

. ** PLEASE NOTE CHANGE IN DATE **

AGENDA
PUBLIC SAFETY & WELFARE COMMITTEE MEETING
Kenosha Municipal Building - Room 202
Tuesday, October 25, 2011 - 5:00 pm

Chairman:	Jesse L. Downing	Vice Chair:	Lawrence Green
Aldersperson:	Anthony Kennedy	Aldersperson:	Michael J. Orth
Aldersperson:	Rocco J. LaMacchia, Sr.		

Call to Order
Roll Call

A. APPROVAL OF MINUTES

A-1 Approval of the minutes of the meeting held on October 10, 2011 & October 12, 2011.

B. DEFERRED

B-1 Proposed Resolution To Reorganize Certain Operations of the City with Respect to the Departments of City Development and Neighborhood Services and Inspections and to Subsequently Create the Department of Community Development and Inspections. *(Deferred from the 10/10/11 meeting) (Also referred to Finance)* **CLOSED SESSION: The Public Safety & Welfare Committee may go into Closed Session regarding this item, pursuant to Å§19.85(1)(c), Wisconsin Statutes to discuss qualifications, promotion and/or performance evaluation of specific individuals. The Public Safety & Welfare Committee may or may not reconvene into open session for purposes of holding a hearing and making a final determination.**

C. REFERRED TO COMMISSION

C-1 Proposed Ordinance To Create Section 11.036 E. *(of the Code of General Ordinances)* Entitled "Trespass", to Repeal and Recreate Section 11.06 D. Entitled "Carrying Concealed Weapons", and to Create Section 11.065 Entitled "Carrying Firearm in Public Building".

DISCUSSION ITEM:

1. Use of Temporary Structures for Exterior Smoking Purposes.
2. Discussion of Investigation and Subsequent Discipline of Specific Employees in the Department of Neighborhood Services & Inspections. **CLOSED SESSION: The Public Safety & Welfare Committee may go into Closed Session regarding this item, pursuant to Å§19.85(1)(b)(c)(f), Wisconsin Statutes. The Public Safety & Welfare Committee may or may not reconvene into open session for purposes of holding a hearing and making a final determination.**

CITIZEN COMMENTS/ALDERMEN COMMENTS/OTHER BUSINESS AS AUTHORIZED BY LAW

IF YOU ARE DISABLED AND NEED ASSISTANCE, PLEASE CALL 653-4050 BEFORE THIS MEETING

NOTICE IS HEREBY GIVEN THAT A MAJORITY OF THE MEMBERS OF THE COMMON COUNCIL MAY BE PRESENT AT THE MEETING, AND ALTHOUGH THIS MAY CONSTITUTE A QUORUM OF THE COMMON COUNCIL, THE COUNCIL WILL NOT TAKE ANY ACTION AT THIS MEETING.

PUBLIC SAFETY & WELFARE COMMITTEE
Minutes of Meeting held Monday, October 10, 2011

A meeting of the Public Safety & Welfare Committee was held on Monday, October 10, 2011 in Room 202 of the Kenosha Municipal Building. The meeting was called to order at 5:25 pm by Chairman Downing.

At roll call, the following members were present: Alderpersons Green, Orth, and LaMacchia. Alderperson Kennedy was excused. Staff members in attendance were Mayor Keith Bosman; Ed Antaramian, City Attorney; Paula Blise, Zoning Coordinator; Jeff Labahn, Director of City Development; Steve Stanczak, Director of Human Resources; Chief John Morrissey, Police Chief; Alderperson Juliana; Alderperson Bostrom; and Alderperson Bogdala..

It was moved by Alderperson LaMacchia, seconded by Alderperson Green, to approve the minutes from the meeting held on Monday, September 26, 2011. Motion passed unanimously.

B-1. Proposed Ordinance 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 to Finance, Public Works, Licensing/Permit and Stormwater Utility Committees)* *(Deferred from the 9/26/11 meeting)*

Staff/Alderman: Alderperson Juliana and Ed Antaramian spoke.

After discussion, Chairman Downing passed the gavel. It was moved by Alderperson LaMacchia, seconded by Alderperson Downing, to approve. Motion passed unanimously.

B-2 Proposed Ordinance to Repeal Chapter 28 *(of the Code of General Ordinances)* for the City Entitled "Vacant Building Code" in its Entirety. *(Finance-DEFERRED)* *(Deferred from the 9/26/11 meeting)*

Staff/Alderman: Alderperson Bostrom spoke.

It was moved by Alderperson Orth, seconded by Alderperson LaMacchia, to defer for thirty (30) days. Motion passed unanimously.

C-1 Proposed Ordinance 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. *(Finance-DEFERRED)*

Staff/Alderman: Mayor Keith Bosman spoke.

It was moved by Alderperson LaMacchia, seconded by Alderperson Orth, to change the name to Community Development and Inspections. Motion passed unanimously. It was then moved by Alderperson Orth, seconded by Alderperson LaMacchia to approve. Motion carried unanimously.

- C-2 Proposed Ordinance To Repeal and Recreate Various Sections of Chapter 15 (*of the Code of General Ordinances*) Related to Off-Premise Signs.
Public Hearing: Jason Saari, Adams Outdoor, 5732-95th Ave, Ste 500, and Mark Rausch, Clear Channel, 908 Silver Mail Rd, Pewaukee, WI spoke.
Staff/Alderman: Ed Antaramian and Alderperson Bogdala spoke.
No action was taken.
- C-3 Evaluation and Consideration of Zoning Coordinator Paula Blise's Qualifications to Oversee the combined Departments of Neighborhood Services and Inspections and City Development
Staff/Alderman: Paula Blise spoke.
It was moved by Alderperson Orth, seconded by Alderperson Green, to receive and file. Motion passed unanimously.
- C-4 Proposed Resolution To Reorganize Certain Operations of the City with Respect to the Departments of City Development and Neighborhood Services and Inspections and to Subsequently Create the Department of Community Development and Inspections.
(Also referred to Finance)
Staff/Alderman: Mayor Keith Bosman, Jeff Labahn and Steve Stanczak spoke.
It was moved by Alderperson Orth, seconded by Alderperson Green, to defer for two weeks. Motion passed unanimously.

DISCUSSION ITEMS:

1. Review of compliance efforts associated with Zoning Ordinance 2.02(B)(8): Certificate of No Past Due Real Estate Taxes or Special Assessments.
Staff/Alderman: Paula Blise spoke.
2. Discussion to analyze the concept of amending the City Sign Ordinance to allow temporary sandwich board signs on private property.
Staff/Alderman: Paula Blise and Chief Morrissey spoke.

CITIZEN COMMENTS: Jim Celano, 5024 Green Bay Rd, (Bay Ridge Center Owner) spoke regarding the temporary sandwich board signs. He asks for flexibility with the signs. Tony Geliche (Community Development Specialist) invited the Committee to come in and see the work and job duties of the staff members in the Community Development Category. Paula Blise asked the Committee if she should work on the Past Due Real Estate Taxes and Special Assessments or enforce the rules on the book. Chairman Downing commented that the rules of the book should be worked on right now and bring back to Committee.

OTHER BUSINESS: The October 31, 2011 meeting has been rescheduled for Tuesday, October 25, 2011. Budget meeting is to follow.

ADJOURNMENT - There being no further business to come before the Public Safety & Welfare Committee, it was moved, seconded and unanimously carried to adjourn at 6:34 pm.

PUBLIC SAFETY & WELFARE COMMITTEE
Minutes of Meeting held Wednesday, October 12, 2011

A special meeting of the Public Safety & Welfare Committee was held on Wednesday, October 12, 2011 in Room 200 of the Kenosha Municipal Building. The meeting was called to order at 6:15 pm by Chairman Downing.

At roll call, the following members were present: Alderpersons Green, Kennedy and LaMacchia. Alderperson Orth was excused. Staff members in attendance were City Administrator, Frank Pacetti, Outside Environmental Attorney of Godfrey & Kahn, Art Harrington, Jessica Franklin and Mike Lemens, Interim Director of Public Works.

C-1 Approval of Application of Old Carco Liquidation Trust for Non-Structural Demolition Permit for Property Located at 5555-30th Avenue.

Staff/Alderman: City Administrator, Frank Pacetti and Art Harrington spoke.

It was moved by Alderperson Green, seconded by Alderperson LaMacchia to approve subject to Common Council approval of Ordinance Chapters 13 and 9 amendments and to accept the Stipulation and Agreed Order at the special Common Council meeting on October 12, 2011. Motion passed unanimously.

ADJOURNMENT – There being no further business to come before the Public Safety & Welfare Committee, it was moved, seconded and unanimously carried to adjourn at 6:20 pm.

RESOLUTION NO. _____

BY: THE MAYOR

TO REORGANIZE CERTAIN OPERATIONS OF THE CITY OF KENOSHA WITH RESPECT TO THE DEPARTMENTS OF CITY DEVELOPMENT AND NEIGHBORHOOD SERVICES AND INSPECTIONS AND TO SUBSEQUENTLY CREATE THE DEPARTMENT OF COMMUNITY DEVELOPMENT AND INSPECTIONS

WHEREAS, for the purpose of operating the City on a cost effective and efficient basis, it is desirable to reorganize certain operations with respect to the Departments of City Development and Neighborhood Services and Inspections; and

WHEREAS, the consolidation of the aforementioned departments results in the creation of the Department of Community Development and Inspections.

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Kenosha, Wisconsin, that the following changes of operation of the City are adopted as provided and scheduled for implementation herein:

1. The Department of City Development and the position of Director of City Development shall be abolished upon s1.05 K. (1) and (2) of the Code of General Ordinances, entitled "Department of City Development," being repealed. A Copy of an Ordinance draft to that effect is attached hereto as Exhibit A and incorporated herein by reference.

2. The Department of Neighborhood Services and Inspections and the position of Director of Neighborhood Services and Inspections shall be abolished upon s1.05 N. (1) and (2) of the Code of General Ordinances, entitled "Department of Neighborhood Services and Inspections," being repealed. A Copy of an Ordinance draft to that effect is attached hereto as Exhibit A and incorporated herein by reference.

3. The Department of Community Development and Inspections and the position of Director of Community Development and Inspections is created under s1.05 K (1) and (2) upon the passage and publication of the Ordinance referenced in Exhibit A.

4. The Organization Chart and the Table of Organization for the Department of Community Development and Inspections shall be as set forth in Exhibits B and C, which are attached hereto and incorporated herein by reference.

5. The job description for the position of Director of Community Development and Inspections shall be as set forth in Exhibit F, which is attached hereto and incorporated herein by reference.

6. All positions/employees in the Departments of City Development and Neighborhood Services and Inspections shall be transferred to the Department of Community Development and Inspections upon s1.05 K (1) and (2) of the Code of General Ordinances being created. The position of Soil Erosion Inspector in the Department of Neighborhood Services and Inspections, shall be transferred to the Department of Public Works upon s1.05 of the Code of General Ordinances being created. Both actions are set forth in Exhibit C.

7. The incumbent of the position of Director of City Development shall be reclassified to the appropriate rate of pay and assume the duties of the position of Director of Community Development and Inspections as set forth in Exhibits D, E and F.

8. The Table of Organization for the City of Kenosha which is attached hereto as Exhibit C and is adopted as amended and incorporated herein by reference.

9. Personnel actions to be taken to implement those changes necessary for the consolidation of the Departments of City Development and Neighborhood Services and Inspections above are outlined in Exhibits C, D, and E which are attached hereto and incorporated herein by reference.

Adopted this ____ day of _____, 2011.

ATTEST: _____
Mike Higgins, City Clerk

APPROVED: _____
Keith G. Bosman, Mayor

EXHIBIT A

ORDINANCE NO. _____

SPONSOR: 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; 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

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.

1. The Department of Community Development 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 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 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 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” 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” 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

EXHIBIT B

DEPARTMENT OF COMMUNITY DEVELOPMENT & INSPECTIONS

DIRECTOR OF COMMUNITY DEVELOPMENT & INSPECTIONS *
 Jeffrey Labahn

<u>2011</u>	
Full-time	20
Part-time	2
Seasonal	1

**SUPERINTENDENT OF PLANNING,
 ZONING & DEVELOPMENT ***
 Richard Schroeder

**SUPERINTENDENT OF BUILDING INSPECTION
 AND PROPERTY MAINTENANCE ***
 Richard Hillesland

PLANNING & ZONING (3)

PLANNER I/II (1)
 Brian Reining
 PLANNING TECHNICIAN (1)
 Michael Calovi
 ZONING COORDINATOR (1)
 Paula Blise

COMMUNITY DEVELOPMENT (3)

C.D. SPECIALIST III (3)
 Anthony Geliche (CDBG)
 Zohrab Khaligian (REDEVELOPMENT)
 Michael Maki ** (HOME)

**PROPERTY/MAINTENANCE
 & INSPECTIONS (4)**

HOUSING INSPECTOR I/II
 Martha Swartz
 Louis Chiapetta
 Mark Sanchez
 John Dumke

**BUILDING INSPECTION
 COORDINATION (4)**

SENIOR BUILDING INSPECTOR (1)
 Vacant
 SENIOR ELECTRICAL INSPECTOR (1)
 Richard Baumann
 PLUMBING INSPECTOR II (1)
 Kevin Mikolas
 C.D. SPECIALIST III (1)
 Brian Wilke

CLERICAL SUPPORT (2)

SECRETARY III
 Kay Schueffner
 CLERK TYPIST I - PT (1)
 Vacant

CLERICAL SUPPORT (3)

SECRETARY II (1)
 Susan Zampanti
 CLERK TYPIST II (1)
 Gail Rohde
 CLERK TYPIST I - PT (1)
 Jolin Schmitz

**GRASS & WEEDS
 INSPECTOR (1)**
 Seasonal

* NOTE: New and/or revised job title/descriptions for reclassifications.
 ** Reclassification from Planner II.

EXHIBIT C

Table of Organization

Change the Table of Organization in the Departments of City Development, Neighborhood Services and Inspections, and Public Works to accept the following:

- (a) Eliminate the following positions from the Department of City Development: Director of City Development (funded and presently filled for 2011), Planner I/II (unfunded for 2011) and Community Development Specialist III (funded and presently vacant for 2011);
- (b) Eliminate the following positions from the Department of Neighborhood Services and Inspections: Director of Neighborhood Services and Inspections (funded and presently vacant for 2011); Supervisor of Building Inspection (funded and presently vacant for 2011); Supervisor of Property Maintenance (funded and presently vacant for 2011); Clerical Supervisor (funded and presently vacant for 2011); Senior Electrical Inspector (unfunded for 2011); and Senior Building Inspector (unfunded for 2011);
- (c) Transfer the existing position of Soil Erosion Inspector from Neighborhood Services and Inspections to the Department of Public Works;
- (d) Eliminate the Departments of City Development and Neighborhood Services and Inspections and create a consolidated Department of Community Development and Inspections; and
- (e) Create the positions of Director of Community Development and Inspections (see Exhibit F); Superintendent of Planning, Zoning & Development (see Exhibit G); and Superintendent of Building Inspection and Property Maintenance (see Exhibit H).

EXHIBIT D

Compensation Plan

Change the 2011 City compensation plan to codify changes as proposed in Exhibit A of this resolution for managerial, supervisory, professional and confidential employees as follows:

- (a) Create the salary pay range for the Director of Community Development and Inspections as \$6,957 – \$8,696 (derived from the average department head salary of those surveyed Wisconsin municipalities with combined planning and building inspection functions);
- (b) Create the salary pay range for the Superintendent of Planning, Zoning & Development as \$5,420 - \$6,640 (equivalent to salary pay range of Public Works division superintendents); and
- (c) Create the salary pay range for the Superintendent of Building Inspection and Property Maintenance as \$5,420 - \$6,640 (equivalent to salary pay range of Public Works division superintendents).

EXHIBIT E

Reclassifications

Subsequent to the changes as proposed in Exhibits A and B of this resolution, the following individuals are recommended for reclassification resulting from their expanded roles within the Department of Community Development and Inspections:

- Reclassification of Jeff Labahn to the position of Director of Community Development and Inspections. The recommendation having arisen from the expanded duties and responsibilities of managing the newly consolidated Department of Community Development and Inspections. *(Mr. Labahn will be placed at a salary level in accordance with Civil Service Rules).*
- Reclassification of Rich Schroeder to the position of Superintendent of Planning, Zoning & Development. The recommendation having arisen from the expanded duties and responsibilities of managing the newly consolidated Department of Community Development and Inspections. *(Mr. Schroeder will be placed at a salary level in accordance with Civil Service Rules).*
- Reclassification of Rick Hillesland to the position of Superintendent of Building Inspection and Property Maintenance. The recommendation having arisen from the expanded duties and responsibilities of managing the newly consolidated Department of Community Development and Inspections. *(Mr. Hillesland will be placed at a salary level in accordance with Civil Service Rules).*
- Reclassification of Mike Maki from the position of Planner I/II to Community Development Specialist III. The recommendation having arisen from the assumed duties of administering the HOME Program (formerly performed by Mark McCarthy, CD Specialist III) as well as continuing the oversight of historic preservation. *(Mr. Maki will be placed at a salary level in accordance with Civil Service Rules).*

Exhibit F

DIRECTOR OF COMMUNITY DEVELOPMENT and INSPECTIONS

DEPARTMENT: **Community Development and Inspections**

GENERAL OVERVIEW OF POSITION

This position is responsible for the administration, leadership and management of all Department of Community Development and Inspections personnel, programs and activities. The general areas of responsibility include, but are not limited to the following: comprehensive planning, current planning, zoning, mapping, historic preservation, redevelopment, housing construction and rehabilitation, Community Development Block Grant and HOME programs, Capital Improvement Programming, property maintenance, building inspection and code enforcement. The Director works under the administrative direction of the City Administrator and Mayor within the the described areas of responsibility to promote and improve the health, safety and general welfare of the residents and property owners throughout the City of Kenosha.

EXAMPLES OF ESSENTIAL FUNCTIONS: (illustrative only)

The Director is responsible to administer a department having a diverse staff with a wide range of program directives and activities. Therefore, the essential duties and responsibilities reflect the priorities of this position in the specific areas of administration, leadership, management and communication as follows:

- Develop, maintain and evaluate departmental goals and objectives pertaining to all program and activity areas of the department.
- Develop, maintain and evaluate departmental policies to effectively, efficiently and consistently implement the departmental goals and objectives.
- Prepare, assess and implement the Comprehensive Plan including neighborhood plans, master plans, redevelopment plans and various other strategic plans which direct the physical, social and economic development of the City of Kenosha.
- Prepare, analyze and administer the operating budget for the department as well as the preparation of the five-year Capital Improvement Plan for the City.
- Support and provide appropriate staff resources for the City Plan Commission, Redevelopment Authority of the City of Kenosha, Community Development Block Grant Committee, HOME Commission, Historic Preservation Commission, City Industrial Park and Business Park of Kenosha Committees, Board of Zoning Appeals and Board of Housing Appeals.
- Promote staff development through a systematic approach to training, mentoring and continuous learning programs to achieve desirable customer service on both an internal and external basis.
- Act as the primary liaison and representative of the department with the Common Council, Council Standing Committees, City Department Heads and public or private groups.
- Oversee State and Federal programs for which the department has primary responsibility including, but not limited to, Community Development Block Grant Program and HOME Program.
- Act as the personnel manager with regard to hiring, discharge, discipline, assignment and evaluation of all departmental employees.

- Interpret the Code of General Ordinances and Zoning Ordinance as it pertains to departmental programs and activities.

(NOTE: The duties listed above are intended as illustrations of the various types of work performed by persons in positions covered by this classification specification. This list is not all inclusive. The omission of a particular job duty does not mean that the duty is not one of the essential functions of the position. Management reserves the right to assign employees in this classification to duties not listed above, if the duties are fairly within the scope of responsibilities applicable to the level of work performed by employees in positions covered by this classification specification. This classification specification does not create an employment contract between the City and the employee and is subject to change by the City as the needs of the City and the department change over time.)

REQUIREMENTS

Training and Experience:

- Bachelor's degree in planning, public administration, engineering or related field from an accredited college or university.
Ten (10) years of progressively responsible experience, of which five (5) years are supervisory.
A combination of education and experience that provides equivalent knowledge, skills and abilities.

Knowledge, Abilities and Skills:

- Knowledge of the principles and practices of planning, zoning, development, redevelopment, housing, construction and maintenance; familiarity with land economics, urban design, municipal finance and other related subjects as applied to community development.
- Knowledge of the laws, ordinances and codes relating to land use and development regulations.
- Knowledge of administrative methods, principles and practices, including management budgetary development and administration and personnel management and administration.
- Ability to plan, direct and organize a comprehensive community development program.
- Ability to handle complaints and enforce compliance with applicable regulations.
- Ability to motivate, manage and supervise employees with varying levels of education and work experience.
- Ability to communicate effectively, orally and in writing and to prepare concise, accurate reports and written recommendations for changes, revisions, additions, deletions, or amendments to codes, ordinances, environmental and similar activities.
- Ability to maintain effective working relationships with officials, other departments, public agencies and the general public.
- Skill in the use of basic office equipment, personal computers and Geographic Information Systems.
- Ability to handle reasonably necessary stress.

Physical Requirements:

- Task is essentially sedentary, with occasional walking, bending, light lifting or other restricted physical activities including driving and physical field observations.

Environmental Requirements:

- Task is regularly performed without exposure to adverse environmental conditions.

Sensory Requirements:

- Task requires color perception and discrimination.
- Task requires visual perception and discrimination.
- Task requires oral and written communications ability.

Other Requirements:

- Possession of a valid driver's license and a good driving record.
- May be required to provide vehicle for use on the job.

FLSA Status: EXEMPT

Exhibit G

SUPERINTENDENT OF PLANNING, ZONING AND DEVELOPMENT

DEPARTMENT: Community Development and Inspections

GENERAL OVERVIEW OF POSITION

This position is responsible for the supervision of the personnel, programs and activities of the planning, zoning and community development aspects of the department. The specific areas of responsibility include, but are not limited to, the following: comprehensive planning, current planning, zoning, mapping, development, redevelopment, historic preservation, tax incremental financing, budgeting, Community Development Block Grant program, HOME program, housing construction and rehabilitation. The superintendent works under the administrative direction of the Director of Community Development and Inspections.

EXAMPLES OF ESSENTIAL FUNCTIONS (*illustrative only*)

The Superintendent is responsible to lead and manage a staff of professional, technical and clerical employees in the work areas of planning, zoning and community development. The essential duties and responsibilities are as follows:

- Manage the comprehensive planning program for the City of Kenosha which includes the Land Use Plan, neighborhood plans, downtown plan, and various other master plans.
- Coordinate the administration of the Zoning Ordinance including revisions to the zoning map and zoning text.
- Oversee the mapping, cartographic and geographic information systems program in support of department projects and activities.
- Provide direct support to the City Plan Commission as it pertains to agendas, staff reports, meetings and training.
- Facilitate the tracking of all departmental agenda items for Common Council and Standing Committee meetings.
- Coordinate quarterly meetings with Wisconsin Department of Transportation as primary liaison between City and State regarding both private developments and public improvement projects.
- Administer the Wetland, Floodplain and Shoreland programs in compliance with the Wisconsin Department of Natural Resources and Federal Emergency Management Agency standards.
- Prepare ordinances involving the Code of General Ordinance and Zoning Ordinance in regard to planning, platting, zoning, land use or other development issues.
- Assist Director in regard to departmental budget, operational and personnel issues.
- Manage staff assignments, evaluations, training and discipline issues.
- Coordinate planning, zoning and land use issue with other city departments, County, State and/or Federal agencies.
- Oversee the Historic Preservation Program and provide staff and resources to the Historic Preservation Commission.
- Provide policy guidance and administrative oversight to the Community Development Block Grant Program and CDBG Commission.
- Provide policy guidance and administrative oversight to the HOME program and HOME Commission
- Provide policy guidance and administrative oversight to the redevelopment program and the Redevelopment Authority of the City of Kenosha.

(NOTE: The duties listed above are intended as illustrations of the various types of work performed by persons in positions covered by this classification specification. This list is not all inclusive. The omission of a particular job duty does not mean that the duty is not one of the essential functions of the position. Management reserves the right to assign employees in this classification to duties not listed above, if the duties are fairly within the scope of responsibilities applicable to the level of work performed by employees in positions covered by this classification specification. This classification specification does not create an employment contract between the City and the employee and is subject to change by the City the needs of the City and the department change over time)

REQUIREMENTS

Training and Experience :

- Bachelor's degree in planning or related field from an accredited college or university with five (5) years of progressively responsible experience, of which two (2) years are supervisory; or a combination of education and experience that provides equivalent knowledge, skills and abilities. American Institute of Certified Planners (AICP) is desirable.

Knowledge, Skills and Abilities:

- Knowledge of the principles and practices of planning, zoning and community development; familiarity with land economics, urban design, municipal finance and other related subjects as applied to community development.
- Knowledge of the laws, ordinances, and codes relating to land use, zoning and development regulations.
- Knowledge of administrative methods, principles and practices, including management, budgetary development and administration and personnel management and administration.
- Ability to plan, direct, and organize a planning, zoning and community development program.
- Ability to handle complaints and enforce compliance with applicable regulations.
- Ability to motivate, manage, and supervise employees with varying levels of education and work experience.
- Ability to communicate effectively, orally and in writing and to prepare concise accurate reports and written recommendations for changes, revisions, additions, deletions, or amendments to codes, ordinances, environmental and similar activities.
- Ability to maintain effective working relationships with officials, other departments, public agencies, and the general public.
- Skill in the use of basic office equipment, personal computers and Geographic Information Systems.
- Ability to handle reasonably necessary stress.

Physical Requirements:

- Task is essentially sedentary, with occasional walking, bending, light lifting, or other restricted physical activities including driving and physical field observations.

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Environmental Requirements:

- Task is regularly performed without exposure to adverse environmental conditions.

Sensory Requirements:

- Task requires color perception and discrimination.
- Task requires visual perception and discrimination.
- Task requires oral and written communications ability.

Other Requirements:

- Possession of a valid driver's license and good driving record.
- May be required to provide a personal vehicle for use on the job.

FLSA Status: Exempt

Exhibit H

SUPERINTENDENT OF BUILDING INSPECTION and PROPERTY MAINTENANCE

DEPARTMENT: Community Development and Inspections

GENERAL OVERVIEW OF POSITION

This position is responsible for the supervision of the personnel, programs and activities of the building inspection and property maintenance aspects of the department. The specific areas of responsibility include, but are not limited to, the following: building inspection, plan review, permit review and issuance, property maintenance inspection, and seasonal weed and grass inspection. The superintendent works under the administrative direction of the Director of Community Development and Inspections.

EXAMPLES OF ESSENTIAL FUNCTIONS (*illustrative only*)

The Superintendent is responsible to lead and manage a staff of professional, technical and clerical employees in the work areas of building inspection and property maintenance. The essential duties and responsibilities are as follows:

- Manage the building inspection staff who make on-site inspections of new and existing projects consisting of, but not limited to structural, quality of materials, workmanship, proper permits and certifications.
- Oversees the plan reviews required in conjunction with building and other permit applications.
- Performs building inspections and plan reviews as needed in several trade specialties such as plumbing, electrical, mechanical, structural and finish.
- Resolves homeowner and contractor inquiries, complaints, violations and disputes; participates and responds to requests from other departments.
- Meets with architects, engineers, owners, builders and contractors to provide technical advice on City building standards and related permitting needs and procedures; develops new codes and ordinances.
- Attends meetings, conferences and seminars, makes presentations.
- Facilitates the City wide conditional use permit/site plan review and approval process as it pertains to building projects.
- Coordinates the housing inspection and code enforcement activities associated with the maintenance of existing occupied or vacant buildings and properties.
- Oversees the preparation of property maintenance inspectors reports and the subsequent activities pertaining to corrective action and compliance.
- Performs property inspections and code enforcement duties as needed.
- Reviews the establishment of re-inspection fees and special assessments.
- Conducts outreach to community groups, including landlords and other special interest groups.
- Assists Director in regard to departmental budget, operational and personnel issues.
- Manage staff assignments, evaluations, training and discipline issues.
- Provide policy guidance and administrative oversight to the building inspection and property maintenance programs.

(NOTE: The duties listed above are intended as illustrations of the various types of work performed by persons in positions covered by this classification specification. This list is not all inclusive. The omission of a particular job duty does not mean that the duty is not one of the essential functions of the position. Management reserves the right to assign employees in this classification to duties not listed above, if the duties are fairly within the scope of responsibilities applicable to the level of work performed by employees in positions covered by this classification specification. This classification specification does not create an employment contract between the City and the employee and is subject to change by the City the needs of the City and the department change over time)

REQUIREMENTS

Required Training and Experience :

- Bachelor's degree in architecture, engineering or related field from an accredited college or university with five (5) years of construction and building inspection experience, of which two (2) years are supervisory or a combination of education and experience that provides equivalent knowledge, skills and abilities is desirable.
Certified in multiple UDC certifications, of which Commercial Building Inspector and Commercial Building Inspector is highly desirable.

Required Knowledge, Skills and Abilities:

- Knowledge of modern practices and methods employed in building and related construction trades.
- Knowledge of modern supervisory practices and the ability to effectively utilize same.
- Knowledge of City and State Laws, regulations, codes and ordinances governing building standards, zoning and housing and certification and licensing of contractors.
- Ability to plan, organize, assign and direct to work of subordinates.
- Ability to verify and enforce violations cited by those in the field.
- Ability to prepare complex reports.
- Ability to consult with contractors, building owners, and the general public.
- Ability to issue violation and/or stop work orders when necessary and file reports on violations.
- Ability to read, understand and interpret plans, drawings, blueprints, specifications and related construction documents, and identify them to construction in progress.
- Ability to communicate effectively, both verbally and in writing.
- Ability to establish and maintain an effective working relationship with the general public, superiors, subordinates, and fellow employees.
- Knowledge of City code enforcement and municipal court procedures.
- Ability to consult with and enlist the cooperation of building owners, tenants, contractors, and the public.
- Skill in enforcing conformity with firmness, tact and impartiality.
- Ability to handle reasonably necessary stress.

Physical Requirements:

- Task involves frequent walking; standing; some lifting and carrying objects of moderate weighted (12-20 pounds); and/or the operation of vehicles, office, shop keyboard, or hand tools in which manipulative skills and hand-eye coordination are important ingredients of safe and/or productive operations. At times may require sustained, performance of heavier physical tasks such as walking over rough or uneven surfaces, bending, stooping and working in confined spaces.

Environmental Requirements:

- Task may require frequent exposure to adverse environmental conditions, such as: rodent/insect infestation, trip hazards and deteriorated structures.

Sensory Requirements:

- Task requires color perception and discrimination.
- Task requires sound perception and discrimination.
- Task requires depth perception and discrimination.
- Task requires texture perception and discrimination.
- Task requires visual perception and discrimination.
- Task requires oral and written communications ability.

Other Requirements:

- Possession of a valid driver's license and good driving record.
- May be required to provide a personal vehicle for use on the job.

FLSA Status: Exempt

ORDINANCE NO. _____

DRAFT 10/13/11

SPONSOR: ALDERPERSON JESSE L. DOWNING

To Create Section 11.036 E. of the Code of General Ordinances entitled “Trespass”, to Repeal and Recreate Section 11.06 D. entitled “Carrying Concealed Weapons”, and to Create Section 11.065 entitled “Carrying Firearm in Public Building”.

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

Section One: Section 11.036 E. of the Code of General Ordinances for the City of

Kenosha, Wisconsin, is created as follows:

E. Except as otherwise provided or prohibited by law, no person shall enter or remain in any residence, non single family residence, nonresidential building, the grounds or land related to the foregoing, special event, any part of a building that is owned, occupied, or controlled by the state or any local governmental unit, or, any privately or publicly owned building on the grounds of a university or college within the meaning of § 943.13 Wis. Stats., as amended, if the owner, occupant, organizer, state or local government unit, or university or college has notified the person as required by §943.13 Wis. Stats., as amended, not to enter or remain in or on the residence, building, grounds, land or special event while carrying, possessing or controlling a weapon as defined in §175.60(1)(j) Wis. Stats., or a dangerous weapon as defined in §§ 939.22 (10) and 948.60 (1), Wis. Stats., as may be amended from time to time.

Section Two: Section 11.06 D. of the Code of General Ordinances for the City of

Kenosha is repealed and recreated as follows:

D. Carrying Concealed Weapons. Except as otherwise provided by law, ~~No~~ person shall wear under their clothes, or conceal about their person, or display in a threatening manner any dangerous weapon, including, but not by the way of limitations any pistol, revolver, shuriken (throwing star), sling shot, bow and arrow, BB gun, pellet gun, pea shooter, knuckles of brass, lead or metal, or any bowie knife or any knife resembling a bowie knife, or any knife with a switchblade or devices whereby the blade or blades can be opened by a flick of a button, pressure on the handle, other mechanical contrivance, or by gravity or by a thrust or movement.

Section Three: Section 11.065 of the Code of General Ordinances for the City of

Kenosha, Wisconsin is created as follows:

11.065 Carrying Firearm in Public Building.

A. Prohibition. It shall be unlawful for any person to go armed with a firearm in any building owned or leased by the State or any political subdivision of the State.

B. Exception. Paragraph A shall not apply to any of the following:

1. Peace officers or armed forces or military personnel who go armed in the line of duty or to any person duly authorized by the chief of police of any city, village or town, the chief of the capitol police, or the sheriff of any county to possess a firearm in any building under Paragraph A. For purposes of this section peace officer

does not include a commission warden who is not a state-certified commission warden.

2. A qualified out-of-state law enforcement officer, as defined in Section 941.23 (1) (g), Wis. Stats., to whom section 941.23 (2) (b) 1. to 3. Wis. Stats., applies.

3. A former officer, as defined in Section 941.23 (1)(c) Wis. Stats., to whom Section 941.23 (2) (c) 1. to 7. Wis. Stats., applies.

4. A licensee, as defined in Section 175.60 (1) (d) Wis. Stats., or an out-of-state licensee, as defined in Section 175.60 (1) (g) Wis. Stats.

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

ATTEST: _____ City Clerk

APPROVED: _____ Mayor

Passed:

Published:

Drafted By:
JONATHAN A. MULLIGAN
Assistant City Attorney



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: Jesse L. Downing, Chairman
 Members of the Public Safety & Welfare Committee

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

SUBJECT: Use of Temporary Structures For Exterior Smoking Purposes

DATE: October 18, 2011

In 2010, temporary structures were utilized by alcohol-licensed establishments, in order to protect their patrons from inclement weather conditions. In order to protect the safety and welfare of the patrons, and coincide with the existing building and/or zoning ordinance, a policy as to how these types of structures will be treated shall be required.

The following are items to consider in this discussion:

1. The Zoning Ordinance stipulates the following:

Building Permit. No building or structure shall hereafter be located, erected, moved, structurally altered, extended, or enlarged until after the property owner or his or her agent has secured a Building Permit from the Administrator. Applications for a Building Permit shall be made in accordance with the procedures outlined in §8.0 of this Ordinance.

Unlisted Permitted and Accessory Uses. It is recognized that it is neither possible nor practicable to list all of the permitted and accessory uses in a district. Therefore, other uses, which in the judgment of the Administrator, are similar and compatible to the permitted or accessory uses permitted in the district, may be allowed in such district.

Based on the above, a building permit would be required to erect a temporary structure, however a Certificate of Occupancy permit is not required for a temporary structure.

2. The Building Code (General Code 9.0) stipulates:

TEMPORARY BUILDINGS AND USES. The Code Official is authorized to issue a Permit for temporary Buildings and temporary uses. Such Permits shall be limited as to duration of use, but in no event be permitted for more than one hundred eighty (180) days.

Based on the above, a temporary use permit can be rendered, and the duration of use can be regulated.

3. Fire Code Requirements (Discussion Item) - Types of structures allowed; fire code;
4. Police Department Requirements (Discussion Item) - Visibility;
5. Application process (streamlined - simplified)

:pab



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

Office Use Only:



**APPLICATION FOR
 TEMPORARY
 NONPERMANENT STRUCTURE
 PERMIT**

(FOR USE WITH OUTDOOR EXTENSION SMOKING/ALCOHOL AREAS)

This document must be legible or will be returned.
 You will be notified when your permit is ready; please do not submit payment with permit application.

Project Address _____

Owner _____

Contractor _____

Mailing Address _____

Mailing Address _____

City _____ State _____ Zip _____

City _____ State _____ Zip _____

Phone (_____) _____

Phone (_____) _____

Owner/Applicant e-mail _____

Contractor e-mail _____

Indicate the type of structure to be installed: _____ Attach photograph, if available

Will the structure have sides? _____ If so, number of exits provided _____

Structure Size: _____ by _____ Total Square Footage: _____ Height _____

Setbacks in feet from property lines: Front _____ Rear _____ Left _____ Right _____

Additional Requirements:

- Plat of Survey indicating location of structure
- Certification that structure is made of fire-resistant materials
- Number of fire extinguishers _____ Number of exit signs _____ Lighting provided? _____
Specify: _____
- Occupancy #s (how many occupants) _____
- List type of lighting, heating and/or electrical equipment _____
(Approved electrical and/or heating permits shall be required for new installations)
- Check all that apply: Tables and Chairs Chairs Only Standing Room Only
 Provide layout of table and/or chairs, if applicable
- Specify dates of installation/ removal: Installation Date _____ Removal Date _____

I agree to comply with all applicable codes, statutes, and ordinances, and with the conditions of this permit; understand that the issuance of the permit creates no legal liability, express or implied, on the state or municipality; and, certify that all of the permit information herein is accurate. I expressly grant the building inspector, or the inspector's authorized agent, permission to enter the premises for which this permit is sought at all reasonable hours and for any proper purpose to inspect the work which is being done.

Applicant Signature: _____

DESCRIPTION	PRICE PER UNIT	QUANTITY
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TEMPOARY NONPERMANENT STRUCTURE PERMIT	\$60.00 Ea.	_____
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- **** PLEASE NOTE CHANGE IN DATE ****

AGENDA
PUBLIC SAFETY & WELFARE COMMITTEE MEETING
Kenosha Municipal Building - Room 202
Tuesday, October 25, 2011 - 5:00 pm

Chairman:	Jesse L. Downing	Vice Chair:	Lawrence Green
Aldersperson:	Anthony Kennedy	Aldersperson:	Michael J. Orth
Aldersperson:	Rocco J. LaMacchia, Sr.		

Call to Order
Roll Call

**PLEASE REMEMBER TO BRING YOUR COPY OF
THE 2012 CIP & EXECUTIVE BUDGET TO THIS MEETING**

C. REFERRED TO COMMISSION

- C-1. Proposed Resolution To Reorganize Certain Operations of the City with Respect to the Departments of City Development and Neighborhood Services and Inspections and to Subsequently Create the Department of Community Development and Inspections. *(Deferred from the 10/10/11 meeting) (Also referred to Finance)* **CLOSED SESSION: The Public Safety & Welfare Committee may go into Closed Session regarding this item, pursuant to Â§19.85(1)(c), Wisconsin Statutes to discuss qualifications, promotion and/or performance evaluation of specific individuals. The Public Safety & Welfare Committee may or may not reconvene into open session for purposes of holding a hearing and making a final determination.**
- C-2. Department of Neighborhood Services and Inspections
 - a. Review of the Executive Budget
- C-3. Police Department
 - a. Review of the Executive Budget
 - b. Review of the CIP for 2012
- C-4. Fire Department
 - a. Review of the Executive Budget
 - b. Review of the CIP for 2012

CITIZEN COMMENTS/ALDERMEN COMMENTS/OTHER BUSINESS AS AUTHORIZED BY LAW

IF YOU ARE DISABLED AND NEED ASSISTANCE, PLEASE CALL 653-4050 BEFORE THIS MEETING

NOTICE IS HEREBY GIVEN THAT A MAJORITY OF THE MEMBERS OF THE COMMON COUNCIL MAY BE PRESENT AT THE MEETING, AND ALTHOUGH THIS MAY CONSTITUTE A QUORUM OF THE COMMON COUNCIL, THE COUNCIL WILL NOT TAKE ANY ACTION AT THIS MEETING.