Agenda
Transit Commission Meeting
TELECONFERENCE
Monday – April 19, 2021
5:15 PM

Chairperson Anthony Kennedy
Vice Chairperson Marty Hutchings
Commissioner Bruce Fox
Commissioner Heather Wessling Grosz
Commissioner Pam DeVuyst
Commissioner Frank Serpe
Commissioner Raymond Cameron

Call to Order
Roll Call

Approval of the Minutes from the Meeting Held on Monday, March 15, 2021.

Approval of the Minutes from the Special Meeting Held on Friday, March 26, 2021.

1. Review and Vote on Revised Drug and Alcohol Policy.


3. Vote on Ordinance by Sponsor: Alderperson David F. Bogdala – To Create Section 5.082 Establishing Regulations for City-Owned Parking Structures. (PW - Ayes 6, Noes 0; also referred to Common Council)

4. Vote on Recommendation on Award of Contract for the Purchase of (2) 35’ Low Floor Buses From Gillig LLC in the amount of $980,000.00 for CIP Project Number TR-93-010.

5. Status Communication from the Transit Director regarding COVID19 Vaccine Transportation provided by Kenosha Achievement Center.


7. Status Communication from the Transit Director regarding Rubber Wheel Trolley.

COMMISSIONERS’ COMMENTS
Due to the COVID 19 Pandemic, no in-person public attendance at this meeting is allowed. This meeting is audio-only. If you wish to listen to the meeting, dial into the meeting at 312 626 6799 or 646 558 8656 Meeting ID **918 2632 1999**.

Public comments will be received on items. Persons wishing to provide public comments on a particular agenda item are encouraged to provide those comments in advance of the meeting by electronic mail to the City at comments@kenosha.org, which will then be read into the Committee record during the public hearing phase. If providing a written comment, please include a subject line identifying the committee and either the agenda item number or the agenda item subject.

Alternatively, persons wishing to express a comment during a noticed public hearing must have called in to the telephone number above, and will be able to express their comments when the Chair opens the item for public comments. Such comments must be relevant to the item, be made in an orderly manner, and be made with courtesy accorded to other speakers.

If you experience difficulties with both the telephone connection such that you are not able to use either due to a possible technical malfunction of the City services, please email comments@kenosha.org to alert staff to the existence of the problem.

**IF YOU ARE DISABLED AND NEED ASSISTANCE, PLEASE CALL 653-4290 BY NOON BEFORE THIS MEETING TO MAKE ARRANGEMENTS FOR REASONABLE ON-SITE ACCOMMODATIONS.**
Meeting called to order at 5:15 PM

At roll call the following members were present by telephone: Chairperson Anthony Kennedy, Commissioner Bruce Fox, Commissioner Heather Wessling Grosz, and Commissioner Raymond Cameron. Vice Chairperson Marty Hutchings and Comm. DeVuyst were present after roll call. Comm. Serpe was present at item 1.

Staff Present: Nelson Ogbuagu, Transit Director; John Morrissey, City Administrator and Tom Hansche, Inspector.

Motion by Comm. Wessling Grosz, seconded by Comm. Cameron to approve minutes from the meeting held on Wednesday, February 17, 2021. Unanimous-

1. **Discussion Item - A review of the security assessment from the Kenosha Police Department for the new parking garage located at 5613 8th Avenue.**

   Inspector Hansche gave an overview of the parking structure security assessment. Mr. Ogbuagu spoke about contacting Public Works Department, who work with the consultants, about the signage and the locking devices over the outlet covers. Chairperson Kennedy requested to have a follow up sent to him and transit commissioners on where we are at with that as it progresses. Mr. Ogbuagu to contact Clark Dietz for a lighting design of the parking structure for Chairperson Kennedy. Vice Chairperson Hutchings and Comm. Cameron asked questions. Chairperson Kennedy thanked Mr. Hansche for putting together the security assessment and looks forward to future engagement. Alderperson David Bogdala of 17th District, 7101 96th Ave., requested for the security assessment to be shared with members of Common Council and asked who is responsible for putting up appropriate signage in the parking garage.

2. **Discussion Item - A report of the number of spaces that are committed at this time in the new parking garage and Transit Administration areas of concern and expectation as it pertains to the Downtown parking structure located at 5613 8th Avenue.**

   City Administrator, John Morrissey requested a copy of the security assessment from item 1 and reported 368 total parking spots = 346 car stalls, 8 ADA accessible stalls, 6 motorcycle stalls and 8 small car stalls. There are 189 reserved parking spots and 173 unassigned parking spots if all the agreements go through. Mr. Ogbuagu spoke. Chairperson Kennedy answered Comm. Cameron and Vice Chairperson Hutchings questions. Mr. Morrissey reported the parking garage will be re-striped and sealed this spring, so if there is a request to increase the number of handicap spots he will need to know that for re-stripping.
3. Public Comments

No one spoke.

4. Comments and Discussion from Kenosha Lakeshore Business Improvement District (BID), Kenosha Area Chamber of Commerce and Downtown Kenosha Inc (DKI).

Alex Kudrna, Chairperson of Kenosha Lakeshore Business Improvement District (BID), spoke and asked if there is any projects for artwork or signage that BID could help with. Chairperson Kennedy suggested to have further conversations with Transit Administration to see what opportunities there are. Lou Molitor 3805 30th St., President of Kenosha Area Chamber of Commerce, spoke and requested a floor plan of the parking garage that could be posted on their website to inform Chamber members. Riki Tagliapietra 2220 79th St., President of Downtown Kenosha Inc (DKI), spoke about questions raised about the parking garage and the possibility of DKI organization funding in designing some sort of signage or placard installation with a general business tourism district map in the parking structure. Chairperson Kennedy said to put it down as a discussion item between Transit Administration and City Administration. Comm. Wessling Grosz supports the concept of anything we can do to help businesses and help people know where to go. Vice Chairperson Hutchings and Comm. Cameron support signage or maps in the parking garage. Chairperson Kennedy thanked BID, Kenosha Area Chamber of Commerce and DKI for their input and attendance.


Chairperson Kennedy spoke and answered Vice Chairperson Hutchings and Comm. Cameron’s questions. Comm. Cameron spoke in favor of a plaque. Per Chairperson Kennedy, Mr. Ogbuagu to start the process of what the cost would be or some other alternatives as to what a plaque would look like. Alderperson David Bogdala of 17th District, 7101 96th Ave., requested to have individuals who voted in favor of the parking garage in year 2017 be included on the plaque and for Public Works Committee and staff to be included on the plaque as well. Vice Chairperson Hutchings asked how many more names would be added to the plaque and thinks Mr. Bogdala makes a valid point. Chairperson Kennedy said this is not an action item today and we will have more discussions in reference to this.

COMMISSIONERS’ COMMENTS – Comm. Serpe said he has been in the meeting from the beginning and didn’t know his phone was on mute. Comm. Wessling Grosz spoke in favor of the plaque and it be inclusive of staff and officials that played a part in the support and approval of the parking structure project. Chairperson Kennedy thanked Transit Administration and Kenosha Police Department for their help and also thanked all the guests and City Administration for attending today.

Motion by Vice Chairperson Hutchings, seconded by Comm. Cameron to adjourn at 6:20 PM. Unanimous-
Minutes
Transit Commission Special Meeting
TELECONFERENCE
Friday – March 26, 2021
3:00 PM

Meeting called to order at 3:04 PM

At roll call the following members were present by telephone: Vice Chairperson Marty Hutchings, Commissioner Heather Wessling Grosz, Commissioner Pam DeVuyst, Commissioner Frank Serpe and Commissioner Raymond Cameron. Commissioner Bruce Fox was excused. The meeting was Chaired by Vice Chairperson Hutchings. Chairperson Anthony Kennedy was present during item 1.

Staff Present: Nelson Ogbuagu, Transit Director

1. Vote on Request from Kenosha County to Waive Bus Fare for Riders going to Receive COVID-19 Vaccine.

Mr. Ogbuagu spoke and answered Comm. Wessling Grosz, Comm. DeVuyst and Vice Chairperson Hutchings questions. Jen Freiheit, Director of Kenosha County Division of Health spoke and answered Comm. Cameron’s question. Mr. Ogbuagu reported if approved the plan is to get the bus operators to keep a count of how many riders are using the service, that will be provided to the Transit Commission as we move along. Mr. Ogbuagu clarified this request is for Kenosha Transit routes only and the plan is for riders to have the printed appointment registration form or have it on a cell phone to show the bus driver in order to qualify for the ride. Chairperson Kennedy said the agenda item would have been a clearer understanding if it was worded vote on request from Kenosha County Health Department to waive bus fare for riders going to receive COVID-19 vaccine. Motion by Comm. Wessling Grosz, seconded by Comm. Serpe to approve allowing free transit rides with stipulations for all folks getting their COVID-19 vaccination. Unanimous-

COMMISSIONERS’ COMMENTS – Chairperson Kennedy thanked the Kenosha County Health Department for all their efforts in vaccinating our constituents, friends and family and also thanked Transit Administration for bringing this forward and thanked the Transit Commissioners for supporting this and thanked Vice Chairperson Hutchings for chairing this meeting.

Motion by Chairperson Kennedy, seconded by Comm. Cameron to adjourn at 3:18 PM. Unanimous-
City of Kenosha- Transit Operations

Drug and Alcohol Policy

Effective as of 4/21/2021

Adopted by: Kenosha Transit Commission
Date Adopted: 4/21/2021
Last Revised: 4/31/2021

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<table>
<thead>
<tr>
<th>Revision Number</th>
<th>Revision Date</th>
<th>Revision Notes</th>
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<tbody>
<tr>
<td>Initial Issue-1</td>
<td>November 28, 201</td>
<td>Initial Issue, disregard any previous Drug and Alcohol Policies.</td>
</tr>
<tr>
<td>Version 2</td>
<td>April 21, 2021</td>
<td>Supervisor of Operations was removed from Attachment A-list of safety sensitive positions per the FTA Drug and Alcohol Compliance Review Final Audit Report dated 4-5-2021.</td>
</tr>
</tbody>
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1. Purpose of Policy

This policy complies with 49 CFR Part 655, as amended and 49 CFR Part 40, as amended. Copies of Parts 655 and 40 are available in the drug and alcohol program manager’s office and can be found on the internet at the Federal Transit Administration (FTA) Drug and Alcohol Program website http://transit-safety.fta.dot.gov/DrugAndAlcohol/.

All covered employees are required to submit to drug and alcohol tests as a condition of employment in accordance with 49 CFR Part 655.

Portions of this policy are not FTA-mandated, but reflect City of Kenosha-Transit Operations’ policy. These additional provisions are identified by bold text.

In addition, DOT has published 49 CFR Part 32, implementing the Drug-Free Workplace Act of 1988, which requires the establishment of drug-free workplace policies and the reporting of certain drug-related offenses to the FTA.

All City of Kenosha-Transit Operations employees are subject to the provisions of the Drug-Free Workplace Act of 1988.

The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited in the covered workplace. An employee who is convicted of any criminal drug statute for a violation occurring in the workplace shall notify Human Resources in writing no later than five days after such conviction.

2. Covered Employees

This policy applies to every person, including an applicant or transeree, who performs or will perform a “safety-sensitive function” as defined in Part 655, section 655.4.

You are a covered employee if you perform any of the following:

- Operating a revenue service vehicle, in or out of revenue service
- Operating a non-revenue vehicle requiring a commercial driver’s license
- Controlling movement or dispatch of a revenue service vehicle
- Maintaining (including repairs, overhaul and rebuilding) of a revenue service vehicle or equipment used in revenue service
- Carrying a firearm for security purposes

See Attachment A for a list of covered positions by job title.
3. Prohibited Behavior

Use of illegal drugs is prohibited at all times. All covered employees are prohibited from reporting for duty or remaining on duty any time there is a quantifiable presence of a prohibited drug in the body at or above the minimum thresholds defined in Part 40. Prohibited drugs include:

- marijuana
- cocaine
- phencyclidine (PCP)
- opioids
- amphetamines

All covered employees are prohibited from performing or continuing to perform safety-sensitive functions while having an alcohol concentration of 0.04 or greater.

All covered employees are prohibited from consuming alcohol while performing safety-sensitive job functions or while on-call to perform safety-sensitive job functions. If an on-call employee has consumed alcohol, they must acknowledge the use of alcohol at the time that they are called to report for duty. If the on-call employee claims the ability to perform his or her safety-sensitive function, he or she must take an alcohol test with a result of less than 0.02 prior to performance.

All covered employees are prohibited from consuming alcohol within four (4) hours prior to the performance of safety-sensitive job functions.

All covered employees are prohibited from consuming alcohol for eight (8) hours following involvement in an accident or until he or she submits to the post-accident drug and alcohol test, whichever occurs first.

4. Consequences for Violations

Following a positive drug or alcohol (BAC at or above 0.04) test result or test refusal, the employee will be immediately removed from safety-sensitive duty and referred to a Substance Abuse Professional.

Following a BAC of 0.02 or greater, but less than 0.04, the employee will be immediately removed from safety-sensitive duties for at least eight hours unless a retest results in the employee’s alcohol concentration being less than 0.02.

Treatment/Discipline

Per City of Kenosha-Transit Operations policy, any employee who tests positive for drugs or alcohol (BAC at or above 0.04) or refuses to test will be referred to a Substance Abuse Professional (SAP) and will be subject to discipline up to and including discharge for first offense. Second offense will result in discharge.

The Substance Abuse Professional (SAP) will be assigned through the City of Kenosha’s EAP. Employee will be allowed to use paid leave for the duration of treatment.
5. Circumstances for Testing

Pre-Employment Testing
A negative pre-employment drug test result is required before an employee can first perform safety-sensitive functions. If a pre-employment test is cancelled, the individual will be required to undergo another test and successfully pass with a verified negative result before performing safety-sensitive functions.

If a covered employee has not performed a safety-sensitive function for 90 or more consecutive calendar days, and has not been in the random testing pool during that time, the employee must take and pass a pre-employment test before he or she can return to a safety-sensitive function.

A covered employee or applicant who has previously failed or refused a DOT pre-employment drug and/or alcohol test must provide proof of having successfully completed a referral, evaluation, and treatment plan meeting DOT requirements.

Reasonable Suspicion Testing
All covered employees shall be subject to a drug and/or alcohol test when City of Kenosha-Transit Operations has reasonable suspicion to believe that the covered employee has used a prohibited drug and/or engaged in alcohol misuse. A reasonable suspicion referral for testing will be made by a trained supervisor or other trained company official on the basis of specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the covered employee.

Covered employees may be subject to reasonable suspicion drug testing any time while on duty. Covered employees may be subject to reasonable suspicion alcohol testing while the employee is performing safety-sensitive functions, just before the employee is to perform safety-sensitive functions, or just after the employee has ceased performing such functions.

Post-Accident Testing
Covered employees shall be subject to post-accident drug and alcohol testing under the following circumstances:

   Fatal Accidents
As soon as practicable following an accident involving the loss of a human life, drug and alcohol tests will be conducted on each surviving covered employee operating the public transportation vehicle at the time of the accident. In addition, any other covered employee whose performance could have contributed to the accident, as determined by City of Kenosha-Transit Operations using the best information available at the time of the decision, will be tested.
FTA Drug and Alcohol Policy – City of Kenosha- Transit Operations

Non-fatal Accidents
As soon as practicable following an accident not involving the loss of a human life, drug and alcohol tests will be conducted on each covered employee operating the public transportation vehicle at the time of the accident if at least one of the following conditions is met:

1. The accident results in injuries requiring immediate medical treatment away from the scene, unless the covered employee can be completely discounted as a contributing factor to the accident
2. One or more vehicles incur disabling damage and must be towed away from the scene, unless the covered employee can be completely discounted as a contributing factor to the accident
3. The vehicle is a rail car, trolley car or bus, or vessel, and is removed from operation, unless the covered employee can be completely discounted as a contributing factor to the accident

In addition, any other covered employee whose performance could have contributed to the accident, as determined by City of Kenosha- Transit Operations using the best information available at the time of the decision, will be tested.

A covered employee subject to post-accident testing must remain readily available, or it is considered a refusal to test. Nothing in this section shall be construed to require the delay of necessary medical attention for the injured following an accident or to prohibit a covered employee from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident or to obtain necessary emergency medical care.

Random Testing
Random drug and alcohol tests are unannounced and unpredictable, and the dates for administering random tests are spread reasonably throughout the calendar year. Random testing will be conducted at all times of the day when safety-sensitive functions are performed.

Testing rates will meet or exceed the minimum annual percentage rate set each year by the FTA administrator. The current year testing rates can be viewed online at www.transportation.gov/odapc/random-testing-rates.

The selection of employees for random drug and alcohol testing will be made by a scientifically valid method, such as a random number table or a computer-based random number generator. Under the selection process used, each covered employee will have an equal chance of being tested each time selections are made.

A covered employee may only be randomly tested for alcohol misuse while the employee is performing safety-sensitive functions, just before the employee is to perform safety-sensitive functions, or just after the employee has ceased performing such functions. A covered employee may be randomly tested for prohibited drug use anytime while on duty.
Each covered employee who is notified of selection for random drug or random alcohol testing must immediately proceed to the designated testing site.

**Random Testing – End of Shift**

Random testing may occur anytime an employee is on duty so long as the employee is notified prior to the end of the shift. Employees who provide advance, verifiable notice of scheduled medical or child care commitments will be random drug tested no later than three (3) hours before the end of their shift and random alcohol tested no later than thirty (30) minutes before the end of their shift. Verifiable documentation of a previously scheduled medical or child care commitment, for the period immediately following an employee’s shift, must be provided at least four (4) hours before the end of the shift.

**Return to Duty Testing**

Any employee who is allowed to return to safety-sensitive duty after failing or refusing to submit to a DOT drug and/or alcohol test must first be evaluated by a substance abuse professional (SAP), complete a SAP-required program of education and/or treatment, and provide a negative return-to-duty drug and/or alcohol test result. All tests will be conducted in accordance with 49 CFR Part 40, Subpart O.

**Follow-up Testing**

Employees returning to safety-sensitive duty following leave for substance abuse rehabilitation will be required to undergo unannounced follow-up alcohol and/or drug testing for a period of one (1) to five (5) years, as directed by the SAP. The duration of testing will be extended to account for any subsequent leaves of absence, as necessary. The type (drug and/or alcohol), number, and frequency of such follow-up testing shall be directed by the SAP. All testing will be conducted in accordance with 49 CFR Part 40, Subpart O.

6. **Testing Procedures**

All FTA drug and alcohol testing will be conducted in accordance with 49 CFR Part 40, as amended.

**Dilute Urine Specimen**

If there is a negative dilute test result, City of Kenosha- Transit Operations will conduct one additional retest. The result of the second test will be the test of record.

Dilute negative results with a creatinine level greater than or equal to 2 mg/dL but less than or equal to 5 mg/dL require an immediate recollection under direct observation (see 49 CFR Part 40, section 40.67).

**Split Specimen Test**

In the event of a verified positive test result, or a verified adulterated or substituted result, the employee has 72 hours to request that the split specimen be tested at a second laboratory at the employee’s expense. City of Kenosha- Transit Operations guarantees that the split specimen test will be conducted in a timely
fashion. In the event that the split specimen sample reveals no confirmation of a controlled substance, the City of Kenosha will reimburse the employee for the cost of the split sample test.

7. Test Refusals

As a covered employee, you have refused to test if you:

1. Fail to appear for any test (except a pre-employment test) within a reasonable time, as determined by City of Kenosha-Transit Operations.
2. Fail to remain at the testing site until the testing process is complete. An employee who leaves the testing site before the testing process commences for a pre-employment test has not refused to test.
3. Fail to attempt to provide a breath or urine specimen. An employee who does not provide a urine or breath specimen because he or she has left the testing site before the testing process commenced for a pre-employment test has not refused to test.
4. In the case of a directly-observed or monitored urine drug collection, fail to permit monitoring or observation of your provision of a specimen.
5. Fail to provide a sufficient quantity of urine or breath without a valid medical explanation.
6. Fail or decline to take a second test as directed by the collector or City of Kenosha-Transit Operations for drug testing.
7. Fail to undergo a medical evaluation as required by the MRO or City of Kenosha-Transit Operations’s Designated Employer Representative (DER).
8. Fail to cooperate with any part of the testing process.
9. Fail to follow an observer’s instructions to raise and lower clothing and turn around during a directly-observed test.
10. Possess or wear a prosthetic or other device used to tamper with the collection process.
11. Admit to the adulteration or substitution of a specimen to the collector or MRO.
12. Refuse to sign the certification at Step 2 of the Alcohol Testing Form (ATF).
13. Fail to remain readily available following an accident.

As a covered employee, if the MRO reports that you have a verified adulterated or substituted test result, you have refused to take a drug test.

As a covered employee, if you refuse to take a drug and/or alcohol test, you incur the same consequences as testing positive and will be immediately removed from performing safety-sensitive functions, and referred to a SAP.

8. Voluntary Self-Referral

Any employee who has a drug and/or alcohol abuse problem and has not been selected for reasonable suspicion, random or post-accident testing or has not refused a drug or alcohol test may
FTA Drug and Alcohol Policy – City of Kenosha- Transit Operations

Voluntarily refer her or himself to the City of Kenosha Human Resources Department, who will refer the individual to a substance abuse counselor for evaluation and treatment.

The substance abuse counselor will evaluate the employee and make a specific recommendation regarding the appropriate treatment. Employees are encouraged to voluntarily seek professional substance abuse assistance before any substance use or dependence affects job performance.

Any safety-sensitive employee who admits to a drug and/or alcohol problem will immediately be removed from his/her safety-sensitive function and will not be allowed to perform such function until successful completion of a prescribed rehabilitation program.

9. Prescription Drug Use

The appropriate use of legally prescribed drugs and non-prescription medications is not prohibited. However, the use of any substance which carries a warning label that indicates that mental functioning, motor skills, or judgment may be adversely affected must be reported to Transit Management. Medical advice should be sought, as appropriate, while taking such medication and before performing safety-sensitive duties.

10. Contact Person

For questions about City of Kenosha- Transit Operations’ anti-drug and alcohol misuse program, contact City of Kenosha Human Resources Department - 262-653-4130.
Attachment A: Covered Positions

- Bus Operator
- Streetcar Operator
- Service Attendant
- Dispatcher
- Mechanic
- Streetcar Technician
- Maintenance Supervisor
- Route Supervisor
- Supervisor of Operations

Commented [22]: Supervisor of Operations removed from the safety sensitive list per the FTA Drug and Alcohol Review Final Report dated 4-5-2021
ORDINANCE NO.

SPONSOR: ALDERPERSON DAVID F. BOGDALA

TO CREATE SECTION 5.082 ESTABLISHING REGULATIONS FOR
CITY-OWNED PARKING STRUCTURES

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

Section One: Section 5.082 of the Code of General Ordinances for the City of Kenosha is hereby created as follows:

5.082 CITY OWNED PARKING STRUCTURE

A. Definitions.

1. Actively Parking means any or all of the following:

   operating a motor vehicle within the Parking Structure to a Parking Space or from a Parking Space in exiting the building;

   positioning a motor vehicle in a Parking Space;

   halting a motor vehicle in a Parking Space;

   returning to a halted motor vehicle in a Parking Space to actively place an item into the halted vehicle or remove an item from the halted vehicle.

2. Charging Station is a mechanism installed by the City on the premises of the Parking Structure that supplies electric energy to plug-in electric motor vehicles.

3. Closing Hours means the hours between 2:00 A.M. and 5:00 A.M. each day, which is the time frame during which the Parking Structure is closed.

4. Parking Space means a space marked by the City in the Parking Structure for the halting of a motor vehicle. It is prima facie evidence that a space is a Parking Space if there exist parallel lines painted on the pavement designating the space, which space is of a dimension to accommodate the placement of halted motor vehicle within the space.

5. Parking Structure means a City-owned structure of more than one level, the principal use of which is to park motor vehicles.

6. Responsible Person means the person who operated the motor vehicle while it is in the Parking Structure and/or the owner of the motor vehicle.

7. Smoking means “Smoking” as defined in Wis. Stat. §101.123(1)(h) and/or “Electronic Smoking” as defined in Section 4.05 of the Code of General Ordinances.
B. Regulations.

1. When not engaged in Actively Parking, it is illegal for a person while in the Parking Structure to:
   a. engage in Smoking, except in areas specifically designated for Smoking;
   b. obstruct entrances, hallways, lanes, Parking Spaces, aisles, stairways, or elevators;
   c. interfere with any other person lawfully using the premises of the Parking Structure;
   d. remain upon the premises of the Parking Structure for more than ten minutes when not otherwise Actively Parking;
   e. enter or remain within or on a motor vehicle within the Parking Structure or ramp except for the period of time reasonably necessary to Actively Park such vehicle or to prepare such vehicle to leave the Parking Structure; and
   f. enter into a Parking Structure after Closing Hours or enter into a portion of a Parking Structure that has been ordered closed by order of the Mayor, Public Works Director, or Director of the Transit Department.

2. It is illegal for a Responsible Person to allow a motor vehicle that is owned by the Responsible Person or was operated by the Responsible Person as it entered into the Parking Structure, to remain in the Parking Structure during Closed Hours. In addition to any other penalty identified herein, motor vehicles remaining in the Parking Structure during Closed Hours may be towed by direction of the Mayor, Public Works Director, Director of the Transit Department, or Chief of the Police Department, or any of their designees, at the Responsible Person's expense.

C. Exceptions.

1. The regulations in B. 1. b., d., e., and f do not apply to employees or contractors of the City, or to protective service personnel in the performance of their duties.

2. The regulations in B. 1. d and e do not apply to a passenger in a motor vehicle that is being operated by another while being Actively Parked within the Parking Structure.

3. The regulations in B. 1. d. and e. do not apply to Responsible Persons who remain within fifteen feet of their motor vehicle while the motor vehicle is actively charging at Charging Stations.

4. The regulation in B. 2. does not apply to motor vehicles in a Parking Structure that are on the premises of the Parking Structure pursuant to a permit for parking in the Parking Structure issued by a lessee of the City for Parking Spaces, which lessee is a hotel, provided the form of the permit is approved by the Director of the Transit Department, or his or her designee, and such permit is displayed on the dashboard of the motor vehicle.

D. Enforcement

The Police Department is authorized to enforce all provisions of this Section and may issue
E. Penalty.

Anyone violating any of the provisions of this Section, upon conviction thereof, upon a first violation within a 365-day period, is subject to a forfeiture of fifty dollars ($50), plus the payment of the costs of prosecution, assessments, and surcharges, and in default of the timely payment thereof, may either be committed to the County Jail for a period not to exceed one (1) day, or the Court may suspend the defendant's motor vehicle operating privileges until the forfeiture, assessments, surcharges, and costs are paid, except that the suspension period may not exceed five (5) years.

Second and subsequent violations within a 365-day period are subject to a forfeiture of up to one-hundred dollars ($100) plus the payment of the costs of prosecution, assessments, and surcharges, and in default of the timely payment thereof, may either be committed to the County Jail for a period not to exceed two (2) days, or the Court may suspend the defendant's motor vehicle operating privileges until the forfeiture, assessments, surcharges, and costs are paid, except that the suspension period may not exceed five (5) years.

Section Two: This Ordinance becomes effective upon passage and publication.

ATTEST: ______________________ City Clerk/Treasurer
          MATT KRAUTER

APPROVED: ______________________ Mayor      Date: ________________
          JOHN M. ANTARAMIAN

Passed:

Published:

Drafted By:

EDWARD ANTARAMIAN
City Attorney
April 9, 2021

Jon Luellen  
Maintenance Supervisor  
Kenosha Area Transit  
4303 39th Ave  
Kenosha, WI 53144

Dear Mr. Lullen,

Thank you for your interest to purchase (1) 35-foot Diesel buses and/or (1) 40-foot Diesel bus using options off the state of Wisconsin – RFP #510011.

Attached you will find the price variance that would pertain to your next orders. Gillig is pleased to quote the following:

<table>
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<th>Price</th>
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<tr>
<td>Two (2) 35’ LOW FLOOR DIESEL BUSES</td>
<td>$490,000.00 Each</td>
</tr>
<tr>
<td>Two (2) 40’ LOW FLOOR DIESEL BUSES</td>
<td>$490,000.00 Each</td>
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</tbody>
</table>

This price is valid for thirty days and is FOB Kenosha, WI. Price excludes any taxes, bank transaction fees of any kind, and license fees. The production of these buses is scheduled to start 12-14 months after receipt of the purchase order.

We thank you for this opportunity and appreciate your interest in Gillig and our products. Should you have any questions, please do not hesitate to contact us.

Sincerely,

Jenna Van Harpen  
Regional Sales Manager  
Gillig LLC

cc: Javier Hernandez Jr.
c: Bill Fay