

**AGENDA**  
**KENOSHA COMMON COUNCIL**  
**KENOSHA, WISCONSIN**  
**Council Chambers – Room 200 – Kenosha Municipal Building**  
**Monday, February 6, 2012**  
**7:00 P.M.**

**CALL TO ORDER**  
**ROLL CALL**  
**INVOCATION**  
**PLEDGE OF ALLEGIANCE**

**MINUTES** Minutes from January 18, 2012 meeting.

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

**CITIZENS' COMMENTS**

**A. REFERRALS**

TO THE CITY PLAN COMMISSION

- A.1. Request for a Special Exception to the spacing requirements of Section 3.12 E.2. of the Zoning Ordinance for a Class "A" liquor license at 2207 60th Street. (*Kenosha Gas Stop Inc*) (District #3 - formerly District #7)
- A.2. Request to extend a Conditional Use Permit for a 521 s.f. kitchen addition to the existing gas station/convenience store at 3920 Washington Road. (*Kwik Trip*) (District #10 - formerly District #5)

**B. COMMUNICATIONS, PETITIONS, REPORTS OF DEPARTMENTS**

- B.1. Approval of the following applications per list on file in the Office of the City Clerk:
  - a. \_\_\_\_\_ Operator's (Bartenders) license(s).
  - b. \_\_\_\_\_ Transfer of Agent Status of Beer and/or Liquor license(s).
  - c. \_\_\_\_\_ Special Class "B" Beer and/or Special "Class B" Wine license(s).
  - d. \_\_\_\_\_ Taxi Driver License(s).
- B.2. Request for a Special Exception to the Off-Street Parking requirement of Section 6.01 F.17 and 6.01 F.28 of the Zoning Ordinance for property at 6209 22nd Avenue. (*Tino's Carryout*) (District #3 - formerly District #8) **PUBLIC HEARING** (Deferred from 1/18/12 meeting)
- B.3. Request for a Special Exception to the spacing requirements of Section 3.12 E.2. of the Zoning Ordinance for a "Class A" liquor license at 6404 75th Street. (*Aldi, Inc.*) (District #16 - formerly District #17) (CP – Ayes 5, Nays 4) **PUBLIC HEARING**

**C. RECOMMENDATIONS FROM THE COMMITTEE ON LICENSING/PERMITS**

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

- C.1. Approve Applications for new Operator's (Bartender) licenses, subject to:  
a. Craig Mertes **(20 demerit points)**  
b. Michelle Nordquist **(40 demerit points)**  
c. Victor Plaisted **(40 demerit points)**  
(L/P – Recommendation Pending) **HEARING**
- C.2. Deny Application of **Margaret Dosemagen** for new Operator's (Bartender's) license, **based on material police record.**  
(L/P – Recommendation Pending) **HEARING**
- C.3. Deny Applications for new Operator's (Taxi Driver's) licenses, **based on material police record:**  
a. Corey Campolo  
b. Josh Brown  
(L/P – Recommendation Pending) **HEARING**
- C.4. Approve Application of **L & M Meats, Inc.**, Kathleen M. Meyer, Agent, for a Class “B” Beer/”Class B” Liquor License located at 4902 - 7<sup>th</sup> Avenue, (*L & M Meats*), with acceptance of a conditional surrender of a similar license at the same location from Polish Legion of American Veterans to be effective February 7, 2012.  
(*District #2 - formerly District #2*)  
(L/P – Recommendation Pending) **HEARING**
- C.5. Approve Application of **Mega Marts, LLC**, for a Transfer of Agent status of the Class “A” Retail Beer License located at 2811 - 18<sup>th</sup> Street, (*Pick 'n Save #6871*) from Matthew Meyer to Timothy Menden, with no adverse recommendations.  
(*District #4 - formerly District #4*)  
(L/P – Recommendation Pending) **HEARING**
- C.6. Deny Application of **Beverly Griffin and Maxine Chavours**, a general partnership for a Secondhand Article Dealer License located at 6215 - 22<sup>nd</sup> Avenue (*Patchez Ladies & Gent's Co-signment Store*), **based on material police record & false application.** (*District #3 - formerly District #8*)  
(L/P – Recommendation Pending) **HEARING**
- C.7. Approve Application of **Gary Doepgen** d/b/a Wade's Filling Station, for a Peddlerstand to be located at 56<sup>th</sup> St. & 3<sup>rd</sup> Ave. parking lot, across from playground, with no adverse recommendations. (*District #2 - formerly District #2*)  
(L/P – Recommendation Pending) **HEARING**
- C.8. Approve Application of **Mary Santiago** for a Pet Fancier Permit at 4711 - 42<sup>nd</sup> Avenue, with no adverse recommendations. (*District #10 - formerly District #10*)  
(L/P – Recommendation Pending) **HEARING**

**D. ORDINANCES 1ST READING**

**E. ZONING ORDINANCES 1ST READING**

- E.1. By the City Plan Commission - To Create Subsection 18.02 m. of the Zoning Ordinance to Amend the Comprehensive Plan to remove a portion of 55th Street Future Right Of Way from the Official Map. (*District #11 - formerly District #16*) (CP – Ayes 7, Nays 0)
- E.2. By the City Plan Commission - To Create Subsection 18.02 n. of the Zoning Ordinance to Amend the Comprehensive Plan to Adopt a new Kenosha County Hazard Mitigation Plan Update: 2011 - 2015. (CP – Ayes 7, Nays 0)

**F. ORDINANCES 2ND READING**

- F.1. By Alderperson Patrick Juliana - To Create Section 1.06 A.A. Of the Code of General Ordinances Entitled “Ethics Board” and to Repeal and Recreate Various Sections of Chapter 30 of the Code of General Ordinances Entitled “Code of Ethics”. (PSW – Ayes 4, Nays 0, SWU – Tabled at 10/12/11 meeting: Ayes 5, Nays 0, PW -No Recommendation: Ayes 6, Nays 0, Fin –No Recommendation: Ayes 5, Nays 0, LP – Recommendation Pending) (*Deferred from 01/04/2012.*)  
**Public Hearing Already Held.**

**G. ZONING ORDINANCES 2ND READING**

- G.1. By Alderperson David Bogdala - To Amend various Sections of the Zoning Ordinance regarding “Crop Production as a Conditional Use”, To Amend Section 12 B. entitled “Specific Words and Phrases”, To Amend Tables 4.01, Group 1, Group 2, Group 3 and To Create Section 4.06 D.16 entitled “Crop Production in a Residential, Business, Manufacturing or Industrial District”. (CP – DENY: Ayes 7, Nays 0)  
**PUBLIC HEARING**
- G.2. By the Mayor - Petition to rezone property located at 1613 Washington Road from RG-1 General Residential to IP Institutional Park in conformance with Section 10.05 of the Zoning Ordinance. (Zerovec Properties, LLC) (*District #6 – formerly District #10*) (CP – Ayes 7, Nays 0) **PUBLIC HEARING**

**H. RESOLUTIONS**

- H.1. By the Finance Committee – To Rescind a Special Assessment in the Amount of \$262.00 for Reinspection Fees Against the Property at 6812 Pershing Blvd. per Request from Mihailo & Zlatana Bojovic (*Parcel #02-122-02-433-014*) (*Amends Resolution #124-11*) (*District #15 – formerly District #15*) (*Deferred from 01/18/2012*) (Fin #1 - Recommendation Pending) **HEARING**

- H.2. By the Finance Committee – To Levy Five (5) Special Assessment Resolutions Upon Various Parcels of Property Located in the City per List on File in the Office of the City Clerk:
- a) Grass and Weed Cutting in the Total Amount of \$7,663.76
  - b) Property Maintenance Reinspection Fees in the Total Amount of \$18,176.00
  - c) Boarding and Securing in the Total Amount of \$5,067.96
  - d) Trash & Debris Removal in the Total Amount of \$310.00
  - e) Graffiti Removal (Miscellaneous Assessment) in the Total Amount of \$820.00  
(Deferred from 01/18/2012)  
(Fin #2 - Recommendation Pending) **HEARING**
- H.3. By the Finance Committee – To Levy a Special Assessment under Authority of Charter Ordinance No. 26,(As Amended). (Deferred from 01/18/2012)  
(Fin #3 - Recommendation Pending) **HEARING**
- H.4. By Finance Committee – To Levy Special Assessments for Hazardous Walk and Driveway Approach Repair Only (for Project 10-1208 Sidewalk & Curb/Gutter Program 3814 18<sup>th</sup> Avenue to be levied against the respective parcel of property as shown by a report of the City Engineer and filed in the office of the City Clerk of the City of Kenosha) in the Total Amount of \$55.88. (District #6 – formerly District # 6) (PW – Ayes 4, Nays 0) (Deferred from 01/18/2012)  
(Fin #4 – Recommendation Pending) **HEARING**
- H.5. By Finance Committee – To Levy Special Tax Upon Certain Parcels of Land Within the City of Kenosha Pursuant to §5.11F of the Code of General Ordinances, Entitled “Sidewalks and Alleys to be Kept Clean by Responsible Party – Emergency Enforcement (Snow Removal from Sidewalk). (District #5 – formerly District #5) (PW – Ayes 4, Nays 0) (Deferred from 01/18/2012)  
(Fin #5 – Recommendation Pending) **HEARING**
- H.6. By Finance Committee – To Levy Special Assessments for paving, grading and graveling, sidewalk and/or driveway approach (for Project #09-1011 Paving 56<sup>th</sup> Street - 64<sup>th</sup> Avenue to 68<sup>th</sup> Avenue to be levied against the respective parcels of property as shown by a report of the City Engineer and filed in the office of the City Clerk of the City of Kenosha) in the total amount of \$43,590.67  
(District #16 – formerly District #16) (PW – Ayes 4, Nays 0)  
(Fin #6- Recommendation Pending) **HEARING**
- H.7. By Finance Committee – To Correct Resolution #057-11 for Hazardous Sidewalk and/or Driveway Approach Repair Only (Project 10-1015 Resurfacing Phase II). (PW - Ayes 4, Nays 0) (Fin #7 – Recommendation Pending) **HEARING**
- H.8. By Finance Committee – To Correct Resolution #058-11 for Hazardous Sidewalk and/or Driveway Approach Repair Only (Project 10-1016 Resurfacing Phase II). (PW - Ayes 4, Nays 0) (Fin #8 – Recommendation Pending) **HEARING**

- H.9. By Finance Committee – To Correct Resolution #062-11 for Snow Removal from Sidewalks (Project 10-001 Snow Removal from Sidewalks). (PW - Ayes 4, Nays 0) (Fin #9 – Recommendation Pending) **HEARING**
- H.10. By Finance Committee – To Correct Resolution #100-11 for Hazardous Sidewalk and/or Driveway Approach Repair Only (Project 10-1208 Sidewalk & Curb/Gutter Program. (PW - Ayes 4, Nays 0) (Fin #10 – Recommendation Pending) **HEARING**
- H.11. By Finance Committee – To Correct Resolution #127-11 for Hazardous Sidewalk and/or Driveway Approach Repair Only (Project 11-1012 Resurfacing Phase I). (PW - Ayes 4, Nays 0) (Fin #11 – Recommendation Pending) **HEARING**
- H.12. By Alderperson Anthony Nudo - To Urge the School Board of the Kenosha Unified School District to Reject Recommendations to Close McKinley Middle School.
- H.13. By Alderperson Anthony Nudo, Alderperson Steve Bostrom, Alderperson Ray Misner, Alderperson Theodore Ruffalo, Alderperson David F. Bogdala, Alderperson G. John Ruffolo, and Alderperson Jesse Downing - To Congratulate Kenosha Resident Laura Kaeppler on Becoming Miss America and to Designate March 2, 2012 as Laura Kaeppler Day in the City of Kenosha.
- H.14. By Alderperson Bogdala, Alderperson Ruffalo, and Alderperson Downing - To Register the Opposition of the City of Kenosha, Wisconsin Common Council of the Proposed Change to the HOME Investment Partnerships Program Rule Concerning Conversion of Homeownership Units to Rental Units. (Fin #12 - Recommendation Pending)
- H.15. By the Mayor – 2012 Transfer of Funds Needed to Fund City Clerk/Treasurer position. (*Deferred from 01/18/2012*) (Fin #13 – Recommendation Pending)

#### **I. APPOINTMENTS/REAPPOINTMENTS BY THE MAYOR**

- I.1. Appointment of Miles Hartley, 600-52<sup>nd</sup> Street, to the Kenosha Housing Authority for a term which will expire July 1, 2014.

#### **J. PUBLIC CONSTRUCTION AND IMPROVEMENT CONTRACTS**

#### **K. OTHER CONTRACTS AND AGREEMENTS**

- K.1. Approve the Real Estate Appraisal Services Agreement by and between the City of Kenosha, WI and G.A. Bock & Associates d/b/a Southern Wisconsin Appraisal (*Deferred from 01/04/2012 & 01/18/2012*) (Fin #14 - Recommendation Pending)
- K.2. Approve the Addendum to Professional Services Agreement with Mandlik & Rhodes Information Systems, Inc. for Redemption Processing of Yardwaste Coupon. (*Deferred from 01/18/2012*) (SWU – Ayes 4, Nays 0) (Fin #15 - Recommendations Pending)

- K.3. Subordination Request of Kenosha Seniors Limited Partnership for HOME loans in the amount of \$240,500 and \$16,500 to Wisconsin Housing and Economic Development Authority (WHEDA) in the amount of \$1,367,645.00. (Glenwood Apartments, 1820 27th Avenue) (*District #4 -formerly District #5*) (HOME Commission - Ayes 5, Nays 0) (Fin #16 - Recommendation Pending) **PUBLIC HEARING**

**L. RECOMMENDATIONS FROM THE COMMITTEE ON FINANCE**

- L.1. Approve Disbursement Record #24 in the amount of \$5,128,194.33. (*Deferred from 01/18/2012*) (Fin #17 – Recommendation Pending)
- L.2. Approve Disbursement Record #1 in the amount of \$8,631,325.34 (Fin #18 - Recommendation Pending)
- L.3. Change Order #1 for Project 09-1011 Paving 56<sup>th</sup> Street (64<sup>th</sup> Avenue to 68<sup>th</sup> Avenue). (*District #16 – formerly District #16*) (PW – Ayes 4, Nays 0) (Fin #19 - Recommendation Pending)

**M. RECOMMENDATIONS FROM THE COMMITTEE ON PUBLIC WORKS**

- M.1. Final Acceptance of Project 10-1025 38<sup>th</sup> Street Reconstruction – Phase IV (*2000 feet east of the Kilbourn Ditch Bridge to 300 feet west of CTH S*) completed by Stark Asphalt, (*Milwaukee, Wisconsin*), in the amount of \$505,623.11. (*District #16 – formerly District #16*) (PW – Ayes 4, Nays 0)

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

**O. REPORTS AND RECOMMENDATIONS OF BOARDS AND COMMISSIONS**

- O.1. Conditional Use Permit for a contractor's storage yard to be located at 3700 45th Street. (Prostko Grading) (*District #10 – formerly District #10*) (*Refer back to CP at 12/19/11 meeting*) (CP - DENY: Ayes 9, Nays 0) **PUBLIC HEARING**

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

- P.1. Consideration of Claim: Terry E. Anderson v. City of Kenosha (*Deferred from 01/18/2012*) (Fin #20 – Recommendation Pending)  
**CLOSED SESSION:** The Common Council may go into Closed Session regarding this item, pursuant to §19.85(1)(g), Wisconsin Statutes. The Common Council will reconvene into open session.
- P.2. Consideration of Claim: Harold E. Granger v. City of Kenosha (*Deferred from 01/18/2012*) (Fin #21 – Recommendation Pending)  
**CLOSED SESSION:** The Common Council may go into Closed Session regarding this item, pursuant to §19.85(1)(g), Wisconsin Statutes. The Common Council will reconvene into open session.

- P.3. Consideration of Claim: Charlene C. Salewski v. City of Kenosha  
(*Deferred from 01/18/2012*) (Fin #22 – Recommendation Pending)  
**CLOSED SESSION:** The Common Council may go into Closed Session regarding this item, pursuant to §19.85(1)(g), Wisconsin Statutes. The Common Council will reconvene into open session.
- P.4. Status of Potential Causes of Action Against Brookstone Homes.  
(*Deferred from 01/18/2012*) (Fin #23 – Recommendation Pending)  
**CLOSED SESSION:** The Common Council may go into Closed Session regarding this item, pursuant to §19.85(1)(g), Wisconsin Statutes. The Common Council will reconvene into open session.

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

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

