



## COUNTY BOARD OF SUPERVISORS

### NOTICE OF MEETING

NOTE: UNDER THE KENOSHA COUNTY BOARD OF RULES OF PROCEDURE ANY REPORT, RESOLUTION, ORDINANCE OR MOTION APPEARING ON THIS AGENDA MAY BE AMENDED, WITHDRAWN, REMOVED FROM THE TABLE, RECONSIDERED OR RESCINDED IN WHOLE OR IN PART AT THIS OR AT FUTURE MEETINGS. NOTICE OF SUCH MOTIONS TO RECONSIDER OR RESCIND AT FUTURE MEETINGS SHALL BE GIVEN IN ACCORDANCE WITH SEC. 210(2) OF THE COUNTY BOARD RULES. FURTHERMORE, ANY MATTER DEEMED BY A MAJORITY OF THE BOARD TO BE GERMANE TO AN AGENDA ITEM MAY BE REFERRED TO THE PROPER COMMITTEE. ANY ITEM SCHEDULED FOR THE FIRST OF TWO READINGS IS SUBJECT TO A MOTION TO SUSPEND THE RULES IN ORDER TO PROCEED DIRECTLY TO DEBATE AND VOTE. ANY PERSON WHO DESIRES THE PRIVILEGE OF THE FLOOR PRIOR TO AN AGENDA ITEM BEING DISCUSSED SHOULD REQUEST A COUNTY BOARD SUPERVISOR TO CALL SUCH REQUEST TO THE ATTENTION OF THE BOARD CHAIRMAN.

**NOTICE IS HEREBY GIVEN** the **Regular County Board Meeting** of the Kenosha County Board of Supervisors will be held on **Tuesday, the 17th of March at 7:30PM.**, in the County Board Room located in the Administration Building. The following will be the agenda for said meeting:

- A. Call To Order By Chairman Esposito
- B. Pledge Of Allegiance
- C. Roll Call Of Supervisors
- D. Citizen Comments
- E. Presentation By Kenosha County Division Of Health Director, Dr. Jen Freiheit Regarding Kenosha County's Preparations As It Relates To COVID-19 (Coronavirus)
- F. Announcements Of The Chairman
- G. Supervisor Reports
- H. NEW BUSINESS
- I. Ordinance - First Reading, Two Required
  - 15. From The Planning, Development & Extension Education Committee An Ordinance Extending The Previously Enacted Moratorium On Consideration And/Or Issuance Of Zoning Permits, Certificates Of Compliance, Site Plan Review And Zoning Approvals For Adult Entertainment Establishments For A Period Of 45 Days

Documents:

[ORD MORATORIUM EXTENSION.PDF](#)

- 16. From The Planning, Development & Extension Education Committee An Ordinance - Amendment Of The Kenosha County General Zoning And Shoreland/Floodplain Zoning Ordinance Amending Section 12.22-6 Adult Establishments

Documents:

[ORD AEO CH12.PDF](#)

J. Ordinance - One Reading

17. From The Planning, Development & Extension Education Committee An Ordinance Regarding HC1 LLC (Owner) Requesting A Rezoning From R-4 Urban Single-Family Residential & C-1 Lowland Resource Conservancy To R-4 Urban Single-Family Residential & C-1 Lowland Resource, Town Of Wheatland

Documents:

[ORD HC1 LLC REZONE.PDF](#)

K. Resolution - One Reading

79. From The Finance & Administration Committee A Resolution Authorizing The Issuance Of Not To Exceed \$3,815,000 General Obligation Refunding Bonds

Documents:

[RES BONDING 3-815-000.PDF](#)  
[PRESALE REPORT 3-815-000.PDF](#)

80. From The Finance & Administration Committee A Resolution Authorizing The Issuance Of Not To Exceed \$12,125,000 General Obligation Refunding Bonds

Documents:

[RES BONDS 12-125-000.PDF](#)  
[PRESALE REPORT 12-125-000.PDF](#)

81. From The Finance & Administration Committee A Resolution To Review Payment Of Interest And Penalties For Tax Payment Due To Postal Service Delay

Documents:

[RES TAX PAYMENT.PDF](#)

82. From The Finance & Administration Committees A Resolution To Approve The Appointment Of Michelle Miloslavich To The Kenosha County Library System Board

Documents:

[RES MILOSLAVIC.PDF](#)

83. From The Human Services Committee-A Resolution To Reappoint Ellen Kupfer To The Human Services Board

Documents:

[KUPFER RESOLUTION HUMAN SERVICES BOARD.PDF](#)

84. A Resolution From The Judiciary & Law Enforcement/Finance & Admin Committees: Request To Approve The Appointment Of Thomas Santarelli To The Kenosha County Civil Service Commission

Documents:

[RESOLUTION TO APPROVE THE APPOINTMENT OF THOMAS SANTARELLI TO THE KENOSHA COUNTY CIVIL SERVICE COMMISSION.PDF](#)

85. From The Planning, Development & Extension Education Committee A Resolution Annual Report "A Multi-Jurisdictional Plan For Kenosha County: 2035, 2019 Annual Report

Documents:

[RES COMP PLAN 2019 ANNUAL REPORT.PDF](#)

86. From The Public Works & Facilities And Finance & Administration Committees A Resolution Authorizing Director Of Parks To Apply For Grant Funding From The Wi Dept. Of Natural Resources (WDNR) Which Will Be Used For Stream Restoration Work On The Pike River Within Petrifying Springs Park

Documents:

[RES DPW DNR GRANT PETS PARK.PDF](#)

87. From The Public Works & Facilities And Finance & Administration Committees A Resolution Authorizing Director Of Parks To Apply For Grant Funding From The Wi Dept. Of Natural Resources (WDNR) Which Will Be Used To Develop Trails And Construct Park Access In KC Veterans Memorial Park (KCVMP)

Documents:

[RES VETERANS MEML GRANT.PDF](#)

L. COMMUNICATIONS

45. Communications From Andy M. Buehler Regarding Future Items Scheduled Before The Planning, Development & Extension Education Committee

Documents:

[04-08-2020 COMMUNICATIONS SIGNED.PDF](#)

M. Approval Of The March 3, 2020 Minutes By Supervisor Rodriguez

N. Adjourn


# Kenosha



# County

## BOARD OF SUPERVISORS

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

Subject: Extending the previously enacted moratorium on consideration and/or issuance of zoning permits, certificates of compliance, site plan review and zoning approvals for Adult Entertainment Establishments for a period of 45 days.			
Original <input type="checkbox"/>	Corrected <input type="checkbox"/>	2nd Correction <input type="checkbox"/>	Resubmitted <input type="checkbox"/>
Date Submitted: March 17, 2020		Date Resubmitted:	
Submitted By: Planning Development & Extension Education Committee			
Fiscal Note Attached <input type="checkbox"/>		Legal Note Attached <input type="checkbox"/>	
Prepared By: Andy M. Buehler, Director Division of Planning & Development		Signature: 	

**WHEREAS**, on November 5, 2019, the Kenosha County Board of Supervisors passed a six-month moratorium on the consideration and/or issuance of zoning permits, certificates of compliance, site plan reviews, and zoning approvals for adult entertainment establishments; and

**WHEREAS**, this moratorium was adopted in order to permit for a review and revision of Section 12.22-6, Municipal Code of Kenosha County (MCKC), dealing with adult establishments; and

**WHEREAS**, this review has been completed and a revised Section 12.22-6 shall be presented to the County Board of Supervisors for its consideration; and

**WHEREAS**, the revised ordinance, if approved by the County Board of Supervisors, will then be transmitted to the towns in Kenosha County for their consideration; and

**WHEREAS**, the period for review and consideration is 45 days past the enacting date; and

**WHEREAS**, this period will last after the currently scheduled expiration of the existing moratorium on May 5, 2019; and

**WHEREAS**, it is reasonable that the moratorium should last through the period for town review;



**NOW, THEREFORE,** the Kenosha County Board of Supervisors does hereby ordain as follows:

**Sec. 1 – Extension of Moratorium.** The six-month moratorium previously declared by the Kenosha County Board of Supervisors through Ordinance 6, passed on November 5, 2019, is hereby extended for a period of forty-five (45) days past the date it would have expired, thereby expiring on June 19, 2020, or upon the expiration of the period for town review, whichever is earlier.

**Sec. 2 – Severability.** If a section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

**Sec. 3 – Construction.** If the provisions of this ordinance are found to be inconsistent with other provisions of the Municipal Code of Kenosha County, this ordinance is deemed to control.

Approved by:

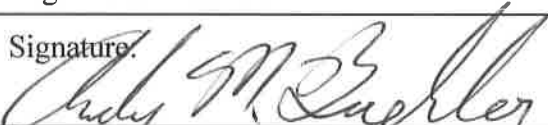
PLANNING, DEVELOPMENT  
& EXTENSION EDUCATION  
COMMITTEE

	<u>Aye</u>	<u>No</u>	<u>Abstain</u>	<u>Excused</u>
<hr/> Erin Decker, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<hr/> Michael Skalitzky, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<hr/> John Poole	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<hr/> Mark Nordigian	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<hr/> Zach Rodriguez	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

# KENOSHA COUNTY

## BOARD OF SUPERVISORS


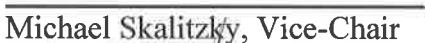
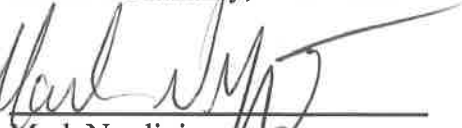

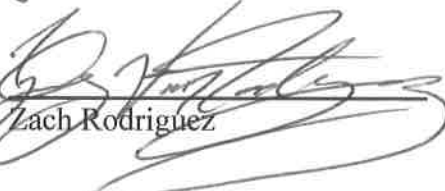
ORDINANCE NO.

Subject: Amendment of the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance Amending Section 12.22-6 Adult Establishments	
Original <input type="checkbox"/> Corrected <input type="checkbox"/> 2nd Correction <input type="checkbox"/> Resubmitted <input type="checkbox"/>	
Date Submitted: March 17, 2020	Date Resubmitted:
Submitted By: PDEEC Committee	
Fiscal Note Attached <input type="checkbox"/>	Legal Note Attached <input type="checkbox"/>
Prepared By: Andy Buehler, Director Division of Planning and Development	Signature: 

THE KENOSHA COUNTY BOARD OF SUPERVISORS DOES HEREBY ORDAIN that the Municipal Code of Kenosha County Chapter 12.22-6, is amended as per the attachment marked Exhibit "A."

Approved by:

Planning, Development and Extension Education Committee

	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Excused</u>
 Erin Decker, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Michael Skalitzyk, Vice-Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
 Mark Nordigian	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 John Poole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Zach Rodriguez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



## UPDATED KENOSHA ORDINANCE

DRAFT as of April 25 October 31 February 28 March 9, 202019

### 12.22-6 ADULT ESTABLISHMENTS

~~(a)~~ (a) — **Intent.**

1. ~~Mindful of the fact that it is t~~The intent of this Ordinance is regulate Adult Establishments and related activities to protect the health, safety, ~~and~~ morals, and general welfare of the citizens of Kenosha County, ~~and to further preserve the quality of family life as well as and to preserve~~ the rural and urban characteristics of its neighborhoods in Kenosha County, ~~and to~~ prevent adverse and deleterious effects contributing to the blight and downgrading of neighborhoods, ~~and also to mindful of avoid the the~~ effects of adult entertainment upon minors and the violation of civil rights of many persons partaking in such entertainment, ~~mitigate and also mindful of the~~ criminal activity and disruption of public peace associated with such establishments, ~~and also to and also mindful of prevent~~ the unsanitary and unhealthful conditions associated with such establishments. The intent is to establish reasonable and uniform provisions to regulate Adult Establishments within Kenosha County, it is the intent of this section to regulate the location and certain characteristics of such establishments. An adult establishment lawfully operating as a conforming use is not rendered a nonconforming use by the location, subsequent to the grant of the adult establishment permit, if a sensitive land use is located within 1,000 feet of the adult establishment. It is not the intent or effect to restrict or deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market. Additionally, it is not the intent or effect to limit or restrict the lawful activities permitted under Wisconsin Statutes Chapter 125, "Alcohol Beverages" eh. 125, Wis. Stats., and eh. 8, Kenosha eCounty Code of Ordinances Chapter 8, "Licenses and Permits." By the enactment of this ordinance, the Kenosha County Board of Supervisors does not intend to give any explicit, implicit, or tacit approval or condone any activity relating to adult entertainment.
2. Kenosha County Board of Supervisors seeks to improve the effectiveness of existing and previously adopted regulations, including Sections 12.26-3 and 12.29-8(b)2, and subsequently 12.22-6, for the purposes of limiting the secondary effects of Adult Establishments and related activities. Where developments in the law have subsequently rendered prior regulations ineffective, the intent of this ordinance is to effectuate zoning regulations to accomplish the intent outlined in § (a)(1) above. <sup>†</sup>

<sup>†</sup>The following recitals were adopted as part of the Preamble to Ordinance 45 adopted by the Kenosha County Board on 3/16/04.

#### RECITALS



A. WHEREAS, the operation of adult establishments and certain activities that frequently occur in or around adult establishments tend to have adverse secondary effects on communities, including increasing criminal and other offensive activity, disrupting the peace and order of communities, depreciating the value of real property, harming the economic welfare of communities, encouraging or facilitating the spread of sexually transmitted diseases, and impairing the quality of life of the communities; and

B. WHEREAS, the adverse secondary effects of adult establishments are well documented in studies by other communities, including but not limited to studies by Phoenix, Arizona (1979); Tucson, Arizona (1990); Garden Grove, California (1991); Los Angeles, California (1977); Whittier, California (1978); Adams County, Colorado (1998); Denver, Colorado (1998); Manatee County, Florida (1987); Indianapolis, Indiana (1984); Kansas City, Kansas (1998); Minneapolis, Minnesota (1980); St. Paul, Minnesota (1988); Las Vegas, Nevada (1978); Ellieottville, New York (1998); Islip, New York (1980); New York, New York (1994); Syracuse, New York (1999); New Hanover, North Carolina (1989); Cleveland, Ohio (1977); Oklahoma City, Oklahoma (1986); Amarillo, Texas (1977); Austin, Texas (1986); Beaumont, Texas (1982); Cleburne, Texas (1997); Dallas, Texas (1997); El Paso, Texas (1986); Fort Worth, Texas (1986); Houston, Texas (1983 & 1997); Newport News, Virginia (1996); Bellevue, Washington (1988); Des Moines, Washington (1984); Seattle, Washington (1989); St. Croix County, Wisconsin (1993); and

C. WHEREAS, the adverse secondary effects of adult establishments are also reported in judicial opinions relating to adult establishments, including but not limited to *City of Los Angeles v. Alameda Books, Inc.*, 535 U.S. 425, 122 S.Ct. 1728, 152 L.Ed.2d 670 (2002); *City of Erie v. Pap's A.M.*, 529 U.S. 277, 120 S.Ct. 1382, 146 L.Ed.2d 265 (2000); *Barnes v. Glen Theatre, Inc.*, 501 U.S. 560, 111 S.Ct. 2456, 115 L.Ed.2d 504 (1991); *City of Renton v. Playtime Theatres, Inc.*, 475 U.S. 41, 106 S.Ct. 925, 89 L.Ed.2d 29 (1986); *Young v. American Mini Theatres, Inc.*, 427 U.S. 80, 96 S.Ct. 2440, 49 L.Ed.2d 310 (1976); *Ben's Bar, Inc. v. Village of Somerset*, 316 F.3d 702 (7th Cir. 2003); *Schultz v. City of Cumberland*, 228 F.3d 831 (7th Cir. 2000); *DiMa Corp. v. Town of Hallie*, 185 F.3d 823 (7th Cir. 1999); *North Avenue Novelties, Inc. v. City of Chicago*, 88 F.3d 441 (7th Cir. 1996); *Matney v. County of Kenosha*, 86 F.3d 692 (7th Cir. 1996); *United States v. Marren*, 890 F.2d 924 (7th Cir. 1989); *Tee & Bee, Inc. v. City of West Allis*, 936 F. Supp. 1479 (E.D. Wis. 1996); *Suburban Video, Inc. v. City of Delafield*, 694 F. Supp. 585 (E.D. Wis. 1988); *Urmanski v. Town of Bradley*, 273 Wis. 2d 545, 613 N.W.2d 905 (Wis. App. 2000); *Jake's Ltd., Inc. v. City of Coates*, 284 F.3d 884 (8th Cir. 2002); *Deja Vu of Nashville, Inc. v. Nashville*, 274 F.3d 377 (6th Cir. 2001); *Artistic Entertainment, Inc. v. City of Warner Robbins*, 223 F.3d 1306 (11th Cir. 2000); *Wise Enterprises, Inc., et al. v. Unified Government of AthensClarke County, Georgia*, 217 F.3d 1360 (11th Cir. 2000); *Stringfellow's of New York, Ltd. v. City of New York*, 91 N.Y.2d 382, 694 N.E.2d 407, 671 N.Y.S.2d 406 (N.Y. 1998); *Colacureio v. City of Kent*, 163 F.3d 545 (9th Cir. 1998); *Ben Rich Trading, Inc. v. City of Vineland*, 126 F.3d 155 (3rd Cir. 1997); *DLS, Inc. v. City of Chattanooga*, 107 F.3d 403 (6th Cir. 1997); *Hang On, Inc. v. City of Arlington*, 65 F.3d 1248 (5th Cir. 1995); *ILQ Investments, Inc. v. City of Rochester*, 25 F.3d 1413 (8th Cir. 1994); *TK's Video, Inc. v. Denton County, Texas*, 24 F.3d 705 (5th Cir. 1994); *LLEH, Inc. v. Wichita County, Tex.*, 289 F.3d 358 (5th Cir. 2002); *Star Satellite, Inc. v. City of Biloxi*, 779 F.2d 1074 (5th Cir. 1986); *Mitchell v. Commission on Adult Entertainment Establishments of Delaware*, 10 F.3d 123 (3rd Cir. 1993); *Kev, Inc. v. Kitsap County*, 793 F.2d 1053 (9th Cir. 1986); and

D. WHEREAS, based on the above studies and cases, as well as the experiences of the County, its residents and communities, the Kenosha County Board of Supervisors finds that:



~~Adult establishments can and do impair the character and quality of surrounding neighborhoods, the value of surrounding properties, the economic welfare of communities, and the quality of life of residents;~~

~~Adult establishments contribute to the physical deterioration and blight of neighborhoods;~~

~~Adult establishments contribute to increased levels of criminal activities in neighborhoods where such establishments are located, including prostitution, promotion of prostitution, rape, sexual assaults, other assaults, other sex-related crimes, robbery, dissemination of obscenity, sale, distribution or display of harmful material to a minor, sexual performance by a child, possession or distribution of child pornography, public lewdness, indecent exposure, indecency with a child, sexual molestation, molestation of a child, disorderly conduct, disturbances of the peace, drinking in public, drug use, drug dealing, littering, and other violations of the law;~~

~~The operation of adult establishments can impair property values and have other adverse secondary effects on property up to at least 1,000 feet from the adult establishments;~~

~~The impacts of adult establishments on the value of neighboring properties are greater on residential properties than nonresidential properties;~~

~~Adult retail establishments tend to have less significant secondary effects than adult entertainment establishments, and limited adult media stores, properly controlled, tend to have less significant secondary effects than other adult retail establishments.~~

~~Video viewing booths are often used by patrons of adult establishments for engaging in sexual acts, including masturbation, intercourse, sodomy, and oral copulation, resulting in unsafe and unsanitary conditions in the booths. Bodily fluids, including semen and urine, are often found in such booths. These fluids, and the activities that occur in video viewing booths, may spread communicable diseases, including, but not limited to, syphilis, gonorrhea, genital chlamydia trachomatis, human immunodeficiency virus infection (HIV-AIDS), genital herpes, hepatitis B, Non-A, Non-B amebiasis, salmonella infections, and shigella infections;~~

~~Many adult entertainment establishments provide live entertainment in which physical contact between performers and customers, often sexual in nature, occurs and can occur, thus facilitating the transmission of various diseases and exposing performers to the risk of assaults and other unwelcome contact.~~

~~E. WHEREAS, the Kenosha County Board of Supervisors believes that the experiences, evidence and studies from other communities cited, set forth herein, and/or considered by the Board and the Planning, Development & Extension Education Committee in whole, part or summary, are relevant and important in understanding and addressing the secondary effects of adult establishments; and~~

~~F. WHEREAS, the secondary effects of adult establishments are detrimental to the public health, safety and general welfare of Kenosha County residents, businesses and visitors; and~~



- (b) **Findings.** Premised on evidence showing the adverse secondary effects of Adult Establishments on the community<sup>2</sup>, this ordinance recognizes and seeks to reduce the following impacts of Adult Establishments while fully protecting the constitutional rights of citizens:

~~G. WHEREAS, requiring adult establishments to locate in the vicinity of state-trunk highways enhances the ability of county law enforcement personnel to monitor the establishments, and deter and respond to criminal activity at such establishments; and~~

~~H. WHEREAS, the Kenosha County Board of Supervisors has previously adopted regulations to limit the secondary effects of adult establishments within the County, including Kenosha County Ordinance Sections 12.26-3 and 12.29-8(b)2; and~~

~~I. WHEREAS, developments in the law subsequent to the adoption of those regulations may have rendered those regulations ineffective; and~~

~~J. WHEREAS, on August 20, 2002, the Kenosha County Board adopted Ordinance No. 21, establishing a moratorium on the acceptance of applications or issuance of permits for adult establishments under Section 12.26-3 of the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance; and directing the Planning, Development & Extension Education Committee to review and recommend revisions to the regulations governing adult establishments; and~~

~~K. WHEREAS, the Planning, Development & Extension Education Committee has completed its review and made recommendations to the Kenosha County Board; and~~

~~L. WHEREAS, the Board has considered those recommendations and has determined that the techniques provided herein reduce the secondary effects of adult establishments while fully protecting the constitutional rights of citizens;~~

~~NOW, THEREFORE... (The ordinance as adopted by the Kenosha County Board appears above in the text of this ordinance.)~~

<sup>2</sup> The adverse secondary effects of adult establishments as presented in hearing(s) and in studies made available to the County by other communities and in findings incorporated in cases including but not limited to the following studies: Phoenix, Arizona (1979); Tucson, Arizona (1990); Garden Grove, California (1991); Los Angeles, California (1977); Whittier, California (1978); Adams County, Colorado (1998); Denver, Colorado (1998); Manatee County, Florida (1987); Indianapolis, Indiana (1984); Kansas City, Kansas (1998); Minneapolis, Minnesota (1980); St. Paul, Minnesota (1988); Las Vegas, Nevada (1978); Ellicottville, New York (1998); Islip, New York (1980); New York, New York (1994); Syracuse, New York (1999); New Hanover, North Carolina (1989); Cleveland, Ohio (1977); Oklahoma City, Oklahoma (1986); Amarillo, Texas (1977); Austin, Texas (1986); Beaumont, Texas (1982); Cleburne, Texas (1997); Dallas, Texas (1997); El Paso, Texas (1986); Fort Worth, Texas (1986); Houston, Texas (1983 & 1997); Newport News, Virginia (1996); Bellevue, Washington (1988); Des Moines, Washington (1984); Seattle, Washington (1989); St. Croix County, Wisconsin (1993), the following cases: *City of Los Angeles v. Alameda Books, Inc.*, 535 U.S. 425, 122 S.Ct. 1728, 152 L.Ed.2d 670 (2002); *City of Erie v. Pap's A.M.*, 529 U.S. 277, 120 S.Ct. 1382, 146 L.Ed.2d 265 (2000); *Barnes v. Glen Theatre" Inc.*, 501 U.S. 560, 111 S.Ct. 2456, 115 L.Ed.2d 504 (1991); *City of Renton v. Playtime Theatres, Inc.*, 475 U.S. 41, 106 S.Ct. 925, 89 L.Ed.2d 29 (1986); *Young v. American Mini Theatres, Inc.*, 427 U.S. 50, 96 S.Ct. 2440, 49 L.Ed.2d 310 (1976); *Ben's Bar, Inc. v. Village of Somerset*, 316 F.3d 702 (7th Cir. 2003); *Schultz v. City of Cumberland*, 228 F.3d 831 (7th Cir. 2000); *DiMa Corp. v. Town of Hallie*, 185 F.3d 823 (7th Cir. 1999); *North Avenue Novelties, Inc. v. City of Chicago*, 88 F.3d 441 (7th Cir. 1996); *Matney v. County of Kenosha*, 86 F.3d 692 (7th Cir. 1996); *United States v. Marren*, 890 F.2d 924 (7th Cir. 1989); *Tee & Bee, Inc. v. City of West Allis*, 936 F. Supp. 1479 (E.D. Wis.



1. Adult business establishments can and do impair the character and quality of surrounding neighborhoods, the value of surrounding properties, the economic welfare of communities, and the quality of life of residents.
2. Adult Establishments lend themselves to ancillary unlawful and unhealthy activities that are not presently effectively controlled by the operators of the establishments.
3. Adult Establishments contribute to the physical deterioration and blight of nearby neighborhoods, with greater adverse impacts on residential than on non-residential properties, and have other adverse secondary effects on property up to at least 1,0600 feet from the adult establishments.
4. Neighborhoods where adult business establishments are located have increased levels of criminal activities, especially sex-related crimes.
5. Prostitution, sexual assaults, and other criminal activity occur at Adult Establishments and persons frequent certain adult theaters or other Adult Establishments for the purpose of engaging in sex within the premises.
6. Video viewing booths are often used by patrons of adult business establishments for engaging in sexual acts, including masturbation, intercourse, sodomy, and oral copulation, resulting in unsafe and unsanitary conditions in the booths. Bodily fluids, including semen and urine, are often found in such booths. These fluids, prostitution, and other activities that occur in Adult Establishments may spread communicable diseases, including, but not limited to, syphilis, gonorrhea, genital chlamydia trachomatis, human immunodeficiency virus infection (HIV-AIDS), genital herpes, hepatitis B, Non A, Non B amebiasis, salmonella infections, and shigella infections.

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1996); *Suburban Video, Inc. v. City of Delafield*, 694 F. Supp. 585 (E.D. Wis. 1988); *Urmanski v. Town of Bradley*, 273 Wis. 2d 545, 613 N.W.2d 905 (Wis. App. 2000); *Jake's Ltd., Inc. v. City of Coates*, 284 F.3d 884 (8th Cir. 2002); *Deja Vu of Nashville, Inc. v. Nashville*, 274 F.3d 377 (6th Cir. 2001); *Artistic Entertainment, Inc. v. City of Warner Robbins*, 223 F.3d 1306 (11th Cir. 2000); *Wise Enterprises, Inc., et al. v. Unified Government of Athensclarke County, Georgia*, 217 F.3d 1360 (11th Cir. 2000); *Stringfellow's of New York, Ltd. v. City of New York*, 91 N.Y.2d 382, 694 N.E.2d 407, 671 N.Y.S.2d 406 (N.Y. 1998); *Colacurcio v. City of Kent*, 163 F.3d 545 (9th Cir. 1998); *Ben Rich Trading, Inc. v. City of Vineland*, 126 F.3d 155 (3rd Cir. 1997); *DLS, Inc. v. City of Chattanooga*, 107 F.3d 403 (6th Cir. 1997); *Hang On, Inc. v. City of Arlington*, 65 F. 3d 1248 (5th Cir. 1995); *ILO Investments, Inc. v. City of Rochester*, 25 F.3d 1413 (8th Cir. 1994); *TK's Video, Inc. v. Denton County, Texas*, 24 F.3d 705 (5th Cir. 1994); *LLEH, Inc. v. Wichita County, Tex.*, 289 F.3d 358 (5th Cir. 2002); *Star Satellite, Inc. v. City of Biloxi*, 779 F.2d 1074 (5th Cir. 1986); *Mitchell v. Commission on Adult Entertainment Establishments of Delaware*, 10 F.3d 123 (3rd Cir. 1993); *Kev, Inc. v. Kitsap County*, 793 F.2d 1053 (9th Cir. 1986), and the following statistics from the U.S. Department of Health and Human Services and Centers for Disease Control and Prevention.



7. Adult establishments have operational characteristics that should be reasonably regulated in order to protect those substantial governmental concerns including, but not limited to, the general welfare, health, morals, and safety of the citizens of the County.

(c) Definitions. For the purpose of this section:

1. **Adult Bath House.** An establishment or business which provides the services of baths of any kind, including all forms and methods of hydrotherapy, that is not operated by a medical practitioner, professional physical therapist, or massage therapist licensed or registered by the State of Wisconsin, and which establishment provides to its patrons an opportunity to engage in "specified sexual activities" or to observe employees or independent contractors exhibiting "specified sexual activities" or "specified anatomical areas." **Bookstore:** An establishment having at least 25% of its:
- Retail floor space used for the display of adult products; or
  - Stock in trade consisting of adult products; or
  - Weekly revenue derived from adult products.

For ~~puposes~~purposes of this definition, the phrase adult products means books, films, magazines, motion pictures, periodicals or other printed matter, or photographs, video cassettes, Compact Discs (CDs), DVDs, Blu-Ray Discs, slides, tapes records or other forms of visual or audio representations that are distinguished or characterized by their emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas. For purposes of this definition, the phrase adult products also means a device designed or marketed as useful primarily for the stimulation of human genital organs, or for sadomasochistic use or abuse. Such devices shall include, but are not limited to bather restraints, body piercing implements (excluding earrings or other decorative jewelry), chains, dildos, muzzles, non-medical enema kits, phallic shaped vibrators, racks, whips and other tools of sado-masochistic abuse.

2. **Adult Body Painting Studio.** An establishment or business wherein patrons are afforded an opportunity to paint images on the body of a person who is exhibiting "specified sexual activities" or "specified anatomical areas." For purposes of this ordinance, the adult body painting studio shall not be deemed to include a tattoo parlor. **Cabaret:** A night club, bar, theatre, restaurant or similar establishment that regularly features:
3. **Adult Cabaret.** An establishment or business which regularly or on a frequently recurring basis features live entertainment that is
- Live performances by bottomless and/or topless dancers, exotic dancers, go-go dancers, strippers, or similar entertainers, where such performances are distinguished or characterized by an emphasis on the exhibiting of "specified anatomical areas" or "specified sexual activities" for observation by patrons therein, or which holds itself out or identifies itself to the public by its name, its

signs and/or its advertising as an establishment where such live entertainment is regularly or on a frequently recurring basis available, including, without limitation, by verbal or pictorial allusions to sexual stimulation or gratification or by references to "adult entertainment," "strippers," "showgirls," "exotic dancers," "gentleman's club," or similar terms; specified sexual activities or by exposure of specified anatomical areas;

- b. Films, motion pictures, slides, video cassettes, CDs, DVDs, Blu-Ray Discs, or other photographic reproductions which are distinguished or characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas for observation by patrons; or
- c. Persons who engage in erotic dancing or performances that are intended for the sexual interests or titillation of an audience or customer.

3. **Adult Drive-In Theatre:** An open lot or part thereof, with appurtenant facilities, devoted primarily to the presentation of films, motion pictures, theatrical productions, and other forms of visual productions, for any form of consideration, to persons in motor vehicles or on outdoor seats in which a preponderance of the total presentation time is devoted to the showing of materials distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas for observation by patrons.

4.3. \_\_\_\_\_

4. **Adult Entertainment Establishment:** Is defined to include adult cabarets, adult modeling studios, and adult motion picture theaters. An ~~A~~adult ~~b~~Bookstore, ~~Adult~~ Cabaret, ~~Adult~~ Drive-In Theatre, ~~Adult~~ Live Entertainment Arcade, ~~a~~Adult ~~m~~Mini ~~m~~Motion ~~p~~Pictures ~~t~~Theatre, ~~Adult~~ Motel, ~~a~~Adult ~~m~~Motion ~~p~~Picture ~~t~~Arcade~~theatre~~, ~~A~~adult ~~m~~Motion ~~P~~picture ~~Theater~~~~arcade~~, or ~~adult~~ cabaret, ~~adult~~ drive-in theatre, ~~adult~~ live entertainment arcade or ~~A~~adult ~~S~~services ~~E~~establishment.

5. **Adult Establishments:** Is defined to include adult entertainment establishments and adult retail establishments as defined herein. **Live Entertainment Arcade:** Any building or structure which contains or is used for commercial entertainment where the patron directly or indirectly is charged a fee to view from an enclosed, screened area, or booth a series of live dance routines or strip performances, or other gyrational choreography, which choreography, performances, or routines are distinguished or characterized by an emphasis on specified sexual activities or by exposure to specified anatomical areas.

6. **Adult Massage Parlor:** An establishment or business with or without sleeping accommodations which provides the services of massage and body manipulation, including, without limitation, exercises, heat and light treatments of the body, and all forms and methods of physiotherapy, not operated by a medical practitioner, professional physical therapist, or massage therapist licensed or registered by the State of Wisconsin



and which establishment provides to its patrons an opportunity to engage in "specified sexual activities" or to engage in any method of rubbing, pressing, striking, kneading, tapping, pounding, vibrating or stimulating a "specified anatomical area" with the hands or with any instruments, or the opportunity to observe employees or independent contractors exhibiting "specified sexual activities" or "specified anatomical areas."**Mini Motion Picture Theatre:** An enclosed building with a capacity of more than 5 but less than 50 persons, used for presenting films, motion pictures, slides, video cassettes, or similar photographic reproductions in which a preponderance of the total presentation time is devoted to the showing of materials which are distinguished or characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas for observation by patrons therein.

7. **Adult Media.** Books, magazines, videotapes, movies, slides, CD-ROMs, posters, or other devices to display images; **Motel:** A hotel, motel or similar establishment offering public accommodations, for any form of consideration, that offers a sleeping room for rent for a period of time that is less than 10 hours or allows a tenant or occupant of a sleeping room to sub-rent the room for a period of time that is less than 10 hours, and that provides patrons, upon request, with closed-circuit television transmissions, films, motion pictures, slides, video cassettes, or other photographic ~~reproductions~~ reproductions that are distinguished or characterized by their an emphasis on matters depicting, describing or relating to "upon the depiction or description of specified sexual activities" or "specified anatomical areas".
8. **Adult Media Store.** An establishment or business that rents and/or sells adult media and that meets any of the following three tests: **Motion Picture Arcade:** Any place to which the public is permitted or invited wherein coin or slug-operated or electronically, electrically or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are maintained to show images to 5 or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by an emphasis on depicting or describing specified sexual activities or specified anatomical areas.
- a 40 percent or more of the gross public floor area is devoted to adult media;
  - b 40 percent or more of the stock in trade consists of adult media;
  - c The store advertises or holds itself out in any forum as a sexually-oriented business
9. **Adult Modeling Studio.** An establishment or business which provides the services of live models modeling lingerie or transparent apparel to patrons or a business where a person who displays "specified anatomical areas" and is provided to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons who pay money or any form of consideration. Adult modeling studios shall not

- include a proprietary school licensed by the State of Wisconsin or a college, technical college, or university; or in a structure:
- a — that has no sign visible from the exterior of the structure and no other advertising that indicates a nude or semi-nude person is available for viewing; and
  - b — where, in order to participate in a class, a student must enroll at least three (3) days in advance of the class; and
  - e — where no more than one (1) nude or semi-nude model is on the premises at any one (1) time.
- Motion Picture Theatre:** An enclosed building with a capacity of 50 or more persons used for presenting films, motion pictures, slides, video cassettes, CDs, DVDs, Blu-Ray Discs, or similar photographic reproductions in which a preponderance of the total presentation time is devoted to showing of materials which are distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas for observation by patrons therein.
10. **Adult Motion Picture Theater:** An establishment or business located in an enclosed building and emphasizing or predominantly showing movies distinguished or characterized by an emphasis on "**Adult Service Establishment:** Any building, premises, structure or other facility, or part thereof, under common ownership or control which provides a preponderance of services involving **specified sexual activities,**" or "**display** of **specified anatomical areas,** or massage of specified anatomical areas, not performed or operated by a medical practitioner, professional physical therapist, or massage therapist licensed or registered by the State of Wisconsin." for observation by patrons therein.
11. **Enlargement (pertaining to Adult Establishment only):** An increase in the size of the building, structure or premises in which the Adult Establishment is conducted by either construction or use of an adjacent building or any portion thereof whether located on the same or an adjacent lot or parcel of land. **Adult Motion Picture Theater (Outdoor):** An establishment located on a parcel of land and emphasizing or predominantly showing movies out of doors for observation by patrons, which movies are distinguished or characterized by an emphasis on "specified sexual activities" or "specified anatomical areas".
12. **Establishing an Adult Establishment:** Shall mean and include **Adult Novelty Shop:** An establishment or business offering goods for sale or rent and that meets any of the following tests:
- a. The establishment offers for sale items from any two of the following categories: (a) adult media, (b) lingerie, or (c) leather *goods*, marketed or presented in a context to suggest their use for flagellation or torture of a person clothed or naked, or the binding or other physical restraint of a person clothed or naked.
  - b — More than 5 percent of its stock in trade consists of instruments, devices, or paraphernalia either designed as representation of human genital organs or



female breasts, or designed or marketed primarily for use to stimulate human genital organs.

- e. More than 5 percent of its gross public floor area is devoted to the display of instruments, devices, or paraphernalia either designed as representation of human genital organs or female breasts, or designed or marketed primarily for use to stimulate human genital organs.

13. Adult Retail Establishments. "Adult Retail Establishments" is defined to include adult media stores, limited adult media stores, and adult novelty shops opening or commencement of any such business as a new business;

- b. The conversion of an existing business, whether or not an Adult Establishment, to any of the Adult Establishments defined herein;

- c. The relocation of any such business.

13. Nonconforming Adult Establishment: Any building, structure or land lawfully occupied by an Adult Establishment or lawfully situated at the time of passage of Ordinance 45, adopted on March 16, 2004, or amendments to that ordinance, that does not conform after the passage of that ordinance or amendments thereto with the regulations of this chapter.

14. Gross Public Floor Area. The total area of the building accessible or visible to the public, including showrooms, motion picture theaters, motion picture arcades, service areas, behind-counter areas, storage areas visible from such other areas, restrooms (whether or not labeled "public"), areas used for cabaret or similar shows (including stage areas), plus aisles, hallways, and entryways serving such areas. Reconstruction (pertaining to a Adult eEntertainmenstablishmentt only): The rebuilding or restoration of any nonconforming Adult Establishment that was damaged or partially destroyed by an exercise of the power of eminent domain, or by fire, flood, wind, explosion or other calamity or act of God, if the damage or destruction exceeds fifty percent (50%) of the assessed value of the structure or the facilities affected as of January 1 of the year in which damage occurred. ~~of the structure or the facilities affected.~~

15. Limited Adult Media Store. An establishment that rents and/or sells adult media but is not an "adult media store" as defined in this Section, and that meets either of the following tests:

- a. More than 10 percent but less than 40 percent of the gross public floor area is devoted to adult media

- b. More than 10 percent but less than 40 percent of the stock-in-trade consists of adult media Resumption (pertaining to a Adult eEstablishmentntertainment only): Shall

mean the reuse of reoccupation of a nonconforming Adult Establishment that has been discontinued for a period of 6 or more consecutive months.

16. **"Sensitive land-use"** is defined to include any and all **Land Use:** Any of the following:

- a. Property zoned or used for residential purposes
- b. Property zoned or used for religious institutional purposes
- c. An educational institution for students in twelfth grade or below d  
A library or museum
- d.e A public or private park, recreation area, or playground f  
A day care center
- ge. A historic district
- f.h A facility predominantly serving individuals with a "developmental- disability,"  
as that term is defined in sec. 51.01(5)(a) and (b), Wis. Stats., and subsequent  
amendments thereto.
- ig. A private youth development organization such as, but not limited to, YMCA,  
Junior Achievement, Boys Club of America and Campfire Girls.

17. **"Sex toy"** means an instrument, device, or paraphernalia either designed as a  
representation of human genital organs or female breast, or designed or marketed  
primarily for use to stimulate human genital organs. **Specified Anatomical Areas:**  
Any of the following:

- a. Less than completely and opaquely covered human genitals, public region,  
buttocks, anus or female breasts below a point immediately above the top  
of the areolae; or
- a. Human male genitals in a discernibly turgid state, even if completely and  
opaquely covered.
- b.

18. **"Specified sexual activities"** is defined as actual or simulated: **Activities:** Any of the  
following:

- a. Exhibition of Human genitals in a state of sexual stimulation or arousal;
- b. Acts of human masturbation, sexual intercourse, sodomy, bestiality, necrophilia,  
sado-masochistic abuse, fellatio or cunnilingus or sodomy;
- c. Fondling or other erotic touching of human genitals, pubic region, buttock  
regions, buttocks, or female breasts.

19. **"Specified anatomical areas"** is defined as:

- a. Less than completely and opaquely covered:
  - 1) Human genitals, pubic region;
  - 2) Buttock, anus, anal cleft;

3) — Female breast below a point immediately above the top of the areola; and b  
— Human male genitals in a discernibly turgid state even if completely and opaquely covered.

20 — Video viewing booth. Any booth, cubicle, stall, or compartment that is designed, constructed, or used to hold or seat patrons and is used for presenting adult media for observation by patrons therein. A video viewing booth shall not mean a theater, movie house, playhouse, or a room or enclosure or portion thereof that contains 600 square feet or more.

d. — Flagellation or torture in the context of a sexual relationship;

e. — Masochism, erotic or sexually oriented torture, beating or the infliction of pain;

f. — Erotic touching, fondling or other such contact with an animal by a human being; or

h.g. — Human excretion, urination, menstruation, vaginal or anal irrigation as a part of or in connection with any of the activities set forth in subsections 1 through 6 above.

(ed) **Principal Uses.** ~~Adult Establishments are permitted by Where the underlying zoning is B-2 Community Business District, or and B-3 Highway Business Adult Establishment.~~

1 — Where the underlying zoning is B-2 Community Business District, Limited Adult Media Stores

2 — Where the underlying zoning is B-3 Highway Business District, a — Limited Adult Media Stores

b — Adult Cabarets

c — Adult Media Stores

d — Adult Modeling Studios

e — Adult Motion Picture Theaters f Adult Novelty Shops

(de) **Prohibited Uses**

1 — Adult Bath Houses

2 — Adult Body Painting Studios

3 — Adult Massage Parlors

4 — Adult Motion Picture Theaters (Outdoor)

(e) — **Accessory Uses.** Any accessory use authorized by the underlying zoning district may be an accessory use to an adult establishment. In no case shall an adult establishment be an accessory use to any principal use designated by any section of this ordinance.

(fe) **Underlying District Standards.** Adult Establishments shall comply with the standards of the zoning districts in which they are located, including, but not limited to, standards relating to lot



area and width, building height and area, yard requirements and sanitary sewer systems., and with the use-specific standards applicable to that use category and use.

(gfg) **General requirements and restrictions governing Aadult Eestablishments.** Except as provided below, all Aadult Eestablishments shall comply with the following requirements and restrictions:

1. ~~Intoxicating beverages shall not be sold or served.~~
2. — Parking shall be provided in a lighted area, in conformity with applicable lighting and parking standards provided ~~elsewhere in this Ordinance~~ in sections 12.13 and 12.18.8-1.
- 2.3 No aAdult eEntertainment Eestablishment shall be ~~maintained or operated in any manner that causes, creates, or allows public viewing of any adult media, or any live entertainment that is distinguished or characterized by an emphasis on "conducted in any manner that permits the observation of any material depicting, describing or relating to specified sexual activities" or "specified anatomical areas", by display, decorations, sign, show window or other -opening from any -sidewalk, public or private right-of-way, or any property other than the lot on which the adult establishment is located~~ public view.
- 3.4 Signs advertising an Adult Establishment ~~Aadult Eestablishments~~ shall conform ~~with to~~ section 12.14-5 of this ordinance and with the further exception that signs will not depict ~~the human body or any part thereof, and provided further that there shall be no flashing or traveling lights located outside the building~~ Specified Anatomical Areas or Specified Sexual Activities.
- 4.5 No Aadult Eestablishment-patron shall be permitted at any time to enter into any of the non-public portions of any Aadult Eestablishment, including specifically, but without limitation, any storage areas or -or dressing or other rooms provided for the benefit of Aadult Eestablishment-employees. -This subsection shall not apply to persons delivering goods and materials, food and beverages, or performing maintenance or repairs to the permitted premises; provided, however, that any such persons shall remain in such non-public areas only for the purposes and to the extent and time necessary to perform their job duties.
- 5.6 ~~Other than limited adult media stores, signs~~ Signs at least one (1) square ~~feet~~ foot in area stipulating that persons under the age of 18 are not permitted inside the establishment; shall be posted at all public entrances to the establishment, and persons under the age of 18 shall not be permitted inside the establishment.
- 6.7 The cashier's or manager's station shall be located so that someone working there can quickly move to physically halt any attempted or accidental entry by a minor. An employee shall occupy the station at all times when patrons are in and on the premises.



~~7.8~~ The ~~A~~adult ~~E~~establishment shall clearly post and enforce a no loitering policy.

~~8.9~~ The owner and/or operator of the ~~A~~adult ~~E~~establishment shall agree to comply with all State, Federal and Local laws and ordinances, including obscenity, liquor, and cabaret laws. Solicitation for purposes of prostitution shall be strictly prohibited. Conduct in violation of sec. 944.21, Wis. Stats., or sec. 9.10.2 of the Kenosha County Code of Ordinances, including the exhibition of "obscene material" and "obscene performances," as those terms are defined in sec. 944.21(2), Wis. Stats., and sec. 9.10.2 of the Kenosha County Code of Ordinances, shall be strictly prohibited.

~~10~~ No video viewing booth(s) shall be established, operated or used in any adult establishment.

~~9.11~~ The hours of operation of ~~A~~adult ~~E~~establishment ~~s~~ shall be limited to the same hours of operation for bars and taverns within that community within which the ~~A~~adult ~~E~~establishment is located.

~~12.10~~ No residential quarters shall be allowed on a premises with an ~~A~~adult ~~E~~establishment.

**(hgh) Location requirements and restrictions.**

~~1.~~ ~~1~~ No more than one adult establishment may be established on any one parcel. The establishment, enlargement, reconstruction, resumption, or structural alteration of any Adult Establishment is prohibited if such business is within 1,000 feet of another Adult Establishment.

~~1~~

~~2.~~ No adult establishment may be established within 1000 feet of any other adult establishment. The establishment, enlargement, reconstruction, resumption, or structural alteration of any Adult Establishment is prohibited if such business is within ~~1,000~~ 1,0600 feet of any existing Sensitive Land Use within Kenosha County, Wisconsin.

~~3.~~ No adult retail establishment may be established within 1000 feet of any "sensitive land-use." Adult Establishment shall be established, enlarged, reconstructed, resumed, or structurally altered unless the site or proposed site is located in a B-2 Community Business District or B-3 Highway Business Zoning District.

~~4.~~ No adult entertainment establishment may be established within 1000 feet of any "sensitive land-use." An Adult Establishment lawfully operating as a conforming use is not rendered a nonconforming use by the subsequent location of a sensitive land use is located within ~~1,000~~ 1,0600 feet of the Adult Establishment.

- 5 All ~~Adult Establishments~~ adult entertainment establishments shall be located within 300 feet of a State Trunk Highway right-of-way (Maintained & Traveled) as indicated on the map of the official layout of the State Trunk Highway System of Kenosha County prepared by the State of Wisconsin, Department of Transportation in accordance with Wis. Stats. Section 84.02(12) State Statutes ~~Wis. Stats.~~ and as currently on file with the Kenosha County Clerk and Kenosha County Highway Commissioner and as subsequently amended.

~~Commissioner and as subsequently amended and shall not be located within 1,000 feet of the right-of-way of the intersection of another State Trunk Highway or any Federal or County Trunk Highway, or any other road.~~

- 66 ~~For these purposes, The distance between one Adult Establishment and another Adult Establishment shall be measured in a straight line from the closest point of the structure or portion of the structure occupied or proposed for occupancy by the adult establishment to the nearest lot line of the other parcels of property to which these location requirements apply.~~

7 ~~The location requirements and restrictions specified in subsections 12. 22-6(g) 1 through 6 do not apply to limited adult media stores.~~

(i) ~~Requirements Applicable to Limited Adult Media Stores Only. Adult media in a limited adult media store shall be kept in a separate room or section of the shop; which room or section shall:~~

- 1 ~~not be open to any person under the age of 18; and~~
- 2 ~~be physically and visually separated from the rest of the store by an opaque wall of durable material, reaching from the floor to at least eight feet high or to the ceiling, whichever is less; and~~
- 3 ~~be located so that the entrance to it is as far as reasonably practicable from media or other inventory in the store likely to be of particular interest to children; and~~
- 4 ~~have access controlled by electronic or other means to provide assurance that persons under age 18 will not easily gain admission and that the general public will not accidentally enter such room or section, or provide continuous video or window surveillance of the room by store personnel; and~~
- 5 ~~provide signage at the entrance stipulating that persons under the age of 18 are not permitted inside, without regard to intervening~~ interviewing ~~structures or objects, from the closest exterior structural wall of each such business. The distance between an Adult Establishment and any Sensitive Land Use shall be measured in a straight line, without regard to intervening structures or objects, from the closest exterior structural wall of the Adult Establishment to the nearest property line of the Sensitive Land Use.~~

(ih) **Additional Restrictions and Requirements Applicable to ~~Adult Entertainment~~ Adult Establishments**. Adult ~~entertainment~~ eEstablishments shall comply with certain additional restrictions and requirements as set forth below:

1. ~~It is unlawful for any person to perform or engage in or for any licensee or manager or agent of an adult entertainment establishment to permit any person, employee, entertainer or patron to perform or engage in any live act, demonstration, dance or exhibition on the premises of an adult entertainment establishment, which:~~
  - a. ~~Shows his/her genitals, pubic area, vulva, anus, or anal cleft with less than a fully opaque covering.~~
  - b. ~~Shows the female breast with less than a fully opaque covering of any part of the nipple and areola.~~
  - c. ~~Shows the human male genitals in a discernibly turgid state, even if fully and opaquely covered.~~

2. **Adult Cabarets**

- a. Adult cabarets shall comply with section 12.12-4(e) of this ordinance relating to noise.
- b. All live performers in an adult cabaret shall perform only on a stage elevated no less than ~~twenty-four~~ thirty-six (~~24~~36) inches above floor level. There shall be a metal railing attached to the floor by bolts surrounding the stage which shall keep patrons at least ~~thirty-six~~ forty-eight (~~36~~48) inches from the stage. There shall also be a metal railing attached to the floor by bolts at the edge of the stage. The stage shall be in a room or other enclosure of no less than 600 square feet.

~~23~~ **Adult modeling studios:**

~~a. All models or other live performers in an adult modeling studio shall perform only on a stage elevated no less than 24 inches above floor level. There shall be a railing attached to the floor surrounding the stage which shall keep patrons at least 36 inches from the stage. The stage shall be in a room or other enclosed space of no less than 600 square feet.~~

~~4~~ **Adult motion picture theaters:**

- a. ~~Adult motion picture theaters shall show movies only in a room or other enclosed space of no less than 600 square feet.~~

- (jjk) **Severability.** If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by reason of any decision of any court of competent jurisdiction, such decision shall not affect the validity of any other section, subsection, sentence, clause or phrase or portion thereof. This ordinance shall take effect and be in force from and after its passage and publication, as provided by law.

33039270\_1





# Kenosha



# County

## BOARD OF SUPERVISORS

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

Subject: HC1 LLC, 1551 Richmond Rd., Twin Lakes, WI 53181 (Owner), Kenosha County Planning, Development & Extension Education Committee, 19600 75th Street, Suite 185-3, Bristol, WI 53104 (Sponsor), requesting a rezoning from R-4 Urban Single-Family Residential & C-1 Lowland Resource Conservancy to R-4 Urban Single-Family Residential & C-1 Lowland Resource on Tax Parcel #95-4-119-112-1112 located in the NW ¼ of Section 11, T1N, R19E, Town of Wheatland.

Original ☐

Corrected ☐

2nd Correction ☐

Resubmitted ☐

Date Submitted: March 17, 2020

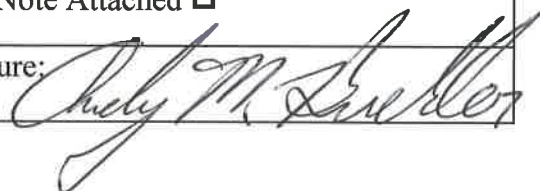
Date Resubmitted:

Submitted By: Planning Development &  
Extension Education Committee

Fiscal Note Attached ☐

Legal Note Attached ☐

Prepared By: Andy M. Buehler, Director  
Division of Planning & Development

Signature: 

### 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 12.02-10 of the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance be amended as follows:

That the zoning of Tax Parcel #95-4-119-112-1112 located in the NW ¼ of Section 11, T1N, R19E, Town of Wheatland, be changed as follows:

from R-4 Urban Single-Family Residential & C-1 Lowland Resource Conservancy to R-4 Urban Single-Family Residential & C-1 Lowland Resource


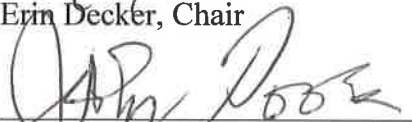
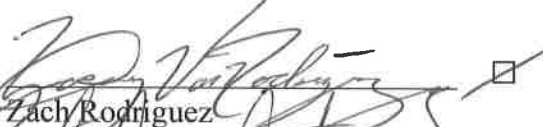
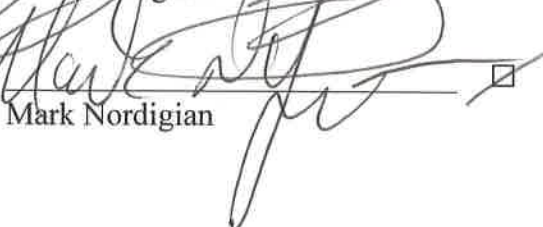
**HC1 LLC (Owner)**  
**PDEEC (Sponsor)**

**Description:** See Exhibit #1 (attached).

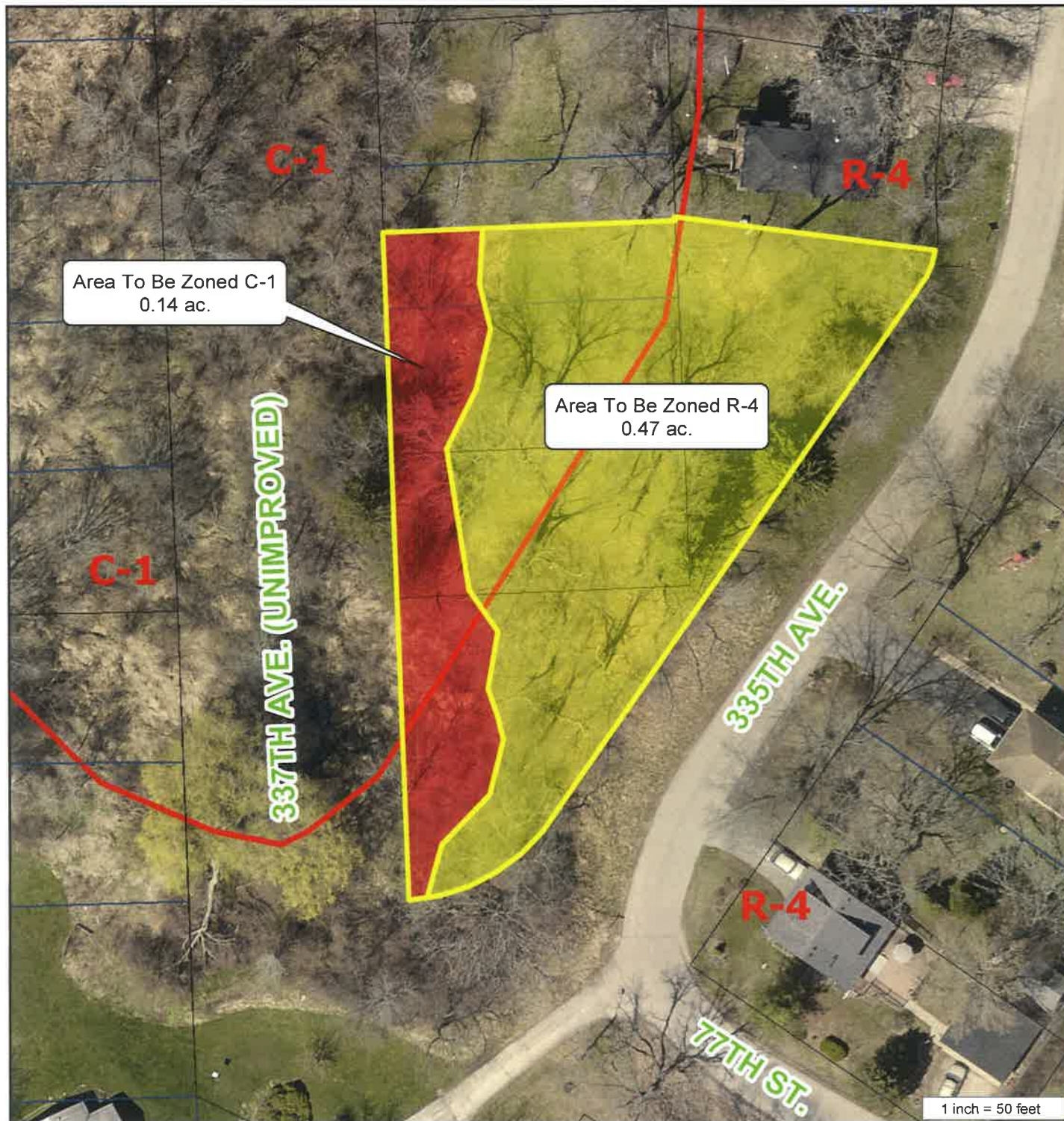
This description is intended to extend to the center of all roads.

Approved by:

PLANNING, DEVELOPMENT  
& EXTENSION EDUCATION  
COMMITTEE

	<u>Aye</u>	<u>No</u>	<u>Abstain</u>	<u>Excused</u>
 Erin Decker, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 John Poole, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Michael Skalitzky	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
 Zach Rodriguez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Mark Nordigian	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>





## REZONING SITE MAP

### PETITIONER(S):

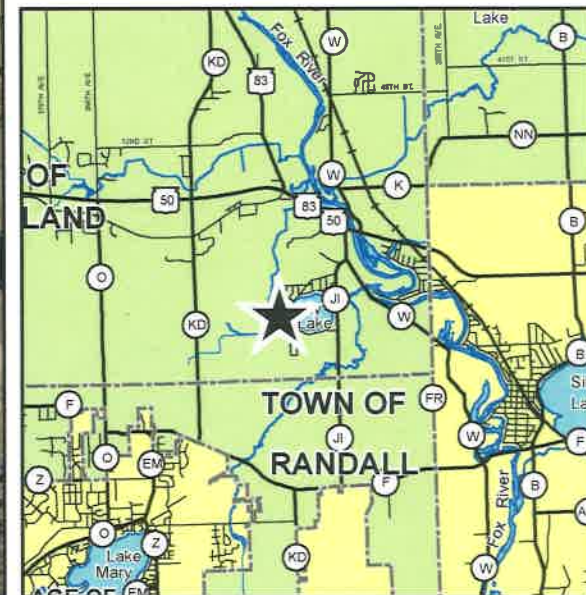
HC1 LLC (Owner),  
Kenosha County Planning, Development  
& Extension Committee (Sponsor)

LOCATION: NW 1/4 of Section 11  
Town of Wheatland

TAX PARCEL(S): #95-4-119-112-1112

### REQUEST:

Requesting a rezoning from R-4 Urban  
Single-Family Residential District & C-1  
Lowland Resource Conservancy District  
to R-4 Urban Single-Family Residential  
District & C-1 Lowland Resource Conservancy  
District.





**Kenosha**



**County**

***BOARD OF SUPERVISORS***

**RESOLUTION NO. \_\_\_\_\_**

Subject:       An Initial Resolution Authorizing the Issuance of Not to Exceed \$3,815,000 Taxable General Obligation Refunding Bonds, Series 2020A; Providing for the Notification and Sale of said Bonds; and Certain Related Details			
Original <input checked="" type="checkbox"/>	Corrected <input type="checkbox"/>	2nd Correction <input type="checkbox"/>	Resubmitted <input type="checkbox"/>
Date Submitted:   March 12, 2020		Dates Resubmitted:	
Submitted By:     Finance/Administration Committee			
County Board Meeting Date:    March 17, 2020			
Fiscal Note Attached <input type="checkbox"/>		Legal Note Attached <input type="checkbox"/>	
Prepared By:     Foley & Lardner LLP		Signature:	

**COUNTY BOARD OF SUPERVISORS  
OF  
KENOSHA COUNTY, WISCONSIN**

March 17, 2020

Resolution No. \_\_\_\_\_

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**An Initial Resolution Authorizing the Issuance of Not to Exceed  
\$3,815,000 Taxable General Obligation Refunding Bonds, Series 2020A;  
Providing for the Notification and Sale of said Bonds;  
and Certain Related Details**

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RECITALS

The County Board of Supervisors (the “**Governing Body**”) of Kenosha County, Wisconsin (the “**County**”) makes the following findings and determinations:

1. The County is currently in need of funds to finance (i) the current refunding of the outstanding maturities of the County’s \$7,305,000 Taxable General Obligation Refunding Bonds, dated October 21, 2010, and (ii) the advance refunding of the outstanding maturities of the County’s \$2,810,000 General Obligation County Building Bonds, Series 2011B, dated August 9, 2011 (collectively, the “**Refunding**”).
2. The Governing Body deems it in the best interests of the County that the funds needed for the Refunding be borrowed pursuant to the provisions of Chapter 67 of the Wisconsin Statutes and upon the terms and conditions set forth below.

RESOLUTIONS

The Governing Body resolves as follows:

**Section 1.     Authorization of Issuance and Purposes of Bonds.**

Under and by virtue of the provisions of Chapter 67 of the Wisconsin Statutes, the County shall issue its negotiable taxable general obligation refunding bonds, in one or more series, in an aggregate principal amount of not to exceed \$3,815,000 (the “**Bonds**”) to finance the Refunding; *provided, however*, that the Bonds shall be sold and issued in whole or in part from time to time in such amount or amounts as shall be within the limits provided by law.

**Section 2.     Authorization of Sale of Bonds.**

The Bonds are hereby authorized and ordered to be sold to a purchaser to be determined by competitive bid (the “**Purchaser**”).

### **Section 3.     Preparation of Official Statement and Notice of Sale.**

The Chairperson, the County Clerk, the County Executive, and the Finance Director (in consultation with the County's Financial Advisor, Ehlers and Associates, Inc.) are each hereby authorized to cause a preliminary offering document for the Bonds (the "**Official Statement**") to be prepared and distributed to any banks, underwriters, investment houses, or the like deemed to be advisable, and to enclose therewith a "**Notice of Sale**" and a "**Bid Form**". The Chairperson, the County Clerk, the County Executive, and the Finance Director are each hereby authorized, on behalf of the County, to approve the form of Official Statement and determine it to be deemed final as of its date for purposes of Securities and Exchange Commission Rule 15c2-12(b)(1), and to supply copies of the Official Statement upon request.

The County Clerk is hereby further authorized and directed to cause notice of the sale of the Bonds to be (i) provided to *The Bond Buyer* for inclusion in its complimentary section for the publication of such notices, and (ii) posted in the same locations that the County routinely uses to post notices of its official business.

### **Section 4.     Bids for Bonds.**

Written bids for the sale of the Bonds shall be received by the County on the date fixed in the Notice of Sale, on which date such bids shall be publicly opened and read. The Governing Body reserves the right, in its discretion, to waive any informality in any bid, to reject any or all bids without cause, and to reject any bid which it determines to have failed to comply with the terms of the Notice of Sale for the Bonds.

### **Section 5.     Further Actions.**

The issuance of the Bonds shall be subject to the condition that the Governing Body has adopted a resolution to award the sale of the Bonds to the Purchaser, to approve the purchase contract submitted by the Purchaser to evidence the purchase of the Bonds, which may be in the form of an executed Bid Form (the "**Bond Purchase Agreement**"), to fix the interest rate or rates on the Bonds in accordance with the Bond Purchase Agreement, to provide for the form of the Bonds, to set forth any early redemption provisions, to levy taxes to pay the principal of, and interest on, the Bonds as required by law, to designate a fiscal agent for the Bonds, and to take such further action as may be necessary or expedient to provide for the preparation, execution, issuance, delivery, payment, and cancellation of the Bonds.

### **Section 6.     Severability of Invalid Provisions.**

In case any one or more of the provisions of this resolution shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions of this resolution.

**Section 7.     Authorization to Act.**

The officers of the County, attorneys for the County, or other agents or employees of the County are hereby authorized to do all acts and procedures required of them by this resolution for the full, punctual, and complete performance of all of the provisions of this resolution.

**Section 8.     Prior Actions Superseded.**

All prior resolutions, rules, ordinances, or other actions, or parts thereof, of the Governing Body in conflict with the provisions of this resolution shall be, and the same are hereby, rescinded insofar as they may so conflict.

**Section 9.     Effective Date.**

This resolution shall take effect upon its adoption and approval in the manner provided by law.

\*\*\*\*\*

Adopted:     March 17, 2020

\_\_\_\_\_  
County Board Chairperson



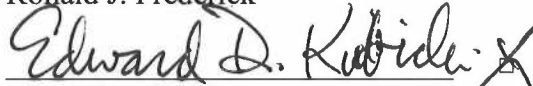
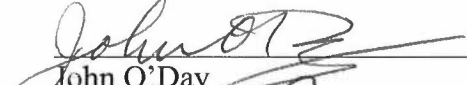
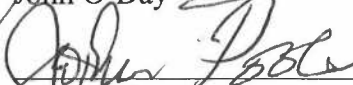
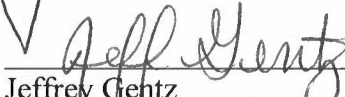
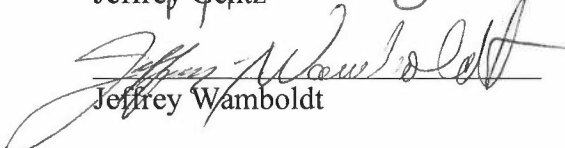
\_\_\_\_\_  
County Clerk

\_\_\_\_\_  
County Executive

Subject: An Initial Resolution Authorizing the Issuance of Not to Exceed  
\$3,815,000 Taxable General Obligation Refunding Bonds, Series 2020A;  
Providing for the Notification and Sale of said Bonds;  
and Certain Related Details

Approved by:

**FINANCE/ADMINISTRATION COMMITTEE:**

<u>Committee Member</u>	<u>Aye</u>	<u>No</u>	<u>Abstain</u>	<u>Excused</u>
 Terry Rose, Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Ronald J. Frederick	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Edward Kubicki	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 John O'Day	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 John Poole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Jeffrey Gentz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Jeffrey Wamboldt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

March 12, 2020 Finance/Administration Committee  
March 17, 2020 County Board

## Pre-Sale Report for

## Kenosha County, Wisconsin

## \$3,815,000 Taxable General Obligation Refunding Bonds, Series 2020A



### Prepared by:

Dawn Gunderson-Schiel, CPFO/CIPMA  
Senior Municipal Advisor

Greg Johnson, CIPMA  
Senior Municipal Advisor

## Executive Summary of Proposed Debt

Proposed Issue:	\$3,815,000 Taxable General Obligation Refunding Bonds, Series 2020A
Purposes:	<p>The proposed issue includes financing for the following purposes:</p> <p>Current refund Taxable 2010D and advance refund tax exempt 2011B with an estimated reduction in debt service totaling \$126,020.</p> <ul style="list-style-type: none"> <li>Current Refunding of the 2010D Taxable General Obligation Bonds. Debt service will be paid from ad valorem property taxes.</li> </ul> <p>Interest rates on the obligations proposed to be refunded are 3.55% to 3.75%.</p> <p>This refunding is considered to be a Current Refunding as the obligations being refunded are either callable (pre-payable) now, or will be within 90 days of the date of issue of the new Bonds.</p> <ul style="list-style-type: none"> <li>Advance Refunding 2011B General Obligation Bonds. Debt service will be paid from ad valorem property taxes.</li> </ul> <p>Interest rates on the obligations proposed to be refunded are 3.00% to 4.25%.</p> <p>This refunding is considered an Advance Refunding as the new Bonds will be issued more than 90 days prior to the call date of the obligations being refunded.</p>
Authority:	<p>The Bonds are being issued pursuant to Wisconsin Statute(s):</p> <ul style="list-style-type: none"> <li>67.04</li> </ul> <p>The Bonds will be general obligations of the County for which its full faith, credit and taxing powers are pledged.</p> <p>The Bonds count against the County's General Obligation Debt Capacity Limit of 5% of total County Equalized Valuation. Following issuance of the Bonds, the County's total General Obligation debt principal outstanding will be approximately \$130.9 million, which is 16% of its limit. Remaining General Obligation Borrowing Capacity will be approximately \$710.6 million.</p>
Term/Call Feature:	<p>The Bonds are being issued for a term of 11 years. Principal on the Bonds will be due on March 1 in the years 2021 through 2031. Interest is payable every six months beginning September 1, 2020.</p> <p>The Bonds will be subject to prepayment at the discretion of the County on March 1, 2027 or any date thereafter.</p>

Bank Qualification:	Because the Bonds are taxable obligations they will not be designated as “bank qualified” obligations.
Rating:	<p>The County’s most recent bond issues were rated by Standard &amp; Poor’s and Fitch. The current ratings on those bonds are “AA+” with both rating agencies. The County will request a new rating for the Bonds.</p> <p>If the winning bidder on the Bonds elects to purchase bond insurance, the rating for the issue may be higher than the County’s bond rating in the event that the bond rating of the insurer is higher than that of the County.</p>
Basis for Recommendation:	<p>Based on our knowledge of your situation, your objectives communicated to us, our advisory relationship as well as characteristics of various municipal financing options, we are recommending the issuance of Bonds as a suitable option based on:</p> <ul style="list-style-type: none"> <li>• The expectation this form of financing will provide the overall lowest cost of funds while also meeting the County’s objectives for term, structure and optional redemption.</li> <li>• The County having adequate General Obligation debt capacity to undertake this financing.</li> <li>• The existing General Obligation pledge securing the obligations to be refunded.</li> </ul>
Method of Sale/Placement:	<p>We will solicit competitive bids for the purchase of the Bonds from underwriters and banks.</p> <p>We will include an allowance for discount bidding in the terms of the issue. The discount is treated as an interest item and provides the underwriter with all or a portion of their compensation in the transaction.</p> <p>If the Bonds are purchased at a price greater than the minimum bid amount (maximum discount), the unused allowance may be used to reduce your borrowing amount.</p>
Premium Pricing:	<p>In some cases, investors in municipal bonds prefer “premium” pricing structures. A premium is achieved when the coupon for any maturity (the interest rate paid by the issuer) exceeds the yield to the investor, resulting in a price paid that is greater than the face value of the bonds. The sum of the amounts paid in excess of face value is considered “reoffering premium.” The underwriter of the bonds will retain a portion of this reoffering premium as their compensation (or “discount”) but will pay the remainder of the premium to the County.</p>



	<p>For this issue, any premium amount received that is in excess of the underwriting discount and any capitalized interest amounts must be placed in the debt service fund and used to pay a portion of the interest payments due on the Notes. We anticipate using any premium amounts received to reduce the issue size.</p> <p>The amount of premium allowed can be restricted in the bid specifications. Restrictions on premium may result in fewer bids, but may also eliminate large adjustments on the day of sale and unintended results with respect to debt service payment impacts. Ehlers will identify appropriate premium restrictions for the Bonds intended to achieve the County's objectives for this financing.</p>
Other Considerations:	<p>The Bonds will be offered with the option of the successful bidder utilizing a term bond structure. By offering underwriters the option to "term up" some of the maturities at the time of the sale, it gives them more flexibility in finding a market for your Bonds. This makes your issue more marketable, which can result in lower borrowing costs. In the event that the successful bidder utilizes a term bond structure, we recommend the County retain a paying agent to handle responsibility for processing mandatory redemption/call notices associated with term bonds.</p>
Review of Existing Debt:	<p>We have reviewed all outstanding indebtedness for the County and find that, other than the obligations proposed to be refunded by the Bonds, there are no other refunding opportunities at this time.</p> <p>We will continue to monitor the market and the call dates for the County's outstanding debt and will alert you to any future refunding opportunities.</p>
Continuing Disclosure:	<p>Because the County has more than \$10,000,000 in outstanding debt (including this issue) and this issue is over \$1,000,000, the County will be agreeing to provide certain updated Annual Financial Information and its Audited Financial Statement annually, as well as providing notices of the occurrence of certain reportable events to the Municipal Securities Rulemaking Board (the "MSRB"), as required by rules of the Securities and Exchange Commission (SEC). The County is already obligated to provide such reports for its existing bonds, and has contracted with Ehlers to prepare and file the reports.</p>
Arbitrage Monitoring:	<p>The Bonds are taxable obligations and are therefore not subject to IRS arbitrage and yield restriction requirements.</p>
Risk Factors:	<p><b>Current Refunding:</b> The Bonds are being issued to finance a current refunding of prior County debt obligations. Those prior debt obligations are "callable" on or after March 1, 2017. The new Bonds will not be pre-payable until March 1, 2027.</p>

	<p>This refunding is being undertaken based in part on an assumption that the County does not expect to pre-pay off this debt prior to the new call date and that market conditions warrant the refunding at this time.</p> <p><b>Advance Refunding:</b> The Bonds are being issued for the purpose of “advance” refunding prior County debt obligations. An advance refunding of an original tax-exempt debt obligation must be a taxable financing under current IRS rules. This refunding is being undertaken based in part on the following assumptions:</p> <ul style="list-style-type: none"> <li>• Since the new Bonds will extend the “call” date for this debt from August 1, 2021 to March 1, 2027, we are assuming that the County does not expect to have revenues available to pre-pay the current obligations prior to this new call date.</li> </ul>
Other Service Providers:	<p>This debt issuance will require the engagement of other public finance service providers. This section identifies those other service providers, so Ehlers can coordinate their engagement on your behalf. Where you have previously used a particular firm to provide a service, we have assumed that you will continue that relationship. For services you have not previously required, we have identified a service provider. Fees charged by these service providers will be paid from proceeds of the obligation, unless you notify us that you wish to pay them from other sources. Our pre-sale bond sizing includes a good faith estimate of these fees, but the final fees may vary. If you have any questions pertaining to the identified service providers or their role, or if you would like to use a different service provider for any of the listed services please contact us.</p> <p><b>Bond Counsel:</b> Foley &amp; Lardner LLP</p> <p><b>Paying Agent:</b> To be named by Issuer</p> <p><b>Rating Agency:</b> Standard &amp; Poor's Global Ratings (S&amp;P) and Fitch Ratings</p> <p><b>CPA Escrow Verification Agent:</b> To Be Determined</p> <p><b>Escrow Agent:</b> To be Determined</p>

## Proposed Debt Issuance Schedule

Pre-Sale Review by County Board:	March 17, 2020
Due Diligence Call to review Official Statement:	Week of April 6, 2020
Conference with Rating Agency:	Week of April 6, 2020
Distribute Official Statement:	Week of April 13, 2020
County Board Meeting to Award Sale of the Bonds:	April 21, 2020
Estimated Closing Date:	May 7, 2020
Redemption Date for Bonds Being Refunded:	June 1, 2020
Redemption Date for Bonds Being Refunded:	August 1, 2021

### Attachments

Estimated Sources and Uses of Funds  
 Estimated Proposed Debt Service Schedule  
 Estimated Debt Service Comparison  
 Bond Buyer Index

### Ehlers Contacts

Municipal Advisors:	Dawn Gunderson-Schiel	(262) 796-6166
	Greg Johnson	(262) 796-6168
Disclosure Coordinator:	Sue Porter	(262) 796-6167
Financial Analyst:	Kathy Myers	(262) 796-6177

The Preliminary Official Statement for this financing will be sent to the County Board at their home or email address for review prior to the sale date.

# Kenosha County, WI

## \$3,815,000 Taxable General Obligation Refunding Bonds, Series 2020A

### Issue Summary

Dated: May 7, 2020 Assumes TAXABLE NR Elkhart Lake sale of 1/6/20

### Total Issue Sources And Uses

Dated 05/07/2020 | Delivered 05/07/2020

	CR 2010D Taxable GO	AR 2011B GO	Issue Summary
<b>Sources Of Funds</b>			
Par Amount of Bonds	\$1,850,000.00	\$1,965,000.00	\$3,815,000.00
Transfers from Prior Issue Debt Service Fund:	22,124.17	145,189.92	167,314.09
Additional funds on hand	15,000.00	-	15,000.00
<b>Total Sources</b>	<b>\$1,887,124.17</b>	<b>\$2,110,189.92</b>	<b>\$3,997,314.09</b>
<b>Uses Of Funds</b>			
Total Underwriter's Discount (1.000%)	18,500.00	19,650.00	38,150.00
Municipal Advisor...(second issue discount)	11,347.31	12,052.69	23,400.00
Consulting Fees	969.86	1,030.14	2,000.00
Bond Counsel	7,273.92	7,726.08	15,000.00
Paying Agent	412.19	437.81	850.00
Bidding Agent	1,430.54	1,519.46	2,950.00
Escrow Agent	1,212.32	1,287.68	2,500.00
Rating Agency Fee...split with 2020B	3,879.42	4,120.58	8,000.00
Rating Agency #2 split with 2020B	3,879.42	4,120.58	8,000.00
Deposit to Net Cash Escrow Fund	1,836,627.50	2,055,868.63	3,892,496.13
Rounding Amount	1,591.69	2,376.27	3,967.96
<b>Total Uses</b>	<b>\$1,887,124.17</b>	<b>\$2,110,189.92</b>	<b>\$3,997,314.09</b>



# Kenosha County, WI

## \$3,815,000 Taxable General Obligation Refunding Bonds, Series 2020A

### Issue Summary

Dated: May 7, 2020 Assumes TAXABLE NR Elkhart Lake sale of 1/6/20

### Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	Fiscal Total
05/07/2020	-	-	-	-	-
09/01/2020	-	-	24,722.16	24,722.16	24,722.16
03/01/2021	1,040,000.00	1.900%	39,035.00	1,079,035.00	-
09/01/2021	-	-	29,155.00	29,155.00	1,108,190.00
03/01/2022	1,110,000.00	1.900%	29,155.00	1,139,155.00	-
09/01/2022	-	-	18,610.00	18,610.00	1,157,765.00
03/01/2023	160,000.00	1.900%	18,610.00	178,610.00	-
09/01/2023	-	-	17,090.00	17,090.00	195,700.00
03/01/2024	165,000.00	1.900%	17,090.00	182,090.00	-
09/01/2024	-	-	15,522.50	15,522.50	197,612.50
03/01/2025	170,000.00	2.000%	15,522.50	185,522.50	-
09/01/2025	-	-	13,822.50	13,822.50	199,345.00
03/01/2026	175,000.00	2.100%	13,822.50	188,822.50	-
09/01/2026	-	-	11,985.00	11,985.00	200,807.50
03/01/2027	180,000.00	2.200%	11,985.00	191,985.00	-
09/01/2027	-	-	10,005.00	10,005.00	201,990.00
03/01/2028	190,000.00	2.300%	10,005.00	200,005.00	-
09/01/2028	-	-	7,820.00	7,820.00	207,825.00
03/01/2029	200,000.00	2.400%	7,820.00	207,820.00	-
09/01/2029	-	-	5,420.00	5,420.00	213,240.00
03/01/2030	210,000.00	2.500%	5,420.00	215,420.00	-
09/01/2030	-	-	2,795.00	2,795.00	218,215.00
03/01/2031	215,000.00	2.600%	2,795.00	217,795.00	-
09/01/2031	-	-	-	-	217,795.00
<b>Total</b>	<b>\$3,815,000.00</b>	<b>-</b>	<b>\$328,207.16</b>	<b>\$4,143,207.16</b>	<b>-</b>

### Yield Statistics

Bond Year Dollars	\$14,645.58
Average Life	3.839 Years
Average Coupon	2.2409975%
Net Interest Cost (NIC)	2.5014856%
True Interest Cost (TIC)	2.5154473%
Bond Yield for Arbitrage Purposes	1.9007933%
All Inclusive Cost (AIC)	2.9934760%

### IRS Form 8038

Net Interest Cost	2.2409975%
Weighted Average Maturity	3.839 Years

# Kenosha County, WI

## \$3,815,000 Taxable General Obligation Refunding Bonds, Series 2020A

### Issue Summary

Dated: May 7, 2020 Assumes TAXABLE NR Elkhart Lake sale of 1/6/20

### Debt Service Comparison -- Accrual Basis

Calendar Year	Total P+I	Net New D/S	Old Net D/S	Savings
2020	24,722.16	24,722.16	24,722.16	(0.00)
2021	1,108,190.00	1,108,190.00	1,120,030.00	11,840.00
2022	1,157,765.00	1,157,765.00	1,173,025.00	15,260.00
2023	195,700.00	195,700.00	204,812.50	9,112.50
2024	197,612.50	197,612.50	209,212.50	11,600.00
2025	199,345.00	199,345.00	208,212.50	8,867.50
2026	200,807.50	200,807.50	212,012.50	11,205.00
2027	201,990.00	201,990.00	215,412.50	13,422.50
2028	207,825.00	207,825.00	218,412.50	10,587.50
2029	213,240.00	213,240.00	226,012.50	12,772.50
2030	218,215.00	218,215.00	228,012.50	9,797.50
2031	217,795.00	217,795.00	229,350.00	11,555.00
-	\$4,143,207.16	\$4,143,207.16	\$4,269,227.16	\$126,020.00

### PV Analysis Summary (Net to Net)

Gross PV Debt Service Savings	253,208.48
Net PV Cashflow Savings @ 2.993%(AIC)	253,208.48
Transfers from Prior Issue Debt Service Fund	(167,314.09)
Net Present Value Benefit	\$85,894.39
Net PV Benefit / \$3,800,000 Refunded Principal	2.260%
Net PV Benefit / \$3,815,000 Refunding Principal	2.251%

### Refunding Bond Information

Refunding Dated Date	5/07/2020
Refunding Delivery Date	5/07/2020

# 10 YEAR TREND IN MUNICIPAL BOND INDICES

Weekly Rates March, 2010 - March, 2020



The Bond Buyer "20 Bond Index" (BBI) shows average yields on a group of municipal bonds that mature in 20 years and have an average rating equivalent to Moody's Aa2 and S&P's AA.

Source: The Bond Buyer



**Kenosha**



**County**

**BOARD OF SUPERVISORS**

**RESOLUTION NO. \_\_\_\_\_**

Subject: An Initial Resolution Authorizing the Issuance of Not to Exceed \$12,125,000 General Obligation Refunding Bonds, Series 2020B; Providing for the Notification and Sale of said Bonds; and Certain Related Details			
Original <input checked="" type="checkbox"/>	Corrected <input type="checkbox"/>	2nd Correction <input type="checkbox"/>	Resubmitted <input type="checkbox"/>
Date Submitted: March 12, 2020		Dates Resubmitted:	
Submitted By: Finance/Administration Committee			
County Board Meeting Date: March 17, 2020			
Fiscal Note Attached <input type="checkbox"/>		Legal Note Attached <input type="checkbox"/>	
Prepared By: Foley & Lardner LLP		Signature:	



**COUNTY BOARD OF SUPERVISORS  
OF  
KENOSHA COUNTY, WISCONSIN**

**March 17, 2020**

**Resolution No. \_\_\_\_\_**

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**An Initial Resolution Authorizing the Issuance of Not to Exceed  
\$12,125,000 General Obligation Refunding Bonds, Series 2020B;  
Providing for the Notification and Sale of said Bonds;  
and Certain Related Details**

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**RECITALS**

The County Board of Supervisors (the “**Governing Body**”) of Kenosha County, Wisconsin (the “**County**”) makes the following findings and determinations:

1. The County is currently in need of funds to finance the current refunding of the outstanding maturities of the County’s (i) \$10,030,000 General Obligation Promissory Notes, Series 2011A, dated August 9, 2011, (ii) \$2,805,000 General Obligation County Building Bonds, Series 2012A, dated July 11, 2012, (iii) \$15,750,000 General Obligation Promissory Notes, Series 2012B, dated July 11, 2012, and (iv) \$9,765,000 General Obligation Promissory Notes, Series 2013A, dated September 10, 2013 (collectively, the “**Refunding**”).

2. The Governing Body deems it in the best interests of the County that the funds needed for the Refunding be borrowed pursuant to the provisions of Chapter 67 of the Wisconsin Statutes and upon the terms and conditions set forth below.

**RESOLUTIONS**

The Governing Body resolves as follows:

**Section 1.     Authorization of Issuance and Purposes of Bonds.**

Under and by virtue of the provisions of Chapter 67 of the Wisconsin Statutes, the County shall issue its negotiable general obligation refunding bonds, in one or more series, in an aggregate principal amount of not to exceed \$12,125,000 (the “**Bonds**”) to finance the Refunding; *provided, however*, that the Bonds shall be sold and issued in whole or in part from time to time in such amount or amounts as shall be within the limits provided by law.

**Section 2.     Authorization of Sale of Bonds.**

The Bonds are hereby authorized and ordered to be sold to a purchaser to be determined by competitive bid (the “**Purchaser**”).

### **Section 3.     Preparation of Official Statement and Notice of Sale.**

The Chairperson, the County Clerk, the County Executive, and the Finance Director (in consultation with the County's Financial Advisor, Ehlers and Associates, Inc.) are each hereby authorized to cause a preliminary offering document for the Bonds (the "**Official Statement**") to be prepared and distributed to any banks, underwriters, investment houses, or the like deemed to be advisable, and to enclose therewith a "**Notice of Sale**" and a "**Bid Form**". The Chairperson, the County Clerk, the County Executive, and the Finance Director are each hereby authorized, on behalf of the County, to approve the form of Official Statement and determine it to be deemed final as of its date for purposes of Securities and Exchange Commission Rule 15c2-12(b)(1), and to supply copies of the Official Statement upon request.

The County Clerk is hereby further authorized and directed to cause notice of the sale of the Bonds to be (i) provided to *The Bond Buyer* for inclusion in its complimentary section for the publication of such notices, and (ii) posted in the same locations that the County routinely uses to post notices of its official business.

### **Section 4.     Bids for Bonds.**

Written bids for the sale of the Bonds shall be received by the County on the date fixed in the Notice of Sale, on which date such bids shall be publicly opened and read. The Governing Body reserves the right, in its discretion, to waive any informality in any bid, to reject any or all bids without cause, and to reject any bid which it determines to have failed to comply with the terms of the Notice of Sale for the Bonds.

### **Section 5.     Further Actions.**

The issuance of the Bonds shall be subject to the condition that the Governing Body has adopted a resolution to award the sale of the Bonds to the Purchaser, to approve the purchase contract submitted by the Purchaser to evidence the purchase of the Bonds, which may be in the form of an executed Bid Form (the "**Bond Purchase Agreement**"), to fix the interest rate or rates on the Bonds in accordance with the Bond Purchase Agreement, to provide for the form of the Bonds, to set forth any early redemption provisions, to levy taxes to pay the principal of, and interest on, the Bonds as required by law, to designate a fiscal agent for the Bonds, and to take such further action as may be necessary or expedient to provide for the preparation, execution, issuance, delivery, payment, and cancellation of the Bonds.

### **Section 6.     Severability of Invalid Provisions.**

In case any one or more of the provisions of this resolution shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions of this resolution.

**Section 7.     Authorization to Act.**

The officers of the County, attorneys for the County, or other agents or employees of the County are hereby authorized to do all acts and procedures required of them by this resolution for the full, punctual, and complete performance of all of the provisions of this resolution.

**Section 8.     Prior Actions Superseded.**

All prior resolutions, rules, ordinances, or other actions, or parts thereof, of the Governing Body in conflict with the provisions of this resolution shall be, and the same are hereby, rescinded insofar as they may so conflict.

**Section 9.     Effective Date.**

This resolution shall take effect upon its adoption and approval in the manner provided by law.

\*\*\*\*\*

Adopted:     March 17, 2020

\_\_\_\_\_  
County Board Chairperson



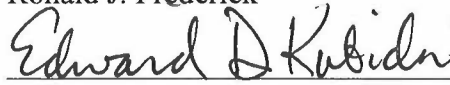
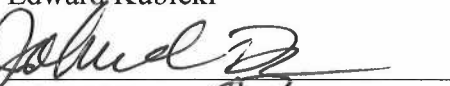

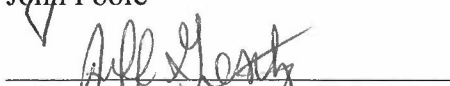

\_\_\_\_\_  
County Clerk

\_\_\_\_\_  
County Executive

Subject: An Initial Resolution Authorizing the Issuance of Not to Exceed  
\$12,125,000 General Obligation Refunding Bonds, Series 2020B;  
Providing for the Notification and Sale of said Bonds;  
and Certain Related Details

Approved by:

**FINANCE/ADMINISTRATION COMMITTEE:**

<u>Committee Member</u>	<u>Aye</u>	<u>No</u>	<u>Abstain</u>	<u>Excused</u>
 Terry Rose, Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Ronald J. Frederick	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Edward Kubicki	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 John O'Day	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 John Poole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Jeffrey Gentz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Jeffrey Wamboldt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



March 12, 2020 Finance/Administration Committee  
March 17, 2020 County Board

## Pre-Sale Report for

Kenosha County, Wisconsin

\$12,125,000 General Obligation Refunding Bonds,  
Series 2020B



### Prepared by:

Dawn Gunderson-Schiel, CPFO/CIPMA  
Senior Municipal Advisor

Greg Johnson, CIPMA  
Senior Municipal Advisor

## Executive Summary of Proposed Debt

Proposed Issue:	\$12,125,000 General Obligation Refunding Bonds, Series 2020B
Purposes:	<p>The proposed issue includes financing for the following purposes:</p> <p>Current refund tax exempt issues 2011A, 2012A, 2012B and 2013A with an estimated reduction in debt service totaling \$148,186.</p> <ul style="list-style-type: none"> <li>• Current Refunding 2011A General Obligation Bonds. Debt service will be paid from ad valorem property taxes.</li> </ul> <p>Interest rates on the obligations proposed to be refunded are 3.00%.</p> <p>This refunding is considered to be a Current Refunding as the obligations being refunded are either callable (pre-payable) now, or will be within 90 days of the date of issue of the new Bonds.</p> <ul style="list-style-type: none"> <li>• Current Refunding of 2012A General Obligation Bonds. Debt service will be paid from ad valorem property taxes.</li> </ul> <p>Interest rates on the obligations proposed to be refunded are 3.00% to 3.50%.</p> <p>This refunding is considered to be a Current Refunding as the obligations being refunded are either callable (pre-payable) now, or will be within 90 days of the date of issue of the new Bonds.</p> <ul style="list-style-type: none"> <li>• Current Refunding of the 2012B General Obligation Notes. Debt service will be paid from ad valorem property taxes.</li> </ul> <p>Interest rates on the obligations proposed to be refunded are 2.125% to 2.50%.</p> <p>This refunding is considered to be a Current Refunding as the obligations being refunded are either callable (pre-payable) now, or will be within 90 days of the date of issue of the new Bonds.</p> <ul style="list-style-type: none"> <li>• Current Refunding of the 2013A General Obligation Notes. Debt service will be paid from ad valorem property taxes.</li> </ul> <p>Interest rates on the obligations proposed to be refunded are 2.00% to 2.60%.</p> <p>This refunding is considered to be a Current Refunding as the obligations being refunded are either callable (pre-payable) now, or will be within 90 days of the date of issue of the new Bonds.</p>
Authority:	<p>The Bonds are being issued pursuant to Wisconsin Statute(s):</p> <ul style="list-style-type: none"> <li>• 67.04</li> </ul>

	<p>The Bonds will be general obligations of the County for which its full faith, credit and taxing powers are pledged.</p> <p>The Bonds count against the County's General Obligation Debt Capacity Limit of 5% of total County Equalized Valuation. Following issuance of the Bonds, the County's total General Obligation debt principal outstanding will be approximately \$130.9 million, which is 16% of its limit. Remaining General Obligation Borrowing Capacity will be approximately \$710.6 million.</p>
<b>Term/Call Feature:</b>	<p>The Bonds are being issued for a term of 12 years. Principal on the Bonds will be due on June 1 in the years 2021 through 2032. Interest is payable every six months beginning December 1, 2020.</p> <p>The Bonds will be subject to prepayment at the discretion of the County on June 1, 2027 or any date thereafter.</p>
<b>Bank Qualification:</b>	<p>Because the County is issuing, or expects to issue, more than \$10,000,000 in tax-exempt obligations during the calendar year, the County will be not able to designate the Bonds as "bank qualified" obligations.</p>
<b>Rating:</b>	<p>The County's most recent bond issues were rated by Standard &amp; Poor's and Fitch Ratings. The current ratings on those bonds are "AA+". The County will request a new rating for the Bonds.</p> <p>If the winning bidder on the Bonds elects to purchase bond insurance, the rating for the issue may be higher than the County's bond rating in the event that the bond rating of the insurer is higher than that of the County.</p>
<b>Basis for Recommendation:</b>	<p>Based on our knowledge of your situation, your objectives communicated to us, our advisory relationship as well as characteristics of various municipal financing options, we are recommending the issuance of Bonds as a suitable option based on:</p> <ul style="list-style-type: none"> <li>• The expectation this form of financing will provide the overall lowest cost of funds while also meeting the County's objectives for term, structure and optional redemption.</li> <li>• The County having adequate General Obligation debt capacity to undertake this financing.</li> <li>• The existing General Obligation pledge securing the obligations to be refunded. The expectation this form of financing will provide the overall lowest cost of funds while also meeting the County's objectives for term, structure and optional redemption.</li> </ul>

<p><b>Method of Sale/Placement:</b></p>	<p>We will solicit competitive bids for the purchase of the Bonds from underwriters and banks.</p> <p>We will include an allowance for discount bidding in the terms of the issue. The discount is treated as an interest item and provides the underwriter with all or a portion of their compensation in the transaction.</p> <p>If the Bonds are purchased at a price greater than the minimum bid amount (maximum discount), the unused allowance may be used to reduce your borrowing amount.</p>
<p><b>Premium Pricing:</b></p>	<p>In some cases, investors in municipal bonds prefer “premium” pricing structures. A premium is achieved when the coupon for any maturity (the interest rate paid by the issuer) exceeds the yield to the investor, resulting in a price paid that is greater than the face value of the bonds. The sum of the amounts paid in excess of face value is considered “reoffering premium.” The underwriter of the bonds will retain a portion of this reoffering premium as their compensation (or “discount”) but will pay the remainder of the premium to the County.</p> <p>For this issue, any premium amount received that is in excess of the underwriting discount and any capitalized interest amounts must be placed in the debt service fund and used to pay a portion of the interest payments due on the Notes. We anticipate using any premium amounts received to reduce the issue size.</p> <p>The amount of premium allowed can be restricted in the bid specifications. Restrictions on premium may result in fewer bids, but may also eliminate large adjustments on the day of sale and unintended results with respect to debt service payment impacts. Ehlers will identify appropriate premium restrictions for the Bonds intended to achieve the County’s objectives for this financing.</p>
<p><b>Other Considerations:</b></p>	<p>The Bonds will be offered with the option of the successful bidder utilizing a term bond structure. By offering underwriters the option to “term up” some of the maturities at the time of the sale, it gives them more flexibility in finding a market for your Bonds. This makes your issue more marketable, which can result in lower borrowing costs. In the event that the successful bidder utilizes a term bond structure, we recommend the County retain a paying agent to handle responsibility for processing mandatory redemption/call notices associated with term bonds.</p>
<p><b>Review of Existing Debt:</b></p>	<p>We have reviewed all outstanding indebtedness for the County and find that, other than the obligations proposed to be refunded by the Bonds, there are no other refunding opportunities at this time.</p> <p>We will continue to monitor the market and the call dates for the County’s outstanding debt and will alert you to any future refunding opportunities.</p>



Continuing Disclosure:	<p>Because the County has more than \$10,000,000 in outstanding debt (including this issue) and this issue is over \$1,000,000, the County will be agreeing to provide certain updated Annual Financial Information and its Audited Financial Statement annually, as well as providing notices of the occurrence of certain reportable events to the Municipal Securities Rulemaking Board (the "MSRB"), as required by rules of the Securities and Exchange Commission (SEC). The County is already obligated to provide such reports for its existing bonds, and has contracted with Ehlers to prepare and file the reports.</p>
Arbitrage Monitoring:	<p>Because the Bonds tax-exempt obligations, the County must ensure compliance with certain Internal Revenue Service (IRS) rules throughout the life of the issue. These rules apply to all gross proceeds of the issue, including initial bond proceeds and investment earnings in construction, escrow, debt service, and any reserve funds. How issuers spend bond proceeds and how they track interest earnings on funds (arbitrage/yield restriction compliance) are common subjects of IRS inquiries. Your specific responsibilities will be detailed in the Tax Certificate prepared by your Bond Attorney and provided at closing. We recommend that you regularly monitor compliance with these rules and/or retain the services of a qualified firm to assist you.</p>
Risk Factors:	<p><b>Current Refunding:</b> The Bonds are being issued to finance a current refunding of prior County debt obligations. Those prior debt obligations are "callable" on or after August 1, 2018, June 1, 2019, June 1, 2020 and August 1, 2020. The new Bonds will not be pre-payable until June 1, 2027.</p> <p>This refunding is being undertaken based in part on an assumption that the County does not expect to pre-pay off this debt prior to the new call date and that market conditions warrant the refunding at this time.</p>
Other Service Providers:	<p>This debt issuance will require the engagement of other public finance service providers. This section identifies those other service providers, so Ehlers can coordinate their engagement on your behalf. Where you have previously used a particular firm to provide a service, we have assumed that you will continue that relationship. For services you have not previously required, we have identified a service provider. Fees charged by these service providers will be paid from proceeds of the obligation, unless you notify us that you wish to pay them from other sources. Our pre-sale bond sizing includes a good faith estimate of these fees, but the final fees may vary. If you have any questions pertaining to the identified service providers or their role, or if you would like to use a different service provider for any of the listed services please contact us.</p> <p><b>Bond Counsel:</b> Foley &amp; Lardner LLP</p> <p><b>Paying Agent:</b> To be named by Issuer</p> <p><b>Rating Agency:</b> Standard &amp; Poor's Global Ratings (S&amp;P) and FitchRatings</p>

## Proposed Debt Issuance Schedule

Pre-Sale Review by County Board:	March 17, 2020
Due Diligence Call to review Official Statement:	Week of April 6, 2020
Conference with Rating Agency:	Week of April 6, 2020
Distribute Official Statement:	April 13, 2020
County Board Meeting to Award Sale of the Bonds:	April 21, 2020
Estimated Closing Date:	May 7, 2020
Redemption Date for Bonds Being Refunded:	June 1, 2020
Redemption Date for Bonds Being Refunded:	June 1, 2020
Redemption Date for Bonds Being Refunded:	June 1, 2020
Redemption Date for Bonds Being Refunded:	August 1, 2020

### Attachments

Estimated Sources and Uses of Funds  
 Estimated Proposed Debt Service Schedule  
 Estimated Debt Service Comparison  
 Bond Buyer Index

### Ehlers Contacts

Municipal Advisors:	Dawn Gunderson-Schiel	(262) 796-6166
	Greg Johnson	(262) 796-6168
Disclosure Coordinator:	Sue Porter	(262) 796-6167
Financial Analyst:	Kathy Myers	(262) 796-6177

The Preliminary Official Statement for this financing will be sent to the County Board at their home or email address for review prior to the sale date.

# Kenosha County, WI

## \$12,125,000 General Obligation Refunding Bonds, Series 2020B

### Issue Summary

Dated: May 7, 2020 Assumes Aa3 ins NON BQ Fontana sale of 1/9/20 + .25

### Total Issue Sources And Uses

Dated 05/07/2020 | Delivered 05/07/2020

	CR 2011A GO	CR 2012A GO	CR 2012B GO	CR 2013A GO	Issue Summary
<b>Sources Of Funds</b>					
Par Amount of Bonds	\$1,560,000.00	\$2,055,000.00	\$4,005,000.00	\$4,505,000.00	\$12,125,000.00
Transfers from Prior Issue Debt Service	1,533,692.80	162,590.95	1,796,374.50	1,382,347.00	4,875,005.25
<b>Total Sources</b>	<b>\$3,093,692.80</b>	<b>\$2,217,590.95</b>	<b>\$5,801,374.50</b>	<b>\$5,887,347.00</b>	<b>\$17,000,005.25</b>
<b>Uses Of Funds</b>					
Total Underwriter's Discount (1.250%)	19,500.00	25,687.50	50,062.50	56,312.50	151,562.50
Municipal Advisor	5,931.21	7,813.24	15,227.26	17,128.29	46,100.00
Bond Counsel	2,573.19	3,389.69	6,606.19	7,430.93	20,000.00
Paying Agent	109.37	144.06	280.76	315.81	850.00
Rating Agency Fee.....split with 2020A	1,929.89	2,542.27	4,954.64	5,573.20	15,000.00
Rating Agency 2 Fee	1,929.89	2,542.27	4,954.64	5,573.20	15,000.00
Deposit to Current Refunding Fund	3,060,300.00	2,174,812.50	5,720,003.13	5,791,818.75	16,746,934.38
Rounding Amount	1,419.25	659.42	(714.62)	3,194.32	4,558.37
<b>Total Uses</b>	<b>\$3,093,692.80</b>	<b>\$2,217,590.95</b>	<b>\$5,801,374.50</b>	<b>\$5,887,347.00</b>	<b>\$17,000,005.25</b>

# Kenosha County, WI

## \$12,125,000 General Obligation Refunding Bonds, Series 2020B

### Issue Summary

Dated: May 7, 2020 Assumes Aa3 ins NON BQ Fontana sale of 1/9/20 + .25

### Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	Fiscal Total
05/07/2020	-	-	-	-	-
12/01/2020	-	-	96,947.88	96,947.88	-
06/01/2021	5,165,000.00	1.330%	85,542.25	5,250,542.25	-
08/01/2021	-	-	-	-	5,347,490.13
12/01/2021	-	-	51,195.00	51,195.00	-
06/01/2022	3,645,000.00	1.350%	51,195.00	3,696,195.00	-
08/01/2022	-	-	-	-	3,747,390.00
12/01/2022	-	-	26,591.25	26,591.25	-
06/01/2023	1,675,000.00	1.370%	26,591.25	1,701,591.25	-
08/01/2023	-	-	-	-	1,728,182.50
12/01/2023	-	-	15,117.50	15,117.50	-
06/01/2024	155,000.00	1.400%	15,117.50	170,117.50	-
08/01/2024	-	-	-	-	185,235.00
12/01/2024	-	-	14,032.50	14,032.50	-
06/01/2025	165,000.00	1.450%	14,032.50	179,032.50	-
08/01/2025	-	-	-	-	193,065.00
12/01/2025	-	-	12,836.25	12,836.25	-
06/01/2026	165,000.00	1.550%	12,836.25	177,836.25	-
08/01/2026	-	-	-	-	190,672.50
12/01/2026	-	-	11,557.50	11,557.50	-
06/01/2027	175,000.00	1.650%	11,557.50	186,557.50	-
08/01/2027	-	-	-	-	198,115.00
12/01/2027	-	-	10,113.75	10,113.75	-
06/01/2028	180,000.00	1.750%	10,113.75	190,113.75	-
08/01/2028	-	-	-	-	200,227.50
12/01/2028	-	-	8,538.75	8,538.75	-
06/01/2029	185,000.00	1.850%	8,538.75	193,538.75	-
08/01/2029	-	-	-	-	202,077.50
12/01/2029	-	-	6,827.50	6,827.50	-
06/01/2030	200,000.00	1.950%	6,827.50	206,827.50	-
08/01/2030	-	-	-	-	213,655.00
12/01/2030	-	-	4,877.50	4,877.50	-
06/01/2031	205,000.00	2.300%	4,877.50	209,877.50	-
08/01/2031	-	-	-	-	214,755.00
12/01/2031	-	-	2,520.00	2,520.00	-
06/01/2032	210,000.00	2.400%	2,520.00	212,520.00	-
08/01/2032	-	-	-	-	215,040.00
<b>Total</b>	<b>\$12,125,000.00</b>	<b>-</b>	<b>\$510,905.13</b>	<b>\$12,635,905.13</b>	<b>-</b>

### Yield Statistics

Bond Year Dollars	\$31,828.33
Average Life	2.625 Years
Average Coupon	1.6051897%
Net Interest Cost (NIC)	2.0813771%
True Interest Cost (TIC)	2.0951331%
Bond Yield for Arbitrage Purposes	1.5944317%
All Inclusive Cost (AIC)	2.4224889%

### IRS Form 8038

Net Interest Cost	1.6051897%
Weighted Average Maturity	2.625 Years

prop 2020B GO Refunding B | Issue Summary | 2/24/2020 | 4:06 PM



March 17, 2020

Page 7



# Kenosha County, WI

## \$12,125,000 General Obligation Refunding Bonds, Series 2020B

### Issue Summary

Dated: May 7, 2020 Assumes Aa3 ins NON BQ Fontana sale of 1/9/20 + .25

### Debt Service Comparison -- Accrual Basis

Calendar Year	Total P+I	Net New D/S	Old Net D/S	Savings
2020	96,947.88	96,947.88	96,947.88	-
2021	5,301,737.25	5,301,737.25	5,313,256.25	11,519.00
2022	3,722,786.25	3,722,786.25	3,730,325.00	7,538.75
2023	1,716,708.75	1,716,708.75	1,730,650.00	13,941.25
2024	184,150.00	184,150.00	197,450.00	13,300.00
2025	191,868.75	191,868.75	202,950.00	11,081.25
2026	189,393.75	189,393.75	203,025.00	13,631.25
2027	196,671.25	196,671.25	207,662.50	10,991.25
2028	198,652.50	198,652.50	211,975.00	13,322.50
2029	200,366.25	200,366.25	215,725.00	15,358.75
2030	211,705.00	211,705.00	223,812.50	12,107.50
2031	212,397.50	212,397.50	226,462.50	14,065.00
2032	212,520.00	212,520.00	223,850.00	11,330.00
-	\$12,635,905.13	\$12,635,905.13	\$12,784,091.63	\$148,186.50

### PV Analysis Summary (Net to Net)

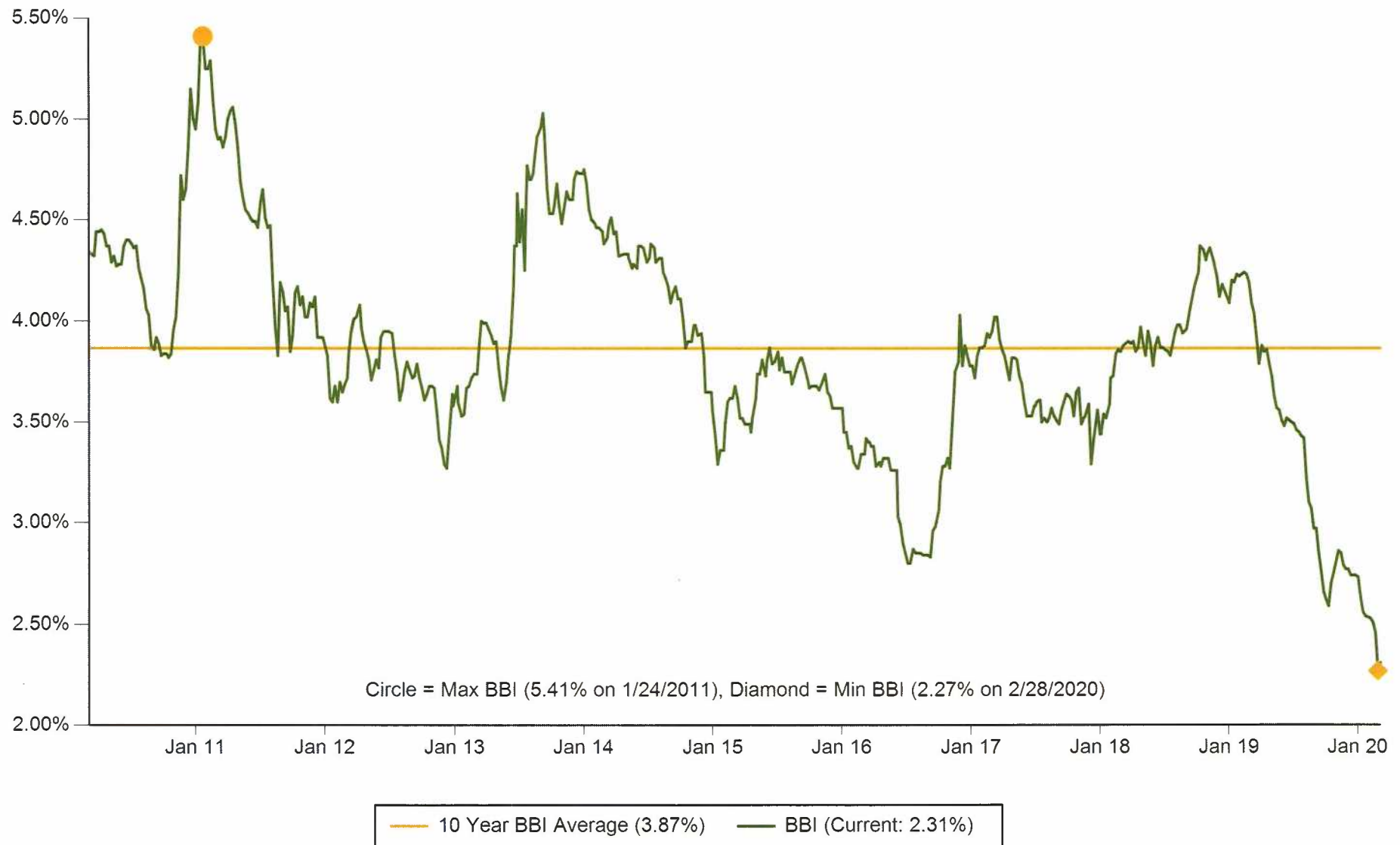
Gross PV Debt Service Savings	4,959,008.28
Net PV Cashflow Savings @ 2.422%(AIC)	4,959,008.28
Transfers from Prior Issue Debt Service Fund	(4,875,005.25)
Net Present Value Benefit	\$84,003.03
Net PV Benefit / \$16,550,000 Refunded Principal	0.508%
Net PV Benefit / \$12,125,000 Refunding Principal	0.693%

### Refunding Bond Information

Refunding Dated Date	5/07/2020
Refunding Delivery Date	5/07/2020

# 10 YEAR TREND IN MUNICIPAL BOND INDICES

Weekly Rates March, 2010 - March, 2020



The Bond Buyer "20 Bond Index" (BBI) shows average yields on a group of municipal bonds that mature in 20 years and have an average rating equivalent to Moody's Aa2 and S&P's AA.


Source: The Bond Buyer



March 17, 2020  
Data 0

# KENOSHA COUNTY BOARD OF SUPERVISORS

RESOLUTION NO. \_\_\_\_\_

<b>Subject: County Review and Determination of Postal Service Delay in Tax Payment and Assessment of Interest and Penalties</b>	
Original <input checked="" type="checkbox"/> Corrected <input type="checkbox"/> 2nd Correction <input type="checkbox"/> Resubmitted <input type="checkbox"/>	
<b>Date Submitted:</b>	<b>Date Resubmitted:</b>
<b>Submitted By:</b>	
<b>Fiscal Note Attached</b>	<b>Legal Note Attached</b>
<b>Prepared By:</b> John F. Moyer Senior Assistant Corporation Counsel	<b>Signature:</b> 

WHEREAS Sokhon Bouy is a property owner (tax parcel 82-4-222-142-0215) in Somers, Kenosha County; and

WHEREAS, Mr. Bouy states that he mailed payment for his property tax in early January and this payment was never received by Kenosha County; and

WHEREAS, responsive to the nonpayment, interest and penalties were charged by Kenosha County; and

WHEREAS, Mr. Bouy received an updated bill for property taxes in early March, 2020 and notified Tim Kitzman from Somers and the Kenosha County Treasurer of his objection by email on March 10, 2020 asking that the interest and penalties be forgiven pursuant to Wisconsin Statute 74.69 which requires a review by the County Board within 30 days of the request; and

WHEREAS, payment of real estate taxes including interest and penalty were made on March 11, 2020 in the amount of \$7,943.76 including \$231.17 of interest and penalties; and

WHEREAS, Mr. Bouy states that he is current on his taxes for this parcel and several other properties which he owns elsewhere in Kenosha county.

**NOW THEREFORE BE IT RESOLVED**, that the County Board of Supervisors hereby approves the forgiveness of interest and penalties assessed on this property due to a postal service delay.

**BE IT FURTHER RESOLVED**, the Office of the Kenosha County Treasurer is authorized to refund the overpayment for interest and penalties as a payment to Mr. Bouy.

FINANCE/ADMINISTRATION COMMITTEE

	<u>Aye</u>	<u>No</u>	<u>Abstain</u>	<u>Excused</u>
 Supervisor Terry Rose, Chair	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Supervisor Ronald J. Frederick, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Supervisor Jeffrey Gentz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Supervisor Edward Kubicki	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Supervisor John Poole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Supervisor John O'Day	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Supervisor Jeff Wamboldt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



**From:** Bouy, Sokhon <sokhon.bouy@abbvie.com>

**Sent:** Wednesday, March 11, 2020 4:41 PM

**To:** John Moyer <John.Moyer@kenoshacounty.org>

**Subject:** FW: Request for Review of Payment due to Postal Service Delay

Hi John as discussed in previous email, please use email statement below and evidence attached to support my case. In summary my father in law mailed 1/2 of the property tax payment for my home at 1269 53<sup>rd</sup> Ave, Kenosha WI 53144 on Jan. 4<sup>th</sup> 2020. The payment was lost by the US Postal office, as such I would like the committee to consider waiving my late fee/interest charge.

**Background information and evidence for the committee's consideration:**

- I have communication on WhatsApp between my father in law and I instructing him to pay the ½ of the bill due, in addition to the picture of him confirming the check written and the mailed envelope (unfortunately not very clear) but the text on the WhatsApp message clearly links it to the property tax payment for 1269 53<sup>rd</sup> Ave. , each picture is time stamped see attached files named "IMG\_6372.PNG" and "IMG\_6373 (002).png"
- My father in law also processed my property tax payments for my other two rental properties at the same time as above for **8249 25th Ave, Kenosha** and **4102 60th St, Kenosha**. These payments were sent at the same time as above and were processed.
- I have reached out to postal office, and they advised me that it's impossible to find the mail without a tracking number
- My bank confirmed that the check was not cashed, subsequently I have requested a payment block on the check March 10, 2020 to be safe
- On March 10, 2020 (see attached file name "IMG\_6375.jpg" I received a WhatsApp message from my father in law that the first payment was not paid, I took immediate action (that same day I reached out to Teri and paid the balance in full) – see pdf of payment confirmation attached file name "1269 53<sup>rd</sup> Ave\_Property Tax..."
- I have lived in Kenosha since 2005 and have not been late on any property tax payments at my home address or rentals until this situation due to post office issues:
  - 1269 53<sup>rd</sup> Ave, Kenosha WI 53144 (current home)
  - 4514 42<sup>nd</sup> St., Kenosha WI 53144 (home from 2005 – 2014) (became rental property on 2014 until I sold it last year)
  - 8249 25th Ave, Kenosha 53143 (recent rental property)
  - 4102 60th St, Kenosha 53144 (recent rental property)
- I'm seven hours ahead in Paris, but you can reach me through my work email leveraged for this current communication.
- I think I have made a pretty good case for the committee to consider waving my late fee/interest charges due to the circumstances laid out, thanks you for this consideration

Best Regards,

---

**SOKHON BOUY**

Medical Operations Lead, WE&C

Global Medical Affairs



KENOSHA COUNTY TREASURER  
1010 56TH ST  
KENOSHA WI 53140-3738

NOTICE DATE: 03/11/2020  
PROPERTY NUMBER

YEAR	TOTAL
2019	7943.76

SOKHON BOUY  
CASSANDRA BOUY  
1269 53RD AVE  
KENOSHA WI 53144

**Total Amount Due If Paid On or Before 03/31/2020 \$7,943.76**



PLEASE DETACH AND RETURN UPPER PORTION WITH REMITTANCE.

## NOTICE DATE: 03/11/2020

**REMIT TO:**

SOKHON BOUY  
CASSANDRA BOUY  
1269 53RD AVE  
KENOSHA WI 53144

KENOSHA COUNTY TREASURER  
1010 56TH ST  
KENOSHA WI 53140-3738

PROPERTY NUMBER YEAR	TAX PAID	CERT #	OTHER CHARGES PAID	UNPAID TAX BALANCE	INTEREST & PENALTY DUE	OTHER CHARGES DUE	TOTAL DUE
82-4-222-142-0215			VILLAGE OF SOMERS		1269 53RD AVE		
2019	0.00		0.00	7,712.39	231.37	0.00	7,943.76

**Total Amount Due If Paid On or Before 03/31/2020-----> \$7,943.76**

2024-03-28 14:30:00

[illegible]

**Figure 6**

1997

[illegible][illegible]

**T**

THE  
FEDERAL  
BUREAU OF INVESTIGATION

Figure 1. The effect of the concentration of the *Agrobacterium* suspension on the transformation efficiency of *Agrobacterium* strains. The concentration of the *Agrobacterium* suspension was 10<sup>6</sup> cells/ml (a), 10<sup>7</sup> cells/ml (b), 10<sup>8</sup> cells/ml (c), and 10<sup>9</sup> cells/ml (d). The concentration of the *Agrobacterium* suspension was 10<sup>6</sup> cells/ml (a), 10<sup>7</sup> cells/ml (b), 10<sup>8</sup> cells/ml (c), and 10<sup>9</sup> cells/ml (d). The concentration of the *Agrobacterium* suspension was 10<sup>6</sup> cells/ml (a), 10<sup>7</sup> cells/ml (b), 10<sup>8</sup> cells/ml (c), and 10<sup>9</sup> cells/ml (d).

Search

Customer Name	Status	Product	Amount
Sokhon Bouy	Approved - Comp	Property Taxes	\$7,945.26

<b>Summary</b>	<b>Payment Details</b>	<b>Customer Details</b>
72510191	Type: Purchase	Name: Sokhon Bouy
\$7943.76	Created: 03/10/20 02:44 PM	Address: 1269 53rd Ave NA
\$1.50	Status: Approved - Comp	City/ST/Zip: Kenosha WI 53144 US
\$7945.26	Channel: WEB	Email: sokhon.bouy@gmail.com
Electronic Check	Partner: Kenosha County Treasurer (WI)	Phone: (224) 515-6888
075000022	Office: No Office	Mobile:
****1624	User:	Birthdate: 02/02/1980
	Related:	Comments:

## Details

## Details

Product	Account	Qty	Subtotal	Fee	Total	Additional Details
Property Taxes	82-4-222-142-0215	1	\$7,943.76	\$1.50	\$7,945.26	Click for View



## John Moyer

**From:** Bouy, Sokhon <sokhon.bouy@abbvie.com>  
**Sent:** Tuesday, March 10, 2020 3:43 PM  
**To:** Teri Jacobson  
**Cc:** Nanette Shumway; Tim Kitzman; TRBank  
**Subject:** RE: Property Tax for 1269 53rd Ave. Somers WI 53144

Hi Teri, please review the email string below. I believe I make a very compelling case for reversing the late charge. With this context I would like to proceed with the escalation under statute 74.69.3.b. It says that I have to file a written request with the county treasurer. I currently reside in Paris, France on a temporary project with my company since August of last year, as such would an email request count as written or would I still have to send by postal mail my dispute.



### 74.69 Timely payment.

74.69(2)

- (1) **GENERAL RULE.** If payment is required by this chapter to be made by a taxpayer on or before a certain date, the payment is timely if it is mailed, postmarked before midnight of the prescribed due date for making the payment, with postage prepaid, and is received by the proper official on or before the due date.
- (2) **POSTAL SERVICE DELAY.** A payment which fails to satisfy the requirements of sub. (1) solely because of a delay or administrative error of the U.S. postal service is timely.
- (3) **COUNTY DETERMINATION OF POSTAL SERVICE DELAY OR ERROR.**
  - (a) In this subsection, "late payment" means a payment required under s. 74.11 or 74.12 which is not timely made under sub. (1).
  - (b) Any person required to pay interest or a penalty because of a late payment may, within 10 days of payment of interest or a penalty, but not later than the date the general property tax, special tax, special charge or special assessment was due, file a written request with the county treasurer requesting a determination of whether the late payment was timely under sub. (1) because the sole reason it was not timely was a delay or administrative error on the part of the U.S. postal service. The county treasurer shall act on the request within 30 days after receipt of the request by the treasurer.
  - (c) The county board shall find that a late payment was timely under sub. (1) if it determines that the sole reason the payment was not timely was a delay or administrative error of the U.S. postal service. If it so finds, the county board shall direct that any interest or penalty paid because of the late payment be reimbursed to the taxpayer or county which collected the interest or penalty. A taxation district treasurer or county treasurer shall comply with a directive issued under this subsection.
  - (d) The county board may delegate the authority to make a determination under this subsection to any committee of the county board or commission.
  - (e) This subsection does not affect the authority of a taxation district treasurer or county treasurer to consider payment timely under sub. (1) if the payment satisfies the requirements of sub. (1) solely due to a delay or administrative error by the U.S. postal service.
  - (f) This section does not apply to a city authorized to proceed under s. 74.87.

History: 1987 a. 378; 2019 a. 40.

Best Regards,

**SOKHON BOUY**

Medical Operations Lead, WE&C  
Global Medical Affairs



10 rue d'Arcueil  
F - 94150 Rungis  
**OFFICE** +33 1 45 60 15 46  
**CELL** +33 6 07 54 86 60  
**EMAIL** sokhon.bouy@abbvie.com

abbvie.com

**From:** Nanette Shumway <Nanette.Shumway@kenoshacounty.org>  
**Sent:** Tuesday, March 10, 2020 9:04 PM  
**To:** Bouy, Sokhon <sokhon.bouy@abbvie.com>; Tim Kitzman <tkitzman@somers.org>; TRBank <TRBank@kenoshacounty.org>  
**Subject:** [EXTERNAL] RE: Property Tax for 1269 53rd Ave. Somers WI 53144

Mr. Bouy,

Thank you for the payment information below. We have confirmed it is on the Point and Pay website. The payment will be processed tomorrow in our tax system.

State statute 74.11.7 addresses what happens with a delinquent first installment. State statute 74.67 addresses timely payments due to postal service delay.

If you should have any further questions, please feel free to contact the Treasurer, Teri Jacobson.

Nanette

---

**From:** Bouy, Sokhon <[sokhon.bouy@abbvie.com](mailto:sokhon.bouy@abbvie.com)>  
**Sent:** Tuesday, March 10, 2020 2:53 PM  
**To:** Nanette Shumway <[Nanette.Shumway@kenoshacounty.org](mailto:Nanette.Shumway@kenoshacounty.org)>; Tim Kitzman <[tkitzman@somers.org](mailto:tkitzman@somers.org)>; TRBank <[TRBank@kenoshacounty.org](mailto:TRBank@kenoshacounty.org)>  
**Subject:** RE: Property Tax for 1269 53rd Ave. Somers WI 53144

Thank you Nanette, for the quick chat. Please reference the State Statute number and I will have my lawyer look into this in the context of the circumstances I laid out below and my stellar history of on time payment since I moved to Kenosha in 2005 for all my properties. As discussed at some point government need to have some flexibility especially for honest tax payers that funds them. Below as promised my confirmation of full payment as soon as I confirmed with my bank that check was not cashed, and stop payment placed. I ask that you considering waiving the late fee again. It's a very sizeable expense to absorb for lost mail.

**REAL ESTATE TAX SEARCH****Parcel**

04-122-12-477-012

**Bill Number**

23093

**Tax Year**

2019

**Owner Name**

BOUY, CASSANDRA

**Address**

8249 25 AV

**TAX BILL****Full Payment:** \$3,155.51 due on 2020-01-31

Or Pay with the following installments:

	<b>Due Date</b>	<b>Amount Due</b>
1st Installment	2020-01-31	\$1,051.83
2nd Installment	2020-04-30	\$1,051.84
3rd Installment	2020-07-31	\$1,051.84

**Special Assessment:****Lottery Credit:****Property Tax Payment Record**

Original Tax Amount	\$3,155.51
Tax Payment (2019-12-27)	\$3,155.51
Total Tax Payments Received	\$3,155.51
Total Penalty Payments Received	\$0.00
Tax Due	\$0.00
Current Penalty Due*	
Balance Due	\$0.00

\*PENALTY: DELINQUENT REAL ESTATE TAXES ARE SUBJECT TO INTEREST OF ONE PERCENT AND PENALTY OF ONE HALF PERCENT (1.5%) (WI STATUTES 74.47) PER MONTH OR FRACTION OF A MONTH, COMPUTED FROM FEBRUARY 1, UNTIL PAID.

This information is issued subject to errors and omissions and shall not be binding upon the City of Kenosha. In accordance with Section 19.21(2), Wisconsin Statutes, you are entitled to examine the public records of the City of Kenosha and verify the information obtained therefrom to your own satisfaction.

Real estate tax and special assessment data excludes any payments appearing on delinquent tax bills due to the County of Kenosha, or contemplated special assessments not yet placed assessment roll.

Date Last Updated: 03/11/20

**REAL ESTATE TAX SEARCH****Parcel**

08-222-35-483-009

**Bill Number**

25821

**Tax Year**

2019

**Owner Name**

BOUY, SOKHON

**Address**

4102 60 ST

**TAX BILL****Full Payment:** \$2,167.01 due on 2020-01-31

Or Pay with the following installments:

	<b>Due Date</b>	<b>Amount Due</b>
1st Installment	2020-01-31	\$722.33
2nd Installment	2020-04-30	\$722.34
3rd Installment	2020-07-31	\$722.34

**Special Assessment:****Lottery Credit:****Property Tax Payment Record**

Original Tax Amount	\$2,167.01
Tax Payment (2020-01-09)	\$2,167.01
Total Tax Payments Received	\$2,167.01
Total Penalty Payments Received	\$0.00
Tax Due	\$0.00
Current Penalty Due*	
Balance Due	\$0.00

\*PENALTY: DELINQUENT REAL ESTATE TAXES ARE SUBJECT TO INTEREST OF ONE PERCENT AND PENALTY OF ONE HALF PERCENT (1.5%) (WI STATUTES 74.47) PER MONTH OR FRACTION OF A MONTH, COMPUTED FROM FEBRUARY 1, UNTIL PAID.

This information is issued subject to errors and omissions and shall not be binding upon the City of Kenosha. In accordance with Section 19.21(2), Wisconsin Statutes, you are entitled to examine the public records of the City of Kenosha and verify the information obtained therefrom to your own satisfaction.

Real estate tax and special assessment data excludes any payments appearing on delinquent tax bills due to the County of Kenosha, or contemplated special assessments not yet placed assessment roll.

Date Last Updated: 03/11/20

## Step 3: Confirmation and Receipt

# Result: Payment Authorized

## Confirmation Number: 72510191

Your payment has been authorized successfully and payment will be processed.

Kenosha County Treasurer thanks you for your payment. For questions about your account, please call 262-653-2542 Thank you for using

Please save or print a copy of this receipt for record keeping purposes.

### My Bills

#### Description

Property Taxes payment of \$7,943.76 on Parcel Number 82-4-222-142-0215

### Customer Information

First Name: Sokhon  
Last Name: Bouy  
Address Line 1: 1269 53rd Ave  
Address Line 2:  
City: Kenosha  
State: WI  
Zip Code: 53144  
Phone Number: 224-515-6888  
Email Address: sokhon.bouy@gmail.com

St  
Ca  
To

Best Regards,

**SOKHON BOUY**

Medical Operations Lead, WE&C  
Global Medical Affairs

10 rue d'Arcueil  
F - 94150 Rungis  
**OFFICE** +33 1 45 60 15 46  
**CELL** +33 6 07 54 86 60  
**EMAIL** sokhon.bouy@abbvie.com

**abbvie.com**

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**From:** Nanette Shumway <[Nanette.Shumway@kenoshacounty.org](mailto:Nanette.Shumway@kenoshacounty.org)>

**Sent:** Tuesday, March 10, 2020 8:28 PM

**To:** Bouy, Sokhon <[sokhon.bouy@abbvie.com](mailto:sokhon.bouy@abbvie.com)>; Tim Kitzman <[tkitzman@somers.org](mailto:tkitzman@somers.org)>; TRBank <[TRBank@kenoshacounty.org](mailto:TRBank@kenoshacounty.org)>

**Subject:** [EXTERNAL] RE: Property Tax for 1269 53rd Ave. Somers WI 53144

Hello Mr. Bouy,

I see that you are requesting that the interest and penalty be waived. It appears that you and Tim Kitzman from Somers may have had some previous discussions. Since I do not know what he has covered with you I wanted to make you aware that since the check was not received by 1/31/2020 the full payment becomes due. Also the interest and penalty of 1.5% of the unpaid tax balance began accruing on 2/1/2020 per State Statute. Unfortunately we are unable to waive the interest and penalty based on your statements below and the picture provided.

In the event that Somers receives the original check at some future date and it is determined that it was mailed by 1/31/2020 and properly addressed so the post office could have delivered it in a timely fashion we would then be able to waive the interest and penalty.

For now in order to stop the interest and penalty from accruing you will need to send a check for the full amount of \$7,943.76. This amount is good through March 31, 2020. You could make a lesser payment but please note if you do, interest and penalty of 1.5% of the unpaid tax balance will be accrued on the first of each month until the balance is paid in full.

If you do find that your check was cashed, please provide Tim Kitzman and the County a copy of the front and back of the check so we can determine when it was cashed and by whom.

Kind regards,

Nanette M. Shumway

Chief Deputy Treasurer

Kenosha County

Phone: 262-653-2685

Main: 262-653-2542

Fax: 262-653-2564

Email: [nanette.shumway@kenoshacounty.org](mailto:nanette.shumway@kenoshacounty.org)

**From:** Bouy, Sokhon <[sokhon.bouy@abbvie.com](mailto:sokhon.bouy@abbvie.com)>

**Sent:** Tuesday, March 10, 2020 1:49 PM

**To:** Tim Kitzman <[tkitzman@somers.org](mailto:tkitzman@somers.org)>; Nanette Shumway <[Nanette.Shumway@kenoshacounty.org](mailto:Nanette.Shumway@kenoshacounty.org)>; TRBank <[TRBank@kenoshacounty.org](mailto:TRBank@kenoshacounty.org)>

**Subject:** RE: Property Tax for 1269 53rd Ave. Somers WI 53144

Thanks Tim,

Hi Nanette, I'm calling my bank today to ensure the check in attached image was not cashed to stop payment. Below the legacy I gave to Tim in red. I asked that due to check being lost in mail that the late charge/interest be cancelled. Thank you for your understanding and accommodating this request. I will go re-process the payment once I confirm with my bank that the attached check was not processed.

Hi Tim, I just received an updated bill for my property tax at 1269 53<sup>rd</sup> Ave. Somers WI 53144. It shows that we have not paid the first half payment with interest charged. I'm currently on a long project in Paris France, and my Father in Law has been receiving my bills and managing them. Attached a picture of the property tax bill for my resident, and the check which he wrote for ½ of the amount due mailed out the first week of January. You should have received this, can you confirm that you have not. I went to my online bank and confirmed other property tax checks that my Father in Law wrote out for my rental properties and confirmed they were cashed, but this check was not cashed.

- Please confirm you did not receive this check #1372 for 1269 53<sup>rd</sup> Ave , 53144
- If you did received why did you not cash?
- If you did not receive I need to call my bank and cancel that check and issue you a new one; I ask that the late charge and interest be reversed since this check could have been lost in mail transit
- You can confirm my statement by checking other timely property tax payments for:
  - 4102 60th St, Kenosha 53144
  - 8249 25th Ave, Kenosha 53143

Best Regards,

---

**SOKHON BOUY**

Medical Operations Lead, WE&C  
Global Medical Affairs

10 rue d'Arcueil

F – 94150 Rungis

**OFFICE** +33 1 45 60 15 46

**CELL** +33 6 07 54 86 60

**EMAIL** sokhon.bouy@abbvie.com

**abbvie.com**

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---

**From:** Tim Kitzman <[TKitzman@somers.org](mailto:TKitzman@somers.org)>

**Sent:** Tuesday, March 10, 2020 7:17 PM

**To:** Nanette Shumway <[Nanette.Shumway@kenoshacounty.org](mailto:Nanette.Shumway@kenoshacounty.org)>; 'TRBank' (<[TRBank@kenoshacounty.org](mailto:TRBank@kenoshacounty.org)>)

**Cc:** Bouy, Sokhon <[sokhon.bouy@abbvie.com](mailto:sokhon.bouy@abbvie.com)>

**Subject:** [EXTERNAL] FW: Property Tax for 1269 53rd Ave. Somers WI 53144

**Importance:** High

Hello,

I was asked to forward this email by Mr. Sokhon Bouy.

He will call you.

We don't show receiving this check here in Somers.

Tim Kitzman  
Clerk-Treasurer  
Village/Town of Somers  
262-859-2822

Populations:  
Village 8,827  
Town 1,255

---

**From:** Bouy, Sokhon <[sokhon.bouy@abbvie.com](mailto:sokhon.bouy@abbvie.com)>  
**Sent:** Tuesday, March 10, 2020 12:18 PM  
**To:** Tim Kitzman <[TKitzman@somers.org](mailto:TKitzman@somers.org)>  
**Subject:** Property Tax for 1269 53rd Ave. Somers WI 53144  
**Importance:** High

Hi Tim, I just received an updated bill for my property tax at 1269 53<sup>rd</sup> Ave. Somers WI 53144. It shows that we have not paid the first half payment with interest charged. I'm currently on a long project in Paris France, and my Father in Law has been receiving my bills and managing them. Attached a picture of the property tax bill for my resident, and the check which he wrote for ½ of the amount due mailed out the first week of January. You should have received this, can you confirm that you have not. I went to my online bank and confirmed other property tax checks that my Father in Law wrote out for my rental properties and confirmed they were cashed, but this check was not cashed.

- Please confirm you did not receive this check #1372 for 1269 53<sup>rd</sup> Ave , 53144
- If you did received why did you not cash?
- If you did not receive I need to call my bank and cancel that check and issue you a new one; I ask that the late charge and interest be reversed since this check could have been lost in mail transit
- You can confirm my statement by checking other timely property tax payments for:
  - 4102 60th St, Kenosha 53144
  - 8249 25th Ave, Kenosha 53143

Thank you for understanding

Best Regards,

---

**SOKHON BOUY**  
Medical Operations Lead, WE&C  
Global Medical Affairs

10 rue d'Arcueil  
F – 94150 Rungis  
**OFFICE** +33 1 45 60 15 46  
**CELL** +33 6 07 54 86 60  
**EMAIL** [sokhon.bouy@abbvie.com](mailto:sokhon.bouy@abbvie.com)

**abbvie.com**

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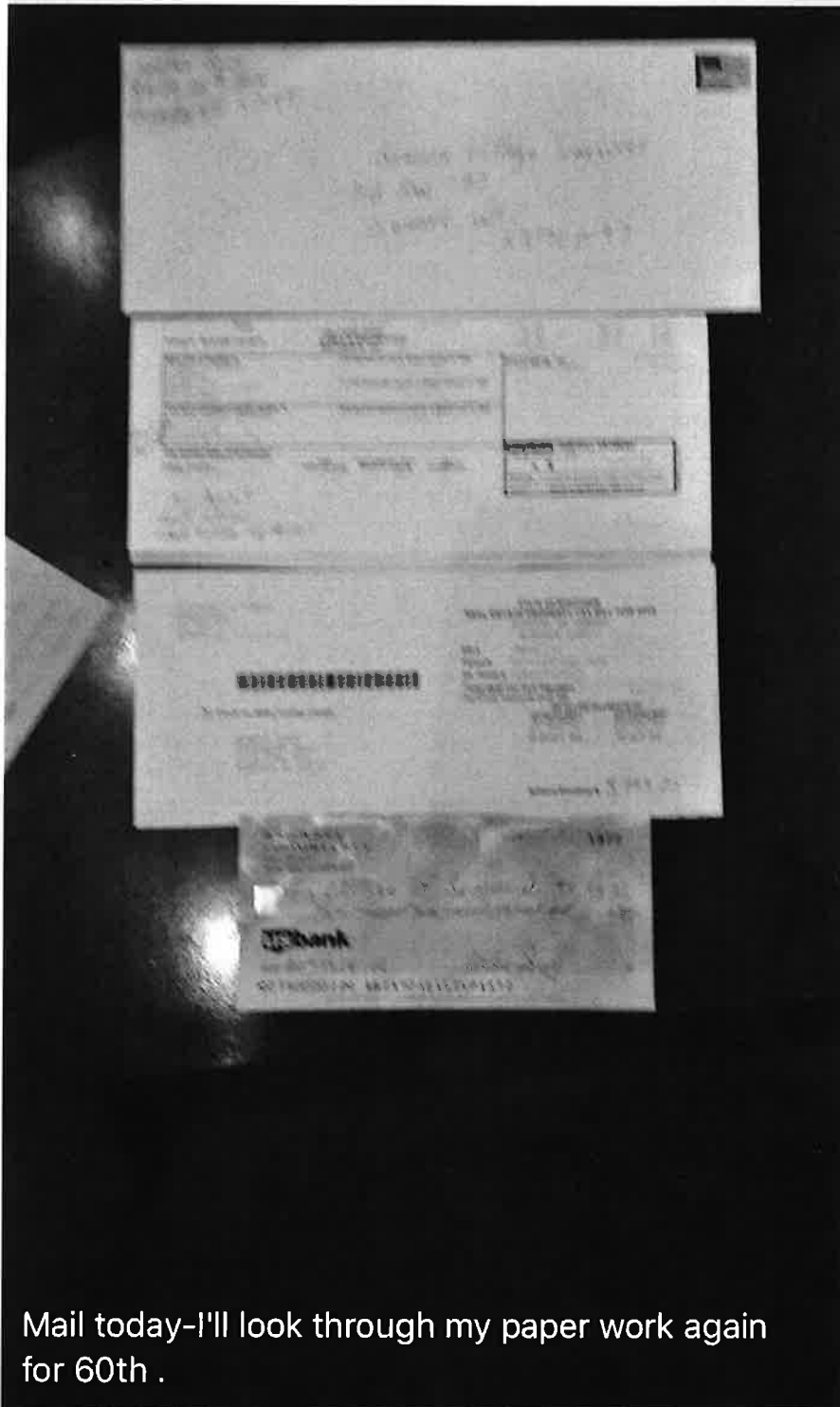
5:32



Pete

1/4/20, 7:17 PM

All Media



Mail today-I'll look through my paper work again for 60th .







5:32



Pete

last seen today at 1:59 PM



Olk

8:11 AM

Sat, Jan 4

Hi Pete for my home property tax in somers, would you mind before end of week stopping by our house grab a check and pay the first installment amount of 3,793.25

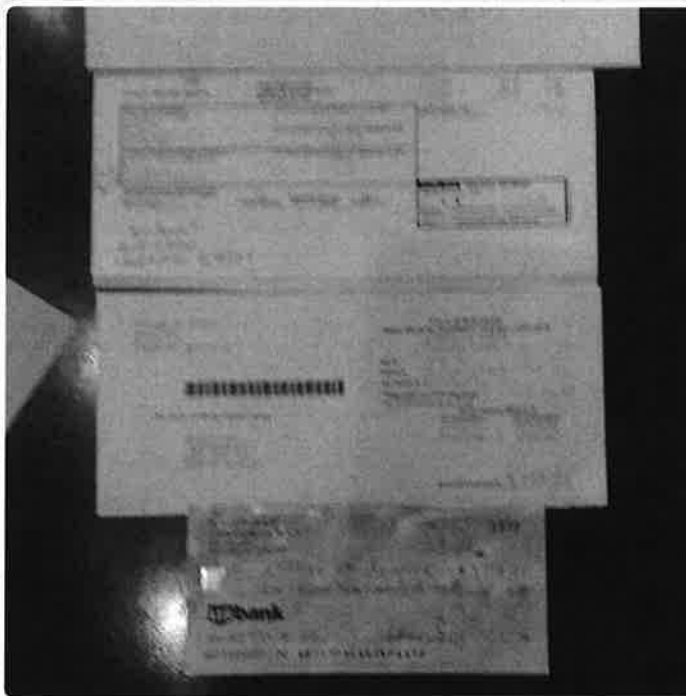
4:24 PM ✓✓

Could you also see is my other rentals property tax bill was sent to my home in somers as well

4:24 PM ✓✓

Sure

6:08 PM

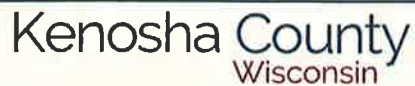


Mail today-I'll look through my paper work again for 60th .

7:17 PM







**Please note: You are about to make a payment to "Kenosha County", and not to the City of Kenosha or Other Municipalities. If you are trying to make a payment to the City or Other Municipalities, please visit their website or call their support phone number for assistance.**

Step 1: Select Payments

Step 2: Review and Submit

Step 3: Confirmation and Receipt

### Step 3: Confirmation and Receipt

## Result: Payment Authorized

### Confirmation Number: 72510191

Your payment has been authorized successfully and payment will be processed.

Kenosha County Treasurer thanks you for your payment. For questions about your account, please call 262-653-2542 Thank you for using our bill payment services.

Please save or print a copy of this receipt for record keeping purposes.

#### My Bills

Description	Payment Amount
Property Taxes payment of \$7,943.76 on Parcel Number 82-4-222-142-0215	\$7,943.76
Subtotal:	\$7,943.76
Convenience Fee:	\$1.50
<b>Total Payment:</b>	<b>\$7,945.26</b>

#### Customer Information

First Name: Sokhon  
Last Name: Bouy  
Address Line 1: 1269 53rd Ave  
Address Line 2:  
City: Kenosha  
State: WI  
Zip Code: 53144  
Phone Number: 224-515-6888  
Email Address: sokhon.bouy@gmail.com

#### Payment Information

Payment Date: 03/10/2020  
Check Routing Number: 075000022  
Check Account Number: \*\*\*\*\*624  
Account type: Checking

[Print](#)



# Kenosha



# County

## BOARD OF SUPERVISORS

RESOLUTION NO. \_\_\_\_\_

Subject: Request to Approve the Appointment of Michelle Miloslavic to the Kenosha County Library System Board.			
Original <input type="checkbox"/>	Corrected <input type="checkbox"/>	2nd Correction <input type="checkbox"/>	Resubmitted <input type="checkbox"/>
Date Submitted: March 17, 2020		Date Resubmitted:	
Submitted By: Finance & Administration Committee			
Fiscal Note Attached <input type="checkbox"/>		Legal Note Attached <input type="checkbox"/>	
Prepared By: Clara-Lin Tappa, Director Division of Human Resources		Signature: <i>Clara Lin Tappa</i>	

WHEREAS, pursuant to County Executive Appointment 2019/20-32, the County Executive has appointed Michelle Miloslavic to serve on the Kenosha County Library System Board; and

WHEREAS, the Finance & Administration Committee has reviewed the request of the County Executive for confirmation of his appointment of the above-named to serve on the Kenosha County Library System Board and is recommending to the County Board the approval of the appointment.

NOW, THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors confirms the appointment of Michelle Miloslavic to the Kenosha County Library System Board. Ms. Miloslavic's appointment shall be effective immediately and continue until the 31<sup>st</sup> day of December, 2022 or until a successor is appointed by the County Executive and confirmed by the Kenosha County Board of Supervisors. Ms. Miloslavic will serve without pay. Ms. Miloslavic will be succeeding herself.



Approved by:

FINANCE/ADMINISTRATION  
COMMITTEE

Aye   No   Abstain   Excused

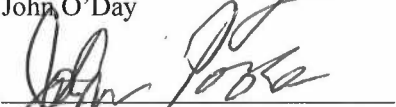
  
Terry Rose, Chairman   ☒   ☐   ☐   ☐

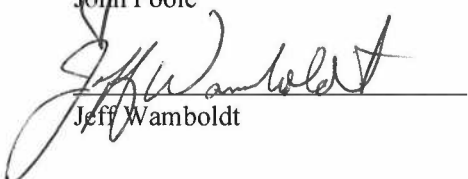
  
Ronald Frederick   ☒   ☐   ☐   ☐

  
Jeffrey Gentz   ☒   ☐   ☐   ☐

  
Ed Kubicki   ☒   ☐   ☐   ☐

  
John O'Day   ☒   ☐   ☐   ☐

  
John Poole   ☒   ☐   ☐   ☐

  
Jeff Wamboldt   ☒   ☐   ☐   ☐



# COUNTY OF KENOSHA

## OFFICE OF THE COUNTY EXECUTIVE

Jim Kreuser, County Executive

1010 – 56<sup>th</sup> Street, Third Floor

Kenosha, Wisconsin 53140

(262) 653-2600

Fax: (262) 653-2817

## ADMINISTRATIVE PROPOSAL

### COUNTY EXECUTIVE APPOINTMENT 2019/20-32

#### RE: KENOSHA COUNTY LIBRARY SYSTEM BOARD

TO THE HONORABLE KENOSHA COUNTY BOARD OF SUPERVISORS:

Placing special trust in her judgment and based upon her qualifications, I hereby submit to the Honorable Kenosha County Board of Supervisors for its review and approval the name of

Ms. Michelle Miloslavich  
8560 26<sup>th</sup> Avenue  
Kenosha, WI 53143

to serve on the Kenosha County Library System Board beginning immediately upon confirmation of the County Board and continuing until the 31<sup>st</sup> day of December, 2022 or until a successor is appointed by the County Executive and confirmed by the Kenosha County Board of Supervisors.

Since her last appointment in 2018, Ms. Miloslavich has attended 6 of the 7 meetings held. Her one absence was excused.

Ms. Miloslavich will serve without pay. Ms. Miloslavich will be succeeding herself.

Respectfully submitted this 27<sup>th</sup> day of February, 2020.

Jim Kreuser

Kenosha County Executive

COUNTY OF KENOSHA  
OFFICE OF THE COUNTY EXECUTIVE  
JIM KREUSER

**APPOINTMENT PROFILE**  
**KENOSHA COUNTY COMMISSIONS, COMMITTEES, & BOARDS**

(Please type or print)

Name: Michelle Braun Miloslavic  
First Middle Last

Residence Address: 4103-83<sup>rd</sup> St., Kenosha, WI 53142

Previous Address if above less than 5 years: \_\_\_\_\_

Occupation: KUSD/Tremper Teacher  
Company Title

Business Address: 8560 26<sup>th</sup> Ave, Kenosha, WI 53143

Telephone Number: Residence 262-842-0112 Business 262-359-2200

Daytime Telephone Number: 262-945-7684

Mailing Address Preference: Business ( ) Residence (☒)

Email Address: misomilo@aol.com

Do you or have you done business with any part of Kenosha County Government in the past 5 years? Yes ( ) No (☒)

If yes, please attach a detailed document.

**Affiliations:** List affiliations in all service groups, public service organizations, social or charitable groups, labor, business or professional organization, and indicate if it was a board or staff affiliation.

KPL Board of Trustees - Trustee  
\_\_\_\_\_  
\_\_\_\_\_

**Special Interests:** Indicate organizations or activities in which you have a special interest but may not have been actively involved.

None  
\_\_\_\_\_  
\_\_\_\_\_

\*If more space is needed, please attach another sheet.

Kenosha County Commissions, Committees, & Boards  
Appointment Profile - Page 2

Nominee's Supervisory District 9

Governmental Services: List services with any governmental unit.

None

Additional Information: List any qualifications or expertise you possess that would benefit the Board, Committee, Commission, etc.

Conflict Of Interest: It would be inappropriate for you, as a current or prospective appointee, to have a member of your immediate family directly involved with any action that may come under the inquiry or advice of the appointed board, commission, or committee. A committee member declared in conflict would be prohibited from voting on any motion where "direct involvement" had been declared and may result in embarrassment to you and/or Kenosha County.

  
Signature of Nominee

2/11/2020  
Date

Please Return To: Kenosha County Executive  
1010 - 56th Street  
Kenosha, WI 53140

-----  
(For Office Use Only)

Appointed To: \_\_\_\_\_  
Commission/Committee/Board

Term: Beginning \_\_\_\_\_ Ending \_\_\_\_\_

Confirmed by the Kenosha County Board on: \_\_\_\_\_

New Appointment \_\_\_\_\_ Reappointment \_\_\_\_\_

Previous Terms: \_\_\_\_\_  
\_\_\_\_\_

# KENOSHA COUNTY

## BOARD OF SUPERVISORS

RESOLUTION NO. \_\_\_\_\_

Subject: <b>RESOLUTION TO APPROVE THE RE-APPOINTMENT OF ELLEN KUPFER TO THE HUMAN SERVICES BOARD</b>	
Original <input checked="" type="checkbox"/> Corrected <input type="checkbox"/>	2nd Correction <input type="checkbox"/> Resubmitted <input type="checkbox"/>
Date Submitted: March 3, 2020	Date Resubmitted:
Submitted By: Human Services Committee	
Fiscal Note Attached <input type="checkbox"/>	Legal Note Attached <input type="checkbox"/>
Prepared By: John T. Jansen	Signature:

**WHEREAS**, pursuant to County Executive Appointment 2019/20-31, the County Executive has reappointed **Ellen Kupfer to serve on the Human Services Board** and

**WHEREAS**, the Human Services Committee has reviewed the request of the County Executive for confirmation of the re-appointment of the above named to serve on the **Human Services Board** and is recommending to the County Board the approval of this appointment,

**NOW, THEREFORE, BE IT RESOLVED** that the Kenosha County Board of Supervisors confirms the re-appointment of **Ellen Kupfer** to the **Human Services Board**. Her appointment shall be effective immediately and continue until the **3<sup>1st</sup> Day of December 2022**, or until a successor is appointed by the County Executive and confirmed by the Kenosha County Board of Supervisors. **Ellen Kupfer** will serve without pay and will be succeeding **herself**.

**HUMAN SERVICES COMMITTEE:**

William Grady, Chairman

Andy Berg, Vice Chairman

Laura Belsky

David Celebre

Amy Maurer

Gabe Nudo

Zach Rodriguez

Aye    Nay    Abstain    Excused

☒    ☐    ☐    ☐

☒    ☐    ☐    ☐

☐    ☒    ☐    ☒

☒    ☐    ☐    ☐

☒    ☐    ☐    ☐

☐    ☐    ☐    ☒

☒    ☐    ☐    ☐



# COUNTY OF KENOSHA

## OFFICE OF THE COUNTY EXECUTIVE

Jim Kreuser, County Executive

1010 – 56<sup>th</sup> Street, Third Floor

Kenosha, Wisconsin 53140

(262) 653-2600

Fax: (262) 653-2817

## ADMINISTRATIVE PROPOSAL

### COUNTY EXECUTIVE APPOINTMENT 2019/20-31

#### RE: KENOSHA COUNTY HUMAN SERVICES BOARD

TO THE HONORABLE KENOSHA COUNTY BOARD OF SUPERVISORS:

Placing special trust in her judgment and based upon her qualifications, I hereby submit to the Honorable Kenosha County Board of Supervisors for its review and approval the name of

Ms. Ellen Kupfer  
3701 75<sup>th</sup> Street  
Kenosha, WI 53142

to serve three-year term on the Kenosha County Human Services Board beginning immediately upon confirmation of the County Board and continuing until the 31<sup>st</sup> day of December, 2022 or until a successor is appointed by the County Executive and confirmed by the Kenosha County Board of Supervisors.

Since her last appointment, Ms. Kupfer attended 18 of the 22 meetings held. Her 4 absences were excused.

Ms. Kupfer will serve without pay. Ms. Kupfer will be succeeding herself.

Respectfully submitted this 30<sup>th</sup> day of January, 2020.

Jim Kreuser

Kenosha County Executive



COUNTY OF KENOSHA  
OFFICE OF THE COUNTY EXECUTIVE  
JIM KREUSER

**APPOINTMENT PROFILE**  
**KENOSHA COUNTY COMMISSIONS, COMMITTEES, & BOARDS**

(Please type or print)

Name: Ellen Marie Kupfer  
First Middle Last

Residence Address: 3701-75 St. Kenosha 53142

Previous Address if above less than 5 years: \_\_\_\_\_

Occupation: Retired  
Company Title

Business Address: \_\_\_\_\_

Telephone Number: Residence 262-496-7855 Business \_\_\_\_\_

Daytime Telephone Number: same

Mailing Address Preference: Business ( ) Residence (✓)

Email Address: Kupfer11e@aol.com

Do you or have you done business with any part of Kenosha County Government in the past 5 years? Yes ( ) No (✓)

If yes, please attach a detailed document.

**Affiliations:** List affiliations in all service groups, public service organizations, social or charitable groups, labor, business or professional organization, and indicate if it was a board or staff affiliation.

Democratic party, Unity Coalition, Opical Task Force, Mental Health Task force, Shalom Center Board

**Special Interests:** Indicate organizations or activities in which you have a special interest but may not have been actively involved.

Forward Kenosha

\*If more space is needed, please attach another sheet.

Kenosha County Commissions, Committees, & Boards  
Appointment Profile - Page 2

Nominee's Supervisory District John O'Day

Governmental Services: List services with any governmental unit.

Sue from Opied + Mental Health Jash  
Current member of Human Services Board since 2015

Additional Information: List any qualifications or expertise you possess that would benefit the Board, Committee, Commission, etc.

Knowledge of community resources. Current member of  
Human Services Board.

Conflict Of Interest: It would be inappropriate for you, as a current or prospective appointee, to have a member of your immediate family directly involved with any action that may come under the inquiry or advice of the appointed board, commission, or committee. A committee member declared in conflict would be prohibited from voting on any motion where "direct involvement" had been declared and may result in embarrassment to you and/or Kenosha County.

Ellen M. Kupfer

Signature of Nominee

1-14-2020

Date

Please Return To: Kenosha County Executive  
1010 - 56th Street  
Kenosha, WI 53140

(For Office Use Only)

Appointed To: \_\_\_\_\_  
Commission/Committee/Board

Term: Beginning \_\_\_\_\_ Ending \_\_\_\_\_

Confirmed by the Kenosha County Board on: \_\_\_\_\_

New Appointment \_\_\_\_\_

Reappointment \_\_\_\_\_

Previous Terms: \_\_\_\_\_  
\_\_\_\_\_

JAN 14 2020

# Kenosha



# County

## BOARD OF SUPERVISORS

RESOLUTION NO. \_\_\_\_\_

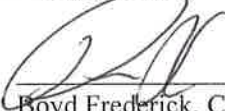
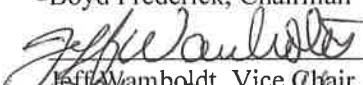
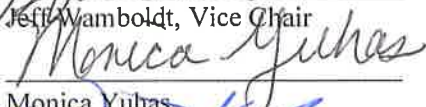
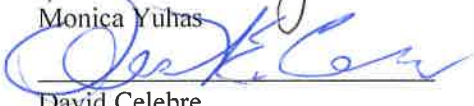
Subject: <b>REQUEST TO APPROVE THE APPOINTMENT OF THOMAS SANTARELLI TO THE KENOSHA COUNTY CIVIL SERVICE COMMISSION.</b>			
Original <input type="checkbox"/>	Corrected <input type="checkbox"/>	2nd Correction <input type="checkbox"/>	Resubmitted <input type="checkbox"/>
Date Submitted: February 18, 2020		Date Resubmitted:	
Submitted By: Judiciary & Law Enforcement and Finance/Administration Committees			
Fiscal Note Attached <input type="checkbox"/>		Legal Note Attached <input type="checkbox"/>	
Prepared By: Clara-Lin Tapa Director - Division of Human Resources		Signature: <i>Clara-Lin Tapa</i>	

WHEREAS, pursuant to County Executive Appointment 2019/20-30, the County Executive has appointed Thomas Santarelli to serve on the Kenosha County Civil Service Commission; and

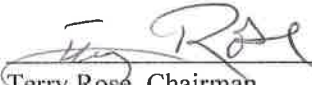
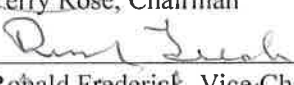
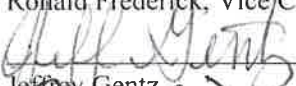

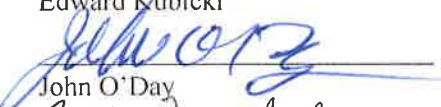
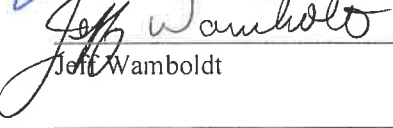
WHEREAS, the Judiciary & Law Enforcement and Finance/Administration Committees of the Kenosha County Board of Supervisors has reviewed the request of the County Executive for confirmation of the above-named to serve on the Kenosha County Civil Service Commission and is recommending to the County Board the approval of the appointment,

NOW, THEREFORE, BE IT RESOLVED that the Kenosha County Board of Supervisors confirms the appointment of Thomas Santarelli to the Kenosha County Civil Service Commission. Mr. Santarelli's appointment shall be effective immediately and shall continue until the 31<sup>st</sup> day of December 2024, or until a successor is appointed by the County Executive and confirmed by the Kenosha County Board of Supervisors. Mr. Santarelli will serve without pay, but will receive a per diem. He will be succeeding himself.

JUDICIARY & LAW ENFORCEMENT COMMITTEE

	<u>Aye</u>	<u>No</u>	<u>Abstain</u>	<u>Excused</u>
 Boyd Frederick, Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Jeff Wamboldt, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Monica Yulhas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 David Celebre	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Zack Rodriguez	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

FINANCE & ADMINISTRATION COMMITTEE

	<u>Aye</u>	<u>No</u>	<u>Abstain</u>	<u>Excused</u>
 Terry Rose, Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Ronald Frederick, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Jeffrey Gentz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Edward Kubicki	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 John O'Day	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Jeff Wamboldt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 John Poole	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



# COUNTY OF KENOSHA

## OFFICE OF THE COUNTY EXECUTIVE

Jim Kreuser, County Executive

1010 – 56<sup>th</sup> Street, Third Floor

Kenosha, Wisconsin 53140

(262) 653-2600

Fax: (262) 653-2817

## ADMINISTRATIVE PROPOSAL

### COUNTY EXECUTIVE APPOINTMENT 2019/20-30

#### RE: KENOSHA COUNTY CIVIL SERVICE COMMISSION

TO THE HONORABLE KENOSHA COUNTY BOARD OF SUPERVISORS:

Placing special trust in his judgment and based upon his qualifications, I hereby submit to the Honorable Kenosha County Board of Supervisors for its review and approval the name of

Mr. Thomas Santarelli  
Madrigano, Aiello & Santarelli, LLC  
1108 56<sup>th</sup> Street  
Kenosha, WI 53140

to serve a five-year term on the Kenosha County Civil Service Commission beginning immediately upon confirmation of the County Board and continuing until the 31<sup>st</sup> day of December, 2024 or until a successor is appointed by the County Executive and confirmed by the Kenosha County Board of Supervisors.

Since his last appointment in October, 2016, Mr. Santarelli has attended 21 of the 22 meetings held. His 1 absence was excused.

Mr. Santarelli will serve without pay, but will receive a per diem. Mr. Santarelli will be succeeding himself

Respectfully submitted this 30<sup>th</sup> day of January, 2020.

Jim Kreuser

Kenosha County Executive

COUNTY OF KENOSHA  
OFFICE OF THE COUNTY EXECUTIVE  
JIM KREUSER

**APPOINTMENT PROFILE**  
**KENOSHA COUNTY COMMISSIONS, COMMITTEES, & BOARDS**

(Please type or print)

Name: Thomas M. Santarelli  
First Middle Last

Residence Address: 4277 98th St., Pleasant Prairie, WI 53158

Previous Address if above less than 5 years: N/A

Occupation: Madrigrano, Aiello & Santarelli, LLC Attorney at Law  
Company Title

Business Address:

Telephone Number: Residence Business 262.657.2000

Daytime Telephone Number: 262.657.2000

Mailing Address Preference: Business ( ) Residence ( X )

Email Address: ts@kenoshalaw.com

Do you or have you done business with any part of Kenosha County Government in the past 5 years? Yes ( ) No ( X )

If yes, please attach a detailed document.

Affiliations: List affiliations in all service groups, public service organizations, social or charitable groups, labor, business or professional organization, and indicate if it was a board or staff affiliation.

Little Leaguers of Kenosha, Inc., St. Joseph Catholic Academy, Boys and Girls Club  
All volunteer positions with the above organizations and continue to be involved.

Special Interests: Indicate organizations or activities in which you have a special interest but may not have been actively involved.

\*If more space is needed, please attach another sheet.



Kenosha County Commissions, Committees, & Boards  
Appointment Profile - Page 2

Nominee's Supervisory District 18 (Monica M. Yuhas)

Governmental Services: List services with any governmental unit.

N/A

Additional Information: List any qualifications or expertise you possess that would benefit the Board, Committee, Commission, etc.

I have sat on the Committee the past three years and believe that I offer a different perspective for the existing members.

Conflict Of Interest: It would be inappropriate for you, as a current or prospective appointee, to have a member of your immediate family directly involved with any action that may come under the inquiry or advice of the appointed board, commission, or committee. A committee member declared in conflict would be prohibited from voting on any motion where "direct involvement" had been declared and may result in embarrassment to you and/or Kenosha County.



Signature of Nominee

January 8, 2020

Date

Please Return To: Kenosha County Executive  
1010 - 56th Street  
Kenosha, WI 53140

(For Office Use Only)

Appointed To: \_\_\_\_\_  
Commission/Committee/Board

Term: Beginning \_\_\_\_\_ Ending \_\_\_\_\_

Confirmed by the Kenosha County Board on: \_\_\_\_\_

New Appointment \_\_\_\_\_ Reappointment \_\_\_\_\_

Previous Terms: \_\_\_\_\_  
\_\_\_\_\_


# Kenosha



# County

## BOARD OF SUPERVISORS

RESOLUTION NO. \_\_\_\_\_

Subject: <u>Comprehensive Plan Amendment</u> , Planning, Development & Extension Education Committee, 19600 – 75 <sup>th</sup> Street, Suite 185-3, Bristol, WI 53104 (Sponsor), requests approval of Draft Annual Report, “A Multi-Jurisdictional Comprehensive Plan for Kenosha County: 2035, 2019 Annual Report”			
Original <input type="checkbox"/>	Corrected <input type="checkbox"/>	2nd Correction <input type="checkbox"/>	Resubmitted <input type="checkbox"/>
Date Submitted: March 17, 2020		Date Resubmitted:	
Submitted By: Planning, Development & Extension Education Committee			
Fiscal Note Attached <input type="checkbox"/>		Legal Note Attached <input type="checkbox"/>	
Prepared By: Andy M. Buehler, Director Division of Planning and Development		Signature: 	

WHEREAS, in compliance with Wisconsin’s comprehensive planning law set forth in Section 66.1001 of the Wisconsin Statutes, Kenosha County adopted a Multi-Jurisdictional Comprehensive Plan for Kenosha County: 2035 on April 20, 2010; and,

WHEREAS, the City of Kenosha, Villages of Bristol, Genoa City, Paddock Lake, Pleasant Prairie, Salem Lakes, Somers, Twin Lakes and Towns of Brighton, Paris, Randall, Somers and Wheatland also adopted said comprehensive plan; and,

WHEREAS, the Planning, Development & Extension Education Committee, 19600 – 75<sup>th</sup> Street, Suite 185-3, Bristol, WI 53104 (Sponsor), requests approval of Draft Annual Report, “A Multi-Jurisdictional Comprehensive Plan for Kenosha County: 2035, 2019 Annual Report” and,

WHEREAS, the Department of Planning and Development has published said request in accordance to State Statutes; and

WHEREAS, the Kenosha County Multi-Jurisdictional Comprehensive Plan Advisory Committee held a meeting on February 18, 2020, and recommended approval of the request; and,


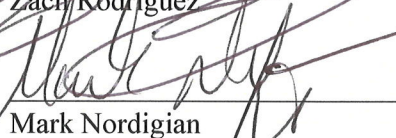
WHEREAS, the Kenosha County Planning, Development & Extension Education Committee held a public hearing on the request on March 11, 2020, and recommended approval of the request.

NOW, THEREFORE, BE IT RESOLVED that pursuant to Sections 59.69 and 66.1001(4) of Wisconsin Statutes, the Kenosha County Board of Supervisors hereby approve/accept the Draft Annual Report, “A Multi-Jurisdictional Comprehensive Plan for Kenosha County: 2035, 2019 Annual Report”.

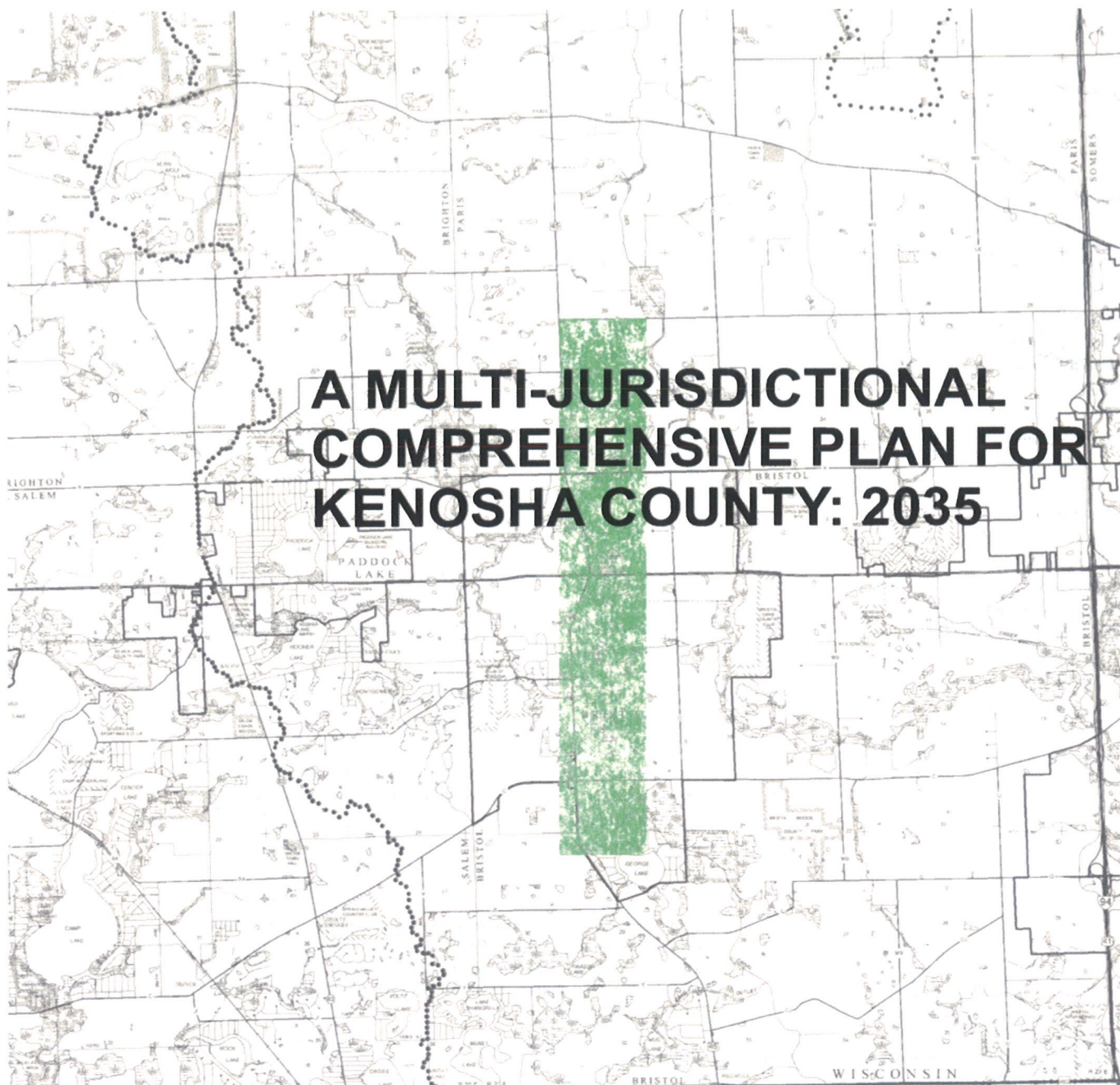
NOW, THEREFORE, BE IT FURTHER RESOLVED that the Kenosha County Board of Supervisors enact an ordinance adopting the comprehensive plan change.

Approved by:

PLANNING, DEVELOPMENT  
& EXTENSION EDUCATION  
COMMITTEE

	<u>Aye</u>	<u>No</u>	<u>Abstain</u>	<u>Excused</u>
_____ Erin Decker, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ John Poole, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Michael Skalitzky	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
 _____ Zach Rodriguez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 _____ Mark Nordin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>





2019

ANNUAL REPORT



PREPARED BY:

Ben Fiebelkorn, Senior Land Use Planner

Kenosha County Department of  
Planning & Development

<p><b>Kenosha County Officials</b></p> <p>County Executive</p> <p>Jim Kreuser</p> <p>County Board of Supervisors</p> <p>Daniel C. Esposito – Chairman  John J. O' Day – Vice Chairman  William Grady  Terry Rose  Jeffrey Gentz  Laura Belsky  David Celebre  Edward Kubicki  Daniel Gaschke  Zach Rodriguez  John J. O'day  Andy Berg  Ronald J. Frederick  Gabe Nudo  John Franco  Boyd Frederick  Amy Maurer  Jeff Wambolt  Monica Yuhas  Michael J. Skalizky  John Poole  Mark Nordigan  Erin Decker  Dennis Elverman</p>	<p><b>Multi-Jurisdictional Comprehensive Planning Advisory Committee</b></p> <p>Voting Members</p> <p>Erin Decker.....Planning, Development &amp; Extension Education Committee Chairperson</p> <p>John Holloway..... Town of Paris  Vice-Chairperson</p> <p>Jeff Labahn..... City of Kenosha  Mike Farrell.....Village of Bristol  Jean Werbie-Harris..... Village of Pleasant Prairie  Dennis Faber..... Village of Salem Lakes  George Stoner.....Village of Somers  Sue Crane..... Town of Brighton  Mark Molinaro.....Town of Somers  William Glembocki..... Town of Wheatland</p> <p>Non-Voting Members</p> <p>Heather Wessling-Grosz... Kenosha Area Business Alliance (KABA)  Nelson Ogbuagu.....Kenosha Area Transit  Mark Edquist.....Farming Community Representative  Pat Finnemore.....Kenosha Unified School District  Colleen Fisch..... Kenosha-Racine Land Trust  Tim Popanda.....Village of Paddock Lake  Sandie Hansen..... Citizen Representative  Robert Stoll.....Town of Randall  John Gendron.....Westosha Central High School District  Lena Schlater..... Realty Industry Representative  Clement Abongwa..... Kenosha County Department of Public Works  Nancy Washburn..... Building Industry Representative  Lon Wienke..... Village of Twin Lakes</p> <p>Alternate Advisory Committee Voting Members: Rich Schroeder, City of Kenosha; Randy Kerkman, Village of Bristol; Peggy Herrick, Village of Pleasant Prairie; Brad Zautcke, Village of Salem Lakes; Jason Peters, Village of Somers; Dave Devito, Town of Brighton; Ron Buttke, Town of Paris; Jason Peters, Town of Somers; Sheila Siegler, Town of Wheatland.</p>
<p><b>Planning, Development &amp; Extension Education Committee Members</b></p> <p>Erin Decker - Chairperson  Michael J. Skalizky - Vice-Chairperson  Mark Nordigan  Zach Rodriguez  John Poole</p>	<p><b>Staff Support</b></p> <p>Kenosha County</p> <p>Andy Buehler..... Director, Division of Planning Operations  Ben Fiebelkorn..... Senior Land Use Planner  Mark Jenks..... County Conservationist</p>



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## INTRODUCTION

Per Part 8 of Chapter XV – Implementation Element of the multi-jurisdictional comprehensive plan (*A Multi-Jurisdictional Comprehensive Plan for Kenosha County: 2035*), the Kenosha County Planning and Development Department has prepared this draft annual report on plan implementation for review by local governments and County officials. This draft annual report includes a list of map amendments made to the plan during the year; major changes to County or local ordinances made to implement the plan (such as the adoption of new zoning districts); a list of new or updated plans related to the multi-jurisdictional comprehensive plan (such as farmland protection or park and open space plans); a list of updated inventory information available from the County or Southeastern Wisconsin Regional Planning Commission (SEWRPC); proposed plan text amendments; and other information identified by local or County officials.

The following is an inventory of work products and other activities related to the *multi-jurisdictional comprehensive plan* conducted by Kenosha County Department of Planning & Development during the period of January 1, 2019 – December 31, 2019.

### Use of the Plan to Guide County Activities

The multi-jurisdictional comprehensive plan (*A Multi-Jurisdictional Comprehensive Plan for Kenosha County: 2035*) served as a guide in the creation and implementation of several County activities. Below is a summary of select key programs implemented from the multi-jurisdictional comprehensive plan.

None.

## LAND USE PLAN MAP AMENDMENTS: 2019

The following is a list of land use plan map amendments that have been made to the multi-jurisdictional comprehensive plan during the period of January 1, 2019 – December 31, 2019.

△ Notes that an amendment to the Adopted Land Use Plan Map for Kenosha County: 2035 (Map 65) was required. Comparisons of plan categories between the local plan maps and the County map are shown in Appendix S of the multi-jurisdictional comprehensive plan.

### City of Kenosha

#### Ordinance No. 13-19 △

An ordinance amending the comprehensive plan for the City of Kenosha. The Amendment changes the land use designation from “Government and Institutional” to “Medium Density Residential” on tax key parcel number 08-222-26-426-030 in the City of Kenosha. Adopted by the City of Kenosha on March 8, 2019.

#### Ordinance No. 16-19 △

An ordinance amending the comprehensive plan for the City of Kenosha. The Amendment changes the land use designation from "Industrial" to "Commercial" on tax key parcel number 07-222-19-301-035 in the City of Kenosha. Adopted by the City of Kenosha on March 22, 2019.

Ordinance No. 32-19

An ordinance amending the comprehensive plan for the City of Kenosha. The Amendment removes property from the 100-year floodplain on tax key parcel numbers 03-122-04-426-021, 03-122-04-426-033, 03-122-04-126-032, 03-122-04-126-035 & 03-122-04-126-041 in the City of Kenosha. Adopted by the City of Kenosha on June 7, 2019.

Ordinance No. 37-19 Δ

An ordinance amending the comprehensive plan for the City of Kenosha. The Amendment changes the land use designation from "Government and Institutional" to "High Density Residential" on tax key parcel numbers 11-223-30-128-004 & 11-223-30-128-003 in the City of Kenosha. Adopted by the City of Kenosha on June 21, 2019.

Ordinance No. 39-19 Δ

An ordinance amending the comprehensive plan for the City of Kenosha. The Amendment changes the land use designation from "Industrial" to "Commercial" on tax key parcel number 07-222-13-402-015 in the City of Kenosha. Adopted by the City of Kenosha on July 8, 2019.

Ordinance No. 54-19 Δ

An ordinance amending the comprehensive plan for the City of Kenosha. The Amendment changes the land use designation from "Medium Density Residential" to "High Density Residential" on tax key parcel numbers 08-222-35-280-040, 08-222-35-280-041 & 08-222-35-280-044 in the City of Kenosha. Adopted by the City of Kenosha on September 20, 2019.

Ordinance No. 58-19 Δ

An ordinance amending the comprehensive plan for the City of Kenosha. The Amendment changes the land use designation from "High Density Residential" to "Commercial" on tax key parcel numbers 08-222-34-452-031 in the City of Kenosha. Adopted by the City of Kenosha on October 11, 2019.

Ordinance No. 60-19 Δ

An ordinance amending the comprehensive plan for the City of Kenosha. The Amendment changes the land use designation from "Commercial" to "Medium-High Density Residential" on tax key parcel number 11-223-30-483-013 in the City of Kenosha. Adopted by the City of Kenosha on October 11, 2019.

## **Village of Bristol**

Ordinance No. 2019-1 Δ

An ordinance amending the comprehensive plan for the Village of Bristol. The Amendment changes the land use designation from "Commercial" and "Isolated Natural Resources Area" to "Commercial", "Rural-Density Residential" and "Isolated Natural Resources Area" on tax key parcel number 37-4-121-313-0402 in the Village of Bristol. Adopted by the Village of Bristol on January 14, 2019.



Ordinance No. 2019-2 Δ

An ordinance amending the comprehensive plan for the Village of Bristol. The Amendment changes the land use designation from "Office/Professional Services" to "Business/Industrial Park" on tax key parcel numbers 37-4-121-242-0201 & 37-4-121-242-0301 in the Village of Bristol. Adopted by the Village of Bristol on January 14, 2019.

**Village of Pleasant Prairie**

Ordinance No. 19-02 Δ

An ordinance to amend the Village 2035 Land Use Plan Map 9.9 on the properties general located between 116<sup>th</sup> and 128<sup>th</sup> Streets east of Sheridan Road, located in U.S. Public Land Survey Section 31, Township 1 North, Range 23 East and further identified as Tax Parcel Numbers 93-4-123-311-0070; 93-4-123-311-0201; 93-4-123-311-0204; 93-4-123-314-0410; 93-4-123-314-0104 thru 93-4-123-314-0150; 93-4-123-314-0174 thru 93-4-123-314-0220; 93-4-123-314-0242 thru 93-4-123-314-0286; and 93-4-123-314-0312 thru 93-4-123-314-0330:

1. To amend the Village 2035 Land Use Plan Map 9.9 to change the Low-Medium Density Residential, Commercial and Mixed Use Lands (CT) with an Urban Reserve Area land use designations to the Park, Recreational and Other Open Space lands on the properties. The Isolated Natural Resource Area and the wetland land use designations on the properties will remain unchanged.
2. To update Appendix 10-3 of the Village of Pleasant Prairie Wisconsin, 2035 Comprehensive Plan to reflect the above noted changes to the 2035 Land use Plan Map 9.9.

Adopted by the Village of Pleasant Prairie on February 4, 2019.

Ordinance No. 19-13 Δ

An ordinance to amend the Village 2035 Land Use Plan Map 9.9 to change Lots 1 and 3 of CSM 2893 generally located east of 9201 Wilmot Road and further identified as a part of Tax Parcel Number 91-4-122-084-0104:

1. The field delineated wetlands as shown and legally described on Lots 1 and 3 of CSM 2893 are hereby placed within the Park, Recreational and Other Open Space lands with a field verified wetland land use designation on the Village 2035 Land Use Plan Map 9.9.
2. Appendix 10-3 of the Village of Pleasant Prairie Wisconsin, 2035 Comprehensive Plan is being amended and updated to reflect the above noted changes to the 2035 Land Use Plan Map 9.9.

Adopted by the Village of Pleasant Prairie on June 17, 2019.

Ordinance No. 19-17 Δ

An ordinance to amend the 2035 Land Use Plan Map 9.9 to show the wetlands located on the vacant property located on the vacant property identified as Tax parcel Number 91-4-122-072-0108, as shown and legally described on Exhibit 1, within the Park, Recreational and Other Open Space lands

with a field verified wetland land use designation and the remainder of the land to remain within the Commercial land use designation with the Freeway Oriented Service center designation being removed.

To update Appendix 10-3 of the Village of Pleasant Prairie Wisconsin, 2035 Comprehensive Plan to reflect the above noted changes to the 2035 Land Use Plan Map 9.9.

Adopted by the Village of Pleasant Prairie on July 1, 2019.

Ordinance No. 19-30

An ordinance to amend the 2035 Land Use Plan Map 9.9 to correct the 10-year floodplain land use designations pursuant to the FEMA approved floodplain boundary adjustment (Letter of Map Revision (LOMR) Case No. 18-05-1772P as effective August 9, 2019) associated with the recently completed Uline headquarters office building (H2) located at 12100 Uline Place as shown on Exhibits 1 and 2; and

To update Appendix 10-3 of the Village of Pleasant Prairie Wisconsin, 2035 Comprehensive Plan to reflect the above noted changes to the 2035 Land Use Plan Map 9.9.

Adopted by the Village of Pleasant Prairie on September 16, 2019.

**Village of Paddock Lake**

None.

**Village of Salem Lakes**

None.

**Village of Somers**

Ordinance No. ? Δ

An ordinance to amend the land use plan map for the Village of Somers (Map 80) as adopted in the Multi-Jurisdictional Comprehensive Plan for Kenosha County 2035 to change the land use category from "Commercial", and "Primary Environmental Corridor" to "High-Density Residential", "Commercial" and "Primary Environmental Corridor" on tax parcel 82-4-222-104-0342, 82-4-222-104-0330 & 82-4-222-104-0201 in the Village of Somers. Adopted by the Village of Somers on April 23, 2019.

Ordinance No. ? Δ

An ordinance to amend the land use plan map for the Village of Somers (Map 80) as adopted in the Multi-Jurisdictional Comprehensive Plan for Kenosha County 2035 to change the land use category from "Medium-Density Residential", "High-Density Residential" and "Primary Environmental Corridor" to "High-Density Residential" and "Primary Environmental Corridor" on tax parcel 83-4-223-192-0580 & 83-4-223-192-0590 in the Village of Somers. Adopted by the Village of Somers on November 26, 2019.

**Town of Wheatland**

None.

**Kenosha County**



Ordinance No. 2019-18 Δ

An ordinance to amend the multi-jurisdictional comprehensive plan (A Multi-Jurisdictional Comprehensive Plan for Kenosha County 2035) to change the land use category from Farmland Protection, Rural-Density Residential, Secondary Environmental Corridor and Non-Farmed Wetland to Farmland Protection, Rural-Density Residential, Suburban-Density Residential, Secondary Environmental Corridor and Non-Farmed Wetland on tax parcel 45-4-221-111-0107 & 45-4-221-111-0102 in the Town of Paris. Adopted by Kenosha County on February 20, 2019.

Ordinance No. 2019-21 Δ

An ordinance to amend the multi-jurisdictional comprehensive plan (A Multi-Jurisdictional Comprehensive Plan for Kenosha County 2035) to change the land use category from Farmland Protection & SEC to Suburban-Density Residential, Farmland Protection & SEC on tax parcel 45-4-221-352-0303 in the Town of Paris. Adopted by Kenosha County on February 20, 2019.

Ordinance No. 2019-23 Δ

An ordinance to amend the multi-jurisdictional comprehensive plan (A Multi-Jurisdictional Comprehensive Plan for Kenosha County 2035) to change the land use category from General Agricultural & Open Land to General Agricultural & Open Land and Rural-Density Residential on tax parcel 30-4-220-294-0400 in the Town of Brighton. Adopted by Kenosha County on February 20, 2019.

Ordinance No. 2019-9 Δ

An ordinance to amend the multi-jurisdictional comprehensive plan (A Multi-Jurisdictional Comprehensive Plan for Kenosha County 2035) to change the land use category from Farmland Protection and SEC to Farmland Protection, SEC and Rural-Density Residential on tax parcel 30-4-220-252-0300 in the Town of Wheatland. Adopted by Kenosha County on October 16, 2019.

Ordinance No. 2019-4 Δ

An ordinance to amend the multi-jurisdictional comprehensive plan (A Multi-Jurisdictional Comprehensive Plan for Kenosha County 2035) to change the land use category from Farmland Protection and SEC to Farmland Protection, SEC and Rural-Density Residential on tax parcel 45-4-221-333-0400 in the Town of Paris. Adopted by Kenosha County on August 21, 2019.

Ordinance No. 2019-29 Δ

An ordinance to amend the multi-jurisdictional comprehensive plan (A Multi-Jurisdictional Comprehensive Plan for Kenosha County 2035) to change the land use category from Farmland Protection and Isolated Natural Resource Area to Rural-Density Residential, General Agricultural & Open Land and Isolated Natural Resource Area on tax parcel 45-4-221-061-0150 in the Town of Paris. Adopted by Kenosha County on April 17, 2019.

Ordinance No. 2019-31 Δ

An ordinance to amend the multi-jurisdictional comprehensive plan (A Multi-Jurisdictional Comprehensive Plan for Kenosha County 2035) to change the land use category from Farmland Protection to General Agricultural & Open Land and Suburban-Density Residential on tax parcel 45-4-221-333-0201 in the

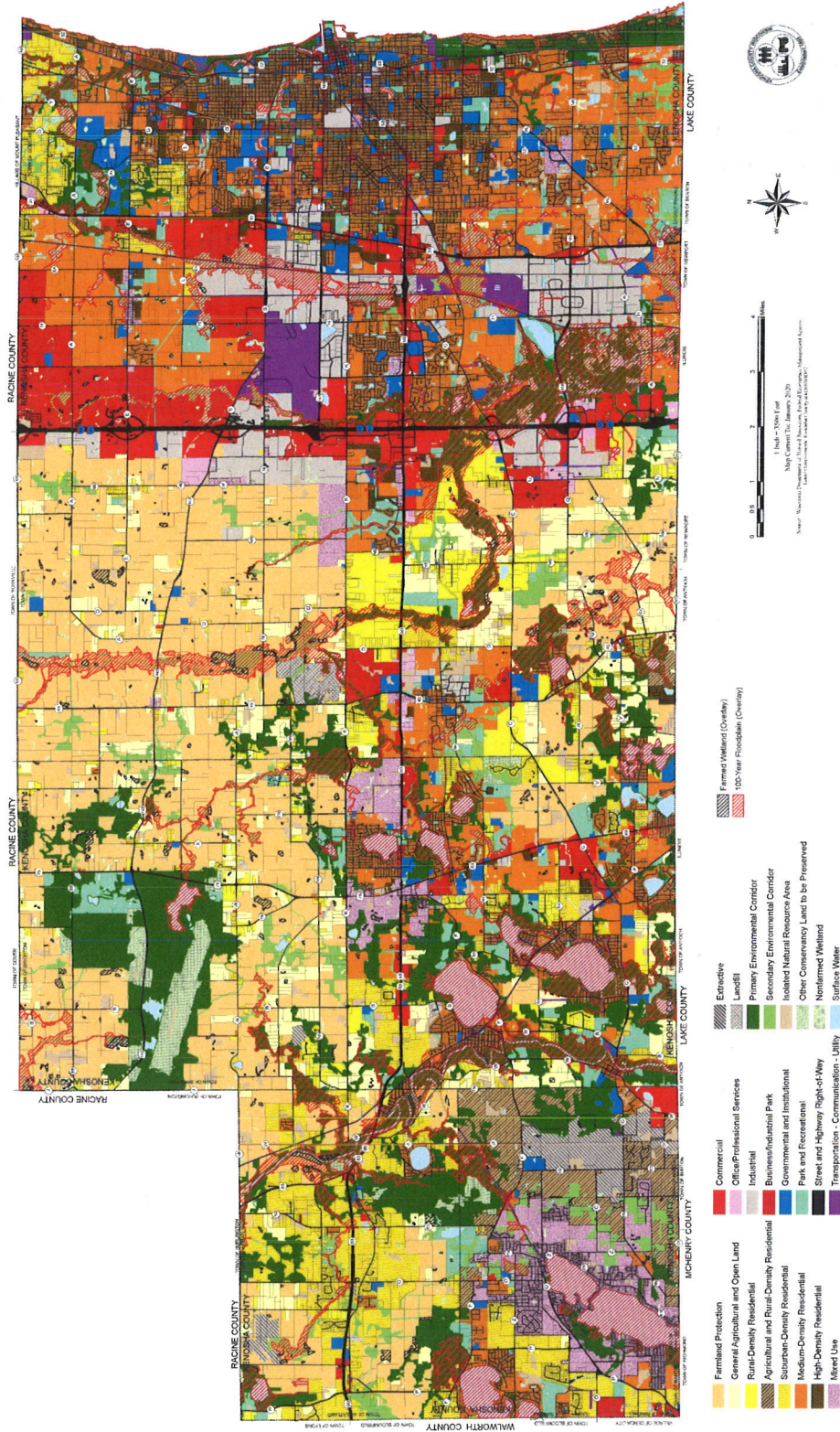
Town of Paris. Adopted by Kenosha County on April 17, 2019.

Ordinance No. 2019-29 Δ

An ordinance to amend the multi-jurisdictional comprehensive plan (A Multi-Jurisdictional Comprehensive Plan for Kenosha County 2035) to change the land use category from Farmland Protection and SEC to Farmland Protection, Rural-Density Residential and SEC on tax parcel 30-4-220-231-0100 in the Town of Brighton. Adopted by Kenosha County on March 26, 2019.



MAP 65  
ADOPTED LAND USE PLAN MAP FOR KENOSHA COUNTY: 2035





## RECOMMENDED PROGRAMS & PRIORITIES

Part 7 of Chapter XV – Implementation Element, included a compilation of programs from each of the plan elements to implement the recommendations set forth in the plan. These programs were to be considered as having the highest priority in implementing the plan and were not listed in priority order.

The following are those recommended high-priority programs as included in the Implementation Element and how they have been addressed by Kenosha County staff during the period of January 1, 2019 – December 31, 2019. The recommended programs have been categorized as completed, continuous, in-progress, not addressed, or discontinued (see table below).

Completed ✓	Continuous ∞	In-Progress ~	Not Addressed ≠	Discontinued Ø
Programs that have been addressed and completed	Programs that are on-going throughout the plan year 2035	Programs that have been addressed but are not yet complete	Programs that have not yet been addressed	Programs that have been discontinued

Note: The following information on recommended programs is up to date and accurate to the best of County staff's knowledge at the time of publication.

### Agricultural, Natural, & Cultural Resources Element (Chapter VIII)

- **∞Program:** Continue to support the Kenosha County Planning and Development Department in its efforts to protect land and water resources, including farmland, and to implement recommendations set forth in the County Land and Water Resource Management Plan.
- **≠Program:** Study the concept of a transfer of development rights (TDR) program and/or a purchase of development rights (PDR) program for local and county government use that focuses on the protection of agricultural areas.
- **✓Program:** Update the *Kenosha County Farmland Preservation Plan* to reflect changes to the Wisconsin Farmland Preservation Program approved by the State Legislature in response to the Working Lands Initiative report. Encourage local governments to participate in developing and implementing the updated County Farmland Preservation Plan. (plan not implemented)
- **≠Program:** Designate Agricultural Enterprise Areas (AEA) containing contiguous lands devoted primarily to agricultural use as recommended in the updated County Farmland Preservation Plan. An AEA may be part of a broader strategy to protect farmland and promote agriculture and agriculturally-related development.
- **ØProgram:** Encourage the implementation of the Purchase of Agricultural Conservation Easements (PACE) program, which provides State funding for the purchase of such easements from willing landowners in order to preserve agricultural capacity and conserve unique agricultural resources.
- **ØProgram:** Update the Kenosha County zoning ordinance to meet or exceed farmland preservation standards in accordance with Section 71.613 and Chapter 91 of the *Statutes*, in order to maintain a

farmer's eligibility for State income tax credits and to implement the County Farmland Preservation Plan.

- **∞Program:** Continue to encourage intergovernmental cooperation to protect farmland, including the use of boundary agreements.
- **ØProgram:** Work with KABA (Kenosha Area Business Alliance) to develop programs to promote an agricultural economic cluster of farming operations and appropriate agri-businesses on lands designated for agricultural use on the County Land Use Plan Map (Map 65 in Chapter IX).
- **∞Program:** Continue to protect lowland portions of environmental corridors and other lowland areas, including wetlands, through enforcement of C-1 district regulations set forth in the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance.
- **∞Program:** Continue to protect upland portions of environmental corridors and other upland areas through enforcement of C-2 district regulations set forth in the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance.
- **∞Program:** Continue to work with the Seno Kenosha/Racine Land Trust and other NCOs to protect primary environmental corridors, natural areas, and critical species habitat sites through fee simple acquisitions and conservation easements.
- **∞Program:** Work to protect environmental corridors and natural areas through County and local plat review processes.
- **≠Program:** Consider amending the Rural Cluster Overlay District in the County zoning ordinance to require stewardship plans for the management of common open space in conservation subdivisions.
- **∞Program:** Support and, where applicable, implement sanitary sewer and stormwater management standards recommended in the regional water quality management plan update and subsequent amendments.
- **∞Program:** Incorporate the updated floodplain mapping from the Kenosha County floodplain map modernization project into the County zoning maps following approval of the maps by the DNR and FEMA.
- **∞Program:** Continue to administer and enforce floodplain and shoreland regulations included in the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance.
- **∞Program:** Continue to implement County ordinance requirements related to land suitability to avoid inappropriate development on severe structural or severe wet soils.
- **∞Program:** Maintain, update, and implement recommendations set forth in the Kenosha County Hazard Mitigation.
- **∞Program:** Plan as funding becomes available, including acquisition of properties in the floodplain without "buildable" areas.
- **≠Program:** Consider amending the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance to address Lake Michigan bluff erosion more comprehensively, and develop bluff setback requirements for new development and redevelopment projects, with assistance from the Wisconsin Coastal Management Program and Wisconsin Sea Grant. (Could be considered at the local zoning ordinance level for the City of Kenosha, Village of Somers and the Village of Pleasant Prairie. Not addressed at this time could pursue if need be.)
- **∞Program:** Continue to cooperate with Waste Management/Pheasant Run Landfill to conduct the countywide hazardous household waste collection program, and incorporate other recycling efforts and awareness into the program.
- **∞Program:** Continue to provide education and assistance to citizens on potential environmental



problems that may impact human health, including home health hazards such as mold, lead, and asbestos; indoor and outdoor air quality; solid and hazardous waste; and pest control.

- **≠Program:** Work with local governments and aggregate producers to identify suitable areas with commercially viable sources of sand and gravel. Ideally, suitable areas should be located in sparsely populated areas and not have significant surface natural resources. Exceptions may be considered for innovative mining methods that have minimal impacts on surrounding residents and land uses.
- **✓Program:** Update the County Park and Open Space Plan, including updates from the regional natural areas and critical species habitat plan, to maintain eligibility for DNR Stewardship funding.
- **∞Program:** Continue the development, enhancement, and management of recreational trail facilities to ensure connectivity of such facilities in Kenosha County including potential water trails, as illustrated in Map 61 and potential area-wide recreational bicycle trails, as illustrated in Map 63.
- **∞Program:** Preserve and maintain structures with significant historical value owned by the County.
- **∞Program:** Preserve and maintain sites owned by the County that have significant archaeological value.

## Land Use Element (Chapter IX)

- **∞Program:** Kenosha County will continue to work with Towns to develop land use plans and plan amendments for inclusion in the multi-jurisdictional plan that can be implemented through County land use-related ordinances, and identify and adopt needed amendments to such ordinances.
- **∞Program:** Kenosha County will continue to administer and enforce the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance in unincorporated areas in accordance with State and Federal requirements and the land use plan map (Map 65).
- **✓Program:** Communities may establish urban and rural design guidelines as a Town ordinance for which compliance may be mandatory (regulatory approach by converting guidelines into ordinance regulations) or voluntary (nonregulatory approach by encouraging developers to follow a design manual). As an integral part of this comprehensive plan and in unincorporated Towns, Towns may establish Town-specific urban and rural design guidelines for residential, commercial, industrial, office, business park, village/town center, recreational, and institutional development, provided said design guidelines are first approved by Kenosha County before a design guideline ordinance is enacted by a Town.
- **∞Program:** Encourage a full range of housing structure types and sizes, including single-family, two-family, and multi-family dwelling units, in sanitary sewer service areas to provide affordable housing options for households of all income levels, ages, and special needs projected for Kenosha County in 2035.
- **∞Program:** Encourage the development of nursing homes, community-based residential facilities, and other types of assisted living facilities for the elderly and persons with disabilities in appropriate locations.
- **~Program:** The County and affected local governments should cooperatively identify study areas for integrated land use and transportation plans around IH 94 interchanges and prepare plans for these areas to refine the land use development pattern set forth on Map 65.
- **~Program:** Local governments will consider developing neighborhood plans that include a planned street network plan to provide proper guidance to developers for connectivity of collector and land

access streets between subdivisions.

- **∞Program:** Encourage and support businesses and agribusiness that use “green” development techniques and focus on renewable, alternative, or sustainable energy resources.
- **✓Program:** Kenosha County will work with towns to update County shoreland zoning regulations to comply with pending updates to Chapter NR 115 of the *Wisconsin Administrative Code*.
- **∞Program:** Kenosha County and SEWRPC will continue to provide all inventory and additional planning maps produced for the multi-jurisdictional comprehensive planning process to local governments, on request, to facilitate joint land use planning.

## Housing Element (Chapter X)

- **≠Program:** Kenosha County should study the feasibility of creating a countywide housing trust fund to provide a dedicated source of revenue to support the development and preservation of affordable housing.
- **~Program:** Identify programs and potential funding sources for new programs to assist homeowners in creating more energy-efficient homes and in making needed repairs, including improvements to meet State and Federal lead-safe standards.
- **∞Program:** Continue cooperative efforts between the Kenosha County Health Department and local governments to enforce State public health Statutes, and County and local ordinances concerning dilapidated, unsafe, or unsanitary housing that pose a human health hazard.
- **∞Program:** Support and consider expanding the Kenosha County Housing Authority programs, including the Housing Rehabilitation Loan Program, the Homestead Opportunity Loan Program, and the Fox River Flood Mitigation Program.
- **≠Program:** Encourage local and county governments to incorporate Universal Design requirements into local zoning ordinances and building codes.
- **∞Program:** Continue to support and expand Kenosha County Division of Aging<sup>1</sup> services and programs, which provide support services and information to elderly and physically disabled residents, and to their families.
- **∞Program:** Continue to support nonprofit agencies and Kenosha County’s Division of Aging Services “stay-at-home” services to assist elderly and disabled residents living in traditional homes. Aside from personal and home healthcare, services include adult day care, home modification, housekeeping, meal delivery, lawn care, and snow removal.
- **~Program:** Identify causes and solutions for housing shortage as part of county-wide housing initiative.

## Transportation Element (Chapter XI)

- **≠Program:** Kenosha County, in cooperation with local governments, SEWRPC, and State agencies,

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<sup>1</sup> The Kenosha County Division of Aging Services, through the Aging and Disability Resource Center, provides information, programs, and services pertaining to transportation, healthcare services, elderly housing, meal programs, benefit services, financial assistance, recreation and education programs, and other services for the elderly and disabled.



should prepare a Countywide transit plan, which would analyze and recommend fully coordinated transit improvements and connections within the County and equitable funding for transit services, in lieu of or as an interim measure until a permanent RTA is formed that would provide regional funding and management of transit services.

- **✓Program:** Prepare and implement City, Village, and Town neighborhood plans, small area plans, and bicycle and pedestrian plans to provide a coordinated system of bicycle and pedestrian trails, collector streets, and local land access streets.
- **≠Program:** Review the recommended transit service improvements set forth in the forthcoming Kenosha Area Transit System Development Plan 2009-2013 and subsequent updates and implement desired recommendations.
- **∞Program:** Continue operation of transportation services for persons with disabilities and elderly residents through operation of the Care-A-Van, Volunteer Escort, Discovery Bus, and similar programs through the comprehensive plan design year 2035.
- **✓Program:** Develop and implement a detailed bike and pedestrian trail plan for Kenosha County under the guidance of an advisory committee to be formed by Kenosha County. The plan should determine specific locations for bike and pedestrian trails and identify potential links to existing trails in Kenosha County, trails in adjacent counties, and a potential east-west trail in the County.
- **~Program:** Consider including facilities for walking and bicycling during the review and approval of all development projects, including street and highway improvements, to provide an alternative to motor vehicle travel and to promote a healthy lifestyle.
- **∞Program:** Continue working with SEWRPC and WisDOT to continue regional planning efforts and to develop methods to promote interconnection between all transportation modes and systems available within the County and the Region.
- **~Program:** Work with SEWRPC, WisDOT, and local governments to comprehensively review and update the Kenosha County jurisdictional highway system plan and to implement its recommendations.
- **≠Program:** Consider preparing and adopting a highway access management ordinance to regulate access to County highways, and coordinate with local governments to develop consistency between County highway access management regulations and local access management/driveway ordinances.
- **ØProgram:** Encourage the use of the design concept called “Complete Streets.”<sup>2</sup>
- **∞Program:** Continue to maintain existing County and local streets and highways, including resurfacing, reconstruction, and patching; snow clearing; sign maintenance; and mowing, trash removal, and tree trimming within highway rights-of-way.

## Utilities and Community Facilities Element (Chapter XII)

- **∞Program:** Continue the cooperative process among DNR, SEWRPC, and County and local governments for coordinated planning of land use, sewage treatment and disposal, stormwater management, and water supply facilities and services.
- **∞Program:** Continue to develop stormwater management plans and ordinances and joint agreements

<sup>2</sup> “Complete Streets” are designed and operated to enable safe access for all users, including pedestrians, bicyclists, motorists, and transit riders of all ages and abilities. See [www.completestreets.org](http://www.completestreets.org) for more information.


# Kenosha



# County

## BOARD OF SUPERVISORS

### RESOLUTION NO. \_\_\_\_\_

Subject: Resolution authorizing Director of Parks to apply for grant funding from the Wisconsin Department of Natural Resources (WDNR) which will be used for stream restoration work on the Pike River within Petrifying Springs Park.	
Original <input checked="" type="checkbox"/> Corrected <input type="checkbox"/> 2 <sup>nd</sup> Correction <input type="checkbox"/> Resubmitted <input type="checkbox"/>	
Date Submitted: 2/24/20	Date Resubmitted:
Submitted by: Matthew Collins	
Fiscal Note Attached <input checked="" type="checkbox"/>	Legal Note Attached <input type="checkbox"/>
Prepared by: Matthew Collins	Signature: 

WHEREAS, Kenosha County created a comprehensive Pike River restoration plan within Petrifying Springs Park; and

WHEREAS, Restoration work will improve water quality, habitat and ecological functioning of the Pike River and control erosion in this urban green infrastructure hub; and

WHEREAS, Phase I work on the Pike River was completed in 2019 which addressed a 3,100 linear foot reach; and

WHEREAS, Kenosha County is seeking funding for Phase II restoration work, which calls for the restoration of 3,280 linear feet along the Pike River streambank within Petrifying Springs Park; and

WHEREAS, the WDNR has grant funding available through the Urban Nonpoint Source and Storm Water Management Grant Program which will be used for stream restoration work on the Pike River within Petrifying Springs Park.; and

WHEREAS, the total amount requested is \$150,000, of which Kenosha County will be obligated to provide 50% match or \$75,000; and

WHEREAS, the matching funds was accounted for in the Kenosha County budget; and

WHEREAS, the WDNR requires County Board approval as a step in the grant process; and

NOW, THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors authorizes the Director of Parks to act on its behalf to submit an application to the WDNR for an Urban Nonpoint Source and Storm Water Management grant, sign documents and take necessary action to undertake, direct and complete the submission of the grant application for these projects.

WDNR Urban Nonpoint Source and Storm Water Management Grant Resolution  
February 24, 2020  
Page 3

Respectfully Submitted:


Committee:

Aye

Nay

Abstain

Excused

  
Dennis Elverman, Chairperson

☒☐☐☐

  
John Franco, Vice Chairperson

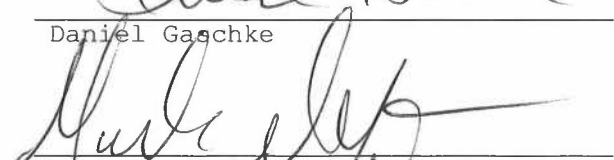
☒☐☐☐

Laura Belsky

☐☐☐☒

  
Daniel Gaschke

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Mark Nordigian

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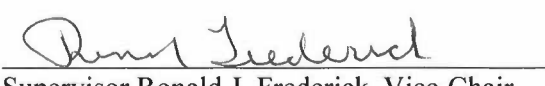
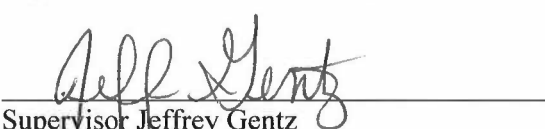
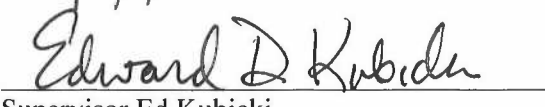
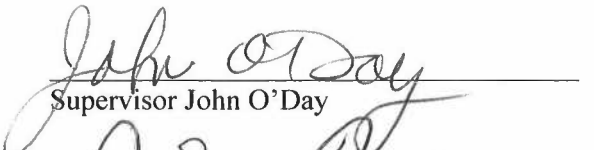

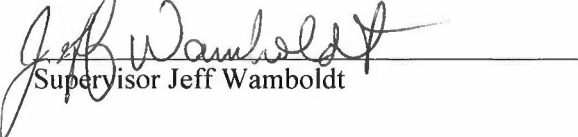
  
Michael Skalitzky

☒☐☐☐

  
Monica Yuhas

☒☐☐☐

FINANCE/ADMINISTRATION COMMITTEE

	Aye	Nay	Abstain	Excused
 Supervisor Terry W. Rose, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Supervisor Ronald J. Frederick, Vice-Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Supervisor Jeffrey Gentz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Supervisor Ed Kubicki	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Supervisor John O'Day	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Supervisor John Poole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Supervisor Jeff Wamboldt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



Kenosha County  
Administrative Proposal Form

**1. Proposal Overview**

Division: Parks Department: Public Works

Proposal Summary (attach explanation and required documents):

Resolution authorizing Director of Parks to apply for grant funding from the Wisconsin Department of Natural Resources (WDNR) Urban Nonpoint Source & Storm Water Management Grant Program which will be used for stream restoration work on the Pike River within Petrifying Springs Park.

Dept./Division Head Signature: 

Date: 2.25.20

**2. Department Head Review**

Comments:

Recommendation: Approval ☒ Non-Approval ☐

Department Head Signature: 

Date: 2-26-20

**3. Finance Division Review**

Comments:

Recommendation: Approval ☒ Non-Approval ☐

Finance Signature: 

Date: 2/25/20

**4. County Executive Review**

Comments:

Action: Approval ☒ Non-Approval ☐

Executive Signature: 

Date: 2/26/20


**Kenosha**



**County**

**BOARD OF SUPERVISORS**

**RESOLUTION NO. \_\_\_\_\_**

Subject: Resolution authorizing Director of Parks to apply for grant funding from the Wisconsin Department of Natural Resources (WDNR) which will be used to develop trails and construct park access in Kenosha County Veterans Memorial Park (KCVMP).	
Original <input checked="" type="checkbox"/> Corrected <input type="checkbox"/> 2 <sup>nd</sup> Correction <input type="checkbox"/> Resubmitted <input type="checkbox"/>	
Date Submitted: 2/24/20	Date Resubmitted:
Submitted by: Matthew Collins	
Fiscal Note Attached <input checked="" type="checkbox"/>	Legal Note Attached <input type="checkbox"/>
Prepared by: Matthew Collins	Signature: 

WHEREAS, Kenosha County Parks Division has constructed a parkway, parking lots, storm water retention basins, 30 acres of prairie, trail development, and multiuse dock within Kenosha County Veterans Memorial Park; and

WHEREAS, these improvements were part of the overall master plan to improve Kenosha County Veterans Memorial Park; and

WHEREAS, the overall master plan includes adding improvements to provide recreational amenities to the residents of Kenosha County; and

WHEREAS, WDNR Stewardship grant funding is available to fund the construction of multiuse trail and parkway expansion in Kenosha County Veterans Memorial Park; and

WHEREAS, the total estimated cost of the project is \$1,005,456, of which one half or \$507,728 will be Kenosha County match; and

WHEREAS, if Kenosha County receives the grant, the source of the County match will be included within the proposed 2021 County budget; and

NOW, THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors authorizes the Director of Parks to act on its behalf to submit an application to the WDNR for a Stewardship Grant, sign documents and take necessary action to undertake, direct and complete the submission of the grant application for these projects.

WDNR Stewardship Grant Resolution  
February 24, 2020  
Page 2

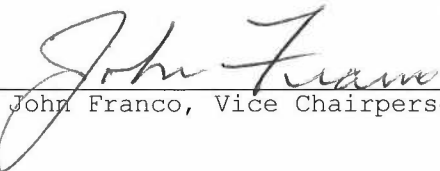
Respectfully Submitted:

Committee:

Aye      Nay      Abstain      Excused



Dennis Elverman, Chairperson

☒☐☐☐

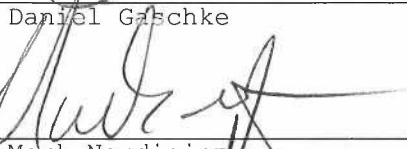
John Franco, Vice Chairperson

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Laura Belsky



Daniel Gaschke

☒☐☐☐

Mark Nordigian

☒☐☐☐

Michael Skalitzyk

☒☐☐☐

Monica Yuhas

☒☐☐☐

FINANCE/ADMINISTRATION COMMITTEE

	Aye	Nay	Abstain	Excused
 Supervisor Terry W. Rose, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Supervisor Ronald J. Frederick, Vice-Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Supervisor Jeffrey Gentz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Supervisor Ed Kubicki	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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 Supervisor John Poole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Kenosha County  
Administrative Proposal Form

**1. Proposal Overview**

Division: Parks Department: Public Works

Proposal Summary (attach explanation and required documents):

Resolution authorizing Director of Parks to apply for grant funding from the Wisconsin Department of Natural Resources (WDNR) which will be used to develop trails and construct park access in Kenosha County Veterans Memorial Park.

Dept./Division Head Signature: \_\_\_\_\_

Date: 2.25.20

**2. Department Head Review**

Comments:

Recommendation: Approval ☒ Non-Approval ☐

Department Head Signature: \_\_\_\_\_

Date: 2-26-20

**3. Finance Division Review**

Comments:

Recommendation: Approval ☒ Non-Approval ☐

Finance Signature: \_\_\_\_\_

Date: 2/25/20

**4. County Executive Review**

Comments:

Action: Approval ☒ Non-Approval ☐

Executive Signature: \_\_\_\_\_

Date: 2/26/20





# COUNTY OF KENOSHA

## Division of Planning & Development

Andy M. Buehler, Director  
Division of Planning & Development  
19600 75<sup>th</sup> Street, Suite 185-3  
Bristol, WI 53104-9772  
(262) 857-1895

### MEMORANDUM

Communication to Kenosha County Board of Supervisors  
(For Informational Purposes Only)

As required by Section 59.69(2)(e), the following report is being made on the petitions to the April 8, 2020 Planning, Development & Extension Education Committee meeting that have been filed in the Kenosha County Clerk & Kenosha County Planning & Development Offices for future consideration by the County Board.

1. **Tabled Request of John P. Lourigan/Lourigan Trust**, 844 172<sup>nd</sup> Ave., Union Grove, WI 53182 (Owner), requests an **amendment to the Adopted Land Use Plan map for Kenosha County: 2035 (map 65 of the comprehensive plan)** from "Farmland Protection" to "Farmland Protection", "General Agricultural & Open Land" and "Suburban-Density Residential" on Tax Parcel # 45-4-221-091-0310 located in the NE ¼ of Section 9, T2N, R21E, Town of **Paris**.
2. **Tabled Request of John P. Lourigan/Lourigan Trust**, 844 172<sup>nd</sup> Ave., Union Grove, WI 53182 (Owner), requesting a **rezoning** from A-1 Agricultural Preservation Dist. to A-1 Agricultural Preservation Dist., A-2 General Agricultural Dist., R-2 Suburban Single-Family Residential Dist., C-1 Lowland Resource Conservancy Dist. & PUD Planned Unit Development Overlay Dist. on Tax Parcel # 45-4-221-091-0310 located in the NE ¼ of Section 9, T2N, R21E, Town of **Paris**.
3. **Tabled Request of John P. Lourigan/Lourigan Trust**, 844 172<sup>nd</sup> Ave., Union Grove, WI 53182 (Owner), requesting a **Certified Survey Map** on Tax Parcel # 45-4-221-091-0310 located in the NE ¼ of Section 9, T2N, R21E, Town of **Paris**.
4. **Tabled Request of Michael J. & Ann M. Grossman**, 25537 52<sup>nd</sup> St., Salem, WI 53168 (Owner), requesting a **Certified Survey Map** on Tax Parcel # 30-4-220-344-0406 located in the SE ¼ of Section 34, T2N, R20E, Town of **Brighton**.
5. Approval of Minutes
6. Citizens Comments
7. Any Other Business Allowed by Law
8. Adjournment

Sincerely,

ANDY M. BUEHLER, Director  
Division of Planning & Development