

AGENDA
PUBLIC SAFETY & WELFARE COMMITTEE MEETING
Kenosha Municipal Building - Room 202
Monday, November 29, 2010
5:00 PM

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

Call to Order
Roll Call

A. APPROVAL OF MINUTES

A-1. Approval of the minutes of the regular meeting held November 8, 2010 and the special meeting held November 3, 2010.

C. REFERRED TO COMMITTEE

- C-1. Proposed Ordinance To Create Section 1.036, Entitled "Communications During Meetings of the Common Council and Committees of the Common Council". *(Also refer to Public Works Committee, Finance Committee, Licensing/Permit Committee, and City Plan Commission)*
- C-2. Proposed Ordinance To Renumber Sections 11.147 to 11.148; 11.148 to 11.149; 11.149 to 11.15; 11.15 to 11.16; 11.16 to 11.17 and To Create Section 11.147, Entitled "Synthetic Marijuana".

**CITIZENS COMMENTS/ALDERMEN COMMENTS
OTHER BUSINESS AS AUTHORIZED BY LAW**

IF YOU ARE DISABLED AND IN NEED OF 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 -

Monday, November 8, 2010

The regular meeting of the Public Safety & Welfare Committee was held on Monday, November 8, 2010 in Room 204 of the Kenosha Municipal Building. The meeting was called to order at 5:35 pm. The following members were present: Chairman Downing, Alderman Kennedy, Orth, Green, and LaMacchia. Staff members in attendance were Kevin Risch, Ron Bursek, Chief Morrissey, Deputy Chief Santelli, Ed Antaramian, Chief Thomsen, Jim Schultz, and Paula Blise.

It was moved by Alderman motion, seconded by Alderman seconded, to approve the minutes of the meeting held on Monday, October 11, 2010. Motion passed 5-0.

- B-1. Proposed Resolution To Removal of No Parking, Standing, Stopping Restrictions on East Side of 8th Avenue North of 49th Street (To Remove the Existing "No Parking, Standing or Stopping, 7:30a.m. - 4:30p.m., on School Days", Restriction on the East Side of 8th Avenue North of 49th Street approximately 160 feet) (Referred back from Common Council meeting of November 1, 2010)
Staff/Alderman: Ron explained the chronology. Kevin explained that the request came from Harborside Academy. Alderman Orth asked if it is a state law that there is no parking by schools and if there are any other schools that don't have the no parking signs.
It was moved by Alderman Kennedy, to approve. Motion failed for lack of a second. It was moved by Alderman Orth, seconded by Alderman LaMacchia, to deny. Motion passed 4-1, with Alderman Kennedy voting nay.
- C-1. Aldermanic request to Add Exception to No Parking Restrictions North Side 60th Street 3200 block. (District 11)
It was moved by Alderman Orth, seconded by Alderman Green, to approve a 90 day trial. Motion passed 5-0.
- C-2. Aldermanic request to Remove Existing No Parking East side 5th Avenue 5700 block. (District 2)
It was moved by Alderman Orth, seconded by Alderman Green, to approve a 90 day trial. Motion passed 5-0.
- C-3. Application request for On Street Handicapped Parking in Front of 4025 8th Avenue (One space). (District 2)
Public Hearing: Ruth Ann Schend, 4521 88th Place, was present and spoke.
It was moved by Alderman Green, seconded by Alderman Kennedy, to approve. Motion passed 5-0.
- C-4. Proposed Ordinance To Repeal and Recreate Section 11.026B Entitled "Prohibiting the Drinking of Intoxicants on Public Streets and Sidewalks, or Within any Parked Motor Vehicle"; to Create Section 11.026D Entitled "Underage Persons Under the Influence Prohibited".
Public Hearing: The following people spoke: Ron Frederick, 6038 34th Avenue; Guida Brown, 6201 39th Avenue; Steve Fredrickson, 5207 86th Place; Alderman Nudo, 11th District.
Staff/Alderman: Ed Antaramian and Chief Morrissey were present to answer any questions.
It was moved by Alderman Orth, seconded by Alderman LaMacchia, to amend 11.026D g to strike out within the City of Kenosha. Motion passed 5-0. It was moved by Alderman Orth, seconded by Alderman Kennedy, to approve as amended. Motion passed 5-0.
- C-5. Proposed Ordinance To Create Subsection 11.148C Entitled "Enforcement" (Rummage Sales).
Public Hearing: Alderman Nudo, 11th District, was present to answer any questions.
Staff/Alderman: Jim Schultz was present to answer any question. Alderman Orth asked that his name be add to the sponsors.
It was moved by Alderman Green, seconded by Alderman Orth, to approve. Motion passed 5-0.

- C-6. Proposed Ordinance To Create Section 13.0112 Entitled Non-Structural Demolition.
Staff: Ed Antaramian was present to answer any questions.
It was moved by Alderman Kennedy, seconded by Alderman Green, to approve. Motion passed 5-0.
- C-7. Proposed Ordinance To Repeal and Recreate Various Sections of Chapter 15 Related to Off-Premises Signs.
Staff: Ed Antaramian and Paula Bliss were present to answer any questions.
It was moved by Alderman Green, seconded by Alderman Kennedy, to approve. Motion passed 5-0.
- C-8. Review of the Fire Inspection Fee Schedule.
Staff/Alderman: Chief Thomsen and Deputy Chief Santelli were present to answer any questions.
Chairman Downing asked that they track how much time is spent on inspections to determine the fees for 2012. Alderman Orth would like to see the fees match up with the cost of the inspections.
Alderman LaMacchia questioned about the previous fees. Alderman Kennedy thanked Chief Thomsen for restructuring the fees. Alderman Orth asked about the CBRF inspections.
It was moved by Alderman Kennedy, seconded by Alderman Green, to approve. Motion passed 5-0.

ADJOURNMENT - *There being no further business to come before the Public Safety & Welfare Committee, it was moved, seconded and unanimously carried to adjourn at 6:32 pm.*

CITY OF KENOSHA – PUBLIC SAFETY & WELFARE COMMITTEE

-MINUTES-

Wednesday, November 3, 2010

The meeting of the Public Safety & Welfare Committee was held on Wednesday, November 3, 2010, at the Kenosha Municipal Building Room 202. The meeting was called to order at 5:04 pm. The following members were present: Chairman Jesse Downing, Aldermen Anthony Kennedy, Michael Orth, Lawrence Green, and Rocco LaMacchia, Sr. Staff members in attendance were Mayor Bosman, City Administrator Frank Pacetti, Finance Director Carol Stancato, Chief Morrissey, Assistant Chief Brydges, Assistant Chief Genthner, Captain Bartholomew, Chief Thomsen, Deputy Chief Santelli, Battalion Chiefs Haerter and Poltrock, Division Chief Ryan, Neighborhood Services & Inspections Director Jim Schultz, Mitch Engen, Nick Torcivia, Paula Blise, Human Resources Director Steve Stanczak, and Sue Clouthier.

C-1 Department of Neighborhood Services and Inspections 2011 Executive Budget

Public Hearing: No one spoke.

Staff/Alderman: Mayor Bosman gave an overview. Jim Schultz gave an overview of the netbooks in the proposed budget. Alderman Orth questioned the number of netbooks and staff. Chairman Downing questioned the need for three (3) secretarial staff for twelve (12) field staff. Alderman Orth questioned the aircard costs for netbooks. Alderman Green asked what a workable number of netbooks would be instead of purchasing the full eleven. Chairman Downing questioned the amount of citations uncollected.

It was moved by Alderman Kennedy, seconded by Alderman Green to increase personal services by \$4,288 and decrease other professional services by \$4,288. Motion passed 5-0.

It was moved by Alderman Orth, seconded by Alderman Green to reduce cellular/wireless service cost by \$2,600, to purchase aircards for five netbooks instead of eleven. Motion passed 5-0.

It was moved by Alderman Kennedy, seconded by Alderman Green to approve as amended. Motion passed 5-0.

C-2a Police Department 2011 Executive Budget

Public Hearing: No one spoke.

Staff/Alderman: Chief Morrissey gave an overview, stating that personnel had not changed but movement occurred to better make use of staff. Alderman Kennedy asked if Neighborhood Watch would be increasing the number of Officers. Chief Morrissey said no, but that there are more programs being created and that with the addition of two Crime Prevention Officers, the program was good for a City this size. Chairman Downing commented that with the call volume, Patrol Officers didn't have enough time to patrol and interact with the public. Chief Morrissey mentioned that the \$3,000 in the Police Budget for canine supplies would not be needed, since they would be receiving other funds for this purpose. Alderman Orth questioned training and planning for new officers. Chief Morrissey commented on the issue.

It was moved by Alderman Green, seconded by Alderman LaMacchia to decrease canine services & supplies to zero. Motion passed 5-0.

It was moved by Alderman Kennedy, seconded by Alderman Green to approve as amended. Motion passed 5-0.

C-2b Police Department 2011-2015 CIP Budget

Staff/Alderman: Chief Morrissey commented on the network system, motorcycles, and radio repeater for the west side.

It was moved by Alderman Orth, seconded by Alderman LaMacchia to approve. Motion passed 5-0.

It was moved by Alderman Kennedy, seconded by Alderman Green to recess at 6:25 pm. Motion passed 5-0.

The meeting was reconvened by Chairman Downing at 6:35 pm.

C-3a Fire Department & Emergency Medical Services 2011 Executive Budgets

Public Hearing: Frank Bindelli, 3120 47th Ave, was concerned with the Safety Inspector being at job sites, his company performs board and secure services for the City. Peter Bindelli also spoke on the same issue concern for safety issues. Public hearing closed.

Staff/Alderman: Mayor Bosman gave an overview of personnel changes. Chief Thomsen elaborated on the changes. Alderman Kennedy noted that he had not seen any call for service numbers for the year. Alderman Orth questioned the Clerk Typist positions. Alderman LaMacchia questioned if the person in Fire Inspection position would be relocated. Chief Thomsen stated the person would go back to the ranks. Chairman Downing questioned why the data processing account was budgeted at zero. Chief Thomsen explained that the services are now performed in-house by the Information Technology Department. Alderman Orth questioned the availability of the Safety Officer. Chief Thomsen explained how the duties would be reallocated. Alderman LaMacchia expressed his concern about the elimination of the Fire Inspector position. The Committee discussed the proposed Fire Inspection fee, stating they would like to see more information for the next meeting. Chairman Downing questioned the ability for EMS to do interfacility transfers. Steve Stanczak stated that issue would have to be negotiated with the union.

It was moved by Alderman Green, seconded by Alderman Kennedy to approve. Motion passed 5-0.

C-3b Fire Department 2011-2015 CIP Budget

It was moved by Alderman Kennedy, seconded by Alderman Green to approve. Motion passed 5-0.

Citizen Comments: Peter Bindelli spoke in support of the netbooks for Neighborhood Services and Inspections. Alderman G. John Ruffolo spoke about grouping together for problem resolution.

Citizen comments closed.

Alderman Comments: Alderman Orth commented on the Neighborhood Services and Inspections workflow issues. Chairman Downing commented on the same issue. Alderman Kennedy mentioned starting discussions about fire protection districts.

There being no further business to come before the Public Safety & Welfare Committee, it was moved by Alderman Orth, seconded by Alderman Green to adjourn at 8:17 pm. Motion passed 5-0.

ORDINANCE NO. _____

DRAFT 10/26/10

BY: ALDERPERSON PATRICK JULIANA

TO CREATE SECTION 1.036 OF THE CODE OF GENERAL ORDINANCES ENTITLED "COMMUNICATIONS DURING MEETINGS OF THE COMMON COUNCIL AND COMMITTEES OF THE COMMON COUNCIL"

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

Section One: Section 1.036 of the Code of General Ordinances for the City of

Kenosha, Wisconsin, is hereby created as follows:

1.036 COMMUNICATIONS DURING MEETINGS OF THE COMMON COUNCIL AND COMMITTEES OF THE COMMON COUNCIL

A. Prohibition. During any meeting of the Common Council or a Committee of the Common Council, no member of the Council or Committee shall communicate electronically, by any means, directly or indirectly, with any other member of the Council or Committee, with any employee of the City, or with any other person whose interests or the interests they represent are in any way related to any items under consideration at the meeting of the Council or Committee.

B. Definitions. For purposes of this Section, "communicate electronically" includes the use of any device for voice, data or messaging transmission including email, text messaging, instant messaging, social networking websites or cell phones.

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

ATTEST: _____ City Clerk

APPROVED: _____ Mayor Date: _____

Passed:

Published:

Drafted By:
JONATHAN A. MULLIGAN
Assistant City Attorney

ORDINANCE NO. _____

DRAFT 11.02.10

BY: COMMON COUNCIL

**TO RENUMBER SECTIONS 11.147 TO 11.148; 11.148 TO 11.149;
11.149 TO 11.15; 11.15 TO 11.16; 11.16 TO 11.17 AND TO CREATE
SECTION 11.147 OF THE CODE OF GENERAL ORDINANCES
ENTITLED "SYNTHETIC MARIJUANA"**

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

Section One: The following Sections of the Code of General Ordinances for the City of Kenosha, Wisconsin are hereby renumbered as: Section 11.147 to 11.148; Section 11.148 to 11.149; Section 11.149 to 11.15; Section 11.15 to 11.16; and Section 11.16 to 11.17:

Section Two: Section 11.147 of the Code of General Ordinances for the City of Kenosha, Wisconsin is hereby created as follows:

11.147 SYNTHETIC MARIJUANA – SYNTHETIC CANNABINOID

A. Possession, Sale and Use Prohibited. No person shall possess, purchase, display for sale, attempt to sell, sell, give back or use any chemical derivative of marijuana, or any other substance, designed to mimic the physical, psychological, intoxicating, narcotic or other effects of marijuana. Common street or trade names of said substances which are prohibited include, but are not limited to, "Spice", "K-2", "Genie", "Yucatan Fire", "Blaze", "Red DawnX", "Zohia", "Dancing Monkey", "Spike Diamond", "Route 69", "Smoke XXXX" and "fake" or "new" marijuana.

B. Medical and Dental Use Allowed. Acts prohibited under sub A. shall not be unlawful if done by or under the direction or prescription of a licensed physician, dentist, or other health professional authorized to direct or prescribe such acts, provided use is permitted under state and federal laws.

C. Penalties. Persons violating this section shall forfeit not less than \$100.00 nor more than \$750.00 for each offense, plus the cost of prosecution, and upon default shall be imprisoned in the county jail or house of correction for a period not to exceed ninety (90) days.

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

ATTEST: _____ City Clerk

APPROVED: _____ Mayor

Passed:

Published:

Drafted By:
MATTHEW A. KNIGHT
Deputy City Attorney