



City of Racine

City Hall
730 Washington Ave.
Racine, WI 53403
www.cityofracine.org

Meeting Minutes - Final Common Council

*Alderman Jeff Coe, Alderman Robert Anderson, Alderman Michael Shields
Alderman Jim Kaplan, Alderman David L. Maack, Alderman Sandy Weidner
Alderman Raymond DeHahn, Alderman Q.A. Shakoor, II, Alderman Thomas Friedel
Alderman Gregory Holding, Alderman Aron Wisneski
Alderman James T. Spangenberg, Alderman Ronald D. Hart, Alderman Robert Mozol*

Tuesday, March 4, 2008

7:00 PM

Room 205, City Hall

A. Call To Order

PRESENT: 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

B. Pledge of Allegiance To The Flag

Mayor Becker led the Council in the Pledge of Allegiance to the Flag.

C. Approval of Journal of Council Proceedings (Minutes)

Minutes of the previous meeting were approved as printed on motion of Alderman Spangenberg.

D. Public Comments

*Susan DeKeuster
Norb DeKeuster
Mercedes Dzindzeleta*

E. Public Hearings

[Ord.01-08](#) Ordinance No. 1-08

To repeal and recreate Sec. 114-111 of the Municipal Code of the City of Racine, Wisconsin relating to Zoning - Fees, Enumerated.

The Common Council of the City of Racine do ordain as follows:

Part 1:

Sec. 114-111 of the Municipal Code of the City of Racine is hereby repealed and recreated to read as follows:

“Sec. 114-111. Enumerated.

By a resolution of the Common Council, from time to time, appropriate fees may be established for the following activities: zoning map amendment; zoning

appeal or variance; conditional use permit; conditional use permit amendment as a remedy for non-compliance; lot paving/resurfacing; application for designation as "H" Historic Properties District; application to rescind designation as "H" Historic Properties District; submittal for design review."

Part 2:

This ordinance shall take effect upon passage and the day after publication.

Passed by the Common Council:

Approved: _____

Mayor

Attest:

City Clerk

Fiscal Note: N/A

Sponsors: Gregory Holding

No one appeared.

His Honor, the Mayor, declared the public hearing closed

F. Communications

Refer to Finance and Personnel Committee, by Ald. Friedel

08-1786

Subject: Communication from the Commissioner of Public Works/City Engineer regarding the elimination and creation of a position in the Equipment Maintenance Division.

Referred to Finance and Personnel Committee

08-1802

Subject: Communication from the Public Health Administrator requesting permission to apply and accept funds from the Wisconsin Department of Health and Family Services, Centers for Disease Control and Prevention for Lead Poisoning Prevention. (Grant Control #2008-006)

Referred to Finance and Personnel Committee

08-1806

Subject: Agreement with Ehlers and Associates, Inc. for professional Services related to a Tax Increment District for the Uptown Commercial Area.

Referred to Finance and Personnel Committee

[08-1817](#)

Subject: Communication from the Public Health Administrator requesting permission to accept an annual allocation of funds of \$250,000 from the State of Wisconsin to combat infant mortality. The first allocation being \$500,000 covering retroactive to July 1, 2007 through June 30, 2009. (Grant Control #2008-007)

(Also refer to the Board of Health.)

Referred to Finance and Personnel Committee

Referred to Board of Health

[08-1818](#)

Subject: Communication from the Public Health Administrator requesting that a Healthy Birth Outcomes Program Coordinator position be created.

(Also refer to the Board of Health.)

Referred to Finance and Personnel Committee

Referred to Board of Health

Refer to Public Works and Services Committee, by Ald. Hart

[08-1803](#)

Subject: request from Sam Azarian, Jr. and Steve Tajnai to negotiate terms for the lease of the municipal parking lot located at 919 Marquette Street.

Original lease terms were established by Resolution 07-0510 of November 20, 2007, but did not result in a signed lease agreement.

Referred to Public Works and Services Committee

[08-1804](#)

Subject: Communication from David Resop, 1940 Jay Eye See Avenue, submitting a petition to partially vacate the north-south alley bounded by Jay Eye See Avenue, Twentieth Street, Case Avenue and DeKoven Avenue.

Referred to Public Works and Services Committee

[08-1807](#)

Subject: Communication from Mark Rode, Commodore, Racine Yacht Club, requesting permission to use the land south of the Water Treatment Plant to spread, dewater and temporarily store materials dredged from their slip basin.

Referred to Public Works and Services Committee

[08-1811](#)

Subject: Communication from Michael Bergnach, 203-207 Sixth Street, requesting that the City allow the currently existing storm water drain system to remain unchanged until next year when it can be corrected in conjunction with the Sixth Street reconstruction project.

Referred to Public Works and Services Committee

08-1816 **Subject:** Communication from the President of 4th Fest of Greater Racine requesting permission to use city right-of-way for the 4th of July parade on Friday, July 4, 2008, and permission to use North Beach for the fireworks.

(Also refer to Board of Parks, Recreation and Cultural Services)

Referred to Public Works and Services Committee

Referred to Board of Park, Recreation and Cultural Services

08-1819 **Subject:** Request to exchange property between the City and Adams Outdoor Advertising.

Referred to Public Works and Services Committee

08-1821 **Subject:** Communication from Hartmann Design, Inc. requesting a building variance for signage, gooseneck lamps and awnings at 914 Marquette Street.

Referred to the Public Works and Services Committee

08-1822 **Subject:** Communication from Mayor Becker wishing to discuss returning Marquette Street and ML King Drive back to two-way streets.

(Also refer to Traffic Commission)

Referred to the Public Works and Services Committee

Referred to the Traffic Commission

Refer to Public Safety and Licensing Committee, by Ald. Shakoor

08-1792 **Subject: (NEW)** Application of Balwinder Singh, Agent, for a "Class A" Retail Fermented Malt Beverage and Intoxicating Liquor License for 1201 S. Memorial Drive. (3rd District)

Referred to Public Safety and Licensing Committee

08-1793 **Subject:** (New) Application of Shogun Japanese Restaurant, Kwang Seok Youn, Agent for a "Class B" Fermented Malt Beverage and intoxicating Liquor License for 518 College Avenue. (1st District)

Referred to Public Safety and Licensing Committee

08-1808 **Subject:** Communication from the Director of Parks, Recreation & Cultural Services requesting permission to enter in an agreement with Earth Tech, Inc. to prepare plans and specifications for Washington Golf Course Storm Water Lift Station Upgrades.

Referred to Public Safety and Licensing Committee

[08-1809](#)

Subject: Request to transfer the West Platform of the Racine Railroad Depot (1402 Liberty Street) and associated property to the City of Racine from the Redevelopment Authority.

(Also refer to City Plan Commission)

(Also refer to Redevelopment Authority)

Referred to Public Works and Services Committee

Referred to City Plan Commission

Referred to Redevelopment Authority of the City of Racine

Refer to Traffic Commission, by Ald. Hart

[08-1823](#)

Subject: Communication from 2nd District Alderman on behalf of resident Ken Taylor requesting a four way stop sign be installed at the intersection at Park & 18th Street.

Referred to the Traffic Commission

Refer to Transit and Parking Commission, by Ald. DeHahn

[08-1820](#)

Subject: Communication from the Transit Planner wishing to discuss proposed changes to Belle Urban System, Policy No. 6, Use of Racine Railroad Depot.

Referred to Transit and Parking Commission

Refer to Board of Parks, Recreation, and Cultural Services, by Ald. Wisneski

[08-1815](#)

Subject: Communication from the students and staff of Walden III Middle/High School requesting to build an outdoor classroom at Franklin Park.

Referred to Board of Park, Recreation and Cultural Services

G. Committee Reports

Finance and Personnel Committee Report, by Ald. Friedel

[07-1164](#)

Subject: Communication from the station manager of Racine Car25 requesting to appear before the Finance & Personnel Committee to discuss potential pay increase for the station manager as a nonunion rep employee

Recommendation of Cable Commission: That the item be referred to Finance & Personnel Committee.

Staff Recommendation to the Finance & Personnel Committee on 01-07-08: None at this time.

Fiscal Note: N/A

Recommendation of the Finance & Personnel Committee on 2-25-08: That the item be received and filed.

Fiscal Note: N/A

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

[08-1730](#)

Subject: Communication from the City Attorney submitting the claim of Mark Johnson for consideration.

Recommendation of the Finance & Personnel Committee on 2-25-08: The claim of Mark Johnson requesting reimbursement of \$289.03 for his cracked windshield after driving over a pothole be denied.

Fiscal Note: N/A

A motion was made that this Claim be Received and Filed as Reported. The motion was APPROVED.

[08-1736](#)

Subject: Communication from the City Attorney submitting the claim of Friends of Seniors, Inc. for consideration.

Recommendation of the Finance & Personnel Committee on 2-25-08: The claim of Friends of Seniors, Inc. requesting reimbursement of \$525.00 for irreparable damage to items stored in the basement when the boiler in the City-owned building (former Lakeview Community Center) experienced a leak, be denied.

Fiscal Note: N/A

A motion was made that this Claim be Received and Filed as Reported. The motion was APPROVED.

[08-1743](#)

Subject: Communication from the Commissioner of Public Works/City Engineer wishing to discuss overtime due to severe weather.

Recommendation of the Finance & Personnel Committee on 2-25-08: That each supervisor in the Department of Public Works and Parks Departments be compensated for an additional 50 hours at their regular salary.

Fiscal Note: \$23,516 to come out of the Salaries accounts of DPW and

Parks Departments.

**A motion was made that this Communication be Received and Filed as Reported.
The motion was APPROVED.**

08-1745

Subject: Communication from the Public Health Administrator requesting permission to apply for funding from Children's Hospital of Wisconsin. (Grant Control #2008-005)

Recommendation of the Finance & Personnel Committee on

2-25-08: Permission be granted for the Public Health administrator to apply for funding in an amount up to \$3,640 from the Children's Hospital of Wisconsin, to be utilized for the Children and youth with special health care needs (CYSHCN) Grant Control #2008-005.

Fiscal Note: No match required on the part of the City.

**A motion was made that this Communication be Received and Filed as Reported.
The motion was APPROVED.**

08-1746

Subject: Communication from the Public Health Administrator requesting to accept an amendment to the contractual agreement with the United Way of Racine County for Teen Parenting Support. (Grant Control #2007-004)

Recommendation of the Finance & Personnel Committee on

2-25-08: The Mayor and City Clerk be authorized and directed to enter into an amended contract with the United Way of Racine County for Teen Parenting Support, Grant Control #2007-004.

Fiscal Note: No match required on the part of the City.

**A motion was made that this Communication be Received and Filed as Reported.
The motion was APPROVED.**

Council Action

A motion was made by Alderman Thomas Friedel to Adopt the Report. Adopted by the following vote:

AYES: 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

08-1749

Subject: Communication from the City Attorney submitting the claim of Lillie Jones for consideration.

Recommendation of the Finance & Personnel Committee on

2-25-08: The claim of Lillie Jones requesting reimbursement of \$3,000 for damage to her fence be denied.

Fiscal Note: N/A

Alderman Shakoor requested that item 08-1749 be considered separately.

A motion was made that this Claim be Received and Filed as Reported. The motion was APPROVED by the following vote:

AYES: 13 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

NOES: 1 - Shakoor II

Public Works and Services Committee Report, by Ald. Hart

08-1731

Subject: Communication from the Assistant Commissioner of Public Works/Engineering submitting a proposal from Nielsen, Madsen & Barber for survey and design of drainage improvement on Victorian Drive.

Recommendation: The Mayor and City Clerk be authorized and directed to enter into an agreement with Nielsen, Madsen & Barber for professional engineering services and to provide plans and specifications for Storm Water Drainage Improvements on Victorian Drive from Emstan Hills Drive to Maryland Avenue, at a price not-to-exceed \$29,850.00.

Further recommend that funds to defray the cost of these professional services are available in Account 104.988.5420, Storm Sewers - Various Locations.

Fiscal Note: Funds are available as herein delineated.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

08-1732

Subject: Direct Referral. Communication from the Assistant Commissioner of Public Works/Engineering submitting a request from Globe Contractors seeking permission to use the former Walker site for the 6th Street sewer and water work.

Recommendation: The Mayor and City Clerk be authorized and directed to enter into an agreement with Globe Contractors for the use of the Walker Site for the storage of construction materials for the Sixth Street project, from March 3, 2008 to July 3, 2008, with the following stipulations:

- A. A Hold Harmless Agreement be executed;
- B. A Liability Insurance Certificate be filed; and
- C. Globe Contractors restores the property to its original condition.

Fiscal Note: Not applicable.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

[08-1737](#)

Subject: Direct Referral. Communication from the Assistant Commissioner of Public Works/Engineering submitting a preliminary resolution for sewer and water laterals on Seventeenth Street.

Recommendation: A preliminary resolution be introduced for sewer and water laterals at the following locations:

Seventeenth Street from Oregon Street to Indiana Street, and
Seventeenth Street from Indiana Street to Kentucky Street.

Fiscal Note: Not applicable.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

[08-1740](#)

Subject: Communication from Racine Neighborhood Watch requesting to use the City Hall Annex parking lot for its plant sale fundraiser pickup on Saturday, May 17, 2008, from 5 a.m. until 3 p.m.

Recommendation: The Mayor and City Clerk be authorized and directed to enter into a Hold Harmless Agreement with Racine Neighborhood Watch to use the City Hall Annex parking lot and lawn area abutting Grand Avenue on Saturday, May 17, 2008, from 5:00 a.m. to 3:00 p.m. in conjunction with a fundraiser.

Fiscal Note: Not applicable.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

[08-1748](#)

Subject: Communication from the Purchasing Agent submitting bids for Janitorial Services for the Building Complex.

Recommendation: The Mayor and City Clerk be authorized and directed to enter into a contract for the provision of janitorial services for the Building Complex with MJJ, Inc., Franksville, WI, they being the lowest responsible bidder, with a two-year bid price of \$203,400.00.

Further recommends that this contract may be renewed for three one (1) year extensions provided the contractor and the City are in mutual agreement.

Further recommends that funds to defray the cost of these professional services are available in Account 404.000.5610, Building Complex-Professional Services.

Fiscal Note: Funds are available as herein delineated.

Roll Call Vote: Ayes - Ald. Hart, Ald. DeHahn
Nays - Ald. Coe

Alderman Hart requested that item 08-1748 be considered separately.

This Communication was Referred to the Public Works and Services Committee

08-1750

Subject: Communication from the Commissioner of Public Works/City Engineer requesting to rescind Resolution No. 08-0625, of February 5, 2008, and to authorize final payment on Contract 46-07 (K7-054), Festival Hall Boiler Replacement, Mechanical Associates of WI, Inc., contractor.

Recommendation: As the amount listed in Resolution No. 08-0625, dated February 5, 2008, was incorrect, Resolution No. 08-0625 be rescinded.

Further recommends that the work of Mechanical Associates of WI, Inc., under Contract 46-07 (K7-054), Festival Hall Boiler Replacement, be accepted and final payment authorized for a total contract amount of \$76,987.00, from funds heretofore appropriated.

Fiscal Note: Contract was approved by Resolution 07-0358, dated August 6, 2007.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

08-1771

Subject: Direct Referral. Communication from the Assistant Commissioner of Public Works/Operations submitting proposals for professional services for Boiler Replacement Analysis at Various Buildings.

Recommendation: The Mayor and City Clerk be authorized and directed to enter into an agreement with Arnold & O'Sheridan, Inc. for professional services for Boiler Replacement at the City Hall Annex, Central Heating Plant and Solid Waste Garage, at a price not-to-exceed \$18,500.00.

Further recommend that funds to defray the cost of these professional services are available in Account 404.000.5510, Utilities.

Fiscal Note: Funds are available as herein delineated.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

08-1772

Subject: Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 31-07 (K7-035), Transit Center Park Lot, Black Diamond Group,

contractor.

Recommendation: The work of Black Diamond Group, Inc., under Contract 31-07 (K7-035), Transit Center Park Lot, be accepted and final payment authorized for a total contract amount of \$418,095.12, from funds heretofore appropriated.

Fiscal Note: Contract was authorized under Resolution No. 07-0356, dated August 6, 2007.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

[08-1773](#)

Subject: Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 28-96 (K6-030), Engineering Services for Island Park Bridges, Applied Technologies, consultant.

Recommendation: The professional services provided by Applied Technologies, under Contract 28-96 (K6-030), Engineering Services for Island Park Bridges, be accepted and final payment authorized for a total contract amount of \$253,708.68, from funds heretofore appropriated.

Fiscal Note: Contract was authorized under Resolution No. 8941, dated April 15, 1996.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

[08-1774](#)

Subject: Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 37-00 (K0-042), Engineering Services for Designing Washington Avenue from West Boulevard to Marquette Street, Clark Dietz, consultant.

Recommendation: Contract 37-00 (K0-042), Engineering Services for Designing Washington Avenue from West Boulevard to Marquette Street, Clark Dietz, consultant, be closed out.

Fiscal Note: This is a three-party contract with the Wisconsin Department of Transportation, Clark Dietz, Inc. and the City and payments were made by the State.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

[08-1776](#)

Subject: Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 25-01 (K1-025), Downtown Streetscape Phase I Construction Consultant Observation Services, JJR, consultant.

Recommendation: The professional services provided by JJR, under Contract 25-01 (K1-025), Downtown Streetscape Phase I Construction Consultant Observation Services, be accepted and final payment authorized for a total contract amount of \$55,373.61, from funds heretofore appropriated.

Fiscal Note: Contract was authorized under Resolution No. 3872, dated March 2, 2001.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

08-1779

Subject: Direct Referral. Communication from the Assistant Commissioner of Public Works/Engineering submitting State Project Agreement 2704-05-00/70 Ohio Street from Durand Avenue (STH 11) to 21st Street.

Recommendation: The Mayor and City Clerk be authorized and directed to enter into a project agreement with the Wisconsin Department of Transportation for reconstructing Ohio Street (LOC STR) from Durand Avenue (STH 11) to 21st Street. The total cost of this project cost is estimated at \$2,340,800.00 with the State's share being \$1,872,640.00 and the City's share being \$468,160.00.

Further recommends that funding for this project is available in Account 988.905.5060, Ohio Street, 21st Street to Durand Avenue.

Fiscal Note: Funds are available as herein delineated.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

08-1780

Subject: Direct Referral. Communication from the Assistant Commissioner of Public Works/Engineering submitting Change Order No. 1 on Contract 40-07 (K7-046), 2007 Sewer Lining, Visu-Sewer, Inc., contractor.

Recommendation: Change Order No.1 on Contract 40-07 (K7-046), 2007 Sewer Lining, Visu-Sewer Clean & Seal, Inc., contractor, be approved, in the credit amount of \$6,486.90 and that will provide a time extension until November 16, 2007, to complete this contract.

Fiscal Note: Change Order No. 1 will result in a decrease in contract price.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

08-1781

Subject: Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 40-07 (K7-046), 2007 Sewer Lining, Visu-Sewer, Inc., contractor.

Recommendation: The work performed by Visu-Sewer Clean & Seal, Inc., under Contract 40-07 (K7-046), 2007 Sewer Lining, be accepted and final payment authorized for a total contract amount of \$768,282.35, from funds heretofore appropriated.

Fiscal Note: Contract was authorized under Resolution No. 07-0239, dated June 5, 2007.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

08-1782

Subject: Direct Referral. Communication from the Assistant Commissioner of Public Works/Engineering submitting Amendment No. 1 to Contract 01-08 (K8-001), 2008 Sewer Asset Management Services, Earth Tech, consultant.

Recommendation: That Amendment No. 1 on Contract 01-08 (K8-001), 2008 Sewer Asset Management Services, Earth Tech, consultant, as submitted, be approved in the not-to-exceed amount of \$56,400.00.

Further recommends that funding to defray the cost of these professional services be appropriated from Account 104.988.5420, Storm Sewers, Miscellaneous Locations.

Fiscal Note: Funds are available as herein delineated.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

08-1783

Subject: Direct Referral. Communication from the Assistant Commissioner of Public Works/Engineering submitting a proposal from Earth Tech for Professional Services for 2008 Sewer Lining.

Recommendation: The Mayor and City Clerk be authorized and directed to enter into an agreement with Earth Tech, Inc. for professional engineering services and to provide plans and specifications for 2008 Sewer Lining, at a price not-to-exceed \$56,000.00.

Further recommend that funds to defray the cost of these professional services are available in the following accounts:

\$16,000.00 - Account 104.988.5420, Storm Sewer, Misc. Locations
\$16,000.00 - Account 987.907.5310, Sanitary Sewer, Var. Locations
\$24,000.00 - Racine Wastewater Utility

\$56,000.00 - Total

Fiscal Note: Funds are available as herein delineated.

**A motion was made that this Communication be Received and Filed as Reported.
The motion was APPROVED.**

08-1789

Subject: Communication from the Assistant Commissioner of Public Works/Operations requesting permission to accept a Focus on Energy Grant for \$5,931.00 for Solid Waste Garage Lighting.

Recommendation: The Commissioner of Public Works/City Engineer be authorized and directed to enter into a grant agreement on behalf of the City of Racine with the Wisconsin Energy Conservation Corporation which will provide \$5,691.00 in funding for the Solid Waste Garage Lighting project.

Further recommends that funds for this project are available in Account 404.000.5510, Building Complex Utilities.

Fiscal Note: Funds are available as herein delineated.

**A motion was made that this Communication be Received and Filed as Reported.
The motion was APPROVED.**

08-1790

Subject: Communication from the Assistant Commissioner of Public Works/Operations requesting permission to accept a Focus on Energy Grant for the installation of LED light fixtures at the Civic Centre Parking Ramp.

Recommendation: The Commissioner of Public Works/City Engineer be authorized and directed to enter into a grant agreement on behalf of the City of Racine with the Wisconsin Energy Conservation Corporation which will provide \$1,065.00 in funding for the Civic Centre Parking Ramp LED Light Fixture project.

Further recommends that funds for this project are available in Account 106.120.5570, Parking System Repairs.

Fiscal Note: Funds are available as herein delineated.

**A motion was made that this Communication be Received and Filed as Reported.
The motion was APPROVED.**

08-1796

Subject: Direct Referral. Communication from the Assistant Commissioner of Public Works/Operations submitting Change Order No. 1 on Contract 46-07 (K7-054), Festival Hall Boiler Replacement, Mechanical Associates of WI, Inc., contractor.

Recommendation: Change Order No. 1 on Contract 46-07 (K7-054), Festival Hall Boiler Replacement, Mechanical Associates of WI, Inc., contractor, be approved in the credit amount of \$5,400.00.

Fiscal Note: Change Order No. 1 will result in a decrease in contract price.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

Council Action

A motion was made by Alderman Ronald D. Hart to Adopt the Report. Adopted by the following vote:

AYES: 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

Public Safety and Licensing Committee Report, by Ald. Shakoor

08-1611

Subject: A communications from the Fire Chief requesting permission to accept \$2,552.41 from Kenosha County Emergency Management for reimbursement of expenses associated with the Full-Scale Terrorism Drill that was conducted on June 19th, 2007.

Recommendation of the Finance and Personnel Committee on 1-21-08: Recommend that reimbursement of \$2,552.41 be accepted from Kenosha County Emergency Management for expenses associated with the Full-Scale Terrorism Drill that was held in June 2007.

Recommendation of the Public Safety and Licensing Committee on 2-25-08: Recommended that reimbursement of \$2,552.41 be accepted from Kenosha County Emergency Management for expenses associated with the Full-Scale Terrorism Drill that was held in June 2007.

Fiscal Note: The reimbursement will be placed in account 101.300.7990, Fire Department Miscellaneous Revenues.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

08-1728

Subject: Application of Fifth Street Yacht Club, LLC, James Robert Walters, Agent, for a Change of Agent for a "Class B" license for 761 Marquette Street.

Recommendation of the Public Safety and Licensing Committee on 2-25-08: That the "Class B" application of Fifth Street Yacht Club, James Robert Walters, for a Change of Agent license at 761 Marquette Street be granted.

Fiscal Note: N/A

**A motion was made that this Communication be Received and Filed as Reported.
The motion was APPROVED.**

[08-1733](#)

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting permission to enter in an agreement with Strass-Maguire Associates, Inc. to prepare plans and specifications for Washington Park Golf Course Suspension Bridge Repairs.

Recommendation of the Public Safety and Licensing Committee on 2-25-08: That permission be granted to enter in an agreement with Strass-Maguire Associates, Inc. to prepare plans and specifications for Washington Park Golf Course Suspension Bridge Repairs.

Fiscal Note: The cost is not to exceed \$6,700.00 plus reimbursable costs. Funds are available in account 107.000.5750, Washington Bridge Repairs.

**A motion was made that this Communication be Received and Filed as Reported.
The motion was APPROVED.**

[08-1734](#)

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting permission to enter in an agreement with Industrial Roofing Services, Inc. to prepare plans and specifications and project administration for Window and Door Replacement at Dr. King Community Center.

Recommendation of the Public Safety and Licensing Committee on 2-25-08: That permission be granted to enter in an agreement with Industrial Roofing Services, Inc. to prepare plans and specifications and project administration for Window and Door Replacement at Dr. King Community Center.

Fiscal Note: The cost is not to exceed \$9,600.00 plus reimbursable costs. Funds are available in account 988.660.5010, King Center Exterior Doors and Windows.

**A motion was made that this Communication be Received and Filed as Reported.
The motion was APPROVED.**

[08-1735](#)

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting permission to enter in an agreement with Industrial Roofing Services, Inc. to prepare plans and specifications and project administration for Masonry Restoration at Graceland Cemetery War Memorial.

Recommendation of the Public Safety and Licensing Committee on

2-25-08: That permission be granted to enter in an agreement with Industrial Roofing Services, Inc. to prepare plans and specifications and project administration for Masonry Restoration at Graceland Cemetery War Memorial.

Fiscal Note: The cost is not to exceed \$3,100.00 plus reimbursable costs. Funds are available in account 207.000.5760, Graceland War Memorial.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

Council Action

A motion was made by Alderman Q.A. Shakoor II to Adopt the Report. Adopted by the following vote:

AYES: 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

Transit and Parking Commission Report, by Ald. DeHahn08-1741

Subject: Communication from Bonnie Prochaska, requesting the use of the State Street Train Depot for an Eco-Fair event on April 26, 2008.

Recommendation: The request be granted, subject to execution of a hold harmless agreement, and the fee for use of the depot be waived.

Fiscal Note: N/A

Alderman Weidner requested that item 08-1741 be considered separately.

This Communication was Referred to the Finance and Personnel Committee

City Plan Commission Report, by Ald. Holding07-1170

Subject: Request by Adams Outdoor Advertising for a comprehensive revision the conditional use permits for its signs in the City of Racine and for the exchange of property in the City.

Recommendation of City Plan Commission on 9-26-07: That the item be deferred on the request of Adams Outdoor Advertising.

Location of updated or new billboard signage:

1101 Washington Avenue (Updated)

1301 West Sixth Street (Updated)

1601 Twenty-First Street (2100 Block of S. Memorial Drive) (New)

1673-75 State Street (New)

1728 North Memorial Drive (New)

2200 Douglas Avenue (Updated)

2218 Douglas Avenue (Updated)

Recommendation of City Plan Commission on 10-23-07: That the item be deferred.

Recommendation of City Plan Commission on 2-27-08: That the request by Adams Outdoor Advertising for a comprehensive revision to conditional use permits in the City of Racine be approved for certain signage, in exchange for certain properties, and subject to the following conditions:

- I. That this approval is based upon plans presented to the Plan Commission on February 27, 2008, subject to the conditions contained herein:
- II. That as part of this approval, the Mayor and City Clerk be authorized to enter into an agreement to take possession of properties from Adams Outdoor Advertising at the following locations by December 31, 2008, as approved by the Common Council herein:
 - a. 920-24 S. Memorial Drive. (Parcel # 3414000)
 - b. 1143 Douglas Avenue (Parcel # 1988000)
 - c. 1600 Racine Street (Parcel # 9088000)
 - d. 1700-16 Racine Street (Parcel # 17214000)
 - e. 2014-45 Racine Street (Parcel # 17207000)
- III. That as part of this approval, the Mayor and City Clerk be authorized to enter into a lease or easement agreements with Adams Outdoor Advertising for the construction and maintenance of off-premise signage (a.k.a. billboards) on City owned property at locations approved by the Common Council herein.
 - a. 1600 Racine Street (Parcel # 9088000)
 - b. 1700-16 Racine Street (Parcel # 17214000)
- IV. That as part of this approval, Adams Outdoor Advertising shall cause the signs and their infrastructure at the following locations to be removed by December 31, 2008:
 - a. 920-24 S. Memorial Drive. (Parcel # 3414000)
 - b. 1143 Douglas Avenue (Parcel # 1988000)
 - c. 2014-45 Racine Street (Parcel # 17207000)
- V. That as part of this approval, the following locations are approved for updated or new billboard signage [sign(s)] subject to the listed conditions:

- a. 1101 Washington Avenue - Update - Single Sided Back-lit (Parcel # 8632000)
 - 1. Present detailed sign design, site and landscaping plans to the Access Corridor Development Review Committee for review and approval prior to the issuance of a sign permit.
 - 2. The updated sign shall not exceed 300 square feet or a height of 15 feet.

- b. 1301 West Sixth Street - Update - Single Sided - City Owned (Parcel # 16857000)
 - 1. Present detailed sign design, site and landscaping plans to the Downtown Area Design Review Commission for review and approval prior to the issuance of a sign permit.
 - 2. The updated sign shall not exceed 672 square feet, or a height of 25 feet.

- c. 1601 Twenty-First Street or 2100 Block of S. Memorial Drive - New - Double Sided - City Owned (Parcel # 16857006)
 - 1. Submit a detailed site and landscaping plan to the Director of City Development for review and approval prior to the issuance of a permit.
 - 2. The sign structure color scheme shall be presented to the Director of City Development for review and approval.
 - 3. The sign shall not exceed 300 square feet, or a height of 25 feet.

- d. 1673-75 State Street - New - Double Sided - City Owned (Parcel # 7481000)
 - 1. Submit a detailed site and landscaping plan to the Director of City Development for review and approval prior to the issuance of a permit.
 - 2. The sign structure color scheme shall be presented to the Director of City Development for review and approval.
 - 3. The sign shall not exceed 300 square feet, or a height of 25 feet.

- f. 1728 North Memorial Drive - New - Double Sided - City Owned (Parcel # 18493000)
 - 1. That a detailed site and landscaping plan be presented to the Director of City Development for review and approval prior to the issuance of a permit.

2. That the sign structure color scheme be presented to the Director of City Development for review and approval.
 3. The sign shall not exceed 300 square feet, or a height of 25 feet.
- g. 2200 Douglas Avenue - Update - Double Sided - Back-lit - (Parcel # 20956012)
1. Present detailed sign design, site and landscaping plans to the Access Corridor Development Review Committee for review and approval prior to the issuance of a sign permit.
 2. The updated sign shall not exceed 300 square feet in total square footage, or a height of 15 feet.
- h. 2218 Douglas Avenue - Update - Double Sided (Parcel # 20956013)
1. Present detailed sign design, site and landscaping plans to the Access Corridor Development Review Committee for review and approval prior to the issuance of a sign permit.
 2. The updated sign shall not exceed 672 square feet in total square footage, or a height of 38 feet.
- VI. That all existing signage and infrastructure at locations identified as an "Update" shall be removed by December 31, 2008.
- VII. That all applicable local and State permits be obtained.
- VIII. That a property maintenance plan for each location be submitted to the Director of City Development for review and approval prior to the issuance of building permits.
- IX. That no minor changes be made from the conditions of this permit without the approval of the Plan Commission and no major changes be made from the conditions of this permit without the approval of the Common Council.
- X. That this permit is subject to Plan Commission review for compliance with the listed conditions.
- XI. That the City Plan Commission finds that the real estate transactions in Conditions II and III are consistent with City plans and programs, and that the transactions be referred to the Public Works and Services Committee of the Common Council for review and approval.

Fiscal Note: N/A

A motion was made that this Communication be Received and Filed as Reported.
The motion was APPROVED.

[08-1695](#)

Subject: (Direct Referral) Request by Tessa Brown seeking a conditional use permit for a group home at 1508 W. Sixth Street.

Recommendation of City Plan Commission on 1-30-08: That this item be deferred.

Recommendation of City Plan Commission on 2-27-08: That this item be denied

A motion was made that this Conditional Use Permit be Received and Filed as Reported. The motion was APPROVED.

[08-1729](#)

Subject: (Direct Referral) Recommendation for zoning fees as authorized by Sec.114-111 of the Municipal Code of the City of Racine.

Recommendation of City Plan Commission on 2-27-08: That in accordance with Sec 114-111, enumerated, of the City of Racine Municipal Code, the following fees are established for certain activities conducted in accordance with Chapter 114 of the City of Racine Municipal Code:

Zoning Map Amendment:	\$175
Zoning Appeal or Variance	\$175
Conditional Use Permit:	
initial submittal or major change	\$175
minor change	\$000
as a remedy for non-compliance	\$700
Lot Paving/Resurfacing	\$175
“H” Historic Properties District	
Application for designation	\$175
Application to rescind designation	\$225
Design Review Submittal:	
Initial submittal	\$000
First re-submittal	\$175
Second re-submittal	\$200
Third re-submittal	\$225
Additional Re-submittals	Add \$50
Response to a request by a Committee or Commission	\$000

Fiscal Note: N/A

A motion was made that this Zoning Item be Received and Filed as Reported.
The motion was APPROVED.

08-1812

Subject: (Direct Referral) Res.07-0454 is to vacate Right-of-Way at 3413 Rapids Drive.

Recommendation of City Plan Commission on 2-27-08: That the Res.07-0454 be adopted.

Fiscal Note: N/A

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

08-1813

Subject: (Direct Referral) Ord.01-08 is to repeal and recreate Sec. 114-111 of the Municipal Code of the City of Racine, Wisconsin relating to Zoning - Fees, Enumerated.

Recommendation of City Plan Commission on 2-27-08: That Ord.01-08 be amended by inserting the phrase "or resubmittal" after the word "submittal" and as amended the ordinance be adopted.

Fiscal Note: N/A

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

Council Action

A motion was made by Alderman Gregory Holding to Adopt the Report. Adopted by the following vote:

AYES: 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

Community Development Committee Report, by Ald. Spangenberg07-0380

Subject: Request of the Douglas Avenue Redevelopment Association, Inc. to extend their 2005 Community Development Block Grant (CDBG) agreement to October 1, 2007.

Recommendation of the Community Development Committee on 6-14-07: That this item be deferred pending submission of a spending plan.

Recommendation of Community Development Committee on 2-28-08: That the item be received and filed.

Fiscal Note: N/A

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

[07-1341](#)

Subject: (Direct Referral) Communication from OIC of Racine County, Inc. requesting a Local Option Fund allocation.

Recommendation of Community Development Committee on

2-28-08: That \$30,289 be allocated from the Local Option Fund to OIC of Racine County, Inc. for the purchase of computer hardware and software on the condition that OIC repay the program income it owes from the sale of 926 and 930 Superior Street.

Fiscal Note: There are sufficient funds in the Local Option Fund.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

[07-1516](#)

Subject: (Direct Referral) Allocation of 2008 HOME Housing Investment Partnership Grant funds.

Recommendation of Community Development Committee on

2-28-08: That the 2008 HOME Housing Investment Partnership Grant funds be allocated as shown on the attached table; further, that the appropriate City officials be authorized and directed to execute and submit all necessary documents on the City's behalf to the U.S. Department of Housing and Urban Development to secure the City's 2008 HOME grant fund; and further, that the appropriate City officials be authorized and directed to execute third-party agreements with agencies approved for use of the 2008 HOME grant funds.

Fiscal Note: A 2008 HOME grant of \$573,093 has been approved.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

[08-1661](#)

Subject: Request from the Director of City Development for an allocation of \$200,000 from the Local Option Fund to replenish the Housing Department's loan funds.

Recommendation of Community Development Committee on

2-28-08: That \$200,000 be allocated to the Housing Department to replenish its loan funds.

Fiscal Note: There are sufficient funds in the Local Option Fund.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

[08-1687](#)

Subject: Request from the Director of City Development for an allocation of \$73,000 from the Local Option Fund to pay Southside properties' future property maintenance and management costs.

Recommendation of Community Development Committee on

2-28-08: That up to \$73,000 be allocated from the Local Option Fund to the Department of City Development to pay future maintenance and management costs associated with the Southside properties.

Fiscal Note: There are sufficient funds in the Local Option Fund.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

08-1788

Subject: (Direct Referral) Request from the Fair Housing Director for \$25,000 from the Local Option Fund to create a collaborative foreclosure counseling program.

Recommendation of Community Development Committee on

2-28-08: That \$25,000 be allocated to Housing Resources, Inc. from the Local Option Fund to establish a collaborative foreclosure counseling program.

Fiscal Note: There are sufficient funds in the Local Option Fund.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

Council Action

A motion was made by Alderman James T. Spangenberg to Adopt the Report. Adopted by the following vote:

AYES: 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

Sustainable Neighborhood Listening Committee Report, by Ald. Kaplan**07-1328**

Subject: Communication from the 5th District Alderman requesting that the concerns of Mr. Ben Mascaretti, 1915 N. Main Street, regarding the unsecured shopping carts at the Sav-A-Lot store on State Street be addressed.

Recommendation of Neighborhood Listening Committee on

2-21-08: That the item be received and filed.

Fiscal Note: N/A

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

08-1738

Subject: (Direct Referral) Request of the 4th District Alderman to discuss illegal parking on Racine's streets and residential driveways.

Recommendation of Neighborhood Listening Committee on**2-21-08:** That the item be received and filed.**Fiscal Note:** N/A**A motion was made that this Communication be Received and Filed as Reported.
The motion was APPROVED.**

Council Action

A motion was made by Alderman Jim Kaplan to Adopt the Report. Adopted by the following vote:**AYES:** 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol**H. Resolutions****Res.08-0656** Permission to accept reimbursement from Kenosha County Emergency Management

Resolved, that the Fire Chief be granted permission to accept reimbursement of \$2,552.41 from Kenosha County Emergency Management for expenses associated with the Full-Scale Terrorism Drill that was held in June, 2007.

Fiscal Note: The reimbursement will be placed in Account 101.300.7990, Fire Department Miscellaneous Revenues.**Sponsors:** Q.A. Shakoor II and Thomas Friedel**A motion was made by Alderman Shakoor that this resolution be adopted.****Res.08-0657** Enter into agreement for Washington Park Golf Course Suspension Bridge Repairs

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with Strass-Maguire Associates, Inc., to prepare plans and specifications for Washington Park Golf Course Suspension Bridge Repairs at a cost not to exceed \$6,700.00 plus reimbursable costs.

Fiscal Note: The cost is not to exceed \$6,700.00 plus reimbursable costs. Funds are available in Account 107.000.5750, Washington Bridge Repairs.**Sponsors:** Q.A. Shakoor II**A motion was made by Alderman Shakoor that this resolution be adopted.****Res.08-0658** Enter into agreement for Window and Door Replacement at Dr. King

Community Center

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with Industrial Roofing Services, Inc., to prepare plans and specifications and project administration for Window and Door Replacement at Dr. King Community Center at a cost not to exceed \$9,600.00 plus reimbursable costs.

Fiscal Note: The cost is not to exceed \$9,600.00 plus reimbursable costs. Funds are available in Account 988.660.5010, King Center Exterior Doors and Windows.

Sponsors: Q.A. Shakoor II

A motion was made by Alderman Shakoor that this resolution be adopted.

Res.08-0659 Enter into agreement to prepare plans and specifications for Masonry Restoration at Graceland Cemetery War Memorial

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with Industrial Roofing Services, Inc., to prepare plans and specifications and project administration for Masonry Restoration at Graceland Cemetery War Memorial at a cost not to exceed \$3,100.00 plus reimbursable costs.

Fiscal Note: The cost is not to exceed \$3,100.00 plus reimbursable costs. Funds are available in Account 207.000.5760, Graceland War Memorial.

Sponsors: Q.A. Shakoor II

A motion was made by Alderman Shakoor that this resolution be adopted.

Res.08-0660 Permission to apply for funding from Children's Hospital of Wisconsin

Resolved, that the Public Health Administrator be granted permission to apply for funding in an amount up to \$3,640 from the Children's Hospital of Wisconsin, to be utilized for the Children and Youth with Special Health Care Needs (CYSHCN), Grant Control #2008-005.

Fiscal Note: No match required on the part of the City.

Sponsors: Thomas Friedel

A motion was made by Alderman Friedel that this resolution be adopted.

Res.08-0661 Amendment to Contract with United Way of Racine County

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an amended contract with the United Way of Racine County for Teen Parenting Support, Grant Control #2007-004. The contract period is January 1, 2008 through June 30, 2008, with funding in the amount of \$15,812.

Fiscal Note: No match required on the part of the City.

Sponsors: Thomas Friedel

A motion was made by Alderman Friedel that this resolution be adopted.

Res.08-0662 Compensation for overtime due to severe weather

Resolved, that each supervisor in the Department of Public Works and Parks Department be compensated for an additional 50 hours at their regular salary due to severe winter weather conditions.

Fiscal Note: \$23,516 to be allocated from the Salaries account of DPW and Parks Department.

Sponsors: Thomas Friedel

A motion was made by Alderman Friedel that this Resolution be Adopted. The motion was APPROVED by the following vote:

AYES: 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

Res.08-0663 Hold Harmless Agreement for use of State Street Train Depot

Resolved, that permission be granted to use the State Street Train Depot for an Eco-Fair event on April 26, 2008, subject to execution of a hold harmless agreement and proof of insurance. The fee for use of the depot be waived.

Fiscal Note: N/A

Sponsors: Raymond DeHahn

A motion was made by Alderman DeHahn that the resolution be received and filed

Res.08-0664 Hold Harmless Agreement with Neighborhood Watch

Resolved, that the Mayor and City Clerk be authorized and directed to enter into a Hold Harmless Agreement with Racine Neighborhood Watch to use the City Hall Annex parking lot and lawn area abutting Grand Avenue on Saturday, May 17, 2008, from 5:00 a.m. to 3:00 p.m. in conjunction with a fundraiser.

Fiscal Note: Not applicable.

Sponsors: Ronald D. Hart

A motion was made by Alderman Hart that this resolution be adopted.

Res.08-0665 Lighthouse Run Stipulations

Resolved, that permission be granted to the sponsor of the Lighthouse Run to use certain city streets for the period of 6:00 a.m. to 10:30 a.m. on Saturday, June 21, 2008, and to close the following streets:

Main Street from State Street to Sixth Street
Lake Avenue from 8th Street to State Street
State Street from Main Street to Lake Avenue
Main Street from State Street to 3 Mile Road (west side two traffic lanes will remain open for two-way traffic)
Dodge Street from Main Street to Michigan Boulevard
Michigan Boulevard from Dodge Street to Wolff Street
Wolff Street from Michigan Boulevard to North Main Street

Further resolved, that the Commissioner of Public Works be authorized and directed to communicate with the U. S. Coast Guard requesting permission to close Main Street Bridge to boat traffic for the period of 7:40 a.m. to 10:40 a.m. on Saturday, June 21, 2008 to satisfy the needs of this run.

Further resolved, that this permission is granted with the following stipulations:

- A. A hold harmless agreement be executed;
- B. Proof of liability insurance be filed prior to this event;
- C. Any overtime cost and equipment and material loss incurred by any department in the assistance of this event shall be charged to the sponsor;
- D. Sponsor shall comply with the approved policy on parking restrictions for special events, and the sponsor shall distribute to all abutting property occupants on those streets where parking is being prohibited written notices of the ban approximately 48 hours in advance of this event;
- E. Sponsor shall be responsible for all traffic control and detour signage during the event;
- F. Sponsor shall pay a \$1,400.00 special event fee.

Further resolved, that the Commissioner of Public Works/City Engineer and Chief of Police provide limited assistance in the interest of public safety to implement this event in accordance with these stipulations.

Fiscal Note: There will be nominal costs to the various city departments, on a regular shift basis, to assist in implementing this event.

Sponsors: Ronald D. Hart

A motion was made by Alderman Hart that this resolution be adopted.

Res.08-0666 Agreement with Globe Contractors for use of Walker Site

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with Globe Contractors for the use of the Walker Site for the storage of construction materials for the Sixth Street project, from March 3, 2008 to July 3, 2008, with the following stipulations:

- A. A Hold Harmless Agreement be executed;
- B. Proof of Liability Insurance be filed; and
- C. Globe Contractors restores the property to its original condition.

Fiscal Note: Not applicable.

Sponsors: Ronald D. Hart

A motion was made by Alderman Hart that this resolution be adopted.

Res.08-0667 Contract with MJJ for Building Complex janitorial services

Resolved, that the Mayor and City Clerk be authorized and directed to enter into a contract for the provision of janitorial services for the Building Complex with MJJ, Inc., Franksville, WI, they being the lowest responsible bidder, with a two-year bid price of \$203,400.00.

Further resolved, that this contract may be renewed for three one (1) year extensions provided the contractor and the City are in mutual agreement.

Further resolved, that funds to defray the cost of these professional services are available in Account 404.000.5610, Building Complex-Professional Services.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

A motion was made by Alderman Hart to be Referred to the Public Works and Services Committee.

Res.08-0668 Final Payment for Transit Center Park Lot

Resolved, that the work of Black Diamond Group, Inc., under Contract 31-07 (K7-035), Transit Center Park Lot, be accepted and final payment authorized for a total contract amount of \$418,095.12, from funds heretofore appropriated.

Fiscal Note: Contract was authorized under Resolution No. 07-0356, dated August 6, 2007.

Sponsors: Ronald D. Hart

A motion was made by Alderman Hart that this resolution be adopted.

Res.08-0669 Final Payment for Island Park Bridges Engineering Services

Resolved, that the professional services provided by Applied Technologies, under Contract 28-96 (K6-030), Engineering Services for Island Park Bridges, be accepted and final payment authorized for a total contract amount of \$253,708.68, from funds heretofore appropriated.

Fiscal Note: Contract was authorized under Resolution No. 8941, dated August 6, 2007.

Sponsors: Ronald D. Hart

A motion was made by Alderman Hart that this resolution be adopted.

Res.08-0670 Final payment for Engineering Services for Design of Washington Avenue

Resolved, that Contract 37-00 (K0-042), Engineering Services for Designing Washington Avenue from West Boulevard to Marquette Street, Clark Dietz, consultant, be closed out.

Fiscal Note: This is a three-party contract with the Wisconsin Department of Transportation, Clark Dietz, Inc. and the City and payments were made by the State.

Sponsors: Ronald D. Hart

A motion was made by Alderman Hart that this resolution be adopted.

Res.08-0671 Final Payment on contract for Downtown Streetscape Phase I Construction Consultant Observation Services

Resolved, that the professional services provided by JJR, under Contract 25-01 (K1-025), Downtown Streetscape Phase I Construction Consultant Observation Services, be accepted and final payment authorized for a total contract amount of \$55,373.61, from funds heretofore appropriated.

Fiscal Note: Contract was authorized under Resolution No. 3872, dated March 2, 2001.

Sponsors: Ronald D. Hart

A motion was made by Alderman Hart that this resolution be adopted.

Res.08-0672 Change Order on contract for Festival Hall Boiler Replacement

Resolved, that Change Order No. 1 on Contract 46-07 (K7-054), Festival Hall Boiler Replacement, Mechanical Associates of WI, Inc., contractor, be approved in the credit amount of \$5,400.00.

Fiscal Note: Change Order No. 1 will result in a decrease in contract price.

Sponsors: Ronald D. Hart

A motion was made by Alderman Hart that this resolution be adopted.

Res.08-0673 Rescind Resolution No. 08-0625 and Authorize Final Payment for Festival Hall Boiler Replacement

Whereas, Resolution No. 08-0625 of February 5, 2008 authorized that the work of Mechanical Associates of WI, Inc. under Contract 46-07 (K7-054), Festival Hall Boiler Replacement, be accepted and final payment authorized for a total contract amount of \$18,536.67; and

Whereas, the amount listed was incorrect.

Now, therefore, be it resolved, that Resolution No. 08-0625 of February 5, 2008 be rescinded.

Further resolved, that the work of Mechanical Associates of WI, Inc., under Contract 46-07 (K7-054), Festival Hall Boiler Replacement, be accepted and final payment authorized for a total contract amount of \$76,987.00, from funds heretofore appropriated.

Fiscal Note: Contract was approved by Resolution 07-0358, dated August 6, 2007.

Sponsors: Ronald D. Hart

A motion was made by Alderman Hart that this resolution be adopted.

Res.08-0674 Change Order on contract for 2007 Sewer Lining

Resolved, that Change Order No.1 on Contract 40-07 (K7-046), 2007 Sewer Lining, Visu-Sewer Clean & Seal, Inc., contractor, be approved, in the credit amount of \$6,486.90 and that will provide a time extension until November 16, 2007, to complete this contract.

Fiscal Note: Change Order No. 1 will result in a decrease in contract price.

Sponsors: Ronald D. Hart

A motion was made by Alderman Hart that this resolution be adopted.

Res.08-0675 Enter into grant agreement with Wisconsin Energy Conservation Corporation for Solid Waste Garage Lighting

Resolved, that the Commissioner of Public Works/City Engineer be authorized and directed to enter into a grant agreement on behalf of the City of Racine with the Wisconsin Energy Conservation Corporation which will provide \$5,691.00 in funding for the Solid Waste Garage Lighting project.

Further resolved, that funds for this project are available in Account 404.000.5510, Building Complex Utilities.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

A motion was made by Alderman Hart that this resolution be adopted.

Res.08-0676 Enter into grant agreement with Wisconsin Energy Conservation Corporation for funding for Civic Centre Parking Ramp LED Light Fixture

Resolved, that the Commissioner of Public Works/City Engineer be authorized and directed to enter into a grant agreement on behalf of the City of Racine with the Wisconsin Energy Conservation Corporation which will provide \$1,065.00 in funding for the Civic Centre Parking Ramp LED Light Fixture project.

Further resolved, that funds for this project are available in Account 106.120.5570, Parking System Repairs.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

A motion was made by Alderman Hart that this resolution be adopted.

Res.08-0677 Final payment on contract for 2007 Sewer Lining

Resolved, that the work performed by Visu-Sewer Clean & Seal, Inc., under Contract 40-07 (K7-046), 2007 Sewer Lining, be accepted and final payment authorized for a total contract amount of \$768,282.35, from funds heretofore appropriated.

Fiscal Note: Contract was authorized under Resolution No. 07-0239, dated June 5, 2007.

Sponsors: Ronald D. Hart

A motion was made by Alderman Hart that this resolution be adopted.

Res.08-0678 Agreement for engineering services for Storm Water Drainage Improvements on Victorian Drive

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with Nielsen, Madsen & Barber for professional engineering services and to provide plans and specifications for Storm Water Drainage Improvements on Victorian Drive from Emstan Hills Drive to Maryland Avenue, at a price not-to-exceed \$29,850.00.

Further resolved, that funds to defray the cost of these professional services are available in Account 104.988.5420, Storm Sewers - Various Locations.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

A motion was made by Alderman Hart that this resolution be adopted.

Res.08-0679 Preliminary - Ten (10) Year
Benefits and Damages

Resolved, by the Common Council of the City of Racine,
Wisconsin:

1. The Common Council hereby declares its intention to exercise its power under s. 66.0703, Wisconsin Statutes, to levy special assessments upon property within the following described area for benefits conferred upon such property by improvement of the following street(s):

All property fronting upon both sides:

SEWER AND WATER LATERALS

Seventeenth Street from Oregon Street to Indiana Street.
Seventeenth Street from Indiana Street to Kentucky Street

2. Said public improvement shall consist of SEWER AND WATER LATERALS.

3. The total amount assessed against such district shall not exceed the total cost of the improvements and the amount assessed against any parcel shall not be greater than the benefits accruing thereto from said improvements.

4. The assessments against any parcel may be paid in cash or

in ten (10) annual installments.

5. The Commissioner of Public works is directed to prepare a report consisting of:

- a. Preliminary or final plans and specifications for said improvement
- b. An estimate of the entire cost of the proposed work or improvement
- c. An estimate, as to each parcel of property within the assessment district, of:

- (1) The assessment of benefits to be levied.
- (2) The damages to be awarded for property taken or damaged
- (3) The net amount of such benefits over damages or the net amount of such damages over benefits.

Upon completing such report the Commissioner of Public Works is directed to file a copy thereof in the City Clerk's office for public inspection.

6. Upon receiving the report of the Commissioner of Public Works, the City Clerk is directed to give a Class 1 notice of a public hearing on such report as specified in s. 66.60 (7), Wisconsin Statutes.

The hearing shall be held at the Council Chambers in the City Hall at a time set by the Clerk in accordance with S. 66.0703 (7) (a), Wisconsin Statutes.

Sponsors: Ronald D. Hart

A motion was made by Alderman Hart that this resolution be adopted.

Res.08-0680 Agreement for professional services for Central Heating Plant and Solid Waste Garage

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with Arnold & O'Sheridan, Inc. for professional services for Boiler Replacement at the City Hall Annex, Central Heating Plant and Solid Waste Garage, at a price not-to-exceed \$18,500.00.

Further resolved, that funds to defray the cost of these professional services are available in Account 404.000.5510, Utilities.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

A motion was made by Alderman Hart that this resolution be adopted.

Res.08-0681 Project Agreement with WI DOT for reconstructing Ohio Street

Resolved, that the Mayor and City Clerk be authorized and directed to enter into a project agreement with the Wisconsin Department of Transportation for reconstructing Ohio Street (LOC STR) from Durand Avenue (STH 11) to 21st Street. The total cost of this project cost is estimated at \$2,340,800.00 with the State's share being \$1,872,640.00 and the City's share being \$468,160.00.

Further resolved, that funding for this project is available in Account 988.905.5060, Ohio Street, 21st Street to Durand Avenue.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

A motion was made by Alderman Hart that this resolution be adopted.

Res.08-0682 Amendment to contract for 2008 Sewer Asset Management Services

Resolved, that Amendment No. 1 on Contract 01-08 (K8-001), 2008 Sewer Asset Management Services, Earth Tech, consultant, as submitted, be approved in the not-to-exceed amount of \$56,400.00.

Further resolved, that funding to defray the cost of these professional services be appropriated from Account 104.988.5420, Storm Sewers, Miscellaneous Locations.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

A motion was made by Alderman Hart that this resolution be adopted.

Res.08-0683 Agreement for Professional Services for 2008 Sewer Lining

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with Earth Tech, Inc. for professional engineering services and to provide plans and specifications for 2008 Sewer Lining, at a price not-to-exceed \$56,000.00.

Further resolved, that funds to defray the cost of these professional services are available in the following accounts:

\$16,000.00 - Account 104.988.5420, Storm Sewers, Misc. Locations
\$16,000.00 - Account 987.907.5310, Sanitary Sewer, Var. Locations
\$24,000.00 - Racine Wastewater Utility
\$56,000.00 - Total

Fiscal Note: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

A motion was made by Alderman Hart that this resolution be adopted.

Res.08-0684 Changes in Zoning Fees

Resolved, that in accordance with Sec 114-111, Enumerated, of the City of Racine Municipal Code, the following fees are established for certain activities conducted in accordance with Chapter 114 of the City of Racine Municipal Code:

Zoning Map Amendment:	\$175
Zoning Appeal or Variance	\$175
Conditional Use Permit:	
initial submittal or major change	\$175
minor change	\$000
as a remedy for non-compliance	\$700
Lot Paving/Resurfacing	\$175
"H" Historic Properties District	
Application for designation	\$175
Application to rescind designation	\$225
Design Review Submittal:	
Initial submittal	\$000
First re-submittal	\$175
Second re-submittal	\$200
Third re-submittal	\$225
Additional Re-submittals	Add \$50
Response to a request by a Committee or Commission	\$000

Fiscal Note: N/A

Sponsors: Gregory Holding

A motion was made by Alderman Holding that this Resolution be Adopted. The motion was APPROVED by the following vote:

AYES: 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

Res.08-0685 Comprehensive Revision to Conditional Use Permits in the City of Racine for Adams Outdoor Advertising

Resolved, that the request by Adams Outdoor Advertising for a comprehensive revision to conditional use permits in the City of Racine be approved for certain signage, in exchange for certain properties, and subject to the following conditions:

I. That this approval is based upon plans presented to the Plan Commission on February 27, 2008, subject to the conditions contained herein:

II. That as part of this approval, the Mayor and City Clerk be authorized to enter into an agreement to take possession of properties from Adams Outdoor Advertising at the following locations by December 31, 2008, as approved by the Common Council herein:

- a. 920-24 S. Memorial Drive. (Parcel # 3414000)
- b. 1143 Douglas Avenue (Parcel # 1988000)
- c. 1600 Racine Street (Parcel # 9088000)
- d. 1700-16 Racine Street (Parcel # 17214000)
- e. 2014-45 Racine Street (Parcel # 17207000)

III. That as part of this approval, the Mayor and City Clerk be authorized to enter into a lease or easement agreements with Adams Outdoor Advertising for the construction and maintenance of off-premise signage (a.k.a. billboards) on City owned property at locations approved by the Common Council herein:

- a. 1600 Racine Street (Parcel # 9088000)
- b. 1700-16 Racine Street (Parcel # 17214000)

IV. That as part of this approval, Adams Outdoor Advertising shall cause the signs and their infrastructure at the following locations to be removed by December 31, 2008:

- a. 920-24 S. Memorial Drive. (Parcel # 3414000)
- b. 1143 Douglas Avenue (Parcel # 1988000)
- c. 2014-45 Racine Street (Parcel # 17207000)

V. That as part of this approval, the following locations are approved for updated or new billboard signage [sign(s)] subject to the listed conditions:

- a. 1101 Washington Avenue - Update - Single Sided Back-lit (Parcel # 8632000)

1. Present detailed sign design, site and landscaping plans to the Access Corridor Development Review Committee for review and approval prior to the issuance of a sign permit.
2. The updated sign shall not exceed 300 square feet or a height of 15 feet.

- b. 1301 West Sixth Street - Update - Single Sided - City Owned (Parcel # 16857000)

1. Present detailed sign design, site and landscaping plans to the Downtown Area Design Review Commission for review and approval prior to the issuance of a sign permit.
2. The updated sign shall not exceed 672 square feet, or a height of 25 feet.

c. 1601 Twenty-First Street or 2100 Block of S. Memorial Drive - New - Double Sided - City Owned (Parcel # 16857006)

1. Submit a detailed site and landscaping plan to the Director of City Development for review and approval prior to the issuance of a permit.
2. The sign structure color scheme shall be presented to the Director of City Development for review and approval.
3. The sign shall not exceed 300 square feet, or a height of 25 feet.

d. 1673-75 State Street - New - Double Sided - City Owned (Parcel # 7481000)

1. Submit a detailed site and landscaping plan to the Director of City Development for review and approval prior to the issuance of a permit.
2. The sign structure color scheme shall be presented to the Director of City Development for review and approval.
3. The sign shall not exceed 300 square feet, or a height of 25 feet.

e. 1728 North Memorial Drive - New - Double Sided - City Owned (Parcel # 18493000)

1. That a detailed site and landscaping plan be presented to the Director of City Development for review and approval prior to the issuance of a permit.
2. That the sign structure color scheme be presented to the Director of City Development for review and approval.
3. The sign shall not exceed 300 square feet, or a height of 25 feet.

f. 2200 Douglas Avenue - Update - Double Sided - Back-lit - (Parcel # 20956012)

1. Present detailed sign design, site and landscaping plans to the Access Corridor Development Review Committee for review and approval prior to the issuance of a sign permit.
2. The updated sign shall not exceed 300 square feet in total square footage, or a height of 15 feet.

g. 2218 Douglas Avenue - Update - Double Sided (Parcel # 20956013)

1. Present detailed sign design, site and landscaping plans to the Access Corridor Development Review Committee for review and approval prior to the issuance of a sign permit.
2. The updated sign shall not exceed 672 square feet in total square footage, or a height of 38 feet.

VI. That all existing signage and infrastructure at locations identified as an "Update" shall be removed by December 31, 2008.

VII. That all applicable local and State permits be obtained.

VIII. That a property maintenance plan for each location be submitted to the Director of City Development for review and approval prior to the issuance of building permits.

IX. That no minor changes be made from the conditions of this permit without the approval of the Plan Commission and no major changes be made from the conditions of this permit without the approval of the Common Council.

X. That this permit is subject to Plan Commission review for compliance with the listed conditions.

XI. That the City Plan Commission finds that the real estate transactions in Conditions II and III are consistent with City plans and programs, and that the transactions be referred to the Public Works and Services Committee of the Common Council for review and approval.

Fiscal Note: N/A

Sponsors: Gregory Holding

A motion was made by Alderman Holding that this Resolution be Adopted.

Res.08-0686 2008 HOME Housing Investments Partnership Grant

Resolved, that the following 2008 HOME Housing Investment Partnerships grant funds be recommended for approval:

Applicant	Activity Name	Requested Amount	Recommended Amount
Transitional Living Services	Housing Assist. Program	\$12,359	\$12,359
Corrine Reid Owens Square LLC	Multi-Family Housing-State & Silver Streets	\$220,000	\$57,000
Racine Habitat for Humanity	New Construction	\$188,000	\$188,000
NHS of Southeast Wisconsin	New Construction/ Rehabilitation	\$315,000	\$203,425
Racine/Kenosha Community Action Agency & The Salvation Army	Rent Assistance Program	\$30,000	\$30,000
Racine Housing & Neighborhood Partnership	CHDO Operating Funds	\$25,000	\$25,000

Racine Department Of City Development	General Administrative Funds	\$57,309
<hr/>		
TOTAL	\$790,359	\$573,093

Further resolved, that appropriate City officials be authorized and directed to execute and submit all necessary documents, on the City's behalf, to the U.S. Department of Housing and Urban Development to secure the City's 2008 HOME grant funds.

Further resolved, that appropriate City officials be authorized and directed to execute third-party contracts with agencies approved for use of the 2008 HOME grant funds.

Fiscal Note: A 2008 HOME grant of \$573,093 has been approved.

Sponsors: James T. Spangenberg

A motion was made by Alderman Spangenberg that this Resolution be Adopted. The motion was APPROVED by the following vote:

AYES: 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

Res.08-0687 Allocation from Local Option Fund to OIC

Resolved that \$30,289 be allocated from the Local Option Fund to OIC of Racine County, Inc. for the purchase of computer hardware and software on the condition that OIC repay the program income it owes from the sale of 926 and 930 Superior Street.

Fiscal Note: There are sufficient funds in the Local Option Fund.

Sponsors: James T. Spangenberg

A motion was made by Alderman Spangenberg that this Resolution be Adopted. The motion was APPROVED by the following vote:

AYES: 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

Res.08-0688 Allocation of funds from Local Option Fund for Southside properties

Resolved, that up to \$73,000 be allocated from the Local Option Fund to the Department of City Development to pay future maintenance and management costs associated with the Southside properties.

Fiscal Note: There are sufficient funds in the Local Option Fund.

Sponsors: James T. Spangenberg

A motion was made by Alderman Spangenberg that this Resolution be Adopted.

The motion was APPROVED by the following vote:

AYES: 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

Res.08-0689 Allocation of Local Option Funds to Housing Department

Resolved, that \$200,000 from the Local Option Fund be allocated to the Housing Department to replenish its loan funds.

Fiscal Note: There are sufficient funds in the Local Option Fund.

Sponsors: James T. Spangenberg

A motion was made by Alderman Spangenberg that this Resolution be Adopted.

The motion was APPROVED by the following vote:

AYES: 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

Res.08-0690 Allocation of Local Option Funds to Housing Resources, Inc.

Resolved, that \$25,000 be allocated to Housing Resources, Inc. from the Local Option Fund to establish a collaborative foreclosure counseling program.

Fiscal Note: There are sufficient funds in the Local Option Fund.

Sponsors: James T. Spangenberg

A motion was made by Alderman Spangenberg that this Resolution be Adopted.

The motion was APPROVED by the following vote:

AYES: 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

I. Ordinances

Ord.02-08 Ordinance No. 2-08

To amend Secs. 66-191, 66-192, 66-193 and 66-194 and to repeal and recreate Sec. 66-195 of the Municipal Code of the City of Racine, Wisconsin relating to Offenses - Vandalism; Graffiti.

The Common Council of the City of Racine do ordain as follows:

Part 1:

Sec. 66-191 of the Municipal Code of the City of Racine is hereby amended by adding the phrase "and physical" after the word "real" in the section.

Part 2:

Sec. 66-192 of the Municipal Code of the City of Racine is hereby amended by adding the phrase "and physical" after the word "real" in the section.

Part 3:

Sec. 66-193 of the Municipal Code of the City of Racine is hereby amended by adding the phrase ", whether real or physical." after the word "property" in the first sentence, and by adding the phrase "or the building department" after the word "department" in the second sentence.

Part 4:

Sec. 66-194 of the Municipal Code of the City of Racine is hereby amended by adding the phrase "or the building department" after the word "department" in the section.

Part 5:

Sec. 66-195 of the Municipal Code of the City of Racine is hereby repealed and recreated to read as follows:

"Sec. 66-195. Failure to remove; extension.

(a) It shall be unlawful for the owner of real property to fail to remove graffiti from the property within a reasonable time, as determined by the chief building inspector or police department, after being provided a written notice and order for removal by a certain date served upon the owner by personal service or by regular mail sent to the address listed on the real estate tax bill, and by posting the order on the real or physical property.

(b) Upon written request received by the department that issued the notice and order, prior to expiration of the time provided for compliance, the chief building inspector or chief of police may, for just cause, grant an extension of time for compliance. Each day of violation shall be a separate offense for orders issued by their respective departments.

(c) If the owner fails to comply with the order(s) after being provided with a written notice and order for removal and upon the expiration of any extension(s) granted, the chief building inspector may remove or cover the graffiti and all costs, fees and expenses incurred in the removal shall be levied against the property as a special charge. Such costs shall be in addition to any other enforcement actions taken under this code."

Part 6:

This ordinance shall take effect upon passage and the day after publication.

Passed by the Common Council:

Approved: _____

Mayor

Attest:

City Clerk

Fiscal Note: N/A

Sponsors: Ronald D. Hart

Referred to Public Works and Services Committee

K. Adjourn

The meeting was adjourned at 8:00 p.m. by Alderman Shakoor]. The next scheduled meeting of the Council is March 18, 2008.

ATTEST: JANICE M. JOHNSON-MARTIN
CITY CLERK