

**KENOSHA COUNTY BOARD OF SUPERVISORS**

**COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING**

**December 6, 2005**

The **Regular Meeting** was called to order by Chairman Elverman at 7:30 p.m., in the County Board Room located in the Administration Building. Roll call was taken.

Present: Supervisors Elverman, Grady, Rossow, Rose, Kessler, Huff, Wipper, Marrelli, Booth, Carbone, Modory, Faraone, R. Johnson, Michel, O'Day, Singer, L. Johnson, Moore, Molinaro, Wisnefski, Noble, Clark, West, Kerkman, Smitz, Ekornaas.

Excused: Supervisors Carey-Mielke, Gorlinski.

Present: 26. Excused: 2.

**ANNOUNCEMENTS OF THE CHAIRMAN**

Chairman Elverman announced that Brenda Carey-Mielke will not be a candidate in the next election.

Chairman Elverman spoke regarding an article on everyone's desk that was in the Westosha report pertaining to the latest Land Use Meeting.

Chairman Elverman stated that they have a letter from the Circuit Court Judges regarding Courthouse Security. This is an ongoing issue.

**SUPERVISORS REPORTS**

Supervisor Huff stated that the Judiciary & Law Committee was advised today that the RFP's are ready to review regarding Courthouse Security. Judiciary & Law Committee will be meeting on December 14<sup>th</sup> at 7:00 P.M. A recommendation will be then coming.

Supervisor Molinaro reported from Building & Grounds Committee. Bids have been received on the parking structure. They have not been reviewed by the committee. Also, Building & Grounds was one of the three committees that met to discuss Courthouse Security. Phase one was the swipe cards, phase two was the installation of the ramp and phase three was the purchase of metal detectors which are currently awaiting usage. Phase four will be providing some type of security. A plan has to be implemented starting January 2<sup>nd</sup> and he needs to know where the budget allocation is coming from. He feels it should be the Circuit Courts Budget. You can't mandate an expenditure without knowing where the dollars are coming from.

Supervisor Noble stated that the Highway & Parks Committee has reviewed a mailbox policy for county highways. Some mailboxes constructed are quite hazardous. A report from the golf operation indicates that they were \$140,000 short. We are making progress. The well at Petrifying Springs is closed and the water is being analyzed. Regarding commuter rail. On November 8<sup>th</sup> the Southeastern Wisconsin Regional Planning Commission executed a contract with the consultants to conduct the next phase of the Kenosha/Racine/Milwaukee railroad study.

County Executive Appointments.

8. Jim Schmidt to serve on the Kenosha County Veterans Commission.

Chairman Elverman referred Appointment 8 to the Human Services Committee.

**NEW BUSINESS**

Ordinances - one reading

**ORDINANCE 24**

24. From the Land Use Committee regarding Suzanne Smith and Marjorie I. Zaber, requesting rezoning from R-1 Rural Residential District to A-2 General Agricultural District, excluding lands currently zoned C-1 Lowland Resource Conservancy District in the Town of Brighton.

AN ORDINANCE TO AMEND CHAPTER 12 OF THE MUNICIPAL CODE OF KENOSHA COUNTY, WISCONSIN, WITH REFERENCE TO ZONING

That the map referred to in Section 12.02(a) of the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance be amended as follows:

That Tax Parcel #30-4-220-313-0300 located in the southwest quarter of Section 31, Township 2 North, Range 20 East, Town of Brighton be changed from R-1 Rural Residential District to A-2 General Agricultural District, excluding lands

currently zoned C-1 Lowland Resource Conservancy District. For informational purposes only, this property is located on the west side of County Trunk Highway "NN" (312<sup>th</sup> Avenue) approximately 422 feet west of the intersection of 308<sup>th</sup> Avenue.

**Suzanne Smith and Marjorie I. Zaber - (Owners)**

**Description: R-1 Rural Residential District to A-2 General Agricultural District, excluding lands currently zoned C-1 Lowland Resource Conservancy District:**

Part of the southwest  $\frac{1}{4}$  of Section 31, Township 2 North, Range 20 East of the Fourth Principal Meridian, and being more particularly described as: Beginning at the northwest corner of said  $\frac{1}{4}$  section; thence north  $89^{\circ}42'54''$  east along the north line of said  $\frac{1}{4}$  section, 870.82 feet and to the center of County Trunk Highway "NN"; thence south  $27^{\circ}02'04''$  west along the center of said highway, 375 feet; thence south  $42^{\circ}18'02''$  west along the center of said highway, 215 feet; thence south  $19^{\circ}01'25''$  west along the center of said highway, 177.25 feet and to the south line of the north  $\frac{1}{2}$  of the north  $\frac{1}{2}$  of said  $\frac{1}{4}$  section; thence south  $89^{\circ}47'09''$  west along said south line, 491.72 feet and to the west line of said  $\frac{1}{4}$  section; thence north  $00^{\circ}32'16''$  west along the west line of said  $\frac{1}{4}$  section, 658.14 feet to the point of beginning, lying and being in the Town of Brighton, County of Kenosha and State of Wisconsin.

This description is intended to extend to the center of all roads.

Submitted by:

LAND USE COMMITTEE

Donald Smitz

Thomas J. Gorlinski

Mark Molinaro, Jr.

Fred R. Ekornaas

Janice Marrelli

It was moved by Supervisor Smitz to adopt Ordinance 24. Seconded by Supervisor Molinaro.

Motion carried.

#### **ORDINANCE 25**

25. From the Land Use Committee regarding Land Use Committee (Sponsor), Matthew J. Nolan (Owner), requesting rezoning from A-2 General Agricultural District to B-3 Highway Business District in the Town of Salem.

AN ORDINANCE TO AMEND CHAPTER 12 OF THE MUNICIPAL CODE OF

KENOSHA COUNTY, WISCONSIN, WITH REFERENCE TO ZONING

That the map referred to in Section 12.02(a) of the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance be amended as follows:

That Tax Parcel #65-4-120-151-0170 located in the northeast quarter of Section 15, Township 1 North, Range 20 East, Town of Salem, be changed from A-2 General Agricultural District to B-3 Highway Business District. This rezoning is considered a zoning map amendment to bring the existing use into compliance with the County's zoning ordinance. For informational purposes only, this property is located on the east side of State Trunk Highway "83" approximately 160 feet north of the intersection of 87<sup>th</sup> Street.

**Land Use Committee - (Sponsor)**

**Matthew J. Nolan - (Owner)**

**Description: A-2 General Agricultural District to B-3 Highway Business District:**

Parts of the northeast  $\frac{1}{4}$  of Section 15 and the northwest  $\frac{1}{4}$  of Section 14, Town 1 North, Range 20 East of the Fourth Principal Meridian, in the Town of Salem, County of Kenosha and State of Wisconsin, and being more particularly described as follows: Beginning at a point in the center line of the highway which runs northwesterly and southeasterly through said  $\frac{1}{4}$  section which point is north  $14^{\circ}10'$  west along and upon the center line of said highway 557.45 feet from a point in the center line of said highway which is 1287 feet north of the south line of the northeast  $\frac{1}{4}$  of Section 15 aforesaid; thence north  $14^{\circ}10'$  west along and upon the center line of said highway 165 feet; thence north  $74^{\circ}52'$  east 264 feet; thence south  $14^{\circ}10'$  east and parallel with the center line of said highway 165 feet; thence south  $74^{\circ}52'$  west 264 feet to the point of beginning.

This description is intended to extend to the center of all roads.

Submitted by:

LAND USE COMMITTEE

Don Smitz  
Tom Gorlinski  
Fred Ekornaas  
Mark Molinaro  
Janice Marrelli

It was moved by Supervisor Smitz to adopt Ordinance 25. Seconded by Supervisor Ekornaas.  
Motion carried.

**ORDINANCE 26**

26. From the Land Use Committee regarding Alvin, Jean, Norman and Loretta Wilks (Sellers), Tom and Kassie Wightman (buyers), requesting rezoning from C-2 Upland Resource Conservancy District to R-2 Suburban Single-Family Residential District in the Town of Paris.

AN ORDINANCE TO AMEND CHAPTER 12 OF THE MUNICIPAL CODE OF  
KENOSHA COUNTY, WISCONSIN, WITH REFERENCE TO ZONING

That the map referred to in Section 12.02(a) of the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance be amended as follows:

That part of Tax Parcel #45-4-221-341-0111 located in the northeast quarter of Section 34, Township 2 North, Range 21 East, Town of Paris be changed from C-2 Upland Resource Conservancy District to R-2 Suburban Single-Family Residential District. For informational purposes only, this property is located on the west side of County Trunk Highway "MB" (152<sup>nd</sup> Avenue) approximately 0.7 miles south of the intersection of County Trunk Highway "N" (38<sup>th</sup> Street).

**Alvin, Jean, Norman and Loretta Wilks (Sellers)**

**Tom and Kassie Wightman (Buyers)**

**Description: C-2 Upland Resource Conservancy District to R-2 Suburban Single Family Residential District:**

Part of the northeast  $\frac{1}{4}$  of the northeast  $\frac{1}{4}$  of Section 34, Town 2 North, Range 21 East, in the Town of Paris, County of Kenosha, State of Wisconsin, bounded and described as follows: Commence at the northeast corner of said section; thence south 01°53'53" east for a distance of 624.07 feet, along the east line of said  $\frac{1}{4}$  section, to the point of beginning; thence continuing south 01°53'53" east for a distance of 300.00 feet, along said east line, to a point; thence south 88°06'07" west for a distance of 233.00 feet, to a point; thence north 01°53'53" west for a distance of 300.00 feet, parallel to said east line, to a point; thence north 88°06'07" east for a distance of 233.00 feet, to the point of beginning. Said tract of land being 69,900 square feet, more or less.

This description is intended to extend to the center of all roads.

Submitted by:

LAND USE COMMITTEE  
Donald Smitz  
Thomas J. Gorlinski  
Mark Molinaro, Jr.  
Fred R. Ekornaas  
Janice Marrelli

It was moved by Supervisor Smitz to adopt Ordinance 26. Seconded by Supervisor Molinaro.  
Motion carried.

**ORDINANCE 27**

27. From the Land Use Committee regarding TDC Bristol LLC c/o Richard H. Tucker, requesting rezoning from B-3 Highway Business District to B-4 Planned Business District in the Town of Bristol.

AN ORDINANCE TO AMEND CHAPTER 12 OF THE MUNICIPAL CODE OF  
KENOSHA COUNTY, WISCONSIN, WITH REFERENCE TO ZONING

That the map referred to in Section 12.02(a) of the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance be amended as follows:

That Tax Parcel #35-4-121-121-0400 located in the northeast quarter of Section 12, Township 1 North, Range 21 East, Town of Bristol, be changed from B-3 Highway Business District to B-4 Planned Business District. For informational purposes only, this property is informally known as the Bristol Outlet Mall

located on the southwest corner of the intersection of 77<sup>th</sup> Street and 120<sup>th</sup> Avenue (West Frontage Road of I-94).

**TDC Bristol LLC - (Owner)**

**Description: B-3 Highway Business District to B-4 Planned Business District:**

Certified Survey Map No. 1088, all of Certified Survey Map No. 1010 and lands in the southeast  $\frac{1}{4}$  and northeast  $\frac{1}{4}$  of the northeast  $\frac{1}{4}$  of Section 12, in Town 1 North, Range 21 East, in the Town of Bristol, Kenosha County, Wisconsin, bounded and described as follows:

Commencing at the southeast corner of the northeast  $\frac{1}{4}$  of said section; thence south 88°40'34" west along the south line of said northeast  $\frac{1}{4}$  section 307.58 feet to a point on the west line of 120<sup>th</sup> Avenue; thence north 02°02'00" west along said west line 183.76 feet to the point of beginning of the lands to be described; thence south 87°58'00" west 1047.99 feet to a point; thence north 02°02'00" west 1341.74 feet to a point on the south line of proposed 77<sup>th</sup> Street, established at 95 feet wide; thence north 87°58'00" east along said south line 1047.99 feet to a point on the west line of 120<sup>th</sup> Avenue; thence south 02°02'00" east along said west line 1341.74 feet to the point of beginning. Said parcel contains 1,406,130 square feet or 32.2803 acres.

This description is intended to extend to the center of all roads.

Submitted by:

LAND USE COMMITTEE

Donald Smitz

Thomas J. Gorlinski

Mark Molinaro, Jr.

Fred R. Ekornaas

Janice Marrelli

It was moved by Supervisor Smitz to adopt Ordinance 27. Seconded by Supervisor Molinaro.

Motion carried.

#### ORDINANCE 28

28. From the Land Use Committee regarding TDC Bristol LLC c/o Richard H. Tucker, requesting the application of a PUD Planned Unit Overlay District in the B-4 Planned Business District in the Town of Bristol.

#### AN ORDINANCE TO AMEND CHAPTER 12 OF THE MUNICIPAL CODE OF KENOSHA COUNTY, WISCONSIN, WITH REFERENCE TO ZONING

That the map referred to in Section 12.02(a) of the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance be amended as follows:

That part of Tax Parcel #35-4-121-121-0400 (4.99 acres for proposed Ashley Furniture Homestore) located in the northeast quarter of Section 12, Township 1 North, Range 21 East, Town of Bristol have applied a PUD Planned Unit Overlay District as presented. The petitioner requests development of a furniture store on a 4.99-acre parcel. For informational purposes only, this property is located on the southwest corner of the intersection of 77<sup>th</sup> Street and 120<sup>th</sup> Avenue (West Frontage Road of I-94).

**TDC Bristol LLC - (Owners)**

**Description:** The legal description of the property to have the PUD Planned Unit Development Overlay District applied is as follows:

Part of the southeast  $\frac{1}{4}$  and northeast  $\frac{1}{4}$  of the northeast  $\frac{1}{4}$  of Section 12, Town 1 North, Range 21 East, in the Town of Bristol, Kenosha County, Wisconsin, bounded and described as follows: Commencing at the southeast corner of the northeast  $\frac{1}{4}$  of said Section 12; thence south 88°40'34" west along the south line of said  $\frac{1}{4}$  section 307.58 feet to a point on the west line of 120<sup>th</sup> Avenue (West Frontage Road); thence north 02°02'00" west along said west line 1175.37 feet to the point of beginning of said lands to be described; thence south 87°32'10" west 259.59 feet to a point; thence south 02°27'50" east 16.47 feet to a point; thence south 87°32'10" west 341.00 feet to a point; thence north 02°27'50" west 371.12 feet to a point on the future south line of 77<sup>th</sup> Street; thence north 87°58'00" east along said south line 603.23 feet to a point on the west line of 120<sup>th</sup> Avenue (West Frontage Road); thence south 02°02'00" east along said west line 350.13 feet to the point of beginning. Said description contains 217,721 square feet, or 4.9982 acres of land.

The petitioner's application stated that the approval of the PUD Planned Unit Development Overlay District shall be granted only upon the conditions that zoning amendments requesting that Tax Parcel #35-4-121-121-0400 be changed from B-3 Highway Business District to B-4 Planned Business District which application had been contemporaneously submitted, is also approved.

The petitioners would be responsible for compliance with their testimony given at the November 16, 2005 Land Use Committee public hearing, whereby assurances were given, exhibits were presented, information and fact booklets explained and received, all which are now part of the record, along with complying with the application and various site plans previously filed with the County.

In addition, the petitioner is responsible for compliance with conditions as requested by the Department of Planning and Development, which were agreed to by the petitioner at the November 16, 2005 public hearing. These conditions are hereby referenced to as (Exhibit 1), on file in the Department of Planning and Development and are made part of this ordinance.

The petitioner also is responsible for compliance with the PUD Planned Unit Development Overlay District conditions as outlined in Section 12.26-4(a-o) of the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance.

A public hearing was held on November 16, 2005 by the Land Use Committee for the purpose of receiving evidence, taking testimony, and reviewing recommendations presented. At that time, a favorable recommendation was given to the zoning request for the application of a PUD Planned Unit Development Overlay District for the TDC Bristol LLC project by the Land Use Committee on the property as previously described.

This description is intended to extend to the center of all roads.

Submitted by:

LAND USE COMMITTEE  
Donald Smitz  
Thomas J. Gorlinski  
Mark Molinaro, Jr.  
Fred R. Ekornaas  
Janice Marrelli

It was moved by Supervisor Smitz to adopt Ordinance 28. Seconded by Supervisor Marrelli.

Motion carried.

#### ORDINANCE 29

29. From the Land Use Committee regarding Jane Louise Fillmore Trust, Jane Louise Fillmore, Trustee, requesting rezoning from A-1 Agricultural Preservation District to A-2 General Agricultural District in the Town of Paris.

#### AN ORDINANCE TO AMEND CHAPTER 12 OF THE MUNICIPAL CODE OF KENOSHA COUNTY, WISCONSIN, WITH REFERENCE TO ZONING

That the map referred to in Section 12.02(a) of the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance be amended as follows:

That part of Tax Parcel #45-4-221-281-0400 located in the northeast quarter of Section 28, Township 2 North, Range 21 East, Town of Paris be changed from A-1 Agricultural Preservation District to A-2 General Agricultural District. For informational purposes only, this property is located approximately 231 feet west of the intersection of County Trunk Highway "N" (38<sup>th</sup> Street) and 169<sup>th</sup> Avenue.

**Jane Louise Fillmore Trust - (Owner)**

**Description: A-1 Agricultural Preservation District to A-2 General Agricultural District:**

A tract of land being part of the northeast  $\frac{1}{4}$  of the southeast  $\frac{1}{4}$  of the northeast  $\frac{1}{4}$  of Section 28, Town 2 North, Range 21 East, located in the Town of Paris, County of Kenosha, State of Wisconsin, bounded and described as follows: Commencing at the east  $\frac{1}{4}$  corner of said section; thence south 88°48'21" west for a distance of 1344.50 feet, along the south line of said northeast  $\frac{1}{4}$ , to a point; thence north 02°19'39" west for a distance of 2152.66 feet, to the point of beginning; thence continuing north 02°19'39" west for a distance of 482.09 feet, to point on the north line of said  $\frac{1}{4}$  section; thence north 87°22'00" east for a distance of 978.04 feet, along said north line, to a point on the west right of way line of 169<sup>th</sup> Avenue; thence south 02°26'39" east

for a distance of 507.06 feet, along said west right of way line, to a point; thence south 88°49'41" west for a distance of 979.26 feet, to the point of beginning. Said property contains 11.014 acres more or less. This description is intended to extend to the center of all roads.

Submitted by:  
LAND USE COMMITTEE  
Donald Smitz  
Thomas J. Gorlinski  
Mark Molinaro, Jr.  
Fred R. Ekornaas  
Janice Marrelli

It was moved by Supervisor Smitz to adopt Ordinance 29. Seconded by Supervisor Ekornaas.  
Motion carried.  
Resolutions - one reading.

**RESOLUTION 62**

62. From the Finance Committee regarding Appointment of Rich Gossling to the Kenosha County Housing Authority.

**WHEREAS**, pursuant to County Executive Appointment 2005/06-05, the County Executive has appointed Rich Gossling to serve on the Kenosha County Housing Authority, and

**WHEREAS**, the Finance Committee has reviewed the request of the County Executive for confirmation of his appointment of the above named to serve on the Kenosha County Housing Authority and is recommending to the County Board the approval of this appointment, and

**NOW, THEREFORE, BE IT RESOLVED**, that the Kenosha County Board of Supervisors confirm the appointment of Rich Gossling to serve on the Kenosha County Housing Authority. Mr. Gossling's appointment shall be effective immediately upon the confirmation of the County Board and continuing until the 30<sup>th</sup> day of April, 2009 or until a successor is appointed by the County Executive and confirmed by the Kenosha County Board of Supervisors. Mr. Gossling will serve without pay as defined under Resolution 65 (1982-83). Mr. Gossling will be succeeding and serving the remainder of Mr. Earl Hollister's term.

Submitted by:  
FINANCE COMMITTEE  
Robert Carbone  
Mark Wisnefski  
Terry Rose  
Mark Modory

It was moved by Supervisor Carbone to adopt Resolution 62. Seconded by Supervisor Rose.  
Motion carried.

**RESOLUTION 63**

63. From the Finance Committee regarding a Resolution Authorizing Submission of a Milk Volume Production/Community Development Block Grant for Economic Development Application.

**WHEREAS**, Federal monies are available under the Community Development Block Grant program, administered by the State of Wisconsin, Department of Commerce, for the purpose of economic development, and

**WHEREAS**, after public meeting and due consideration, the Kenosha County Finance Committee has recommended that an application be submitted to the State of Wisconsin for the following project:

A CDBG-ED/MVP grant in an amount not to exceed \$126,000. The grant would be used to provide Mighty Grand Dairy, LLC with a \$120,000 low-interest loan for the purchase of cows. The remaining \$6,000 would be used to pay for expenses incurred by the County in the administration of the CDBG-ED award. In consideration of this request, Mighty Grand Dairy, LLC has agreed to retain five full-time positions and create three new full-time positions in the Town of Brighton.

**WHEREAS**, it is necessary for the Kenosha County Board of Supervisors to approve the preparation and filing of an application for the County to receive funds from this program, and

**WHEREAS**, the County Board has reviewed the need for the proposed project and the benefits to be gained therefrom.

**NOW, THEREFOR BE IT RESOLVED**, that the Kenosha County Board of Supervisors does approve and authorize the preparation and filing of an application for the above referenced project, and

**BE IT FURTHER RESOLVED**, that the County Executive and County Clerk are hereby authorized to sign all necessary documents on behalf of the County, and

**BE IT FURTHER RESOLVED**, that authority is hereby granted to the Kenosha Area Business Alliance to take the necessary steps to prepare and file the appropriate application for funds under this program in accordance with this resolution.

**BE IT FURTHER RESOLVED**, that if this grant is awarded to the County, the County Board hereby authorizes amending the 2005 County Budget, with revenue and expense to increase by \$126,000 in accord with the intent authorized herein, and

**BE IT FURTHER RESOLVED**, that the authorization to spend grant funds authorized by this Resolution be carried over into future years to complete this project, with the grant funds to be disbursed in accordance with all Federal and State regulations of the program and in compliance with generally accepted accounting principals.

Submitted by:  
FINANCE COMMITTEE  
Robert Carbone  
Mark Wisniewski  
Terry Rose  
Anita Faraone  
Mark Modory

It was moved by Supervisor Carbone to adopt Resolution 63. Seconded by Supervisor Wisniewski.  
Motion carried.

**RESOLUTION 64**

64. From the Judiciary & Law Enforcement Committee regarding Cabaret License for Barb and John's Hangar.

**WHEREAS**, the application of John Severs for a probationary cabaret license for Barb and John's Hangar, 3820-88<sup>th</sup> Avenue Kenosha, Wisconsin, in the Town of Somers, was made during the month of March, 2005, was turned over to this office on March 29th, 2005, and

**WHEREAS**, the establishment known as Barb and John's Hangar was granted a Probationary Cabaret License per County Board Resolution on May 17th, 2005, and

**WHEREAS**, the establishment known as Barb and John's Hangar was found to be in conformity with County Ordinance # 8.02 governing its conduct for a probationary period of the last 6 months.

**NOW, THEREFORE BE IT RESOLVED**, that a regular cabaret license, in lieu of a probationary cabaret license, be granted to John Severs, for Barb and John's Hangar.

Submitted by:  
JUDICIARY & LAW COMMITTEE  
James Huff  
Brenda Carey-Mielke  
James Moore  
Terry Rose  
William Michel, II

It was moved by Supervisor Carbone to adopt Resolution 64. Seconded by Supervisor Rose.  
Motion carried.

**RESOLUTION 65**

65. From the Judiciary & Law Enforcement Committee regarding Cabaret License for Knocker's Pub and Grill.

**WHEREAS**, the application of Leanne McCarty for a probationary cabaret license for Knocker's Pub and Grill, 32800 Geneva Road Wheatland, Wisconsin, in

the Town of Wheatland, was made during the month of April, 2005, was turned over to this office on April 4<sup>th</sup>, 2005, and

**WHEREAS**, the establishment known as Knocker's Pub and Grill was granted a Probationary Cabaret License per County Board Resolution on June 21<sup>st</sup>, 2005, and

**WHEREAS**, the establishment known as Knocker's Pub and Grill was found to be in conformity with County Ordinance # 8.02 governing it's conduct for a probationary period of the last 6 months.

**NOW, THEREFORE BE IT RESOLVED**, that a regular cabaret license, in lieu of a probationary cabaret license, be granted to Leanne McCarty, for Knocker's Pub and Grill.

Submitted by:

JUDICIARY & LAW COMMITTEE

James Huff

Brenda Carey-Mielke

James Moore

Terry Rose

William Michel, II

**RESOLUTION 66**

66. From the Judiciary & Law Enforcement Committee regarding Cabaret License for 1146.

**WHEREAS**, the application of Richard Pierangeli for a probationary cabaret license for the "1146" tavern, 1146 Sheridan Road Kenosha, Wisconsin, in the Town of Somers, was made during the month of March, 2005, was turned over to this office on March 31<sup>st</sup>, 2005, and

**WHEREAS**, the establishment known as "1146" was granted a Probationary Cabaret License per County Board Resolution on May 17<sup>th</sup>, 2005, and

**WHEREAS**, the owners of "1146", also known as the "Red Olive Lounge" lost their Class B liquor license in the Town of Somers for a period of ninety days (February 5<sup>th</sup>, 2006) due to KSD Case# 05-135312.

**NOW, THEREFORE BE IT RESOLVED**, that the probationary cabaret license granted to Richard Pierangeli, for "1146" that expired on November 17<sup>th</sup>, 2005, not be converted to a regular cabaret due to the fact the establishment no longer holds a Class B liquor license.

Submitted by:

JUDICIARY AND LAW ENFORCEMENT COMMITTEE

James Huff

Brenda Carey-Mielke

James Moore

Terry Rose

William Michel II

It was moved by Supervisor Huff to adopt Resolution 66. Seconded by Supervisor Michel.

Motion carried.

**RESOLUTION 67**

67. From the Judiciary & Law Enforcement Committee regarding Cabaret License for Shadow Hill Ranch

**WHEREAS**, the application of Richard Baak for a probationary cabaret license for the Shadow Hill Ranch, 2305 Lance Drive, Twin Lakes, Wisconsin, in the Town of Randall, was made during the month of May 2005, and was approved by County Board action May 13<sup>th</sup>, 2005, and

**WHEREAS**, the Kenosha Sheriff's Department has maintained a list of all reported incidents at the Shadow Hill Ranch during it's probationary period, and

**WHEREAS**, major incidents at the establishment and grounds (Country Thunder) during the probationary period have markedly decreased from prior



years, however there still remains a concern about underage drinking incidents on the adjacent campgrounds as well as the festival grounds.

**NOW, THEREFORE BE IT RESOLVED**, that the request for a regular cabaret license be denied and that the probationary license be extended through August 15<sup>th</sup>, 2006 and

**BE IT FURTHER RESOLVED**, that the Sheriff's Department will continue to monitor and document the establishment's activities and to advise the management how to attempt to reduce the number of problems they incur.

Submitted by:

JUDICIARY AND LAW ENFORCEMENT COMMITTEE

James Huff

Brenda Carey-Mielke

James Moore

Terry Rose

William Michel II

It was moved by Supervisor Huff to adopt Resolution 67. Seconded by Supervisor Rose.

Motion carried.

**COMMUNICATIONS**

8. From George E. Melcher, Director of Planning & Development regarding future rezonings.

9. From Michael K. Higgins, City Assessor, Clerk-Treasurer regarding Temporary Zoning District Classification of Land in the Town of Somers.

10. From Michael K. Higgins, City Assessor, Clerk-Treasurer regarding Temporary Zoning District Classification of Land in the Town of Somers.

11. From Michael K. Higgins, City Assessor, Clerk-Treasurer regarding Temporary Zoning District Classification of Land in the Town of Somers.

12. From Michael K. Higgins, City Assessor, Clerk-Treasurer regarding Temporary Zoning District Classification of Land in the Town of Somers.

Chairman Elverman referred Communications 8 thru 12 to Land Use Committee.

**CLAIMS**

20. Martin R. Beidinger - Deputy backed into truck

Chairman Elverman referred Claim 20 to Corporation Counsel.

**SUPERVISOR COMMENTS**

Supervisor Mark Molinaro regarding expansion of Landfill and pending state legislation on tipping fees. Every time mention of the landfill comes up they are told there is nothing they can do about contaminating Kenosha County with garbage not from Wisconsin. They are now working on the third expansion. For those willing to transport their trash to Kenosha County we should be making it less economic for them to do so. Assembly Bill 798, introduced on October 31<sup>st</sup> is looking to increase the \$3.00 per ton tipping fee to \$10.00 per ton. We should be preserving some landfill sites for ourselves. What Kenosha County has is a huge pile of garbage. A total of 2.2 million tons of garbage from other states. We except more in our landfill than any and all other landfills in the State of Wisconsin. All we have to do is modify our tipping fees. We have done enough.

Supervisor Joe Clark regarding Courthouse Security. After attending the Judiciary & Law Committee meeting last week where the committee properly deferred the issue on the budget resolution brought before the committees on adding the full time equivalence to the county board. We got a letter from the Judges and he knew about the letter on Thursday and this could have been in the packet instead of being delivered by deputies. It is such a waste of money. This is an example of what is going on with the deputy police for the Courthouse Security. In the 3 1/2 years on the County Board he never heard anything about Courthouse Security and now there is a big rush. There was a plan in 1995 an update in 1998. In 1999 there was a security report presented to Judiciary & Law Committee and in 2002 again there was a presentation. This was all a result of a Supreme Rule 70.39 that allowed the Chief Judge to appoint a committee. One request and that is that we have a Courthouse free of weapons. The judges have every right to be concerned. He is calling on the

County Executive to implement and follow through on the plan that he had made a decision on in July when he prepared his budget.

Supervisor Doug Noble spoke regarding Courthouse Security. The only thing we have left to do is to staff the south entrance. The Sheriff's Department should be able to rearrange the workforce and absorb two positions for Courthouse Security.

It was moved by Supervisor Modory to adopt the November 15<sup>th</sup> minutes. Seconded by Supervisor Michael.  
Motion carried.

It was moved by Supervisor Wisnefski to adjourn. Seconded by Supervisor Kessler.

Motion carried.

Meeting adjourned at 8:35.

Prepared by: Pam Young  
Chief Deputy  
Submitted by: Edna R. Highland  
County Clerk