

**AGENDA**  
**PUBLIC SAFETY & WELFARE COMMITTEE MEETING**  
**Kenosha Municipal Building - Room 204**  
**Monday, October 28, 2013 - 5:00 pm**

<b>Chairman:</b>	<b>Rocco J. LaMacchia, Sr</b>	<b>Vice Chairman:</b>	<b>Chris Schwartz</b>
<b>Aldersperson:</b>	<b>Anthony Kennedy</b>	<b>Aldersperson:</b>	<b>Michael J. Orth</b>
<b>Aldersperson:</b>	<b>Kevin E. Mathewson</b>		

**Call to Order**  
**Roll Call**

Approval of the minutes of the meeting held on October 14, 2013.

1. Previous Trial to Remove the “Two-Hour Parking 8:00am to 6:00 pm Monday through Saturday Except Holidays” Signs, on the North Side of 77th Street, East of Pershing Boulevard. *(Deferred from the 9/30/13 & 10/14/13 meetings) (District 14) (Staff recommends denial)*

**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 14, 2013**

A meeting of the Public Safety & Welfare Committee was held on Monday, October 14, 2013 in Room 204 of the Kenosha Municipal Building. The meeting was called to order at 5:07 pm by Chairman LaMacchia.

At roll call, the following members were present: Alderpersons Schwartz, Orth, and Mathewson. Alderperson Kennedy was excused. Staff members in attendance were: Michael Lemens, Director of Public Works; Cathy Austin, Assistant City Engineer; Sean Von Bergen, Assistant City Engineer; Police Chief John Morrissey; Deputy Police Chief Dan Miskinis; Alderperson Jan Michalski and Alderperson Curt Wilson.

It was moved by Alderperson Schwartz, seconded by Alderperson Orth to approve the minutes from the meeting held on Monday, September 30, 2013. Motion carried unanimously.

1. Previous Trial to Remove the "Two-Hour Parking 8:00am to 6:00 pm Monday through Saturday Except Holidays" Signs, on the North Side of 77th Street, East of Pershing Boulevard. *(Deferred from the 9/30/13 meeting) (District 14) (Staff recommends denial)*  
Staff/Alderperson: Sean Von Bergen spoke.  
It was moved by Alderperson Mathewson, seconded by Alderperson Orth to defer for two weeks. Motion carried unanimously.
2. Ordinance by Alderperson Jan Michalski, Co-Sponsors: Alderpersons Patrick Juliana, Scott N. Gordon, and Curt Wilson – To Create Section 16.152 *(of the Code of General Ordinances for the City of Kenosha)* Entitled Vacant Building Registry. *(Referred from Council on 9/4/13) (Deferred from the 9/9/13 meeting) (CP-Approve-Ayes 7:Noes 1)*  
Staff/Alderperson: Alderperson Jan Michalski and Police Chief John Morrissey spoke.  
It was moved by Alderperson Mathewson to deny. Motion failed due to a lack of a second. It was then moved by Alderperson Mathewson seconded by Alderperson Orth to deny. Motion carried 3-1 (with Alderperson Schwartz voting nay).
3. Ordinance by Alderperson Chris Schwartz - To Repeal and Recreate Subsection 7.05 c. *(of the Code of General Ordinances)* Regarding Parking Limits. *(Referred from Council on 10/7/13) (Also referred to Public Works)*  
Staff/Alderperson: Police Chief John Morrissey spoke.  
It was moved by Alderperson Orth, seconded by Alderperson Mathewson to approve. Motion carried unanimously.
4. Ordinance by the Mayor – To Amend Subsection 30.10 A. Regarding Filing of Complaints and to Repeal and Recreate Subsection 30.15 *(of the Code of General Ordinances)* Regarding Liability of Complainant for Costs and Expenses. *(Referred from Council on 10/7/13) (Also referred to Finance, Public Works, Stormwater Utility, Licensing/Permit Committees and Ethics Board)*  
It was moved by Alderperson Orth, seconded by Alderperson Schwartz to approve. Motion carried 3-1 (with Alderperson Mathewson voting nay).
5. Set date and time for 2014 Budget Review.  
The 2014 Budget Review meeting is set for Tuesday, November 5, 2013 to follow after the Parks Commission meeting.

CITIZEN COMMENTS: Police Chief John Morrissey comments on item #2.

ADJOURNMENT - There being no further business to come before the Public Safety & Welfare Committee, it was moved, seconded and unanimously carried to adjourn at 5:54 pm.



**Engineering Division**  
Shelly Billingsley  
Director of Engineering  
**Fleet Maintenance**  
Mauro Lenci  
Superintendent  
**Park Division**  
Jeff Warnock  
Superintendent

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

**DEPARTMENT OF PUBLIC WORKS**

**Michael M. Lemens, P.E., Director**  
**Shelly Billingsley, P.E., Deputy Director**

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

Date: October 25, 2013

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

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

CC: Alderman Daniel Prozanski  
District 14

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

**BACKGROUND INFORMATION:**

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

**RECOMMENDATION:**

Staff recommends reinstalling the "Two-Hour Parking 8:00 AM to 6:00 PM Monday through Saturday Except Holidays" signs on the north side of 77<sup>th</sup> Street, east of Pershing Boulevard but modifying the location of the signs by limiting the "Two-Hour Parking 8:00 AM to 6:00 PM Monday through Saturday Except Holidays" signs on the north side of 77<sup>th</sup> Street to the first sixty (60) feet east of Pershing Boulevard.



**Engineering Division**  
Shelly Billingsley  
Director of Engineering  
**Fleet Maintenance**  
Mauro Lenci  
Superintendent  
**Park Division**  
Jeff Warnock  
Superintendent

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

**DEPARTMENT OF PUBLIC WORKS**

**Michael M. Lemens, P.E., Director**  
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Date: September 26, 2013

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

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

CC: Alderman Daniel Proznski  
District 14

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

**BACKGROUND INFORMATION:**

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

**RECOMMENDATION:**

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



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

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

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

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June 7, 2013

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

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

Cc: Daniel Prozanski  
District 14

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

**BACKGROUND INFORMATION**

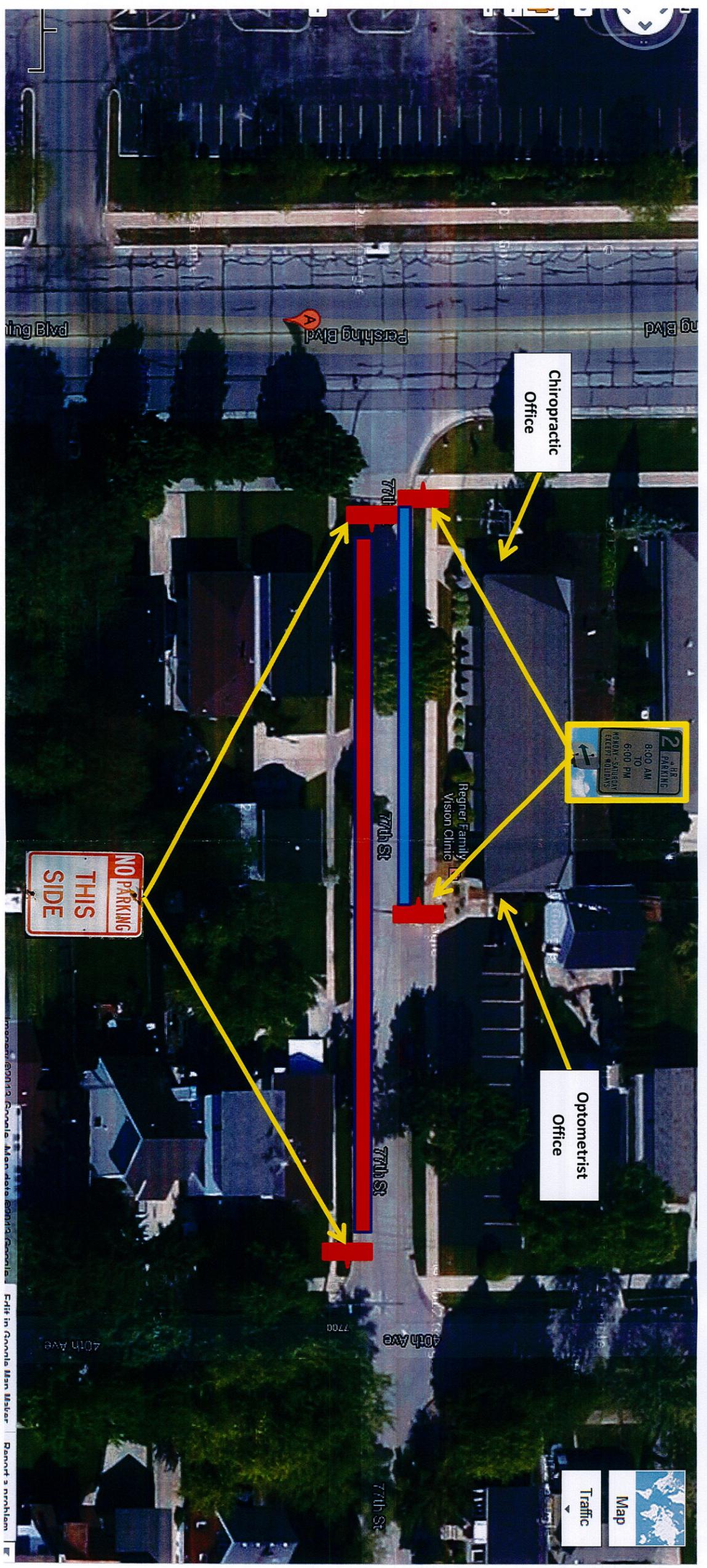
Alderman Daniel Prozanski, is requesting on the behalf of his constituents, to rescind Resolution No. 14-02 and to remove the two-hour parking restriction on the north side of 77<sup>th</sup> Street just east of Pershing Boulevard. Staff believes that the two-hour parking restriction, from 8:00 AM to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

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

**RECOMMENDATION**

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

SIGN LAYOUT ON 77<sup>TH</sup> STREET BETWEEN PERSHING BOULEVARD AND 40<sup>TH</sup> AVENUE



- LEDGEND
-  No Parking
  -  2-Hour Parking

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

**John M. Antaramian, Mayor**

**Jean A. Morgan, City Clerk**

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

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

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

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

Adopted this 4<sup>th</sup> day of February, 2002.

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

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

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

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

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

Adopted this 4<sup>th</sup> day of February, 2002.

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

**OTHER CONTRACTS AND AGREEMENTS**

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

On roll call vote, motion carried unanimously.

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

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

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

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

On roll call vote, motion carried unanimously.

**RECOMMENDATIONS FROM THE COMMITTEE ON FINANCE**

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

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

45. Disbursement Record #1 -



## Municipal Service Request Public Works Engineering Division

Date: June 3, 2013

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

**LOCATION:** 77<sup>th</sup> Street & Pershing Boulevard Intersection

**REQUEST:**

Alderman:

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

M. Lemens

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

Mike,

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

Thank you,  
Daniel Prozanski

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

Dan,

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

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

Dan,

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

Steve Miller

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

Dan,

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

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

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

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

Further:

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

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

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

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

Respectfully,

Stephen J. Miller

4019-77th Street

[sjmrcp@sbcglobal.net](mailto:sjmrcp@sbcglobal.net)

262 942 0325

## **DISPOSITION OF REQUEST:**

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

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

### **RECOMMENDATION:**

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

**RELATED TRAFFIC ORDER #: 13-59**

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