



AGENDA
KENOSHA COMMON COUNCIL
KENOSHA, WISCONSIN
Kenosha Municipal Building, 625 52nd Street
Council Chambers – Room 200
Monday, May 20, 2019
7:00 PM

CALL TO ORDER
ROLL CALL
INVOCATION
PLEDGE OF ALLEGIANCE

Approval of the minutes of the meeting held April 15, 2019.
Matters referred to the Committees by the Mayor.
Presentation, Commendations and Awards by the Mayor.
Awards and Commendations from Boards, Commissions, Authorities and Committees.

CITIZENS' COMMENTS

A. REFERRALS

TO THE COMMITTEE ON FINANCE

TO THE PUBLIC WORKS COMMITTEE

TO THE PUBLIC SAFETY AND WELFARE COMMITTEE

TO THE CITY PLAN COMMISSION

- A.1. Ordinance by Principal Sponsor: Alderperson Jan Michalski - To Repeal And Recreate Sub Section 15.03 (of the Zoning Ordinance for the City of Kenosha) Regarding Creation of the Historic Preservation Commission.
- A.2. Conditional Use Permit for a tattoo establishment to be located at 4615 7th Avenue (American Vengeance Tattoo). (District 2)
- A.3. Conditional Use Permit for a tattoo establishment to be located at 1920 52nd Street (Parker & Barrow Tattoo). (District 7)
- A.4. Conditional Use Permit Extension for a 52,017 s.f. trucking freight terminal to be located at 6824 77th Avenue (Old Dominion). (District 16)

B. COMMUNICATIONS, PETITIONS, REPORTS OF DEPARTMENTS

- B.1. Approval of the following applications (per list in supporting documents):
 - a. 20 Operator's (Bartender's) licenses.
 - b. 0 Successor of Agent Status of Beer and/or Liquor licenses.
 - c. 4 Temporary Class "B" Beer and/or "Class B" Wine licenses.
 - d. 0 Taxi Driver's licenses.
 - e. 3 Amusement & Recreation Supervisor's licenses.
- B.2. Conditional Use Permit for a Tattoo Establishment to be Located at 2900 52nd Street (Old School Tattoo). (District 7) (CP – Ayes 7, Noes 1) (Initial Hearing to Establish Conditions of Approval and Schedule a Public Hearing Date) **PUBLIC HEARING**

- B.3. Communication from the City Clerk regarding the voluntary surrender of the Class “B” Beer/”Class B” Liquor license of Zois Incorporated (Z’s Sports Bar and Grill), 7500 Sheridan Road. (District 12)
- B.4. Status Report – Gabriella Siler, et al. v. City of Kenosha, et al. US District Court - E.D. of WI – I7-CV-1324. (Fin. - recommendation pending) **CLOSED SESSION: The Common Council may go into Closed Session, pursuant to §19.85 (1)(g), Wisconsin Statutes, to confer with legal counsel regarding this matter. The Common Council will reconvene into open session.**
- B.5. Proposed Settlement – Antonio Clifton v. McDonough, WIED 2:18-cv-01207-NJ. (Fin. – recommendation pending) **CLOSED SESSION: The Common Council may go into Closed Session, pursuant to §19.85 (1)(g), Wisconsin Statutes, to confer with legal counsel regarding to this matter. The Common Council will reconvene into open session.**

C. RECOMMENDATIONS FROM THE COMMITTEE ON LICENSES/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’s) Licenses, subject to demerit points:

ITEM	LICENSEE	DEMERIT POINTS
a.	Nicole Benhoff	20
b.	Jessica Kunath	85
c.	Georgia Monday	60
d.	Paige Redlin	50

(L/P – Ayes 5, Noes 0) **HEARING**

- C.2. Deny application of Ian Stanbery for a new Operator’s (Bartender’s) License, based on material police record. (L/P – Ayes 5, Noes 0) **HEARING**
- C.3. Approve application of Glen Ritacca for a new Taxi Driver’s License, subject to 55 demerit points. (L/P – Ayes 5, Noes 0) **HEARING**
- C.4. Approve renewal applications for the following licenses with no adverse recommendations from the Police Department, (per list in supporting documents):
 - a. **3** Class “A” Retail Beer
 - b. **5** Class “A” Retail Beer/ “Class A” Liquor
 - c. **3** Class “A” Retail Beer/ “Class A” Liquor- Cider Only
 - d. **1** Class “B” Beer
 - e. **1** Class “B” Beer/ “Class C” Wine
 - f. **11** Class “B” Beer/ “Class B” Liquor (L/P – Ayes 5, Noes 0) **HEARING**
- C.5. Approve renewal application of Speedway, LLC, (Michael Cobb, Agent), for a Class “A” Retail Beer/ “Class A” Liquor- Cider Only License located at 3708 60th Street, (Speedway #4029), subject to 30 demerit points. (District 11) (L/P – Ayes 5, Noes 0) **HEARING**

C.6. Approve renewal application of One Stop Grocery & Liquor, LLC, (Dilip Prajapati, Agent), for a Class “A” Retail Beer/ “Class A” Liquor License located at 6525 26th Avenue, (One Stop Grocery), subject to 20 demerit points. (District 8) (L/P – Ayes 5, Noes 0) **HEARING**

C.7. Approve renewal applications for Class “B” Beer/ “Class B” Liquor Licenses, subject to demerit points:

ITEM	LICENSEE	DEMERIT POINTS	TRADE NAME	ADDRESS	DIST	AGENT
	CLASS "B" BEER / "CLASS B" LIQUOR					
a.	JACKIE'S SPORTS DEN LLC	20	DENNY'S SPORTS DEN	5521 WASHINGTON ROAD	16	JACKY DELORIA
b.	LOYAL ORDER OF MOOSE KENOSHA	25	LOYAL ORDER OF MOOSE KENOSHA L	3003 30TH AVENUE	6	RICHARD SMART
c.	PETERSON, TRACI	20	HATTRIX	2425 60TH STREET	3	TRACI PETERSON
d.	RED ROBIN INTERNATIONAL, INC	20	RED ROBIN AMERICA'S GOURMET BURGER	6610 GREEN BAY ROAD	16	BRYAN JANCICH
e.	THE PUB AFFAIR, INC	10	RON'S PLACE	3301 52ND STREET	11	TRACY WYNN

(L/P – Ayes 5, Noes 0) **HEARING**

C.8. Approve renewal application of Kenosha A&P Hospitality, LLC, (Ajai Agnihotri, Agent), for a Class “B” Beer/ “Class B” Liquor License located at 5125 6th Avenue, (Wyndham Garden), subject to review of economic impact statement, with no adverse recommendations (from the Police Department). (District 2) (L/P – Ayes 5, Noes 0) **HEARING**

C.9. Approve application of Mongolian Grill Restaurant Operating Company, LLC, (Andrew Vap, Agent), for a Class “B” Beer/ “Class C” Wine License located at 7214 Green Bay Road, Suite 100, (Huhot Mongolian Grill), effective July 1, 2019, upon surrender of a Class “B” Beer/ “Class B” Liquor License at the same location from Mongolian Grill Restaurant Operating Company, LLC, subject to 20 demerit points. (District 16) (L/P – Ayes 5, Noes 0) **HEARING**

C.10. Approve four (4) applications for Yearly Cabaret Licenses (2019-2020 Term), with no adverse recommendations (from the Police Department, per list in supporting documents). (L/P – Ayes 5, Noes 0) **HEARING**

C.11. Approve applications of Boat House Pub & Eatery, Inc., for Temporary Outdoor Extensions of the Class “B” Beer/ “Class B” Liquor License located at 4917 7th Avenue, (Boat House Pub & Eatery), approve request to waive the fence requirement, with no adverse recommendations (from the Police Department):

- a. Survivor Island Event, July 19 – 21, 2019
- b. Tall Ships Celebration, August 2 – 4, 2019 (District 2)

(L/P – Ayes 5, Noes 0) **HEARING**

C.12. Approve application of Kenosha Yacht Club for a Request to Change Closing Hours of the Permanent Outdoor Extension located at 5130 4th Avenue, (Kenosha Yacht Club), to 1:30 am, with no adverse recommendations. (District 2) (L/P – Ayes 4, Noes 1) **HEARING**

C.13. Approve application of Sarah Rodarte, for a Massage Establishment License located at 3917 47th Avenue, #210, (Sarah Rodarte Therapeutic Massage and Bodywork), with no adverse recommendations (from the Police Department). (District 10) (L/P – Ayes 5, Noes 0) **HEARING**

- C.14. Deny application of Sean Hayes for a new Operator’s (Bartender’s) License, based on material police record and false application. (L/P – Ayes 5, Noes 0) **HEARING**
- C.15. Approve renewal application of P.J. Doghouse, Inc. (Kevin Koprovic, Agent), for a for a Class “B” Beer/ “Class B” Liquor License at 2621 30th Avenue, (Clubhouse Pub & Grille), with no adverse recommendations (from the Police Department) and approve amendment of the premises description from 2,400 sq. ft. to “4,000 sq. ft., 1-Story Bar, Restaurant and Storage”. (District 5) (L/P – Ayes 5, Noes 0) **HEARING**

D. REPORTS AND RECOMMENDATIONS OF BOARDS AND COMMISSIONS

E. ORDINANCES 1st READING

- E.1. Ordinance by Committee on Public Safety and Welfare - To Amend Section 7.125 (of the Code of General Ordinances Entitled "Streets Controlled by Yield Signs") to Include an Eastbound and Westbound Yield Sign on 55th Street Before Entering the Intersection with 46th Avenue. (District 11) (PSW – Ayes 5, Noes 0)

F. ZONING ORDINANCES 1st READING

- F.1. Zoning Ordinance by the City Plan Commission – To Amend Create Subsection 18.02 ttt. of the Zoning Ordinance to Amend the Land Use Plan Map for the City of Kenosha: 2035 (Cendrillon, LLC). (Districts 16 and 17) (CP – Ayes 7, Noes 0)
- F.2. Zoning Ordinance by the Mayor – To Zone the properties at 7901 60th Street, 7517 60th Street, 6824 77th Avenue, 7100 77th Avenue, 6400 77th Avenue, (Parcel Nos. 03-122-04-126-012 and 03-122-04-126-019) to M-2 Heavy Manufacturing District and C-2 Lowland Resource Conservancy District (in conformance with Section 10.02 of the Zoning Ordinance (Cendrillon, LLC). (Districts 16 and 17) (CP – Ayes 7, Noes 0)
- F.3. Zoning Ordinance by the Mayor – To Repeal and Recreate Certain Subparagraphs of Subsection 8.04 of the Zoning Ordinance, regarding the Granting of Temporary Occupancy Permits. (CP – Ayes 8, Noes 0)

G. ORDINANCES 2nd READING

- G.1. Ordinance by the Committee on Public Safety and Welfare - To Amend Sections 7.12 B. and C. to Remove the Stop Signs on 48th Street at its Intersection with 19th Avenue and Replace them with an All Stop (To Amend Section 7.12 B. of the Code of General Ordinances by Rescinding Therefrom the Stop Signs on 48th Street at its Intersection with 19th Avenue; and To Amend Section 7.12 B of the Code of General Ordinances to Include an All Stop at the Intersection of 48th Street and 19th Avenue). (District 2) (PSW – Ayes 5, Noes 0) **PUBLIC HEARING**
- G.2. Ordinance by Principal Sponsor Alderperson Jan Michalski - To Repeal and Recreate Section 5.051 (of the Code of General Ordinances) Entitled Lawn Park Areas. (PW - Ayes 5, Noes 1) **PUBLIC HEARING**

H. ZONING ORDINANCES 2nd READING

I. RESOLUTIONS

- I.1. Resolutions by the Finance Committee – Resolutions to Levy Special Assessments Against Benefited Property Based Upon Final Construction Costs Respecting Improvement in Street Right-Of-Way (Sidewalk and/or Driveway Approach):
 - a. Project 17-1017 Whitecaps Resurfacing Phase I. (District 17)
 - b. Project 18-1208 2018 Sidewalk & Curb/Gutter Program. (All Districts)
(Fin. - recommendation pending; PW – Ayes 6, Noes 0) **HEARING**
- I.2. Resolutions by the Committee on Finance – Resolutions to Levy Special Charges (Upon Various Parcels of Property Located in the City per List on File in the Office of the City Clerk):
 - a. Property Maintenance Reinspection Fees - \$5,328.00
 - b. Boarding and Securing - \$1,035.12
(Fin. - recommendation pending) **HEARING**
- I.3. Resolutions by the Committee on Public Works – Resolutions to Order the Cost of Public Sidewalk and/or Driveway Approach Construction and/or Replacement to be Specially Assessed to Abutting Property:
 - a. Project 19-1017 Whitecaps Resurfacing Phase III (District 17)
 - b. Project 19-1208 Sidewalk & Curb/Gutter Program (All Districts)
(PW – Ayes 6, Noes 0) **PUBLIC HEARING**
- I.4. Resolution by the Committee on Public Works – Resolution to Vacate a Public Way located North of 71st Street abutting Parcel No. 03-121-01-420-222 (Continental 434 Fund, LLC/Ruffalo). (District 16) (CP – Ayes 6, Noes 0; PW – Ayes 6, Noes 0) **PUBLIC HEARING**
- I.5. Resolution by the Mayor – Resolution to Authorize the Submittal of an Award Application for WAM Contractor Services. (PW – Ayes 6, Noes 0)
- I.6. Resolution by the Mayor – Resolution to approve a Three-Lot Certified Survey Map for property at 7630 Pershing Boulevard (KRT, LLC). (District 14) (PW – Ayes 6, Noes 0; CP – Ayes 8, Noes 0)
- I.7. Resolution by the Mayor – Resolution to Authorize by Resolution Special Events for 2019. (Fin. - recommendation pending)

J. APPOINTMENTS/REAPPOINTMENTS BY THE MAYOR

- J.1. Reappointment of Michael M. Remson (201 55th Street, Kenosha) to the Transit Commission for a term to expire June 7, 2022.
- J.2. Reappointments to the Historic Preservation Commission for a term to expire June 1, 2022:
 - a. Christopher D. Allen (5134 28th Street, Kenosha)
 - b. Sue Dyke O'Day (8715 36th Avenue, Kenosha)

- J.3. Appointment of Laura Dietrick (1706 74th Street, Kenosha) to the Mayor's Youth Commission to fulfill an unexpired term which expires November 1, 2020.

K. PUBLIC CONSTRUCTION AND IMPROVEMENT CONTRACTS

- K.1. Award of Contracts to A.W. Oakes & Son, Inc. (Racine, WI):
a. Project 19-1024 89th Street Resurfacing in the amount of \$931,200 (89th Street – 30th Avenue to 39th Avenue). (District 9)
b. Project 19-1208 Sidewalk & Curb/Gutter Program in the amount of \$848,900 (Citywide Locations). (All Districts) (PW – Ayes 6, Noes 0; SWU – Aye 6, Noes 0)

L. OTHER CONTRACTS AND AGREEMENTS

- L.1. Intergovernmental Agreement for Reconstruction of 89th Street by and between the City of Kenosha, Wisconsin (a Municipal Corporation) and the Village of Pleasant Prairie, Wisconsin (a Municipal Corporation). (District 9) (PW – Ayes 6, Noes 0)
- L.2. Clinical Affiliation Agreement between Carthage College and City of Kenosha Fire Department for the Conduct of a Clinical/Field Education Program. (PSW – Ayes 5, Noes 0)
- L.3. First Amendment to Agreement for Medical Direction Emergency Medical Service by and between the City of Kenosha, Wisconsin and the Medical College of Wisconsin, Inc. (Fin. - recommendation pending; PSW – Ayes 5, Noes 0)
- L.4. Memorandum of Understanding between the Kenosha County Division of Health and the City of Kenosha, Wisconsin. (PSW – Ayes 5, Noes 0)
- L.5. Site Access Agreement for WAM Contractor Services Awards. (PW – Ayes 6, Noes 0)

M. RECOMMENDATIONS FROM THE COMMITTEE ON FINANCE

- M.1. Award of Contract for Official City Newspaper to the Kenosha News for the Period of June 1, 2019 through May 31, 2020. (Fin. - recommendation pending)
- M.2. Request from Terry Woten to Rescind Reinspection Fees in the Amount of \$180.00 for 5214 14th Avenue (Parcel #12-223-31-303-018). (District 2) (Fin. - recommendation pending) **HEARING**
- M.3. Disbursement Record #8 - \$8,510,817.42. (Fin. - recommendation pending)

N. RECOMMENDATIONS FROM THE COMMITTEE ON PUBLIC WORKS

- N.1. Change Order for Project 18-1208 2018 Sidewalk & Curb/Gutter Program (Citywide Locations). (All Districts) (Fin. - recommendation pending; PW – Ayes 6, Noes 0)
- N.2. Approval of Sidewalk Rates for 2019. (Fin. - recommendation pending; PW – Ayes 6, Noes 0)

- N.3. Acceptance of Projects which have been satisfactorily completed (the final amounts of the contracts are listed):
- a. 17-1027 Epoxy Pavement Markings by Century Fence Company (Pewaukee, WI) - \$220,175.44 (Citywide Locations). (All Districts) (PW – Ayes 6, Noes 0)
 - b. 18-1019 Joint, Crack Cleaning & Sealing by Denler, Inc. (Joliet, IL) - \$144,842.47 (Citywide Locations). (All Districts) (PW – Ayes 6, Noes 0)
 - c. 18-1417 Tree Removal by Limb Walkers Tree Service (Wind Lake, WI) - \$229,994.66 (Zip Codes 53142 & 53144). (Districts 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16 & 17) (PW – Ayes 6, Noes 0; Park Comm. - Ayes 5, Noes 0)
- N.4. Project 18-1577 Fire Station 4 Renovations (4810 60th Street) Recommendation to Reject Bids. (District 11) (PW – Ayes 6, Noes 0; PSW - Ayes 6, Noes 0)

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

- O.1. Application from Carmichael & Associates, Inc. for a Carnival License from May 31 – June 2, 2019 at 8600 Sheridan Road (District 9). (PSW – Ayes 5, Noes 0)

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

- P.1 Claims:
- a. Karen Grimes
 - b. Brian Mason
 - c. Theresa Swiatko
 - d. Erie Insurance
 - e. David Carlino

(Fin. - recommendation pending) **CLOSED SESSION: The Common Council may go into Closed Session, pursuant to §19.85 (1)(g), Wisconsin Statutes, to confer with legal counsel regarding the claims. The Common Council will reconvene into open session.**

- a. LEGISLATIVE REPORT
- b. MAYOR'S COMMENTS
- c. ALDERPERSON COMMENTS

IF YOU ARE DISABLED AND IN NEED OF ASSISTANCE,
PLEASE CALL 653-4020 BEFORE THIS MEETING
KENOSHA.ORG