



City of Racine

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

Meeting Minutes - Final

Common Council

Alderman Jeff Coe
Alderman Mollie Jones
Alderman Michael Shields
Alderman Tracey Larrin
Alderman Steve Smetana
Alderman Sandy Weidner
Alderman Raymond DeHahn
Alderman Q.A. Shakoor II
Alderman Terry McCarthy
Alderman Dennis Wisner
Alderman Mary Land
Alderman Henry Perez
Alderman James Morgenroth
Alderman Jason Meekma
Alderman Melissa Lemke

Tuesday, May 17, 2016

7:00 PM

City Hall, Room 205

A. Call To Order

PRESENT: 15 - Coe, Jones, Shields, Larrin, Smetana, Weidner, DeHahn, Shakoor II, McCarthy, Wisner, Land, Perez, Morgenroth, Meekma and Lemke

B. Pledge of Allegiance To The Flag

Mayor Dickert led the Council in the Pledge of Allegiance to the Flag

C. Approval of Journal of Council Proceedings (Minutes)

A motion was made by Alderman Wisner, seconded by Alderman DeHahn that this be Adopted. The motion PASSED by the following vote:

D. Public Hearings

[ZOrd.002-15](#)

ZOrd.002-15

An Ordinance Rezoning 1223 Ohio Street, 4601, 4615, 4619 Washington Avenue and 1212, 1218, 1222 Virginia Street.

To amend the map of the Zoning Ordinance of the City of Racine.

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

Part 1: That the property located at 1223 Ohio Street, and more particularly described as follows:

“The Southern 10 feet of Lot 8 and all of Lot 9, Block 8 of the Racine Gardens Subdivision, being in the City of Racine, Racine County, WI, in the South 1/4 of Section 18, Township 3 North, Range 22 East, said lands being 0.15 acres more or less”

be rezoned from R-3 Limited General Residence to B-2 Community Shopping District, and

Part 2: That the properties located at 1212, 1218, 1222 Virginia Street, and more particularly described as follows:

“The Northern 10 feet of Lot 25, and all of Lots 26 thru 28, Block 8 of the Racine Gardens Subdivision, being in the City of Racine, Racine County, WI, in the South 1/4 of Section 18, Township 3 North, Range 22 East, said lands being 0.40 acres more or less”

be rezoned from R-2 Single Family Residence to B-2 Community Shopping District, and

Part 3: That the properties located at 4601, 4615 Washington Avenue, and more particularly described as follows:

“Lots 1 thru 4, Block 8 of the Racine Gardens Subdivision, being in the City of Racine, Racine County, WI, in the South 1/4 of Section 18, Township 3 North, Range 22 East, said lands being 0.55 acres more or less”

be rezoned from B-1 Neighborhood Convenience District to B-2 Community Shopping District, and

Part 4: That the property located at 4619 Washington Avenue, and more particularly described as follows:

“Lot 5 Block 8 of the Racine Gardens Subdivision, being a Subdivision of part of Orchard Home Addition, being in the City of Racine, Racine County, WI, in the South 1/4 of Section 18, Township 3 North, Range 22 East, said lands being 0.14 acres more or less”

be rezoned from B-1 Neighborhood Convenience District to B-2 Community Shopping District.

Part 5: 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.

Fiscal Note: N/A

Sponsors: Dennis Wisner

The following people appeared to speak before the Common Council:

*John Kelley McGee
Dorothy Jarvela
Phyllis Lenz
Dan Petersen
Gregory Mayer
Lois Stattenfield
Rick Donner
Dwight Mosby
Brad Gename
Danielle Al Nasser
Robert Underhill
Ben Oksiuta
George Meyers
Colin McKenna
Kurt Jorgenson*

[ZOrd.0003-16](#)

ZOrd. 003-16

An Ordinance Rezoning 2001 Racine Street

To amend the map of the Zoning Ordinance of the City of Racine.

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

Part 1: That the property located at 2001 Racine Street and more particularly described as follows:

“Said land being in Racine County, WI, City of Racine, Block 85 of the School Section, plus the North ½ of Section 21, Township 3 North, Range 23 East, Block 11, partially described in Volume 1706 RECS, Page 870, containing 1.743 acres, more or less” be rezoned from B-1 Neighborhood Convenience District to B-1 Neighborhood Convenience District with a FD-Flex Development Overlay District.

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:

Fiscal Note: N/A

Sponsors: Dennis Wisner

No one appeared to speak on ZOrd. 0003-16.

E. Public Comments

The following people appeared to speak before the Common Council:

Gregory Mayer
Mary Beth Aldrich
James Schatzman
Chris Litzan
Lois Stattenfield
Dwight Mosby
Colin McKenna
Robert Underhill
Patricia Caldwell
Heather Lux

F. Communications

Refer to Finance and Personnel Committee, by Ald. Shakoor

[0383-16](#)

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting permission to accept a \$2,500 sponsorship donation from Landmark Credit Union to be used towards Outdoor Movies in the Parks, Youth Softball and the Rubber Duck Derby. (Res No. 0190-16)

Recommendation of the Finance & Personnel Committee on 5-23-16: To accept a \$2,500 sponsorship donation from Landmark Credit Union to be used for the following programs/events towards Outdoor Movies in the Parks, Youth Softball and the Rubber Duck Derby.

Fiscal Note: N/A

Referred to Finance and Personnel Committee

[0430-16](#)

Subject: Communication from the Public Health Administrator requesting permission to enter into a contract agreement with the Illinois Department of Natural Resources, Illinois Coastal Management Program (ICMP), in the amount of \$58,000.00. (Res No. 0191-16)

Recommendation of the Finance & Personnel Committee on 5-23-16: To enter into a contract agreement with the Illinois Department of Natural Resources, Office of Coastal Zone Management, Illinois Coastal Management Program (ICMP), in the amount of \$58,000.00. The funds will be used for beach monitoring at Waukegan and Winthrop Harbor. Grant Control #00096.

Fiscal Note: The contract period is April 15, 2016 - April 30, 2017. No City match is required.

Referred to Finance and Personnel Committee

[0431-16](#)

Subject: Communication from the Public Health Administrator

requesting permission to enter into a Memorandum of Agreement with the Wisconsin Department of Agriculture, Trade and Consumer Protection for Weights and Measures Inspection services. (Res No. 0192-16)

Recommendation of the Finance & Personnel Committee on

5-23-16: The City of Racine enter into a Memorandum of Agreement with the Wisconsin Department of Agriculture, Trade and Consumer Protection for Weights and Measures inspection services. The City will be charged for 36 days, at \$400 per day to cover the cost of services rendered. This Agreement is for the 2016-2017 fiscal year (July 1,2016 - June 30,2017) and shall be self-renewing for succeeding fiscal year periods.

Fiscal Note: Annual fees payable to the Department shall be in the amount of \$14,400.00, except as otherwise agreed upon for succeeding contract periods. Funding has been allocated in the 2016 Budget.

Referred to Finance and Personnel Committee

[0432-16](#)

Subject: Communication from the Public Health Administrator requesting permission to enter into an agreement with the Wisconsin Department of Natural Resources, in the amount of \$26,000 for the WI Beach Monitoring Program. (Res No. 0193-16)

Recommendation of the Finance & Personnel Committee on

5-23-16: The City enter into an agreement with the Wisconsin Department of Natural Resources, in the amount of \$26,000, for the purpose of continuing the Wisconsin Beach Monitoring Program for Racine, Kenosha and Milwaukee Counties. Grant Control #00097.

Fiscal Note: The contract period begins upon signing of both parties and continues until September 30, 2016. There is no City match required.

Referred to Finance and Personnel Committee

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

[0416-16](#)

Subject: Request for permission to close the 300 block of Hamilton Street and the 1100 Block of Chatham Street from 12:00 P.M. to 6:00 P.M. on Sunday, June 26, 2016, for the 11th annual Eagle's Club/George's Tavern Classic Car Show. (Res No. 0194-16)

Recommendation of the Public Works and Services Committee on

05-31-16: That the Eagles Club and George's Tavern be granted permission to close Hamilton Street from Main Street to Chatham Street and Chatham Street from Hamilton Street to Dodge Street on Sunday, June 26, 2016, from 12:00 P.M. to 6:00 P.M., in conjunction with the 11th Annual Eagle's Club/George's Tavern Classic Car Show to benefit the Eagle's Charity - Lew Reed Spinal Injury Cord Fund, with the following stipulations:

- A. A hold harmless agreement be executed and a \$75.00 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 \$300.00 special event fee.
- F. No alcoholic beverages will be sold and/or dispensed within the street right-of-way.
- G. If required, sponsor shall be responsible for submitting a Temporary Traffic Control Plan to the Engineering Department for approval, and providing and removing all temporary traffic control devices and detour signs.
- H. If required, sponsor shall provide a detour plan for the closure of all State Connecting Highways, arterial and collector streets to the City Engineer for approval.
- I. If required, sponsor shall install parking meter hoods or temporary parking signs at least twenty-four (24) hours in advance of the event and if this is not done, sponsor is responsible for vehicle towing and parking violation expenses of the violators.

Further recommends 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.

Referred to Public Works and Services Committee

[0428-16](#)

Subject: Communication from the Commissioner of Public Works requesting a policy be established that authorizes the Commissioner of Public Works, or the Assistant Commissioner of Public Works/City Engineer in the case of any vacancy, to approve and/or authorize the Offering Price for interests in real estate required for any street reconstruction project duly adopted by the Common Council, for which the funding of the acquisitions shall not be reimbursed by the State of Wisconsin or any federal program and for which the acquisition Cost Estimate is less than \$10,000, inclusive of any appraisal fees and

recording costs. (Res No. 0196-16)

Recommendation of the Public Works and Services Committee on 05-31-16: Approve the policy authorizing the Commissioner of Public Works, or the Assistant Commissioner of Public Works/City Engineer in the case of any vacancy, to approve and/or authorize the Offering Price for interests in real estate required for any street reconstruction project duly adopted by the Common Council, for which the funding of the acquisitions shall not be reimbursed by the State of Wisconsin or any federal program and for which the acquisition Cost Estimate is less than \$10,000, inclusive of any appraisal fees and recording costs.

Fiscal Note: Funding will be provided at the time the street project is approved by the Common Council.

Referred to Public Works and Services Committee

[0429-16](#)

Subject: Communication from the City Attorney requesting that the double-sided, single pole sign located at 1824 Douglas Avenue be ordered to be removed by the property owner, pursuant to Wis. Stat. sec. 66.0425, Privileges in Street, in preparation for the reconstruction of STH 32 (Douglas Avenue). (Res No. 0197-16)

Recommendation of the Public Works and Services Committee on 05-31-16: The property owner of 1824 Douglas Avenue be ordered to remove the double-sided, single pole sign located at 1824 Douglas Avenue pursuant to Wis. Stat. sec 66.0425, Privileges in Street, in preparation for the reconstruction of STH 32 (Douglas Avenue).

Fiscal Note: N/A

Referred to Public Works and Services Committee

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

[0401-16](#)

Subject: The following renewal applications for CLASS "B" **PUB FAC** Retail Fermented Malt Beverage License for 2016-2017:

Racine Zoological Society	2131 N Main St
(Tradename) Racine Zoo	
Elizabeth Heidorn, Agent	

Recommendation of the Public Safety and Licensing Committee on 05-24-16: That the renewal as listed above for CLASS "B" **PUB FAC** Retail Fermented Malt Beverage and intoxicating Liquor License for 2016-2017, be approved.

Fiscal Note: N/A

Referred to Public Safety and Licensing Committee[0402-16](#)

Subject: The following renewal application(s) for a "Class A" Retail Fermented Malt Beverage and Intoxicating Liquor License for 2016-2017:

SIDDI VINAYAK, INC. 2062 Lathrop Ave
(Tradename) Arbee's Liqour Store
Jagdish Patel, Agent

PHESAL E. CKADAN 1812 Sixteenth St
(Tradename) Twin's Food Mart
Phesal E. Ckadan, Agent

MITRAJ, INC. 3711 Douglas Ave
(Tradename) Pantry Foods
Radhhesyam, Patel, Agent

Timer's of Racine, Inc 3800 Northwester Ave
(Tradename) Timer's Beverage Center
Shawn Voss, Agent

Recommendation of the Public Safety and Licensing Committee

on 05-24-16: That Twin's Food Mart at 1812 Sixteenth St be considered separately and the balance of the renewals as listed above for "Class A" Retail Fermented Malt Beverage and Intoxicating Liquor License for 2016-2017, be approved.

Fiscal Note: N/A

Referred to Public Safety and Licensing Committee[0403-16](#)

Subject: The following renewal application(s) for a Class "A" Retail Fermented Malt Beverage License for 2016-2017:

LEE'S DELI, INC. 2615 Washington Ave
(Tradename) Lee's Deli
John Henes, Agent

V S Gill LLC 2240 Northwestern Ave
(Tradename) Northwestern Citgo
Virinder S Gill, Agent

Jalil Mian 1100 Sixth Street
(Tradename) M.J. Petroleum

Amansaman LLC 600 Three Mile Road

(Tradenname) Kwik Pantry Food Mart
Balvir Singh, Agent

Douglas Petro, LLC. 3357 Douglas Ave
(Tradenname) Douglas Petro, LLC
Surinder Singh, Agent

City Food Mart, LLC 2300 Seventeenth St
(Tradenname) City Food Mart
Zayed Kadadha, Agent

Recommendation of the Public Safety and Licensing Committee on 05-24-16: That the renewals as listed above for Class "A" Retail Fermented Malt Beverage License for 2016-2017, be approved.

Fiscal Note: N/A

Referred to Public Safety and Licensing Committee

[0404-16](#)

Subject: The following renewal application(s) for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 2016-2017:

TTDH, Inc. 2100 Douglas Ave
(Tradenname)Gus's Gyro's/ Better Day BP
Constantine Tousis, Agent

R&K KONG LLC 618 Sixth St
(Tradenname) Pepi's Pub & Grill
Joseph Madison, Agent

THANG D. PHAM 3616 Northwestern Ave
(Tradenname) River Run Restaurant
Thang D. Pham, Agent

MARIO ARANDA SR. 1244 Washington Ave
(Tradenname) The Club
Mario Aranda Sr., Agent

Michigan's Pub, LLC 1300 Michigan Blvd.
(Tradenname) Michigan's Pub
George R. Seater Jr., Agent

Racine Theatre Guild, Inc 2519 Northwestern Ave
(Tradenname) Racine Theatre Guild
Douglas Instenes, Agent

ROJO'S PUB, Inc 1317 Yout St

(Tradenname) ROJO's PUB
Joseph Vlasak, Agent

Yardarm Bar & Grill, LTD.
(Tradenname) Yardarm
Laura Bennett Tomasek, Agent

920 Erie St

Coy & Diane Investments, Inc
(Tradenname) The Boiler Room
Coy Peterson, Agent

5200 Washington Ave

Recommendation of the Public Safety and Licensing Committee on 05-24-16: That the renewals as listed above for "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 2016-2017, be approved.

Fiscal Note: N/A

Referred to Public Safety and Licensing Committee

[0406-16](#)

Subject: The following renewal applications for "CLASS C" & CLASS "B" Retail Fermented Malt Beverage and intoxicating Liquor Licenses for 2016-2017:

Park Inn, Inc
(Tradenname) Park Inn
Ronald Stanko, Agent

2312 Douglas Ave

Recommendation of the Public Safety and Licensing Committee on 05-24-16: That the renewal applications for "CLASS C" & CLASS "B" Retail Fermented Malt Beverage and intoxicating Liquor Licenses for 2016-2017, be approved.

Fiscal Note: N/A

Referred to Public Safety and Licensing Committee

G. Committee Reports

Finance and Personnel Committee Report, by Ald. Shakoor

[0350-16](#)

Subject: Communication from the Municipal Judge Mark Nielsen announcing his resignation, effective July 1, 2016.

Recommendation of the Finance & Personnel Committee on 05/09/2016: Recommend to receive and file.

Fiscal Note: N/A

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[0381-16](#)

Subject: (Direct Referral) Request by the Interim Executive Director for permission to accept a US-EPA grant for \$500,000 FY 2015 Supplemental Funding for the City of Racine's Brownfield Clean-up Revolving Loan Fund (BC-RLF); Grant Control No. 00075 (Res No. 0166-16)

Recommendation of the Redevelopment Authority on May 2, 2016:

That the Mayor, City Clerk, Director of City Development or designee, and other necessary City officials are authorized to accept a US EPA BC-RLF 2015 supplemental grant of \$500,000 on behalf of the City and/or Authority, to sign all forms and documents, pay all fees, and take all necessary action to undertake, direct, and complete the supplemental grant activities.

Recommendation of the Finance & Personnel Committee on May

9, 2016: That the Mayor, City Clerk, Director of City Development or designee, and other necessary City officials are authorized accept a US EPA BC-RLF 2015 supplemental grant of \$500,000 on behalf of the City and/or Authority, to sign all forms and documents, pay all fees, and take all necessary action to undertake, direct, and complete the supplemental grant activities.

Fiscal Note: It is estimated that all brownfield cleanup sites mentioned herein represent estimated need of funds in excess of \$3,000,000.00. A 20% match is required from developers which represents \$100,000 based on this grant of \$500,000. "Developers" could be the City of Racine, the Authority or private parties. The City's and Authority's match funds are available via non-EPA grants, Tax INcrement Districts, and the Intergovernmental Shared Revenue account. (Grant Control No. 00075)

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[0385-16](#)

Subject: Communication from the City Clerk submitting the bid received for printing the Common Council Proceedings and legal notices for the period of June 1, 2016 through May 31, 2017. (Res No. 0167-16)

Recommendation of the Finance & Personnel Committee on May

9, 2016: The bid for printing Common Council Proceedings and all legal notices for the period June 1, 2016 through May 31, 2017 as required by Section 985.06 of the Wisconsin Statutes, received from The Journal Times, they being the only qualified bidder, be accepted for the sum of \$0.40 per line for the first insertion, \$0.39 per line for

each subsequent insertion, \$1.00 per affidavits of publications, \$13.50 per page for printing Council Proceedings and \$55.00 per book of annual Council Proceedings.

Fiscal Note: There is an increase in the rate from \$.38 to \$.40 for first insertion, and from \$.37 to \$.39 for each subsequent insertion. For Common Council proceedings the rate has increased from \$.39 to \$.41. Copies of Council proceedings have increased from \$13.00 per page to \$13.50 per page and from \$50.00 per book to \$55.00 per book.

Funds are available in account 11001 52315; City Council Advertising.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[0408-16](#)

Subject: (Direct Referral) Communication from the Human Resources Manager and City Attorney requesting to appear before the Finance & Personnel Committee in closed session, pursuant to Sec. 19.85 (1)(c) and (e) of the Wisconsin Statutes, presenting a negotiated amendment to the 2015-2017 collective bargaining agreement between the City of Racine and the Racine Police Department Staff Officers Association. (Res No. 0168-16)

Recommendation of the Finance and Personnel Committee on 5/9/16: To approve the negotiated amendment to the 2015-2017 collective bargaining agreement between the City of Racine and the Racine Police Department Staff Officers Association.

Fiscal Note: 2016 - \$16,567.20 total annual increase over 2016 adopted budget; 2017 - \$34,351.20 total annual increase over 2016 adopted budget; 2018 - \$39,301.60 total annual increase over 2016 adopted budget; 2019 - \$42,130.40 total annual increase over 2016 adopted budget.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

Public Works and Services Committee Report, by Ald. McCarthy

[0297-16](#)

Subject: Bid results on Contract 20160015, 2016 Concrete Street Reconstruction - Kinzie Avenue (R1). (Res No. 0148-16) and (Res No. 0185-16)

Recommendation of the Public Works and Services Committee on 04-12-16: That Contract 20160015, 2016 Concrete Street Reconstruction - Kinzie Avenue (R1), be awarded to LaLonde Contractors, Inc. at their bid price of \$1,510,839.96, it being the lowest responsive, responsible bidder.

Further recommends that funds to defray the cost of this public works project be appropriated from the below Org-Objects:

\$ 663,770.07 - Org-Object 45040-57500, DPW-Paving
 \$ 3,660.00 - Org-Object 45040-57515, DPW-Sidewalks
 \$ 412,612.48 - Org-Object 40102-57500, Water/Wastewater
 Project-Watermain
 \$ 52,309.06 - Org-Object 22640-57560, Sanitary Sewer
 \$ 245,977.18 - Org-Object 40102-57560, Water/Wastewater
 Project-Sanitary Sewer
\$ 132,511.18 - Org-Object 60484-57570, Storm Sewers
 \$1,510,839.96 - Total

Recommendation of the Public Works and Services Committee on 05-10-16: That Contract 20160015, 2016 Concrete Street Reconstruction - Kinzie Avenue (R1), be awarded to Cornerstone Pavers, LLC., at their bid price of \$1,479,333.75, plus Alt. 1 in the amount of \$28,500.00, for a total amount of \$1,507,833.75, it being the lowest responsible bidder.

Further recommends that funds to defray the cost of this public works project be appropriated from the below Org-Objects:

\$ 625,485.89 - Org-Object 45040-57500, DPW-Paving
 \$ 4,420.00 - Org-Object 45040-57515, DPW-Sidewalks
 \$ 375,839.26 - Org-Object 40102-57500, Water/Wastewater
 Project-Watermain
 \$ 43,753.66 - Org-Object 22640-57560, Sanitary Sewer
 \$ 331,873.97 - Org-Object 40102-57560, Water/Wastewater
 Project-Sanitary Sewer
\$ 126,460.97 - Org-Object 60484-57570, Storm Sewers
 \$1,507,833.75 - Total

Fiscal Note: Funds are available as herein delineated.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[0298-16](#)

Subject: (Direct Referral) Change Order No. 2 on Contract 20150010, 2015 Street & Alley Paving - Northside Assessable (R1), Cornerstone Pavers, LLC., contractor. (Res No. 0181-16)

Recommendation of the Public Works and Services Committee on 04-12-16: Defer

Recommendation of the Public Works and Services Committee on 05-10-16: That Change Order No. 2 on Contract 20150010, 2015

Street & Alley Paving - Northside Assessable (R1), Cornerstone Pavers, LLC., contractor, as submitted, be approved in the amount of \$6,216.97

Further recommends that funding to defray the cost of the change order be appropriated from the below Org-Object:

\$6,216.97 - Org-Object 45040-57500, Concrete Street Paving, Misc.
\$6,216.97 - Total

Fiscal Note: Funds are available as herein delineated.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[0299-16](#)

Subject: Final Payment on Contract 20150010, 2015 Street & Alley Paving - Northside Assessable (R1), Cornerstone Pavers, LLC., contractor. (Res No. 0182-16)

Recommendation of the Public Works and Services Committee on 04-12-16: Defer

Recommendation of the Public Works and Services Committee on 05-10-16: That the work done by Cornerstone Pavers, LLC., under Contract 20150010, 2015 Street & Alley Paving - Northside Assessable (R1), be accepted and final payment authorized for a total contract amount of \$804,788.03. Final payment to include retainage.

Fiscal Note: Contract was authorized under Resolution 15-0185, dated May 5, 2015.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[0300-16](#)

Subject: (Direct Referral) Change Order No. 2 on Contract 20150003, 2015 Concrete Street Reconstruction (R1), Cornerstone Pavers, LLC., contractor. (Res No. 0183-16)

Recommendation of the Public Works and Services Committee on 04-12-16: Defer

Recommendation of the Public Works and Services Committee on 05-10-16: That Change Order No. 2 on Contract 20150003, 2015 Concrete Street Reconstruction (R1), Cornerstone Pavers, LLC., contractor, as submitted, be approved in the deduct amount of (\$46,608.25).

Further recommends that the funding account be adjusted by the following amount:

(\$46,608.25) - Org-Object 22640-57560, Sanitary Sewers
(\$46,608.25) - Total

Fiscal Note: Funds are available as herein delineated.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[0301-16](#)

Subject: Final Payment on Contract 20150003, 2015 Concrete Street Reconstruction (R1), Cornerstone Pavers, LLC., contractor. (Res No. 0184-16)

Recommendation of the Public Works and Services Committee on 04-12-16: Defer

Recommendation of the Public Works and Services Committee on 05-10-16: That the work done by Cornerstone Pavers, LLC., under Contract 20150003, 2015 Concrete Street Reconstruction (R1), be accepted and final payment authorized for a total contract amount of \$1,786,171.66. Final payment to include retainage.

Fiscal Note: Contract was authorized under Resolution 15-0135, dated April 8, 2015.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[0317-16](#)

Subject: Communication from Mohinder Singh, US Pantry, requesting permission to place a sign over City right-of-way at 1627 Washington Avenue. (Res No. 0169-16)

Recommendation of the Public Works and Services Committee on 05-10-16: That the property owner at 1627 Washington Avenue be granted permission to install a stationary projecting sign, as requested, with the stipulation that a hold harmless agreement be executed and a \$150.00 processing fee paid, in accordance with the State Statute 66.0425, Privileges in Streets.

Fiscal Note: There will be no cost to the City of Racine.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[0322-16](#)

Subject: Change Order No. 1 on Contract 20150047, Library - Chiller Replacement (R1), Lee Plumbing Mechanical Contractors, Inc., contractor. (Res No. 0175-16)

Recommendation of the Public Works and Services Committee on 05-10-16: That Change Order No. 1 on Contract 20150047, Library -

Chiller Replacement (R1), Lee Plumbing Mechanical Contractors, Inc., contractor, as submitted, be approved in the amount of \$25,542.80.

Further recommends that funding to defray the cost of the change order be appropriated from Org-Object 22055-57200, Library-Chiller.

Fiscal Note: Funds are available as herein delineated.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[0327-16](#)

Subject: Final Payment on Contract 20150021, PS - Design Solid Waste Garage HVAC Replacement, Angus Young, consultant. (Res No. 0176-16)

Recommendation of the Public Works and Services Committee on 05-10-16: That the work done by Angus Young, under Contract 20150021, PS - Design Solid Waste Garage HVAC Replacement, be accepted and final payment authorized for a total contract amount of \$10,200.00.

Fiscal Note: Contract was authorized under Resolution 15-0085, dated March 3, 2015.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[0337-16](#)

Subject: Communication from the Assistant Commissioner of Public Works/Operations submitting an Access Agreement with T-Mobile Central, LLC., for a cellular service property easement at 1301 W. 6th Street. (Res No. 0172-16)

Recommendation of the Public Works and Services Committee on 05-10-16: That the Mayor and City Clerk be authorized and directed to enter into an Access Agreement with T-Mobile Central, LLC., for a cellular service property/easement at 1301 W. 6th Street. This agreement will be for a five (5) year initial term, plus four 5-year extension terms.

Recommendation of the Public Works and Services Committee on 05-31-16: That the Mayor and City Clerk be authorized and directed to enter into an Access Agreement with T-Mobile Central, LLC., for a cellular service property/easement at 1301 W. 6th Street. This agreement will be for a five (5) year initial term, plus four 5-year extension terms.

Fiscal Note: T-Mobile Central, LLC., will pay \$10,400 for 2016 with a three percent (3%) annual escalator.

Alderman McCarthy requested that item 0337-16 be considered separately.

A motion was made by Alderman McCarthy, seconded by Alderman Shields, that this Communication be Referred to the Public Works and Services Committee. The motion PASSED by the following vote:

AYES: 15 - Coe, Jones, Shields, Larrin, Smetana, Weidner, DeHahn, Shakoor II, McCarthy, Wisner, Land, Perez, Morgenroth, Meekma and Lemke

[0338-16](#)

Subject: Bid results for Contract 20160011, 2016 City Resurfacing (R1). (Res No. 0177-16)

Recommendation of the Public Works and Services Committee on 05-10-16: That Contract 20160011, 2016 City Resurfacing (R1), be awarded to A.W. Oakes & Son, Inc. at their bid price of 1,649,766.45, it being the lowest responsible bidder.

Further recommends that funds to defray the cost of this public works project be appropriated from the below Org-Objects:

\$1,017,766.45 - Org-Object 45040-57500, DPW-Paving
\$ 232,000.00 - Org-Object 60484-57570, Storm Sewers
\$ 263,000.00 - Org-Object 22640-57560, Sanitary Sewers
\$ 137,000.00 - Org-Object 40104-57500, Paving
\$1,649,766.45 - Total

Fiscal Note: Funds are available as herein delineated.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[0339-16](#)

Subject: Bid results for Contract 20160022, Construct Home - 1801 Grand Avenue. (Res No. 0178-16)

Recommendation of the Public Works and Services Committee on 05-10-16: That Contract 20160022, Construct Home - 1801 Grand Avenue, be awarded to Double D Construction, Inc., at their bid price of \$225,375.00, it being the lowest responsible bidder.

Further recommends that funds to defray the cost of this Housing project be appropriated from Org-Object 20004-57400, 1801 Grand.

Fiscal Note: Funds are available as herein delineated.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[0343-16](#)

Subject: Resolution 0150-16, created April 18, 2016, being a final resolution relating to street improvements on: (Res No. 0173-16)

Portland Cement Concrete Paving

Apple Tree Lane - Cul-de-sac to North Illinois Street
Erie Street - Prospect Street to Colbert Street
Kentucky Street - Kinzie Avenue to Haven Avenue
Kewaunee Street - North Main Street to Chatham Street
Superior Street - 60 ft N. of Liberty Street to State Street

Sewer & Water Laterals

Kewaunee Street - North Main Street to Chatham Street

Sanitary Sewer

Kewaunee Street - North Main Street to Chatham Street

Recommendation of the Public Works and Services Committee on 05-10-16: That Resolution 0150-16, created April 18, 2016, be amended to delete:

Portland Cement Concrete Paving

Erie Street - Prospect Street to Colbert Street
Kewaunee Street - North Main Street to Chatham Street

Sewer & Water Laterals

Kewaunee Street - North Main Street to Chatham Street

Sanitary Sewer

Kewaunee Street - North Main Street to Chatham Street

Further recommends that the following street be deferred and included on the May 31, 2016, Public Works and Services agenda for consideration.

Portland Cement Concrete Paving

Kentucky Street - Kinzie Avenue to Haven Avenue

And, as amended, Resolution No. 0150-16, of April 18, 2016, be adopted.

Fiscal Note: N/A

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[0344-16](#)

Subject: Communication from the City Administrator submitting the

request of Racine Area Veteran's, Inc., to use City right-of-way for the Memorial Day Parade on Monday, May 30, 2016. (Res No. 0170-16)

Recommendation of the Public Works and Services Committee on 05-10-16: That permission be granted to the Racine Area Veteran's, Inc. to use certain City streets for the Memorial Day Parade, to start at the intersection of Washington Avenue and West Boulevard, then proceed north on West Boulevard to Osborne Boulevard, and Osborne Boulevard to Graceland Cemetery, on Monday, May 30, 2016, between 9:00 A.M. and 12:00 P.M., in conjunction with this City-sponsored event. The detour for STH 20 is Lathrop Avenue, 16th Street and Taylor Avenue.

Further recommends that the Commissioner of Public Works, City Engineer and Chief of Police be authorized and directed to provide assistance, in the interest of public safety, to implement this event.

Fiscal Note: This event is co-sponsored by the City of Racine; therefore, the requirement for a formal agreement, requiring a hold harmless agreement, an insurance certificate and any overtime charges for additional policemen are not needed.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[0386-16](#)

Subject: Resolution 0162-16, created May 3, 2016, being a final resolution relating to street improvements on: (Res No. 0174-16)

Portland Cement Concrete Paving

Boyd Avenue - Alley to Seventeenth Street

DeKoven Avenue - Clark Street to Racine Street

North Osborne Boulevard - Fairway Drive to Ravine Drive

Rickeman Street - Dead End to Liberty Street

Spring Valley Drive - 107' N. of Harrington Drive to Vista Drive

Alley - Between Washington Avenue to Lindermann Avenue, Arthur Avenue to Blaine Avenue

Sewer & Water Laterals

DeKoven Avenue - Clark Street to Racine Street

Sanitary Sewer

DeKoven Avenue - Clark Street to Racine Street

Sidewalk

North Osborne Boulevard - Fairway Drive to Ravine Drive

Recommendation of the Public Works and Services Committee on 05-10-16: That Resolution 0162-16, created May 3, 2016, be amended to delete:

Portland Cement Concrete Paving

Boyd Avenue - Alley to Seventeenth Street

DeKoven Avenue - Clark Street to Racine Street

North Osborne Boulevard - Fairway Drive to Ravine Drive

Spring Valley Drive - 107' N. of Harrington Drive to Vista Drive

Sewer & Water Laterals

DeKoven Avenue - Clark Street to Racine Street

Sanitary Sewer

DeKoven Avenue - Clark Street to Racine Street

Sidewalk

North Osborne Boulevard - Fairway Drive to Ravine Drive

And, as amended, Resolution 0162-16, of May 3, 2016, be adopted.

Fiscal Note: N/A

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[0388-16](#)

Subject: Bid results for Contract 20160024, Parking Ramp Improvements. (Res No. 0179-16)

Recommendation of the Public Works and Services Committee on 05-10-16: That Contract 20160024, Parking Ramp Improvements be awarded to ProAxis at their bid price of \$175,626.71, it being the lowest responsible bidder.

Further recommends that funds to defray the cost of this public works project be appropriated from Org-Object 60383-57200, Building Improvements.

Fiscal Note: Funds are available as herein delineated.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[0389-16](#)

Subject: Bid Results for Contract 20160025, 2016 CCTV & Manhole Inspections. (Res No. 0180-16)

Recommendation of the Public Works and Services Committee on 05-10-16: That Contract 20160025, 2016 CCTV & Manhole Inspection be awarded to Visu-Sewer at their bid price of \$204,598.68, it being the lowest responsible bidder.

Further recommends that funds to defray the cost of this public works project be appropriated from the below Org-Objects:

\$ 36,003.80 - Org-Object 40102-57560, Racine Waste Water Interceptor CCTV
\$106,643.63 - Org-Object 60484-57570, Storm Sewers, Misc. Loc.
\$ 61,951.25 - Org-Object 22640-57560, Sanitary Sewer - Various Loc.
\$204,598.68 - Total

Fiscal Note: Funds are available as herein delineated.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[0409-16](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works submitting the request from the owners of 3300 Chatham Street for an easement in the City's sanitary sewer maintenance easement to reconstruct a garage. (Res No. 0171-16)

Recommendation of the Public Works and Services Committee on 05-10-16: The City Attorney draft an easement allowing the construction of the garage in the existing easement with the property owner's acknowledgement that the City has the right to exercise the conditions of its easement to maintain its utilities including the demolition of said garage at the owner's expense.

Fiscal Note: The property owners will be required to pay a \$150.00 fee to have the easement recorded if granted.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[0410-16](#)

Subject: (Direct Referral) Public Officials Meeting on the Reconstruction of Washington Avenue (STH 20) - Roosevelt Avenue to West Boulevard, State Project ID: 2440-09-00.

Recommendation of the Public Works and Services Committee on 05-10-16: Receive and file.

Fiscal Note: N/A

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

Public Safety and Licensing Committee Report, by Ald. Coe

[0346-16](#)

Subject: (New) Application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for Picos Tacos + Beer, LLC, dba Picos Tacos + Beer, 550 3 Mile, Angela Espinoza, Agent. (15th District)

Recommendation of the Public Safety and Licensing Committee on 05-10-16: That the (New) Application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for Picos Tacos + Beer, LLC, dba Picos Tacos + Beer, 550 3 Mile, Angela Espinoza, Agent be approved.

Fiscal Note: N/A

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[0367-16](#)

Subject: (Direct Referral) (Renewal) Application of Jensen & Jensen Inc., for a 2016-2017 Motor Vehicle Towing License.

Recommendation of the Public Safety and Licensing Committee on 05-10-16: That the Renewal Application of Jensen & Jensen Inc., for a 2016-2017 Motor Vehicle Towing License be approved.

Fiscal Note: N/A

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[0382-16](#)

Subject: (Renewal)(Direct Referral) Application of Beres Towing and Repairs, LLC, Jean C. Beres, for a Motor Vehicle Towing License Expiring June 30, 2017, 1960 State Street.

Recommendation of the Public Safety and Licensing Committee on 05-10-16: That the Renewal Application of Beres Towing and Repairs, LLC, Jean C. Beres, for a Motor Vehicle Towing License Expiring June 30, 2017, 1960 State Street be approved.

Fiscal Note: N/A

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[0384-16](#)

Subject: (Renewal)(Direct Referral) Application of Racine Recovery/Finishing Touch, Robert & Mike Konecko, for a Motor

Vehicle Towing License Expiring June 30, 2017, 5306 Douglas Avenue.

Recommendation of the Public Safety and Licensing Committee

on 05-10-16: That the Renewal Application of Racine Recovery/Finishing Touch, Robert & Mike Konecko, for a Motor Vehicle Towing License Expiring June 30, 2017, 5306 Douglas Avenue be approved.

Fiscal Note: N/A

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

City Plan Commission Report, by Ald.Wiser

[0365-16](#)

Subject: Direction from the City of Racine Common Council to conduct a public hearing for the purpose of rezoning properties at 4601, 4615, & 4619 Washington Avenue (currently zoned B-1 Neighborhood Convenience District) and rezoning properties at 1212, 1218 & 1222 Virginia Street (currently zoned R-2 Single Family Residence District) and rezoning the property at 1223 Ohio Sreet (currently zoned R-3 Limited General Residence District). It is proposed to rezone all the listed properties to B-2 Community Shopping District. (ZOrd.002-15)

Mr. Sadowski advised this request was referred from the Common Council to the Plan Commission, bringing back for consideration the request to rezone the addresses as presented to B-2 Community Shopping District. A history of the properties in question and past actions was summarized and outlined for the Commission in the staff report. This rezoning request was initially part of a larger proposal brought before the Plan Commission, who recommended approval of the request which was subsequently denied by the Common Council. The Common Council recently voted to vacate their past action and sent the request back to the Plan Commission for a public hearing.

Though initially reviewed with a proposed CVS development, this request is now being considered separate from any development application solely for the decision to rezone the properties to B-2. Though the Comprehensive Land use plan (LUP) was updated for future commercial uses in this area, when the rezoning request was denied the existing zoning remained in place. This presents the question of what the appropriate zoning classification for the site should be for future commercial development.

Mr. Sadowski provided a review of the area, all properties involved, zoning (both existing and proposed), and surrounding land uses.

Further, he reviewed the definition and intent of all the business district classifications within the City Zoning Ordinance. Following this review it was established the B-1 or B-2 district would be possible options for the rezoning. Further, staff review identified that B-2 is not desirable in the area due to the intensity of uses it allows and likelihood of detrimental impacts on the adjacent residential uses including increased noise, increased traffic on residential streets, light intrusions, dust, trash, and fumes. The B-1 district provides for more compatible, low-intensity uses, which present less negative potential impacts and would be more appropriate for the area.

Public Hearing Opened: 4:49 p.m.

1. P.J. Oksiuta, 4615 Washington Avenue, spoke in support. City needs more businesses like CVS; the area is unsightly and upgrades will benefit the area.
2. Rick Donner, attorney for TMC Wisconsin and CVS spoke. He stated there is still interest in locating in Racine, including this location; summarized the history of hearings and past actions on the request; discussed Roberts Rules of Order as applicable to actions taken by the City to date; and stated this should not be before the Plan Commission at this time. (Mr. Sadowski advised this hearing was requested as individuals have purchased properties with the understanding the rezoning request was denied. Now that it has been brought back for consideration, the hearing is to inform new owners, who were not part of the original notification, about the request).
3. John Georgeson, 720 S. Marquette Street. Spoke in support. Believes the CVS should be allowed to locate here.
4. Brad Gename, 1223 Virginia Street (new owner). Spoke in opposition. Concerns with loss of property values, 24-hour facility with tall lights, increased traffic, run-off, etc. Stated there are more appropriate places to build.
5. Phyllis Lenz, 1205 Illinois Street. Spoke in opposition. Concerns with safety, traffic increases and opposes the CVS.
6. Dorothy Jarvela, 1227 Virginia Street. Spoke in opposition. Concerns with traffic increases, semi-trucks, property values, lighting, and fences.
7. Tina Robin, 1238 Virginia Street. Spoke in opposition. Concerns with traffic.
8. Alderman Henry Perez, 1017 Kentucky Street. Spoke in support. Stated the rezoning will allow CVS to address the unsightly appearance of the corner; discussed prior actions on the rezoning; understands it will affect the neighborhood; is critical to the city's tax base; that the rezoning will make the corner viable.
9. Cynthia Jorgson, 720 S. Marquette Street. Inquired about if a purchase agreement on a residential property can bind the City of

Racine to the zoning of a property. Mr. Sadowski advised no, the City is not party to that agreement or bound by it.

10. Colin McKenna, 724 Crabtree Lane. Spoke in opposition. Concerns with traffic; accident levels at Washington Avenue and Ohio Streets; feels there are enough pharmacies in the area.

11. John Cassity, 5101 Wright Avenue #24. Shared various thoughts on the request.

12. Email correspondence from Daniel Petersen, 1135 Virginia Avenue. Opposes the request.

Public Hearing Closed: 5:23 p.m.

Discussion ensued. City Attorney Scott Letteney clarified this is before the Plan Commission because the Common Council ordered a Public Hearing be held and by Ordinance, the Plan Commission is required to make a recommendation to the Common Council. Further, he reminded everyone the only item before the Commission today is the rezoning. Although this has been intertwined with CVS in the past, CVS nor their project plans are before the Commission for consideration. This is not about a specific use, business, or plan presented in the past, it's only about rezoning of the properties involved to B-2.

Mr. Sadowski noted the findings of fact as applied to this request are presented in the staff report. Based upon the analysis of the request and findings, Staff concludes the request to rezone all properties to B-2 Community Shopping District should be denied.

Commissioner Hall inquired about the possibility for a "qualified" B-2 zoning, considering there are some adverse uses in the B-2 District which are undesirable. Mr. Sadowski advised the code does not provide that option and clarified the difference between permitted and conditional uses, stating with conditional uses the Commission has the authority to authorize deviations from development standards. She further asked what has changed in the situation since the previous hearings were held, other than two new residents moving into the area. Both Mr. Sadowski and Mr. Donner stated there have been no other changes. Commissioner Durkin commented things would make more sense if they were all presented at once. Commissioner Hall concurred.

Mr. Sadowski advised the Council designated this area, via the Comprehensive Land Use Plan (LUP) process, as an expansion of commercial area for redevelopment. He explained the different tiers involved in development review, including the CUP, zoning ordinance, and permit analysis. When this request was initially presented, at the

request of CVS representative it was accompanied by a request for an amendment to the Comprehensive plan and a conditional use request, however that is currently not the case. At present, only the rezoning is up for consideration. Procedurally, a decision to rezone is not be tied to any specific applicant or particular use, as it could be considered contract zoning. While it might be considered more difficult of a decision without an accompanying use request, the Commission should only be considering if the B-2 zoning district and the uses allowed are the appropriate zoning designation for these properties and for the area. Commissioner Veranth added a comment about the difficulty in obtaining a loan for a residence which is zoned commercially.

Citing Staff findings, a motion was made by Alderman Wiser to deny the request to rezone the properties to B-2 Community Shopping District. Second by Commissioner Veranth. Alderman Wiser further expressed his concerns related to an increase in traffic, the uncertainty created for homeowners in the area with the City's on-going activity related to this request, and expressed concern related to loss of equity in homes for those who have invested in living in this area. Motion failed upon a voice vote (For: Wiser; Opposed: Hall, Durkin, Veranth).

Upon request by Mayor Dickert for a new motion, none was offered.

The item will be forwarded to the Common Council without recommendation.

Recommendation of the Plan Commission of 07-08-2015: That ZOrd.002-15 be approved.

Recommendation of the Plan Commission of 04-27-2016: Legislative File 0365-16, referring to ZOrd.002-15, is forwarded to the Common Council without a recommendation.

Fiscal Note: N/A

Alderman Wiser requested that item 0365-16 be considered separately.

A motion was made by Alderman Wiser, seconded by Alderman Coe, that this Communication be Denied. The motion PASSED by the following vote:

AYES: 9 - Coe, Jones, Larrin, DeHahn, Wiser, Land, Morgenroth, Meekma and Lemke

NOES: 6 - Shields, Smetana, Weidner, Shakoor II, McCarthy and Perez

Community Development Committee Report, by Ald. Wiser

[0378-16](#)

Subject: (Direct Referral) Review of applications for 2016 CDBG Funding. (Res No. 0187-16)

Staff Recommendation: To allocate the funds to organizations and city departments, as indicated on the attached table, permitting the Mayor and City Clerk be authorization to enter into contracts with the sub-recipients, pursuant to the allocation and federal regulations.

Frasher moved and Shakoore seconded an amendment to the budget at presented by staff to remove \$25,000 of Microenterprise Program funding to the Hispanic Chamber of Commerce and give \$25,000 of Microenterprise Program to Wisconsin Women's Business Initiative Corporation. The motion passed by a show of hands.

Fiscal Note: This action allocates \$1,254,043.11 in 2016 Community Development Block Grant funds per the 2016 Annual Plan including administrative expenses, \$8,523.51 in unspent CDBG funds for public service activities and \$50,000 in unspent CDBG funds for public infrastructure activities.

Recommendation of the Community Development Committee on 5-5-16: That the recommended allocation, as amended, of the 2016 Community Development Block Grant (CDBG) be approved; and, that the appropriate city officials be authorized and directed to execute and submit to the U.S.

Department of Housing and Urban Development the documents required to secure the grants; and that the appropriate city officials be authorized to execute third-party contracts with the agencies approved for the use of the funds.

Fiscal Note: The recommended allocations are attachments to this item. This action allocates \$1,254,043.11 in Community Development Block Grant funds including administrative expenses.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[0415-16](#)

Subject: (Direct Referral) A request by the Department of Housing for use of HOME funds to build a house at 1920 and 1924 Slauson Avenue. (Res No. 0188-16)

Recommendation: That the request for use of HOME Housing Investment Partnership Funds to build a house at 1920 and 1924 Slauson Avenue be approved; And That the Mayor, City Clerk, and Director of City Development, or their designee, be authorized to execute a written agreement with the Housing Department consistent with its application and federal regulations for \$235,000.00 of HOME funds for the purpose of building a single-family house for sale to an eligible homeowner.

Fiscal Note: There are sufficient HOME funds available to meet this request.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

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

[0366-16](#)

Subject: Communication from Real Racine requesting use of Pershing Park and the Lake Michigan Pathway for the Wisconsin Senior Olympics 10k and 5k road races from Friday, August 12, 2016 through Saturday, August 13, 2016 and further requests set up to be permitted during park closed hours. (Res No. 0189-16)

Recommendation of the Board of Parks, Recreation & Cultural Services on May 11, 2016: To approve use of Pershing Park and the Lake Michigan Pathway for the Wisconsin Senior Olympics 10k and 5k road races from Friday, August 12, 2016 through Saturday, August 13, 2016 and further approve set up to occur during park closed hours.

Fiscal Note: Park Permit Fees & Charges as Applicable

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

H. Consent Resolutions

[Res.0166-16](#)

US-EPA Grant for Supplemental Funding for Brownfield Clean-Up

Resolved, that the Mayor, City Clerk, Director of City Development or designee, and other necessary City officials are authorized to accept a US EPA BC-RLF 2015 supplemental grant of \$500,000.00 on behalf of the City and/or Authority, and to sign all forms and documents, pay all fees, and take all necessary action to undertake, direct, and complete the supplemental grant activities.

Fiscal Note: It is estimated that all brownfield clean-up sites mentioned herein represent estimated need of funds in excess of \$3,000,000.00. A 20% match is required from developers which represents \$100,000 based on this grant of \$500,000. "Developers" could be the City of Racine, the Authority or private parties. The City's and Authority's match funds are available via non-EPA grants, Tax Increment Districts, and the Intergovernmental Shared Revenue account. (Grant Control #00075)

Sponsors: Q.A. Shakoor II

A motion was made that this Resolution be Approved as Presented. The

motion was **APPROVED** on a voice vote in consent.

[Res.0167-16](#)

Printing of Common Council Proceedings and Legal Notices

Resolved, that the contract for printing the Common Council Proceedings and legal notices for the period of June 1, 2016 through May 31, 2017 is awarded to the Journal Times for the sum of \$0.40 per line for the first insertion, \$0.39 per line for each subsequent insertion, \$1.00 per affidavits of publications, \$13.50 per page for printing Council Proceedings and \$55.00 per book of annual Council Proceedings.

Fiscal Note: There is an increase in the rate from \$.38 to \$.40 for first insertion, and from \$.37 to \$.39 for each subsequent insertion. For Common Council proceedings the rate has increased from \$.39 to \$.40. Copies of Council proceedings have increased from \$13.00 per page to \$13.50 per page and from \$50.00 per book to \$55.00 per book. Funds are available in account 11001 52315; City Council Advertising.

Sponsors: Q.A. Shakoor II

A motion was made that this Resolution be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[Res.0168-16](#)

Negotiated Amendment to 2015-2017 Collective Bargaining Agreement

Resolved, that the negotiated amendment to the 2015-2017 collective bargaining agreement between the City of Racine and the Racine Police Department Staff Officers Association is approved.

Fiscal Note: 2016 - \$16,567.20 total annual increase over 2016 adopted budget; 2017 - \$34,351.20 total annual increase over 2016 adopted budget; 2018 - \$39,301.60 total annual increase over 2016 adopted budget; 2019 - \$42,130.40 total annual increase over 2016 adopted budget.

Sponsors: Q.A. Shakoor II

A motion was made that this Resolution be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[Res.0169-16](#)

Sign Over City Right-of-Way at 1627 Washington Avenue

Resolved, that the property owner at 1627 Washington Avenue is granted permission to install a stationary projecting sign, as requested,

with the stipulation that a hold harmless agreement be executed and a \$150.00 processing fee paid, in accordance with State Statute § 66.0425, Privileges in Streets.

Fiscal Note: There will be no cost to the City of Racine.

Sponsors: Terry McCarthy

A motion was made that this Resolution be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[Res.0170-16](#)

2016 Memorial Day Parade

Resolved, that permission is granted to the Racine Area Veteran's, Inc. to use certain City streets for the Memorial Day Parade, to start at the intersection of Washington Avenue and West Boulevard, then proceed north on West Boulevard to Osborne Boulevard, and Osborne Boulevard to Graceland Cemetery, on Monday, May 30, 2016, between 9:00 a.m. and 12:00 p.m., in conjunction with this City-sponsored event. The detour for STH 20 is Lathrop Avenue, 16th Street and Taylor Avenue.

Further resolved, that the Commissioner of Public Works, City Engineer and Chief of Police are authorized and directed to provide assistance, in the interest of public safety, to implement this event.

Fiscal Note: This event is co-sponsored by the City of Racine; therefore, the requirement for a formal agreement, requiring a hold harmless agreement, an insurance certificate and any overtime charges for additional policemen are not needed.

Sponsors: Terry McCarthy

A motion was made that this Resolution be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[Res.0171-16](#)

Reconstruct Garage at 3300 Chatham Street

Resolved, that the request of the owners of 3300 Chatham Street are granted permission and the City Attorney is authorized to draft an easement allowing the construction of a garage in the existing easement with the property owner's acknowledgement that the City has the right to exercise the conditions of its easement to maintain its utilities including the demolition of said garage at the owner's expense.

Fiscal Note: The property owners will be required to pay a \$150.00 fee to have the easement recorded if granted.

Sponsors: Terry McCarthy

A motion was made that this Resolution be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[Res.0173-16](#)

Amend Resolution 0150-16

Resolved, that Resolution 0150-16 of April 18, 2016, shall be amended to delete the following streets:

Portland Cement Concrete Paving

Erie Street - Prospect Street to Colbert Street

Kewaunee Street - North Main Street to Chatham Street

Sewer & Water Laterals

Kewaunee Street - North Main Street to Chatham Street

Sanitary Sewer

Kewaunee Street - North Main Street to Chatham Street

and, as amended, Resolution 0150-16 of April 18, 2016, shall be adopted.

Fiscal Note: N/A

Sponsors: Terry McCarthy

A motion was made that this Resolution be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[Res.0174-16](#)

Amend Resolution 0162-16

Resolved, that Resolution 0162-16 of May 3, 2016, shall be amended to delete the following streets:

Portland Cement Concrete Paving

Boyd Avenue - Alley to Seventeenth Street

DeKoven Avenue - Clark Street to Racine Street

North Osborne Boulevard - Fairway Drive to Ravine Drive

Spring Valley Drive - 107' N. of Harrington Drive to Vista Drive

Sewer & Water Laterals

DeKoven Avenue - Clark Street to Racine Street

Sanitary Sewer**DeKoven Avenue** - Clark Street to Racine Street**Sidewalk****North Osborne Boulevard** - Fairway Drive to Ravine Drive

and, as amended, Resolution 0162-16, of May 3, 2016, be adopted.

Fiscal Note: N/A**Sponsors:** Terry McCarthy**A motion was made that this Resolution be Approved as Presented. The motion was APPROVED on a voice vote in consent.****[Res.0175-16](#)**

Change Order No. 1 on Contract 20150047, Library - Chiller Replacement (R1)

Resolved, that Change Order No. 1 on Contract 20150047, Library - Chiller Replacement (R1), Lee Plumbing Mechanical Contractors, Inc., contractor, as submitted, is approved in the amount of \$25,542.80.

Fiscal Note: Funding to defray the cost of the change order be appropriated from Org-Object 22055-57200, Library-Chiller.**Sponsors:** Terry McCarthy**A motion was made that this Resolution be Approved as Presented. The motion was APPROVED on a voice vote in consent.****[Res.0176-16](#)**

Final Payment on Contract 20150021, PS - Design Solid Waste Garage HVAC Replacement

Resolved, that the work done by Angus Young Associates, Inc., under Contract 20150021, PS - Design Solid Waste Garage HVAC Replacement, is accepted and final payment authorized for a total contract amount of \$10,200.00.

Fiscal Note: Contract was authorized under Resolution 15-0085, dated March 3, 2015.**Sponsors:** Terry McCarthy**A motion was made that this Resolution be Approved as Presented. The**

motion was **APPROVED** on a voice vote in consent.

[Res.0177-16](#)

Contract 20160011, 2016 City Resurfacing (R1)

Resolved, that Contract 20160011, 2016 City Resurfacing (R1), is awarded to A.W. Oakes & Son, Inc. at its bid price of 1,649,766.45, it being the lowest responsible bidder.

Fiscal Note: Funds to defray the cost of this public works project be appropriated from the below Org-Objects:

\$1,017,766.45 - Org-Object 45040-57500, DPW-Paving
\$ 232,000.00 - Org-Object 60484-57570, Storm Sewers
\$ 263,000.00 - Org-Object 22640-57560, Sanitary Sewers
\$ 137,000.00 - Org-Object 40104-57500, Paving
\$1,649,766.45 - Total

Sponsors: Terry McCarthy

A motion was made that this Resolution be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[Res.0178-16](#)

Contract 20160022, Construct Home - 1801 Grand Avenue

Resolved, that Contract 20160022, Construct Home - 1801 Grand Avenue, is awarded to Double D Construction, Inc., at its bid price of \$225,375.00, it being the lowest responsible bidder.

Fiscal Note: Funds to defray the cost of this Housing project be appropriated from Org-Object 20004-57400, 1801 Grand.

Sponsors: Terry McCarthy

A motion was made that this Resolution be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[Res.0179-16](#)

Contract 20160024, Parking Ramp Improvements

Resolved, that Contract 20160024, Parking Ramp Improvements is awarded to ProAxis, LLC at its bid price of \$175,626.71, it being the lowest responsible bidder.

Fiscal Note: Funds to defray the cost of this public works project be appropriated from Org-Object 60383-57200, Building Improvements.

Sponsors: Terry McCarthy

A motion was made that this Resolution be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[Res.0180-16](#)

Contract 20160025, 2016 CCTV & Manhole Inspections

Resolved, that Contract 20160025, 2016 CCTV & Manhole Inspection is awarded to Visu-Sewer, Inc. at its bid price of \$204,598.68, it being the lowest responsible bidder.

Fiscal Note: Funds funds to defray the cost of this public works project be appropriated from the below Org-Objects:

\$ 36,003.80 - Org-Object 40102-57560, Racine Waste Water
Interceptor CCTV
\$106,643.63 - Org-Object 60484-57570, Storm Sewers, Misc. Loc.
\$ 61,951.25 - Org-Object 22640-57560, Sanitary Sewer - Various Loc.
\$204,598.68 - Total

Sponsors: Terry McCarthy

A motion was made that this Resolution be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[Res.0181-16](#)

Change Order No. 2 on Contract 20150010, 2015 Street & Alley Paving - Northside Assessable (R1)

Resolved, that Change Order No. 2 on Contract 20150010, 2015 Street & Alley Paving - Northside Assessable (R1), Cornerstone Pavers, LLC., contractor, as submitted, is approved in the amount of \$6,216.97

Fiscal Note: Funding to defray the cost of the change order be appropriated from the below Org-Object:

\$6,216.97 - Org-Object 45040-57500, Concrete Street Paving, Misc.
\$6,216.97 - Total

Sponsors: Terry McCarthy

A motion was made that this Resolution be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[Res.0182-16](#)

Final Payment on Contract 20150010, 2015 Street & Alley Paving - Northside Assessable (R1)

Resolved, that the work done by Cornerstone Pavers, LLC., under Contract 20150010, 2015 Street & Alley Paving - Northside Assessable (R1), is accepted and final payment authorized for a total contract amount of \$804,788.03. Final payment to include retainage.

Fiscal Note: Contract was authorized under Resolution 15-0185, dated

May 5, 2015.

Sponsors: Terry McCarthy

A motion was made that this Resolution be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[Res.0183-16](#)

Change Order No. 2 on Contract 20150003, 2015 Concrete Street Reconstruction (R1)

Resolved, that Change Order No. 2 on Contract 20150003, 2015 Concrete Street Reconstruction (R1), Cornerstone Pavers, LLC., contractor, as submitted, is approved in the deduct amount of (\$46,608.25).

Fiscal Note: The funding account be adjusted by the following amount:

(\$46,608.25) - Org-Object 22640-57560, Sanitary Sewers
(\$46,608.25) - Total

Sponsors: Terry McCarthy

A motion was made that this Resolution be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[Res.0184-16](#)

Final Payment on Contract 20150003, 2015 Concrete Street Reconstruction (R1), Cornerstone Pavers, LLC

Resolved, that the work done by Cornerstone Pavers, LLC., under Contract 20150003, 2015 Concrete Street Reconstruction (R1), is accepted and final payment authorized for a total contract amount of \$1,786,171.66. Final payment to include retainage.

Fiscal Note: Contract was authorized under Resolution 15-0135, dated April 8, 2015.

Sponsors: Terry McCarthy

A motion was made that this Resolution be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[Res.0185-16](#)

Amend Resolution No. 0148-16

Resolved, that Resolution No. 0148-16 regarding bid results on Contract 20160015, 2016 Concrete Street Reconstruction - Kinzie Avenue (R1) shall be changed as follows:

Contract 20160015, 2016 Concrete Street Reconstruction - Kinzie

Avenue (R1), is awarded to Cornerstone Pavers, LLC., at its bid price of \$1,479,333.75, plus Alt. 1 in the amount of \$28,500.00, for a total amount of \$1,507,833.75, it being the lowest responsible bidder.

Fiscal Note: Funds to defray the cost of this public works project be appropriated from the below Org-Objects:

\$ 625,485.89 - Org-Object 45040-57500, DPW-Paving
\$ 4,420.00 - Org-Object 45040-57515, DPW-Sidewalks
\$ 375,839.26 - Org-Object 40102-57500, Water/Wastewater
Project-Watermain
\$ 43,753.66 - Org-Object 22640-57560, Sanitary Sewer
\$ 331,873.97 - Org-Object 40102-57560, Water/Wastewater
Project-Sanitary Sewer
\$ 126,460.97 - Org-Object 60484-57570, Storm Sewers
\$1,507,833.75 - Total

Sponsors: Terry McCarthy

A motion was made that this Resolution be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[Res.0187-16](#)

2016 CDBG Funding

Resolved, that the recommended allocation, as amended, of the 2016 Community Development Block Grant (CDBG) is approved.

Further resolved, that the appropriate City officials are authorized and directed to execute and submit to the U.S. Department of Housing and Urban Development the documents required to secure the grants; and that the appropriate City officials are authorized to execute third-party contracts with the agencies approved for the use of the funds.

Fiscal Note: The recommended allocations are attachments Item 0378-16. This action allocates \$1,254,043.11 in Community Development Block Grant funds including administrative expenses.

Sponsors: Dennis Wiser

A motion was made that this Resolution be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[Res.0188-16](#)

1920 and 1924 Slauson

Resolved, that the request for use of HOME funds to build a house at 1920 and 1924 Slauson is approved; and

Further resolved, that the Mayor, City Clerk, and Director of City Development, or their designee, are authorized to execute a written agreement with the Housing Department consistent with its application and federal regulations for \$235,000.00 of HOME funds for the purpose of building a single-family house for-sale to an eligible homeowner.

Fiscal Note: There are sufficient HOME funds available to meet this request.

Sponsors: Dennis Wisner

A motion was made that this Resolution be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[Res.0189-16](#)

2016 Wisconsin Senior Olympics 10k and 5k Road Races

Resolved, that the request of Real Racine to use Pershing Park and the Lake Michigan Pathway for the Wisconsin Senior Olympics 10k and 5k road races from Friday, August 12, 2016 through Saturday, August 13, 2016 is approved.

Further resolved, that set up to occur during park closed hours is approved.

Fiscal Note: Park permit fees and charges as applicable.

Sponsors: Terry McCarthy

A motion was made that this Resolution be Approved as Presented. The motion was APPROVED on a voice vote in consent.

I. Resolutions

[Res.0172-16](#)

Access Agreement with T-Mobile Central, LLC., for Cellular Service Property Easement at 1301 W. 6th Street

Resolved, that the Mayor and City Clerk are authorized and directed to enter into an Access Agreement with T-Mobile Central, LLC., for a cellular service property/easement at 1301 W. 6th Street. This agreement will be for a five (5) year initial term, plus four 5-year extension terms.

Fiscal Note: T-Mobile Central, LLC., will pay \$10,400.00 for 2016 with a three percent (3%) annual escalator.

Sponsors: Terry McCarthy

A motion was made by Alderman Wiser, seconded by Alderman McCarthy, that this Resolution be Referred. The motion PASSED by the following vote:

AYES: 14 - Coe, Jones, Shields, Larrin, Smetana, Weidner, DeHahn, Shakoor II, McCarthy, Wiser, Land, Perez, Meekma and Lemke

EXCUSED: 1 - Morgenroth

[Res.0186-16](#)

Final - Ten (10) Year
Benefits & Damages

WHEREAS, the Public Works & Services Committee of the Common Council of the City of Racine, Wisconsin, held a public hearing at the Council Chambers in the City Hall at 5:30 p.m. on the 10th day of May, 2016 for the purpose of hearing all interested persons concerning the preliminary resolution and report of the Commissioner of Public Works on the proposed improvement of:

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Racine as follows:

1. That the report of the Commissioner of Public Works pertaining to the construction of the above described public improvements, including plans and specifications therefore, as modified, is hereby adopted and approved.
2. That the Commissioner of Public Works is directed to advertise for bids and to carry out the work of such improvement in accordance with the report of the Commissioner of Public Works.
3. That payment for said improvements be made by assessing the cost to the property benefited as indicated in said report.
4. That benefits and damages shown on the report, as modified, are true and correct, have been determined on a reasonable basis; do not exceed the value accruing to the property therefrom; and are hereby confirmed.
5. That the assessments for all projects included in said report are hereby combined as a single assessment, but any interested property owner shall be entitled to object to each assessment separately or both assessments jointly for any purpose or purposes.
6. That the assessments may be paid in cash or if any assessments are over \$200.00 it may be paid in ten (10) annual installments to the City Treasurer, deferred payments to bear interest at the rate of 6% per annum on the unpaid balance.
7. The City Clerk is directed to publish this resolution in the official

newspaper of the City of Racine as a Class I notice in the assessment district.

8. The Clerk is further directed to mail a copy of this resolution and a statement of the final assessment against his property, to every property owner whose name appears on the assessment roll, whose post office address is known or can with reasonable diligence be ascertained.

Fiscal Note: N/A

Sponsors: Terry McCarthy

Referred to the Public Works and Services Committee

J. Common Council Vote on Consent Agenda (Communications, Committee Reports, Resolutions)

Council Action on Consent Agenda Items

A motion was made by Alderman Wiser, seconded by Alderman Raymond DeHahn, that this be Adopted by the following vote

AYES: 15 - Coe, Jones, Shields, Larrin, Smetana, Weidner, DeHahn, Shakoor II, McCarthy, Wiser, Land, Perez, Morgenroth, Meekma and Lemke

K. Ordinances

Refer to Public Safety and Licensing Committee

[Ord.0001-16](#) Ordinance 01-16 - Changes and Additions to Various Forfeiture Amounts

An ordinance to create and amend various forfeiture amounts in the following Chapters: 3, 6, 10, 30, 42, 66, and 94 of the Municipal Code of the City of Racine, Wisconsin.

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

Part 1: To amend Chapter 3 - Sexual Offenders Residency Restrictions of the Municipal Code of the City of Racine, Wisconsin by creating the following section:

“Sec. 3-12. - Forfeitures paid in lieu of court appearance.

(a) Any person charged with violation of an offense listed under subsection (b) of this section may pay the amount enumerated in subsection (b) of this section at the police department in lieu of a court

appearance. Persons wishing to contest the charge contained in subsection (b) of this section may contact the police department to arrange a court appearance date.

(b) The following forfeitures for the offenses specified may be paid at the police department:

<u>Section number</u>	<u>Violation</u>	<u>Forfeiture</u>
3-2(a)	Residency in child safety zone	\$200
3-2(b)	Original domicile restriction	\$35 for the first day
3-3	Loiter in child safety zones	\$500
3-3	Enter into child safety zones	\$300
3-5	Participation in holiday events	\$600
3-9	Renting to sex offenders	\$400

Part 2: To amend the table in subsection (b) of Sec. 6-15. - Forfeitures paid in lieu of court appearance in Ch. 6 - Alcoholic Beverages by repealing the line for section number 6-2 and recreating it as follows:

<u>Section number</u>	<u>Violation</u>	<u>Forfeiture</u>
6-2(a)	Sale to underage person	\$300
6-2(b)	Sale to underage person by licensee	\$300
6-2(d)	Contributing to possession/consumption	\$300
6-2(e)	Underage person on premises	\$200
6-2(g)	Underage person on premises by operator	\$200
6-2(h)	Possession/consumption by underage	\$200
6-2(i)	False representation of age for alcohol	\$200

Part 3: To repeal and recreate the table in subsection (b) of Sec. 10-4. - Forfeitures paid in lieu of court appearance in Ch. 10 - Animals as follows:

<u>Section number</u>	<u>Violation</u>	<u>Forfeiture</u>
10-6	Urban chickens	\$100 first offense \$200 second offense & subsequent offense (within 1 year)
10-41	Livestock and restricted animals prohibited	\$100
10-61	Failure to vaccinate	\$100
10-63	Failure to provide rabies certificate to the health department (veterinarians)	\$100
10-64	Tags required	\$30
10-67	Failure to report biting incident	\$100
10-67(c)	Failure to quarantine	\$200
10-97(a)	Cruelty to animals	\$400
10-97(b)	Food, shelter and water	\$200
10-97(c)	Animal in vehicle	\$10

10-97(d)	Transport of animal in vehicle	\$10
10-97(e)	Animal abandonment	\$400
10-103(a)	Promoting animal fights, per animal present	\$500
10-103(b)	Keeping and training fighting animals, per animal	\$500
10-103(c)	Animal fight spectator	\$400
10-103(d)	Fighting paraphernalia	\$200
10-104(a)	Owning/harboring/selling dangerous animal	\$1000
10-104(b)	Failing to follow procedure for declaring dangerous animal	\$700
10-104(c)	Failure to follow dangerous animal restrictions	\$700
10-104(d)	Failing to follow procedure on prohibited dangerous animal	\$1000
10-104(f)	Failing to provide notification	\$700
10-104(g)	Failure to follow confinement restrictions	\$600

Part 4: To amend the table in subsection (b) of Sec. 30-2. - Payment of forfeiture in lieu of court appearance in Ch. 30 - Cemeteries by adding the following section number:

<u>Section number</u>	<u>Violation</u>	<u>Forfeiture</u>
30-6(b)	Dogs in cemetery	\$50

Part 5: To revise the table in subsection (b) of Sec. 42-116. - Payment of forfeiture in lieu of court appearance in Ch. 42 - Environment, by repealing the line for section 42-136 regarding sound truck permit forfeiture.

Part 6: To revise the table in subsection (b) of Sec 42-28. - Payment of forfeiture in lieu of court appearance in Ch. 42 - Environment, by repealing the words “42-37(5)(a)” and replace with “42-37(e)1.”

Part 7: To revise the table in subsection (b) of Sec 42-28. - Payment of forfeiture in lieu of court appearance in Ch. 42 - Environment, by repealing the words “42-37(5)(b)-(k)” and replace with “42-37(e)2-11.”

Part 8: To amend the table in subsection (b) of Sec. 42-28. - Payment of forfeiture in lieu of court appearance in Ch. 42 - Environment by adding the following section numbers:

<u>Section number</u>	<u>Violation</u>	<u>Forfeiture</u>
42-136(b)	Sound trucks	\$50
42-136(e)	Sound-amplifying equipment	\$100 first offense \$200 second and subsequent offense (within 1 year)

42-137(b)	Traffic Sounds-Noisy Vehicles	\$100	first	offense
	\$200 second and			
				subsequent offense (within 1 year)
42-137(c)	Traffic sounds-Modification of	\$ 1 0 0	first	offense
	\$200 second and			
	Vehicular Equipment		subsequent	offense
	(within 1 year)			
42-140	Sounds in school, hospital or church areas	\$300		

Part 9: To revise the table in subsection (b) of Sec. 66-3. - Payment of forfeiture in lieu of court appearance in Ch. 66 - Offenses by repealing the words “66-165(a)” and replace with “66-165(b).”

Part 10: To revise the table in subsection (b) of Sec. 66-3. - Payment of forfeiture in lieu of court appearance in Ch. 66 - Offenses by repealing the words “66-165(b)” and replace with “66-165(c).”

Part 11: To revise the table in subsection (b) of Sec. 66-3. - Payment of forfeiture in lieu of court appearance in Ch. 66 - Offenses by repealing the words “66-195” and replace with “66-193.”

Part 12: To revise the table in subsection (b) of Sec. 66-3. - Payment of forfeiture in lieu of court appearance in Ch. 66 - Offenses by repealing all four lines for section 66-273.

Part 13: To revise the table in subsection (b) of Sec. 66-3. - Payment of forfeiture in lieu of court appearance in Ch. 66 - Offenses by repealing the line for section 66-709.

Part 14: To amend the table in subsection (b) of Sec. 66-3. - Payment of forfeiture in lieu of court appearance in Ch. 66 - Offenses in the following ways:

Add the following section numbers in the appropriate numerical order:

<u>Section number</u>	<u>Violation</u>	<u>Forfeiture</u>
66-31	Disorderly conduct for public urination	\$75
66-262	Possession, use or sale of synthetic cannabinoid	\$500
66-273(a)	Possession of drug paraphernalia	\$175
66-273(b)	Delivery of drug paraphernalia	\$325
66-273(c)	Delivery of drug paraphernalia to a minor	\$525
66-273(d)	Advertising of drug paraphernalia	\$325
66-273	Paraphernalia offense committed by person under	\$ 5 0
	first offense \$100 second offense	
	age 17	\$500 third and subsequent
	offense	

66-373	Failure to remove accident debris	\$400
66-396	Curfew violation- minor	\$25
66-541	Skateboarding prohibited-certain areas	\$10
66-647	Tobacco products by minor	\$ 1 0 0
	offense \$200 second offense and	first
		subsequent (within 1 year)
66-670	Procurement of cigarettes or tobacco for minor	
	\$100	
66-704	Bicycles-trick riding prohibited	\$200
66-705	Bicycles-racing prohibited	\$100
66-706	Bicycles-parking	\$100
66-707	Bicycles-riding on sidewalk	\$25

Part 14: 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.

Sponsors: Jeff Coe and Sandy Weidner

Referred to Public Safety and Licensing Committee

L. Adjourn

Alderman Shakoor made a motion to adjourn the meeting, which was APPROVED without objection, at 9:33 pm. The next scheduled meeting of the Council is Tuesday, June 7, 2016.

ATTEST: JANICE M. JOHNSON-MARTIN
CITY CLERK