



City of Racine

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

Meeting Agenda - Final Common Council

Mayor John T. Dickert, Alderman Q.A. Shakoor, II, Alderman Michael Shields, Alderman Ronald D. Hart, Alderman Jim Kaplan, Alderman Dennis Wisner, Alderman Sandy Weidner, Alderman Terry McCarthy, Alderman Raymond DeHahn, Alderman Gregory Holding, Alderman Robert Mozol, Alderman O. Keith Fair, Alderman Melissa Kaprelian-Becker, Alderman James Morgenroth, Alderman Krystyna Sarrazin, Alderman Molly Hall

Tuesday, January 15, 2013

7:00 PM

Room 205, City Hall

- A. Call To Order
- B. Pledge of Allegiance To The Flag
- C. Approval of Journal of Council Proceedings (Minutes)
- D. Public Comments
- E. Communications

[13-8508](#)

Subject: Communication from the Alderman of the Third District requesting that the Common Council approve a Resolution directing that a referendum question be placed before the voters at the April 2, 2013 election.

Refer to Finance and Personnel Committee, by Ald. Shakoor

[12-8481](#)

Subject: Communication from the Public Health Administrator requesting permission to apply for and accept \$1,532.76 from the Illinois Department of Natural Resources for a Waukegan Harbor South Beach Health Assessment.

[13-8516](#)

Subject: Communication from Alderperson of District 5, requesting permission to apply for the Community Foundation grant and asking the Council to approve the city's participation in the America in Bloom contest for the year 2013.

[13-8517](#)

Subject: Communication from the Alderman of District 11 requesting an amendment to the budget to eliminate CAR25, and move all the funding to the contingency account.

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

[13-8513](#) **Subject:** Communication from the Assistant Commissioner of Public Works/City Engineer submitting a Professional Services Agreement with Baird & Associates to conduct a hydrographic survey of the 5th Street boat launch basin.

[13-8515](#) **Subject:** Communication from Real Racine on behalf of The Color Run requesting permission to use city right-of-way, Pershing Park, parking ramps and the Gateway parking lot for their event from Thursday, May 23, 2013, to Saturday, May 25, 2013.

(Also refer to the Board of Parks, Recreation and Cultural Services and the Transit and Parking Commission)

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

[13-8486](#) **Subject:** **(New)** Application of LO Ventures (Reefpoint Brew House), Patti Landreman, Agent for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 2 Christopher Columbus Causeway. (1st District)

[13-8514](#) **Subject:** Communication from the Director of Parks, Recreation & Cultural Services requesting renewal of the agreement with Mobile Reduction Specialists, Inc. for the disposal of trees from City of Racine parks and streets at no charge to the city.

Refer to Committee of the Whole, by Ald. Kaplan

[13-8506](#) **Subject:** Communication from the 1st District Alderman requesting to change the Racine City Charter to reflect the President of the City Council preside over all City Council meetings and Committee of the Whole meetings, and the selection of all standing committees.

[13-8519](#) **Subject:** Communication from Alderman Sandy Weidner, (District 6), Alderman Michael Shields, (District 3) and Alderman Keith Fair (District 1), requesting a meeting of the Committee of the Whole to discuss Car 25; specifically the future of Car 25, and an explanation for outsourcing Car 25.

[13-8520](#) **Subject:** Communication from the 1st District Alderman requesting a meeting with Committee of the Whole to discuss the Mayor's "abuse of power" as it pertains to items that are required to have City Council approval and to change or amend Racine City Charter to reinforce the

Legislative branch of government in the City of Racine.

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

[12-8480](#)

Subject: Communication from Ron Britten of Racine Erickson Baseball Club requesting the contract lease agreement for the use of Humble southeast and Humble southwest baseball fields be extended in it's current state with the exception of the term to be changed to a renewable yearly lease.

F. Committee Reports

Finance and Personnel Committee Report, by Ald. Shakoor

[12-8400](#)

Subject: Communication from City of Racine Resident, Chase Hendrix, President & CEO of AdEasel (Adaptive Easel, LLC), offering a \$10,000.00 sponsorship donation on behalf of his company to the City of Racine in professional services, marketing programs and technology applications to support CAR25.

Recommendation of the Finance & Personnel Committee on 1-7-13: Defer the item to the Finance & Personnel meeting scheduled for February 11, 2013, after the Cable Commission meets on January 21, 2013.

Further recommend the item be referred to the Cable Television Commission

Fiscal Note: 100% Services Donation (up to \$10,000) will be provided to City of Racine and CAR25 by Adaptive Easel, LLC. Additional services may be available at 100% Services Donation or discounted rates.

[12-8403](#)

Subject: Communication from the City Attorney submitting the claim of Adam Goebel for consideration.

Recommendation of the Finance & Personnel Committee on 1-7-13: The claim of Adam Goebel, 3527 Duchess Dr, Mount Pleasant 53406, claims damages in the amount of \$4,430.00 for damages arising from an alleged sewer backup into his basement on November 21, 2012 be denied.

Fiscal Note: N/A

[12-8404](#)

Subject: Communication from the City Attorney submitting the claim of Richard Kuhnwald for consideration.

Recommendation of the Finance & Personnel Committee on 1-7-13:

The claim of Richard Kuhnwald, 1308 LaSalle St. #3, Racine 53404, claims damages in the amount of \$8,015.50 for damages arising from an alleged trip and fall incident outside his residence on June 8, 2012 be denied.

Fiscal Note: N/A

12-8421

Subject: Communication from the City Attorney submitting the claim of Thomas Tuttle and Christopher Thomack for consideration.

Recommendation of the Finance & Personnel Committee on 1-7-13:

The claim of Thomas Tuttle, 3324 Southwood Dr., Racine, WI 53406 and Christopher Thomack, 9603 Franklin Pl., Caledonia, WI 53408, claim damages in the amount of \$5,780.00 for a damaged door arising from the execution of a search warrant on July 22, 2012 be denied.

Fiscal Note: N/A

12-8436

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting permission to accept a \$18,686.00 donation from the Racine Community Foundation for Lockwood and West Park. (Res. No. 13-0002)

Recommendation of the Finance & Personnel Committee on 1-7-13:

Permission be granted to the Director of Parks, Recreation & Cultural Services to accept a \$18,686.00 donation from the Racine Community Foundation for Lockwood and West Park.

Fiscal Note: The donation will be used for walkways and playground equipment.

12-8443

Subject: Communication from the Fire Chief requesting the Mayor and City Clerk be authorized to sign the Fire Protection and EMS contracts with Wind Point, North Bay and Elmwood Park for 2013. (Res. No. 13-0001)

Recommendation of the Finance & Personnel Committee on 1-7-13:

The Mayor and City Clerk be authorized to sign the Fire Protection and EMS contracts with Wind Point, North Bay and Elmwood Park for 2013.

Fiscal Note: Revenue estimates are as follows: Windpoint \$265,665.35; North Bay \$33,667.37; Elmwood Park \$45,101.55.

12-8447

Subject: Communication from the City Attorney submitting the claim of

John Lequia for consideration.

Recommendation of the Finance & Personnel Committee on 1-7-13:

The claim of John Lequia, 1304 Harrington Dr., Racine 53405, claims damages in an amount in excess of \$7,500.00 for injuries allegedly arising from the design/conditions of the ball diamond at Island Park on August 31, 2012 be denied.

Fiscal Note: N/A

[13-8482](#)

Subject: (Direct Referral) Regional Water Main Developers Agreement with the Village of Sturtevant (Res. No. 13-0003)

Recommendation of the Finance & Personnel Committee on 1-7-13:

Approve the agreements as submitted and the Mayor and City Clerk be authorized and directed to enter into the agreements with the Village of Sturtevant for the construction of water mains in the Village.

Fiscal Note: The Village of Sturtevant will be paying for all expenses associated with the construction of this water main.

[13-8483](#)

Subject: (Direct Referral) Local Water Main Developers Agreement with the Village of Sturtevant. (Res. No. 13-0004)

Recommendation of the Finance & Personnel Committee on 1-7-13:

Approve the agreements as submitted and the Mayor and City Clerk be authorized and directed to enter into the agreements with the Village of Sturtevant for the construction of water mains in the Village.

Fiscal Note: The Village of Sturtevant will be paying for all expenses associated with the construction of this water main.

Public Works and Services Committee Report, by Ald. Weidner

[12-8425](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer submitting Change Order No. 1 to Contract 13-12 (K2-014), Street Paving Assessable (R1), LaLonde Contractors, contractor. (Res. No. 13-0012)

Recommendation of the Public Works and Services Committee on

1-8-13: That Change Order No. 1 on Contract 13-12 (K2-014), Street Paving Assessable (R1), LaLonde Contractors, Inc., contractor, be approved in the amount of \$53,508.74.

Fiscal Note: Funding to defray the cost of this change order be appropriated from the following accounts:

\$(20,308.43) - Account 906.000.5010, Concrete Street Paving
\$ (810.35) - Account 991.908.5020, Concrete Pvmnt. Repl., Misc.
\$ 69,956.66 - Account 992.908.5020, Concrete Pvmnt. Repl., Misc.
\$ 211.01 - Account 104.992.5420, Storm Sewers, Misc.
\$ 4,459.85 - Account 287.992.5310, Sanitary Sewer, Var. Loc.
\$ 53,508.74 - Total

12-8426

Subject: (Direct Referral) Communication from the Commissioner of Public Works submitting a request for final payment on Contract 13-12 (K2-014), Street Paving Assessable (R1), LaLonde Contractors, contractor. (Res. No. 13-0013)

Recommendation of the Public Works and Services Committee on 1-8-13: That the work done by LaLonde Contractors, Inc. under Contract 13-12 (K2-014), Street Paving Assessable (R1), be accepted and final payment authorized for a total contract amount of \$334,274.18.

Fiscal Note: Contract was authorized under Resolution No. 12-3084, dated April 16, 2012.

12-8431

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer submitting a professional services agreement with AECOM for Contract 5-13 (K3-005), Professional Services - 2013 Racine Illicit Discharge Detection and Elimination (IDDE) Program Support. (Res. No. 13-0022)

Recommendation of the Public Works and Services Committee on 1-8-13: That the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with AECOM Technical Services, Inc., under Contract 5-13 (K3-005), Professional Services - 2013 Racine Illicit Discharge Detection & Elimination (IDDE) Support Program, in the not-to-exceed amount of \$20,000.00.

Fiscal Note: Funding to defray the cost of these professional services be appropriated from Account 104.000.5330, Monitoring Detection Enforcement.

12-8432

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer submitting Change Order No. 1 on Contract 11-12 (K2-012) - City Resurfacing (R1), Payne & Dolan, Inc., contractor. (Res. No. 13-0010)

Recommendation of the Public Works and Services Committee on 1-8-13: That Change Order No. 1 on Contract 11-12 (K2-012), City Resurfacing (R1), Payne & Dolan, Inc., contractor, be approved in the amount of \$1,617.70.

Fiscal Note: Funding to defray the cost of this change order be appropriated from the following accounts:

\$ 12,492.70 - Account 992.908.5220, Asphalt Resurfacing
\$ 12,925.00 - Account 104.992.5420, Storm Sewer, Misc. Loc.
(\$23,800.00) - Account 287.992.5310, Sanitary Sewer, Var. Loc.
\$ 1,617.70 - Total

[12-8433](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works submitting a request for final payment on Contract 40-12 (K2-049), Professional Services-Design Concrete Slab and Conduit Runs for Antenna Equipment Building and Generator, ARC Architectural Group LLC, consultant. (Res. No. 13-0014)

Recommendation of the Public Works and Services Committee on 1-8-13: That the professional services provided by ARC Architectural Group LLC under Contract 40-12 (K2-049), Professional Services - Design Concrete Slab and Conduit Runs for Antenna Equipment Building and Generator, be accepted and final payment authorized for a total contract amount of \$2,280.00.

Fiscal Note: Contract was authorized under Resolution No. 12-3080, dated April 16, 2012.

[12-8434](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works submitting the final payment on Contract 11-12 (K2-012) - City Resurfacing (R1), Payne & Dolan, Inc., contractor. (Res. No. 13-0011)

Recommendation of the Public Works and Services Committee on 1-8-13: That the work done by Payne & Dolan, Inc. under Contract 11-12 (K2-012), City Resurfacing (R1), be accepted and final payment authorized for a total contract amount of \$431,301.70.

Fiscal Note: Contract was authorized under Resolution No. 12-3083, dated April 16, 2012.

[12-8444](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works submitting a request for final payment on Contract 53-09 (K9-054), Professional Services - Generator Replacement at Radio Tower and City Hall Annex, David L. Hanson & Associates, Inc., consultant. (Res. No. 13-0006)

Recommendation of the Public Works and Services Committee on 1-8-13: That the professional services provided by David L. Hanson & Associates, Inc., under Contract 53-09 (K9-054), Professional Services -

Generator Replacement at Radio Tower and City Hall Annex, be accepted and final payment authorized for a total contract amount of \$7,799.00.

Fiscal Note: Contract was authorized under Resolution No. 09-1502, dated July 7, 2009.

[12-8445](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer submitting Change Order No. 2 on Contract 52-12 (K2-063) - 2012 Bridge Repairs, Vista Design & Construction, LLC., contractor. (Res. No. 13-0015)

Recommendation of the Public Works and Services Committee on 1-8-13: That Change Order No. 2 on Contract 52-12 (K2-063), 2012 Bridge Repairs, Vista Design & Construction, LLC, contractor, be approved in the amount of \$2,218.25.

Fiscal Note: Funding to defray the cost of this change order be appropriated from Account 992.908.5020, Concrete Paving, Misc.

[12-8465](#)

Subject: Communication from Racine County submitting bid results for salt for ice control for the 2012-2013 winter season. (Res. No. 13-0005)

Recommendation of the Public Works and Services Committee on 1-8-13: The bid of Cargill, Inc. for the purchase of 6,000 tons (more or less) of salt for ice control for the 2012-2013 year be accepted at their bid price of \$60.35 per ton delivered, they being the lowest responsible bidder.

Fiscal Note: The City of Racine's allotment of salt will be based upon 6,000 tons and funds to make these purchases are budgeted in Account 101.540.5250, Snow and Ice Control, Work Supplies.

[12-8468](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer submitting a proposal from AECOM Technical Services, Inc. for Contract 1-13 (K3-001), Professional Services - Stormwater Utility. (Res. No. 13-0018)

Recommendation of the Public Works and Services Committee on 1-8-13: That the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with AECOM Technical Services, Inc., under Contract 1-13 (K3-001), Professional Services - Stormwater Utility, in the not-to-exceed amount of \$25,000.00.

Fiscal Note: Funding to defray the cost of these professional services be appropriated from Account 104.000.5610, Professional Services.

[12-8469](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting a professional services proposal from Harwood Engineering Consultants, Ltd. for Contract 2-13 (K3-002), IS Server Room AC Upgrade. (Res. No. 13-0019)

Recommendation of the Public Works and Services Committee on 1-8-13: That the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with Harwood Engineering Consultants, Ltd., under Contract 2-13 (K3-002), Professional Services - Server Room AC Upgrade, in the not-to-exceed amount of \$7,100.00 including reimbursables.

Fiscal Note: Funding to defray the cost of these professional services be appropriated from Account 993.100.5030, City Hall-IS Server room AC Update.

[12-8476](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting a proposal from Industrial Roofing Services, Inc. for Contract 3-13 (K3-003), PS-City Hall Annex Roof System Design & Administration. (Res. No. 13-0020)

Recommendation of the Public Works and Services Committee on 1-8-13: That the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with Industrial Roofing Services, Inc., under Contract 3-13 (K3-003), Professional Services - City Hall Annex Roof System Design and Administration, in the not-to-exceed amount of \$12,950.00.

Fiscal Note: Funding to defray the cost of these professional services be appropriated from Account 993.200.5040, Annex-Roof Areas 2,3,5,6,7.

[13-8485](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting Change Order No. 1 to Contract 56-12 (K2-067), Transit Center - Masonry Restoration & Roof Repair, Carlson Racine Roofing & Sheet Metal, Inc., contractor. (Res. No. 13-0016)

Recommendation of the Public Works and Services Committee on 1-8-13: That Change Order No. 1 on Contract 56-12 (K2-067), Transit Center - Masonry Restoration & Roof Repair, Carlson Racine Roofing & Sheet Metal, Inc., contractor, be approved in the amount of \$21,175.00.

Fiscal Note: Funding to defray the cost of this change order be appropriated from Account 719.100.5510, West Canopy Repairs.

[13-8490](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works submitting a request for final payment on Contract 53-11 (K1-058), City Hall Restroom Renovations, Absolute Construction Enterprises, Inc., contractor. (Res. No. 13-0009)

Recommendation of the Public Works and Services Committee on 1-8-13: That the work done by Absolute Construction Enterprises, Inc. under Contract 53-11 (K1-058), City Hall Restroom Renovations, be accepted and final payment authorized for a total contract amount of \$420,823.00.

Fiscal Note: Contract was authorized under Resolution No. 11-2849, dated December 6, 2011.

[13-8491](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting a proposal from Industrial Roofing Services, Inc. for Contract 4-13 (K3-004), Professional Services - Memorial Hall, City Hall and City Hall Annex Tuckpointing. (Res. No. 13-0021)

Recommendation of the Public Works and Services Committee on 1-8-13: That the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with Industrial Roofing Services, Inc., under Contract 4-13 (K3-004), Professional Services - Memorial Hall, City Hall and City Hall Annex Tuckpointing, in the not-to-exceed amount of \$22,750.00.

Fiscal Note: Funding to defray the cost of these professional services be appropriated from the following accounts:

\$ 7,000.00 - Account 108.993.5510, Memorial Hall Tuckpointing
\$ 7,000.00 - Account 993.100.5020, City Hall Tuckpointing
\$ 8,750.00 - Account 993.200.5010, City Hall Annex Tuckpointing
\$ 22,750.00 - Total

[13-8492](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer submitting Amendment No. 1 on Contract 06-11 (K1-006), PS - 2011 DPW/Engineering Information Technology Support On-Call, AECOM, consultant. (Res. No. 13-0017)

Recommendation of the Public Works and Services Committee on 1-8-13: That Amendment No. 1 to Contract 6-11 (K1-006), Professional Services - 2011 DPW/Engineering IT Support On-Call, AECOM Technical Services, Inc., consultant, as submitted, be approved in the not-to-exceed amount of \$15,000.00.

Fiscal Note: Funding to defray the cost of these professional services be appropriated from Account 943.130.5020, Engineering GIS Layers.

[13-8493](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting Amendment No. 2 to Contract 39-11 (K1-041), Professional Services - Facility Plan Study-Brine Making Facility/Recycling Transfer Center, AECOM Technical Services, Inc., consultant. (Res. No. 13-0007)

Recommendation of the Public Works and Services Committee on 1-8-13: That Amendment No. 2 to Contract 39-11 (K1-041), Professional Services - Facility Plan Study-Brine Making Facility/Recycling Transfer Center, AECOM Technical Services, Inc., consultant, as submitted, be approved in the not-to-exceed amount of \$9,900.00.

Fiscal Note: Funding to defray the cost of these professional services be appropriated from Account 289.991.5010, Recycling Transfer Buildings.

[13-8494](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works submitting a request for final payment on Contract 39-11 (K1-041), Professional Services - Facility Plan Study-Brine Making Facility/Recycling Transfer Center, AECOM Technical Services, Inc., consultant. (Res. No. 13-0008)

Recommendation of the Public Works and Services Committee on 1-8-13: That the professional services provided by AECOM Technical Services, Inc. under Contract 39-11 (K1-041), Professional Services - Facility Plan Study-Brine Making Facility/Recycling Transfer Center, be accepted and final payment authorized for a total contract amount of \$120,700.00.

Fiscal Note: Contract was authorized under Resolution No. 11-2599, dated June 7, 2011.

[13-8501](#)

Subject: (Direct Referral) Communication from the Commissioner of Public works requesting permission to waive formal bidding procedures for aerial imaging services for the Geographical Information System. (Res. No. 13-0023)

Recommendation of the Public Works and Services Committee on 1-8-13: That formal bidding procedures be waived and that the Purchasing Agent be authorized and directed to negotiate with Pictometry International Corporation for the provision of Aerial Imaging Services for the Geographical Information System.

Fiscal Note: The estimated cost of this service is \$43,074.00 and funding is available in Account 943.130.5030, Engineering-Aerial Photography.

Public Safety and Licensing Committee Report, by Ald. Holding

[12-8448](#)

Subject: (Direct Referral) Sale of Abandoned Vehicles 12-11-12.

Recommendation of the Public Safety and Licensing Committee on 1-8-13: That the item be received and filed as the highest responsible bidder out of the three bids was Sturtevant Auto Salvage.

Fiscal Note: This will generate \$16,368.01 in revenue.

[12-8470](#)

Subject: (New) Application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License Curmudgeon's Pub & Grill LLC, located at 3458 Rapids Drive, Dawn Burbey, Agent. **(6th District)**

Recommendation of the Public Safety and Licensing Committee on 1-8-13: That the new Application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License Curmudgeon's Pub & Grill LLC, located at 3458 Rapids Drive, Dawn Burbey, Agent be approved.

Fiscal Note: N/A

[12-8477](#)

Subject: (Direct Referral) Application for a Second Hand Jewellery Dealers License for Iyad Alabed, One Stop Food and Liquor, 1711 N. Main St, Racine.

Recommendation of the Public Safety and Licensing Committee on 1-8-13: That Mr. Alabed and his Attorney be directed to work with the City Attorney on a side agreement which stipulates if there are any violations related to Ordinance 12-12 at either location he will surrender his license. He will also work with the Racine Police Department to help get the NEWPRS system up and running.

Fiscal Note: N/A

Transit and Parking Commission Report, by Ald. DeHahn

[12-8451](#)

Subject: Communication from the Transit and Parking System Manager wishing to discuss the 2013 Racine County juror parking rates. (Res. No. 13-0024)

Recommendation of the Transit and Parking Commission on

12-19-12: The 2013 contract with Racine County Courts system for juror parking shall be revised to a rate of \$650 per month and City officials are authorized to enter into an agreement for 2013 at the revised rate.

Fiscal Note: An increase of \$840 annually was authorized which will go to the Parking Utility Enterprise fund.

[12-8452](#)

Subject: Communication from the Transit and Parking System Manager requesting authorization to distribute a RFP for a new Parking System hardware and software package to accommodate credit card payments and improved revenue reporting and control capabilities. (Res. No. 13-0025)

Recommendation of the Transit and Parking Commission on

12-19-12: The Common Council is requested to pass a Resolution authorizing use of the Request for Proposals (RFP) process for Parking Utility gate equipment purchasing in 2013 in order to have service quality and experience and other operational considerations a part of the evaluation of proposals as opposed to accepting lowest bid.

Fiscal Note: 2013 Parking Utility Enterprise funding for new equipment was included in the 2013 adopted City budget.

[12-8453](#)

Subject: Communication from the Transit and Parking System Manager requesting to discuss comments received as part of the Public Comment opportunity regarding 2013 transit changes at the December 19, 2012 Parking and Transit Commission meeting.

Recommendation of the Transit and Parking Commission on

12-19-12: Receive and file.

Fiscal Note: N/A

[12-8454](#)

Subject: Communication from the Transit and Parking System Manager giving an update on the potential Regency Mall satellite transfer facility.

Recommendation of the Transit and Parking Commission on

12-19-12: Receive and file.

Fiscal Note: N/A

[12-8455](#)

Subject: Communication from the Transit and Parking System Manager giving an update on mid-year 2013 scheduled transit route revision implementation to improve efficiency and reduce costs.

Recommendation of the Transit and Parking Commission on 12-19-12: Receive and file.

Fiscal Note: N/A

[12-8456](#)

Subject: Communication from the BUS General Manager submitting the October 2012 transit operating statistics.

Recommendation of the Transit and Parking Commission on 12-19-12: Receive and file.

Fiscal Note: N/A

[12-8457](#)

Subject: Communication from the Transit and Parking System Manager requesting authorization to apply to WisDOT for 2013 transit operating assistance. (Res. No. 13-0026)

Recommendation of the Transit and Parking Commission on 12-19-12: A Resolution be passed authorizing the Mayor and City Clerk to file an application for public transportation assistance with the Wisconsin Department of Transportation and accept State and Federal transit operating assistance.

Fiscal Note: Estimated Federal and State operating assistance for 2013 is \$4,674,843.

City Plan Commission Report, by Ald. Wiser

[13-8495](#)

Subject: (Direct Referral) Request by Jeffrey Servi, owner of Premium Tops, to install a pole sign with an electronic message center at 3819 Douglas Avenue. (PC-13) (Res. No. 13-0027)

Recommendation of the City Plan Commission on 1-9-13: That the item be approved subject to conditions.

Fiscal Note: N/A

[13-8496](#)

Subject: (Direct Referral) Request by Tammy Krote representing ArcVision, Inc. for an external remodel to the Taco Bell restaurant located at 2825 S. Green Bay Road. (PC-13) (Res. No. 13-0028)

Recommendation of the City Plan Commission on 1-9-13: That the item be approved subject to conditions.

Fiscal Note: N/A

[13-8497](#)

Subject: (Direct Referral) Request by Tammy Korte representing ArcVision, Inc. for an external remodel to the Taco Bell restaurant located at 3358 Douglas Avenue. (PC-13) (Res. No. 13-0028)

Recommendation of the City Plan Commission on 1-9-13: That the item be approved subject to conditions.

Fiscal Note: N/A

[13-8498](#)

Subject: (Direct Referral) Request by Jim Burda of Hoogland Foods seeking a conditional use permit for a Marco's Pizza carryout restaurant at 2065 Lathrop Avenue. (PC-13) (Res. No. 13-0029)

Recommendation of the City Plan Commission on 1-9-13: That the item be approved subject to conditions.

Fiscal Note: N/A

Office of the Mayor Report, by Ald. Kaplan.

[13-8518](#)

Subject: Communication from Mayor Dickert nominating appointments/reappointments to the following committees, boards and/or commissions:

Reappoint Charles Mano 1830 Charles Ave Racine, 53402 to the Business Improvement District #4 - Douglas Ave for a three year term, expiring December 31, 2015

Reappoint DeWayne Perry 1300 Douglas Ave. Racine, 53402 to the Business Improvement District #4 - Douglas Ave for a three year term, expiring December 31, 2015

Executive Committee by Ald. Kaplan

[12-8479](#)

Subject: (Direct Referral) Communication from the City Clerk requesting to change several polling places beginning with the 2013 Elections.

Staff Recommendation: To approve the polling place changes.

Board of Parks, Recreation, and Cultural Services Report, by Ald. McCarthy

[12-8290](#)

Subject: Communication from Mark Thomas from Ocean Blue Inflatables, LLC requesting permission to set up a large inflatable water slide for the summer of 2013 on North Beach.

Recommendation of the Board of Parks, Recreation & Cultural Services on 11-14-12: Deferred.

Recommendation of the Board of Parks, Recreation & Cultural Services on 12-13-12: To approve the concept of Mark Thomas' communication to set up a large inflatable water slide for the summer of 2013 on North Beach pending the approval of those City Department's requiring involvement. Further recommends, if approved by all involved department's, the location of the slide must then be approved by the Board of Parks, Recreation & Cultural Services Department prior to the implementation of an agreement and set up of the slide.

Fiscal Note: To be determined following the approval by administrative staff of involved departments.

Recommendation of the Board of Parks, Recreation & Cultural Services on 1-9-13: To deny the communication from Mark Thomas from Ocean Blue Infatables, LLC, requesting permission to set up a large inflatable water slide for the summer of 2013 on North Beach until this is found to be a viable project and not of great expense to the City.

Fiscal Note: N/A

G. Consent Agenda

[Res.13-0001](#) Fire Protection and EMS Contracts with Wind Point, North Bay and Elmwood Park for 2013

Resolved, that the Mayor and City Clerk are authorized to sign the Fire Protection and EMS contracts with Wind Point, North Bay and Elmwood Park for 2013.

Fiscal Note: Revenue estimates are as follows: Wind Point \$265,665.35; North Bay \$33,667.37; Elmwood Park \$45,101.55.

Sponsors: Q.A. Shakoor, II

[Res.13-0002](#) Donation from the Racine Community Foundation for Lockwood and West Park

Resolved, that permission is granted to the Director of Parks, Recreation & Cultural Services to accept a \$18,686.00 donation from the Racine Community Foundation for Lockwood and West Park.

Fiscal Note: The donation will be used for walkways and playground equipment.

Sponsors: Q.A. Shakoor, II

Res.13-0003 Regional Water Main Developers Agreement with the Village of Sturtevant

Resolved, that the agreements as submitted and the Mayor and City Clerk are authorized and directed to enter into the agreements with the Village of Sturtevant for the construction of water mains in the Village as approved.

Fiscal Note: The Village of Sturtevant will be paying for all expenses associated with the construction of this water main.

Sponsors: Q.A. Shakoor, II

Res.13-0004 Local Water Main Developers Agreement with the Village of Sturtevant

Resolved, that the agreements as submitted and the Mayor and City Clerk are authorized and directed to enter into the agreements with the Village of Sturtevant for the construction of water mains in the Village is approved.

Fiscal Note: The Village of Sturtevant will be paying for all expenses associated with the construction of this water main.

Sponsors: Q.A. Shakoor, II

Res.13-0005 Bid Results for Salt for Ice Control for the 2012-2013 Winter Season

Resolved, that the bid of Cargill, Inc. for the purchase of 6,000 tons (more or less) of salt for ice control for the 2012-2013 year is accepted at their bid price of \$60.35 per ton delivered, they being the lowest responsible bidder.

Fiscal Note: The City of Racine's allotment of salt will be based upon 6,000 tons and funds to make these purchases are budgeted in Account 101.540.5250, Snow and Ice Control, Work Supplies.

Sponsors: Sandy Weidner

Res.13-0006 Final Payment on Contract 53-09 (K9-054), Professional Services - Generator Replacement at Radio Tower and City Hall Annex

Resolved, that the professional services provided by David L. Hanson & Associates, Inc., under Contract 53-09 (K9-054), Professional Services - Generator Replacement at Radio Tower and City Hall Annex, is accepted and final payment authorized for a total contract amount of \$7,799.00.

Fiscal Note: Contract was authorized under Resolution No. 09-1502, dated July 7, 2009.

Sponsors: Sandy Weidner

Res.13-0007 Amendment No. 2 to Contract 39-11 (K1-041), Professional Services - Facility Plan Study-Brine Making Facility / Recycling Transfer Center

Resolved, that Amendment No. 2 to Contract 39-11 (K1-041), Professional Services - Facility Plan Study-Brine Making Facility / Recycling Transfer Center, AECOM Technical Services, Inc., consultant, as submitted, is approved in the not-to-exceed amount of \$9,900.00.

Fiscal Note: Funding to defray the cost of these professional services be appropriated from Account 289.991.5010, Recycling Transfer Buildings.

Sponsors: Sandy Weidner

Res.13-0008 Final payment on Contract 39-11 (K1-041), Professional Services - Facility Plan Study-Brine Making Facility / Recycling Transfer Center

Resolved, that the professional services provided by AECOM Technical Services, Inc. under Contract 39-11 (K1-041), Professional Services - Facility Plan Study-Brine Making Facility / Recycling Transfer Center, is accepted and final payment authorized for a total contract amount of \$120,700.00.

Fiscal Note: Contract was authorized under Resolution No. 11-2599, dated June 7, 2011.

Sponsors: Sandy Weidner

Res.13-0009 Final payment on Contract 53-11 (K1-058), City Hall Restroom Renovations

Resolved, that the work done by Absolute Construction Enterprises, Inc. under Contract 53-11 (K1-058), City Hall Restroom Renovations, is accepted and final payment authorized for a total contract amount of \$420,823.00.

Fiscal Note: Contract was authorized under Resolution No. 11-2849, dated December 6, 2011.

Sponsors: Sandy Weidner

Res.13-0010 Change Order No. 1 on Contract 11-12 (K2-012) - City Resurfacing (R1)

Resolved, that Change Order No. 1 on Contract 11-12 (K2-012), City Resurfacing (R1), Payne & Dolan, Inc., contractor, is approved in the amount of \$1,617.70.

Fiscal Note: Funding to defray the cost of this change order is appropriated from the following accounts:

\$ 12,492.70 - Account 992.908.5220, Asphalt Resurfacing
\$ 12,925.00 - Account 104.992.5420, Storm Sewer, Misc. Loc.
(\$23,800.00) - Account 287.992.5310, Sanitary Sewer, Var. Loc.
\$ 1,617.70 - Total

Sponsors: Sandy Weidner

Res.13-0011 Final Payment on Contract 11-12 (K2-012) - City Resurfacing (R1)

Resolved, that the work done by Payne & Dolan, Inc. under Contract 11-12 (K2-012), City Resurfacing (R1), is accepted and final payment authorized for a total contract amount of \$431,301.70.

Fiscal Note: Contract was authorized under Resolution No. 12-3083, dated April 16, 2012.

Sponsors: Sandy Weidner

Res.13-0012 Change Order No. 1 to Contract 13-12 (K2-014), Street Paving Assessable (R1)

Resolved, that Change Order No. 1 on Contract 13-12 (K2-014), Street Paving Assessable (R1), LaLonde Contractors, Inc., contractor, is approved in the amount of \$53,508.74.

Fiscal Note: Funding to defray the cost of this change order is appropriated from the following accounts:

\$(20,308.43) - Account 906.000.5010, Concrete Street Paving
\$(810.35) - Account 991.908.5020, Concrete Pvmnt. Repl., Misc.
\$69,956.66 - Account 992.908.5020, Concrete Pvmnt. Repl., Misc.
\$211.01 - Account 104.992.5420, Storm Sewers, Misc.
\$4,459.85 - Account 287.992.5310, Sanitary Sewer, Var. Loc.
\$53,508.74 - Total

Sponsors: Sandy Weidner

Res.13-0013 Final Payment on Contract 13-12 (K2-014), Street Paving Assessable (R1)

Resolved, that the work done by LaLonde Contractors, Inc. under Contract 13-12 (K2-014), Street Paving Assessable (R1), is accepted and final payment authorized for a total contract amount of \$334,274.18.

Fiscal Note: Contract was authorized under Resolution No. 12-3084, dated April 16, 2012.

Sponsors: Sandy Weidner

Res.13-0014 Final payment on Contract 40-12 (K2-049), Professional

Services-Design Concrete Slab and Conduit Runs for Antenna Equipment Building and Generator

Resolved, that the professional services provided by ARC Architectural Group LLC under Contract 40-12 (K2-049), Professional Services - Design Concrete Slab and Conduit Runs for Antenna Equipment Building and Generator, is accepted and final payment authorized for a total contract amount of \$2,280.00.

Fiscal Note: Contract was authorized under Resolution No. 12-3080, dated April 16, 2012.

Sponsors: Sandy Weidner

Res.13-0015 Change Order No. 2 on Contract 52-12 (K2-063) - 2012 Bridge Repairs

Resolved, that Change Order No. 2 on Contract 52-12 (K2-063), 2012 Bridge Repairs, Vista Design & Construction, LLC, contractor, is approved in the amount of \$2,218.25.

Fiscal Note: Funding to defray the cost of this change order be appropriated from Account 992.908.5020, Concrete Paving, Misc.

Sponsors: Sandy Weidner

Res.13-0016 Change Order No. 1 to Contract 56-12 (K2-067), Transit Center - Masonry Restoration & Roof Repair

Resolved, that Change Order No. 1 on Contract 56-12 (K2-067), Transit Center - Masonry Restoration & Roof Repair, Carlson Racine Roofing & Sheet Metal, Inc., contractor, is approved in the amount of \$21,175.00.

Fiscal Note: Funding to defray the cost of this change order be appropriated from Account 719.100.5510, West Canopy Repairs.

Sponsors: Sandy Weidner

Res.13-0017 Amendment No. 1 on Contract 06-11 (K1-006), PS - 2011 DPW / Engineering Information Technology Support On-Call

Resolved, that Amendment No. 1 to Contract 6-11 (K1-006), Professional Services - 2011 DPW / Engineering IT Support On-Call, AECOM Technical Services, Inc., consultant, as submitted, is approved in the not-to-exceed amount of \$15,000.00.

Fiscal Note: Funding to defray the cost of these professional services be appropriated from Account 943.130.5020, Engineering GIS Layers.

Sponsors: Sandy Weidner

Res.13-0018 Proposal from AECOM Technical Services, Inc. for Contract 1-13

(K3-001), Professional Services - Stormwater Utility

Resolved, that the Mayor and City Clerk are authorized and directed to enter into a professional services agreement with AECOM Technical Services, Inc., under Contract 1-13 (K3-001), Professional Services - Stormwater Utility, in the not-to-exceed amount of \$25,000.00.

Fiscal Note: Funding to defray the cost of these professional services be appropriated from Account 104.000.5610, Professional Services.

Sponsors: Sandy Weidner

Res.13-0019 Professional Services Proposal from Harwood Engineering Consultants, Ltd. for Contract 2-13 (K3-002), IS Server Room AC Upgrade

Resolved, that the Mayor and City Clerk are authorized and directed to enter into a professional services agreement with Harwood Engineering Consultants, Ltd., under Contract 2-13 (K3-002), Professional Services - Server Room AC Upgrade, in the not-to-exceed amount of \$7,100.00 including reimbursables.

Fiscal Note: Funding to defray the cost of these professional services be appropriated from Account 993.100.5030, City Hall-IS Server room AC Update.

Sponsors: Sandy Weidner

Res.13-0020 Proposal from Industrial Roofing Services, Inc. for Contract 3-13 (K3-003), PS-City Hall Annex Roof System Design & Administration

Resolved, that the Mayor and City Clerk are authorized and directed to enter into a professional services agreement with Industrial Roofing Services, Inc., under Contract 3-13 (K3-003), Professional Services - City Hall Annex Roof System Design and Administration, in the not-to-exceed amount of \$12,950.00.

Fiscal Note: Funding to defray the cost of these professional services be appropriated from Account 993.200.5040, Annex-Roof Areas 2,3,5,6,7.

Sponsors: Sandy Weidner

Res.13-0021 Proposal from Industrial Roofing Services, Inc. for Contract 4-13 (K3-004), Professional Services - Memorial Hall, City Hall and City Hall Annex Tuckpointing

Resolved, that the Mayor and City Clerk are authorized and directed to enter into a professional services agreement with Industrial Roofing Services, Inc., under Contract 4-13 (K3-004), Professional Services - Memorial Hall, City Hall and City Hall Annex Tuckpointing, in the not-to-exceed amount of \$22,750.00.

Fiscal Note: Funding to defray the cost of these professional services be appropriated from the following accounts:

\$ 7,000.00 - Account 108.993.5510, Memorial Hall Tuckpointing
\$ 7,000.00 - Account 993.100.5020, City Hall Tuckpointing
\$ 8,750.00 - Account 993.200.5010, City Hall Annex Tuckpointing
\$ 22,750.00 - Total

Sponsors: Sandy Weidner

Res.13-0022 Professional Services Agreement with AECOM for Contract 5-13 (K3-005), Professional Services - 2013 Racine Illicit Discharge Detection and Elimination (IDDE) Program Support

Resolved, that the Mayor and City Clerk are authorized and directed to enter into a professional services agreement with AECOM Technical Services, Inc., under Contract 5-13 (K3-005), Professional Services - 2013 Racine Illicit Discharge Detection & Elimination (IDDE) Support Program, in the not-to-exceed amount of \$20,000.00.

Fiscal Note: Funding to defray the cost of these professional services be appropriated from Account 104.000.5330, Monitoring Detection Enforcement.

Sponsors: Sandy Weidner

Res.13-0023 Aerial Imaging Services for the Geographical Information System

Resolved, that formal bidding procedures are waived and the Purchasing Agent is authorized and directed to negotiate with Pictometry International Corporation for the provision of Aerial Imaging Services for the Geographical Information System.

Fiscal Note: The estimated cost of this service is \$43,074.00 and funding is available in Account 943.130.5030, Engineering-Aerial Photography.

Sponsors: Sandy Weidner

Res.13-0024 2013 Racine County Juror Parking Rates

Resolved, that the 2013 contract with Racine County Courts system for juror parking is revised to a rate of \$650 per month and City officials are authorized to enter into an agreement for 2013 at the revised rate.

Fiscal Note: An increase of \$840 annually was authorized which will go to the Parking Utility Enterprise fund.

Sponsors: Raymond DeHahn

Res.13-0025 Authorization to Distribute a RFP for a New Parking System Hardware and Software Package to Accommodate Credit Card Payments and Improve Revenue Reporting and Control Capabilities

Resolved, that the Common Council is requested to pass a resolution authorizing use of the Request for Proposals (RFP) process for parking utility gate equipment purchasing in 2013 in order to have service quality and experience and other operational considerations a part of the evaluation of proposals as opposed to accepting lowest bid.

Fiscal Note: 2013 Parking Utility Enterprise funding for new equipment was included in the 2013 adopted City budget.

Sponsors: Raymond DeHahn

Res.13-0026 Authorization to Apply to WisDOT for 2013 Transit Operating Assistance

Resolved, the Mayor and City Clerk are authorized to file an application for public transportation assistance with the Wisconsin Department of Transportation and accept State and Federal transit operating assistance.

Fiscal Note: Estimated Federal and State operating assistance for 2013 is \$4,674,843.

Sponsors: Raymond DeHahn

Res.13-0027 Free-Standing Pole Sign at 3819 Douglas Avenue

Resolved, that the request by Jeffrey Servi of Premium Tops to install a free-standing pole sign with an electronic message center attached for the business located at 3819 Douglas Avenue is approved, subject to the following conditions:

- a. That the plans submitted to the Plan Commission at their January 9, 2013 meeting be approved subject to conditions contained herein.
- b. That the sign rendering dated December 5, 2012, and site plan dated December 11, 2012 shall be the plans followed for sign installation, with the exception of the height, which shall be 15-feet in height from grade.
- c. That the aluminum sample provided as an example of the sign exterior material be the material used in the installation of the sign box and along the length of the support base.
- d. That no portion of the sign shall encroach into the City right-of-way.
- e. That no additional electronic message signage of any type shall be permitted on this site.

- f. That the sign does not conflict with any traffic signals.
- g. That all required permits shall be obtained and necessary inspections performed prior to installation of the sign.
- h. That all banners and temporary signage attached to the building shall be removed upon installation of the new pole sign.
- i. That the electronic portion of the sign shall be subject to the restrictions of Section 114-1033 (b) of the Zoning Ordinance.
- j. That no minor changes be made from the conditions of this permit without the approval of the Department of City Development and no major changes be made from the conditions of this permit without the approval of the Plan Commission.

Fiscal Note: N/A

Sponsors: Dennis Wisner

Res.13-0028 Remodel Taco Bell at 3358 Douglas Avenue and 2825 S. Green Bay Road

Resolved, that the request by Arc Vision, Inc. to remodel the Taco Bell at 3358 Douglas Avenue and 2825 S. Green Bay Road is approved subject to the following conditions:

- a. That the plans date stamped December 17th, 2012 and presented to the Plan Commission on January 9, 2013, be approved subject to the conditions and additional information requirements as stated herein.
- b. That revised building elevation plans showing removal of the E.I.F.S. material from any portion of the building between grade and 8-feet, and that a suitable replacement material of masonry construction be submitted. The plan shall be subject to review and approval by the Department of City Development prior to commencement of construction.
- c. That sheet L1.0, Landscaping, be submitted to the Department of City Development for review and approval prior to the commencement of construction.
- d. That the pedestrian access in front of the drive through window for the 3358 Douglas Avenue location be removed.
- e. That for both sites the applicant provide bicycle racks and a revised site plan indicating the location. The plan shall be subject to the

approval of the Department of City Development prior to commencement of construction.

f. That for the outdoor seating area at 3358 Douglas Avenue, a privacy / separation fence of a decorative nature be provided to help shield the outdoor dining area from the parking spaces located directly to the north and west. The design and selection of fencing shall be subject to the review and approval of the Department of City Development.

g. That revised site plans be provided to the Department of City Development for review and approval which indicate the property line boundaries for both sides and shows all available parking spaces for both sites prior to commencement of construction.

h. That any modification to lighting shall not produce additional glare or light intrusion onto adjacent sites or be so bright as to cause traffic concerns.

i. That the color scheme provided for the building remodels shall be the palate used in the building upgrades as provided.

j. That all site and plan details as outlined above shall be completed and followed and all building or site changes shall be done in accordance with said plans.

k. That all applicable building and occupancy permits be obtained from the Building Inspection Department.

l. That all codes and ordinances shall be complied with and required permits acquired.

m. That signage is approved with this submittal, and any changes shall be allowed only upon authorization of the Department of City Development prior to installation. All permits for signage shall be obtained prior to installation.

n. That any future pole / monument signage for either site shall be subject to review and approval by the Department of City Development and shall not exceed 6-feet in height as measured from grade.

o. That wheel stops shall be installed as indicated and required for all parking spaces located along the periphery of the lots.

p. That prior to the issuance of a sign / building permit, the applicant or owner shall provide the City with a letter of credit, bond, or other acceptable financial security, equal in value to the required landscaping

improvement. The financial security documents shall be submitted for the review and approval of the Director of City Development, shall be issued in the City's favor, shall be in effect for one year from the date of issuance, shall be extended beyond the expiration date if deemed necessary by the City of Racine, and shall require that the issuer give a 90-day notice to the Department of City Development prior to the expiration of said financial security.

q. The City is authorized by this approval to enter the site, implement the plan(s) and draw on the financial security for the cost of implementation if required improvements are not implemented by the dates stated. Any costs incurred in excess of the value of the financial security shall be paid by the applicant or owner or shall be imposed as a special charge against the real property in accordance with the applicable statute.

r. By acting under this approval, the applicant and owner give permission to the City to enter upon the property for purpose hereby described.

s. That this approval is subject to Plan Commission review for compliance with the listed conditions.

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

Fiscal Note: n/a

Sponsors: Dennis Wisner

Res.13-0029 Marco's Pizza Carryout Restaurant

Resolved, that the request by Jim Burda of Hoogland Foods seeking a conditional use permit for a Marco's Pizza Carryout Restaurant at 2065 Lathrop Avenue is approved, subject to the following conditions:

a. That the plans date stamped December 26, 2012 and presented to the Plan Commission on January 9, 2013, be approved subject to the conditions contained herein.

b. That the hours of operation of the carryout restaurant be from 11:00 a.m. to 11:00 p.m. Sunday through Thursday, and 11:00 a.m. to 12:00 a.m. Friday and Saturday.

c. That prior to the issuance of a building permit, the following shall be accomplished:

1. Submittal of a detailed landscape plan for the review and approval of the Director of City Development prior to the issuance of a building permit. At minimum, said landscape plan shall illustrate dumpster areas and details, and the provision of landscaping plantings in the painted island areas currently delineated at the 21st Street and Lathrop Avenue parking lot entrances, and at the southwest corner of the property. Landscaping illustrated in the plans shall be implemented prior to the issuance of an occupancy permit.

2. Submittal of an access agreement to be executed between the adjacent property owner and owner of subject property for the review and approval of the Director of City Development. Proof of the recordation of said access agreement shall be provided to the Director of City Development prior to the issuance of a building permit.

3. That if prior to the issuance of an occupancy permit the site improvements described in condition "c.1" are not installed, then a financial surety shall be provided to the City in an amount equal in value to the required improvements described in condition "c.1", subject to the following terms:

4. Financial surety documents shall be submitted for the review and approval of the Director of City Development, shall be issued in the City's favor, shall be in effect for one year from the date of issuance, shall be extended beyond the expiration date if deemed necessary by the City of Racine, and shall require that the issuer give a 90 day notice to the Department of City Development prior to the expiration of said financial security.

5. The City is authorized by this Conditional Use permit to enter the site, implement the plan(s) and draw on the financial security for the cost of implementation if required improvements are not completed by the time of the issuance of an occupancy permit, or by an earlier date as may be required herein. Any costs incurred in excess of the value of the financial security shall be paid by the applicant or owner or shall be imposed as a special charge against the real property in accordance with the applicable statute.

6. By operating under this Conditional Use, the applicant and owner give permission to the City to enter upon the property for the purposes described herein.

7. In no case shall the site improvements described in condition "c.1" be installed later than June 10, 2013.

- d. That a detailed signage plan be submitted for the review and approval of the Director of City Development prior to said signage installation.
- e. That all applicable building and occupancy permits be obtained from the Building Inspection Department.
- f. That all codes and ordinance shall be complied with and required permits acquired.
- g. That this approval is subject to Plan Commission review for compliance with the listed conditions.
- h. That no minor changes shall be made from the conditions of this approval without the approval of the Plan Commission, and no major changes shall be made from the conditions without the approval of the Common Council.

Fiscal Note: N/A

Sponsors: Dennis Wiser

Res.13-0030 June 1-2, 2013 Monument Square Art Fair

Resolved, that Art Metals Studio is granted permission to close 5th Street for the Monument Square Art Fair, to be held on Saturday and Sunday, June 1-2, 2013, with the following stipulations:

- A. A hold harmless agreement be executed and a \$62.50 processing fee paid.
- B. A liability insurance certificate be filed prior to this event.
- C. Any overtime costs incurred by any City department be charged to the sponsor.
- D. The sponsor shall notify all abutting property owners seventy-two (72) hours in advance of this event.
- E. The sponsor shall pay a special event fee of \$250.00.

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.

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

Sponsors: Terry McCarthy and Melissa Kaprelian-Becker

H. Resolutions

[Res.13-0031](#) A Resolution to Exceed the Levy Increase Limit Under Wis. Stat. § 66.0602

WHEREAS, the State of Wisconsin has placed levy limits on towns, villages, cities, and counties under s. 66.060 of Wisconsin Statutes, and;

WHEREAS, Wis. Stat. § 66.0602 limits the local levy to a percentage increase of no more than the greater of either: (a) 0% increase over the maximum allowable levy based on the state's levy limit law; or (b) a percentage equal to the percent change in equalized value due to net new construction, and;

WHEREAS, the Racine Common Council believes it is in the best interest of its citizens to exceed the state levy limit as described above by a greater percentage than the amount otherwise allowed to maintain the proper level of police, fire, and other public services.

NOW, THEREFORE, BE IT RESOLVED that:

The Racine Common Council hereby supports an increase in the City tax levy for 2013 (to be collected in 2014) that would exceed the amount otherwise allowed by the state levy limit by 5% (\$2,498,016), on an ongoing basis and;

The Racine Common Council directs that the following referendum question be directed to the voters of the City of Racine at the election scheduled for April 2, 2013:

“Under state law, the increase in the levy of the City of Racine for the tax to be imposed for the next fiscal year, 2014, is limited to 0%, which results in a levy of \$49,960,322. Shall the City of Racine be allowed to exceed this limit and increase the levy for the next fiscal year, 2014, by a total of 5%, which results in a levy of up to \$52,458,338 for 2014 and future years?”

Sponsors: Michael Shields

I. Ordinances

[Ord.13-12](#) Ordinance 13-12

To recreate Section 42-203(b), of the Municipal Code of the City of Racine, Wisconsin relating to application of fertilizers.

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

Part 1: Recreate Sec. 42-203 - Application, to add the following sentence to section (b):

“In no case shall fertilizer be washed, swept or blown off impervious surfaces into stormwater drains, ditches, conveyances or other water bodies.”

Part 2: This ordinance shall take effect upon passage by a majority vote of the members-elect of the City Common Council and publication or posting as required by law.

Passed by the Common Council:

Approved:

Mayor

Attest:

City Clerk

Fiscal Note: N/A

Sponsors: Melissa Kaprelian-Becker and Terry McCarthy

J. Adjourn

Office of The City Clerk

If you are disabled and have accessibility needs or need information interpreted for you, please call the City Clerk's Office at 636-9171 at least 48 hours prior to this meeting.