

**AGENDA**  
**PUBLIC SAFETY & WELFARE COMMITTEE MEETING**  
**Kenosha Municipal Building - Room 204**  
**Monday, December 9, 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 November 11, 2013.

1. Alderman Request to remove "No Parking" on 35<sup>th</sup> Street East of 30<sup>th</sup> Avenue on the North Side. *(District 5) (Staff recommends approval for a 90-day trail)*
2. Previous trial for a 4-Way Stop at 18<sup>th</sup> Avenue and 78<sup>th</sup> Street Intersection. *(District 13) (Staff recommends approval)*
3. Previous trial for a No Left Turn sign into Nash Elementary School between the hours of 7am - 9am and 2pm – 4pm on school days. *(District 17) (Staff recommends approval)*
4. Ordinance by Aldersperson Kevin E. Mathewson - To Create Section 1.03 F.18 *(of the Code of General Ordinances)* Regarding the Procedure for a Presiding Officer to Participate in Debate. *(Referred from Council on 11/18/13) (Also referred to Public Works, Finance, Stormwater Utility and Licensing/Permit)*
5. Ordinance by Aldersperson Kevin E. Mathewson - To Repeal and Recreate Various Sections of Chapters XVI, XXVII, and XXVIII *(of the Code of General Ordinances)* to Terminate the Board of Housing Appeals and to Designate the Finance Committee to Assume Appeal Duties. *(Referred from Council on 11/18/13) (Also referred to Finance)*
6. Ordinance by the Mayor - To Repeal and Recreate Subsection 16.13 b.2 *(of the Code of General Ordinances)* Regarding Board of Housing Appeals Membership of Boards; Quorum and Officers. *(Referred from Council on 12/2/13)*
7. Approve date and time of the next meeting due to the Holidays.

**DISCUSSION ITEM:**

1. 60<sup>th</sup> Street No Parking West of 30<sup>th</sup> Avenue.

**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, November 11, 2013**

A meeting of the Public Safety & Welfare Committee was held on Monday, November 11, 2013 in Room 204 of the Kenosha Municipal Building. The meeting was called to order at 5:10 pm by Chairman LaMacchia.

At roll call, the following members were present: Alderpersons Schwartz and Kennedy. Alderpersons Orth and Mathewson were excused. Staff members in attendance were: Michael Lemens, Director of Public Works; Jeff Warnock, Superintendent of Parks; Deputy Police Chief Dan Miskinis; Alderperson Curt Wilson and Alderperson David Bogdala.

It was moved by Alderperson Schwartz, seconded by Alderperson Kennedy, to approve the minutes with an amendment to the November 5, 2013 from the meetings held on Monday, October 28, 2013 and November 5, 2013. Motion carried unanimously.

1. Ordinance by Alderperson David F. Bogdala - To Repeal and Recreate Subparagraph 1.03 A. *(of the Code of General Ordinances)* entitled "Order of Business", to Amend Subparagraph 1.03 A.9.c. entitled "Speaker Sign-up" and to Repeal and Recreate Subparagraph 1.03 A.9.e . entitled "Public Hearings". *(Referred from Council on 11/4/13) (Also referred to Public Works, Stormwater Utility and Licensing/Permit Committees)*

Staff/Alderperson: Alderperson David Bogdala spoke.

It was moved by Alderperson Kennedy, seconded by Alderperson Schwartz, to approve as amended by Alderperson David Bogdala by adding the following sentence to section c "No person may sign up someone to speak who is not present". Motion carried unanimously.

**DISCUSSION ITEM:**

1. Raising Chickens within City Limits – Steve Lund, Margaret Heller, Virginia Hoekstra, Gerrit Tichelaar, Marie Lundquist and Chairman LaMacchia spoke.

**ADJOURNMENT** - There being no further business to come before the Public Safety & Welfare Committee, it was moved, seconded and unanimously carried to adjourn at 5:48 pm.

**PUBLIC SAFETY & WELFARE COMMITTEE**  
**Minutes of a Special Meeting held Monday, December 2, 2013**

A special meeting of the Public Safety & Welfare Committee was held on Monday, December 2, 2013 in Room 202 of the Kenosha Municipal Building. The meeting was called to order at 6:50 pm by Chairman LaMacchia.

At roll call, the following members were present: Alderpersons Orth and Mathewson. Alderpersons Schwartz and Kennedy arrived during item #2. Staff members in attendance were: Shelly Billingsley, Deputy Director of Public Works/City Engineer; and Frank Pacetti, City Administrator.

1. Aldermanic Request to Reduce the 1 hour Parking Sign on the South Side of 44th Street from 58 feet West of 7th Avenue to 34 feet. *(District 2) (Staff recommends 90-day trial)*  
Public Hearing: Jennifer Bates spoke.  
Staff/Alderman: Shelly Billingsley spoke.  
It was moved by Alderman Orth, seconded by Alderman Mathewson, to approve.  
Motion carried unanimously.
  
2. Resolution by the Finance Committee – To Amend the City (of Kenosha) Capital Improvement Program for 2012 and 2013 by Moving the 2012 Authorization Balance of \$80,199 from Line FI12-001 “Radio Equipment” to the 2013 Authorization Balance for Line FI13-003 “Fire Administration Office” for a Net Change of \$0. (Also referred to Finance)  
Staff/Alderman: Frank Pacetti spoke.  
It was moved by Alderman Orth, seconded by Alderman Schwartz, to approve.  
Motion carried 4-1 (with Alderman Mathewson voting nay).

ADJOURNMENT - There being no further business to come before the Public Safety & Welfare Committee, it was moved, seconded and unanimously carried to adjourn at 6:54 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: December 6, 2013

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

From: Shelly Billingsley, P.E.,  
Deputy Director / City Engineer

Subject: ***Aldermanic Request to Remove "No Parking from 8:00 AM to 9:00 PM Monday - Friday except Holidays" Signs on 35<sup>th</sup> Street between 28<sup>th</sup> Avenue and 30<sup>th</sup> Avenue***

**BACKGROUND INFORMATION:**

Alderman Rocco LaMacchia is requesting, on behalf of Aielk Dental, for the removal of the "No Parking from 8:00 AM to 9:00 PM Monday - Friday except Holidays" signs on 35<sup>th</sup> Street from 28<sup>th</sup> Avenue to 30<sup>th</sup> Avenue. A diagram showing the no parking sign layout with restrictions is attached as well as Resolution No. 229-77.

Staff reviewed the street in question and we believe unrestricted parking could be allowed within a 60 foot section of 35<sup>th</sup> Street which would benefit the Dental Office (see attached diagram). Staff have observed vehicles parked in this area on numerous occasions without complaint.

**RECOMMENDATION:**

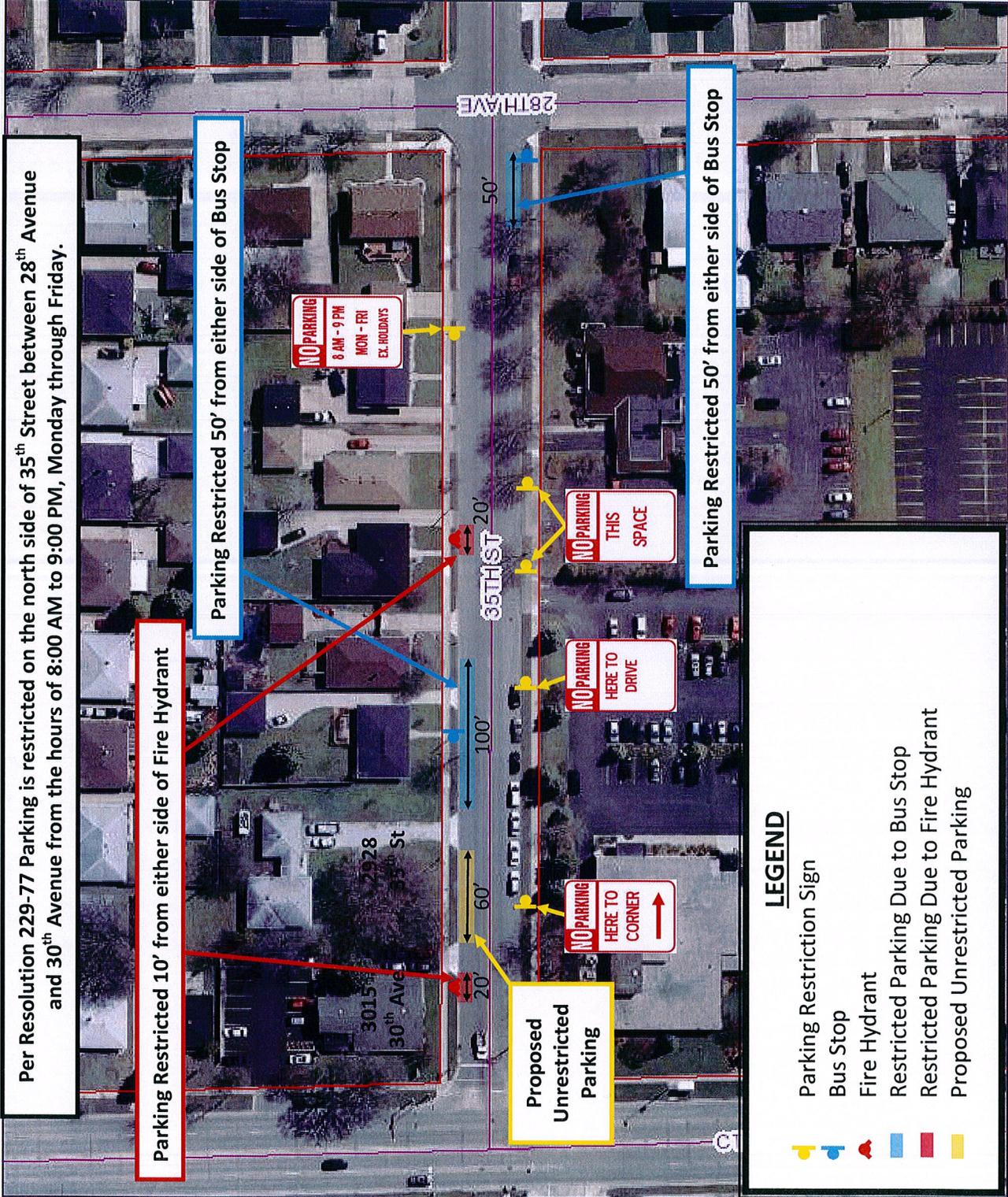
Staff recommends a 90-day trial for the removal of the "No Parking from 8:00 AM to 9:00 PM Monday - Friday except Holidays" restriction 120 feet east of 30<sup>th</sup> Avenue to 180 feet east of 30<sup>th</sup> Avenue.



# 35<sup>th</sup> Street 28<sup>th</sup> Avenue to 30<sup>th</sup> Avenue

## Parking Restrictions

Per Resolution 229-77 Parking is restricted on the north side of 35<sup>th</sup> Street between 28<sup>th</sup> Avenue and 30<sup>th</sup> Avenue from the hours of 8:00 AM to 9:00 PM, Monday through Friday.



1 inch = 100 feet

DISCLAIMER: This map is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, data and information located in various state, county and municipal offices and other sources affecting the area shown and is to be used for reference purposes only. Kenosha County is not responsible for any inaccuracies herein contained. If discrepancies are found, please contact Kenosha County.

with 16th Avenue, requiring all vehicles traveling on 74th Street to "yield" the right-of-way to vehicles traveling on 16th Avenue.

Adopted this 3rd day of October, 1977.

ATTEST: Gail F. Procarione City Clerk

APPROVED: Paul Safzig Mayor

**22. It was moved by Alderman Broesch, seconded by Alderman Johnson, to adopt Resolution 228-77-To remove all "Yield" signs presently installed on 27th Avenue at 64th Street.**

On roll call vote, the motion carried unanimously and said resolution was thereupon adopted as follows:

**RESOLUTION NO. 228-77  
BY: COMMITTEE ON PUBLIC SAFETY AND WELFARE**

Removing all "Yield" signs presently installed on 27th Avenue at 64th Street.

BE IT RESOLVED by the Common Council of the City of Kenosha, Wisconsin, that all "Yield" signs presently installed on 27th Avenue at 64th Street be removed.

Adopted this 3rd day of October, 1977.

ATTEST: Gail F. Procarione City Clerk

APPROVED: Paul Safzig Mayor

**23. It was moved by Alderman Boettcher, seconded by Alderman Schliesmann to adopt Resolution 229-77-No Parking along the north side of 35th Street from 28th Avenue to 30th Avenue between 8:00 A.M. and 9:00 P.M., Monday through Friday.**

On roll call vote, the motion carried unanimously and said resolution was thereupon adopted as follows:

**RESOLUTION NO. 229-77  
BY: COMMITTEE ON PUBLIC SAFETY AND WELFARE**

No Parking Along the North Side of 35th Street from 28th Avenue to 30th Avenue Between 8:00 a.m. and 9:00 p.m., Monday through Friday.

BE IT RESOLVED by the Common Council of the City of Kenosha, Wisconsin, that no vehicle shall be allowed to park along the North side of 35th Street from 28th Avenue to 30th Avenue between 8:00 a.m. and 9:00 p.m., Monday through Friday.

BE IT FURTHER RESOLVED that any all previous parking regulations in conflict herewith are hereby repealed and of no further effect.

Adopted this 3rd day of October, 1977.

ATTEST: Gail F. Procarione City Clerk

APPROVED: Paul Safzig Mayor

**24. It was moved by Alderman Scoville, seconded by Alderman Baltes to adopt Resolution 230-77-To authorize the City to enter into a Lease Agreement with Sociedad De Padres Latinos, Inc.**

On roll call vote, the motion carried with the following members of the common Council having voted:

Ayes: Miechowicz, Rogan, Baker, Schliesmann, Fitchetti, Scoville, Kolmos, Boettcher, Broesch, Johnson, Baltes, Frank, Manesis, Bellow, Stanca-to.

Total: 15

Noes: Andreoli

Total: 1

and said resolution was thereupon adopted as follows:

**RESOLUTION NO. 230-77**

**BY: THE MAYOR  
TO AUTHORIZE CITY TO ENTER INTO LEASE WITH**

**SOCIEDAD DE PADRES LATINOS, INC.**

WHEREAS, The 1977 Federal Community Development Block Grant Program for the City of Kenosha, Wisconsin, includes the project for Spanish Community Center, acquisition and renovation of building to serve the Spanish community, and,

WHEREAS, The City of Kenosha has acquired an approved building situated at 5900 11th Avenue for the public purpose, to wit, of a Hispanic Community Center;

NOW THEREFORE, BE IT RESOLVED, By the Common Council of the City of Kenosha, Wisconsin, that appropriate City officials are authorized to execute a lease, drafted and approved by the City Attorney with the Sociedad De Padres Latinos, Inc. for one year, commencing at 12:01 A.M. on the first day of October, 1977, and terminating at 11:59 P.M. on the 30th day of September 1978, subject to renewal thereof, as provided in said lease, for the property known as 5900 11th Avenue, situated in the City and County of Kenosha, Wisconsin, for the consideration specified in said lease.

Adopted this 3rd day of October, A.D., 1977.

Approved: Paul Safzig Mayor

Attest: Gail F. Procarione City clerk

**25. It was moved by Alderman Schliesmann, seconded by Alderman Broesch to adopt Resolution 231-77-To designate the meeting place for the Board of Review.**

On roll call vote the motion carried unanimously and said resolution was thereupon adopted as follows:

**RESOLUTION NO. 231-77**

**BY: THE MAYOR  
To Designate Meeting Place for Board of Review.**

BE IT RESOLVED by the Common Council of the City of Kenosha Wisconsin, that pursuant to Section 70.47(1), Wisconsin Statutes, the meeting place for the board of Review to review assessments of City property shall be the Kenosha County Court House, 912 56th Street, Kenosha, Wisconsin, at a room therein to be designated by County officials having authority thereof.

Adopted this 3rd day of October, 1977.

ATTEST: Gail F. Procarione City clerk

APPROVED: Paul Safzig Mayor

**26. It was moved by Alderman Johnson, seconded by Alderman Miechowicz to adopt Resolution 232-77-To authorize the City to enter into an Agreement with the Wisconsin Electric Power Company.**

On roll call vote the motion carried unanimously and said resolution was thereupon adopted as follows:

**RESOLUTION NO. 232-77  
BY: THE MAYOR  
To authorize City to Enter Into Agreement With**

**Wisconsin Electric Power Company**

WHEREAS, The City of Kenosha has authorized the abandonment of the former City landfill located on CTH ML, and,

WHEREAS, the Wisconsin Electric Power Company has agreed to provide approximately 25,000 cubic yards of excavated earth from the company's Pleasant Prairie Power Plant property at no charge to the City for the same purpose;

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Kenosha, Wisconsin, that appropriate City officials are authorized to execute a hold-harmless agreement, drafted by the Wisconsin Electric Power Company and reviewed by the city Attorney, with the Wisconsin Electric Power company for the removal of approximately 25,000 cubic yards of earth by the authorized contractor under Project 77-53, Part II for the period of time deemed necessary to complete said project.

ADOPTED THIS 3rd DAY OF October A.D., 1977

Adopted this 3rd day of October, A.D., 1977.

Approved: Paul Safzig Mayor

ATTEST: Gail F. Procarione City Clerk  
It was moved by Alderman Andreoli, seconded by Alderman Rogan to refer the following resolution to the City Plan Commission and to the Committee on Finance.

**27. A resolution by the Mayor- Acquisition of 6713 15th Avenue Project of the Lincoln Upgrade Development Block Grant. Motion carried unanimously.**

**28. It was moved by Alderman Boettcher, seconded by Alderman Scoville to adopt Resolution 233-77-Authorizing street improvements with sewer and/or stubs against benefited property-Gangler area and 47th**



**Engineering Division**  
Shelly Billingsley  
Director of Engineering  
**Fleet Maintenance**  
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## DEPARTMENT OF PUBLIC WORKS

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

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Date: December 6, 2013

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

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

12.6.2013

CC: Alderman Curt Wilson  
District 13

Subject: ***Previous Trial for a 4-Way Stop at 18<sup>th</sup> Avenue and 78<sup>th</sup> Street Intersection***

### **BACKGROUND INFORMATION:**

This request has been on trial as indicated with no complaints or problem reported.

### **RECOMMENDATION:**

Staff recommends approval of the Stop signs on 18<sup>th</sup> Avenue at 78<sup>th</sup> Street.

The following addition to Chapter VII section 7.12 C is recommended:

***"All vehicles travelling on 18<sup>th</sup> Avenue shall stop before entering the intersection or crossing 78<sup>th</sup> Street".***



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Date: July 25, 2013

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

From: Shelly Billingsley, P.E.,  
City Engineer/Deputy Director of Public Works *Shelly Billingsley*

CC: Curt Wilson,  
13<sup>th</sup> District

Subject: *All-way Stop Control at 78<sup>th</sup> Street and 18<sup>th</sup> Avenue.*

**BACKGROUND INFORMATION:**

Alderman Wilson is requesting, on behalf of his constituents, for an all-way control at 78<sup>th</sup> Street and 18<sup>th</sup> Avenue intersection. Residents in this neighborhood believe that converting the two-way control to an all-way control would alleviate speeding on the uncontrolled legs of the intersection.

Staff inspected the intersection and observed that the intersection is stop-controlled on 78<sup>th</sup> Street. Data collected in May of 2013 shows that both streets have about the same average daily traffic. However, 78<sup>th</sup> Street is considered the minor street by virtue of having a slightly lower average daily traffic volume of 517 as compared to 532 for 18<sup>th</sup> Avenue. The existing stop control is consistent with engineering judgment due to 78<sup>th</sup> Street having a slightly less average daily traffic. The traffic data also indicated no speeding on 18<sup>th</sup> Avenue. 18<sup>th</sup> Avenue has an 85<sup>th</sup> percentile speed of 27MPH.

The attached aerial sketch of the neighborhood illustrates that there is a significant intersection-control in the neighborhood. Staff did not notice any site distance issues and no right-of-way crash was recorded at this intersection in the last five years. Furthermore, the attached table illustrates that the intersection did not meet any of the warrants for an all-way stop control.

**RECOMMENDATION:**

Staff does not recommend all-way stop at 78<sup>th</sup> Street and 18<sup>th</sup> Avenue intersection.

## ALL-WAY STOP WARRANTS

78<sup>th</sup> Street and 18<sup>th</sup> Avenue Intersection

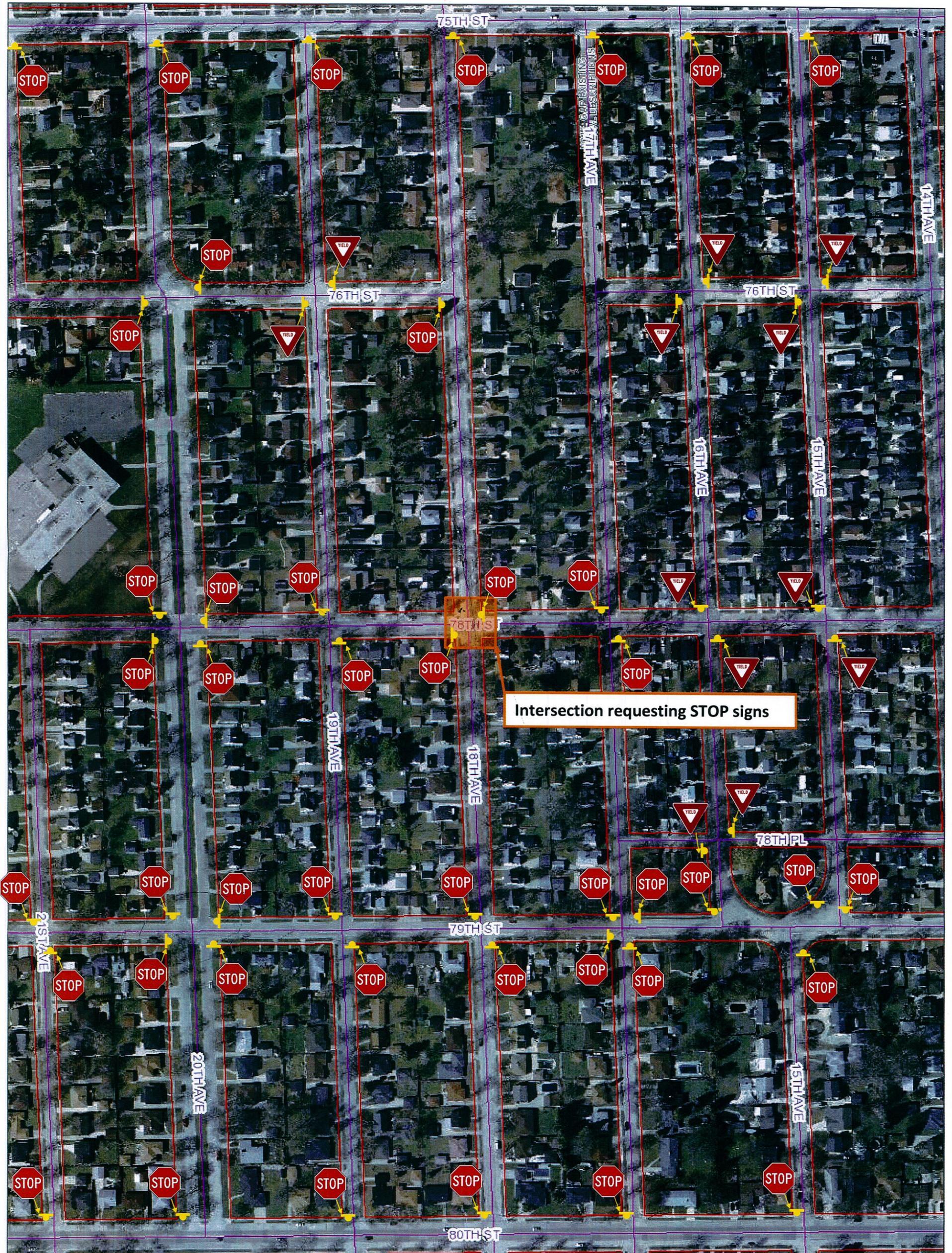
Major Street: 18<sup>th</sup> Avenue ADT of 532  
 Minor Street: 78<sup>th</sup> Street ADT of 517

SN	WARRANTS	MINIMUM REQUIREMENT	DATA VALUE	COMMENTS
1	Where traffic control signals are justified, multi-way stop control is an interim measure that can be implemented quickly to control traffic until the signal is designed and installed.	Signal is not required.	NA	Intersection does not meet warrant.
2	The occurrence within a twelve-month period of five or more reported accidents of a type susceptible to correction by multi-way stop control. Such accident types include turn collisions, as well as right-angle collisions.	5 Crashes	0	Intersection does not meet warrant.
3	<p>Minimum volumes:</p> <ol style="list-style-type: none"> <li>1. The vehicular volume entering the intersection from the major street approaches (total of both approaches) averages at least 300 vehicles per hour for any 8 hours of an average day; and</li> <li>2. The combined vehicular, pedestrian, and bicycle volume entering the intersection from the minor street approaches (total of both approaches) averages at least 200 units per hour for the same 8 hours, with an average delay to minor-street vehicular traffic of at least 30 seconds per vehicle during the highest hour; but</li> <li>3. If the 85th-percentile approach speed of the major-street traffic exceeds 40 mph, the minimum vehicular volume warrants are 70 percent of the values provided in Items 1 and 2.</li> </ol>	300	67	Intersection does not meet warrant.
		200	39	Intersection does not meet warrant.
		40MPH	27MPH	Intersection does not meet warrant.

# Intersection Control near 78<sup>th</sup> Street and 18<sup>th</sup> Avenue



1 inch = 200 feet  
 Date Printed: 7/16/2013



**DISCLAIMER** This map is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, data and information located in various state, county and municipal offices and other sources affecting the area shown and is to be used for reference purposes only. Kenosha County is not responsible for any inaccuracies herein contained. If discrepancies are found, please contact Kenosha County.



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Date: December 6, 2013

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

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

CC: Alderman David Bogdala  
District 17

Subject: ***Previous Trial for a No Left Turn signs into Nash Elementary School between the hours of 7am – 9am and 2pm – 4pm on school days.***

### **BACKGROUND INFORMATION:**

This request has been on trial as indicated with no complaints or problem reported.

### **RECOMMENDATION:**

Staff recommends approval of the No Left Turn signs into Nash Elementary School between the hours of 7am – 9am and 2pm – 4pm on school days.

Staff recommends the following resolution:

***Be it resolved by the Kenosha Common Council that No Left Turn signs between the hours of 7am – 9am and 2pm – 4pm on school days be installed on 98<sup>th</sup> Avenue at the entrance to Nash Elementary School.***



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August 26, 2013

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

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

*SVB*  
*8.21.2013*

Subject: *Aldermanic Request for a 90 day trial for a No Left Turn sign into Nash Elementary School between the hours of 7am - 9am and 2pm - 4pm on School Days.*

### BACKGROUND INFORMATION

Alderman Bogdala is requesting a No Left Turn sign for southbound traffic on 98<sup>th</sup> Avenue at the southeast entrance to Nash Elementary School. Staff has met with Nash Principal Marty Pitts and the school is in favor of Alderman Bogdala's request. Mr. Pitts indicated there is an incredible amount of traffic congestion during morning drop-off and afternoon pick-up at the school's driveway entrance. There are no traffic controls in place at the school's entrance. The school's safety committee has identified this as a safety concerns for the students. The school would like traffic to line up single file westbound on 70<sup>th</sup> Street / northbound on 98<sup>th</sup> Avenue and make a right turn into the school's driveway entrance.

### RECOMMENDATION

Staff recommends approval of a 90 day trial for a No Left Turn sign between the hours of 7am - 9am and 2pm - 4pm on School Days for southbound traffic on 98<sup>th</sup> Avenue at the southeast entrance to Nash Elementary School.

Cc: Alderman David Bogdala, District 17  
Michael Lemens, Director of Public Works  
Shelly Billingsley, Deputy Director of Public Works /City Engineer  
Sean Von Bergen, Assistant City Engineer  
Clement Abongwa, Traffic Engineer  
File

# Nash Elementary School - Proposed No Left Turn Sign

## Nash Elementary

### Existing Signs

-  Caution Children
-  No Parking
-  School
-  Stop
-  Stop Ahead
-  Yield

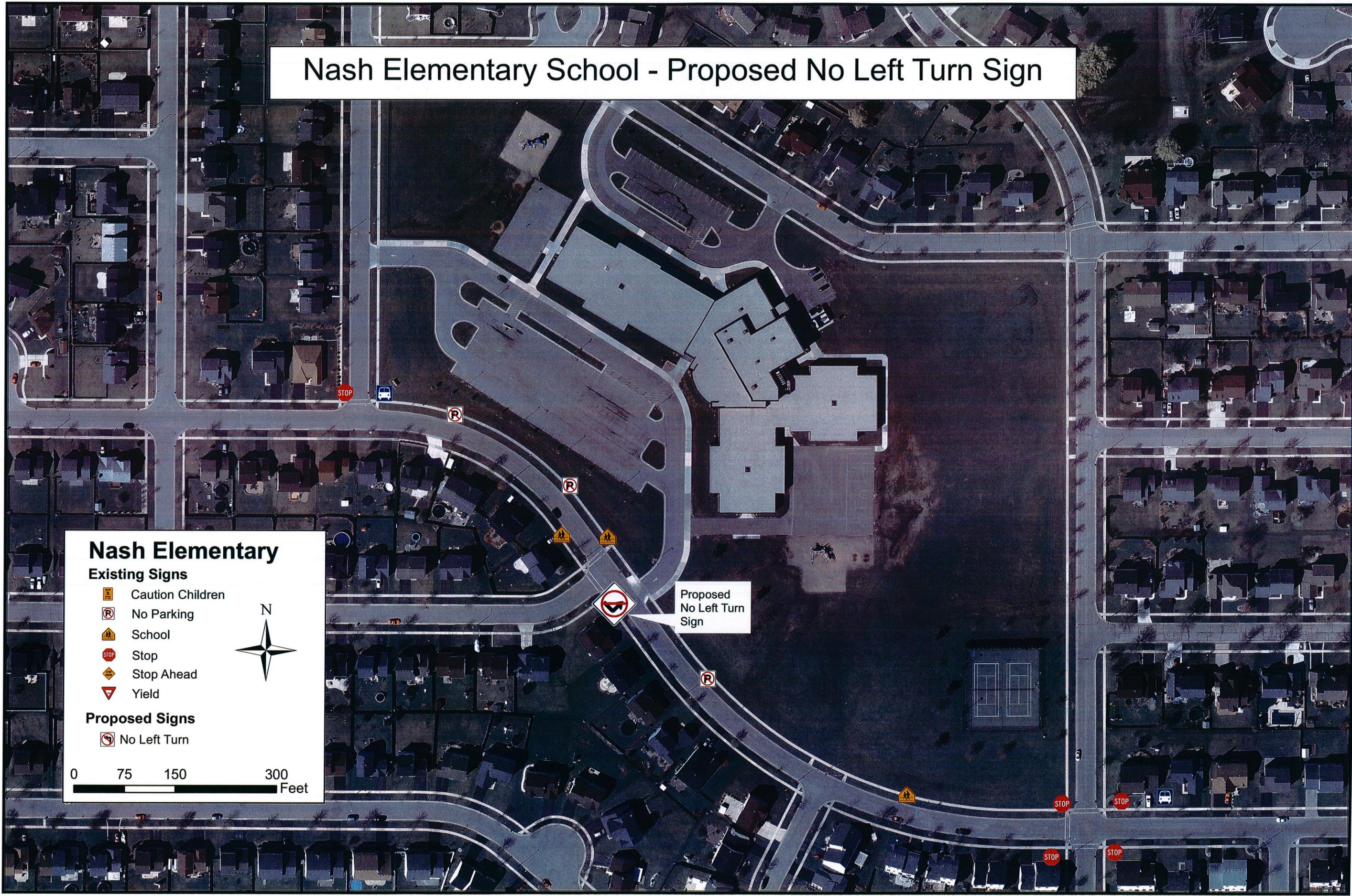
### Proposed Signs

-  No Left Turn



0 75 150 300  
Feet

Proposed  
No Left Turn  
Sign





ENGINEERING DIVISION  
SHELLY BILLINGSLEY, P.E.  
CITY ENGINEER

PARK DIVISION  
JEFF WARNOCK  
SUPERINTENDENT

FLEET MAINTENANCE  
MAURO LENCI  
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 - 52ND ST · RM 305 · KENOSHA, WI 53140  
TELEPHONE (262) 653-4050 · FAX (262) 653-4056  
EMAIL PUBLICWORKS@KENOSHA.ORG

December 6, 2013

To: Rocco L. LaMacchia, Sr., Chairman,  
Public Works Committee

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

CC: Kevin E. Mathewson  
District 8

Subject: Ordinance by Alderperson Kevin E. Mathewson - To Create Section 1.03 F.18 (*of the Code of General Ordinances*) Regarding the Procedure for a Presiding Officer to Participate in Debate.

**BACKGROUND INFORMATION**

Staff received this request from the Legal Department for an Ordinance by Alderperson Mathewson which was referred to Public Safety and Welfare at the Common Council meeting on November 18, 2013

**RECOMMENDATION**

Staff has no recommendation.

ML/dh

**ORDINANCE NO. \_\_\_\_\_**

**SPONSOR: ALDERPERSON KEVIN MATHEWSON**

**TO CREATE SECTION 1.03 F.18 OF THE CODE OF GENERAL  
ORDINANCES REGARDING THE PROCEDURE FOR A  
PRESIDING OFFICER TO PARTICIPATE IN DEBATE**

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

**Section One:** Section 1.03 F.18. of the Code of General Ordinances for the

City of Kenosha, Wisconsin, is hereby created as follows:

**18.** If the presiding officer of the Common Council, a committee of the Common Council, or an authority, board, or commission of the City wishes to participate in the debate, the presiding officer must vacate the chair and pass the gavel to a member of the body who shall temporarily preside in the place of the presiding officer during the pendency of the time the presiding officer holds the floor. Provided that the presiding officer was not the maker of a motion on the matter while holding the floor, upon the presiding officer relinquishing the floor, he or she shall reassume the chair, retake the gavel and continue to preside. In the event that the presiding officer was the maker of a motion, he or she may reassume the chair on the ensuing matter. Nothing herein may be construed to prohibit the presiding officer from seconding motions without vacating the chair.

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

ATTEST: \_\_\_\_\_ City Clerk

APPROVED: \_\_\_\_\_ Mayor

Passed:

Published:

Drafted By:  
EDWARD R. ANTARAMIAN  
City Attorney



**ENGINEERING DIVISION**  
SHELLY BILLINGSLEY, P.E.  
CITY ENGINEER  
**PARK DIVISION**  
JEFF WARNOCK  
SUPERINTENDENT  
**FLEET MAINTENANCE**  
MAURO LENCI  
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 - 52ND ST · RM 305 · KENOSHA, WI 53140  
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December 6, 2013

To: Rocco L. LaMacchia, Sr., Chairman,  
Public Works Committee

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

CC: Kevin E. Mathewson  
District 8

Subject: Ordinance by Alderperson Kevin E. Mathewson - To Repeal and Recreate Various Sections of Chapters XVI, XXVII, and XXVIII (*of the Code of General Ordinances*) to Terminate the Board of Housing Appeals and to Designate the Finance Committee to Assume Appeal Duties.

**BACKGROUND INFORMATION**

Staff received this request from the Legal Department for an Ordinance by Alderperson Mathewson which was referred to Public Safety and Welfare at the Common Council meeting on November 18, 2013

**RECOMMENDATION**

Staff has no recommendation.

ML/dh

**DRAFT 11/11/13**

**SPONSOR: ALDERPERSON KEVIN E. MATHEWSON**

**TO REPEAL AND RECREATE VARIOUS SECTIONS OF CHAPTERS XVI, XXVII and XXVIII OF THE CODE OF GENERAL ORDINANCES TO TERMINATE THE BOARD OF HOUSING APPEALS AND TO DESIGNATE THE FINANCE COMMITTEE TO ASSUME APPEAL DUTIES**

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

**Section One:** Subsection 16.13 of the Code of General Ordinances for the City of Kenosha, Wisconsin, is hereby repealed and recreated as follows:

**16.13 BOARD OF HOUSING APPEALS PROPERTY MAINTENANCE CODE**

**A. Appeal And Fee.** Any person receiving a notice of violation and order which has been issued in connection with the enforcement of any provision of this Code and aggrieved thereby, may appeal the order and shall be granted a hearing on the matter before the ~~Board of Housing Appeals~~ **Committee on Finance**, provided that such person shall file in the Office of the Department of Community Development and Inspections a written notice of appeal and request for hearing and setting forth a brief statement of the grounds therefor within twenty (20) days after the day the notice of violation and order was served. Upon receipt of such appeal, the ~~Board of Housing Appeals~~ **Committee on Finance** shall set a time and place for such hearing and shall give the petitioner written notice thereof. At such hearing, the petitioner shall be given an opportunity to be heard and to show why such notice of violation and order should be modified or withdrawn. No appeal to the ~~Board of Housing Appeals~~ **Committee on Finance** shall be deemed perfected or shall be heard until the appellant shall pay an appeal fee of Twenty-five (\$25.00) Dollars.

**B. Board of Housing Appeals.**

~~1. Created. The Board of Housing Appeals (hereinafter "Board") is created, having the purpose and powers hereinafter set forth.~~

~~2. Membership of Board; Quorum and Officers. The Board shall consist of five (5) members appointed by the Mayor, subject to confirmation of the Common Council, for terms of five (5) years. The terms shall be staggered so that the term of only one (1) member expires in any given year. In order to provide for such staggering, the initial terms of members shall be for one (1), two (2), three (3), four (4), and five (5) years. All terms shall commence on the first (1st) day of May. The officers of the Board shall be the Chairperson, Vice Chairperson, who shall act in the absence of the Chairperson, and the Secretary, who shall act in the absence of the Vice Chairperson. The presence of three (3) members at the Board shall constitute a quorum. The Director of the Department shall provide for secretarial services for the Board.~~

### **3. Powers.B. Review Authority**

#### **a1. The Board Committee on Finance may:**

(1)**a.** Reverse or affirm wholly or in part, or may modify any order, requirement, decision or determination appealed from and shall make such other order, or provide such other relief as in the opinion of said Board Committee ought to be made in the matter and to that end shall have the power of the Code Official.

(2)**b.** Interpret the provisions of this Code in such a way as to carry out its intent and purpose.

(3)**c.** Vary or modify any order requiring structural changes to be made to the structure, where such action will not adversely affect the public health, safety or welfare.

**b2.** An order of the Code Officials, which is not reversed in whole or in part by the required votes, shall be deemed affirmed.

**e3.** If the Board sustains, in whole or in part, or modifies any order, it shall be deemed to be an order under this Code.

~~**4. Disqualification of Member.** A Board member shall not hear an appeal in which that member has a personal, professional or financial interest.~~

~~**5. Meetings.** The Board shall meet upon notice from the Chairperson within thirty (30) days of the filing of an appeal, or at stated periodic dates and times.~~

**C. Hearing Date.** The Appeal shall be heard by the Committee on Finance within thirty (30) days of the filing of an appeal at a regularly scheduled meeting of the Committee on Finance or at stated periodic dates and times.

~~**6D. Open Hearing. and Deliberations.** All hearings before the Board shall be open to the public. The appellant, the appellant's representative, the Code Officials and any person whose interests are affected shall be given an opportunity to be heard.~~

**7E. Procedure.** The Board Committee on Finance may adopt and make available to the public, through its Secretary, rules of procedures. The Board Committee, in holding hearings, shall not require compliance with strict rules of evidence, but shall mandate that only relevant evidence be received.

~~**6F. Records and Copies.** The proceedings at such hearing, including the findings and decisions of the Board Committee on Finance, shall be summarized, reduced to writing, and entered as a matter of public record in the Department. Such record shall also include a copy of every notice of violation and order issued in connection with the matter. Any person aggrieved by the decision of the Board of Housing Appeals Committee on Finance may seek further relief therefrom in any court of competent jurisdiction, as provided by the laws of Wisconsin.~~

~~**6G. Administration.** The Code Official shall take immediate action to implement the decision of the Board Committee on Finance.~~

~~**E. Office.** The Department shall be the office of the Board.~~

**Section Two:** Subsections 16.04 J; 16.14 D; 16.14 E.2.b, c., and d; 16.14 E.3,

16.15 A.2, 16.151 H., 16.17 G., 16.25 B.3 of the Code of General Ordinances for the City of Kenosha, Wisconsin, are hereby repealed and recreated by replacing the language “Board of Housing Appeals” and “Board” with the “Committee on Finance” wherever it may appear.

**Section Three:** Subsection 27.06 B. of the Code of General Ordinances for the

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

## **27.06 DEPUTY AND ALTERNATE CUSTODIANS OF PUBLIC RECORDS**

**B. Alternate Custodians.** City Committees, Boards, Authorities and Commissions herein enumerated, due to lack of a permanent office and staff, shall, except when they are determined to be their own exclusive custodian, have alternate custodians who shall be such City Department Heads as hereinafter specified. Where applicable, the deputy custodians of a Department Head shall also be the deputy custodians for the designating City Committee, Board, Authority or Commission. The alternate custodians shall be as follows:

FINANCE COMMITTEE - City Clerk;  
PUBLIC WORKS COMMITTEE - Director of Public Works  
PUBLIC SAFETY & WELFARE COMMITTEE - City Clerk;  
AIRPORT COMMISSION - Airport Director;  
CITY PLAN COMMISSION - Director of Community Development and Inspections;  
CIVIL SERVICE COMMISSION - Director of Human Resources;  
BOARD OF HARBOR COMMISSIONERS - Director of Public Works;  
~~BOARD OF HOUSING APPEALS - Director of Community Development and Inspections;~~  
BOARD OF WATER COMMISSIONERS - General Manager, Water Utility;  
HOUSING AUTHORITY - Executive Director of Housing Authority;  
LANDMARKS COMMISSION - Director of Community Development and Inspections;;  
LEGISLATIVE COMMITTEE - City Administrator;  
LIBRARY BOARD - Library Director;  
MUSEUM BOARD - Museum Director;  
PARK COMMISSION - Director of Public Works;  
BOARD OF POLICE & FIRE COMMISSIONERS - Chief of Police;  
REDEVELOPMENT AUTHORITY - Director of Community Development and Inspections;  
TRANSIT COMMISSION - Director of Transportation;  
BOARD OF ZONING APPEALS - Director of Community Development and Inspections;  
BOARD OF CANVASSERS - City Clerk.

**Section Four:** Subsection 28.05 G. of the Code of General Ordinances for the

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

**G. Requirements Not Covered By This Code.** The requirements necessary for the strength, stability, or proper operation of an existing structure or equipment, or for the public safety, health and general welfare, not specifically covered by this Code, shall be determined by the Code Official, subject to a right of appeal to the ~~Board of Housing Appeals~~ **Committee on Finance**.

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

ATTEST: \_\_\_\_\_ City Clerk

APPROVED: \_\_\_\_\_ Mayor

Passed:

Published:

Drafted By:  
MATTHEW A. KNIGHT  
Deputy City Attorney



**ENGINEERING DIVISION**  
SHELLY BILLINGSLEY, P.E.  
CITY ENGINEER

**PARK DIVISION**  
JEFF WARNOCK  
SUPERINTENDENT

**FLEET MAINTENANCE**  
MAURO LENCI  
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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December 6, 2013

To: Rocco L. LaMacchia, Sr., Chairman,  
Public Works Committee

From: Michael L. Lemens, P.E. *[Signature]*  
Director of Public Works *12-6-13*

Subject: Ordinance by the Mayor - To Repeal and Recreate Subsection 16.13 b.2 (*of the Code of General Ordinances*) Regarding Board of Housing Appeals Membership of Boards; Quorum and Officers.

**BACKGROUND INFORMATION**

Staff received this request from the Legal Department for an Ordinance by the Mayor which was referred to Public Safety and Welfare at the Common Council meeting on December 2, 2013.

**RECOMMENDATION**

Public Works staff has no recommendation.

ML/dh

ORDINANCE NO. \_\_\_\_\_

SPONSOR: THE MAYOR

**TO REPEAL AND RECREATE SUBSECTION 16.13 B.2 OF THE CODE OF GENERAL ORDINANCES REGARDING BOARD OF HOUSING APPEALS MEMBERSHIP OF BOARDS; QUORUM AND OFFICERS.**

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

**Section One:** Subsection 16.13 B.2 of the Code of General Ordinances for the

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

**2. Membership of Board; Quorum and Officers.**

The Board shall consist of ~~five (5) members appointed by the Mayor, subject to confirmation of the Common Council, for terms of five (5) years. The terms shall be staggered so that the term of only one (1) member expires in any given year. In order to provide for such staggering, the initial terms of members shall be for one (1), two (2), three (3), four (4), and five (5) years. All terms shall commence on the first (1st) day of May~~ the five (5) non-alternate members of the Zoning Board of Appeals established in Subsection 9.02 of the Zoning Ordinance. The officers of the Board shall be the Chairperson, Vice Chairperson, who shall act in the absence of the Chairperson, and the Secretary, who shall act in the absence of the Vice Chairperson. The presence of three (3) members at the Board shall constitute a quorum. The Director of the Department shall provide for secretarial services for the Board.

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

ATTEST: \_\_\_\_\_ City Clerk

APPROVED: \_\_\_\_\_ Mayor

Passed:

Published:

Drafted By:  
EDWARD R. ANTARAMIAN  
City Attorney



ENGINEERING DIVISION  
SHELLY BILLINGSLEY, P.E.  
CITY ENGINEER  
PARK DIVISION  
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December 6, 2013

To: Rocco L. LaMacchia, Sr., Chairman,  
Public Works Committee  
From: Michael L. Lemens, P.E.  
Director of Public Works  
Subject: Approve date and time of next meeting due to the Holidays.

**BACKGROUND INFORMATION**

The next regularly scheduled meeting is planned for December 30, 2013. Traditionally, the Committee reviews meeting dates during the holiday period to determine the need for a meeting based on availability of members and agenda items.

**RECOMMENDATION**

Staff has no recommendation.

ML/dh



# Discussion #1

ENGINEERING DIVISION  
SHELLY BILLINGSLEY, P.E.  
CITY ENGINEER

PARK DIVISION  
JEFF WARNOCK  
SUPERINTENDENT

FLEET MAINTENANCE  
MAURO LENCI  
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## DEPARTMENT OF PUBLIC WORKS

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December 6, 2013

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

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

Cc: Jan Michalski  
District 3

Patrick Juliana  
District 7

Scott Gordon  
District 11

Subject: ***INFORMATIONAL ONLY – 60<sup>th</sup> Street No Parking West of 30<sup>th</sup> Avenue***

### **BACKGROUND INFORMATION**

Due to the reconfiguring of the 60<sup>th</sup> Street and 30<sup>th</sup> Avenue intersections to provide standard lane widths no parking signs are required to be installed to allow vehicular movement into the designated lanes for the intersection. By City Ordinance the traffic engineer has the authority to administratively install no parking signs in areas that are deemed necessary to regulate, warn or guide traffic through the designated lanes for the intersection. (Section 1 (3)a ) Staff also extended no parking one spot west of the taper to help facilitate the movement of vehicles in and out of the lanes in accordance with authority granted by Section 1 (3)b(6) of the Code of General Ordinances.

Staff is also installing an advanced lane configuration sign and it will be installed as soon as it is received from the City's sign supplier.

An exhibit is attached for your use.

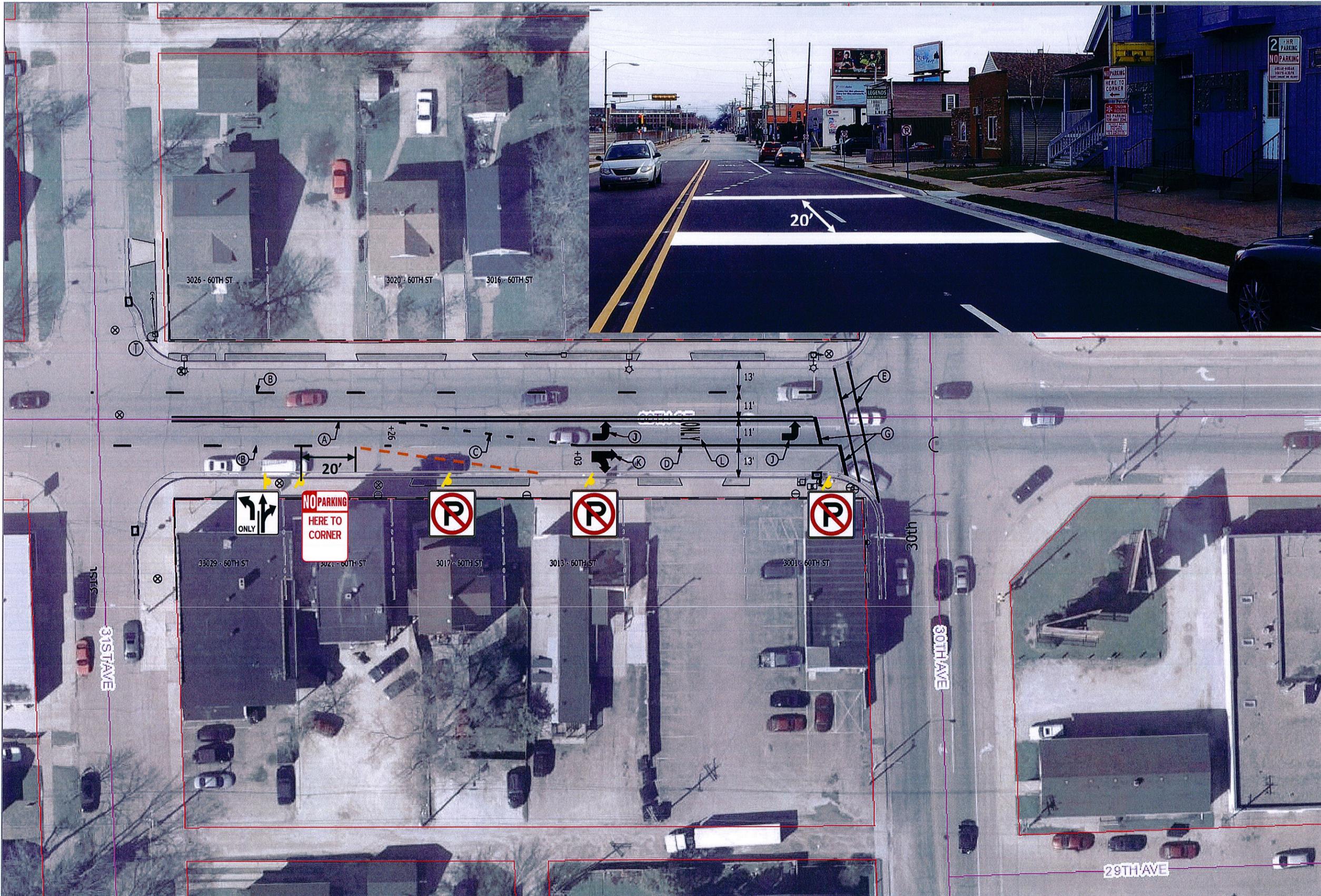
### **RECOMMENDATION**

Informational Only – No action needed.

**60<sup>th</sup> Street Parking Restrictions**  
 South Side 3000 Block



1 inch = 40 feet



**DISCLAIMER** This map is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, data and information located in various state, county and municipal offices and other sources affecting the area shown and is to be used for reference purposes only. Kenosha County is not responsible for any inaccuracies herein contained. If discrepancies are found, please contact Kenosha County.