comprehensive Plan Amendment

City Plan Commission Petition

Supplement No. C9-11

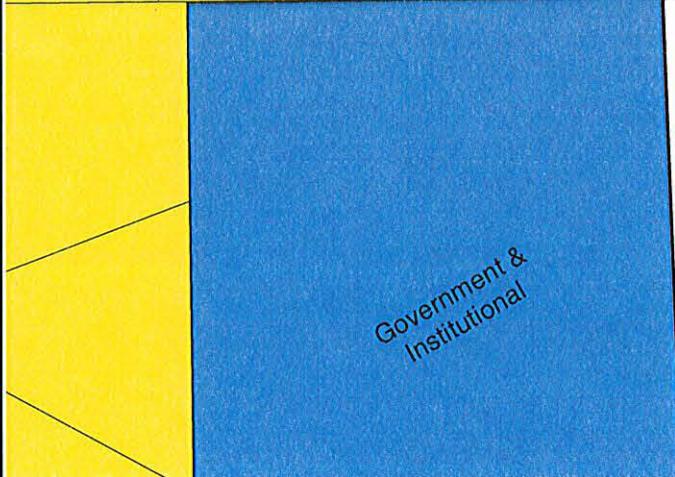
Ordinance No. _____



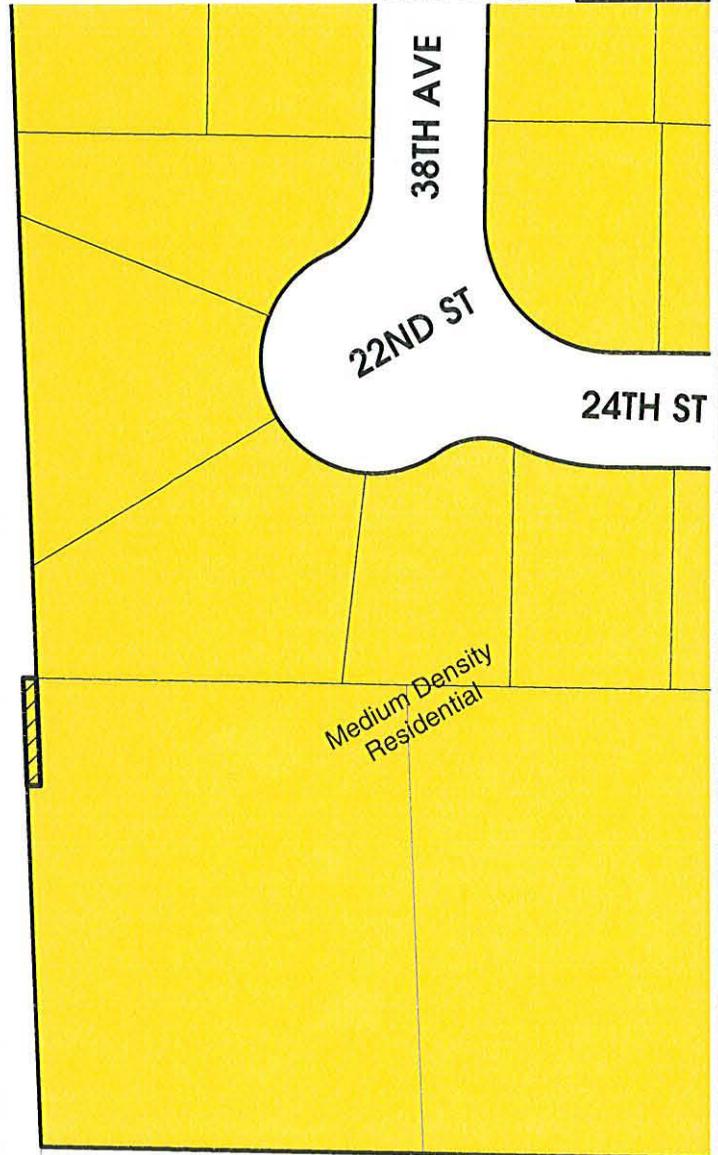
24TH ST



Medium Density Residential



39TH AVE



25TH ST



Property requested to be changed from
Medium Density Residential to Future Street right-of-way



City Plan Division 625 52 nd Street Kenosha, WI 53140 262.653.4030	Kenosha City Plan Commission FACT SHEET	September 8, 2011	Item 7
By the Mayor - To Create Subsection 18.02 k. of the Zoning Ordinance to Amend the Comprehensive Plan to add a portion of right-of-way at 51st Street between 17th and 18th Avenues to the Official Map, District #7. PUBLIC HEARING			

LOCATION/SURROUNDINGS:

Site: 51st Street between 17th and 18th Avenue

NOTIFICATIONS/PROCEDURES:

The alderman of the district, Alderman Juliana, has been notified. The Common Council is the final review authority.

ANALYSIS:

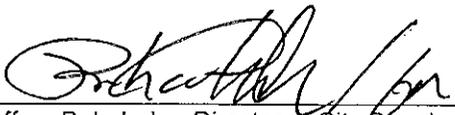
- The Common Council adopted *A Comprehensive Plan for the City of Kenosha: 2035* on April 19, 2010.
- Wisconsin Statutes require the Common Council to adopt an Ordinance for Amendments to the Comprehensive Plan.
- The attached Zoning Ordinance references a separate Resolution which identifies the Amendment to the City's Official Map and Land Use Plan in the Comprehensive Plan.

RECOMMENDATION:

A recommendation is made to approve the proposed Zoning Ordinance.



Brian R. Wilke, Development Coordinator



Jeffrey B. Labahn, Director of City Development

/u2/acct/cp/ckays/CPC/2011/Sep8/fact-zo-1802k-51s.odt

ZONING ORDINANCE NO. _____

BY: CITY PLAN COMMISSION

**TO CREATE SUBSECTION 18.02 k. OF THE ZONING
ORDINANCE TO AMEND THE COMPREHENSIVE
PLAN TO ADD A PORTION OF RIGHT-OF WAY AT 51ST
STREET BETWEEN 17TH AND 18TH AVENUES TO THE
OFFICIAL MAP**

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

Section One: Subsection 18.02 k. of the Zoning Ordinance for the City of

Kenosha, Wisconsin, is hereby created as follows:

18.02 The comprehensive plan adopted in subsection 18.01 is amended by the following:

k. By Common Council Resolution _____ -11 on file with the City Clerk.

Section Two: This Ordinance shall become effective upon passage and

publication.

ATTEST: _____ City Clerk

APPROVED: _____ Mayor

Passed:

Published:

Drafted By:
MATTHEW A. KNIGHT
Deputy City Attorney

ZONING ORDINANCE NO. _____

BY: CITY PLAN COMMISSION

**TO CREATE SUBSECTION 18.02 k. OF THE ZONING
ORDINANCE TO AMEND THE COMPREHENSIVE
PLAN TO ADD A PORTION OF RIGHT-OF WAY AT 51ST
STREET BETWEEN 17TH AND 18TH AVENUES TO THE
OFFICIAL MAP**

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

Section One: Subsection 18.02 k. of the Zoning Ordinance for the City of

Kenosha, Wisconsin, is hereby created as follows:

18.02 The comprehensive plan adopted in subsection 18.01 is amended by the following:

k. By Common Council Resolution ____-11 on file with the City Clerk.

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

ATTEST: _____ City Clerk

APPROVED: _____ Mayor

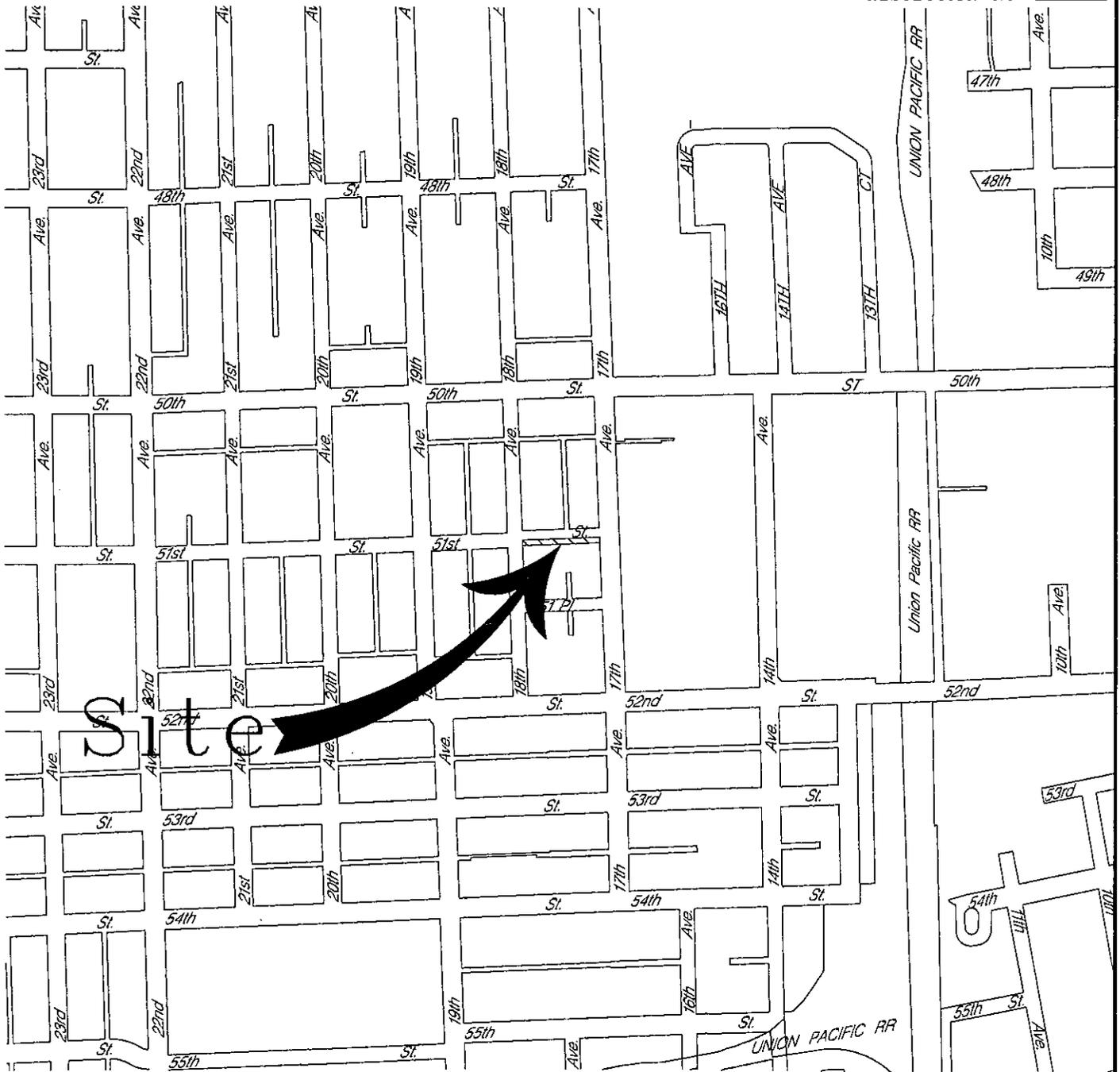
Passed:

Published:

Drafted By:
MATTHEW A. KNIGHT
Deputy City Attorney

City of Kenosha
 Official Map Amendment
 51st Street from 17th to 18th Avenues

SUPPLEMENT NO. FS1-11
 RESOLUTION NO. _____

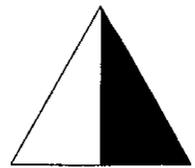


Site



Future Street to be added to Official Map
 18' wide across parcels 12-223-31-279-001 & -015

NORTH



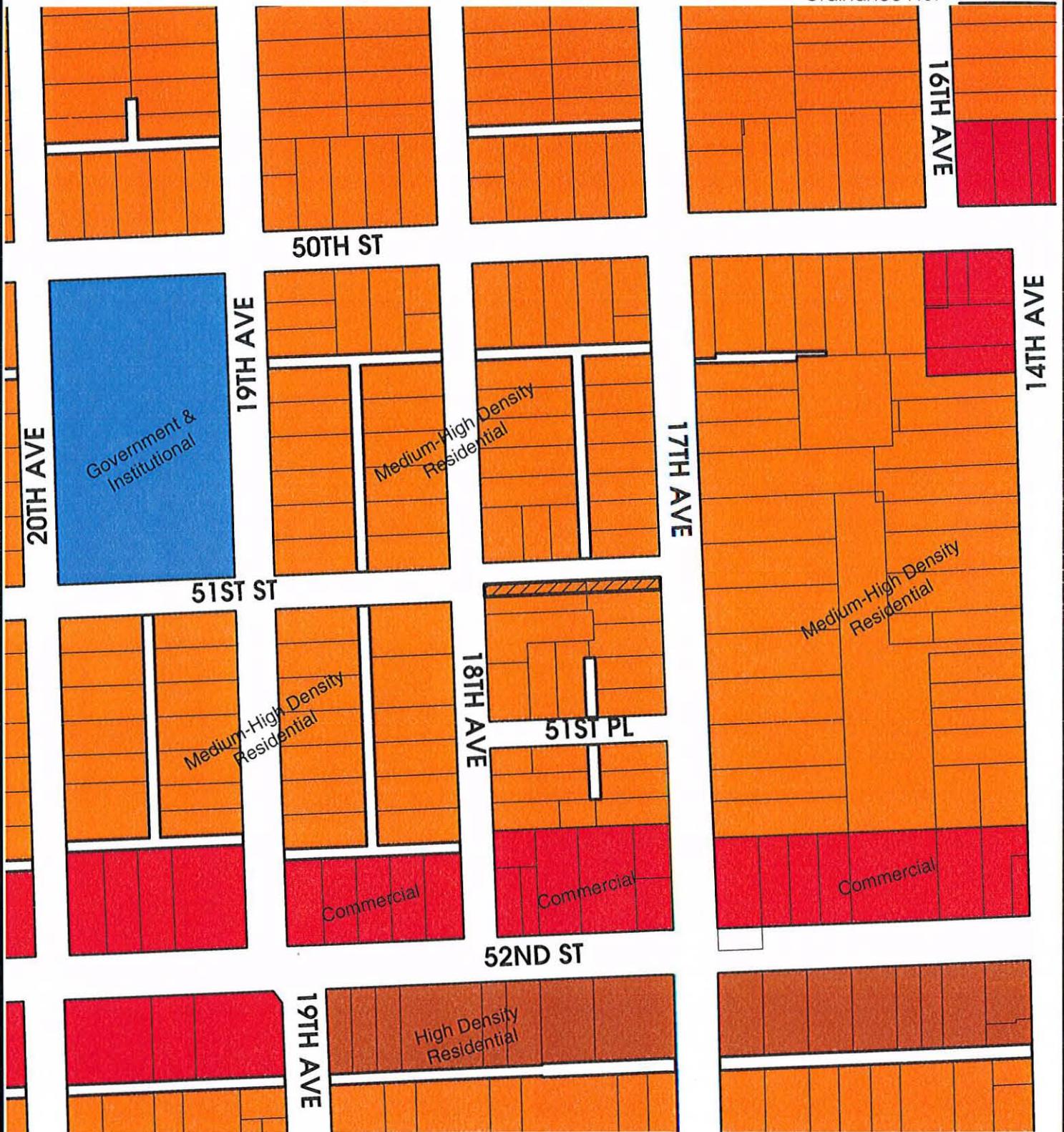
City of Kenosha

Comprehensive Plan Amendment

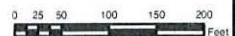
City Plan Commission Petition

Supplement No. C8-11

Ordinance No. _____



Property requested to be changed from
Medium-High Density Residential to Future Street right-of-way



City Plan Division 625 52 nd Street Kenosha, WI 53140 262.653.4030	Kenosha City Plan Commission FACT SHEET	October 6, 2011	Item 1
--	---	-----------------	--------

By the Mayor - To Repeal and Recreate various Sections of the Zoning Ordinance for the City of Kenosha to reflect a change in name by substituting "Department of Community Development" for the "Department of City Development" and the "Department of Neighborhood Services and Inspections" or similar terminology wherever those phrases appear; To Amend various Sections of the Zoning Ordinance to reflect a change in name by substituting "Director of Community Development" for "City Planner"; To Amend various Sections of the Zoning Ordinance to reflect a change in name by substituting "Department of Community Development" for "City Plan Division" or similar terminology wherever those phrases appear; To Amend various Sections of the Zoning Ordinance to replace the terms "Chief of Inspection" and "Zoning Administrator" with "Administrator"; To Amend the following various Sections of the Zoning Ordinance 12.0 B. entitled "Specific Words and Phrases" by replacing "Chief of the Inspection Department" with "Director of the Department of Community Development"; To Create a Definition for the "Department of Community Development"; To Repeal the Definition of "Division (CPD)"; and To Amend "Review Authority". PUBLIC HEARING

LOCATION/SURROUNDINGS:

N/A

NOTIFICATIONS/PROCEDURES:

This item requires final approval by the Common Council.

ANALYSIS:

- The Zoning Ordinance is required because of the consolidation of the Department of City Development and the Department of Neighborhood Services & Inspections into a new department with the proposed name of Department of Community Development.
- As a result of the name change, various sections of the Zoning Ordinance must be amended to reflect the combination of departments.
- This Zoning Ordinance also eliminates references to Directors of the two departments and replaces it with the Director of Community Development.

RECOMMENDATION:

For Commission review and comment.



Rich Schroeder, Assistant City Planner
 /u2/acct/cp/ckays/CPC/2011/Oct6/fact-zo-consolidate.odt

**KEITH G. BOSMAN
MAYOR**



*CITY OF KENOSHA
625 - 52nd Street
Kenosha, Wisconsin 53140
(262) 653-4000
Fax (262) 653-4010*

TO: City Plan Commission
FROM: Mayor Keith G. Bosman
SUBJECT: Consideration of Zoning Ordinance to Create Department of Community Development
DATE: October 5, 2011

After further internal discussion with staff, we thought that the better name for the newly created Department of Community Development would be the Department of Community Development and Inspections. I respectfully ask that the City Plan Commission make this change when deliberating this item on October 6, 2011.

Thank you.

KB:jd

ZONING ORDINANCE NO. _____

DRAFT 09/22/11

Recommended changes by City Plan Commission 10/06/11

SPONSOR: THE MAYOR

To repeal and recreate various sections of the Zoning Ordinance for the City of Kenosha to reflect a change in name by substituting “Department of Community Development **and Inspections**” for the “Department of City Development” and the “Department of Neighborhood Services and Inspections” or similar terminology wherever those phrases appear; to amend various sections of the Zoning Ordinance to reflect a change in name by substituting “Director of Community Development **and Inspections**” for “City Planner”; to amend various sections of the Zoning Ordinance to reflect a change in name by substituting “Department of Community Development **and Inspections**” for “City Plan Division” or similar terminology wherever those phrases appear; to amend various sections of the Zoning Ordinance to replace the terms “Chief of Inspection” and “Zoning Administrator” with “Administrator”; to amend the following various sections of the Zoning Ordinance 12.0 B. entitled “Specific Words and Phrases” by replacing “Chief of the Inspection Department” with “Director of the Department of Community Development **and Inspections**”; to create a definition for the “Department of Community Development **and Inspections**”; to repeal the definition of “Division (CPD)”; and to amend “Review Authority”

Section One: Sections Three; Four; Eight; Ten; Thirteen; Fourteen; Fifteen; Sixteen; and Eighteen of the Zoning Ordinance for the City of Kenosha, Wisconsin, are amended by substituting therein the phrase “Department of Community Development **and Inspections** ” for the phrases “Department of City Development” and the “Department of Neighborhood Services and Inspections” or similar terminology wherever those latter phrases appear.

Section Two: Sections Four, Ten, Twelve, Thirteen and Fourteen of the Zoning Ordinance for the City of Kenosha, Wisconsin, are amended by substituting therein the phrase “Director of the Department of Community Development **and Inspections**” for “City Planner” or similar terminology wherever those phrases appear.

Section Three: Sections Three; Four; Ten; Twelve; Thirteen; Fourteen and the Table of Contents of the Zoning Ordinance for the City of Kenosha, Wisconsin, are amended by substituting therein the phrase “Department of Community Development **and Inspections**” for “City Plan Division” or similar terminology wherever those phrases appear.

Section Four: Sections Two; Three; Four; Eight; Nine; Ten; Twelve; Thirteen; and

Sixteen of the Zoning Ordinance for the City of Kenosha, Wisconsin, are amended by substituting therein the terms "Chief of Inspection" and "Zoning Administrator" with "Administrator."

Section Five: Section 12.0 B. of the Zoning Ordinance for the City of Kenosha, Wisconsin, is amended as follows:

Administrator. Shall mean the ~~"Chief of the Inspection Department"~~; "Director of the Department of Community Development and Inspections"

Department of Community Development and Inspections (DCDI). Shall mean the City of Kenosha Department of Community Development and Inspections.

~~**Division (CPD).** Shall mean the "City Plan Division".~~

Review Authority. The ~~Division, Commission~~ entities responsible for the review and final decision of applications for a Conditional Use Permit which will be the Department of Community Development **and Inspections** or Common Council whichever is specified within the Zoning Ordinance.

Section Six: This ordinance shall become effect upon passage and publication.

ATTEST: _____ City Clerk

APPROVED: _____ Mayor

Passed:

Published:

Drafted By:
EDWARD R. ANTARAMIAN
City Attorney

ZONING ORDINANCE NO. _____

SPONSOR: THE MAYOR

To repeal and recreate various sections of the Zoning Ordinance for the City of Kenosha to reflect a change in name by substituting “Department of Community Development and Inspections” for the “Department of City Development” and the “Department of Neighborhood Services and Inspections” or similar terminology wherever those phrases appear; to amend various sections of the Zoning Ordinance to reflect a change in name by substituting “Director of Community Development and Inspections” for “City Planner”; to amend various sections of the Zoning Ordinance to reflect a change in name by substituting “Department of Community Development and Inspections” for “City Plan Division” or similar terminology wherever those phrases appear; to amend various sections of the Zoning Ordinance to replace the terms “Chief of Inspection” and “Zoning Administrator” with “Administrator”; to amend the following various sections of the Zoning Ordinance 12.0 B. entitled “Specific Words and Phrases” by replacing “Chief of the Inspection Department” with “Director of the Department of Community Development and Inspections”; to create a definition for the “Department of Community Development and Inspections”; to repeal the definition of “Division (CPD)”; and to amend “Review Authority”

Section One: Sections Three; Four; Eight; Ten; Thirteen; Fourteen; Fifteen; Sixteen; and Eighteen of the Zoning Ordinance for the City of Kenosha, Wisconsin, are amended by substituting therein the phrase “Department of Community Development and Inspections” for the phrases “Department of City Development” and the “Department of Neighborhood Services and Inspections” or similar terminology wherever those latter phrases appear.

Section Two: Sections Four, Ten, Twelve, Thirteen and Fourteen of the Zoning Ordinance for the City of Kenosha, Wisconsin, are amended by substituting therein the phrase “Director of the Department of Community Development and Inspections” for “City Planner” or similar terminology wherever those phrases appear.

Section Three: Sections Three; Four; Ten; Twelve; Thirteen; Fourteen and the Table of Contents of the Zoning Ordinance for the City of Kenosha, Wisconsin, are amended by substituting therein the phrase “Department of Community Development and Inspections” for “City Plan Division” or similar terminology wherever those phrases appear.

Section Four: Sections Two; Three; Four; Eight; Nine; Ten; Twelve; Thirteen; and Sixteen of the Zoning Ordinance for the City of Kenosha, Wisconsin, are amended by substituting therein the

terms "Chief of Inspection" and "Zoning Administrator" with "Administrator.

Section Five: Section 12.0 B. of the Zoning Ordinance for the City of Kenosha,

Wisconsin, is amended as follows:

Administrator. Shall mean the "Director of the Department of Community Development and Inspections"

Department of Community Development and Inspections (DCDI). Shall mean the City of Kenosha Department of Community Development and Inspections.

Review Authority. The entities responsible for the review and final decision of applications for a Conditional Use Permit which will be the Department of Community Development and Inspections or Common Council whichever is specified within the Zoning Ordinance.

Section Six: This ordinance shall become effect upon passage and publication.

ATTEST: _____ City Clerk

APPROVED: _____ Mayor

Passed:

Published:

Drafted By:
EDWARD R. ANTARAMIAN
City Attorney

RESOLUTION NO. _____

Sponsor: Alderperson Michael J. Orth
Co- Sponsors: Alderperson Ray Misner
Alderperson David F. Bogdala
Alderperson Rocco LaMacchia, Sr.
Alderperson Jan Michalski

**To Subname 58th Street Between its Intersections with
Sheridan Road and 7th Avenue as “Howard J. Brown Drive”**

WHEREAS, the Kenosha News is a long-standing source of news and information for residents of the community, provided through wide circulation of a newspaper, and through its Internet presence, and

WHEREAS, the Kenosha News is currently owned and published by United Communications Corporation, which is the successor to the Kenosha News Publishing Corporation, and

WHEREAS, since December 26, 1961, Howard J. Brown has been the president of the Kenosha News Publishing Corporation and then United Communications Corporation, overseeing the publication of the Kenosha News since its acquisition by the Kenosha News Publishing Corporation in 1961, and

WHEREAS, Howard J. Brown was born on July 31, 1923, and passed away on April 29, 2011, at the age of eighty seven; and

WHEREAS, Mr. Brown was shaped by his education and his military service to his country, having received a bachelor’s degree from Princeton University in 1946, and a master’s degree from the Columbia University Graduate School of Journalism in 1948, while serving two years of World War II European Theater Army service in the 44th Infantry Division and Military Government; and

WHEREAS, Mr. Brown was known for his humble nature and simple pace; and

WHEREAS, John Lavine, dean of the Medill School of Journalism at Northwestern University and former publisher and editor of several Wisconsin newspapers described Mr. Brown, thusly: “He . . . was always anchored in love of community and the people he met. All of the titans of the newspaper industry knew him and respected him. You always knew his values shone through no matter what was going on. His acts of kindness are extraordinary”; and

WHEREAS, Howard Brown contributed to the community with causes such as the annual fundraising event for the Kenosha Christmas Charities, known as the Goodfellows, designed to raise money to assist those less fortunate; and

WHEREAS, Mr. Brown was an enthusiastic supporter of both economic development and intellectual development in Kenosha, being a part of the group that worked to create the University of Wisconsin-Parkside, and later he became a trustee of Carthage College; and

WHEREAS, the Kenosha News, the newspaper that Mr. Brown directly published for forty years and oversaw for fifty years, has been located, and continues to be located, at 5800 Seventh Avenue, thereby maintaining a presence in downtown Kenosha, which helps to maintain the stability of the downtown neighborhood.

NOW THEREFORE, BE IT RESOLVED, that 58th Street between its intersection with Sheridan Road and 7th Avenue be subnamed “Howard J. Brown Drive” pursuant to Section 5.041 of the Code of Ordinances for the City of Kenosha, Wisconsin.

BE IT FURTHER RESOLVED, that the Clerk is directed to send a copy of this resolution to Betsy Brown, the surviving spouse of Howard J. Brown, as a token of appreciation by the City of Kenosha for the efforts made by her husband.

Adopted this _____ day of _____, 2011.

ATTEST: _____ City Clerk

APPROVED: _____ Mayor

Date: _____

Drafted By:
EDWARD R. ANTARAMIAN,
City Attorney

<p>City Plan Division 625 52nd Street Kenosha, WI 53140 262.653.4030</p>	<p>Kenosha City Plan Commission FACT SHEET</p>	<p>September 8, 2011</p>	<p>Item 3</p>
<p>By the Mayor - Resolution to Amend the Official Map for the City of Kenosha to designate 7.01 feet east of 39th Avenue at 24th Street as future street, pursuant to Section 62.23(6) Wisconsin Statutes, District #5.</p>			

LOCATION/SURROUNDINGS:

Site: East side of 39th Avenue at 24th Street

NOTIFICATIONS/PROCEDURES:

The alderman of the district, Alderman LaMacchia and the property owner have been notified. This item will also be reviewed by the Public Works Committee before final approval by the Common Council.

ANALYSIS:

- The City is amending the Official Map to show additional right-of-way which is needed along 39th Avenue.
- Public Works Staff have discussed this with the property owner. The owner has also been notified of the City Plan Commission meeting.

RECOMMENDATION:

A recommendation is made to approve the Amendment to the Official Map.



Rich Schroeder, Assistant City Planner
/u2/acct/cp/ckays/CPC/2011/Sep8/fact-offmap-39a24s.odt

RESOLUTION NO. _____

BY: THE MAYOR

TO AMEND THE OFFICIAL MAP FOR THE CITY OF KENOSHA, WISCONSIN, TO DESIGNATE 7.01 FEET EAST OF 39TH AVENUE AT 24TH STREET AS A FUTURE STREET, PURSUANT TO SECTION 62.23(6), WISCONSIN STATUTES

WHEREAS, Section 62.23(6)(c), Wisconsin Statutes, provides for the establishment of an official City map for the purpose of conserving and promoting the public health, safety, convenience, and general welfare; and,

WHEREAS, said future street described as additional 7.01 feet east of 39th Avenue at 24th Street is required for future right-of-way.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Kenosha, Wisconsin, that pursuant to the authority of Section 62.23(6) of the Wisconsin Statutes, the Official Map for the City of Kenosha, Wisconsin, be and hereby is amended by designating 7.01 feet east of 39th Avenue at 24th Street as a future street as depicted on Supplement No. FS2-11.

BE IT FURTHER RESOLVED, that the City Clerk/Treasurer is hereby directed to file a certified copy of this Resolution, along with the attached Supplement No. FS2-11, in the Office of the Register of Deeds for Kenosha County, Wisconsin.

BE IT FURTHER RESOLVED, that this resolution shall not be effective until an ordinance amending the Comprehensive Plan consistent herewith is effective.

Adopted this ____ day of _____, 2011.

ATTEST: _____ City Clerk

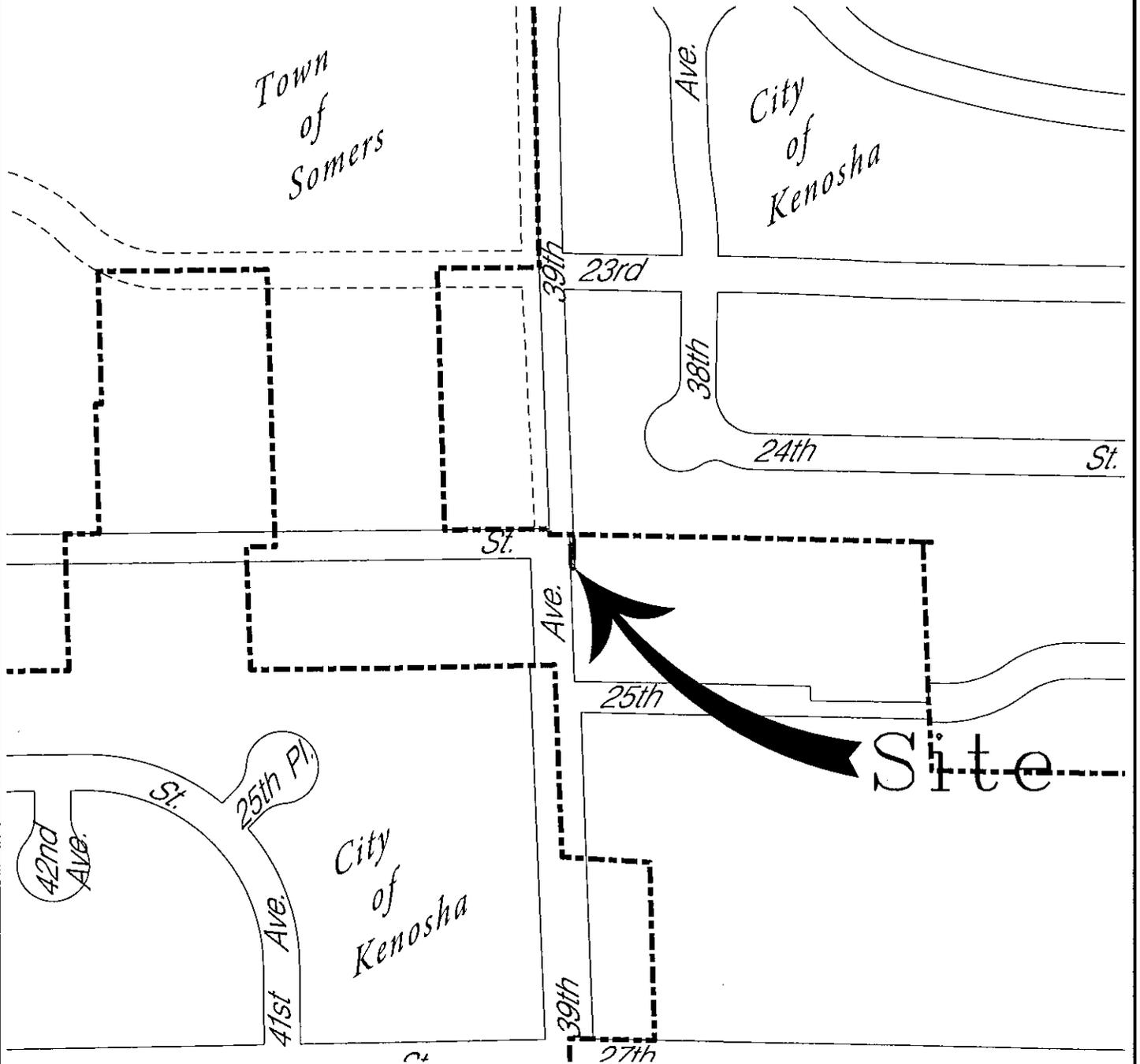
APPROVED: _____ Mayor

Date: _____

Drafted By:
MATTHEW A. KNIGHT
Deputy City Attorney

City of Kenosha
 Official Map Amendment
 39th Avenue at 24th Street

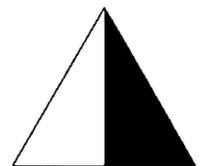
SUPPLEMENT NO. FS2-11
 RESOLUTION NO. _____



Future Street to be added to Official Map
 7' wide x 56' deep portion of parcel 80-4-222-243-0101

----- Municipal Boundary

NORTH



<p><i>City Plan Division 625 52nd Street Kenosha, WI 53140 262.653.4030</i></p>	<p><i>Kenosha City Plan Commission</i></p> <p>FACT SHEET</p>	<p>September 8, 2011</p>	<p>Item 6</p>
<p>By the Mayor - Resolution To Amend the Official Map for the City of Kenosha to designate 18 feet south of 51st Street between 17th and 18th Avenues as future street, pursuant to Section 62.23(6) Wisconsin Statutes, District #7.</p>			

LOCATION/SURROUNDINGS:

Site: South side of 51st Street between 17th and 18th Avenues

NOTIFICATIONS/PROCEDURES:

The alderman of the district, Alderman Juliana and the property owner have been notified. This item will also be reviewed by the Public Works Committee before final approval by the Common Council.

ANALYSIS:

- Currently, 51st Street exists as a half street. The Amendment would designate the south half of the right-of-way as future street.
- The south half of right-of-way has been reserved on the deed for the property on 17th Avenue. The Housing Authority currently owns the vacant lot that fronts on 18th Avenue.
- The owner to the south of this lot (5015 18th Avenue) requested that the vacant lot, which would be unbuildable upon future 51st Street widening, be attached to his lot.
- If the property is transferred, the right-of-way would be reserved and transferred to the City at a future date when needed.
- The right-of-way would be needed in the future if 51st Street is widened to a full right-of-way.

RECOMMENDATION:

A recommendation is made to approve the Amendment to the Official Map.



Rich Schroeder, Assistant City Planner
/u2/acct/cp/ckays/CPC/2011/Sep8/fact6-offmap-51s17a.odt

RESOLUTION NO. _____

BY: THE MAYOR

TO AMEND THE OFFICIAL MAP FOR THE CITY OF KENOSHA, WISCONSIN, TO DESIGNATE 18 FEET SOUTH OF 51ST STREET FROM 17TH AVENUE TO 18TH AVENUE AS A FUTURE STREET, PURSUANT TO SECTION 62.23(6), WISCONSIN STATUTES

WHEREAS, Section 62.23(6)(c), Wisconsin Statutes, provides for the establishment of an official City map for the purpose of conserving and promoting the public health, safety, convenience, and general welfare; and,

WHEREAS, said future street described as 51st Street from 17th Avenue to 18th Avenue is required for future right-of-way of 51st Street.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Kenosha, Wisconsin, that pursuant to the authority of Section 62.23(6) of the Wisconsin Statutes, the Official Map for the City of Kenosha, Wisconsin, be and hereby is amended by designating 18 feet south of 51st Street from 17th Avenue to 18th Avenue as a future street as depicted on Supplement No. FS1-11.

BE IT FURTHER RESOLVED, that the City Clerk/Treasurer is hereby directed to file a certified copy of this Resolution, along with the attached Supplement No. FS1-11, in the Office of the Register of Deeds for Kenosha County, Wisconsin.

BE IT FURTHER RESOLVED, that this resolution shall not be effective until an ordinance amending the Comprehensive Plan consistent herewith is effective.

Adopted this _____ day of _____, 2011.

ATTEST: _____ City Clerk

APPROVED: _____ Mayor

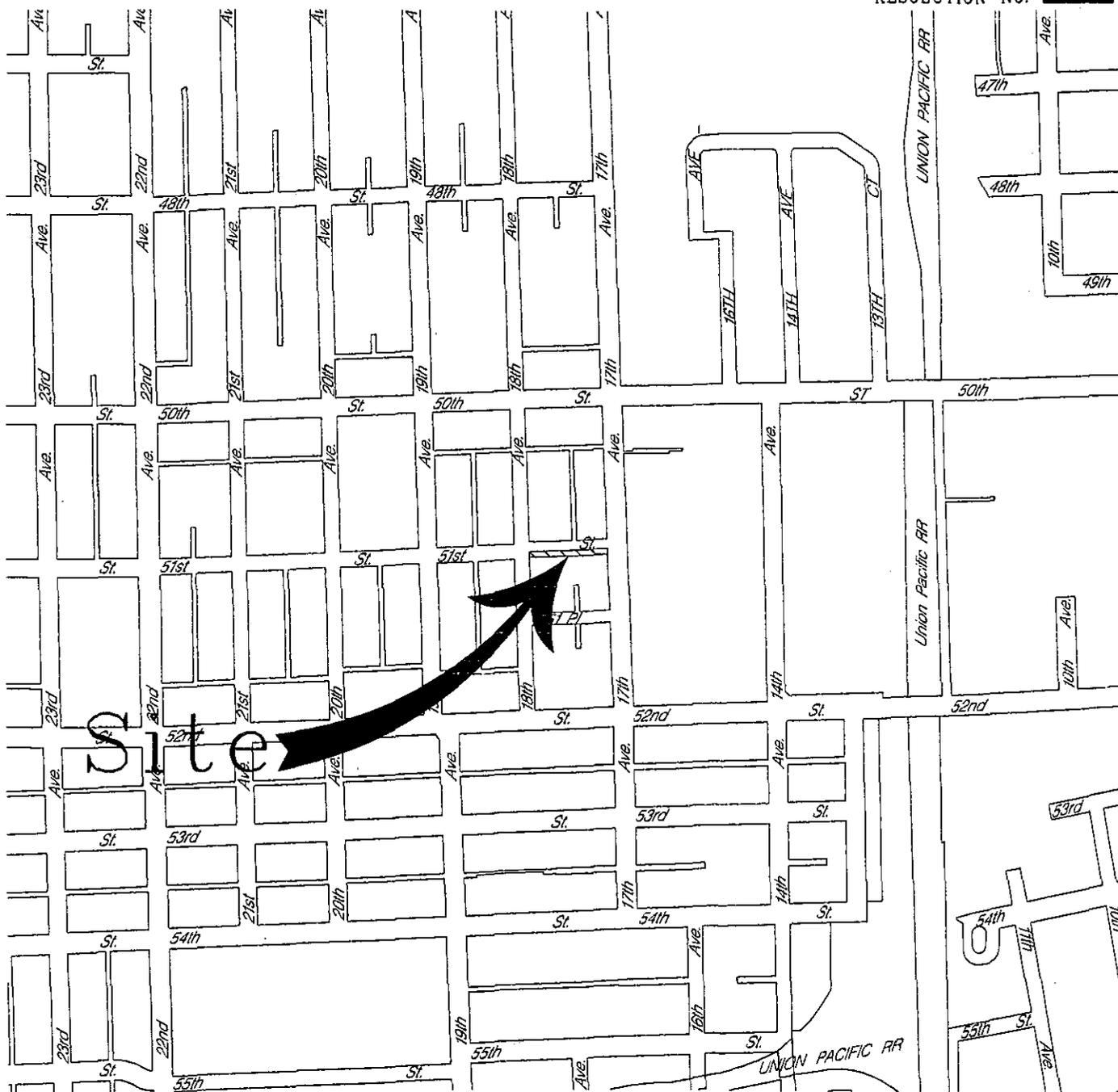
Date: _____

Drafted By:
MATTHEW A. KNIGHT
Deputy City Attorney

City of Kenosha

Official Map Amendment 51st Street from 17th to 18th Avenues

SUPPLEMENT NO. FS1-11
RESOLUTION NO. _____



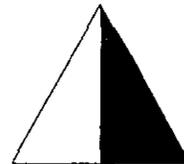
Site



Future Street to be added to Official Map

18' wide across parcels 12-223-31-279-001 & -015

NORTH



0 500'



RESOLUTION NO. _____

SPONSOR: ALDERPERSON JAN MICHALSKI

TO URGE CITY ADMINISTRATION TO PURSUE A WAL-MART STORE TO BE LOCATED IN DOWNTOWN KENOSHA

WHEREAS, Wal-Mart has expressed its interest in locating two new Wal-Mart stores in the City of Kenosha, one located at or about 52nd Street and 32nd Avenue, and a second located near 80th Street and 30th Avenue; and,

WHEREAS, Kenosha's Downtown is zoned B-3 Central Business District intended to accommodate the retail, service office and institutional uses characteristic of the Downtown Business District; and,

WHEREAS, Kenosha's Downtown includes several large vacant buildings and parcels which had previously housed department stores and which could be potential locations for a new department store; and,

WHEREAS, the City has invested millions of dollars in its attempts to revitalize the Downtown Business District; and,

WHEREAS, an anchor store such as Wal-Mart could provide a positive impact on the Downtown Business District; and,

WHEREAS, the Kenosha Lakeshore Business Improvement District has publicly lobbied to meet with representatives of Wal-Mart to discuss the possibilities of locating a Wal-Mart Store in Downtown Kenosha.

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Kenosha, Wisconsin, that it does hereby urge City Administration to pursue a meeting with Wal-Mart representatives to discuss the feasibility of a Wal-Mart Store locating in Downtown Kenosha.

Adopted this _____ day of _____, 2011.

ATTEST: _____ City Clerk

APPROVED: _____ Mayor Date: _____

Drafted By:
MATTHEW A. KNIGHT,
Deputy City Attorney

**KEITH G. BOSMAN
MAYOR**



*CITY OF KENOSHA
625 - 52nd Street
Kenosha, Wisconsin 53140
(262) 653-4000
Fax (262) 653-4010*

October 13, 2011

The Honorable Common Council
CITY OF KENOSHA
Kenosha, WI 53140

Dear Ladies and Gentlemen:

I hereby appoint Sarah L. Park, 1909 33rd Street, Kenosha to the Mayor's Youth Commission to fulfill a two-year term which will expire November 1, 2013. Ms. Park filed her Statement of Economic Interest on 9/28/11.

Ms. Park is the Manager of Diversity Programs at the Center for Community Partnerships at the University of Wisconsin-Parkside. Prior to joining UW-Parkside, Ms. Park was with the University of Georgia, in Athens, Georgia as International Student and Scholar Advisor from 2008-2009, Career Consultant from 2006-2008 and Academic Advisor for the Grady Undergraduate Services Office. She received her Bachelor of Arts Degree in Sociology and Anthropology from Carleton College in Northfield, Minnesota and her Master of Arts in Student Development in Postsecondary Education from the University of Iowa in Iowa City, Iowa. Ms. Park is involved in the community and serves on the Board of Directors of HOPES Center of Racine, is a Ylink Member and a Safe Zone Trainer at UW-Parkside.

I am confident Ms. Park will be a conscientious and hard-working member of the Mayor's Youth Commission.

Sincerely,
CITY OF KENOSHA

A handwritten signature in black ink, appearing to read 'Keith G. Bosman', written over a large, stylized 'K' that is part of the city's logo.

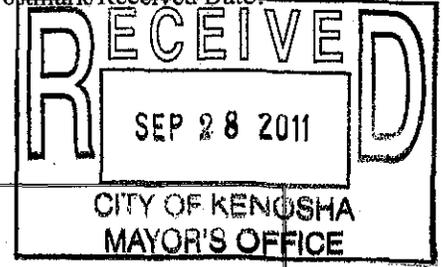
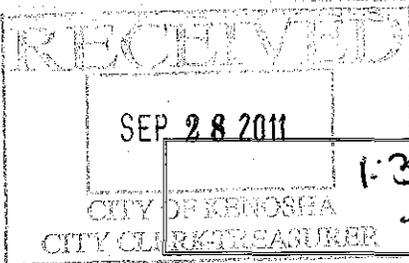
Keith G. Bosman
Mayor

KGB:jd

This form must be filed with:
 City Clerk/Treasurer
 City of Kenosha



This space for office use:
 Postmark/Received Date:



1:35 PM
 18

CITY OF KENOSHA

Statement of Economic Interest

Last Name: PARK First Name: SARAH Middle Initial: L
 Primary Residence Address: 1909-33rd Street Municipality [City/Town/Village]: Kenosha, WI

Position Held or Sought: Mayor's Youth Commission

General filing information:

- The information sought in this form is required by Chapter XXIX of the Code of General Ordinances.
- The information to be provided in this Statement of Economic Interest covers the period from January 1 of the preceding taxable year to the date this Statement of Economic Interest is filed with the City Clerk/Treasurer as required by Chapter XXIX of the Code of General Ordinances.

A copy of Chapter XXIX of the Code of General Ordinances, "Statement of Economic Interest by City Officers, Employees, Candidates and Nominees" is available at <http://www.kenosha.org>.

1. BUSINESS ACTIVITIES. List businesses, farms, rental, commercial, and income producing real estate, and business activities in the City of Kenosha which you, your spouse, cohabitant or domestic partner had a least a 10% or greater interest. If none, state none.

Name of Business	Address	Describe Nature of Business

2. REAL ESTATE. List the specific location of real estate located in the City of Kenosha in which you, your spouse, cohabitant or domestic partner had an interest except your principal residence and real estate whose location you listed in Item 1. If none, state none.

LOCATION OF PROPERTY Street address or tax parcel no. if vacant land	TYPE OF PROPERTY (e.g., farm, apartment, condominium or second home)	NATURE OF INTEREST (e.g., own, lease, option, easement, land contract, partnership, limited liability company)
<u>None</u>		

3. EMPLOYER. List your and your spouse's, cohabitant's or domestic partner's employers. If self-employed list nature of business. If none, state none.

Name of Employer If City of Kenosha identify office or department	City	State	Nature of employer's business
<u>Univ of WI - Parkside</u>	<u>Kenosha</u>	<u>WI</u>	<u>Higher Education</u>

use self

Rev. 09/08/11

4. **FOR PROFIT AND NOT-FOR-PROFIT AFFILIATIONS.** List organizations with which you, your spouse, cohabitant or domestic partner was affiliated as an officer, director or any other paid or unpaid position unless already listed in Item 1. If none, state none.

Name of Organization	Nature of Organization	City and State	Position
HOPES Ctr of Racine	Non-profit	Racine, WI	Board Member

I certify that the information contained in this *Statement of Economic Interest* is true, correct and complete to the best of my knowledge, information and belief. In the event this Statement of Economic Interest is filed prior to the time for filing set forth in Section 29.04 of the Code of General Ordinances, I certify that I will amend it, if amendment is necessary, to bring it into conformity with the true statement of my economic interest as of the time for filing set forth in Section 29.04 of the Code of General Ordinances.

Sarah Park 9/26/11
 Signature of person filing Date

Daytime Phone Number 615-948-7834

E-mail Address parksa@uwp.edu

Instructions

Attachments:

Additional pages may be used to provide all of the information necessary to complete your Statement of Economic Interest. Attached pages should conform to the same formatting as the existing Statement of Economic Interest.

Definitions:

1. **BUSINESS ACTIVITIES.** List businesses, farms, rental, commercial, and income-producing real estate and business activities in the City of Kenosha in which you, your spouse, cohabitant or domestic partner had at least a 10% or greater interest. Include interests owned directly or through (a) a partnership; (b) a corporation (c) a limited liability company; (d) a limited liability partnership; (e) a trust; or (f) any other enterprise.
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 - List all for profit and not-for-profit organizations except those listed in Item 1.

**KEITH G. BOSMAN
MAYOR**



*CITY OF KENOSHA
625 - 52nd Street
Kenosha, Wisconsin 53140
(262) 653-4000
Fax (262) 653-4010*

October 13, 2011

The Honorable Common Council
CITY OF KENOSHA
Kenosha, WI 53140

Dear Ladies and Gentlemen:

I hereby appoint Semone Love, 1369 30th Avenue, Kenosha to the Mayor's Youth Commission to fulfill an unexpired term which will expire November 1, 2012. Ms. Love filed her Statement of Economic Interest on September 27, 2011.

Ms. Love is currently a student at Gateway Technical College majoring in Business Management. She is a Certified Child Care Provider. She was a Lead Teacher and Site Coordinator at the YMCA from April 2007 to December 2010. She is also the founder and CEO of Strength and Honor, Inc., a non-profit organization geared towards breaking the silence of teen and young adult dating violence, promoting healthy relationships and saving lives. She works with local agencies such as the Boys & Girls Club of Kenosha and Walkin' in My Shoes.

I am confident Ms. Love will be a conscientious and hard-working member of the Mayor's Youth Commission.

Sincerely,
CITY OF KENOSHA

A handwritten signature in black ink, appearing to read 'Keith G. Bosman', written over the printed name.

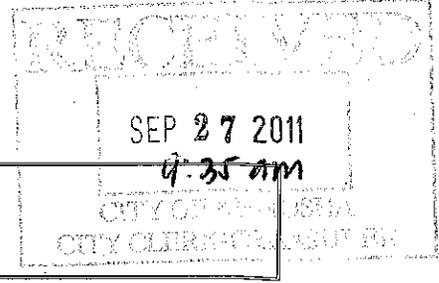
Keith G. Bosman
Mayor

KGB:jd

This form must be filed with:
 City Clerk/Treasurer
 City of Kenosha



This space for office use:
 Postmark/Received Date:



CITY OF KENOSHA
Statement of Economic Interest

Love Semone S
 Last Name First Name Middle Initial
1369 30th Ave # 204, Kenosha, WI 53144, Kenosha
 Primary Residence Address Municipality [City/Town/Village]

Position Held or Sought: Mayor Youth Commission

General filing information:

- The information sought in this form is required by Chapter XXIX of the Code of General Ordinances.
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Name of Business	Address	Describe Nature of Business
none		
none		
none		

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LOCATION OF PROPERTY Street address or tax parcel no. if vacant land	TYPE OF PROPERTY (e.g., farm, apartment, condominium or second home)	NATURE OF INTEREST (e.g., own, lease, option, easement, land contract, partnership, limited liability company)
none		

3. EMPLOYER. List your and your spouse's, cohabitant's or domestic partner's employers. If self-employed list nature of business. If none, state none.

Name of Employer If City of Kenosha identify office or department	City	State	Nature of employer's business
none			
none			
none			

Rev. 09/08/11

4. **FOR PROFIT AND NOT-FOR-PROFIT AFFILIATIONS.** List organizations with which you, your spouse, cohabitant or domestic partner was affiliated as an officer, director or any other paid or unpaid position unless already listed in Item 1. If none, state none.

Name of Organization	Nature of Organization	City and State	Position
Kenosha 4 Link	entrepreneur	Kenosha, WI	member
NAACP	civil rights	Kenosha, WI	co-chair on executive committee
Strength + Honor, IUC	Domestic Violence ^{Program}	Kenosha, WI	director

I certify that the information contained in this *Statement of Economic Interest* is true, correct and complete to the best of my knowledge, information and belief. In the event this Statement of Economic Interest is filed prior to the time for filing set forth in Section 29.04 of the Code of General Ordinances, I certify that I will amend it, if amendment is necessary, to bring it into conformity with the true statement of my economic interest as of the time for filing set forth in Section 29.04 of the Code of General Ordinances.

Demone Love 9-27-11
 Signature of person filing Date

Daytime Phone Number 262-708-7272

E-mail Address S.lovee@yahoo.com

Instructions

Attachments:

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Definitions:

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**KEITH G. BOSMAN
MAYOR**



**CITY OF KENOSHA
625 - 52nd Street
Kenosha, Wisconsin 53140
(262) 653-4000
Fax (262) 653-4010**

October 13, 2011

The Honorable Common Council
CITY OF KENOSHA
Kenosha, WI 53140

Dear Ladies and Gentlemen:

I hereby appoint Ellen Kupfer, 3701 75th Street, Kenosha to the Board of Review for a five-year term which will expire April 15, 2016. Ms. Kupfer filed her Statement of Economic Interest on September 29, 2011.

Ms. Kupfer attended local schools and graduated from St. Joseph High School. She received a BA in Social Work from Carthage College and a Masters in Social Work from UW-Milwaukee. She retired from Kenosha Unified School District after 25 years as a School Social Worker. She has been employed by St. Catherine's Hospital, the Developmental Disabilities Service Center and Brookside Care Center. She currently teaches in the Social Work Department at Carthage College and is the Director of Religious Education at First United Methodist Church. She is very involved in the community and has held various officer positions in the Kenosha Education Association, was the founder and coordinator of the Kenosha County Gang Task Force and Chair of the Kenosha County Gang Prevention Committee to name a few.

I am confident Ms. Kupfer will be a conscientious and hard-working member of the Board of Review.

Sincerely,
CITY OF KENOSHA

A handwritten signature in black ink, appearing to read "Keith G. Bosman", is written over the typed name and title.

Keith G. Bosman
Mayor

KGB:jd

**KEITH G. BOSMAN
MAYOR**



*CITY OF KENOSHA
625 - 52nd Street
Kenosha, Wisconsin 53140
(262) 653-4000
Fax (262) 653-4010*

October 13, 2011

The Honorable Common Council
CITY OF KENOSHA
Kenosha, WI 53140

Dear Ladies and Gentlemen:

I hereby appoint Matt Augustine, 4306 31st Avenue, Kenosha to the Board of Review to fulfill an unexpired term which will expire April 15, 2013. Mr. Augustine filed a Statement of Economic Interest on September 28, 2011.

Mr. Augustine has a long history of being involved in the community. He was a member of the Kenosha Unified School District Management team from 1997 to 2000. He is the Statutory Chairman of the Republican Party pollworkers of Kenosha County (from 1997 to present); a member of the Kenosha County Canvas Board (from 1997 to present) and a Senior Member of the Canvas Board (from 2004 to present).

I am confident he will be a conscientious and hardworking member of the Board of Review.

Sincerely,
CITY OF KENOSHA

A handwritten signature in black ink, appearing to read 'KB', with a long horizontal flourish extending to the right.

Keith G. Bosman
Mayor

KGB:jd

This form must be filed with:
 City Clerk/Treasurer
 City of Kenosha



This space for office use:
 Postmark/Received Date:

11:30 AM
 RECEIVED
 SEP 29 2011
 CITY OF KENOSHA
 CITY CLERK/TREASURER

CITY OF KENOSHA
Statement of Economic Interest

AUGUSTINE MATTHEW G.
 Last Name First Name Middle Initial
4306 31 AVE Kenosha
 Primary Residence Address Municipality (City) Town/Village

Position Held or Sought: Board of Review

General filing information:

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Name of Business	Address	Describe Nature of Business
NONE		

2. REAL ESTATE. List the specific location of real estate located in the City of Kenosha in which you, your spouse, cohabitant or domestic partner had an interest except your principal residence and real estate whose location you listed in Item 1. If none, state none.

LOCATION OF PROPERTY Street address or tax parcel no. if vacant land	TYPE OF PROPERTY (e.g., farm, apartment, condominium or second home)	NATURE OF INTEREST (e.g., own, lease, option, easement, land contract, partnership, limited liability company)
NONE		

3. EMPLOYER. List your and your spouse's, cohabitant's or domestic partner's employers. If self-employed list nature of business. If none, state none.

Name of Employer If City of Kenosha identify office or department	City	State	Nature of employer's business
KENOSHA NEWS	KENOSHA	WI	NEWS PAPER
ROGERS MEMORIAL HOSPITAL	WEST ALLES	WI	HOSPITAL
CITY of Kenosha (ELECTION CHAIRMAN)	KENOSHA	WI	CITY of Kenosha

4. **FOR PROFIT AND NOT-FOR-PROFIT AFFILIATIONS.** List organizations with which you, your spouse, cohabitant or domestic partner was affiliated as an officer, director or any other paid or unpaid position unless already listed in Item 1. If none, state none.

Name of Organization	Nature of Organization	City and State	Position
RPKE	Politeck	Kenosha, WI.	CHAIRMAN

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Matthew G. Augustine 9-29-11
 Signature of person filing Date

Daytime Phone Number 1-262-498-1612

E-mail Address mattaug@wi.rr.com

Instructions

Attachments:

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**KEITH G. BOSMAN
MAYOR**



**CITY OF KENOSHA
625 - 52nd Street
Kenosha, Wisconsin 53140
(262) 653-4000
Fax (262) 653-4010**

October 13, 2011

The Honorable Common Council
CITY OF KENOSHA
Kenosha, WI 53140

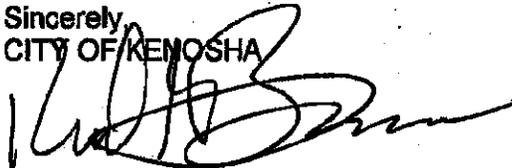
Dear Ladies and Gentlemen:

I hereby reappoint the following persons to the Mayor's Youth Commission for a two-year term which will expire November 1, 2013:

Officer Jeff Wamboldt, 1000 55th Street, Kenosha (SOEI filed 8/31/11)
Kimberly Renkas, 3810 61st Street, Kenosha (SOEI filed 9/16/11)

I am confident these members will continue to be conscientious and hardworking members of the Mayor's Youth Commission.

Sincerely,
CITY OF KENOSHA


Keith G. Bosman
Mayor

KGB:jd

This form must be filed with:
 City Clerk/Treasurer
 City of Kenosha



This space for office use:
 Postmark/Received Date:
 AUG 31 2011
 Interoffice
 CITY OF KENOSHA
 CITY CLERK/TREASURER

CITY OF KENOSHA
Statement of Economic Interest

Wamboldt Jeff J
 Last Name First Name Middle Initial

Position Held or Sought: Mayor's Youth Commission

General filing information:

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Name of Business	Address	Describe Nature of Business
<u>Barnett-Wamboldt Eye Care</u>	<u>6116 - 39th ave</u>	<u>optometry</u>

2. REAL ESTATE. List the specific location of real estate located in the City of Kenosha in which you, your spouse, cohabitant or domestic partner had an interest except your principal residence and real estate whose location you listed in Item 1. If none, state none.

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<u>None</u>		

3. EMPLOYER. List your and your spouse's, cohabitant's or domestic partner's employers. If self-employed list nature of business. If none, state none.

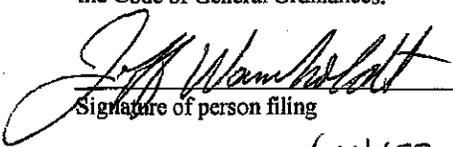
Name of Employer If City of Kenosha identify office or department	City	State	Nature of employer's business
<u>Kenosha Police</u>	<u>Kenosha</u>	<u>WI</u>	<u>Police Officer</u>
<u>Self-Employed</u>	<u>Kenosha</u>	<u>WI</u>	<u>Eye Care</u>

Rev. 07/27/11

4. **FOR PROFIT AND NOT-FOR-PROFIT AFFILIATIONS.** List organizations with which you, your spouse, cohabitant or domestic partner was affiliated as an officer, director or any other paid or unpaid position unless already listed in Item 1. If none, state none.

Name of Organization	Nature of Organization	City and State	Position
None			

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 8/30/11
 Signature of person filing Date

Daytime Phone Number (262) 657-3937

E-mail Address jjw338@kenosha.police.com

Instructions

Attachments:

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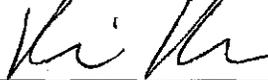
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Name of Organization	Nature of Organization	City and State	Position
Mayor's Youth Comm.		Kenosha, WI	Chairman

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 Signature of person filing 9/16/11
 Date

Daytime Phone Number (262) 818-7077

E-mail Address krenkas17@gmail.com

Instructions

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**KEITH G. BOSMAN
MAYOR**



**CITY OF KENOSHA
625 - 52nd Street
Kenosha, Wisconsin 53140
(262) 653-4000
Fax (262) 653-4010**

October 13, 2011

The Honorable Common Council
CITY OF KENOSHA
Kenosha, WI 53140

Dear Ladies and Gentlemen:

In accordance with Ordinance 44-11 approved by Common Council on September 7, 2011, I hereby appoint the following persons to the Commission on the Arts whose terms will expire November 1, 2013:

1. Donald Miller, 320B 55th Street, Kenosha (SOEI filed 9/28/11)
2. Maureen Cashin Bolog, 518 56th Street, Kenosha (SOEI filed 9/29/11)
3. Emily Delabruue, 600 52nd Street, Kenosha (SOEI filed 9/30/11)
4. Jayne Herring, 4301 6th Avenue, Kenosha (SOEI filed 9/30/11)
5. Francisco Loyola, 1355 62nd Street, #3, Kenosha (SOEI filed 9/30/11)
6. MaryPat Andrea, 2401 60th Street, Kenosha (SOEI filed 10/3/11)

I am confident these individuals will be informed and hard-working members of the Commission on the Arts.

Sincerely,
CITY OF KENOSHA

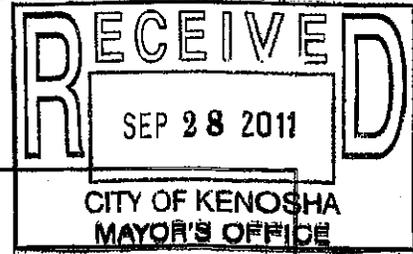

Keith G. Bosman
Mayor

KGB:jd

This form must be filed with:
City Clerk/Treasurer
City of Kenosha



This space for office use:
Postmark/Received Date:



SEP 28 2011

1:35 AM
17

CITY OF KENOSHA

Statement of Economic Interest

Miller Last Name Donald First Name S Middle Initial
320 B 55th STREET, Primary Residence Address Kenosha WI Municipality [City/Town/Village]

Position Held or Sought: ARTS Commission

General filing information:

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Name of Business	Address	Describe Nature of Business
<u>NONE</u>		

2. **REAL ESTATE.** List the specific location of real estate located in the City of Kenosha in which you, your spouse, cohabitant or domestic partner had an interest except your principal residence and real estate whose location you listed in Item 1. If none, state none.

LOCATION OF PROPERTY Street address or tax parcel no. if vacant land	TYPE OF PROPERTY (e.g., farm, apartment, condominium or second home)	NATURE OF INTEREST (e.g., own, lease, option, easement, land contract, partnership, limited liability company)
<u>NONE</u>		

3. **EMPLOYER.** List your and your spouse's, cohabitant's or domestic partner's employers. If self-employed list nature of business. If none, state none.

Name of Employer If City of Kenosha identify office or department	City	State	Nature of employer's business
<u>INSTRUMENT SPECIALISTS INC</u>	<u>TWIN LAKES</u>	<u>WI</u>	<u>THERMAL ANALYSIS INSTRUMENT PRODUCTION & SALES</u>

Rev 09/08/11

4. **FOR PROFIT AND NOT-FOR-PROFIT AFFILIATIONS.** List organizations with which you, your spouse, cohabitant or domestic partner was affiliated as an officer, director or any other paid or unpaid position unless already listed in Item 1. If none, state none.

Name of Organization	Nature of Organization	City and State	Position
NONE			

I certify that the information contained in this *Statement of Economic Interest* is true, correct and complete to the best of my knowledge, information and belief. In the event this Statement of Economic Interest is filed prior to the time for filing set forth in Section 29.04 of the Code of General Ordinances, I certify that I will amend it, if amendment is necessary, to bring it into conformity with the true statement of my economic interest as of the time for filing set forth in Section 29.04 of the Code of General Ordinances.

[Signature] 9-26-11
 Signature of person filing Date

Daytime Phone Number ~~262-877-3600~~ 708-217-8030

E-mail Address dondrumma@yahoo.com

Instructions

Attachments:

Additional pages may be used to provide all of the information necessary to complete your Statement of Economic Interest. Attached pages should conform to the same formatting as the existing Statement of Economic Interest.

Definitions:

- BUSINESS ACTIVITIES.** List businesses, farms, rental, commercial, and income-producing real estate and business activities in the City of Kenosha in which you, your spouse, cohabitant or domestic partner had at least a 10% or greater interest. Include interests owned directly or through (a) a partnership; (b) a corporation (c) a limited liability company; (d) a limited liability partnership; (e) a trust; or (f) any other enterprise.
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Name of Organization	Nature of Organization	City and State	Position
Downtown BID	Business Improvement	Kenosha WI	member
Harvey PTA	School PTA	Kenosha WI	Member
Irish American Heritage Center	Cultural Center	Chicago IL	Founding Director of Children's Irish Education Program. 2000-2004

I certify that the information contained in this *Statement of Economic Interest* is true, correct and complete to the best of my knowledge, information and belief. In the event this Statement of Economic Interest is filed prior to the time for filing set forth in Section 29.04 of the Code of General Ordinances, I certify that I will amend it, if amendment is necessary, to bring it into conformity with the true statement of my economic interest as of the time for filing set forth in Section 29.04 of the Code of General Ordinances.

Maura Poole Boley 29 Sept 2011
 Signature of person filing Date

Daytime Phone Number 262-705-0194

E-mail Address actorcrafft@aol.com

Instructions

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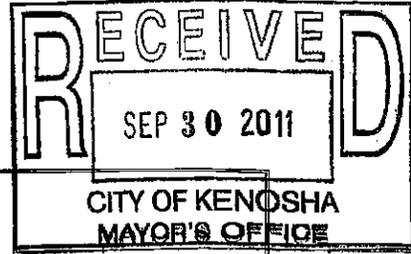
* Are you looking for former Employers here? Attached Bio includes past Employment history.

This form must be filed with:
 City Clerk/Treasurer
 City of Kenosha



This space for office use:
 Postmark/Received Date:

SEP 30 2011



CITY OF KENOSHA
Statement of Economic Interest

DELABRUE EMILY F.
 Last Name First Name Middle Initial
5225 31ST AVENUE, KENOSHA, WI 53144
 Primary Residence Address Municipality [City/Town/Village]

Position Held or Sought: SEAT ON MAYOR'S COMMISSION ON THE ARTS

General filing information:

- The information sought in this form is required by Chapter XXIX of the Code of General Ordinances.
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Name of Business	Address	Describe Nature of Business
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Name of Employer If City of Kenosha identify office or department	City	State	Nature of employer's business
KENOSHA AREA CHAMBER OF COMMERCE	KENOSHA	WI	BUSINESS ORGANIZATION

Rev. 09/08/11

4. **FOR PROFIT AND NOT-FOR-PROFIT AFFILIATIONS.** List organizations with which you, your spouse, cohabitant or domestic partner was affiliated as an officer, director or any other paid or unpaid position unless already listed in Item 1. If none, state none.

Name of Organization	Nature of Organization	City and State	Position
NONE			

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Emily Delabru 9/28/11
 Signature of person filing Date

Daytime Phone Number (262) 654-1234

E-mail Address emily@kenoshaarea.chamber.com

Instructions

Attachments:

Additional pages may be used to provide all of the information necessary to complete your Statement of Economic Interest. Attached pages should conform to the same formatting as the existing Statement of Economic Interest.

Definitions:

1. **BUSINESS ACTIVITIES.** List businesses, farms, rental, commercial, and income-producing real estate and business activities in the City of Kenosha in which you, your spouse, cohabitant or domestic partner had at least a 10% or greater interest. Include interests owned directly or through (a) a partnership; (b) a corporation (c) a limited liability company; (d) a limited liability partnership; (e) a trust; or (f) any other enterprise.
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 - List all for profit and not-for-profit organizations except those listed in Item 1.



SEP 30 2011

CITY OF KENOSHA
Statement of Economic Interest

*dd
4:10*

Herring Jayne D.
 Last Name First Name Middle Initial
4301 GUYANE Kenosha, WI 53140
 Primary Residence Address Municipality [City/Town/Village]

Position Held or Sought: Commissioner - Arts Commission

General filing information:

- The information sought in this form is required by Chapter XXIX of the Code of General Ordinances.
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Name of Business	Address	Describe Nature of Business
<u>So. Fusee</u>	<u>SAMU</u>	<u>Hobby business - fused glass art</u>

2. REAL ESTATE. List the specific location of real estate located in the City of Kenosha in which you, your spouse, cohabitant or domestic partner had an interest except your principal residence and real estate whose location you listed in Item 1. If none, state none.

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<u>None</u>		

3. EMPLOYER. List your and your spouse's, cohabitant's or domestic partner's employers. If self-employed list nature of business. If none, state none.

Name of Employer If City of Kenosha identify office or department	City	State	Nature of employer's business
<u>Gateway Technical college</u>	<u>Kenosha</u>	<u>WI</u>	<u>Education</u>
<u>PROVIX Professional Research</u>	<u>Brookfield</u>	<u>WI</u>	<u>Private Investigation</u>

Rev. 09/08/11

4. **FOR PROFIT AND NOT-FOR-PROFIT AFFILIATIONS.** List organizations with which you, your spouse, cohabitant or domestic partner was affiliated as an officer, director or any other paid or unpaid position unless already listed in Item 1. If none, state none.

Name of Organization	Nature of Organization	City and State	Position
Kenosha Area Family Aging Services	social service	Kenosha WI	Vice President

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Jayne D. Herring 9/30/11
 Signature of person filing Date

Daytime Phone Number 262-496-0016

E-mail Address jdherring@jayneherring.com

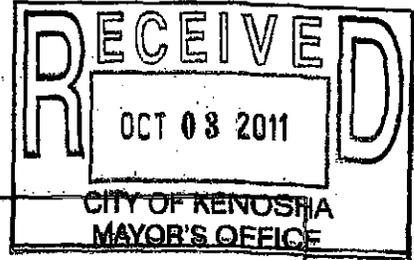
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OCT 5 2011

CITY OF KENOSHA
Statement of Economic Interest

LOYOLA FRANCISCO J
 Last Name First Name Middle Initial
1355 - 52ND STREET NO. 3 KENOSHA, WI 53140
 Primary Residence Address Municipality [City/Town/Village]

Position Held or Sought: CITY OF KENOSHA COMMISSION ON THE ARCS

General filing information:

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Name of Business	Address	Describe Nature of Business
<u>EXPOSEKENOSHA.COM</u>	<u>1351-52ND STREET NO. 3</u>	<u>ARCS PROMOTION</u>

2. **REAL ESTATE.** List the specific location of real estate located in the City of Kenosha in which you, your spouse, cohabitant or domestic partner had an interest except your principal residence and real estate whose location you listed in Item 1. If none, state none.

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3. **EMPLOYER.** List your and your spouse's, cohabitant's or domestic partner's employers. If self-employed list nature of business. If none, state none.

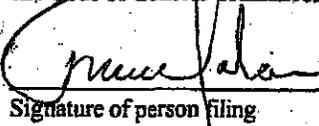
Name of Employer If City of Kenosha identify office or department	City	State	Nature of employer's business
<u>CAROLYN'S COFFEE CONNECTION</u>	<u>KENOSHA</u>	<u>WI</u>	<u>COFFEE SHOP</u>
<u>HARPER COLLEGE</u>	<u>PACATINE</u>	<u>IL</u>	<u>COLLEGE</u>

Rev. 09/08/11

4. **FOR PROFIT AND NOT-FOR-PROFIT AFFILIATIONS.** List organizations with which you, your spouse, cohabitant or domestic partner was affiliated as an officer, director or any other paid or unpaid position unless already listed in Item 1. If none, state none.

Name of Organization	Nature of Organization	City and State	Position

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 09/29/11
 Signature of person filing Date

Daytime Phone Number (262) 945-9411

E-mail Address FRANCISCO LOYOLA@GMAIL.COM

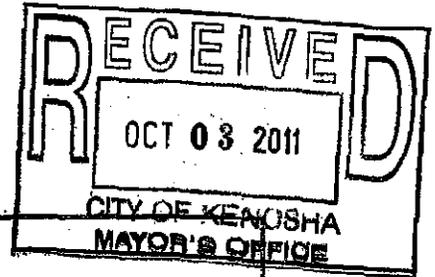
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OCT 5 2011
CITY OF KENOSHA
Statement of Economic Interest

Andrea Mary Pat
 Last Name First Name Middle Initial
508-68th St. Kenosha, WI 53143
 Primary Residence Address Municipality [City/Town/Village]

Position Held or Sought: City of Kenosha Arts Commission

General filing information:

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		none

3. EMPLOYER. List your and your spouse's, cohabitant's or domestic partner's employers. If self-employed list nature of business. If none, state none.

Name of Employer If City of Kenosha identify office or department	City	State	Nature of employer's business
<u>Andrea's, Inc.</u>	<u>Kenosha</u>	<u>WI</u>	<u>Merchandise Manager (Retail)</u>

Rev. 09/08/11

4. **FOR PROFIT AND NOT-FOR-PROFIT AFFILIATIONS.** List organizations with which you, your spouse, cohabitant or domestic partner was affiliated as an officer, director or any other paid or unpaid position unless already listed in Item 1. If none, state none:

Name of Organization	Nature of Organization	City and State	Position
			none

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Marypat Andrea 9-30-11
 Signature of person filing Date

Daytime Phone Number 262-657-7732

E-mail Address marypat-andreas@wi.rr.com

Instructions

Attachments:

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SECOND LEASE AMENDMENT

And

ASSIGNMENT AND ASSUMPTION OF LEASE

By And Between

MAYRA KENOSHA, INC., Lessee,

And

THE CITY OF KENOSHA, WISCONSIN, Lessor

And

PARK SIDE HOTEL LIMITED PARTNERSHIP, Former Lessee / Partnership

For Premises Known As

BEST WESTERN HARBORSIDE,

5125 - 6th Avenue,

Kenosha, Wisconsin

WHEREAS, the Board of Harbor Commissioners of Kenosha, Wisconsin, with the approval of the Common Council of the City of Kenosha, Wisconsin, entered into a lease dated the 18th day of July, 1967, with **Downtown Motor-Marina Inn, Inc.**, for a portion of the premises located at 5125 - 6th Avenue, Kenosha, Wisconsin, as more particularly described therein ("Leased Premises"), and which is currently known as **BEST WESTERN HARBORSIDE** ("Lease"), a copy of which is attached hereto as Exhibit A (recorded in the Kenosha County Register of Deeds Office on July 31, 1967, in Volume 757 of Records, Page 193, as Document No. 496488);

WHEREAS, **Downtown Motor-Marina Inn, Inc.** previously assigned its interest in the Lease to **Kenosha Harbor Inn Enterprises** by an Assignment of Lease dated October 21, 1970 (recorded in said Register's Office November 4, 1970 in Volume 834 of Records, Page 406, as Document No. 526983);

WHEREAS, Kenosha Harbor Inn Enterprises previously assigned its interest in the Lease to **Park Side Hotel Company** by an Assignment of Lease dated July 31, 1985 (recorded in said Register's Office on January 2, 1986 in Volume 1209 of Records, Page 24, as Document No. 746749);

WHEREAS, Park Side Hotel Company previously assigned its interest in the Lease to **Park Side Hotel Limited Partnership a/k/a Parkside Hotel, LTD. a/k/a Parkside Hotel Limited Partnership** ("Partnership" and/or "Former Lessee") by an Assignment of Lease dated December 17, 1986 (recorded in Register's Office on January 2, 1986 in Volume 1209 of Records, Page 29, as Document No. 746751);

WHEREAS, on July 18, 1994, an amendment to the Lease ("First Amendment"), a copy of which is attached hereto as Exhibit B, recorded in the Kenosha County Register of Deeds Office on September 16, 1996, as Document No. 1035677 was entered into by Partnership as Lessee, and the **CITY OF KENOSHA, WISCONSIN** ("**CITY**"), and its Board of Harbor Commissioners, as Lessors ("First Amendment");

WHEREAS, under the terms of the First Amendment the tenancy of that portion of the Leased Premises abutting Lake Michigan, as more particularly described therein and identified as the "Released Premises", was terminated and City acquired possession of said property;

WHEREAS, by virtue of the First Amendment and the **CITY's** taking possession of the Released Premises the requirement of the installation of steel sheeting as a condition of renewing the Lease as more particularly set forth in Paragraph 3 of the Lease is void;

WHEREAS, the **CITY** constructed a promenade upon and along the Released Premises;

WHEREAS, by Exercise of Option to Extend Lease by Partnership recorded in said Register's Office on September 16, 1996, as Document No. 1035678, Partnership and City agreed to extend the term of the Lease for an additional period of 25 years in accordance with the terms of the Lease;

WHEREAS, MAYRA KENOSHA, INC. (“Lessee”) has entered into an agreement with Partnership for the purchase of the real estate and business located at 5125 - 6th Avenue, Kenosha, Wisconsin, including the assignment and assumption of the Lease and the right to occupy the Leased Premises (“Sale”);

WHEREAS, Lessee desires to extend and amend said Lease (hereinafter, the Lease, the First Amendment, the Assignments and Extensions of the Lease, this Second Lease Amendment, all as above and herein described, are collectively hereinafter sometimes referred to as the “Lease”);

WHEREAS, Lessor is willing to consent to the foregoing transition whereby Lessee will assume the Lease.

NOW, THEREFORE, in consideration of the mutual undertakings, promises, agreements, understandings and undertakings hereinafter set forth, and good and valuable consideration, the sufficiency of which is hereby acknowledged by the parties hereto, the undersigned agree as follows:

- 1. Lessor Consent to Assignment and Assumption By and Between Lessee and Former Lessee.** The Lessor hereby consents to the assignment of the Lease from the Partnership to Lessee. Lessee, by acceptance of this Second Lease Amendment and Assignment, and the Lease, as amended above and as described, hereby assumes all rights, obligations, duties, title and interests under the Lease, effective upon closing of the Sale between the Partnership and Lessee (the “Closing Date”). Lessee agrees to indemnify and save Former Lessee harmless against any and all claims, demands, or liabilities arising under the Lease and accruing from and after the Closing Date. Former Lessee agrees to indemnify and save Lessee harmless from and against any and all claims, demands, or liabilities arising under the Lease and accruing prior to the Closing Date. From and after the Closing Date, Lessor acknowledges Former Lessee is released from all obligations, duties, title, rights and interest under the Lease from and after the Closing Date.
- 2. Term.** The term of the Lease shall be extended to July 17, 2066 (“Amended Term”).

A. **Option.** Lessee shall have the option of renewing the Lease (“Renewal Option”) for an additional period of twenty-five (25) years from July 18, 2066, to July 18, 2091 (“Additional Lease Term”), on the same terms and conditions contained in the Lease. In the event the Lessee desires to exercise said Renewal Option, it shall give written notice to the Lessor, not less than one hundred twenty (120) days prior to the expiration of the Lease. Should Lessor fail to give notice within such one hundred twenty (120) day time period, Lessee shall lose the right to exercise the Renewal Option. Any holding over after expiration of the term of the Lease shall not be construed either in law or in fact as a renewal of the Lease for any period of time and all rights of the Lessee shall terminate without any notice from Lessor to Lessee.

3. **Rent.** Lessee shall pay as rent the sum of Eighteen Thousand Dollars (\$18,000.00) per year commencing on the first day of the month after this Amendment is executed by the parties hereto (“Effective Date”). Payments shall be made in equal monthly installments due on the first of each month. A late fee equal to five percent (5%) of the monthly payment shall be due for payments not made by the tenth of the month. Effective on the third anniversary of the Effective Date of this Amendment Lessee shall pay Twenty Four Thousand Dollars (\$24,000.00) per year. On the fifth anniversary of the Effective Date the rent shall be computed by multiplying \$30,000.00 by a fraction, the numerator of which shall be the monthly U.S. Department of Labor’s (“Labor”) U.S. Consumer Price Index – All Urban Consumers-US Cities Average – All Items-Index Base Period (1982-84=100) (“CPI-U”) most recently published, and the denominator of which shall be the CPI-U for the months of the commencement of this Amendment. In no case, however, shall the increase in Rent be more than three percent (3%), nor shall it be less than thirty Thousand Dollars (\$30,000.00) per annum. Lessee shall pay said sum for years five (5) through nine (9) of the amended Term. On the tenth anniversary of the Effective Date, and every five (5) years thereafter, the Lessor and Lessee agree the Rent shall be subject to adjustment as follows.

The Rent in effect immediately prior to the applicable adjustment shall be multiplied by a fraction, the numerator of which shall be the monthly CPI-U most recently published, and the denominator of which shall be the CPI-U used during the calculation of the Rent on the immediately preceding Rent adjustment. In no case, however, shall the Rent in effect after any adjustment be increased by more than three percent (3%), nor shall it be less than the Rent in effect immediately preceding the date of any applicable adjustment. Should Labor discontinue the publication of the CPI-U, or publish the same less frequently, or alter the same in some other manner as to make it unworkable under this Article, Lessor and Lessee shall agree on and shall adopt a substitute index or procedure which reasonably reflects and monitors consumer prices in determining any adjustment in Rent.

4. Paragraph 7 of the Lease is amended to read as follows:

“Insurance. Lessee shall procure and maintain, during the Lease, insurance policies as hereinafter specified to insure against all risk and loss on the dates of its use of the Leased Premises. The policies must be issued by an insurance company or companies authorized to do business in the State of Wisconsin and licensed by the State of Wisconsin. Lessee shall annually furnish a Certificate of Insurance indicating compliance with the foregoing, including the naming of Lessor as an “additional insured”, and proof of payment of premium to the Lessor for approval. Lessee shall also provide Lessor with a copy of the endorsement naming Lessor as an additional insured. The insurance policy or policies shall contain a clause that in the event any policy issued is canceled for any reason, or any material changes are made therein, Lessor will be notified, in writing, by the insurer at least thirty (30) days before any cancellation or change takes effect. If for any reason, the insurance coverage required herein lapses and/or Lessee fails to maintain insurance coverage and such lapse or failure continues for fifteen (15) days after notice from Lessor to Lessee, Lessor may terminate this Lease as of the date no valid insurance policy was in effect. Certificates of policy renewals shall be furnished to the Lessor throughout the life of the

Lease. Lessor reserves the right to reasonably increase the minimum liability insurance requirement set forth herein upon furnishing sixty (60) days advance written notice to Lessee, whenever minimum standards of the Lessor for all insurance policies comparable to those covering Lessee's operations hereunder are enacted which adopt or increase the minimum insurance requirements, and Lessee shall comply with said request, upon being given such advance, written notice thereof, or be considered in material default of the Lease. Should Lessee fail to furnish, deliver and maintain such insurance coverage, Lessor may obtain such insurance coverage and charge Lessee the cost of such insurance coverage plus all appropriate administrative charges and incidental expenses associated with the transaction. The failure of Lessee to take out and/or maintain the required insurance shall not relieve Lessee from any liability under the Lease. The insurance requirement shall not be construed to conflict with the obligations of Lessee in Section 4 of this Amendment. Lessee shall maintain during the course of the Lease a General Liability Insurance policy with a minimum limit of One Million Dollars (\$1,000,000.00) each occurrence and Two Million Dollars (\$2,000,000.00) general aggregate. In addition, Lessee shall maintain during the course of the Lease an Umbrella Liability policy with a minimum limit of Five Million Dollars (\$5,000,000.00). The Umbrella Liability policy shall not contain exclusions or exceptions not present in the General Liability Insurance policy.

5. Indemnity and Hold Harmless. Lessee does hereby agree that it will, at all times, beginning on the Closing Date and continuing thereafter during the course of the Lease, indemnify and hold harmless Lessor, and their officers and employees against any and all claims, liability, loss, charges, damages, costs, expenses or reasonable attorneys' fees, which any of them may hereafter sustain, incur or be required to pay as a result of incidents occurring after the Closing Date, on the Leased Premises that are the result of the negligence, gross negligence or willful misconduct of Lessee, its officers, employees or representatives; or as a result of any operations, works, acts or omission performed on the Leased Premise

by Lessee, its officers, employees, or representatives; or resulting from Lessee's failure to perform or observe any of the terms, covenants and conditions of the Lease; or resulting from any conditions of the Leased Premises caused by or the result of the actions of Lessee, its officers, employees or representatives and by reason of which any person suffers personal injury, death or property loss or damage; provided, however, that the provisions of this paragraph shall not apply to claims, liabilities, losses, charges, damages, costs, expenses, or attorneys' fees caused or resulting from the negligent, grossly negligent, willful or intentional acts or omissions of Lessor, or any of its officers or employees or agents, in which case Lessor will indemnify and hold harmless Lessee and its officers, and employees and agents. Upon the filing with Lessor of a claim for damages arising out of any incident(s) which Lessee herein agrees to indemnify and hold Lessor and others harmless, Lessor shall notify Lessee of such claim, and in the event that Lessee does not settle or compromise such claim, then Lessee shall undertake the legal defense of such claim both on behalf of Lessee and Lessor. It is specifically agreed, however, that Lessor, at its own cost and expense, may participate in the legal defense of any such claim. Any judgment, final beyond all possibility of appeal, which may be rendered against Lessor, or their officers or employees for any cause for which Lessee is liable hereunder, shall be conclusive against Lessee as to liability and amount of damages. Lessee shall not be liable in any way for any claims, liability, loss, charges, damages, costs or expenses relating to the time period before the Closing Date. This provision shall survive expiration or termination of the Lease to the extent necessary to effectuate its purpose.

6. Access to Released Premises. Lessee shall not gate or otherwise prohibit public access to and along the Released Premises. Further, **CITY** shall have the right to construct any pier and/or dock in the water alongside the Released Premises and **CITY** shall have access to and use of the Retained Premises for such purpose.

11. Representation of Authority to Enter into Lease. Each of the undersigned hereby represents and warrants that: (a) such party has all requisite power and authority to execute this Lease Amendment; (b) the execution and delivery of this Lease Amendment by the undersigned, and the performance of its terms thereby have been duly and validly authorized and approved by all requisite action required by law; and (c) this Lease Amendment constitutes the valid and binding agreement of the undersigned, enforceable against each of them in accordance with the terms of the Lease.

12. Constitution of Lease. Except as set forth hereinabove, the Lease remains unchanged and is in full force and effect. Upon execution of this Amendment, the term "Lease" as used in the Lease shall mean and include the Lease as amended by the First Amendment to the Lease and by this Second Amendment.

IN WITNESS WHEREOF the said parties have executed this Amendment as of _____,
2011.

MAYRA KENOSHA, INC.
A Wisconsin Corporation

BY: _____
SYED BOKARI, President
Date: _____

STATE OF CONNECTICUT)
:SS.
COUNTY OF _____)

Personally came before me this _____ day of _____, 2011, **Syed Bokari, President**, of **MAYRA KENOSHA, INC**, a Wisconsin corporation, to me known to be such president of said corporation, and acknowledged that he executed the foregoing instrument as such officer as the agreement of said corporation, by its authority.

Notary Public, _____ County, ____.
My Commission expires/is: _____

**CITY OF KENOSHA, WISCONSIN
A Municipal Corporation**

BY: _____
KEITH G. BOSMAN, Mayor

Date: _____

BY: _____
MICHAEL K. HIGGINS,
City Clerk/Treasurer

Date: _____

STATE OF WISCONSIN)
:SS.
COUNTY OF KENOSHA)

Personally came before me this _____ day of _____, 2011, **Keith G. Bosman, Mayor**, and **Michael K. Higgins, City Clerk/Treasurer**, of the **CITY OF KENOSHA, WISCONSIN**, a municipal corporation, to me known to be such Mayor and City Clerk/Treasurer of said City, and acknowledged that they executed the foregoing instrument as such officers as the agreement of said City, by its authority.

Notary Public, Kenosha County, WI.
My Commission expires/is: _____

**PARK SIDE HOTEL LIMITED
PARTNERSHIP**

BY: KENOSHA HOTEL
DEVELOPMENT, INC.,
General Partner

BY: _____
Joseph J. Dora, President

Date: _____

STATE OF WISCONSIN)
 :SS.
COUNTY OF KENOSHA)

Personally came before me this _____ day of _____, 2011, **Joseph J. Dora, President of Kenosha Hotel Development, Inc., General Partner of Park Side Hotel Limited Partnership**, to me known to be such President of Kenosha Hotel Development, Inc., General Partner of Parkside Hotel Limited Partnership, and acknowledged that he executed the foregoing instrument as such officer as the agreement of said entity, by its authority.

Notary Public, Kenosha County, WI.
My Commission expires/is: _____

LEASE **496488**

THIS INDENTURE made this 18th day of July, 1967, by and between the BOARD OF HARBOR COMMISSIONERS OF KENOSHA, WISCONSIN, with the approval of the Common Council of the City of Kenosha, Wisconsin, hereinafter referred to as the "LESSOR", and DOWNTOWNER MOTOR-MARINA INN, INC., a corporation of the City of Kenosha, Wisconsin, hereinafter referred to as the "LESSEE".

WITNESSETH:

In consideration of the rent and agreements of the Lessee herein, the Lessor does hereby lease, demise and let unto the said Lessee the following described land, to-wit:

PARCEL 1: Lot One (1), Lot Three (3), and the South Thirty-three (33) feet of Lot Two (2), in Block Eighty-six (86) of the Village of Southport, a Subdivision in the Northeast Fractional Quarter (1/4) of Section Thirty-one (31), Township Two (2) North, of Range Twenty-three (23) East, according to the plat thereof, lying and being in the City of Kenosha, County of Kenosha and State of Wisconsin; ALSO Part of Lots Four (4) and Five (5) and a portion of the alley lying between Lots Five (5) and Six (6), in Block Eighty-six (86) of the Plat of the Village of Southport and being part of the Northeast 1/4 of Section 31, Township 2 North, Range 23 East, and more particularly described as follows: Commencing at a point in the East line of Fifth Court which runs in a Northeasterly and Southwesterly direction through said Block 86, said point being 247.10 feet Northerly measured along the West line of Lots 6, 7, 8 and 9 of said Block 86 from the point of intersection of the East line of Sixth Avenue and the Easterly line of Fifth Court; thence South 88° 48' East to the Center line of Pike Creek; thence Northerly along and upon the center line of said Creek to a point where the said center line of the Creek intersects the North line of Lot numbered 4, of Block 86 extended East to the center line of said Creek; thence West along and upon the North line of said Lot 4 of Block 86 extended to the North West corner of said Lot 4 of Block 86 and the East line of Fifth Court; thence Southerly along and upon the East line of said Fifth Court 134.55 feet and to the point of beginning. Said land being in the City of Kenosha, County of Kenosha and State of Wisconsin; ALSO Part of Block 86 in the North East fractional 1/4 of Section 31, Township 2 North, Range 23 East, described as follows, to-wit: Commencing at a point on the West line of said Block which point is 125.42 feet Northerly of the intersection of the extension Southerly of the West line of said Block with the South line of said 1/4 Section; thence North 9° West along and upon the Westerly line of said Block, 73.93 feet; thence North 26° 2' East along and upon the Southeasterly line of Fifth Court 247.1 feet; thence South 88° 48' East and to the center line of the Kenosha Harbor; thence Southerly along and upon the center line of the Kenosha Harbor to a point which is North 88° 45' 30" East from the point of beginning; thence South 88° 45' 30" West and parallel with the South line of said 1/4 section to the point of beginning.

ALSO that part of Fifth Court (platted as South Water Street), which lies between the West line and the North line of Block 86, Village of Southport.

PARCEL 2: Part of Lots One (1) and Four (4) in Block Eighty (80) of the City of Kenosha on the Northeast fractional quarter of Section 31,

VOL 757 PAGE 193

EXHIBIT

"A"

VOL 757 PAGE 194

Township 2 North, Range 23 East and particularly described as commencing on the Southeast corner of Lot 1 of said Block 80; thence West on the South line of Lots 1 and 4 aforesaid to the point which is 30 feet West of the Southeast corner of Lot 4 of said Block; thence North to the North line of Lot 1 and at the point thereof which is 30 feet East of the Northwest corner of said Lot 1; thence East to the East line of Lot 1 aforesaid; thence South on the East line of said Lot 1 to the place of beginning, together with all accretions thereto and riparian rights connected therewith and dockage thereon or belonging thereto; said premises lying and being in the City of Kenosha, County of Kenosha and State of Wisconsin: ALSO Lot 2 in Block 80 of part of the Northeast quarter of Section 31, Township 2 North, Range 23 East of the fourth Principal Meridian and lying and being in the City of Kenosha, County of Kenosha and State of Wisconsin; ALSO part of the Northeast Quarter of Section 31, Township 2 North, Range 23 East of the Fourth Principal Meridian, more particularly described as follows: Beginning on the South line of Lot 4 in Block 80 at a point which is 30 feet West from the Southeast corner of said Lot 4 and running thence West along and upon the South line of Lots 4 and 3 to a point which is 66 feet East from the Southwest corner of Lot 3, thence running Northerly parallel with the West line of said Lot 3, 41 feet; thence running Easterly parallel with the South line of Lots 3 and 4 to the Westerly line of said Lot 1; thence running Northwesterly along and upon the Westerly line of said Lot 1 to the Northwest corner of said Lot; thence running Northeasterly on the North line of Lot 1, 30 feet; thence running Southerly to the point of beginning, and lying and being in the City of Kenosha, County of Kenosha and State of Wisconsin.

PARCEL 3: That part of Lots 5, 6, 7, and 8, in Block 74, lying East of a line drawn parallel with Milwaukee Avenue, now Seventh Avenue, and 276.8 feet East of the East line of said Seventh Avenue and lying and being in the Northeast quarter of Section 31, in Township 2 North, of Range 23 East, meaning and intending hereby to describe all that part of said Block 74 lying North of the South line of said Lot 8 and South of the North line of said Block and East of the aforesaid line and West of the center line of Pike River or Pike Creek, so-called; Together with all accretions thereto and all riparian rights thereunto belonging or in any wise appertaining. Said land being in the City of Kenosha, County of Kenosha and State of Wisconsin. ALSO Lot 9 in Block 74, except the West 100 feet thereof, to be taken off by a line parallel with the West or Front line of said Lot, and Lot 10 in Block 74, except the West 100 feet thereof to be taken off by a line parallel with the West or front line of said Lot on the Northeast Quarter of Section 31, in Township 2 North, Range 23 East of the Fourth Principal Meridian and lying and being in the City of Kenosha, County of Kenosha and State of Wisconsin.

There shall be excepted therefrom, the following described property, to-wit:

Part of the Fractional Northeast Quarter of Section 31, Town 2 North, Range 23 East of the Fourth Principal Meridian lying and being in the City of Kenosha, County of Kenosha, State of Wisconsin, and more particularly described as follows:

Beginning at a point on the West line of Block 86, of the "ORIGINAL TOWN OF SOUTHPORT", a Subdivision of record, which point is 225.42 feet Northerly of the Intersection of the extension Southerly of the West line of said Block with the South line of said Quarter Section; thence N 90°-00'-00" W along and upon the Westerly line of said Block 154.41 feet to a point that is 33.00 feet North of the south line of Lot 2 of said Block; Thence N 81°-00'-00" E along and upon a line that is

parallel to the South line of Lot 2, 66.00 feet to a point in the East line of said Lot; Thence N 9°-00'-00" W along and upon said East line 99.00 feet to a point in the South line of 51st Place; (so-called) Thence S 81°-00'-00" W along and upon said South line 66.00 feet to a point in the West line of the aforesaid Block 86; Thence N 9°-00'-00" W along and upon the extension of the West line of said Block 86, 33.00 feet to the center line of 51st Place; (so-called) Thence N 81°-00'-00" E along and upon said center line 320.19 feet; Thence S 22°-02'-37" W 410.51 feet; Thence N 67°-57'23" W 126.64 feet to the point of beginning. Containing 1.50 Acres, be the same more or less.

It is mutually understood and agreed that 51st Place shall be vacated as a street or public throughfare and that the portion lying S of the center line of said street is embraced by the property described above as specifically excepted from this lease, the portion of said street which lies N of the center line and abuts upon subject property shall fall within the terms of this lease.

1. To have and to hold unto the said Lessee for the term of Twenty-five (25) years from and after the 1st day of July, 1967, the Lessee yielding and paying rent therefore, the sum of \$5,000.00 per year, payable in equal monthly installments commencing with the 1st day of July, 1967, or such 1st day of the month after this property is made available for the use of the Lessee.

2. The Lessee shall have the option of renewing the within lease for an additional period of 25 years on the same terms and conditions as herein contained. It is understood that in the event the Lessee shall desire to exercise said option, it shall first give written notice to the Lessor, not less than 60 days prior to the expiration day of this Lease to the effect that it desires to and will exercise said option of renewal for said additional 25 years; and unless such written notice is given to the Lessor within the time above mentioned, the Lessee shall lose the right to exercise the said option of renewal herein provided for. Any holding over after said 25 years, without giving the above referred-to written notice, shall not be construed either in law or in fact as a renewal of this Lease for any period of time. All rights of the Lessee after said 25 years shall terminate without any notice from the Lessor to the Lessee.

3. The Lessee shall have an option of renewing this lease for an additional period of forty-nine (49) years, over and above the additional period of 25 years provided for in paragraph 2 above, in the event and on the condition that the Lessee, prior to the termination of this lease, installs steel sheeting along the harbor line, as established by the U. S. Corps of Engineers, extending from the southern property line of the leased premises,

L VOL 757 PAGE 195

in a northeasterly direction for a distance of approximately 460 feet, said line being part of the eastern property line of the leased premises above described.

4. The premises hereby leased shall be used as and for access, parking, and grounds for a motel, restaurant, bar room, Marina, and related facilities to be built on adjoining property and on the property which is the subject of this lease. The Lessee agrees to obey any and all laws of the State of Wisconsin and Ordinances of the City and County of Kenosha, Wisconsin, pertaining in any way to the business to be conducted on said premises.

5. The Lessee hereby agrees to pay the said rent at the time and in the manner aforesaid, during the continuance of said term and shall not have the right to assign this lease or sublet any portion of the premises hereby leased, except upon the written approval of the Lessor. Lessor agrees it will not unreasonably withhold such approval if requested.

6. If at any time during the term of this lease the Lessee shall be or become bankrupt either voluntary or involuntary or shall make an assignment for the benefit of its creditors or in case a receiver shall be appointed for it or any of its creditors, or in case a receiver shall be appointed for it by any court having competent jurisdiction, then and in either case the Lessor shall have the right to forthwith cancel and terminate this lease and agreement subject, however, to the right of the holders of any mortgages on the motel which is to be constructed on the adjoining parcel of real estate above described and above excepted from the description of the premises which are subject to this lease and the holders of any mortgages on any new buildings to be built on the parcel of real estate hereinafter described in paragraph 12 of this lease, to within ninety (90) days designate in writing a successor in interest.

7. Lessee agrees to protect and save Lessor harmless from any claims for injuries to property or person resulting from accident or other happening on the premises and to carry public liability insurance of Five Hundred Thousand dollars to protect both Lessor and Lessee and to furnish to the Lessor certificates to show such insurance in force and naming the Lessor as an additional insured.

8. Lessee agrees during the term to insure and keep insured against damage by fire, wind or water, the fixtures in the sum of their insurable value.

VOL 757 PAGE 198

Lessee agrees not to keep or permit to be kept, or do or permit to be done, in or about the premises, anything of any character so hazardous as to render it difficult, impractical or impossible, to procure insurance against fire or other causes.

9. It is further agreed that the Lessee may make alterations, additions and improvements to the demised premises at its own cost and expense, and all of such alterations and improvements shall become a part of the real estate, shall remain on the premises, and all interest of the Lessee therein shall become immediately vested in the Lessor, subject to the terms of this lease.

10. It is further agreed that the Lessee shall keep the premises in as good repair as at the commencement of the term of this lease and shall perform the necessary maintenance and repairs needed to keep the existing concrete dock wall in the same, or better, condition in order to protect the leased premises from damage.

11. If default shall occur by Lessee in any of the agreements, stipulations or conditions herein, and shall continue for more than ninety (90) days after written notice thereof, it shall be lawful for Lessor to declare lease forfeited and term ended, and to re-enter the demised premises with or without process of law using such force as may be necessary to remove all persons, chattels, etc. therefrom and Lessor shall not be liable for damages by reason of such re-entry or forfeiture.

12. The Lessee shall have the first option to purchase the following described property, to-wit:

Part of the Northeast Quarter of Section 31, Town 2 North, Range 23 East of the Fourth Principal Meridian lying and being in the City of Kenosha, County of Kenosha, State of Wisconsin and more particularly described as follows:

Part of Lots One (1), Two (2) and Four (4) in Block Eighty (80) of the "Original Town of Southport", a subdivision of record with the Kenosha County Land Registry, and more particularly described as Beginning on the north line of 51st Place, 66.00 feet N. 81° 00' 00" E. of the east line of 6th Avenue, said point of beginning also being the southwest corner of Lot Four (4) of said subdivision; thence N. 9° 00' 00" W. and parallel to said east line of 6th Avenue 41.00 feet; thence N. 81° 00' 00" E. and parallel to the north line of 51st Place 71.73 feet to a point in the east line of Lot Four (4) of said Block Eighty (80); thence N. 58° 43' 30" W. along and upon said east line 124.98 feet to a point in the south line a public alleyway, said point also being the northwest corner of Lot Two (2) of the aforesaid subdivision; thence N. 43° 27' 00" E. along and upon the south line

VOL 757 PAGE 197

of said alleyway and the northerly line of Lot Two (2), 54.24 feet; thence S. 46° 33' 00" E. 195.32 feet to a point in the north line of the aforesaid 51st Place, said point being 18.29 feet N. 81° 00' 00" E. of the southwest corner of Lot One (1) of the aforesaid subdivision; thence S. 81° 00' 00" W. along and upon said north line, 138.41 feet to the point of beginning.

for the sum of \$6,500.00, at any time during the term of this lease. In the event said option is exercised, the Lessor hereby agrees to deliver within a reasonable time a Quit Claim Deed therefor with a Guarantee Title Policy in the name of the Lessee, subject to a twenty (20) foot easement for the twenty-four inch (24") water main running across the eastern portion of the above described premises. Lessor agrees that said described property is embraced in the property covered by this lease, and that the rental for this lease shall be reduced to \$4,700.00 per year at such time as said property is conveyed by the Lessor to the Lessee.

13. It is further agreed that as part of the consideration for this lease, the Lessee agrees to do the following:

- (a) To expend a minimum of \$450,000.00, on Capital Improvements on that parcel of real estate described above and excepted from this lease, within three (3) years of the date said property is deeded to the Lessee by the Lessor.
- (b) To expend a minimum of \$30,000.00, on Capital Improvements to the real estate described above and which is the subject of this lease within three (3) years of the date of execution of this lease.

It is mutually understood that any unreasonable hardship arising out of a war, national emergency, strike, natural disaster or the like, shall entitle the Lessee to a reasonable extension of the time in which it is to complete the above required capital improvements. The term "Capital Improvements", as used in this lease, shall be defined as set forth in the Internal Revenue Code, and the U.S. Treasury Department Regulations shall apply.

14. It is further agreed that the Lessor shall assume the costs of relocating the twenty-four inch (24") water main which presently runs along the abandoned right-of-way of 5th Court, said water main to be relocated along 6th Avenue commencing at the intersection of 6th Avenue and the right-of-way of the vacated 5th Court; thence proceeding north along 6th Avenue to either 51st Place or a public alley; thence proceeding northeast in either 51st Place or said public alley to connect with the said existing twenty-four inch (24")

water main. In consideration of the Lessor relocating said water main along 51st Place the Lessee agrees to pay to the Lessor an additional one thousand dollars (\$1,000.00) per year rental to be added to the five thousand dollars (\$5,000.00) per year rental of this lease, said added amount to be paid as part of the rent in compliance with Paragraph 1, above, until the Lessor has been fully reimbursed for the cost of relocating the said twenty-four inch (24") water main, or until the total additional sum, paid in one thousand dollars (\$1,000.00) installments, reaches ten thousand dollars (10,000.00) whichever occurs first. In the event the said water main is relocated so that it runs along the public alley immediately north of 51st Place, the Lessee agrees to pay to the Lessor an additional one thousand dollars (\$1,000.00) per year to be added to the five thousand dollars (\$5,000.00) per year rental of this lease, said added amount to be paid as part of the rent in accordance with Paragraph 1, above, until the Lessor has been fully reimbursed for the cost of relocating the said twenty-four inch (24") water main, or until the total additional sum, paid in one thousand dollar (\$1,000.00) installments, reaches fifteen thousand dollars (\$15,000.00) whichever occurs first. In the event the water main is rerouted along 51st Place and then moved a second time at the request of the Lessee, then in that event the Lessee shall pay the entire cost of moving said main the second time.

IN WITNESS WHEREOF, the said Board of Harbor Commissioners of Kenosha, Wisconsin, Lessor, has caused these presents to be signed by Stig G. Wiren, its Chairman, and countersigned by John A. Serpe, its Secretary; and said DOWNTOWNER MOTOR-MARINA INN, INC., Lessee, has caused these presents to be signed by Louis J. Gatti, its President, and countersigned by Earl A. Guttormsen, its Secretary, at Kenosha, Wisconsin, and its corporate seal to be hereunto affixed this 18th day of July, 1967.

Signed in the presence of:

Genevieve B. Beard
Genevieve B. Beard
Verona B. Davies
Verona B. Davies

Board of Harbor Commissioners of Kenosha, Wisconsin

Stig G. Wiren
Stig G. Wiren, Chairman

Countersigned:

John A. Serpe
John A. Serpe, Secretary

Downtown Motor-Marina Inn, Inc.

Signed and sealed in the presence of:

Genevieve B. Beard
Genevieve B. Beard
Verona B. Davies
Verona B. Davies

Louis J. Gatti
Louis J. Gatti, President

Countersigned:

Earl A. Guttormsen
Earl A. Guttormsen, Secretary

(corporate seal)

LEASE AMENDMENT

By And Between

**PARKSIDE HOTEL, LTD., Lessee,
For Premises Known As
HOLIDAY INN-HARBORSIDE,
5125 - 6th Avenue,
Kenosha, Wisconsin (Lessee),**

And

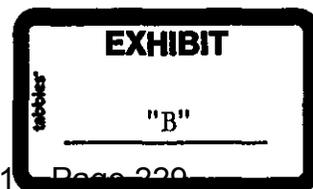
**THE CITY OF KENOSHA, WISCONSIN,
And Its BOARD OF HARBOR COMMISSIONERS**

WHEREAS, the Board of Harbor Commissioners of Kenosha, Wisconsin, with the approval of the Common Council of the City of Kenosha, Wisconsin, entered into a Lease dated the 18th day of July, 1967, with **Downtown Motor-Marina Inn, Inc.**, for a portion of the premises currently known as **HOLIDAY INN-HARBORSIDE**, located at 5125 - 6th Avenue, Kenosha, Wisconsin, which is used for automobile parking; and,

WHEREAS, **Downtown Motor-Marina Inn, Inc.** has previously lawfully assigned its interest in said Lease to **Kenosha Harbor Inn Enterprises** by an Assignment of Lease dated April 17, 1970; and,

WHEREAS, **Kenosha Harbor Inn Enterprises** has previously lawfully assigned its interest in said Lease to **Park Side Hotel Company** by Assignment of Lease dated July 31, 1985; and,

WHEREAS, **Park Side Hotel Company** has previously lawfully assigned its interest in said Lease to **PARKSIDE HOTEL, LTD. (Partnership)** by Assignment of Lease dated December 15, 1986, the current **LESSEE**; and,



WHEREAS, on July 28, 1993, **LESSOR, CITY OF KENOSHA, WISCONSIN**, and its **BOARD OF HARBOR COMMISSIONERS**, served a Notice of Lease Default upon **LESSEE**, a copy of which is attached hereto as Exhibit "A" and incorporated herein by reference; and,

WHEREAS, LESSOR and LESSEE entered into this Agreement to resolve the issue of Lease default.

WITNESSETH;

LESSEE and LESSOR, in consideration of resolving a Notice of Lease Default, agree as follows:

1.) RELEASE OF EAST FIFTEEN (15') FEET OF THE SOUTH 396.5 FEET AND THE EAST SIXTY (60') FEET OF THE REMAINDER OF PARCEL NO. 12-223-31-177-014; AND, THE EAST FIFTY (50') FEET OF PARCEL NO. 12-223-31-177-001 OF LEASED PREMISES ABUTTING LAKE MICHIGAN. LESSEE permanently relinquishes all right and interest to the above described portion of leased premises abutting Lake Michigan, including associated riparian rights, as described on Exhibit "B", hereinafter referred to as "**released premises**", which is attached hereto and incorporated herein by reference. The portion of leased premises retained by **LESSEE** shall be hereinafter referred to as "**retained premises**".

2.) CONSTRUCTION OF SEAWALL PROTECTION AND PUBLIC PROMENADE. LESSOR will construct seawall protection in the form of a seawall, stone revetment or combination thereof, and will construct a public promenade (walkway) prior to the end of the 1995 construction season. In constructing said improvements, **LESSOR** shall be entitled to use entire leased premises, provided that **LESSOR** does what is in its power to mitigate any interruption of the business operations of **LESSEE**.

LESSOR will fill voids in parking lot and resurface parking lot abutting the released premises to the extent necessary to repair damage caused by the construction of improvements and undertake other work necessary to protect **LESSOR'S** improvements. The cost of doing such work on **LESSEE'S** retained premises is charged to **LESSEE** as an additional Lease Fee under paragraph 3., recovered over a five (5) year period of time. At **LESSEE'S** option, **LESSOR** will resurface parking lot of **retained premises** on the east side of the hotel building, and recover the actual cost of resurfacing by charging **LESSEE** an additional Lease Fee, over and above the Lease Fee specified in Paragraph 3., in equal installments, over a five (5) year period ending in 1999. **LESSOR** shall thereafter maintain said improvements in accordance with applicable Federal, State and City laws, rules and regulations.

3.) LEASE FEES. The parties hereto agree that lease fees may not be set at fair value as presently constituted, and agree to adjust same as follows:

Notwithstanding a reduction in the size of leased premises, the 1994 lease fees shall remain unchanged until December 31, 1994. Lease fees shall increase, effective January 1, 1994, from \$5,000.00 per year to \$7,500.00 for the year 1995; \$8,500.00 in 1996; \$9,500.00 in 1997; \$10,500.00 in 1998, and \$12,000.00 in 1999. Said payments for each of the years in questions shall be made in equal monthly installments.

In the year 2000, the parties shall be required to negotiate in good faith as to what the full fair market value of the leasehold interest in the land is. In the event that the parties are unable to reach an agreement as a result of said good faith negotiations, the fair market value of the leasehold interest in the land shall be determined through an arbitration process whereby each party appoints one appraiser and the two appoint a third. The decisions of the arbitrators may be filed in the Circuit Court of Kenosha

County pursuant to Wisconsin statutory law.

Notwithstanding the above, should leased premises be sold or assigned to another entity or party, excepting a lending institution which has a security interest in the property and exercises its rights to receive the property in the event of a default, the lease fee shall be established at the fair market value on the effective date of the sale or assignment. Said fair market value shall be determined pursuant to good faith negotiations between the parties or in the event of an impasse, each party may designate an appraiser who in turn shall designate a third appraiser and the conclusion of the appraisers may be filed with the Circuit Court of Kenosha County in accordance with Wisconsin statutory procedures therefor.

4.) PARKING FOR BOAT SLIPS. Should LESSOR install boat slips abutting the northern three hundred (300') feet of **released premises**, LESSEE shall allow LESSOR to have thereof, at no cost or expense, two (2) parking spaces per boat slip during the boating season, within an area of retained premises being within one hundred (100') feet of the boat slips.

5.) ASSIGNMENT BY LESSOR. THE BOARD OF HARBOR COMMISSIONERS assigns all of its right and interest in this Lease to **THE CITY OF KENOSHA, WISCONSIN**, who shall thenceforth be known as LESSOR.

6.) AUTHORITY.

a.) **PARKSIDE HOTEL, LTD.**, enters into this Lease Amendment under authority of _____.

b.) **CITY OF KENOSHA, WISCONSIN**, enters into this Lease Amendment under authority of action taken by its Common Council on the 18th day of

July, 1994.

c.) **BOARD OF HARBOR COMMISSIONERS** enters into this Lease Amendment under authority of action taken by its Board on the 11th day of

July, 1994.

PARKSIDE HOTEL, LTD, Lessee

BY: [Signature]
L.V. SHARP, Partner

Date: _____

BY: [Signature]
TIMOTHY DORA, Partner

Date: _____

BY: [Signature]
ROBERT W. DORA, Partner

Date: _____

BY: [Signature]
JOSEPH J. DORA, Partner

Date: _____

STATE OF WISCONSIN)
 :SS.
COUNTY OF KENOSHA)

Personally came before me this _____ day of _____, 1994, **L.V. SHARP, TIMOTHY DORA, ROBERT W. DORA, and JOSEPH J. DORA**, Partners, of **PARKSIDE HOTEL, LTD., LESSEE**, to me known to be such officers of said Partnership, and acknowledged to me that they executed the foregoing instrument as such officers as the agreement of said Partnership.

Notary Public, Kenosha County, WI.
My Commission expires/is: _____

CITY OF KENOSHA, WISCONSIN

BY: [Signature]
JOHN M. ANTARAMIAN, Mayor
Date: 8-10-94

BY: [Signature]
GAIL F. PROCARIONE,
City Clerk/Treasurer
Date: 8-10-94

STATE OF WISCONSIN)
 :SS.
COUNTY OF KENOSHA)

Personally came before me this 10th day of August, 1994, **JOHN M. ANTARAMIAN, MAYOR**, and **GAIL F. PROCARIONE, CITY CLERK/TREASURER**, of the **CITY OF KENOSHA, WISCONSIN**, a municipal corporation, to me known to be such Mayor and City Clerk/Treasurer of said municipal corporation, and acknowledged to me that they executed the foregoing instrument as such officers as the Agreement of said corporation.

[Signature]
Notary Public, Kenosha County, WI.
My Commission expires/is: 7-26-98

BOARD OF HARBOR COMMISSIONERS
BY: [Signature]
BRUCE MCCURDY, Chairman
Date: 8-11-94

BY: _____
Date: _____

STATE OF WISCONSIN)
 :SS.
 COUNTY OF KENOSHA)

Personally came before me this 11th day of August, 1994,
BRUCE MCCURDY, CHAIRMAN, and _____, _____, for the
BOARD OF HARBOR COMMISSIONERS of the City of Kenosha, Wisconsin, to me
known to be such Chairman and _____ of said Commission, and acknowledged
to me that they executed the foregoing instrument as such officers as the agreement of
said Commission.

Dorinda M. Serzynski
Notary Public, Kenosha County, WI.
My Commission expires/is: 7-26-98

Drafted by:
JAMES W. CONWAY,
City Attorney

OFFICE OF THE CITY ATTORNEY
MUNICIPAL BUILDING
625 - 52ND STREET 53140
PHONE (414) 656-8061
FAX (414) 656-8015



JAMES W. CONWAY
CITY ATTORNEY

EDWARD R. ANTARAMIAN
ASSISTANT CITY ATTORNEY

CHRISTINE M. GENTNER
ASSISTANT CITY ATTORNEY

July 20, 1993

Mr. Joseph Dora,
General Manager,
Holiday Inn - Harborside,
5125 - 6th Avenue,
Kenosha, Wisconsin 53140.

Re: Notice of Lease Default and
Demand That Corrective Action be
Taken Within Ninety (90) Days

Dear Mr. Dora:

PLEASE TAKE NOTICE that Parkside Hotel Limited Partnership, the owner and operator of the Holiday Inn-Harborside located at 5125 - 6th Avenue, Kenosha, Wisconsin, is in default of its lease with the City of Kenosha Board of Harbor Commissioners dated the 18th day of July 1967 in the following respects:

1.) Lessee has failed to perform the necessary maintenance and repair needed to keep the existing concrete dock wall in the same, or better, condition in order to protect the leased premises as required in Section 10 of the Lease. This violation is documented in your letter to Mayor John M. Antaramian dated July 6, 1993.

2.) Lessee has failed to keep the parking lot in a state of good repair as required in Section 10 of the Lease. This violation is documented in your letter to Mayor John M. Antaramian dated July 6, 1993.

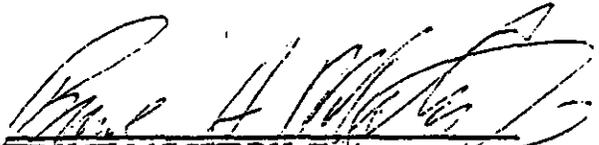
3.) Lessee has failed to pay Hotel/Motel Room Taxes and filing fees required by Section 2.16 of the Code of General Ordinances, as required in Section 4 of the Lease. This violation is documented in the records of the City Clerk/Treasurer.

Should the above defaults not be corrected within ninety (90) days of your receipt of this notice, Lessor shall declare Lease forfeited, term ended, and it shall re-enter

the demised premises with or without process of law, using such force as may be necessary to remove all persons, chattels, etc., therefrom in accordance with Section 11 of the Lease.

This notice is sent to you in your capacity of General Manager for and Partner of Parkside Hotel, Ltd.

Sincerely,


BRUCE MCCURDY, Chairman
Board of Harbor Commissioners
Dated: 7/26/93


DANIEL S. WINKLER, Secretary
Board of Harbor Commissioners
Dated: 7/27/93


JOHN M. ANTARAMIAN, Mayor
City of Kenosha, Wisconsin
Dated: 7-27-93


JAMES W. CONWAY, City Attorney
City of Kenosha, Wisconsin
Dated: 7-27-93

JWC:ri

PLAT
OF
LEASED AREA
SHOWING
RETAINED PREMISES
AND
RELEASED PREMISES

50TH STREET

50' RELEASED PREMISES

PARCEL 12-223-31-177-001

PUBLIC ALLEY

ALLEY

LEASED
(RETAINED PREMISES)

60' RELEASED PREMISES

KENOSHA

PARCEL 12-223-31-177-014

51ST PLACE

6TH AVENUE

LANDS OWNED BY
PARKSIDE HOTEL
LIMITED PARTNERSHIP

AREA

15' RELEASED PREMISES

KENOSHA

TITLE AND/OR LEASE LINES
AS SHOWN ON APRIL 4, 1985
PLAT OF SURVEY BY
KENOSHA COUNTY SURVEYOR
ROBERT L. SMITH

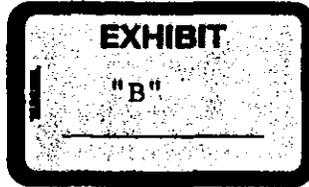
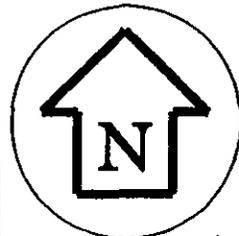
6TH AVENUE

LEASED
(RETAINED PREMISES)

396.5'

15' RELEASED PREMISES

52ND STREET



SCALE 1" = 120'

PHILLIPS, RICHARDS, MAYEW & CORRIGALL, S.C.
ATTORNEYS AT LAW
1025 FIFTY-SIXTH STREET
KENOSHA, WISCONSIN 53141-0677

(414) 658-4604
FAX (414) 658-9346

DAVID L. PHILLIPS (Ret'd)
CHARLES J. RICHARDS (1931-1991)
DONALD E. MAYEW
Circuit Court Commissioner
KEVIN CORRIGALL

PLEASE ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 677
KENOSHA, WI 53141-0677

JOHN MAAN de KOK
Also Licensed in Illinois
DAVID C. RICHARDS

August 8, 1994

James Conway
City Attorney
Municipal Building
625 - 52nd Street
Kenosha, WI 53140

**Re: Parkside Hotel, Ltd.
Lease Amendment**

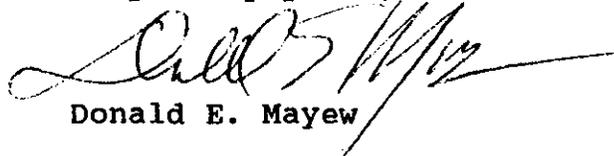
Dear Mr. Conway:

Enclosed please find the Lease Agreement between Parkside Hotel, Ltd. and the City of Kenosha.

However, because the parties involved are located in diverse areas of the Country, there is no possible way for me to notarize these signatures. Therefore, they have not been notarized. I really do not believe that this is essential to the validity of this Agreement. If you feel that the signatures need to be notarized we will have to recirculate the Agreement with specific instructions. However, this will take further time and effort.

Please advise.

Very truly yours,



Donald E. Mayew

DEM:mt
Enclosures

**CITY OF KENOSHA
SCHEDULES OF DISBURSEMENTS**

Disbursement Record 18

Approved by Council _____

The Finance Committee reviewed the attached listing of disbursements for the period from 09/16/11 through 09/30/11 and have approved the disbursements as follows:

1. Checks numbered from 109001 through 109440 as shown on attached listing consisting of:

a. Debt Service 8,402,575.00

b. Investments -0-

c. All Other Disbursements 8,811,889.74

SUBTOTAL 17,214,464.74

PLUS:

2. City of Kenosha Payroll Wire Transfers from the same period: 1,389,377.69

TOTAL DISBURSEMENTS APPROVED 18,603,842.43

David Bogdala

Daniel Prozanski Jr.

Katherine Marks

Eric Haugaard

Tod Ohnstad

Theodore Ruffalo

I have examined the vouchers listed on the attached sheets and have not found any unauthorized or improper payments. It must be understood that this statement in no way should be interpreted as a guarantee that errors do not exist. I have initially examined the attached vouchers for proper account classification. However, the account classifications as shown for the attached vouchers are subject to change upon subsequent review by both myself and respective department heads of the City of Kenosha.

Respectfully submitted,

Carol J. Hencat

Carol J. Hencat
Director of Finance

**FISCAL NOTE
CITY OF KENOSHA
DEPARTMENT OF FINANCE**

PREPARED FOR: Finance Committee

ITEM: Disbursement Record #18

ESTIMATED FINANCIAL IMPACT:

No additional fiscal note needed.

Date Prepared: 10/10/11

Prepared By: 

Reviewed By: 

START DATE FOR SUMMARY: 9/16 END DATE FOR SUMMARY: 9/30

CHECK #	CHECK DATE	VENDOR NAME	ACCOUNT	DESCRIPTION	AMOUNT
109001	9/16	ABILITY GLASS & HOME IMP	521-09-50101-246-000	LABOR	280.00
			521-09-50101-246-000	GLASS UNIT TINTED	246.50
				..... CHECK TOTAL	526.50
109002	9/16	ACE HARDWARE	110-03-53103-361-000	08/11 ST MERCHANDISE	82.44
			110-05-55109-248-000	08/11 PA MERCHANDISE	70.74
			110-05-55109-246-000	08/11 PA MERCHANDISE	57.48
			110-05-55109-344-000	08/11 PA MERCHANDISE	48.68
			110-03-53103-389-000	08/11 ST MERCHANDISE	36.56
			110-05-55109-389-000	08/11 PA MERCHANDISE	34.76
			110-05-55109-244-000	08/11 PA MERCHANDISE	25.45
			110-03-53109-375-000	08/11 ST MERCHANDISE	14.99
			110-03-53109-389-000	08/11 ST MERCHANDISE	12.47
			110-05-55109-386-000	08/11 PA MERCHANDISE	11.40
			524-05-50101-389-000	08/11 PA MERCHANDISE	4.40
				..... CHECK TOTAL	399.37
109003	9/16	AMALGAMATED TRANSIT UN 998	110-00-21556-000-000	9/16/11 UNION DUES	2,691.54
109004	9/16	VIKING ELECTRIC SUPPLY	110-03-53109-375-000	8/11-ST ELECTRICAL M	12.02
109005	9/16	BIO-AQUATIC SERVICES, LLC	110-05-55109-219-000	AQUATIC WEED CONTROL	3,890.00
109006	9/16	BUMPER TO BUMPER	630-09-50101-393-000	8/11-CE PARTS/MATERI	1,386.57
			520-09-50201-317-000	8/11-TD PARTS/MATERI	733.21
			110-03-53103-344-000	8/11-ST PARTS/MATERI	575.02
			110-05-55109-344-000	8/11-PA PARTS/MATERI	209.64
			110-03-53113-389-000	8/11-ST PARTS/MATERI	186.96
			501-09-50104-344-000	8/11-SW PARTS/MATERI	73.33
			520-09-50201-347-000	8/11-TD PARTS/MATERI	52.77
			632-09-50101-264-000	8/11-SE PARTS/MATERI	39.95
			110-03-53109-361-000	8/11-ST PARTS/MATERI	19.98
			632-09-50101-389-000	8/11-SE PARTS/MATERI	16.18
				..... CHECK TOTAL	3,293.61
109007	9/16	HWY C SERVICE	630-09-50101-393-000	8/11-SE#3123 SERVICE	226.72
			501-09-50106-344-824	7/11-PA SERVICE/PART	135.48
			630-09-50101-393-000	8/11-SE#3123 SERVICE	88.06
				..... CHECK TOTAL	450.26

START DATE FOR SUMMARY: 9/16 END DATE FOR SUMMARY: 9/30

CHECK #	CHECK DATE	VENDOR NAME	ACCOUNT	DESCRIPTION	AMOUNT
109008	9/16	ICMA RETIREMENT TRUST	110-00-21572-000-000	9/1-15/11 CONTRIBS	78,651.37
			110-00-21599-000-000	9/1-15/11 CONTRIBS	3,655.00
				..... CHECK TOTAL	82,306.37
109009	9/16	KEN-CRETE PRODUCTS CO., INC.	501-09-50105-355-000	08/11 CONCRETE/MTRLS	4,448.50
			110-03-53103-355-000	08/11 CONCRETE/MTRLS	2,892.00
			403-11-51002-588-000	08/11 CONCRETE MTRLS	1,737.00
				..... CHECK TOTAL	9,077.50
109010	9/16	KENOSHA CITY EMPLOYEE'S	110-00-21562-000-000	09/16/11 CITY HRLY	14,129.19
			110-00-21562-000-000	09/16/11 WATER HRLY	4,112.60
			110-00-21562-000-000	09/16/11 MUSEUM HRLY	205.00
				..... CHECK TOTAL	18,446.79
109011	9/16	KENOSHA COUNTY SHERIFF DEPT	110-02-52108-256-000	08/11 PRISONER MAINT	4,557.00
109012	9/16	UNITED HOSPITAL SYSTEMS INC	110-09-56405-161-000	7/29/11 J DEWITT	535.40
109013	9/16	M A TRUCK PARTS	630-09-50101-393-000	8/11-CE MATERIALS/SU	2,803.95
			520-09-50201-347-000	8/11-TD MATERIALS/SU	1,267.40
				..... CHECK TOTAL	4,071.35
109014	9/16	MINNESOTA LIFE INSURANCE	110-00-21533-000-000	10/11 PREMIUM	12,476.43
			110-09-56304-156-000	10/11 PREMIUM	6,047.02
			110-00-15601-000-000	10/11 PREMIUM	1,534.72
			110-00-15201-000-000	10/11 PREMIUM	1,179.94
			520-09-50101-156-000	10/11 PREMIUM	506.91
			110-00-15202-000-000	10/11 PREMIUM	409.48
			631-09-50101-156-000	10/11 PREMIUM	245.40
			632-09-50101-156-000	10/11 PREMIUM	180.86
			110-00-14401-000-000	10/11 PREMIUM	103.51
			520-09-50201-156-000	10/11 PREMIUM	89.75
			521-09-50101-156-000	10/11 PREMIUM	85.15
			110-00-13127-000-000	10/11 PREMIUM	67.08
			520-09-50301-156-000	10/11 PREMIUM	55.07
			520-09-50105-156-000	10/11 PREMIUM	49.21
			630-09-50101-156-000	10/11 PREMIUM	26.85
			501-09-50101-156-000	10/11 PREMIUM	20.17
			520-09-50403-156-000	10/11 PREMIUM	14.52
			501-09-50103-156-000	10/11 PREMIUM	4.45
			520-09-50401-156-000	10/11 PREMIUM	2.74
				..... CHECK TOTAL	23,099.26

START DATE FOR SUMMARY: 9/16 END DATE FOR SUMMARY: 9/30

CHECK #	CHECK DATE	VENDOR NAME	ACCOUNT	DESCRIPTION	AMOUNT
109015	9/16	BADGER TRUCK CENTER	630-09-50101-393-000	08/11 SE #1858 PARTS	126.06
			630-09-50101-393-000	08/11 SE #2954 PARTS	34.50
				..... CHECK TOTAL	160.56
109016	9/16	SHOPKO DEPT. STORE	110-02-52203-382-000	8/11-FD#4 MERCHANDIS	19.99
109017	9/16	LORENZ TOPSOIL	501-09-50105-353-000	8/11-SW TOPSOIL	33.00
109018	9/16	KENOSHA WATER UTILITY	110-02-52102-219-000	TEST MSG 11-102750	30.00
109019	9/16	KENOSHA WATER UTILITY	110-01-51801-224-000	#4 09/01/11 WTR/STRM	2,239.78
			110-05-55102-224-000	#2 09/01/11 WTR/STRM	1,798.82
			110-05-55109-224-000	#2 09/01/11 WTR/STRM	1,772.72
			110-05-55109-223-000	#2 09/01/11 WTR/STRM	1,565.86
			110-03-53103-224-000	#2 09/01/11 WTR/STRM	1,049.66
			520-09-50301-223-000	#2 09/01/11 WTR/STRM	975.46
			110-02-52203-224-000	#2 09/01/11 WTR/STRM	614.10
			521-09-50101-224-000	#2 09/01/11 WTR/STRM	611.74
			110-03-53116-223-000	#5 09/01/11 WTR/STRM	529.20
			520-09-50301-224-000	#2 09/01/11 WTR/STRM	495.15
			110-05-55103-224-000	#2 09/01/11 WTR/STRM	455.37
			110-01-51801-223-000	#4 09/01/11 WTR/STRM	332.97
			110-01-51802-223-000	#5 2210 52ND ST	308.72
			110-02-52203-223-000	#2 09/01/11 WTR/STRM	289.90
			110-03-53103-223-000	#5 09/01/11 WTR/STRM	210.14
			461-11-51001-581-000	#2 09/01/11 WTR/STRM	197.92
			110-05-55109-224-000	#5 09/01/11 WTR/STRM	195.24
			520-09-50301-224-000	#5 09/01/11 WTR/STRM	118.00
			110-02-52203-224-000	#5 09/01/11 WTR/STRM	92.00
			110-03-53116-224-000	#5 09/01/11 WTR/STRM	72.00
			632-09-50101-224-000	#2 09/01/11 WTR/STRM	60.70
			110-03-53103-224-000	#5 09/01/11 WTR/STRM	51.24
			632-09-50101-224-000	#5 09/01/11 WTR/STRM	46.00
			110-05-55102-224-000	#5 09/01/11 WTR/STRM	46.00
			110-01-51802-223-000	#5 715 56TH ST	23.58
			110-05-55109-223-000	#5 09/01/11 WTR/STRM	11.92
			110-01-51802-224-000	#5 2210 52ND ST	5.24
			110-01-51802-224-000	#5 715 56TH ST	5.24
				..... CHECK TOTAL	14,174.67

START DATE FOR SUMMARY: 9/16 END DATE FOR SUMMARY: 9/30

CHECK #	CHECK DATE	VENDOR NAME	ACCOUNT	DESCRIPTION	AMOUNT
109020	9/16	UNITED STATES TREASURY	110-00-21581-000-000	9/16/11 BOGDANOVICH	102.79
			110-00-21581-000-000	09/16/11 G GRANADO	100.00
				..... CHECK TOTAL	202.79
109021	9/16	BROOKS TRACTOR, INC.	630-09-50101-393-000	08/11 SE #2593 PARTS	892.45
			630-09-50101-393-000	08/11 SE #2593 PARTS	256.30
			630-09-50101-393-000	08/11 SE PARTS & MAT	126.77
			630-09-50101-393-000	08/11 SE #2592 PARTS	65.59
			630-09-50101-393-000	08/11 SE #2216 PARTS	60.90
			630-09-50101-393-000	08/11 SE PARTS & MAT	27.75
			630-09-50101-393-000	08/11 SE #2216 PARTS	10.96
				..... CHECK TOTAL	1,440.72
109022	9/16	CAMOSY CONSTRUCTION CO., INC	405-11-51001-583-000	FINAL-BEACHHSE RAMP	611.28
109023	9/16	PORT-A-JOHN, INC.	110-05-55108-282-000	8/11-PIKE RVR PORTAB	638.00
			110-05-55108-282-000	8/11-SOUTHPORT PORTA	90.00
			110-05-55108-282-000	8/11-S PIER PORTABLE	90.00
			110-05-55108-282-000	8/11-ALFORD#1 PORTAB	90.00
			110-05-55108-282-000	8/11-HOBBS PK PORTAB	52.00
				..... CHECK TOTAL	960.00
109024	9/16	DON'S AUTO PARTS	110-02-52203-344-000	09/11 FD PARTS & MAT	351.59
			630-09-50101-393-000	08/11 SE #2716 PARTS	305.71
			630-09-50101-393-000	08/11 SE #2326 PARTS	162.12
			630-09-50101-393-000	05/11 SE #2745 PARTS	59.99
				..... CHECK TOTAL	879.41
109025	9/16	FABCO EQUIPMENT, INC.	630-09-50101-393-000	08/11 SE PARTS & MAT	713.78
			630-09-50101-393-000	08/11 SE #1368 PARTS	318.68
			630-09-50101-393-000	08/11 SE PARTS & MAT	122.68
			630-09-50101-393-000	08/11 SE #7358 PARTS	13.37
				..... CHECK TOTAL	1,168.51
109026	9/16	LOWE'S	110-03-53103-361-000	9/11-ST MERCHANDISE	251.72
109027	9/16	KENOSHA AREA CHAMBER	110-01-51301-263-000	F PACETTI ANNL MTG	25.00
109028	9/16	CHASE BANK KENOSHA	110-00-21513-000-000	09/15/11 SAL DEDUCT	206,032.04
			110-00-21612-000-000	09/15/11 SAL DEDUCT	70,202.92
			110-00-21511-000-000	09/15/11 SAL DEDUCT	47,557.09
			110-00-21513-000-000	09/16/11 HRLY DEDUCT	25,106.72
			110-00-21614-000-000	09/15/11 SAL DEDUCT	21,422.01
			110-00-21514-000-000	09/15/11 SAL DEDUCT	21,421.96
			110-00-21612-000-000	09/16/11 HRLY DEDUCT	12,693.08
			110-00-21511-000-000	09/16/11 HRLY DEDUCT	8,598.47
			110-00-21614-000-000	09/16/11 HRLY DEDUCT	3,168.61
			110-00-21514-000-000	09/16/11 HRLY DEDUCT	3,168.52
				..... CHECK TOTAL	419,371.42

START DATE FOR SUMMARY: 9/16 END DATE FOR SUMMARY: 9/30

CHECK #	CHECK DATE	VENDOR NAME	ACCOUNT	DESCRIPTION	AMOUNT
109029	9/16	ZILSKE LAW FIRM S C	110-09-56405-212-000 110-09-56405-212-000	6/18/10 D PALMER 10/8/10 V GASTALDI CHECK TOTAL	1,518.40 168.00 1,686.40
109030	9/16	DWD-UI	110-09-56308-157-000 520-09-50101-157-000 110-09-56308-157-000 110-09-56308-157-000 110-09-56308-157-000	08/11 UNEMPLOYMENT 08/11 UNEMPLOYMENT 08/11 UNEMPLOYMENT 08/11 UNEMPLOYMENT 08/11 UNEMPLOYMENT CHECK TOTAL	11,076.84 4,553.61 374.50 114.00 38.00CR 16,080.95
109031	9/16	DIGICORP COMMUNICATIONS	110-01-51801-227-000	07/11 PHONE SYSTEM S	380.00
109032	9/16	SHERRY'S CUSTOM T'S	521-09-50101-367-000 521-09-50101-367-000	9/11-AR UNIFORM PURC 9/11-AR UNIFORM PURC CHECK TOTAL	593.00 153.00 746.00
109033	9/16	LALONDE CONTRACTORS INC	409-11-51111-589-000	EST 4-39TH AVE RECON	98,994.49
109034	9/16	AT SYSTEMS GREAT LAKES	110-01-51201-219-000	09/11 CT ARMORED CAR	297.44
109035	9/16	L & M MEATS	524-05-50101-397-000	8/11-GO MEAT PRODUCT	36.90
109036	9/16	SCHELBLE & HEMMER, S.C.	110-00-21581-000-000	09/16/11 B GARRETT	120.50
109037	9/16	STAN'S INDUSTRIAL WOODWORK	630-09-50101-393-000	4' HARDWOOD LATH	2,010.00
109038	9/16	BENDLIN FIRE EQUIPMENT CO.	110-02-52203-369-000 110-02-52203-369-000 206-02-52205-344-000 110-02-52203-369-000 110-02-52203-344-000	RUBBER HOSE RUBBER HOSE 08/11 FD PARTS/MATER RUBBER HOSE 08/11 FD PARTS/MATER CHECK TOTAL	980.00 960.00 265.00 180.00 104.08 2,489.08
109039	9/16	PARKSIDE TRUE VALUE HARDWARE	110-02-52203-357-000	7/11-FD SUPPLIES	59.97
109040	9/16	TRIANGLE APPLIANCE	524-05-50101-235-000	REPAIR DISHWASHER	407.18
109041	9/16	CONNEY SAFETY PRODUCTS	520-09-50401-347-000	CONVEX MIRROR	92.25

START DATE FOR SUMMARY: 9/16 END DATE FOR SUMMARY: 9/30

CHECK #	CHECK DATE	VENDOR NAME	ACCOUNT	DESCRIPTION	AMOUNT
109042	9/16	CICCHINI ASPHALT LLC	401-11-51101-585-000	EST 3-RESURF PHS I	182,563.28
			401-11-51101-585-000	EST 4-RESURF PHS II	86,351.11
				..... CHECK TOTAL	268,914.39
109043	9/16	AECOM TECHNICAL SERVICES INC	493-11-50107-219-000	7/22-29 PHASE II ESA	7,455.86
109044	9/16	LEE PLUMBING, INC.	524-05-50101-249-000	8/11-GO HVAC, PLUMBI	233.00
			110-01-51801-241-000	8/11-MB A/C RM#98	207.50
			110-01-51801-241-000	8/11-MB A/C RM#98	176.00
				..... CHECK TOTAL	616.50
109045	9/16	CINTAS DOCUMENT MANAGEMENT	110-02-52101-219-000	08/11 PURGE SERVICE	17.50
109046	9/16	HUMANA CLAIMS	611-09-50101-155-527	09/14/11 MED CLAIMS	98,001.18
			611-09-50101-155-527	09/15/11 MED CLAIMS	14,620.41
			611-09-50101-155-527	09/15/11 PHARMACY	11,201.28
			611-09-50101-155-527	09/14/11 PHARMACY	2,122.10
				..... CHECK TOTAL	125,944.97
109047	9/16	DROPRITE TREE & LANDSCAPE	501-09-50106-219-824	STORM DMG CLEANUP	3,562.50
109048	9/16	EMERGING COMMUNITIES CORP	492-11-50301-219-000	09/11 CONSULT SERVC	2,500.00
			492-11-50301-219-000	08/11 CONSULT SERVC	2,500.00
				..... CHECK TOTAL	5,000.00
109049	9/16	DIVERSIFIED COLLECTION SVCS	110-00-21581-000-000	09/16/11 L SAYLOR	35.92
109050	9/16	MALLERY & ZIMMERMAN, SC	110-00-21581-000-000	9/16/11 CHRISTERSON	143.12
109051	9/16	MALSACK, J	110-09-56501-259-570	8/11 2516 42 AV-GRS	490.00
			110-09-56501-259-570	8/11 6809 152 AV-GRS	435.00
			110-09-56501-259-570	8/11 8643 16 AV-GRS	386.55
			110-09-56501-259-570	8/11 800 76 ST-GRAS	250.75
			110-09-56501-259-570	8/11 6111 12 AV-GRS	219.50
			110-09-56501-259-570	8/11 5126 62 ST-GRS	213.50
			110-09-56501-259-570	8/11 5031 24 AV-GRS	193.00
			110-09-56501-259-570	8/11 8739 34 AV-GRS	191.25
			110-09-56501-259-570	8/11 923 83 ST-GRAS	155.00
			110-09-56501-259-570	8/11 7839 22 AV-GRS	150.75
			110-09-56501-259-570	8/11 7623 30 AV-GRS	91.25
			110-09-56501-259-570	8/11 5919 18 AV-GRS	90.00
			110-09-56501-259-570	8/11 5809 16 AV-GRS	54.50
			110-09-56501-259-570	8/11 2019 62 ST-GRS	27.50
			110-09-56501-259-570	8/11 2023 62 ST-GRS	2.75
			110-09-56501-259-570	8/11 2009 62 ST-GRS	2.50
				..... CHECK TOTAL	2,953.80

START DATE FOR SUMMARY: 9/16 END DATE FOR SUMMARY: 9/30

CHECK #	CHECK DATE	VENDOR NAME	ACCOUNT	DESCRIPTION	AMOUNT
109052	9/16	BROOKHOUSE & HEMSING LAW	110-01-51303-212-000	8/11 P&F COMMISSION	120.00
109053	9/16	CRIVELLO-CARLSON	110-09-56405-212-000	5/5/10 N MIELOSZYK	583.80
109054	9/16	JENSEN TOWING	110-02-52103-219-000	8/11-#11-121291 TOWI	25.00
109055	9/16	WLECHA	783-00-21995-000-000	10/02-05 CONFERENCE	450.00
109056	9/16	QUALITY INN & SUITES	110-02-52203-263-000	M HAERTER 9/20-21	175.10
			110-02-52203-263-000	C LEIPZIG 9/20-21	175.10
			110-02-52203-263-000	W THOMAS 9/20-21	175.10
				..... CHECK TOTAL	525.30
109057	9/16	NORTHERN MIST LAWN SPRINKLER	110-05-55109-249-000	8/11-HARBORPARK IRRI	804.17
109058	9/16	MILWAUKEE 2-WAY INC.	422-11-51101-515-000	RADIO SYSTEM UPGRADE	17,500.00
109059	9/16	FORCE AMERICA	630-09-50101-393-000	05/11 SE PARTS/MATER	625.76
			630-09-50101-393-000	08/11 SE PARTS/MATER	157.86
				..... CHECK TOTAL	783.62
109060	9/16	SHERWIN INDUSTRIES	632-09-50101-246-000	7/11-SE PARTS/SERVIC	265.05
109061	9/16	WIS SCTF	110-00-21581-000-000	9/16/11 HRLY DEDUCT	1,352.50
109062	9/16	WIS DEPT OF TRANSPORTATION	110-02-52103-311-000	120 CITATION BOOKS	120.00
109063	9/16	CHASE BANK-DTC	304-00-22206-000-000	09/01/11 PRINC & INT	5,573,563.00
			399-00-22206-000-000	09/01/11 PRINC & INT	2,401,230.00
			308-00-22206-000-000	09/01/11 PRINC & INT	300,000.00
			523-00-22206-000-000	09/01/11 PRINC & INT	108,732.00
			309-00-22206-000-000	09/01/11 PRINC & INT	19,050.00
				..... CHECK TOTAL	8,402,575.00
109064	9/16	HALLMAN LINDSAY	110-05-55104-249-000	8/11-PA PAINT/PRODUC	299.60
109065	9/16	AUTO GLASS SPECIALISTS, INC.	630-09-50101-393-000	08/11 SE GLASS & ACC	100.00
109066	9/16	TIME WARNER CABLE	761-09-50101-225-000	9/09-10/08 PHONE SRV	57.32

START DATE FOR SUMMARY: 9/16 END DATE FOR SUMMARY: 9/30

CHECK #	CHECK DATE	VENDOR NAME	ACCOUNT	DESCRIPTION	AMOUNT
109067	9/16	RADISSON PAPER VALLEY HOTEL	110-02-52107-263-000	9/05-07 2 DETECTIVES	194.00
109068	9/16	ARAMARK	110-01-51801-246-000	08/11 MB ENTRANCE MA	98.28
			520-09-50202-246-000	08/11 TD ENTRANCE MA	41.64
			110-03-53116-246-000	08/11 WA ENTRANCE MA	40.00
			632-09-50101-246-000	08/11 SE ENTRANCE MA	16.00
			110-05-55109-246-000	08/11 PA ENTRANCE MA	15.12
				..... CHECK TOTAL	211.04
109069	9/16	BERGAMOT	110-05-55108-219-000	TOOLING MODIFICATION	124.08
109070	9/16	GATEWAY TECH COLLEGE	206-02-52205-264-000	D TILTON REFRESH	93.64
109071	9/16	WHOLESALE DIRECT INC	630-09-50101-393-000	8/11-SE PARTS/MATERI	255.71
109072	9/16	SAFEMART PEST CONTROL CO., INC	110-02-52203-246-000	8/11-FD EXTERMINATIN	161.00
			520-09-50202-246-000	8/11-TD EXTERMINATIN	55.00
			110-01-51801-246-000	8/11-MB EXTERMINATIN	32.00
			110-05-55109-246-000	8/11-PA EXTERMINATIN	26.00
			110-03-53116-246-000	8/11-WA EXTERMINATIN	25.00
			520-09-50401-246-000	8/11-TD EXTERMINATIN	24.00
			520-09-50202-246-000	8/11-TD EXTERMINATIN	24.00
			110-02-52110-246-000	8/11-PD EXTERMINATIN	23.00
				..... CHECK TOTAL	370.00
109073	9/16	PROCESSWORKS INC.	110-00-21578-000-000	09/13/11 CHECK REG	2,427.18
109074	9/16	MILWAUKEE TRUCK SALES INC	630-09-50101-393-000	8/11-SE#3045 PARTS	143.05
			630-09-50101-393-000	8/11-SE#3045 PARTS	75.89
				..... CHECK TOTAL	218.94
109075	9/16	RIMKUS, JASON	761-09-50101-111-000	5-8/11 PERFORM AWRD	500.00
			761-00-21514-000-000	5-8/11 PERFORM AWRD	7.25CR
			761-00-21512-000-000	5-8/11 PERFORM AWRD	15.20CR
			761-00-21511-000-000	5-8/11 PERFORM AWRD	21.00CR
			761-00-21513-000-000	5-8/11 PERFORM AWRD	27.00CR
				..... CHECK TOTAL	429.55
109076	9/16	PIRO, RALPH	761-09-50101-111-000	5-8/11 PERFORM AWRD	250.00
			761-00-21513-000-000	5-8/11 PERFORM AWRD	1.00CR
			761-00-21512-000-000	5-8/11 PERFORM AWRD	3.30CR
			761-00-21514-000-000	5-8/11 PERFORM AWRD	3.63CR
			761-00-21511-000-000	5-8/11 PERFORM AWRD	10.50CR
				..... CHECK TOTAL	231.57

START DATE FOR SUMMARY: 9/16 END DATE FOR SUMMARY: 9/30

CHECK #	CHECK DATE	VENDOR NAME	ACCOUNT	DESCRIPTION	AMOUNT
109077	9/16	IAFF/NATIONWIDE	110-00-21574-000-000	9/1-15/11 CONTRIBS	19,640.66
109078	9/16	AFLAC	110-00-21535-000-000	08/11 SAL DEDUCTS	2,005.84
			110-00-21535-000-000	8/12-9/02 HRLY DEDCT	614.64
			110-00-21536-000-000	08/11 SAL DEDUCTS	285.68
			110-00-21536-000-000	8/12-9/02 HRLY DEDCT	283.20
				..... CHECK TOTAL	3,189.36
109079	9/16	KENOSHA TIRE	110-05-55109-344-000	7/11-PA TIRES/REPAIR	15.00
			524-05-50101-344-000	7/11-PA TIRES/REPAIR	11.00
				..... CHECK TOTAL	26.00
109080	9/16	SPECTERA, INC.	110-00-21534-000-000	08/11 DEDUCTS	1,628.95
109081	9/16	ABSOLUTE CONSTRUCTION INC.	415-11-51104-583-000	ROOM EXPANSION	14,926.48
109082	9/16	CUSTOM RESTORATION	405-11-51004-583-000	EST 2-TUCKPOINTING	63,859.05
			405-11-51104-583-000	EST 2-TUCKPOINTING	4,620.82
				..... CHECK TOTAL	68,479.87
109083	9/16	GREAT WEST RETIREMENT SERV.	110-00-21576-000-000	9/1-15/11 CONTRIBS	8,497.23
109084	9/16	CENTRAL POOL SUPPLY, INC	110-05-55111-369-000	PORTABLE VACUUM PUMP	1,180.77
109085	9/16	FROEDTERT MEMORIAL HOSPITAL	110-09-56405-161-000	6/13/11 M POLOVINA	1,359.09
			110-09-56405-161-000	6/13/11 M POLOVINA	306.72
				..... CHECK TOTAL	1,665.81
109086	9/16	BYKOWSKI, JAMES, D.C.	110-09-56405-161-000	6/25/11 A LOPEZ	26.25
109087	9/16	IOD INCORPORATED	110-02-52102-219-000	#11-067794 MED REC	29.73
			110-09-56405-161-000	7/29/11 J DEWITT	8.57
			110-09-56405-161-000	8/11/11 M PURTEE	8.50
				..... CHECK TOTAL	46.80
109088	9/16	IHC - KENOSHA RADIOLOGY LLC	110-09-56405-161-000	7/29/11 J DEWITT	38.25
109089	9/16	KENOSHA EMERGENCY PHYSICIANS	110-09-56405-161-000	7/29/11 J DEWITT	294.10
109090	9/16	UNITED OCC MEDICINE	110-09-56405-161-000	7/12/11 T ALBRECHT	217.60

START DATE FOR SUMMARY: 9/16 END DATE FOR SUMMARY: 9/30

CHECK #	CHECK DATE	VENDOR NAME	ACCOUNT	DESCRIPTION	AMOUNT
109091	9/16	STONERIVER PHARMACY SOLUTION	110-09-56405-161-000	6/13/11 M POLOVINA	516.67
			110-09-56405-161-000	8/11/11 M PURTEE	9.97
				..... CHECK TOTAL	526.64
109092	9/16	NOVASIC, CHAD PT, LTD	110-09-56405-161-000	6/25/11 A LOPEZ	247.66
109093	9/16	LJH AMBULANCE INC	110-09-56405-161-000	6/13/11 M POLOVINA	871.55
109094	9/16	WISCONSIN JOB NOW	110-00-21905-000-000	COLUMBUS PARK-8/6/11	200.00
109095	9/16	DUMKE, JOHN E.	110-02-52601-261-000	8/11 362 MILES	200.91
109096	9/16	ANTARAMIAN, EDWARD	110-01-50301-261-000	6/22-24 SHEBOYGAN	107.15
			110-01-50301-263-000	6/22-24 SHEBOYGAN	20.00
				..... CHECK TOTAL	127.15
109097	9/19	COLDWELL BANKER REAL EST ONE	461-11-51001-581-000	EARNEST MONEY ACQ	10,000.00
109098	9/21	A & B PRO HARDWARE	110-05-55109-246-000	08/11 PA SUPPLIES &	43.29
			110-03-53103-389-000	08/11 ST SUPPLIES &	30.40
			110-02-52103-365-000	08/11 PD SUPPLIES &	12.56
			110-02-52203-382-000	08/11 FD SUPPLIES &	9.99
			110-01-51801-389-000	08/11 MB UPPLIES & S	9.50
			420-11-51102-583-000	08/11 MB SUPPLIES &	9.21
				..... CHECK TOTAL	114.95
109099	9/21	VIKING ELECTRIC SUPPLY	110-03-53109-375-000	8/11-ST ELECTRICAL M	70.36
			110-01-51801-389-000	8/11-MB ELECTRICAL M	66.64
				..... CHECK TOTAL	137.00
109100	9/21	GENERAL COMMUNICATIONS, INC.	520-09-50201-347-000	8/11-TD MISC. ITEMS	17.60
109101	9/21	KRANZ, INC.	630-09-50101-393-000	8/11-SE PRODUCTS	860.88
109102	9/21	KENOSHA ANIMAL HOSPITAL	213-09-50101-381-000	0811 CHICO-VITAMINS	57.03
			213-09-50101-381-000	06/11 MIKY-VET EXAM	32.98
				..... CHECK TOTAL	90.01
109103	9/21	KENOSHA JOINT SERVICES	110-02-52103-341-000	08/11 PATRL-FLT GAS	27,548.80
			110-02-52103-345-000	08/11 PATRL-FLT MNT	3,902.61
			110-02-52102-341-000	08/11 DTCTV-FLT GAS	3,637.23
			110-02-52109-341-000	08/11 SCU-FLT GAS	1,200.49
			110-02-52103-341-000	08/11 MOTORCYCLE-GAS	316.65
			110-02-52102-345-000	08/11 DTCTV-FLT MNT	211.91
			110-02-52109-345-000	08/11 SCU-FLT MAINT	120.66
			110-02-52101-341-000	08/11 ADMIN-FLT GAS	110.67
			110-02-52101-345-000	08/11 ADMN-FLT MAINT	8.25
				..... CHECK TOTAL	37,057.27

START DATE FOR SUMMARY: 9/16 END DATE FOR SUMMARY: 9/30

CHECK #	CHECK DATE	VENDOR NAME	ACCOUNT	DESCRIPTION	AMOUNT
109104	9/21	M A TRUCK PARTS	110-02-52203-344-000	08/11 FD MATERIALS &	914.58
			206-02-52205-344-000	08/11 FD MATERIALS &	513.56
				..... CHECK TOTAL	1,428.14
109105	9/21	SHERWIN WILLIAMS CO.	501-09-50105-344-000	8/11-ST PAINT/SUPPLI	32.09
109106	9/21	WINGFOOT COMMERCIAL TIRE	630-09-50101-393-000	08/11 CE TIRES/TUBES	10,781.81
			520-09-50106-346-000	08/11 TD TIRE REPAIR	638.99
			206-02-52205-344-000	08/11 FD TIRES/SERVI	249.85
			110-02-52203-344-000	08/11 FD TIRES/SERVI	175.32
				..... CHECK TOTAL	11,845.97
109107	9/21	TRAFFIC & PARKING CONTROL CO	110-03-53110-372-000	TRAFFIC SIGNS	1,637.57
			110-03-53110-372-000	08/11 TRAFFIC SIGNS	1,618.60
			110-03-53109-373-000	PEDESTAL BASES	1,500.00
				..... CHECK TOTAL	4,756.17
109108	9/21	WE ENERGIES	521-09-50101-223-000	06-07/11 STORMWATER	22,112.36
			110-05-55109-223-000	06-07/11 STORMWATER	4,314.46
			110-03-53103-223-000	06-07/11 STORMWATER	2,541.94
			205-03-53119-223-000	06-07/11 STORMWATER	1,077.22
			461-11-51001-581-000	06-07/11 STORMWATER	198.18
			463-11-50801-589-000	06-07/11 STORMWATER	70.46
			110-01-51802-223-000	4710 47 AV-STRMWTR	55.38
			110-01-51802-223-000	47TH AV-STORMWATER	43.72
			401-11-50612-581-000	06-07/11 STORMWATER	41.60
			110-01-51802-223-000	4722 47 AV-STRMWTR	35.24
			520-09-50301-223-000	06-07/11 STORMWATER	4.50
				..... CHECK TOTAL	30,495.06
			109109	9/21	PAYNE & DOLAN INC.	110-03-53103-355-000	8/11-ASPHALT MATERIA	629.25
109110	9/21	REINDERS INC.	110-05-55109-344-000	8/11-PA PARTS/SERVIC	168.73
			110-05-55109-344-000	8/11-PA PARTS/SERVIC	33.29
			110-05-55109-344-000	8/11-PA PARTS/SERVIC	18.19
			110-05-55109-344-000	8/11-PA RETURN PARTS	12.70CR
			110-05-55109-344-000	8/11-PA RETURN PARTS	90.50CR
				..... CHECK TOTAL	117.01
109111	9/21	WIS FUEL & HEATING INC	110-05-55109-341-000	8/11-PA LUBRICANTS/O	467.50

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START DATE FOR SUMMARY: 9/16 END DATE FOR SUMMARY: 9/30

CHECK #	CHECK DATE	VENDOR NAME	ACCOUNT	DESCRIPTION	AMOUNT
109112	9/21	C.J.W., INC.	524-05-50101-397-000	9/11-GO CONSUMABLE M	86.84
109113	9/21	DREAMSCAPE LAWN CARE	633-09-50101-249-000	08/11 GRASS CUTTING	147.68
			633-09-50101-249-000	08/11 LAWN FERTILIZA	90.00
				..... CHECK TOTAL	237.68
109114	9/21	AT&T SERVICES	110-02-52102-219-000	CASE #11-130663	40.00
109115	9/21	FEDEX	110-01-51306-312-000	08/30/11 FN-GFOA	31.68
109116	9/21	JOE'S CARPET SERVICE	110-05-55109-219-000	09/11 CARPET CLEANIN	200.00
109117	9/21	OFFICEMAX	110-01-51701-311-000	08/11 CD #1912 OFFC	240.20
			110-01-51101-311-000	09/11 FN #1913 OFFC	142.40
			110-02-52103-311-000	09/11 PD #1917 OFFC	84.85
			110-01-51303-311-000	09/11 HR #1916 OFFC	52.90
			110-02-52102-365-000	LAPTOP CASE	35.00
			110-02-52201-311-000	08/11 FD #1911 OFFC	11.59
			110-02-52103-311-000	09/11 PD #1917 OFFC	7.49
				..... CHECK TOTAL	574.43
109118	9/21	INDUSTRIAL MARKETING	630-09-50101-393-000	SEAL	296.85
			630-09-50101-393-000	SPRAY NOZZLE	156.00
			630-09-50101-393-000	WASHER	18.00
				..... CHECK TOTAL	470.85
109119	9/21	STATE CHEMICAL MANUFACTURING	630-09-50101-393-000	8/11-SE MATERIALS	635.05
109120	9/21	LINCOLN CONTRACTORS SUPPLY	501-09-50105-344-000	8/11-SW TOOLS/SUPPLI	28.82
			501-09-50105-361-000	8/11-SW TOOLS/SUPPLI	9.78
				..... CHECK TOTAL	38.60
109121	9/21	PLATINUM DESIGN & DEVELOPMNT	110-01-51102-539-000	DATABASE MGMT-UPDATE	812.50
109122	9/21	HOLLAND SUPPLY, INC.	630-09-50101-393-000	HOSE	1,784.00
109123	9/21	T-MOBILE	631-09-50101-226-000	8/08-9/07 WIRELESS C	42.19
109124	9/21	SPRINT	110-02-52102-219-000	CASE #11-102570	30.00

START DATE FOR SUMMARY: 9/16 END DATE FOR SUMMARY: 9/30

CHECK #	CHECK DATE	VENDOR NAME	ACCOUNT	DESCRIPTION	AMOUNT
109125	9/21	SERWE IMPLEMENT	630-09-50101-393-000	8/11-SE#2235 PARTS/S	427.40
109126	9/21	RACINE TRUCK SALES	110-03-53117-344-000	PERFORM REPAIRS	3,447.04
109127	9/21	HUMANA CLAIMS	611-09-50101-155-527	09/19/11 MED CLAIMS	131,703.42
			611-09-50101-155-527	09/16/11 MED CLAIMS	63,448.96
			611-09-50101-155-527	09/19/11 PHARMACY	26,258.27
			611-09-50101-155-527	09/16/11 PHARMACY	7,677.41
			611-09-50101-155-527	09/20/11 PHARMACY	3,203.74
			611-09-50101-155-527	09/20/11 MED CLAIMS	1,535.29
				..... CHECK TOTAL	233,827.09
109128	9/21	DROPRITE TREE & LANDSCAPE	407-11-51102-219-000	2011 TREE REMOVAL	8,814.00
			401-11-51104-586-000	09/11 TREE REMOVAL	3,901.50
				..... CHECK TOTAL	12,715.50
109129	9/21	TOWN & COUNTRY GLASS	110-01-51801-246-000	8/11-MB RM 203 GLASS	274.50
			110-01-51801-246-000	8/11-SE ENTRANCE GLA	150.00
				..... CHECK TOTAL	424.50
109130	9/21	HILLSIDE TRUE VALUE	501-09-50105-353-000	8/11-SW MISC. SUPPLI	19.76
			524-05-50101-389-000	8/11-PA MISC. SUPPLI	3.24
				..... CHECK TOTAL	23.00
109131	9/21	MISNER, RAY	110-01-50101-261-000	8/15/11 142 MILES	78.81
109132	9/21	MALSACK, J	110-09-56501-259-570	9/11 1740 BIRCH-GRS	294.50
			110-09-56501-259-570	9/11 6820 38 AV-GRS	239.40
			110-09-56501-259-570	9/11 2515 60 ST-GRS	176.22
			110-09-56501-259-570	9/11 2224 57 ST-GRS	159.84
			110-09-56501-259-570	9/11 6527 22 AV-GRS	155.50
			110-09-56501-259-570	9/11 4308 6 AVE-GRS	147.96
			110-09-56501-259-570	9/11 4806 17 AV-GRS	20.90
				..... CHECK TOTAL	1,194.32
109133	9/21	REMY BATTERY CO., INC.	630-09-50101-393-000	8/11-CE BATTERIES	999.39
109134	9/21	T & A INDUSTRIAL, LTD.	110-03-53116-389-000	COTTON WORK GLOVE	1,726.01
109135	9/21	COMMERCIAL IRRIGATION	524-05-50101-249-000	REPAIR IRRIGATION	1,161.36
			524-05-50101-249-000	REPAIR FACEPLATE	250.00
				..... CHECK TOTAL	1,411.36

START DATE FOR SUMMARY: 9/16 END DATE FOR SUMMARY: 9/30

CHECK #	CHECK DATE	VENDOR NAME	ACCOUNT	DESCRIPTION	AMOUNT
109136	9/21	NORTHERN MIST LAWN SPRINKLER	110-05-55109-249-000	08/11 IRRIGATION REP	438.97
109137	9/21	HUCKSTORF DIESEL INC.	630-09-50101-393-000	8/11-SE#22116 PARTS/	1,009.11
109138	9/21	CENTRAL SAW AND MOWER	110-05-55109-344-000	07/11 PA PARTS	83.20
			110-05-55109-344-000	08/11 PA PARTS	45.20
			110-05-55109-344-000	07/11 PA PARTS	43.12
			110-05-55109-344-000	08/11 PA PARTS	23.60
				..... CHECK TOTAL	195.12
109139	9/21	MTS SAFETY	110-02-52108-367-000	RAINCOATS	589.45
109140	9/21	AT&T	110-01-51801-227-000	08/11 653-8297	39.67
109141	9/21	MENARDS (KENOSHA)	501-09-50105-357-000	8/11-SW MERCHANDISE	181.59
			110-03-53103-246-000	8/11-ST MERCHANDISE	78.28
			110-05-55108-368-000	8/11-PA MERCHANDISE	29.55
			501-09-50105-361-000	8/11-SW MERCHANDISE	24.98
			632-09-50101-389-000	8/11-SE MERCHANDISE	22.96
			524-05-50101-361-000	8/11-GO MERCHANDISE	19.96
			501-09-50105-359-000	8/11-SW MERCHANDISE	12.04
			110-03-53109-389-000	8/11-ST MERCHANDISE	11.92
			632-09-50101-389-000	8/11-SE MERCHANDISE	9.46
				..... CHECK TOTAL	390.74
109142	9/21	HANSEN'S POOL & SPA INC	110-01-51801-382-000	08/11 FOUNTAIN SUPPL	84.95
109143	9/21	TOTAL CYCLERY	110-02-52103-344-000	07/11 #535 REPAIRS	59.45
			110-02-52103-344-000	08/11 #5 REPAIRS	53.53
			110-02-52103-344-000	08/11 #553 REPAIRS	21.23
			110-02-52103-344-000	06/11 #542 REPAIRS	18.68
			110-02-52103-344-000	08/11 #467 REPAIRS	14.02
				..... CHECK TOTAL	166.91
109144	9/21	BEECHWOOD DISTRIBUTORS	524-05-50101-397-000	09/11 BEER & SOFT DR	77.75
109145	9/21	ROCKFORD IND. WELDING	110-03-53103-344-000	08/11 ST SUPPLIES/RE	37.17
109146	9/21	TIME WARNER CABLE	110-01-51102-233-000	9/09-10/08 BROADBAND	74.95

START DATE FOR SUMMARY: 9/16 END DATE FOR SUMMARY: 9/30

CHECK #	CHECK DATE	VENDOR NAME	ACCOUNT	DESCRIPTION	AMOUNT
109147	9/21	BERGAMOT	110-05-55108-219-000	MEDALLIONS	950.00
109148	9/21	WHOLESALE DIRECT INC	630-09-50101-393-000	8/11-SE PARTS/MATERI	41.75
			630-09-50101-393-000	8/11-SE PARTS/MATERI	38.20
				..... CHECK TOTAL	79.95
109149	9/21	HAPPENINGS MAGAZINE	222-09-50101-259-908	9/11 REMEMBRANCE	413.00
			222-09-50101-259-908	8/18 & 8/25 PB&J ADS	413.00
				..... CHECK TOTAL	826.00
109150	9/21	WRIGHT, TRACY	110-00-45106-000-000	WITNESS FEES	161.00
109151	9/21	MUNCIE TRANSIT SUPPLY	520-09-50201-347-000	8/11-TD COACH PARTS	973.28
			520-09-50201-347-000	8/11-TD COACH PARTS	25.26
				..... CHECK TOTAL	998.54
109152	9/21	KENOSHA TIRE	110-05-55109-344-000	8/11-PA TIRES/REPAIR	63.50
109153	9/21	MILLER, AMBER L	110-00-44709-000-000	BARTENDER LICENSE	50.00
109154	9/21	BRIORN BUILDING CORP	110-00-44809-000-000	ESCROW-2811 18TH ST	4,000.00
109155	9/21	MARCOE, HEIDI	110-00-46394-000-000	APPLIANCE STICKER	15.00
109156	9/21	D & D QUALITY TRIM DIES, INC	110-03-53109-374-000	DRILL STREET LT ARM	100.00
109157	9/21	LAMBRECHT, CRAIG	520-09-50301-264-000	09/13/11 CHICAGO	175.00
			520-09-50301-261-000	09/13/11 CHICAGO	31.00
				..... CHECK TOTAL	206.00
109158	9/21	MIKOLAS, KEVIN	110-02-52601-261-000	08/11 423 MILES	234.77
109159	9/21	KUNZ, JOSHUA	110-09-56405-166-000	PPD INSTALLMENT	1,265.33
109160	9/21	RIEMER, RALPH	520-09-50101-367-000	2011 UNIFORM ALLOW	63.28
109161	9/23	BINDELLI BROTHERS, INC	110-09-56501-259-569	08/11 800 76TH ST	325.00
			110-09-56501-259-569	08/11 5216 40TH AVE	176.00
			110-09-56501-259-569	09/11 1900 22ND AVE	120.00
			110-09-56501-259-569	09/11 5706 8TH AVE	110.00
				..... CHECK TOTAL	731.00

START DATE FOR SUMMARY: 9/16 END DATE FOR SUMMARY: 9/30

CHECK #	CHECK DATE	VENDOR NAME	ACCOUNT	DESCRIPTION	AMOUNT
109162	9/23	BLONER, JOHN JR	761-09-50101-264-000	DSPS LICENSE	79.00
109163	9/23	ACCUTEMP MECHANICAL INC	633-09-50101-241-000	PREVENTATIVE MAINT.	620.00
109164	9/23	RNOW, INC.	630-09-50101-393-000	08/11 PARTS/MATERIAL	275.62
			630-09-50101-393-000	08/11 #2833 PARTS/MA	69.85
			630-09-50101-393-000	08/11 PARTS/MATERIAL	47.20
			630-09-50101-393-000	09/11 #2992 PARTS/MA	45.00
			630-09-50101-393-000	08/11 PARTS/MATERIAL	5.64
				..... CHECK TOTAL	443.31
109165	9/23	CHESTER ELECTRONICS SUPPLY	411-11-51102-539-000	08/11 DP PARTS & MAT	15.99
109166	9/23	KENOSHA CITY EMPLOYEE'S	110-00-21562-000-000	09/23/11 CITY HRLY	14,456.69
			110-00-21562-000-000	09/23/11 WATER HRLY	4,112.60
			110-00-21562-000-000	09/23/11 MUSEUM HRLY	205.00
				..... CHECK TOTAL	18,774.29
109167	9/23	KENOSHA CO HUMANE SOCIETY	110-04-54102-254-000	09/11 ANIMAL CONTROL	11,283.57
109168	9/23	UNITED HOSPITAL SYSTEMS INC	110-02-52101-219-000	07/11 11-100900 LAB	49.60
			110-02-52101-219-000	07/11 11-102448 LAB	49.60
			110-02-52101-219-000	07/11 11-103316 LAB	49.60
				..... CHECK TOTAL	148.80
109169	9/23	KENOSHA NEWS	110-01-51303-326-000	08/11 BUS OPERATOR	190.16
			110-00-21104-000-000	09/11 R & V DEVLPMT	43.75
				..... CHECK TOTAL	233.91
109170	9/23	FIRST SUPPLY CO.	524-05-50101-249-000	09/11 GO-SUPPL/SERVC	130.20
			110-03-53103-246-000	09/11 ST-SUPPL/SERVC	45.50
			110-02-52203-382-000	09/11 FD-SUPPL/SERVC	25.20
			110-05-55111-249-000	09/11 SUPPL/SERVICE	3.25
				..... CHECK TOTAL	204.15
109171	9/23	TRAFFIC & PARKING CONTROL CO	110-03-53109-373-000	TRAFFIC SIGNAL	2,810.00
109172	9/23	VAN'S GAS SERVICE INC	110-03-53116-341-000	08/11 WA PROPANE GAS	74.90
			630-09-50101-393-000	08/11 CE PROPANE GAS	33.55
			110-03-53103-355-000	08/11 ST PROPANE GAS	3.00
				..... CHECK TOTAL	111.45

START DATE FOR SUMMARY: 9/16 END DATE FOR SUMMARY: 9/30

CHECK #	CHECK DATE	VENDOR NAME	ACCOUNT	DESCRIPTION	AMOUNT			
109173	9/23	KENOSHA WATER UTILITY	521-09-50101-223-000	06-07/11 STORMWATER	22,112.36			
			110-05-55109-223-000	06-07/11 STORMWATER	4,314.46			
			110-03-53103-223-000	06-07/11 STORMWATER	2,541.94			
			205-03-53119-223-000	06-07/11 STORMWATER	1,077.22			
			461-11-51001-581-000	06-07/11 STORMWATER	198.18			
			463-11-50801-589-000	06-07/11 STORMWATER	70.46			
			110-01-51802-223-000	4710 47 AV-STORMWTR	55.38			
			110-01-51802-223-000	47TH AVE-STORMWATER	43.72			
			401-11-50612-581-000	06-07/11 STORMWATER	41.60			
			110-01-51802-223-000	4722 47 AV-STORMWTR	35.24			
			520-09-50301-223-000	06-07/11 STORMWATER	4.50			
						 CHECK TOTAL	30,495.06
			109174	9/23	WELDCRAFT, INC.	110-05-55109-249-000	08/11 PA WELDING SER	28.00
						110-05-55109-344-000	08/11 PA WELDING SER	25.33
					 CHECK TOTAL	53.33	
109175	9/23	WE ENERGIES	524-05-50101-221-000	#36 08/04-09/05	1,171.32			
			110-03-53109-221-000	#36 08/07-09/06	1,089.69			
			110-05-55102-221-000	#36 07/29-08/26	896.70			
			110-05-55109-221-000	#36 08/05-09/06	848.13			
			110-03-53109-221-000	#36 08/04-09/05	623.54			
			110-05-55109-221-000	#36 08/04-09/09	515.56			
			110-03-53109-221-000	#36 08/02-08/31	247.85			
			110-05-55109-221-000	#36 08/04-09/05	226.69			
			110-05-55109-221-000	#36 08/07-09/06	212.04			
			110-03-53103-221-000	#36 08/02-08/31	184.36			
			110-03-53109-221-000	#36 08/08-09/06	175.75			
			110-05-55102-221-000	#36 08/07-09/06	125.30			
			110-03-53109-221-000	#36 08/03-09/01	121.55			
			110-05-55108-221-000	#36 08/08-09/07	108.09			
			110-05-55109-221-000	#36 08/04-09/02	100.01			
			110-05-55109-221-000	#36 08/03-09/01	68.26			
			110-05-55109-221-000	#36 08/08-09/07	67.36			
			110-05-55102-221-000	#36 08/04-09/05	67.08			
			524-05-50101-222-000	#36 08/04-09/05	62.34			
			110-05-55109-222-000	#36 08/04-09/05	18.40			
			110-05-55102-221-000	#36 08/08-09/07	16.29			
			521-09-50101-221-000	#36 08/02-08/31	15.03			
			110-05-55103-222-000	#36 08/02-08/31	12.92			
			110-05-55109-222-000	#36 08/08-09/07	8.70			
			110-05-55109-222-000	#36 08/07-9/06	8.70			
			110-05-55109-221-000	#36 08/09-09/08	8.69			
			110-05-55108-221-000	#36 08/04-09/05	8.42			
110-05-55109-222-000	#36 08/04-09/01	8.12						
110-05-55109-221-000	#36 08/04-09/01	15.51CR						
				..... CHECK TOTAL	7,001.38		

START DATE FOR SUMMARY: 9/16 END DATE FOR SUMMARY: 9/30

CHECK #	CHECK DATE	VENDOR NAME	ACCOUNT	DESCRIPTION	AMOUNT
109176	9/23	UNITED STATES TREASURY	110-00-21581-000-000	09/23/11 DEDUCT	113.68
			110-00-21581-000-000	09/23/11 DEDUCT	100.00
				..... CHECK TOTAL	213.68
109177	9/23	REINDERS INC.	110-05-55109-344-000	08/11 PARTS AND SERV	75.72
			110-05-55109-344-000	06/11 RETURN PARTS A	42.88CR
				..... CHECK TOTAL	32.84
109178	9/23	WEST GROUP	110-01-50301-322-000	08/11 ONLINE MATERIA	715.65
109179	9/23	BADGER OIL EQUIPMENT CO.	630-09-50101-235-000	9/11 REPAIR FUEL PMP	191.08
109180	9/23	PORT-A-JOHN, INC.	524-05-50101-282-000	09/11 MUNI GOLF	105.00
109181	9/23	BATTERIES PLUS LLC	206-02-52205-385-000	08/11 FD BATTERIES &	53.98
			206-02-52205-385-000	09/11 FD BATTERIES &	5.94
				..... CHECK TOTAL	59.92
109182	9/23	CHASE BANK KENOSHA	761-00-21513-000-000	08/11 KCM DEDUCTS	580.00
			761-09-50101-158-000	08/11 KCM DEDUCTS	336.43
			761-00-21511-000-000	08/11 KCM DEDUCTS	227.90
			761-09-50101-158-000	08/11 KCM DEDUCTS	78.68
			761-00-21514-000-000	08/11 KCM DEDUCTS	78.68
				..... CHECK TOTAL	1,301.69
109183	9/23	CHASE BANK KENOSHA	110-00-21513-000-000	09/23/11 HRLY DEDUCT	22,601.90
			110-00-21612-000-000	09/23/11 HRLY DEDUCT	11,840.89
			110-00-21511-000-000	09/23/11 HRLY DEDUCT	8,021.24
			110-00-21614-000-000	09/23/11 HRLY DEDUCT	2,999.11
			110-00-21514-000-000	09/23/11 HRLY DEDUCT	2,999.04
				..... CHECK TOTAL	48,462.18
109184	9/23	CITIES & VILLAGES MUTUAL INS	110-09-56405-219-000	4TH QTR W/C ADMIN	6,000.00
109185	9/23	NEHER ELECTRIC SUPPLY	630-09-50101-393-000	08/11 PHILLIPS LAMPS	9.70
109186	9/23	INDUSTRIAL MARKETING	630-09-50101-393-000	INLET LINER 2394	332.90
			630-09-50101-393-000	5019485 DISC 2394	302.00
			630-09-50101-393-000	LINER 2394	158.00
				..... CHECK TOTAL	792.90

START DATE FOR SUMMARY: 9/16 END DATE FOR SUMMARY: 9/30

CHECK #	CHECK DATE	VENDOR NAME	ACCOUNT	DESCRIPTION	AMOUNT
109187	9/23	HOLLAND SUPPLY, INC.	630-09-50101-393-000	8/11 CE-HYDRAULIC FT	198.64
109188	9/23	SCHELBLE & HEMMER, S.C.	110-00-21581-000-000	9/23/11 08-CV-1839	129.36
109189	9/23	NAPA AUTO PARTS CO.	630-09-50101-393-000	08/11 CE PARTS/FILTE	2,671.68
			520-09-50201-347-000	08/11 TD PARTS/FILTE	669.09
			110-02-52203-344-000	08/11 FD PARTS/FILTE	595.25
			206-02-52205-344-000	08/11 FD PARTS/FILTE	392.54
			110-05-55109-344-000	08/11 PA PARTS/FILTE	268.54
			110-05-55109-341-000	08/11 PA PARTS/FILTE	239.54
			632-09-50101-389-000	08/11 SE PARTS/FILTE	98.58
			110-05-55109-361-000	08/11 PA PARTS/FILTE	77.90
			521-09-50101-344-000	08/11 AR PARTS/FILTE	74.79
			110-02-52203-361-000	08/11 FD PARTS/FILTE	65.98
			520-09-50201-317-000	08/11 TD PARTS/FILTE	58.79
			110-02-52204-344-000	08/11 FD PARTS/FILTE	55.68
			110-03-53103-344-000	08/11 ST PARTS/FILTE	46.80
			501-09-50105-361-000	08/11 SW PARTS/FILTE	27.92
				..... CHECK TOTAL	5,343.08
109190	9/23	CONCRETE SPECIALTIES CO.	501-09-50105-355-000	09/11 MERCHANDISE	260.00
109191	9/23	PITNEY BOWES	110-01-51306-311-000	08/11 SUPPLIES MAIL	158.08
109192	9/23	VERMEER SALES & SERVICE	630-09-50101-393-000	08/11 PARTS/SERVICES	401.16
109193	9/23	SAM'S CLUB	524-05-50101-397-000	08/11 MERCHANDISE	596.65
			713-00-21953-000-000	08/11 MERCHANDISE	53.00
			524-05-50101-219-000	08/11 MERCHANDISE	36.92
				..... CHECK TOTAL	686.57
109194	9/23	LIBERTY TIRE RECYCLING SVCS	205-03-53118-219-000	08/11 TIRE RECYCLING	1,884.38
109195	9/23	LEE PLUMBING, INC.	524-05-50101-249-000	08/11 GO HVAC, PLUMB	994.00
109196	9/23	HUMANA CLAIMS	611-09-50101-155-527	09/21/11 MED CLAIMS	21,064.06
			611-09-50101-155-527	09/22/11 MED CLAIMS	17,854.72
			611-09-50101-155-527	09/22/11 PHARMACY	9,979.86
			611-09-50101-155-527	09/21/11 PHARMACY	1,801.44
				..... CHECK TOTAL	50,700.08

START DATE FOR SUMMARY: 9/16 END DATE FOR SUMMARY: 9/30

CHECK #	CHECK DATE	VENDOR NAME	ACCOUNT	DESCRIPTION	AMOUNT
109197	9/23	US CELLULAR	110-02-52102-226-000	09/11 PD-CELL AIRTM	124.85
			110-02-52102-226-000	09/11 PD-CELL SERVC	120.00
			501-09-50103-226-000	09/11 INTERNET CARD	40.71
			110-02-52103-226-000	09/11 PD-CELL SERVC	24.00
			110-02-52103-226-000	09/11 PD-CELL AIRTM	21.07
			110-02-52108-226-000	09/11 PD-CELL AIRTM	9.93
			205-03-53118-226-000	09/11 WA-CELL AIRTM	3.51
			520-09-50401-227-000	09/11 TD-CELL SERVC	3.00
			205-03-53118-226-000	09/11 WA-CELL SERVC	3.00
			110-02-52108-226-000	09/11 PD-CELL SERVC	3.00
			110-02-52101-226-000	09/11 PD-CELL SERVC	3.00
			520-09-50401-227-000	09/11 TD-CELL AIRTM	1.04
			110-02-52101-226-000	09/11 PD-CELL AIRTM	.99
				..... CHECK TOTAL	358.10
109198	9/23	PAL STEEL	110-02-52203-344-000	09/11 ENG 2 & 5 SHEE	289.10
109199	9/23	DIVERSIFIED COLLECTION SVCS	110-00-21581-000-000	09/23/11 DEDUCT	36.79
109200	9/23	MALLERY & ZIMMERMAN, SC	110-00-21581-000-000	09/23/11 10-SC-3711	134.56
109201	9/23	MALSACK, J	110-09-56501-259-570	9/11 RAILROAD PROP	1,619.75
			110-09-56501-259-570	9/11 6415 28 AV-GRS	360.05
			110-09-56501-259-570	9/11 1214 63 ST-GRS	319.20
			110-09-56501-259-570	9/11 7733 35 AV-GRS	186.20
			110-09-56501-259-570	9/11 4108 89 ST-GRS	178.12
			110-09-56501-259-570	9/11 1712 55 ST-GRS	147.25
			110-09-56501-259-570	9/11 2018 75 ST-GRS	142.50
			110-09-56501-259-570	9/11 5115 18 AV-GRS	142.50
			110-09-56501-259-570	9/11 925 69 ST-GRAS	118.27
			110-09-56501-259-570	9/11 711 43 ST-GRAS	98.09
			110-09-56501-259-570	9/11 3825 14 AV-GRS	56.05
			110-09-56501-259-570	9/11 616 43 ST-GRAS	49.40
			110-09-56501-259-570	9/11 6823 27 AV-GRS	45.98
			110-09-56501-259-570	9/11 6706 26 AV-GRS	29.07
			110-09-56501-259-570	9/11 4119 56 ST-GRS	9.31
				..... CHECK TOTAL	3,501.74
109202	9/23	BARNES DISTRIBUTION	206-02-52205-344-000	08/11 FD-SHOP SUPPL	403.00

START DATE FOR SUMMARY: 9/16 END DATE FOR SUMMARY: 9/30

CHECK #	CHECK DATE	VENDOR NAME	ACCOUNT	DESCRIPTION	AMOUNT
109203	9/23	KIEFT BROTHERS INC.	501-09-50105-359-000	9/11 STORM SWR PIPE	4,788.00
109204	9/23	KENOSHA STARTER & ALTERNATOR	630-09-50101-393-000	8/11 SE-PARTS/LABOR	78.81
	630-09-50101-393-000		8/11 CE-PARTS/LABOR	47.60	
			..... CHECK TOTAL	126.41	
109205	9/23	LETTERING MACHINE	110-02-52103-367-000	JACKETS	591.50
109206	9/23	TAYLOR SUNSHINE CLEAN LLC	761-09-50101-243-000	09/11 HOUSEKEEPING	125.00
109207	9/23	NORTHERN MIST LAWN SPRINKLER	110-05-55109-249-000	08/11 HARBOR PK IRRI	274.00
109208	9/23	MILWAUKEE 2-WAY INC.	110-02-52203-231-000	COMPARATOR REPAIR	720.00
109209	9/23	MENARDS (KENOSHA)	110-05-55109-249-000	08/11 PA MERCHANDISE	54.98
	501-09-50105-344-000		07/11 SW MERCHANDISE	19.97	
	110-05-55109-249-000		08/11 PA MERCHANDISE	7.38	
			..... CHECK TOTAL	82.33	
109210	9/23	WIS SCTF.	110-00-21581-000-000	09/23/11 HRLY DEDUCT	1,258.16
109211	9/23	HALLMAN LINDSAY	110-05-55104-249-000	8/11 PA-PAINT/PRODCT	299.60
	110-05-55109-244-000		8/11 PA-PAINT/PRODCT	95.96	
	110-05-55111-244-000		9/11 PA-PAINT/PRODCT	26.89	
	110-05-55109-244-000		9/11 PA-PAINT/PRODCT	23.99	
			..... CHECK TOTAL	446.44	
109212	9/23	ILLINOIS DEPT OF PUBLIC AID	110-00-21581-000-000	09/23/11 01-D-511	79.49
109213	9/23	NEXTEL COMMUNICATIONS	110-02-52109-226-000	08/11 PHONE SERVICE	326.56
109214	9/23	CARE-PLUS DENTAL PLANS, INC	611-09-50101-155-525	10/01 PREMIUM	50,624.94
	611-09-50101-155-525		09/11 ADJUSTMENTS	597.48CR	
			..... CHECK TOTAL	50,027.46	
109215	9/23	ENTRANCE SYSTEMS	521-09-50101-249-000	8/11 AR-GATE REPAIRS	141.00
109216	9/23	MILWAUKEE SPRING &	630-09-50101-393-000	08/11 #1858 PARTS &	1,201.66
109217	9/23	PROCESSWORKS INC.	110-00-21578-000-000	09/20/11 CHECK REG	1,995.34

START DATE FOR SUMMARY: 9/16 END DATE FOR SUMMARY: 9/30

CHECK #	CHECK DATE	VENDOR NAME	ACCOUNT	DESCRIPTION	AMOUNT
109218	9/23	AIRGAS NORTH CENTRAL	632-09-50101-389-000	08/11 SE-INDSTL GAS	135.75
			206-02-52205-389-000	09/11 FD#3-OXYGEN CY	83.77
			520-09-50201-317-000	08/11 TD-INDSTL GAS	56.16
			110-05-55109-235-000	08/11 PA-INDSTL GAS	51.48
			206-02-52205-389-000	08/11 FD#4-OXYGEN CY	51.04
			206-02-52205-389-000	08/11 FD#7-OXYGEN CY	23.41
			206-02-52205-344-000	08/11 FD#4-OXYGEN CY	23.40
			206-02-52205-389-000	08/11 FD#3-OXYGEN CY	18.72
			206-02-52205-389-000	08/11 FD#5-OXYGEN CY	18.72
			206-02-52205-344-000	08/11 FD#7 OXYGEN CY	18.72
			521-09-50101-344-000	08/11 AR-INDSTL GAS	14.04
				..... CHECK TOTAL	495.21
			109219	9/23	JANI-KING OF MILWAUKEE	633-09-50101-243-000	09/11 JANITORIAL SRV	1,084.00
109220	9/23	PSI-PROF SRVS INDUSTRIES	110-09-56501-259-000	5/20-6/01 ASBESTOS T	5,109.00
109221	9/23	COMPREHENSIVE ORTHOPAEDICS	520-09-50101-161-000	9/12/11 MED RECORDS	60.80
109222	9/23	OCCUCARE SYSTEMS & SOLUTIONS	110-09-56405-161-000	8/10/11 W/C	330.65
109223	9/23	IOD INCORPORATED	110-02-52102-219-000	#11-121749 RECORDS	44.48
109224	9/23	UNITED OCC MEDICINE	110-09-56405-161-000	7/27/11 W/C	140.25
109225	9/23	AURORA HEALTH CARE	110-09-56405-161-000	8/11/11 W/C	375.76
			110-09-56405-161-000	7/1/11 W/C	308.88
			110-09-56405-161-000	8/23/11 W/C	215.60
			110-09-56405-161-000	8/18/11 W/C	215.60
			110-09-56405-161-000	7/1/11 W/C	57.20
				..... CHECK TOTAL	1,173.04
109226	9/23	ALLIANT PHYSICAL THERAPY GRP	110-09-56405-161-000	8/11 W/C	330.50
			110-09-56405-161-000	8/11 W/C	329.02
			110-09-56405-161-000	8/29/11 W/C	123.83
				..... CHECK TOTAL	783.35
109227	9/23	HEALTH SYSTEMS INTERNATIONAL	110-09-56405-161-000	8/1-9/1/11 W/C	2,001.57
109228	9/23	GENEX SERVICES INC	110-09-56405-161-000	8/23-9/2/11 W/C	707.10

START DATE FOR SUMMARY: 9/16 END DATE FOR SUMMARY: 9/30

CHECK #	CHECK DATE	VENDOR NAME	ACCOUNT	DESCRIPTION	AMOUNT
109229	9/23	SPV HOLDING S V LLC	110-00-21109-000-000	SPCL ASSESS OVERPAY	5.33
109230	9/23	HOWARD, KAREN	110-00-21109-000-000	FINES V643501/03	12.16
109231	9/23	MARES, MARIA	110-00-21901-000-000	FINE PYMT #1244276	68.00
109232	9/23	SMITH, GAVIN M	110-00-21904-000-000	BOND #P702402	63.60
109233	9/28	YAMAHA MOTOR CORP.	524-05-50101-282-000	GOLF CARS	2,386.53
109234	9/28	RNOW, INC.	630-09-50101-393-000	PARTS FOR FLEET 2833	3,352.98
			630-09-50101-393-000	9/11-SE PARTS/MATERI	1,127.55
				..... CHECK TOTAL	4,480.53
109235	9/28	VIKING ELECTRIC SUPPLY	110-03-53109-375-000	09/11 ST ELECTRICAL	280.52
			110-03-53109-375-000	09/11 ST ELECTRICAL	96.79
			110-03-53109-375-000	09/11 ST ELECTRICAL	31.44
				..... CHECK TOTAL	408.75
109236	9/28	GENERAL COMMUNICATIONS, INC.	110-03-53116-235-000	8/11-WA MISC. ITEMS	297.50
			110-03-53103-231-000	8/11-ST CREDIT MISC.	31.00CR
				..... CHECK TOTAL	266.50
109237	9/28	INTERSTATE ELECTRIC SUPPLY	521-09-50101-375-000	9/11-AR ELECTRICAL S	51.78
			110-03-53109-375-000	9/11-ST ELECTRICAL S	51.78
			110-05-55104-249-000	9/11-PA ELECTRICAL S	44.00
			521-09-50101-375-000	9/11-AR ELECTRICAL S	39.89
			110-03-53109-375-000	9/11-ST ELECTRICAL S	24.04
			632-09-50101-246-000	9/11-SE ELECTRICAL S	16.04
			110-03-53117-246-000	9/11-WA ELECTRICAL S	15.16
			110-03-53107-344-000	9/11-ST ELECTRICAL S	9.52
			110-03-53103-389-000	9/11-ST ELECTRICAL S	4.61
				..... CHECK TOTAL	256.82
109238	9/28	LABOR PAPER, THE	110-01-50101-321-000	08/11 18.02 ZONING	43.56
			110-01-50101-321-000	08/11 18.02 ZONING	35.16
			110-01-50101-321-000	08/11 3.03 & 8.04	34.04
			110-01-50101-321-000	08/11 1ST/2ND ORDS	33.34
			110-01-50101-321-000	08/11 CD TID #4	13.60
				..... CHECK TOTAL	159.70

START DATE FOR SUMMARY: 9/16 END DATE FOR SUMMARY: 9/30

CHECK #	CHECK DATE	VENDOR NAME	ACCOUNT	DESCRIPTION	AMOUNT
109239	9/28	UNITED HOSPITAL SYSTEMS INC	110-02-52101-219-000	05/11 11-058902 LAB	49.60
			110-02-52101-219-000	08/11 11-116418 LAB	49.60
			110-02-52101-219-000	07/11 11-105406 LAB	49.60
				..... CHECK TOTAL	148.80
109240	9/28	KENOSHA NEWS	520-09-50301-327-564	8/11 TRANSIT 4 PAGE	2,300.00
			520-09-50301-327-000	8/11 TRANSIT 4 PAGE	682.60
			520-09-50301-327-564	8/11 TRANSIT 4 PAGE	430.40
				..... CHECK TOTAL	3,413.00
109241	9/28	M A TRUCK PARTS	630-09-50101-393-000	REAR TRUCK AXLE ASSY	3,060.00
109242	9/28	WIS DEPT OF REVENUE	110-00-21512-000-000	9/1-15/11 DEDUCTS	112,445.50
109243	9/28	WE ENERGIES	110-03-53109-221-000	#37 08/15-09/15	1,342.87
			110-02-52203-221-000	#37 08/09-09/08	1,111.08
			110-03-53109-221-000	#37 08/10-09/11	945.46
			110-03-53109-221-000	#37 08/14-09/13	726.62
			110-03-53109-221-000	#37 08/15-09/14	608.48
			110-02-52203-221-000	#37 08/10-09/11	554.46
			110-05-55109-221-000	#37 08/09-09/08	543.18
			110-05-55109-221-000	337 08/15-09/14	457.45
			110-03-53109-221-000	#37 08/09-09/07	398.76
			110-05-55102-221-000	#37 08/11-09/12	314.00
			110-03-53109-221-000	#37 07/19-08/17	289.74
			110-05-55109-221-000	#37 08/14-09/13	226.71
			110-03-53103-221-000	#37 08/09-09/08	158.81
			110-05-55109-221-000	#37 08/11-09/12	147.79
			110-05-55102-221-000	#37 08/12-09/13	145.25
			110-03-53116-221-000	#37 08/15-09/14	134.79
			110-03-53109-221-000	#37 08/09-09/08	125.77
			110-02-52203-222-000	#37 08/09-09/08	94.89
			110-05-55109-221-000	#37 08/10-09/09	63.38
			110-02-52203-222-000	#37 08/10-09/11	60.45
			110-05-55109-221-000	#37 08/12-09/13	50.68
			632-09-50101-221-000	#37 08/15-09/14	39.05
			110-05-55109-221-000	#37 08/08-09/07	35.10
			110-05-55109-221-000	#37 08/16-09/15	29.70
			110-03-53109-221-000	#37 08/16-09/15	27.86
			519-09-50106-221-000	#37 08/09-09/08	23.57
			110-05-55109-221-000	#37 08/17-09/16	22.17
			110-05-55109-222-000	#37 08/11-09/12	9.28
			110-01-51802-222-000	#37 912 35 ST	8.70
			110-05-55109-222-000	#37 07/11-09/08	5.60CR
				..... CHECK TOTAL	8,690.45

START DATE FOR SUMMARY: 9/16 END DATE FOR SUMMARY: 9/30

CHECK #	CHECK DATE	VENDOR NAME	ACCOUNT	DESCRIPTION	AMOUNT
109244	9/28	PAYNE & DOLAN INC.	110-03-53103-355-000	08/11 ASPHALT MATERI	1,335.58
109245	9/28	REINDERS INC.	630-09-50101-393-000	TURBO CHARGER	1,778.72
			110-05-55109-344-000	REPAIR MOWER	1,643.24
			110-05-55109-344-000	09/11 PARTS AND SERV	180.25
			524-05-50101-249-000	08/11 PARTS AND SERV	46.69
			110-05-55109-344-000	06/11 RETURN PARTS A	160.80CR
				..... CHECK TOTAL	3,488.10
109246	9/28	WEST GROUP	110-01-50301-322-000	08/11 SUBSCRIPTIONS	290.50
109247	9/28	BROOKS TRACTOR, INC.	630-09-50101-393-000	LEFT FORK ASSY	4,296.45
			630-09-50101-393-000	HYDRAULIC CYLINDER	1,470.00
				..... CHECK TOTAL	5,766.45
109248	9/28	C.J.W., INC.	524-05-50101-397-000	09/11 CONSUMABLE MER	74.82
109249	9/28	AT&T	206-02-52205-227-000	9/10-10/09 DS1 SERVC	900.00
			206-02-52205-227-000	9/10-10/09 DS1 SERVC	588.00
				..... CHECK TOTAL	1,488.00
109250	9/28	WIS DEPT OF JUSTICE	520-09-50301-219-000	08/11 SERVICES	28.00
			110-01-51303-219-000	08/11 SERVICES	21.00
				..... CHECK TOTAL	49.00
109251	9/28	MILLER-BRADFORD & RISBERG	630-09-50101-393-000	09/11 #1008 PARTS &	142.99
109252	9/28	WEIGHT WATCHERS/NO AMERICA	110-00-21531-000-000	8/03-10/26 SESSIONS	1,560.00
109253	9/28	UW - PLATTEVILLE	724-00-21933-000-000	L HESSE-SCHOLARSHIP	750.00
109254	9/28	OFFICEMAX	110-01-51101-311-000	09/11 FN #1915 OFFC	92.00
			110-01-51301-311-000	09/11 AD #1920 OFFC	50.31
			110-03-53103-311-000	09/11 ST #1919 OFFC	45.36
			110-01-51101-311-000	09/11 FN #1921 OFFC	29.87
			110-01-51101-311-000	09/11 FN #1892 RETN	79.04CR
				..... CHECK TOTAL	138.50
109255	9/28	LINCOLN CONTRACTORS SUPPLY	110-03-53103-355-000	9/11-ST TOOLS/SUPPLI	285.21
			501-09-50105-361-000	8/11-SW TOOLS/SUPPLI	60.22
			110-05-55109-249-000	9/11-PA EQUIPMENT RE	18.71
				..... CHECK TOTAL	364.14

START DATE FOR SUMMARY: 9/16 END DATE FOR SUMMARY: 9/30

CHECK #	CHECK DATE	VENDOR NAME	ACCOUNT	DESCRIPTION	AMOUNT
109256	9/28	INTERSPIRO	110-02-52203-264-000	12/11 CERT CLASS	825.00
109257	9/28	PITNEY BOWES	110-01-51306-282-000	9/11-MACHINE LEASE/M	364.00
109258	9/28	KENOSHA COUNTY	631-09-50101-311-000	9/11-PW PRINTS/COPIE	38.00
109259	9/28	LAKESIDE INTERNATIONAL TRUCK	206-02-52205-344-000	08/11 FD-PARTS/MATRL	1,393.63
			520-09-50201-347-000	08/11 TD-BUS PARTS/M	1,213.36
			520-09-50201-341-000	08/11 TD-BUS PARTS/M	1,079.10
			630-09-50101-393-000	08/11 CE-PARTS/MATRL	889.33
				..... CHECK TOTAL	4,575.42
109260	9/28	HUMANA CLAIMS	611-09-50101-155-527	09/26/11 MED CLAIMS	176,478.09
			611-09-50101-155-527	09/26/11 PHARMACY	16,432.95
			611-09-50101-155-527	09/23/11 MED CLAIMS	8,875.22
			611-09-50101-155-527	08/11 MED/DENTAL CLM	6,914.16
			611-09-50101-155-527	09/23/11 PHARMACY	3,971.42
			611-09-50101-155-527	09/27/11 MED CLAIMS	2,913.16
			611-09-50101-155-527	09/27/11 PHARMACY	2,644.76
			611-09-50101-155-527	08/11 SHARED SAVINGS	1,494.29
			611-09-50101-155-527	08/11 VOIDS	93.97CR
			611-09-50101-155-527	09/11 FINCL RECOVERY	28,977.71CR
				..... CHECK TOTAL	190,652.37
109261	9/28	SCHREIBER ANDERSON ASSOC.	405-11-50811-219-000	07/11 PETZKE CD PH 1	2,307.00
			713-00-21952-000-000	08/11 BIKE PATH MAP	1,836.60
				..... CHECK TOTAL	4,143.60
109262	9/28	HILLSIDE TRUE VALUE	110-02-52204-344-000	8/11-FD MISC. SUPPLI	28.76
			110-02-52203-357-000	8/11-FD MISC. SUPPLI	3.74
				..... CHECK TOTAL	32.50
109263	9/28	US CELLULAR	110-03-53103-226-000	09/11 ST-CELL AIRTM	150.26
			110-01-51801-226-000	09/11 MB-CELL AIRTM	76.69
			110-05-55109-226-000	09/11 PA-CELL AIRTM	62.39
			110-05-55101-226-000	09/11 PA-CELL AIRTM	27.79
			110-05-55102-226-000	09/11 PA-CELL AIRTM	17.75
			110-03-53103-226-000	09/11 ST-CELL SERVC	15.00
			110-05-55111-226-000	09/11 PA-CELL AIRTM	6.79
			110-05-55109-226-000	09/11 PA-CELL SERVC	6.41
			110-05-55109-226-000	09/11 PA-CELL SERVC	6.00
			110-01-51801-226-000	09/11 MB-CELL SERVC	6.00
			205-03-53119-226-000	09/11 ST-CELL AIRTM	4.52
			205-03-53119-226-000	09/11 ST-CELL SERVC	3.00
			110-05-55111-226-000	09/11 PA-CELL SERVC	3.00
			110-05-55102-226-000	09/11 PA-CELL SERVC	3.00
			110-05-55101-226-000	09/11 PA-CELL SERVC	3.00
				..... CHECK TOTAL	391.60

START DATE FOR SUMMARY: 9/16 END DATE FOR SUMMARY: 9/30

CHECK #	CHECK DATE	VENDOR NAME	ACCOUNT	DESCRIPTION	AMOUNT
109264	9/28	LETTERING MACHINE	110-02-52206-367-000	6/11-FD CLOTHING	120.00
109265	9/28	UNITED LABORATORIES, INC	520-09-50201-317-000	BUS WHEEL CLEANER	1,092.47
			520-09-50401-246-000	BATHROOM CLEANER	191.40
			520-09-50401-246-000	DEODORIZER	179.40
				..... CHECK TOTAL	1,463.27
109266	9/28	ZEP MANUFACTURING CO.	630-09-50101-393-000	7/11-SE SUPPLIES	425.75
109267	9/28	SAFE ABATEMENT FOR EVERYONE	405-11-51007-219-000	WASH RESTRM ASBESTOS	4,125.00
109268	9/28	MARTIN PETERSEN COMPANY, INC.	520-09-50202-246-000	P.M. PROGRAM	1,404.00
109269	9/28	MARQUETTE UNIVERSITY	724-00-21933-000-000	M AMBRO-SCHOLARSHIP	500.00
109270	9/28	CDW-G	275-09-50101-365-000	LAPTOP, PRINTER,	4,838.73
			276-09-50101-365-000	LAPTOP, PRINTER	3,868.32
			276-09-50101-365-000	LAPTOP, PRINTER	843.27
			276-09-50101-365-000	LAPTOP, PRINTER	95.82
			276-09-50101-365-000	LAPTOP, PRINTER	27.36
				..... CHECK TOTAL	9,673.50
109271	9/28	WASTE MANAGEMENT	521-09-50101-219-000	09/11 PAPER RECYCLIN	61.65
109272	9/28	MENARDS (KENOSHA)	110-03-53103-361-000	9/11-ST MERCHANDISE	214.62
			524-05-50101-249-000	8/11-GO MERCHANDISE	129.99
			501-09-50105-353-000	8/11-ST MERCHANDISE	95.96
			110-02-52203-382-000	9/11-FD#2 MERCHANDIS	77.50
			110-05-55106-246-000	9/11-PA MERCHANDISE	44.54
			521-09-50101-382-000	9/11-AR MERCHANDISE	40.80
			110-02-52203-382-000	9/11-FD#5 MERCHANDIS	39.88
			110-05-55111-249-000	8/11-PA MERCHANDISE	23.76
			521-09-50101-375-000	9/11-AR MERCHANDISE	15.92
			110-05-55111-246-000	8/11-PA MERCHANDISE	11.52
			524-05-50101-249-000	8/11-GO MERCHANDISE	9.30
			521-09-50101-249-000	9/11-AR MERCHANDISE	7.00
			521-09-50101-344-000	9/11-AR MERCHANDISE	2.95
			110-02-52203-382-000	9/11-FD#2 RETURN MER	8.59CR
				..... CHECK TOTAL	705.15

START DATE FOR SUMMARY: 9/16 END DATE FOR SUMMARY: 9/30

CHECK #	CHECK DATE	VENDOR NAME	ACCOUNT	DESCRIPTION	AMOUNT
109273	9/28	SHERWIN INDUSTRIES	110-03-53103-355-000	08/11 COLD PATCH PRO	2,098.08
109274	9/28	SYMBOL ARTS, LLC	110-02-52103-367-000	07/11 BADGES/ACCESSO	85.00
109275	9/28	UKE'S HARLEY-DAVIDSON/BUELL	110-02-52103-344-000 110-02-52103-344-000	6/11-CYCLE#3096 SER 7/11-CYCLE#3097 CHECK TOTAL	6.74 1.69 8.43
109276	9/28	LINE-X OF KENOSHA	110-02-52103-344-000 110-02-52103-344-000	SPRAY-ON BEDLINER SPRAY BEDRAILS CHECK TOTAL	1,137.00 180.00 1,317.00
109277	9/28	ROCKFORD IND. WELDING	632-09-50101-389-000	8/11-SE SUPPLIES/MAT	386.83
109278	9/28	RAJON CONSTRUCTION LLC	110-00-44107-000-000	DUP SDWLK PERMIT	30.00
109279	9/28	HAPPENINGS MAGAZINE	222-09-50101-259-000	9/11-UNITED WE SING	413.00
109280	9/28	RIMKUS, JASON	761-09-50101-111-000 761-00-21514-000-000 761-00-21511-000-000 761-00-21599-000-000 761-00-21512-000-000 761-00-21513-000-000	09/15-30/11 SERVICE 09/15-30/11 SERVICE 09/15-30/11 SERVICE 09/15-30/11 SERVICE 09/15-30/11 SERVICE 09/15-30/11 SERVICE CHECK TOTAL	1,840.80 26.69CR 77.31CR 92.04CR 102.40CR 216.00CR 1,326.36
109281	9/28	PIRO, RALPH	761-09-50101-111-000 761-00-21514-000-000 761-00-21599-000-000 761-00-21511-000-000 761-00-21512-000-000 761-00-21513-000-000	09/15-30/11 SERVICE 09/15-30/11 SERVICE 09/15-30/11 SERVICE 09/15-30/11 SERVICE 09/15-30/11 SERVICE 09/15-30/11 SERVICE CHECK TOTAL	872.31 12.65CR 25.00CR 36.64CR 37.30CR 74.00CR 686.72
109282	9/28	BAYCOM	110-02-52103-365-000	WIRELESS MIC KIT	246.00
109283	9/28	KENOSHA SYMPHONY ORCHESTRA	222-09-50101-293-000	2011 SPONSORSHIP	2,000.00
109284	9/28	RSVP OF DANE COUNTY	110-02-52206-264-000	10/10/11 K WALTON	15.00

START DATE FOR SUMMARY: 9/16 END DATE FOR SUMMARY: 9/30

CHECK #	CHECK DATE	VENDOR NAME	ACCOUNT	DESCRIPTION	AMOUNT
109285	9/28	FORD, NICHOLAS	110-00-46394-000-000	APPLIANCE STICKER	15.00
109286	9/28	CALDERA, JOEL	110-00-21905-000-000	ORIBILETTI-9/24/11	300.00
109287	9/28	WIENKE, DANIEL	110-01-51303-144-000	2011 SUMMER TUITION	2,000.00
109288	9/28	ZURCHER, KURT W.	110-02-52107-263-000	9/14-15 JANESVILLE	20.00
109289	9/28	ARNEBERG, SCOTT M	110-01-51303-144-000	2011 SPRING TUITION	483.55
109290	9/30	BINDELLI BROTHERS, INC	110-09-56501-259-569	09/11 4605 38 AVE	137.00
			110-09-56501-259-569	09/11 7806 17 AVE	72.12
			110-09-56501-259-569	09/11 10108 65 ST	72.12
				..... CHECK TOTAL	281.24
109291	9/30	WE ENERGIES	110-03-53109-221-000	9/11 STREETLIGHTING	60,646.65
			110-05-55109-221-000	9/11 STREETLIGHTING	578.07
				..... CHECK TOTAL	61,224.72
109292	9/30	RNOW, INC.	630-09-50101-393-000	9/11-SE PARTS/MATERI	169.10
109293	9/30	CHESTER ELECTRONICS SUPPLY	110-02-52103-365-000	08/11 PD PARTS & MAT	11.99
			110-03-53109-361-000	09/11 ST PARTS & MAT	2.99
				..... CHECK TOTAL	14.98
109294	9/30	BURR OAKS GREENHOUSE	222-09-50101-259-000	FLOWER BARRELS/PLNT	10,000.00
109295	9/30	HWY C SERVICE	110-03-53113-235-000	9/11-ST SERVICE/PART	249.20
109296	9/30	ICMA RETIREMENT TRUST	110-00-21572-000-000	9/16-30/11 CONTRIBS	53,546.23
			110-00-21599-000-000	9/16-30/11 CONTRIBS	4,340.00
				..... CHECK TOTAL	57,886.23
109297	9/30	CARDINAL HEALTH	206-02-52205-318-000	09/11 FD MEDICAL SUP	681.12
			206-02-52205-318-000	09/11 FD MEDICAL SUP	457.65
			206-02-52205-318-000	09/11 FD MEDICAL SUP	434.91
			206-02-52205-318-000	08/11 FD MEDICAL SUP	233.75
			206-02-52205-318-000	09/11 FD MEDICAL SUP	210.90
			206-02-52205-318-000	09/11 FD MEDICAL SUP	192.36
			206-02-52205-318-000	09/11 FD MEDICAL SUP	123.44
			206-02-52205-318-000	08/11 FD MEDICAL SUP	110.97
			206-02-52205-318-000	09/11 FD MEDICAL SUP	60.35
				..... CHECK TOTAL	2,505.45

START DATE FOR SUMMARY: 9/16 END DATE FOR SUMMARY: 9/30

CHECK #	CHECK DATE	VENDOR NAME	ACCOUNT	DESCRIPTION	AMOUNT
109298	9/30	WIS DEPT OF REVENUE	110-09-56507-259-999	08/11 SALES TAX	5,863.73
109299	9/30	KENOSHA CITY EMPLOYEE'S	110-00-21562-000-000	09/30/11 CITY SAL	46,733.82
			110-00-21562-000-000	09/30/11 CITY HRLY	14,529.19
			110-00-21562-000-000	09/30/11 WATER SAL	7,569.00
			110-00-21562-000-000	09/30/11 LIBRARY SAL	6,549.00
			110-00-21562-000-000	09/30/11 WATER HRLY	4,112.60
			110-00-21562-000-000	09/30/11 MUSEUM HRLY	205.00
				..... CHECK TOTAL	79,698.61
109300	9/30	KENOSHA CITY EMPLOYEE'S	110-00-21553-000-000	09/30/11 CITY HRLY	523.44
			110-00-21553-000-000	09/30/11 SAL DEDUCT	277.65
			110-00-21553-000-000	09/30/11 WATER HRLY	252.97
			110-00-21553-000-000	09/30/11 MUSEUM HRLY	22.84
				..... CHECK TOTAL	1,076.90
109301	9/30	UNITED WAY OF KENOSHA COUNTY	110-00-21541-000-000	09/30/11 CITY HRLY	110.41
			110-00-21541-000-000	09/30/11 WATER HRLY	49.20
			110-00-21541-000-000	09/30/11 MUSEUM HRLY	10.00
				..... CHECK TOTAL	169.61
109302	9/30	LABOR PAPER, THE	110-01-50101-321-000	09/11 18.02 ZONING	46.92
			110-01-50301-219-000	KENOSHA FLORAL NOTC	10.24
				..... CHECK TOTAL	57.16
109303	9/30	UNITED HOSPITAL SYSTEMS INC	206-02-52205-318-000	08/11 DRUGS	392.45
			110-02-52101-219-000	9/11-#11-120876 LAB	49.60
			110-02-52101-219-000	8/11-#11-113167 LAB	49.60
			110-02-52101-219-000	8/11-#11-113582 LAB	49.60
				..... CHECK TOTAL	541.25
109304	9/30	KENOSHA POLICE & FIREMEN'S	110-00-21563-000-000	9/30/11 SAL DEDUCTS	91,727.00
109305	9/30	KENOSHA UNIFIED SCHOOL	110-05-55109-221-000	AMECHE 7/14-8/14/11	161.30
109306	9/30	LORENZ TOPSOIL	501-09-50105-353-000	9/11-SW TOPSOIL	110.00
			501-09-50105-353-000	9/11-SW TOPSOIL	55.00
			110-05-55102-353-000	9/11-PA PULVERIZED T	33.00
				..... CHECK TOTAL	198.00

START DATE FOR SUMMARY: 9/16 END DATE FOR SUMMARY: 9/30

CHECK #	CHECK DATE	VENDOR NAME	ACCOUNT	DESCRIPTION	AMOUNT
109307	9/30	WIS RETIREMENT SYSTEM	110-00-21625-000-000	08/11 PENSION	628,887.76
			110-00-21622-000-000	08/11 PENSION	43,949.99
			110-02-52203-153-000	08/11 PENSION	11,500.51
			110-00-21521-000-000	08/11 PENSION	6,850.00
			110-00-21622-000-000	08/11 PENSION	1,408.94
			110-02-52103-153-000	08/11 PENSION	939.44
				..... CHECK TOTAL	693,536.64
109308	9/30	AMERICAN STUDENT ASSISTANCE	110-00-21581-000-000	09/30/11 DEDUCT	258.92
			110-00-21581-000-000	09/28/11 DEDUCT	11.63
				..... CHECK TOTAL	270.55
109309	9/30	LEITCH PRINTING CORPORATION	110-01-52001-311-000	9/11 MC COURT CARDS	743.94
109310	9/30	UNITED STATES TREASURY	110-00-21581-000-000	09/30/11 DEDUCT	135.47
			110-00-21581-000-000	09/30/11 DEDUCT	100.00
				..... CHECK TOTAL	235.47
109311	9/30	OAKES & SON, INC., A. W.	401-11-51104-586-000	EST 3-SIDEWALK PROGR	260,216.55
			403-11-51101-585-000	EST 3-CURB/GUTTER PR	46,186.00
				..... CHECK TOTAL	306,402.55
109312	9/30	PFEIFFER AUTO CLINIC	630-09-50101-393-000	9/11-SE#2389 TRANS.	268.98
109313	9/30	AMERICAN BOTTLING CO.	524-05-50101-397-000	9/11-GO SOFT DRINKS	107.50
109314	9/30	WIS FUEL & HEATING INC	630-09-50101-393-000	9/11-CE LUBRICANTS/O	715.20
			110-05-55109-341-000	9/11-PA LUBRICANTS/O	357.60
				..... CHECK TOTAL	1,072.80
109315	9/30	BENDER & COMPANY, MATTHEW	110-01-50301-322-000	08/11 LE SUBSCRIPTIO	419.94
109316	9/30	BROOKS TRACTOR, INC.	630-09-50101-393-000	08/11 SE PARTS & MAT	1,519.84
			630-09-50101-393-000	08/11 SE #2216 PARTS	579.86
			630-09-50101-393-000	08/11 SE #2344 PARTS	277.54
			630-09-50101-393-000	09/11 SE #2592 PARTS	238.80
			630-09-50101-393-000	08/11 SE PARTS & MAT	33.34
			630-09-50101-393-000	09/11 SE #2592 PARTS	31.66
				..... CHECK TOTAL	2,681.04

START DATE FOR SUMMARY: 9/16 END DATE FOR SUMMARY: 9/30

CHECK #	CHECK DATE	VENDOR NAME	ACCOUNT	DESCRIPTION	AMOUNT
109317	9/30	CAMOSY CONSTRUCTION CO., INC	420-11-51005-589-000	EST 5-SALT STORAGE	34,753.62
			420-11-50905-589-000	EST 5-SALT STORAGE	21,671.41
				..... CHECK TOTAL	56,425.03
109318	9/30	PORT-A-JOHN, INC.	110-05-55108-282-000	9/11-ALFORD#1 PORTAB	90.00
			110-05-55108-282-000	9/11-S. PIER PORTABL	90.00
			110-05-55108-282-000	9/11-SOUTHPORT PORTA	90.00
			110-05-55108-282-000	9/11-HOBBS PORTABLE	52.00
				..... CHECK TOTAL	322.00
109319	9/30	DON'S AUTO PARTS	630-09-50101-393-000	09/11 SE #2991 PARTS	184.73
			524-05-50101-344-000	09/11 PA PARTS & MAT	42.49
				..... CHECK TOTAL	227.22
109320	9/30	FABCO EQUIPMENT, INC.	630-09-50101-393-000	PARTS FOR FLEET 2885	1,753.59
			630-09-50101-393-000	09/11 SE PARTS & MAT	292.09
			630-09-50101-393-000	09/11 SE #2168 PARTS	255.30
			630-09-50101-393-000	09/11 SE #2595 PARTS	240.03
			630-09-50101-393-000	09/11 SE #2885 PARTS	188.44
			630-09-50101-393-000	09/11 SE #1993 PARTS	56.12
				..... CHECK TOTAL	2,785.57
109321	9/30	KENOSHA WATER UTILITY	110-00-21914-000-000	08/11 BILL COLLECT	15,527.39
			110-00-21913-000-000	08/11 TEMP PERMITS	5,062.44
				..... CHECK TOTAL	20,589.83
109322	9/30	AIRCRAFT OWNERS & PILOTS	521-09-50101-323-000	ANNUAL MEMBER DUES	45.00
109323	9/30	MIDDLE EARTH APPRAISALS	110-01-50301-219-000	5125 6TH AVE	1,850.00
109324	9/30	CHASE BANK KENOSHA	110-00-21513-000-000	09/30/11 DEDUCTS	221,823.73
			110-00-21612-000-000	09/30/11 DEDUCTS	82,494.86
			110-00-21511-000-000	09/30/11 DEDUCTS	55,883.98
			110-00-21614-000-000	09/30/11 DEDUCTS	24,486.19
			110-00-21514-000-000	09/30/11 DEDUCTS	24,484.04
				..... CHECK TOTAL	409,172.80
109325	9/30	ACL LABORATORIES	110-02-52101-219-000	08/11 LAB FEES	21.60
109326	9/30	LEXISNEXIS EXPRESS SCREENING	110-01-51303-219-000	08/11 SERVICES	24.95

START DATE FOR SUMMARY: 9/16 END DATE FOR SUMMARY: 9/30

CHECK #	CHECK DATE	VENDOR NAME	ACCOUNT	DESCRIPTION	AMOUNT
109327	9/30	DWD-UI	110-09-56308-157-000	2011 SPCL ASSESSMNT	17,252.30
			520-09-50101-157-000	2011 SPCL ASSESSMNT	2,515.00
			110-00-15601-000-000	2011 SPCL ASSESSMNT	645.00
				..... CHECK TOTAL	20,412.30
109328	9/30	DIGICORP COMMUNICATIONS	110-01-51801-227-000	08/11 MB-PHONE SYSTM	341.25
109329	9/30	OFFICEMAX	110-01-52001-311-000	9/11=MC#1927 OFFICE	1,213.69
			110-02-52601-311-000	9/11-DH#1923 OFFICE	1,067.19
			110-01-51301-311-000	9/11-AD#1928 OFFICE	68.62
			110-02-52601-311-000	9/11-DH#1923 RETURN	205.85CR
				..... CHECK TOTAL	2,143.65
109330	9/30	FIREFIGHTERS ASSOC/KENOSHA	110-00-21515-000-000	9/30/11 SAL DEDUCTS	4,335.00
109331	9/30	FIREFIGHTERS LOCAL 414	110-00-21554-000-000	9/30/11 SAL DEDUCTS	10,961.75
109332	9/30	PAT'S SERVICES, INC.	205-03-53119-282-000	9/11-COMPOST PORTABL	65.80
109333	9/30	TAPE COMPANY	761-09-50101-384-000	MINI-DV TAPES	248.68
109334	9/30	KPSOA	110-00-21552-000-000	9/30/11 SAL DEDUCTS	825.00
109335	9/30	KENOSHA PROFESSIONAL POLICE	110-00-21557-000-000	9/30/11 SAL DEDUCTS	8,187.56
109336	9/30	LOCAL 168	110-00-21551-000-000	9/30/11 SAL DEDUCTS	59.00
109337	9/30	SCHELBLE & HEMMER, S.C.	110-00-21581-000-000	09/30/11 DEDUCT	143.96
109338	9/30	PETCO	213-09-50101-381-000	8/11-PD PET FOOD/SUP	67.44
			213-09-50101-381-000	8/11-PD PET FOOD/SUP	13.98
				..... CHECK TOTAL	81.42
109339	9/30	HARRIS GOLF CARS SALES/SERV	524-05-50101-344-000	8/11-PA REPAIR GOLF	64.19
109340	9/30	REGISTRATION FEE TRUST	110-09-56519-909-000	TITLE & REG #3149	74.50
			110-09-56519-909-000	TITLE & REG #3148	74.50
			110-09-56519-909-000	TITLE & REG #3147	74.50
				..... CHECK TOTAL	223.50

START DATE FOR SUMMARY: 9/16 END DATE FOR SUMMARY: 9/30

CHECK #	CHECK DATE	VENDOR NAME	ACCOUNT	DESCRIPTION	AMOUNT
109341	9/30	MG TRUST COMPANY	761-09-50101-151-000	09/11 PIRO/RIMKUS	234.08
			761-00-21599-000-000	09/11 PIRO/RIMKUS	234.08
				..... CHECK TOTAL	468.16
109342	9/30	WISCONSIN ELECTRIC POWER CO	110-00-21581-000-000	09/30/11 DEDUCT	258.92
			110-00-21581-000-000	09/28/11 DEDUCT	11.62
				..... CHECK TOTAL	270.54
109343	9/30	KESSINGER, NANCY	110-01-51301-311-000	09/11 REPLENISH	33.30
			110-01-51306-312-000	09/11 REPLENISH	30.47
			222-09-50101-295-000	09/11 REPLENISH	29.78
			110-05-55109-341-000	09/11 REPLENISH	23.16
			110-05-55101-263-000	09/11 REPLENISH	17.26
			110-05-55113-341-000	09/11 REPLENISH	15.45
			110-01-51303-263-000	09/11 REPLENISH	13.70
			611-09-50101-263-000	09/11 REPLENISH	6.75
				..... CHECK TOTAL	169.87
109344	9/30	GUTTORMSEN LAW OFFICE, LLC	110-01-50101-219-000	6/03-8/22 SERVICES	1,620.00
109345	9/30	HUMANA CLAIMS	611-09-50101-155-527	09/28/11 MED CLAIMS	68,103.77
			611-09-50101-155-527	09/29/11 MED CLAIMS	58,975.63
			611-09-50101-155-527	09/29/11 PHARMACY	5,693.14
			611-09-50101-155-527	09/28/11 PHARMACY	1,923.93
				..... CHECK TOTAL	134,696.47
109346	9/30	PIONEER COMMERCIAL CLEANING	110-01-51801-243-000	9/11-JANITORIAL SERV	3,430.00
			110-01-51801-243-000	9/11-JANITORIAL SERV	125.00
			110-01-51801-243-000	9/11-JANITORIAL SERV	30.00
				..... CHECK TOTAL	3,585.00
109347	9/30	PAGEL HYDRAULIC SERVICE	630-09-50101-393-000	9/11-SE#2506 SERVICE	1,450.00
109348	9/30	MILL COATINGS, INC	420-11-51008-589-000	EST 1-OVERPASS PROJ	44,304.00
			420-11-51108-589-000	EST 1-OVERPASS PROJ	10,686.00
				..... CHECK TOTAL	54,990.00
109349	9/30	US CELLULAR	206-02-52205-226-000	09/11 FD-CELL SERVC	134.55
			110-02-52601-226-000	09/11 DH-CELL AIRTM	133.05
			631-09-50101-226-000	09/11 EN-CELL AIRTM	81.04
			110-02-52601-226-000	09/11 DH-CELL SERVC	27.00
			206-02-52205-226-000	09/11 FD-CELL AIRTM	9.76
			631-09-50101-226-000	09/11 EN-CELL SERVC	6.00
				..... CHECK TOTAL	391.40

START DATE FOR SUMMARY: 9/16 END DATE FOR SUMMARY: 9/30

CHECK #	CHECK DATE	VENDOR NAME	ACCOUNT	DESCRIPTION	AMOUNT
109350	9/30	CUMMINS NPOWER, LLC	520-09-50201-344-000	08/11 TD PARTS/SERVI	528.07
			632-09-50101-322-000	08/11 SE PARTS/SERVI	500.00
			520-09-50201-347-000	08/11 TD PARTS/SERVI	368.97
			520-09-50201-347-000	08/11 TD PARTS/SERVI	320.48
			520-09-50201-347-000	09/11 TD PARTS/SERVI	75.52
			520-09-50201-347-000	08/11 TD PARTS/SERVI	72.58
				..... CHECK TOTAL	1,865.62
109351	9/30	WASTE MANAGEMENT OF WI	110-03-53117-253-416	09/11 1191.5 TONS	26,213.00
			110-03-53117-253-416	09/11 WDNR TONNAGE	15,489.50
			110-03-53117-253-417	09/11 146.66 TONS	3,226.52
			110-03-53117-253-417	09/11 20 CMPCT PULLS	3,160.00
			501-09-50104-253-000	09/11 105.41 TONS	2,319.02
			110-03-53117-253-417	09/11 WDNR TONNAGE	1,906.58
			110-03-53117-253-416	09/11 FUEL SURCHARGE	1,865.63
			501-09-50104-253-000	09/11 WDNR TONNAGE	1,370.33
			110-03-53117-253-417	09/11 FUEL SURCHARGE	457.35
			501-09-50105-253-000	09/11 17.05 TONS	375.10
			110-03-53117-253-416	09/11 ENVIRO SURCHG	330.00
			501-09-50105-253-000	09/11 WDNR TONNAGE	221.65
			501-09-50104-253-000	09/11 FUEL SURCHARGE	168.55
			110-03-53117-253-417	09/11 ENVIRO SURCHG	120.00
			501-09-50104-253-000	09/11 ENVIRO SURCHG	78.00
			501-09-50105-253-000	09/11 ENVIRO SURCHG	30.00
			501-09-50105-253-000	09/11 FUEL SURCHARGE	28.52
			110-03-53117-253-416	WM ADJ/CREDIT	7,953.91CR
				..... CHECK TOTAL	49,405.84
109352	9/30	HEALTHSTAT	611-09-50101-155-504	08/11 MID LVL PROV	14,819.50
			611-09-50101-155-504	08/11 PROG ADMIN FEE	6,669.74
			611-09-50101-155-504	08/11 REF LAB FEES	1,770.37
				..... CHECK TOTAL	23,259.61
109353	9/30	DIVERSIFIED COLLECTION SVCS	110-00-21581-000-000	09/30/11 DEDUCT	41.62
109354	9/30	MALLERY & ZIMMERMAN, SC	110-00-21581-000-000	09/30/11 DEDUCT	22.95
109355	9/30	VERIZON WIRELESS	110-02-52101-226-000	08/11 SERVICE	155.31
			110-01-51301-226-000	08/11 SERVICE	104.40
			110-01-50301-226-000	08/11 SERVICE	104.40
			631-09-50101-226-000	08/11 SERVICE	103.09
			110-02-52103-226-000	08/11 SERVICE	55.77
			521-09-50101-226-000	08/11 SERVICE	52.20
			520-09-50301-226-000	08/11 SERVICE	52.20
			110-02-52201-226-000	08/11 SERVICE	52.20
			110-01-51701-226-000	08/11 SERVICE	52.20
			110-01-51303-226-000	08/11 SERVICE	52.20
			110-01-51101-226-000	08/11 SERVICE	52.20
			501-09-50101-226-000	08/11 SERVICE	51.52

START DATE FOR SUMMARY: 9/16 END DATE FOR SUMMARY: 9/30

CHECK #	CHECK DATE	VENDOR NAME	ACCOUNT	DESCRIPTION	AMOUNT
			110-05-55101-226-000	08/11 SERVICE	51.52
			110-02-52601-226-000	08/11 SERVICE	51.52
			110-01-51201-226-000	08/11 SERVICE	51.52
				..... CHECK TOTAL	1,042.25
109356	9/30	MALSACK, J	110-09-56501-259-570	9/11 1606 75 ST-GRS	123.50
109357	9/30	ALTERNATE REGISTRATION PROG	110-09-56519-909-000	TITLE & REG #3161	74.50
			110-09-56519-909-000	TITLE & REG #3160	74.50
				..... CHECK TOTAL	149.00
109358	9/30	WISCONSIN COUNCIL 40	110-00-21553-000-000	09/30/11 CITY HRLY	3,103.80
			110-00-21553-000-000	09/30/11 WATER HRLY	1,420.65
			110-00-21553-000-000	09/30/11 CITY SAL	1,247.40
			110-00-21553-000-000	09/30/11 WATER SAL	311.85
			110-00-21553-000-000	09/30/11 MUSEUM HRLY	226.80
				..... CHECK TOTAL	6,310.50
109359	9/30	JENSEN TOWING	110-02-52103-219-000	9/11-#11-134541 TOWI	45.00
109360	9/30	OFFICE PLUS OF LAKE COUNTY	761-09-50101-311-000	BLANK DVD DISCS	528.77
			761-09-50101-311-000	BLANK DVD DISC 1 SPL	22.99
			761-09-50101-311-000	CREDIT RETURNED DVD	540.87CR
				..... CHECK TOTAL	10.89
109361	9/30	PELION BENEFITS, INC.	110-00-21517-000-000	9/16-30/11 DEDUCTS	3,640.16
109362	9/30	ELM INVESTMENTS, LLC	448-00-21109-000-000	08/11 EN ENVIRONMENT	9,726.77
109363	9/30	JOHN'S TREE SERVICE	524-05-50101-219-824	TREE RMVL 9/8-9/17	51,700.00
			501-09-50106-219-824	TREE RMVL 8/29-9/07	47,300.00
			501-09-50106-219-824	TREE RMVL 9/3-9/05	3,792.00
				..... CHECK TOTAL	102,792.00
109364	9/30	DEPT WORKFORCE DEVELOPMENT	110-00-21581-000-000	09/30/11 DEDUCT	1.55
109365	9/30	CITY OF RACINE	403-11-51007-589-000	GRANT CREEK MONITOR	411.68
109366	9/30	DOR-LOTTERY CREDIT AUDIT DIV	110-00-21109-000-000	LOTTERY CREDIT DIST	1,426.65

START DATE FOR SUMMARY: 9/16 END DATE FOR SUMMARY: 9/30

CHECK #	CHECK DATE	VENDOR NAME	ACCOUNT	DESCRIPTION	AMOUNT
109367	9/30	MILLER REPORTING	110-01-50301-219-000	TRANSCRIPT 10CV1323	366.25
109368	9/30	ARMBRUSTER, SUSAN	110-01-50301-219-000	BC TAVERN	20.50
109369	9/30	KENOSHA COUNTY TREASURER	110-00-21109-000-000	LOTTERY CREDIT	69.53
109370	9/30	FASTENAL COMPANY	110-03-53103-344-000	09/11 ST TOOLS OR MA	148.29
			110-03-53103-361-000	09/11 ST TOOLS OR MA	132.45
			501-09-50105-344-000	09/11 SW TOOLS OR MA	109.35
			630-09-50101-393-000	09/11 SE TOOLS OR MA	34.32
			110-05-55109-344-000	09/11 PA TOOLS OR MA	27.35
			501-09-50105-344-000	08/11 SW TOOLS OR MA	12.90
			501-09-50105-344-000	09/11 SW TOOLS OR MA	2.58
				..... CHECK TOTAL	467.24
109371	9/30	MILWAUKEE 2-WAY INC.	110-02-52203-231-000	ACCS CONNECTION KIT	45.39
109372	9/30	LAKESIDE CLEANERS	110-02-52203-259-000	08/11 LAUNDRY SERVC	1,231.40
109373	9/30	CHAPTER 13 TRUSTEE	110-00-21581-000-000	09/30/11 DEDUCT	419.00
			110-00-21581-000-000	09/30/11 DEDUCT	283.00
				..... CHECK TOTAL	702.00
109374	9/30	CENTURY FENCE COMPANY	401-11-51108-589-000	EST 2-PAVEMENT MARKS	5,162.50
109375	9/30	ERIE LANDMARK COMPANY	501-09-50106-219-824	STORM 6/30-7/11/11	36,480.00
109376	9/30	BELLE CITY FIRE EXTINGUISHER	110-02-52103-389-000	08/11 PD EXTINGUISHE	168.90
			110-02-52103-389-000	07/11 PD EXTINGUISHE	36.10
				..... CHECK TOTAL	205.00
109377	9/30	GUNTA & REAK, S.C.	110-09-56402-219-000	HARPER 9/21/08	459.75
109378	9/30	WIS SCTF	110-00-21581-000-000	09/30/11 SAL DEDUCT	9,332.16
			110-00-21581-000-000	09/30/11 HRLY DEDUCT	1,303.68
			110-00-21581-000-000	09/28/11 SAL DEDUCT	21.25
				..... CHECK TOTAL	10,657.09
109379	9/30	BJS SYSTEMS INC	632-09-50101-235-000	CRANE INSPECTION	498.00

START DATE FOR SUMMARY: 9/16 END DATE FOR SUMMARY: 9/30

CHECK #	CHECK DATE	VENDOR NAME	ACCOUNT	DESCRIPTION	AMOUNT
109380	9/30	WIS EMERGENCY MGMT/SERB	630-09-50101-393-000	2011 FEE-CHEMICAL	582.00
109381	9/30	ALL KOOL RADIATOR REPAIR	630-09-50101-393-000	09/11 #71 RADIATOR	340.00
109382	9/30	ILLINOIS DEPT OF PUBLIC AID	110-00-21581-000-000	09/30/11 DEDUCT	278.00
109383	9/30	GRAINGER	110-01-51801-382-000	9/11-MB PARTS/MATERI	89.51
			524-05-50101-344-000	9/11-PA PARTS/MATERI	47.43
			110-05-55109-344-000	9/11-PA PARTS/MATERI	28.26
			110-05-55109-344-000	9/11-PA PARTS/MATERI	16.32
				..... CHECK TOTAL	181.52
109384	9/30	TIME WARNER CABLE	110-01-51102-233-000	9/17-10/16-MB RR	474.14
			110-01-51102-233-000	9/19-10/18-SE RR	139.95
				..... CHECK TOTAL	614.09
109385	9/30	CINTAS CORP	632-09-50101-259-000	08/11 SE-UNIFORM/GLV	351.95
			520-09-50201-367-000	08/11 TD-UNIFORM/GLV	264.16
			110-02-52203-259-000	08/11 UNIFORM/GLOVE	165.12
				..... CHECK TOTAL	781.23
109386	9/30	ADVANCED CORRISON CONTROL	630-09-50101-235-000	UST CORROSION CNTRL	190.00
109387	9/30	BUSCHE, JUDY LLC	110-01-50301-219-000	08/11 PROCESS SERVC	112.00
109388	9/30	PROCESSWORKS INC.	110-00-21578-000-000	9/27/11 CHECK REG	5,454.99
109389	9/30	IAFF/NATIONWIDE	110-00-21574-000-000	9/16-30/11 CONTRIBS	19,610.66
109390	9/30	CARTHAGE COLLEGE	110-00-21905-000-000	2011 SOCCER CAMPS	50.00
109391	9/30	GREAT WEST RETIREMENT SERV.	110-00-21576-000-000	9/16-30/11 CONTRIBS	8,337.23
109392	9/30	CLARK DIETZ, INC	409-11-50906-589-000	08/11 AMENDMENT #3	14,085.65
			409-11-50903-219-000	08/11 CONSTR MNGMNT	2,619.35
				..... CHECK TOTAL	16,705.00
109393	9/30	AURORA MEDICAL GROUP	611-09-50101-155-000	PHARMACY CHG 6/17/11	442.12
109394	9/30	OCCUCARE SYSTEMS & SOLUTIONS	110-09-56405-161-000	8/15-31/11 W/C	3,612.32

START DATE FOR SUMMARY: 9/16 END DATE FOR SUMMARY: 9/30

CHECK #	CHECK DATE	VENDOR NAME	ACCOUNT	DESCRIPTION	AMOUNT
109395	9/30	MEDICAL COLLEGE OF WISCONSIN	110-09-56405-161-000	7/5/11 W/C	6,929.30
109396	9/30	AURORA HEALTH CARE	110-09-56405-161-000	12/7/10 W/C	981.95
			110-09-56405-161-000	9/2/10 W/C	103.84
				..... CHECK TOTAL	1,085.79
109397	9/30	STONERIVER PHARMACY SOLUTION	110-09-56405-161-000	8/29/11 W/C	66.23
109398	9/30	ALLIANT PHYSICAL THERAPY GRP	110-09-56405-161-000	8/25-9/2/11 W/C	931.85
			110-09-56405-161-000	8/31/11 W/C	103.28
				..... CHECK TOTAL	1,035.13
109399	9/30	DANIELS CHIROPRACTIC OFFICE	110-09-56405-161-000	8/2-20/11 W/C	728.93
109400	9/30	MEDICAL DIAGNOSTIC IMAGING	110-09-56405-161-000	7/5/11 W/C	2,693.60
109401	9/30	LAMACCHIA, ROCCO	110-00-46394-000-000	APPLIANCE STICKER	15.00
109402	9/30	LAIN, KEVIN R.	110-00-44708-000-000	TAXI DRIVER LICENSE	5.00
109403	9/30	VACCARO, RANDY & JANICE	401-11-51104-586-000	SIDEWALK REPAIR	470.00
109404	9/30	KOHN LAW FIRM S.C.	110-00-21581-000-000	09/30/11 DEDUCT	367.37
109405	9/30	KENOSHA MERCHANTS	110-00-21905-000-000	2011 GAME FEES	50.00
			110-00-46520-000-000	2011 GAME FEES	30.00
				..... CHECK TOTAL	80.00
109406	9/30	KENOSHA MERCHANTS BASEBALL	110-00-21905-000-000	2011 BASEBALL FIELDS	50.00
109407	9/30	GENETT, MELISSA C	206-00-13107-000-000	TRANSPORT 6/21/10	80.36
109408	9/30	GRIFFIN, BRANDON J	110-00-44708-000-000	TAXI DRIVER LICENSE	5.00
109409	9/30	BANCROFT, TOM	761-09-50101-219-000	FESTIVAL-CARTOONING	1,050.00
109410	9/30	HAMBROCK, ANNE	761-09-50101-219-000	FESTIVAL-CARTOONING	920.00
109411	9/30	HAMBROCK, JOHN	761-09-50101-219-000	FESTIVAL-CARTOONING	800.00

START DATE FOR SUMMARY: 9/16 END DATE FOR SUMMARY: 9/30

CHECK #	CHECK DATE	VENDOR NAME	ACCOUNT	DESCRIPTION	AMOUNT
109412	9/30	RICHMOND, TOM	761-09-50101-219-000	FESTIVAL-CARTOONING	1,050.00
109413	9/30	STANTIS, SCOTT	761-09-50101-219-000	FESTIVAL-CARTOONING	723.29
109414	9/30	SAUVE, TIFFANY	110-00-21905-000-000	BEACHHOUSE 9/25/11	300.00
109415	9/30	GORMAN, KAREN	110-00-21905-000-000	2011 BASEBALL PRACTC	50.00
109416	9/30	ESCOBEDO, SALVADOR	110-00-21905-000-000	NASH SOCCER FIELD	50.00
109417	9/30	CANTWELL, DON W	110-00-44708-000-000	TAXI DRIVER LICENSE	5.00
109418	9/30	PRICE, DOUGLASS J	110-00-44708-000-000	TAXI DRIVER LICENSE	5.00
109419	9/30	FUTCH, GREG	110-00-46581-000-000	11/05 CANCL BEACHHSE	520.00
			110-00-21905-000-000	11/05 CANCL BEACHHSE	300.00
				..... CHECK TOTAL	820.00
109420	9/30	NIESEN, ANN K	110-00-21905-000-000	BEACH HOUSE-9/16/11	300.00
109421	9/30	SCHULTZ, LISA	110-00-21905-000-000	BEACH HOUSE-9/18/11	100.00
109422	9/30	FAJARDO, VIOLETA	110-00-21905-000-000	BEACH HOUSE-9/17/11	300.00
109423	9/30	HAWBAKER, PAUL	401-11-51104-586-000	SIDEWALK REPAIR	587.50
109424	9/30	MONTEMAYOR, ISMAEL	401-11-51104-586-000	SIDEWALK REPAIR	1,175.00
109425	9/30	ELK, DOROTHY	206-00-13107-000-000	TRANSPORT 4/13/10	42.35
109426	9/30	SS SERVERS, LLC	110-09-56402-219-000	GUERRERO 12/01/10	45.00
109427	9/30	GARDNER, MICHAEL	110-09-56404-719-000	VEH SMG 7/24/11	79.61
109428	9/30	MILLSAPS, NINA M.	110-01-51303-263-000	MUSEUM DIR/PANEL EXP	56.77
109429	9/30	POLTROCK, JAMES T.	206-02-52205-263-000	9/21-23/11 GREEN BAY	75.00
109430	9/30	KRYSTOWIAK, PETER	110-01-50901-261-000	9/13-15 255 MILES	141.53
			110-01-50901-263-000	9/13-15 MIDDLETON	55.12
				..... CHECK TOTAL	196.65

START DATE FOR SUMMARY: 9/16 END DATE FOR SUMMARY: 9/30

CHECK #	CHECK DATE	VENDOR NAME	ACCOUNT	DESCRIPTION	AMOUNT
109431	9/30	PETERSON, JOHN R	110-02-52102-341-000	9/15-16 FUEL #3126	134.50
109432	9/30	THOMPSON, TIMOTHY	110-01-51303-261-000	8/8-9/27 100 MILES	55.50
109433	9/30	BILLINGSLEY, SHELLY	501-09-50101-261-000	09/22-27 118 MILES	65.49
			420-11-50904-219-000	WAUKESHA 09/21/11	58.83
				..... CHECK TOTAL	124.32
109434	9/30	WASHINGTON, AL	110-01-50901-261-000	9/15-17/11 MIDDLETON	128.76
			110-01-50901-263-000	9/15-17/11 MIDDLETON	23.17
				..... CHECK TOTAL	151.93
109435	9/30	THOMAS, WILLIAM	110-02-52203-341-000	9/19-21/11 SUTPHEN	97.35
			110-02-52203-263-000	9/19-21/11 SUTPHEN	75.00
			110-02-52203-261-000	9/19-21/11 SUTPHEN	7.50
				..... CHECK TOTAL	179.85
109436	9/30	GONZALEZ, ARTURO	110-02-52107-263-000	9/14-15/11 JANESVILL	20.00
109437	9/30	LEWIS, TIMOTHY	110-09-56405-161-000	7/19-9/19/11 MILEAGE	25.22
109438	9/30	ANDERSON, MARK E	110-02-52107-263-000	9/12-16/11 MILWAUKEE	40.00
109439	9/30	FIRST INDUSTRIAL INVESTMENT	311-11-50101-831-000	P & I SERIES A/B	2,463,399.86
109440	9/30	CHICAGOLAND DC 2008 LLC	313-11-50101-831-000	P & I SERIES A/B	1,682,758.93
GRAND TOTAL FOR PERIOD *****					17,244,959.80
LESS VOICE CHECK #109108					-30,495.06
					<u>17,214,464.74</u>

Michael K. Higgins
City Clerk - Treasurer



CITY OF KENOSHA
Department of
City Clerk/Treasurer

October 12, 2011

REGULAR MAIL

Dr. Michael J. Trottier
3120 80th Street
Kenosha, WI 53142

Re: Occupancy Penalty Fee Assessment, 3120 80th Street, Parcel 04-122-12-283-053
Request to Refund \$720.00

Dear Dr. Trottier,

The City of Kenosha Finance Committee will review your above referenced request at their regular meeting to be held on Monday, October 17, 2011 at 5:30 pm in Room 204 of the Kenosha Municipal Building, 625-52nd Street.

The recommendation of the Finance Committee will be acted upon by the Common Council at their regular meeting to be held at 7:00 pm, following the Finance Committee meeting, in Room 200 of the Kenosha Municipal Building.

Should you have any questions, please do not hesitate to contact the City Clerk's Office at 262-653-4020 or cityclerk@kenosha.org.

Sincerely,

CITY OF KENOSHA

A handwritten signature in black ink that reads 'Michael K. Higgins'. The signature is written in a cursive style.

Michael Higgins
City Clerk/Treasurer

C: City Attorney
Paula Blise - Zoning Coordinator
Aldersperson Ray Misner - 13th District



Trotter Chiropractic

"Dedicated To Your Health"

September 27, 2011

To Whom It May Concern:

My name is Michael Trotter and I have been a Chiropractor for 15 years in the city of Kenosha. I have worked at two different Chiropractic practices during that time, with eleven years spent at the most recent practice. In January I began looking into possible jobs as an Independent Contractor or a sole practitioner. I decided that I would startup my own practice and rent 1 room at an existing Chiropractic practice. Since February, I have been in practice at 3120 80th Street, which is owned by Dr. Michael Trabbold.

On August 24th, I received a letter from the City of Kenosha stating that I was in violation of operating a business without the proper permit. I was informed that the fee for this violation would be five times the normal fee of \$180.00, totaling \$900.00. I called the contact number and inquired about the fees. Paula Blise informed me that someone had brought it to her attention that there may be a violation, and after checking on it, she indeed found that I did not have a proper Business Occupancy permits. I inquired about the fees and penalty fees, asking if there was any way that the penalty fees could be reduced, since I was unaware that a sign permit was necessary for renting essentially one treatment room in an existing office. Paula informed me that she did not have any control of that, because that was the way that the statute was written and that I would have to appeal it the City of Kenosha Finance Committee. I immediately filled out the applications for the permit, and turned it in. Over the last couple of weeks, I have paid the invoice, received the approved permit, and had all the required inspections performed.

I am asking that the penalty fees be returned to me. The thought never crossed my mind that a permit would be required to rent space in an existing office. In retrospect, I understand that this was ignorant on my part, and I am upset at myself that I didn't think about this beforehand. I certainly feel that if a permit is required, that permit fee should be paid, but I feel the penalty should be refunded to me because I was unaware of the rule. I also feel that I should have been given a short period of time to get the permit, before the penalty was assessed. Please be aware that I would never have done this intentionally and am appealing to you to do the right thing, and help out a small business owner that is just trying to get his business up and going.

Sincerely,

Michael J. Trotter, D.C.

Michael J. Trotter
Chiropractor

3120 80th Street
Kenosha, WI 53142
(262)942-9955
(262)942-9958



City of Kenosha
Department of Neighborhood Services and Inspections
625 52nd Street, Room 100, Kenosha, WI 53140
Phone: 262.653.4263, Fax: 262.653.4254

Building Inspection

Property Maintenance

Zoning Enforcement

TO: Members of the City of Kenosha Finance Committee
Members of the City of Kenosha Common Council

FROM: Paula A. Blise, Zoning Coordinator *P. Blise*
Department of Neighborhood Services and Inspections

SUBJECT: Request to Refund a Penalty Fee Assessed in the amount of \$720.00
for an Occupancy Permit for Trottier Chiropractic (Michael Trottier)
3120 80th Street (District #13)
October 17, 2011 Finance Committee & Common Council Agenda Item

DATE: October 11, 2011

The property owner is requesting a refund of Certificate of Occupancy penalty fees, that were levied based on the illegal occupancy of the property located at 3120 80th Street.

Section 8.04(F) of the City of Kenosha Zoning Ordinance stipulates the following:

F. Permit Fees. *Should an application be made for a Certificate of Occupancy or a Temporary Certificate of Occupancy for a building following occupancy of such building without any such certificate, then the permit fee shall be five (5) times the standard permit fee.*

The following sequence of events is pertinent to this issue:

August 8, 2011 - Complaint Z110182 filed with the Department of Neighborhood Services and Inspections, regarding the illegal occupancy of Trottier Chiropractic at 3120 80th Street. (Exhibit 1)

August 15, 2011 - Order issued to Michael & Jennifer Trottier (Trottier Chiropractic) to obtain an approved Certificate of Occupancy permit. (Exhibit 2)

August 22, 2011 - Mr. Trottier submits the Certificate of Occupancy permit application.

August 30, 2011 - The application is processed, and an invoice is mailed to the applicant.

September 12, 2011 - The \$900 (5x fee) is remitted to the City of Kenosha.

September 28, 2011 - Approval of the Certificate of Occupancy permit for Trottier Chiropractic is granted.

:pab

ONACTBUZ UPDATED RECORD

11 OCT 11 09:23 HPALLAB

DEPARTMENT OF HOUSING CASE MANAGEMENT

Case Number: 2110182 Status: **BU** **CLOSED**
 Address: 3120 080 ST Zip: _____
 Lot: _____
 Property Class: **B** **COMMERCIAL**
 Block Property: _____ DATE: 09/09/00
 Complaint Taken: 08/11/11 10:05 By: HPALLAB
 Inspector: PAB PAULA BLISE

Date Closed: 10/10/11
 Phone: 301-22-2-23-053
 ACT 13 PAY NISER
 Case Type: ZONE ZONING CODE
 Last HD: HPALLAB 10/11/11
 0

Occupant:	_____	Home: _____	Work: <input type="checkbox"/>	000-0000
Contact: 0	_____	_____	_____	_____
Owner:	MICHAEL A THAROLD	3506 N DORRITSEN RD	<input type="checkbox"/>	000-0000
Manager: 0	_____	_____	<input type="checkbox"/>	000-0000
Complaint:	ESPOSITO DAN	687 TTA	<input type="checkbox"/>	000-0000
Caution: 0	_____	_____	_____	_____
Comments:	ILLEGAL OCCUPANCY TROTTER CHIROPRACTIC			

Esc/Exit F1/Manager F2/Decl/Case F3/More Comments F4/Addr Search Y/N/Record



EXHIBIT 2

City of Kenosha
 Department of Neighborhood Services and Inspections
 625 52nd Street, Room 100, Kenosha, WI 53140
 Phone: 262.653.4263, Fax: 262.653.4254

Building Inspection

Property Maintenance

Zoning Enforcement

August 15, 2011

Michael & Jennifer Trabbold
 3506 N. Emmertsen Road
 Racine, WI 53406

Trottier Chiropractic
 3120 80th Street
 Kenosha, WI 53142

Dear Business Operators:

SUBJECT: Illegal Occupancy & Signs – Trottier Chiropractic - 3120 80th Street

Please be advised that Trottier Chiropractic is operating without an approved Certificate of Occupancy permit. To bring the property into compliance, and circumvent re-inspection fees to the owner, a Business Certificate of Occupancy permit shall be submitted to the Department of Neighborhood Services and Inspections no later than August 22, 2011. In accordance with the following ordinance regulation, a five permit fee (\$180.00 x 5 = \$900.00) shall be assessed: *F. Permit Fees. Should an application be made for a Certificate of Occupancy or a Temporary Certificate of Occupancy for a building following occupancy of such building without any such certificate, then the permit fee shall be five (5) times the standard permit fee.*

In addition to the above, illegal signs and/or banners have been installed without approved permits. Sign permits shall be filed with the Department of Neighborhood Services and Inspections no later than August 22, 2011, and a double permit fee shall be levied for the illegal signs.

Failure to comply will result in the assessment of re-inspection fees associated with illegal occupancy and illegal signs associated with the property. Unpaid charges will be added to the real estate tax bill for this property as a special assessment along with all administrative costs incurred by the City in processing such assessment. No further notice and order shall be necessary for any "recurring violation" committed by a person within any one (1) year period.

If you have any questions, please contact me at 262.653.4263, or pblise@kenosha.org.

Sincerely,

DEPARTMENT OF NEIGHBORHOOD
 SERVICES AND INSPECTIONS

 Paula A. Blise, MBA, CCEA
 Zoning Coordinator

:pab

c. Ray Misner, Alderperson, 13th District

Michael K. Higgins
City Clerk - Treasurer



CITY OF KENOSHA
Department of
City Clerk/Treasurer

October 12, 2011

REGULAR MAIL

Dr. Michael J. Trottier
3120 80th Street
Kenosha, WI 53142

Re: Sign Penalty Fee Assessment, 3120 80th Street, Parcel 04-122-12-283-053
Request to Refund \$90.00

Dear Dr. Trottier,

The City of Kenosha Finance Committee will review your above referenced request at their regular meeting to be held on Monday, October 17, 2011 at 5:30 pm in Room 204 of the Kenosha Municipal Building, 625-52nd Street.

The recommendation of the Finance Committee will be acted upon by the Common Council at their regular meeting to be held at 7:00 pm, following the Finance Committee meeting, in Room 200 of the Kenosha Municipal Building.

Should you have any questions, please do not hesitate to contact the City Clerk's Office at 262-653-4020 or cityclerk@kenosha.org.

Sincerely,

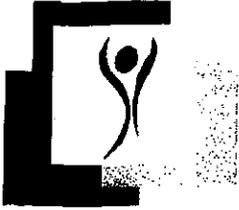
CITY OF KENOSHA

A handwritten signature in black ink that reads 'Michael K. Higgins'.

Michael Higgins
City Clerk/Treasurer

C: City Attorney
Paula Blise - Zoning Coordinator
Alderperson Ray Misner - 13th District

625 - 52nd Street • Kenosha, Wisconsin 53140-3480
262.653.4020 • Fax 262.653.4023 • email: cityclerk@kenosha.org • www.kenosha.org



Trottier Chiropractic
"Dedicated To Your Health"

September 27, 2011

To Whom It May Concern:

My name is Michael Trottier and I have been a Chiropractor for 15 years in the city of Kenosha. I have worked at two different Chiropractic practices during that time, with eleven years spent at the most recent practice. In January I began looking into possible jobs as an Independent Contractor or a sole practitioner. I decided that I would startup my own practice and rent 1 room at an existing Chiropractic practice. Since February, I have been in practice at 3120 80th Street, which is owned by Dr. Michael Trabbold.

On August 24th, I received a letter from the City of Kenosha stating that I was in violation of having a banner posted without the proper permit. I was informed that the fee for this violation would be twice the normal fee of 90.00, totaling \$180.00. I called the contact number and inquired about the fees. Paula Blise informed me that someone had brought it to her attention that there may be a violation, and after checking on it, she indeed found that I did not have a proper permit for the banner sign. I inquired about the fees and penalty fees, asking if there was any way that the penalty fees could be reduced, since I was unaware that a sign permit was necessary for a hanging banner on the front of the building, as was the owner of the building. Paula informed me that she did not have any control of that, because that was the way that the statute was written and that I would have to appeal it the City of Kenosha Finance Committee. I immediately filled out the applications for the permit, and turned it in. Over the last couple of weeks, I have paid the invoice and received the approved permit.

I am asking that the penalty fees be returned to me. I never thought that a permit would be required to hang a banner, because I have never had my own business and have never hung a business sign. I certainly feel that if a permit is required, that fee should be paid, but I feel the penalty should be refunded to me because I was ignorant of the rule. I also feel that I should have been given a short period of time to get the permit, before the penalty was assessed. Please be aware that I would never have done this intentionally and am appealing to you to do the right thing, and help out a small business owner that is just trying to get his business up and going.

Sincerely,

Michael J. Trottier, D.C.

Michael J. Trottier
Chiropractor

3120 80th Street
Kenosha, WI 53142

(262)942-9955
(262)942-9958



City of Kenosha
Department of Neighborhood Services and Inspections
625 52nd Street, Room 100, Kenosha, WI 53140
Phone: 262.653.4263, Fax: 262.653.4254

Building Inspection

Property Maintenance

Zoning Enforcement

TO: Members of the City of Kenosha Finance Committee
Members of the City of Kenosha Common Council

FROM: Paula A. Blise, Zoning Coordinator *P. Blise*
Department of Neighborhood Services and Inspections

SUBJECT: Request to Refund a Penalty Fee Assessed in the amount of \$90.00
for a Sign Permit for Trottier Chiropractic (Michael Trottier)
3120 80th Street (District #13)
October 17, 2011 Finance Committee & Common Council Agenda Item

DATE: October 11, 2011

The property owner is requesting a refund of a sign permit penalty fee, that was levied based on an illegal sign installation on the property located at 3120 80th Street.

Section 9.07(C) of the City of Kenosha General Code stipulates the following:

C. Work Started Without Permit. When a Permit is required by this Code and Work is started prior to obtaining such Permit, the fees required shall be doubled.

The following sequence of events is pertinent to this issue:

August 8, 2011 - Complaint Z110183 filed with the Department of Neighborhood Services and Inspections, regarding the illegal banner associated with Trottier Chiropractic at 3120 80th Street. (Exhibit 1)

August 15, 2011 - Order issued to Michael & Jennifer Trottier (Trottier Chiropractic) to obtain an approved sign permit. (Exhibit 2)

August 22, 2011 - Mr. Trottier submits the sign permit application.

August 30, 2011 - The application is processed, and an invoice is mailed to the applicant.

September 12, 2011 - The \$180 (2x fee) is remitted to the City of Kenosha.

September 19, 2011 - Approval of the sign permit for Trottier Chiropractic is granted.

:pab

EXHIBIT 1

CONTRACT UPDATED RECORD

11 OCT 11 09:49 HPAILAB

DEPARTMENT OF HOUSING CASE MANAGEMENT

Case Number: Z110183 Status: OLD CLOSED
Address: 3120 080 ST Zip:
Lot:
Property Class: B COMMERCIAL
Block Property: DATE: 03/10/00
Complaint Taken: 08/11/11 10:06 By: HPAILAB
Inspector: PAB PAULA BLISS

Date Closed: 10/10/11
Parcel: 04-12-12-23-053
10-15 RAY NISSEL
Case Type: ZONE ZINING CODE
Last IRO: HPAILAB 10/11/11
0

Occupant: Name: _____ Work: () 000-0000
Contact: 0
Owner: MICHAEL A TRASSOLD 3506 N EDGEMOEN RD () 000-0000
Manager: 0
Complaint: DAN ESPOSITO 657 7734 () 000-0000
Caution: 0
Comments: TUBERAL BANNER

Esc/Exit F1/Manager F2/Close F3/More Comments F4/Addr Search Xall/Record ()



EXHIBIT 2

City of Kenosha
Department of Neighborhood Services and Inspections
625 52nd Street, Room 100, Kenosha, WI 53140
Phone: 262.653.4263, Fax: 262.653.4254

Building Inspection

Property Maintenance

Zoning Enforcement

August 15, 2011

Michael & Jennifer Trabbold
3506 N. Emmertsen Road
Racine, WI 53406

Trottier Chiropractic
3120 80th Street
Kenosha, WI 53142

Dear Business Operators:

SUBJECT: Illegal Occupancy & Signs – Trottier Chiropractic - 3120 80th Street

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Sincerely,

DEPARTMENT OF NEIGHBORHOOD
SERVICES AND INSPECTIONS


Paula A. Blise, MBA, CCEA
Zoning Coordinator

:pab

c. Ray Misner, Alderperson, 13th District



Engineering Division
Michael M. Lemens, 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

DEPARTMENT OF PUBLIC WORKS

Michael M. Lemens, Interim Director

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

October 5, 2011

To: G. John Ruffolo, Chairman,
Public Works Committee

From: Michael M. Lemens, P.E. _____
Interim Director of Public Works/City Engineer

Subject: Acceptance of Project 11-1526 Northside Library Community Room Expansion

Location: 1500 27th Avenue

Please be advised that the above referenced project has been satisfactorily completed by Absolute Construction Enterprises, Inc., Racine, Wisconsin. This project consisted of interior construction and finishing including selective demolition, metal stud and gypsum board walls, hollow metal door frame, wood door, and associated hardware, acoustical ceilings, floor covering, painting and an operable panel partition. Mechanical remained unchanged with the exception of repositioning diffusers and electrical consisted of new light fixtures and power.

It is recommended that the project be accepted in the final amount of \$41,186.00. Original contract amount was \$39,200.00 plus \$5,800.00 for contingency for a total contract amount of \$45,000.00. Funding was from CIP Line Item LI-11-002.

MML/kjb