



City of Racine

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

Meeting Minutes - Final Common Council

*Mayor John T. Dickert, Alderman Q.A. Shakoor, II, Alderman Eric Marcus,
Alderman Michael Shields, Alderman Ronald D. Hart,
Alderman Jim Kaplan,
Alderman Dennis Wisner, Alderman Aron Wisneski, 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*

Tuesday, November 1, 2011

7:00 PM

Room 205, City Hall

A. Call To Order

PRESENT: 15 - Fair, Marcus, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor, II, McCarthy, Wisner, Holding, Wisneski, Morgenroth, Hart and Mozol

B. Pledge of Allegiance To The Flag

Webloes Troop 228 led the Council in the Pledge of Allegiance to the Flag.

C. Approval of Journal of Council Proceedings (Minutes)

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

D. Public Comments

*Norb DeKeuster
Sue DeKeuster
Nancy Meinholtz
John Kelley McGee
Florence Boyer
Ken Brown
Brian Hansche
George Meyers*

E. Communications

Refer to Finance and Personnel Committee, by Ald. Shakoor

[11-7057](#)

Subject: communication from the City Attorney requesting additional funding for account 101.160.5610, Professional Services, for the 2011 budget year.

Referred to Finance and Personnel Committee

[11-7004](#)

Subject: communication from the City Attorney submitting the claim of Aida Pinto for consideration.

Referred to Finance and Personnel Committee

[11-7054](#)

Subject: Communication from the Police Chief, requesting to discuss authorization to accept a private donation for funding a new K-9 Unit and authorization for sole-source procurement for the purchase, training, transportation, and maintenance of the dog.

Referred to Finance and Personnel Committee

[11-7055](#)

Subject: Communication from the Director of Parks, Recreation and Cultural Services requesting permission to accept donations for the Mayor's Back to School/Stay in School Program.

Referred to Finance and Personnel Committee

[11-7059](#)

Subject: Communication from the Director of City Development submitting a request from the Board of Business Improvement District No. 1 - Downtown Racine for approval of its 2012 Operating Plan.

Referred to Finance and Personnel Committee

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

[11-7047](#)

Subject: Communication from Kara Kading requesting to use City right-of-way for the St. John's Lutheran School Bunny Hop on Saturday, April 28, 2012 from 10:00 A.M. until 12 noon.

Referred to Public Works and Services Committee

[11-7052](#)

Subject: Communication from Dr. Ann Yehle, McKinley Middle School Directing Principal, requesting to close off the south sidewalk of Rupert Boulevard from Chicago Street west to the cemetery during the 2011-2012 winter.

Referred to Public Works and Services Committee

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

[11-7032](#)

Subject: Communication from the Director of Parks, Recreation and Cultural Services requesting permission to enter into an agreement to prepare plans and specifications for the Sam Johnson Parkway Fountain Restroom Building.

Referred to Public Safety and Licensing Committee

[11-7051](#)

Subject: (New) Application of The Char-Grill, Inc., Jeffrey Marsh, Agent for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 3839 Douglas Avenue. (7th District)

Referred to Public Safety and Licensing Committee

[11-7053](#)

Subject: Communication from the Director of Parks, Recreation and Cultural Services requesting final payment for Contract 23-11 (K1-023) Masonry Restoration at Recreation Service Center.

Referred to Public Safety and Licensing Committee

[11-7060](#)

Subject: Communication from the Director of Parks, Recreation and Cultural Services requesting to rescind final payment for Parks, Recreation and Cultural Services Pavement Improvements, Contract Number 43-11 (K1-045) (R1), Resolution 11-2744 of September 20, 2011.

Referred to Public Safety and Licensing Committee

Refer to Committee of the Whole, by Ald. Holding

[11-7061](#)

Subject: Communication from Mayor Dickert informing the Common Council that he has issued an Executive Order, dated October 31, 2011, prohibiting persons from possessing or bringing, or causing to be brought, any concealed or unconcealed firearm or weapon into or upon any City owned, occupied, or controlled building or structure at any time or at any special event at any City owned, occupied, or controlled building, structure, facility, grounds, or land. Mayor Dickert further requests that the issue of such a weapons and firearm prohibition be referred to the Committee of the Whole for the creation of a City ordinance and the revision of any existing City ordinances that are inconsistent with 2011 Wisconsin Act 35.

Referred to the Committee of the Whole

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

[11-7034](#)

Subject: Communication from Home Depot Regarding the Donation of Paint, Supplies, and Volunteers to Paint Interior Areas of the Chavez Community Center.

Referred to Board of Park, Recreation and Cultural Services

Referred to Public Safety and Licensing Committee

F. Committee Reports

Finance and Personnel Committee Report, by Ald. Shakoor[11-6992](#)

Subject: Communication from the Chief of Police requesting to apply for and accept the Wisconsin Department of Transportation 2012 Alcohol Enforcement Mobilization grant (Grant Control No. 2011-030). (Resolution No. 11-2793)

Recommendation of the Finance & Personnel Committee on 10-24-11: Permission be granted for the Chief of Police to apply for and accept the Wisconsin Department of Transportation 2012 Alcohol Enforcement Mobilization Grant (Grant Control No. 2011-030) in the amount of \$35,028.

Fiscal Note: The \$35,028 grant will require a 25% soft match in the amount of \$8,757 on the part of the City.

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

[11-6993](#)

Subject: Communication from the Chief of Police requesting to apply for and accept the Wisconsin Department of Transportation 2012 Speed Enforcement Mobilization grant (Grant Control No. 2011-031). (Resolution No. 11-2794)

Recommendation of the Finance & Personnel Committee on 10-24-11: Permission be granted for the Chief of Police to apply for and accept the Wisconsin Department of Transportation 2012 Speed Enforcement Mobilization Grant (Grant Control No. 2011-031) in the amount of \$35,028.

Fiscal Note: The \$35,028 grant will require a 25% soft match in the amount of \$8,757 on the part of the City.

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

[11-6994](#)

Subject: Communication from the Police Chief requesting to apply for and accept the Wisconsin Department of Transportation 2012 Pedestrian Safety Enforcement grant (Grant Control No. 2011-032). (Resolution No. 11-2795)

Recommendation of the Finance & Personnel Committee on 10-24-11: Permission be granted for the Chief of Police to apply for and accept the Wisconsin Department of Transportation 2012 Pedestrian Safety Enforcement Grant (Grant Control No. 2011-032) in the amount of \$4,032.

Fiscal Note: The \$4,032 grant will require a 25% soft match in the

amount of \$1,008 on the part of the City.

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

11-6995

Subject:Communication from the Chief of Police requesting to apply for and accept the Wisconsin Department of Transportation 2012 Bicycle Safety Grant (Grant Control No. 2011-033). (Resolution No. 11-2796)

Recommendation of the Finance & Personnel Committee on

10-24-11: Permission be granted for the Chief of Police to apply for and accept the Wisconsin Department of Transportation 2012 Bicycle Safety Grant (Grant Control No. 2011-033) in the amount of \$2,016.

Fiscal Note: The \$2,016 grant will require a 25% soft match in the amount of \$504 on the part of the City.

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

11-6996

Subject: Communication from the Chief of Police, requesting to apply for and accept the Wisconsin Department of Transportation 2012 Seat Belt Safety Grant (Grant Control # 2011-034). (Resolution No. 11-2797)

Recommendation of the Finance & Personnel Committee on

10-24-11: Permission be granted for the Chief of Police to apply for and accept the Wisconsin Department of Transportation 2012 Seat Belt Safety Grant (Grant Control No. 2011-034) in the amount of \$25,200.

Fiscal Note: The \$25,200 grant will require a 25% soft match in the amount of \$6,300 on the part of the City.

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

11-7017

Subject: Communication from the Grant Facilitator requesting to apply for the SC Johnson Fund for the After Zones after school project (Grant Control No. 2011-035). (Resolution No. 11-2792)

Recommendation to the Finance & Personnel Committee on

10-24-11: Permission be granted for the Grant Facilitator to apply for the SC Johnson Fund (Grant Control 2011-035) in the amount of \$300,000 to be utilized for the Racine AfterZone Program.

Fiscal Note: The grant is for \$300,000 over a three year period to be utilized for the Racine AfterZone, a public/private strategic partnership.

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

Council Action

A motion was made by Alderman Q.A. Shakoor, II, seconded by Alderman Terry McCarthy, that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

AYES: 15 - Fair, Marcus, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor, II, McCarthy, Wiser, Holding, Wisneski, Morgenroth, Hart and Mozol

[11-6857](#)

Subject: The Common Council referred the item back to the Finance & Personnel Committee on 9-20-11 being a communication from the Finance Director wishing to appear before the Finance & Personnel Committee to discuss changing Section 90-26 of the City of Racine Municipal Code relating to due dates on installment tax payments. (Ordinance No. 10-11)

Recommendation of the Finance and Personnel Committee on 9-12-11: That an ordinance be adopted changing Municipal Code Sec. 90-26 and 90-27 to reduce property tax installments to 2 payments effective with 2012 tax roll being collected in 2013 as follows:

Recommendation of the Finance and Personnel Committee on 9-26-11: The item be deferred pending further analysis of two options discussed with the Committee and for any other options suggested be submitted in writing by Aldermen. Further recommends that the appropriate authorities review these options.

Recommendation of the Finance & Personnel Committee on 10-10-11: The item be deferred to give staff time to contact Racine County.

Recommendation of the Finance & Personnel Committee on 10-24-11: That an ordinance be adopted changing Municipal Code Sec. 90-26 and 90-27 to reduce property tax installments to 2 payments effective with 2012 tax roll being collected in 2013 as follows in order to improve internal efficiency and to provide a platform for County integration.

Sec. 90-26. Due date; installment tax payments.

All taxes upon real estate in the city due and payable on or before July 31, 2012 shall be paid on or before January 31 of each year, except that where the tax on a particular parcel amounts to \$100.00 or more, it may be paid in four equal installments, each of which shall become successively due and payable

on or before January 31, March 31, May 31 and July 31. On any installment date, the taxpayer may pay the balance of the tax due.

Effective for all payments upon real estate taxes due on or after August 1, 2012, all ~~All~~ taxes upon real estate in the city shall be paid on or before January 31 of each year, except that where the tax on a particular parcel amounts to \$100.00 or more, it may be paid in ~~four~~ two equal installments, each of which shall become successively due and payable on or before January 31, ~~March 31, May 31~~ and July 31. ~~On any installment date, the taxpayer may pay the balance of the tax due.~~

Sec. 90-27. Delinquent installments; interest and penalty.

(a) When the first installment of the real estate taxes is not paid on or before January 31, the whole amount of such real estate taxes shall become delinquent as of February 1. All such taxes remaining unpaid on February 1 shall be collected by the city treasurer with interest at the rate of one percent per month or fraction thereof, and penalty of 0.5 percent per month or fraction thereof from February 1.

(b) For all taxes upon real estate in the city due and payable on or before July 31, 2012, if ~~If~~ the second or any subsequent installment payment of real property taxes is not paid by the due date specified, the entire amount of the remaining unpaid taxes on that parcel is delinquent on the first day of the month after the payment is due. Such taxes shall be collected together with interest of one percent per month or fraction thereof and penalty of 0.5 percent per month or fraction thereof from February 1.

Effective for all payments upon real estate taxes due on or after August 1, 2012, if ~~If~~ the second or any subsequent installment payment of real property taxes is not paid by the due date specified on or before July 31, the entire amount of the remaining unpaid taxes on that parcel is delinquent on ~~the first day of the month after the payment is due~~ August 1. Such taxes shall be collected together with interest of one percent per month or fraction thereof and penalty of 0.5 percent per month or fraction thereof from February 1.

Fiscal Note: N/A

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

AYES: 6 - Shakoor, II, McCarthy, Wisner, Holding, Morgenroth and Hart

NOES: 9 - Fair, Marcus, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Wisneski and Mozol

[11-6945](#)

Subject: The Common Council referred Ordinance No. 10-11 to repeal and recreate Sections 90-26 and 90-27 of the Municipal Code

and City of Racine, Wisconsin relating to Taxation to the Finance & Personnel Committee on 9-20-11.

Recommendation of the Finance & Personnel Committee on 9-26-11: The item be deferred.

Recommendation to the Finance & Personnel Committee on 10-10-11: The item be deferred to give staff time to contact Racine County.

Recommendation of the Finance & Personnel Committee on 10-24-11: Adopt Ordinance No. 10-11.

Fiscal Note: N/A

Alderman Shakoor requested that item 11-6857 and 11-6945 be considered separately. Finance Director Dave Brown spoke on the item.

Alderman Marcus, seconded by Alderman Shields made a motion to refer 1-6857 and 11-6945 back to committee. Motion failed by the following vote:

Ayes: Aldermen DeHahn, Fair, Marcus, Shields.

Noes: Aldermen Wiser, Wisneski, Hart, Holding, Kaplan, Kaprelian-Becker, McCarthy, Morgenroth, Mozol, Shakoor and Weidner.

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

AYES: 6 - Shakoor, II, McCarthy, Wiser, Holding, Morgenroth and Hart

NOES: 9 - Fair, Marcus, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Wisneski and Mozol

Public Works and Services Committee Report, by Ald. Weidner

11-7019

Subject: Communication from Lutheran High School requesting permission to use city right-of-way and parks for their Tech Trek on Wednesday, November 2, 2011.

Recommendation of the Public Works and Services Committee on 10-25-11: That permission be granted to Racine Lutheran High School to use city bike paths for their Tech Trek to be held on Wednesday, November 2, 2011.

Further recommend that permission be granted with the following stipulations:

- A. A hold harmless agreement is executed;
- B. A liability insurance certificate is filed prior to the event.
- C. Any overtime costs incurred by any City department to assist with this project is charged to the sponsor;

D. That access to the pathway for general public use is available at all times.

Further recommend that the Director of Parks, Recreation and Cultural Services 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.

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

[11-7033](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 13-09 (K9-013), Professional Services-Library Renovation Design Services, Architectural Associates, Ltd., consultant. (Resolution No. 11-2798)

Recommendation of the Public Works and Services Committee on 10-25-11: That the professional services provided by Architectural Associates, Ltd., under Contract 13-09 (K9-013), Professional Services - Library Renovation Design Services, be accepted and final payment authorized for a total contract amount of \$95,962.48.

Fiscal Note: Contract was authorized under Resolution No. 09-1223, dated February 3, 2009.

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

[11-7035](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 33-10 (K0-041), Upgrade City Hall Fan Controls and Server, Johnson Controls, Inc., contractor. (Resolution No. 11-2799)

Recommendation of the Public Works and Services Committee on 10-25-11: That the work provided by Johnson Controls, Inc., under Contract 33-10 (K0-041), Upgrade City Hall Fan Controls and Services, be accepted and final payment authorized for a total contract amount of \$23,872.00.

Fiscal Note: Contract was authorized under Resolution No. 10-1916, dated March 16, 2010.

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

[11-7048](#)

Subject: (Direct Referral) Communication from the Commissioner of

Public Works/City Engineer submitting a request for final payment on Contract 27-07 (K7-031), Professional Services - Replace Boiler System at Festival Hall, Southport Consulting, consultant. (Resolution No. 11-2800)

Recommendation of the Public Works and Services Committee on 10-25-11: That the professional services provided by Southport Consulting, under Contract 27-07 (K7-031), Professional Services - Replace Boiler System at Festival Hall, be accepted and final payment authorized for a total contract amount of \$600.00.

Fiscal Note: Contract was authorized under Resolution No. 07-0096, dated March 6, 2007.

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

[11-7049](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 9-11 (K1-009), Police Impound Lot Renovations-Phase II, SRS Roofing & Sheet Metal, Inc., contractor.(Resolution No. 11-2801)

Recommendation of the Public Works and Services Committee on 10-25-11: That the work provided by SRS Roofing & Sheet Metal, Inc., under Contract 9-11 (K1-009), Police Impound Lot Renovations - Phase II, be accepted and final payment authorized for a total contract amount of \$144,300.00.

Fiscal Note: Contract was authorized under Resolution No. 11-2413, dated February 16, 2011.

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

Council Action

A motion was made by Alderman Sandy Weidner, seconded by Alderman Raymond DeHahn, that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

AYES: 14 - Fair, Marcus, Shields, Kaprelian-Becker, Weidner, DeHahn, Shakoor, II, McCarthy, Wiser, Holding, Wisneski, Morgenroth, Hart and Mozol

NON VOTING: 1 - Kaplan

Public Safety and Licensing Committee Report, by Ald. Wisneski

[11-6738](#)

Subject: Communication from Lalabhai Patel, Khodiari Food Mart, 965 Dr. Martin Luther King Drive, submitting a petition to exceed the Class A quota limit.

Recommendation of the Public Safety and Licensing Committee on 9-26-11: To receive and file due to an incomplete application.

Fiscal Note: N/A

Item being re-opened 10/4/2011 as applicant produced the required paperwork. To be submitted to Public Safety & Licensing Committee on October 24, 2011.

Recommendation of the Public Safety an Licensing Committee on 10-24-11: That the request from Lalabhai Patel, Khodiar Food Mart, 965 Dr. Martin Luther King Drive, submitting a petition to exceed the Class A quota limit be denied because it did not meet the criteria as outlined in City Ordinance.

Fiscal Note: N/A

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

[11-7005](#)

Subject: Communication from the Director of Parks, Recreation and Cultural Services requesting change order #1 for Contract 08-11 (K1-008) Horlick Athletic Field Restrooms (R1). (Resolution No. 11-2802)

Recommendation of the Public Safety an Licensing Committee on 10-24-11: That the request from the Director of Parks, Recreation and Cultural Services requesting change order #1 for Contract 08-11 (K1-008) Horlick Athletic Field Restrooms be approved.

Fiscal Note: Funds of \$8,242,58 available from account 991-700-5030

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

[11-7009](#)

Subject: (New) Application of Erie Gas & Food LLC, Fahim Ajmeri, Agent for a "Class A" Fermented Malt Beverage and Intoxicating Liquor License for 3945 Erie Street. (15th District)

Recommendation of the Public Safety an Licensing Committee on 10-24-11: That the application of Erie Gas & Food LLC, Fahim Ajmeri, Agent for a "Class A" Fermented Malt Beverage and Intoxicating Liquor License for 3945 Erie Street be approved.

Fiscal Note: N/A

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

11-7046

Subject: (Direct Referral) Sale of Abandoned Vehicles 10-5-11

Recommendation of the Public Safety and Licensing Committee on 10-24-11: That the Sale of Abandoned Vehicles 10-05-11 be received and filed.

Fiscal Note: This will generate \$18,757.02 in revenue.

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

Council Action

A motion was made by Alderman Aron Wisneski, seconded by Alderman Gregory Holding, that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

AYES: 15 - Fair, Marcus, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor, II, McCarthy, Wisner, Holding, Wisneski, Morgenroth, Hart and Mozol

11-6895

Subject: To create Sec. 6-87 - Social Host Ordinance, Code of the City of Racine, Wisconsin relating to alcoholic beverages.

Recommendation of the Public Safety and Licensing Committee on 9-12-11: To defer the item until the 9-26-11 meeting.

Recommendation of the Public Safety and Licensing Committee on 9-26-11: Recommend that Ordinance 8-11, Sec. 6-87 - Social Host Ordinance, Code of the City of Racine, Wisconsin relating to alcoholic beverages be adopted.

Recommendation of the Public Safety and Licensing Committee on 10-10-11: That the item be deferred until the 10-24-11 meeting.

Recommendation of the Public Safety and Licensing Committee on 10-24-11: That Ordinance 8-11, Sec. 6-87 - Social Host Ordinance, Code of the City of Racine, Wisconsin relating to alcoholic beverages be adopted as amended.

Fiscal Note: N/A

Alderman Wisneski requested that item 11-6895 be considered separately.

Alderman Fair seconded by Alderman Marcus, made a motion to amend the definition of an "Event or Gathering" to any group of TWO or more persons. Motion carried with the following vote:

Ayes: Alderman DeHahn, Fair, Holding, Kaplan, Kaprelian-Becker, Marcus, McCarthy, Shakoor, Shields and Weidner.

Noes: Alderman Wiser, Wisneski, Hart, Morgenroth and Mozol.

A motion was made that this Communication be Adopted As Amended: . The motion was APPROVED by the following vote:

AYES: 15 - Fair, Marcus, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor, II, McCarthy, Wiser, Holding, Wisneski, Morgenroth, Hart and Mozol

Traffic Commission Report, by Ald. Weidner

11-6671

Subject: Communication from the Alderman of the 15th District requesting a stop sign be placed at the intersection of Shoreland Avenue and Ruby Avenue.

Recommendation of the Traffic Commission on 09-19-11: Defer

Recommendation of the Traffic Commission on 10-17-11: Receive and file.

Fiscal Note: N/A

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

11-6759

Subject: Communication from the Alderman of the 1st District and Wisconsin Lutheran School (734 Villa St.) requesting a 4-way stop sign be placed at the corner of 8th St. and Villa St.

Recommendation of the Traffic Commission on 09-19-11: Defer

Recommendation of the Traffic Commission on 10-17-11: Receive and file.

Fiscal Note: N/A

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

11-6977

Subject: Communication from Jennifer Horn, Principal, Stephen Bull Fine Arts School - 815 De Koven Avenue, requesting a study be done for a crossing guard in the area of the school.

Recommendation of the Traffic Commission on 10-17-11: Receive and file.

Fiscal Note: N/A

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

Council Action

A motion was made by Alderman Sandy Weidner, seconded by Alderman Raymond DeHahn, that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

AYES: 15 - Fair, Marcus, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor, II, McCarthy, Wiser, Holding, Wisneski, Morgenroth, Hart and Mozol

11-6842

Subject: Communication from Brian Hansche (1500 S. Main Street) wishing to discuss traffic issues in the area of 14th Street and S. Main Street.

Recommendation of the Traffic Commission on 09-19-11: Defer

Recommendation of the Traffic Commission on 10-17-11: Receive and file.

Fiscal Note: N/A

Alderman Weidner requested that item 11-6842 be considered separately.

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

AYES: 13 - Fair, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor, II, McCarthy, Wiser, Holding, Wisneski, Morgenroth, Hart and Mozol

NOES: 2 - Marcus and Shields

Transit and Parking Commission Report, by Ald. DeHahn**11-6178**

Subject: Communication from the Transit and Parking System Manager requesting the review of reduced parking with VenuWorks for October 2011 through March 2012. (Resolution No. 11-2804)

Recommendation of the Transit and Parking Commission on 10-26-11: Approve last year's special rate for VenuWorks for Lakefront Lot No. 4 parking lot. This special rate will continue through March 2012 at a rate of \$100 per month.

Fiscal Note: 2012 Parking Utility revenue same as 2011.

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

11-6904

Subject: Communication from the Transit and Parking System Manager requesting the review and approval of bid documents for bus service provided by WI Coach Lines.

**Recommendation of the Transit and Parking Commission on
09-28-11:** Defer

**Recommendation of the Transit and Parking Commission on
10-26-11:** Approve the RFP for operation of SE WI Commuter Bus Service conditioned by review by counsel.

Fiscal Note: N/A - involves only "pass-through" State operating funds.

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

[11-7011](#)

Subject: Communication from the BUS General Manager submitting the September 2011 BUS Operations Report.

**Recommendation of the Transit and Parking Commission on
10-26-11:** Receive and file.

Fiscal Note: N/A

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

[11-7050](#)

Subject: (Direct Referral) Communication from Sara Harris requesting permission to rent Lakefront Lot No. 5 on November 12, 2011 from 5 P.M. until 11 P.M. (Resolution No. 11-2805)

**Recommendation of the Transit and Parking Commission on
10-26-11:** Racine's Gratitude Gala for World War II Veterans be provided special utilization of Lakefront Lot No. 5 on Saturday, November 12, 2011 after 5 P.M. Gratitude Gala representatives are to have volunteers and signage at the lot entrance in advance of 5 P.M. and are to reimburse the Parking Utility for the cost of having staff come in to raise the gate.

Fiscal Note: N/A

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

[11-7012](#)

Subject: Communication from the Transit and Parking System Manager requesting the review of public comments from the October 20, 2011 public hearing. (Resolution No. 11-2806)

**Recommendation of the Transit and Parking Commission on
10-26-11:** The Transit and Parking Commission go on record favoring the maintenance of Sunday service as the top priority for reinstating proposed BUS service cuts with a potential increase of the cash fare

up to \$2.00 and the monthly pass up to \$66.00 as an alternative source of new funding if no other potential revenue sources can be identified.

Fiscal Note: The estimated new money required to not eliminate all Sunday service as proposed is \$250,000. The estimated new revenue generated by a 33% fare increase is estimated to be \$220,000 after a projected decrease in ridership of 15% is considered. No additional City funding for BUS operations is anticipated.

Al Kosterman spoke on this item.

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

Council Action

A motion was made by Alderman Raymond DeHahn, seconded by Alderman Sandy Weidner, that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

AYES: 15 - Fair, Marcus, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor, II, McCarthy, Wisner, Holding, Wisneski, Morgenroth, Hart and Mozol

City Plan Commission Report, by Ald. Wisneski

11-6149

Subject: [Direct Referral] City of Racine Park and Open Space Plan Update (Resolution No. 11-2809) (ZOrd. 7-11)

Recommendation of the Board of Parks, Recreation and Cultural Services on 3-9-11: Defer

Recommendation of the Board of Parks, Recreation and Cultural Services on 4-13-11: Defer

Recommendation of the Board of Parks, Recreation and Cultural Services on 6-9-11: Defer

Recommendation of the Board of Parks, Recreation and Cultural Services on 7-13-11: Defer

Recommendation of the Board of Parks, Recreation and Cultural Services on 7-28-11: Defer

Recommendation of the Board of Parks, Recreation and Cultural Services on 8-10-11: Defer

Recommendation of the Board of Parks, Recreation and Cultural

Services on 9-14-11: To conceptually approve Chapters 1-6 of the City of Racine 2035 Park and Open Space Plan.

Recommendation of the Board of Parks, Recreation and Cultural Services on 10-12-11: To approve and adopt the City of Racine 2035 Park and Open Space Plan.

Recommendation of the City Plan Commission on 10-26-11: To prepare ordinance and resolution, and schedule a public hearing.

Fiscal note: To be determined

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

[11-6958](#)

Subject: (Direct Referral) Consideration of a request from Nasir Hanif, representing RZQ Oil Inc. d/b/a Washington Petro Mart seeking and amendment to a conditional use permit at 4301 Washington Avenue to allow certain changes to the approved site and operation plan addressing outside sales, services and signage. (PC-11) (Resolution No. 11-2807)

Recommendation of the City Plan Commission on 10-26-11: That the item be approved subject to conditions.

Fiscal Note: N/A

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

[11-7045](#)

Subject: (Direct Referral) Request by Andrew Bukacek of Bukacek Construction, representing Razor Sharp Fitness, LLC for Conditional Use approval to operate a fitness facility at 3900 Erie Street. (PC-11) (Resolution No. 11-2810)

Recommendation of the City Plan Commission on 10-26-11: That the item be approved subject to conditions.

Fiscal Note: N/A

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

Council Action

A motion was made by Alderman Aron Wisneski, seconded by Alderman Sandy Weidner, that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

AYES: 15 - Fair, Marcus, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor, II, McCarthy, Wiser, Holding, Wisneski, Morgenroth, Hart and Mozol

11-6999

Subject: (Direct Referral) Request by Bernie Rauwerda, representing Living Light Christian Church, for a Conditional Use Permit to utilize the property at 740 College Avenue as a religious institution, including offices and possibly continuing health center activities. (PC-11) (Resolution No. 11-2808)

Recommendation of the City Plan Commission on 10-26-11: That the item be approved subject to conditions.

Fiscal Note: N/A

Alderman Weidner requested that item 11-6999 be considered separately.

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

AYES: 14 - Fair, Marcus, Shields, Kaplan, Kaprelian-Becker, DeHahn, Shakoor, II, McCarthy, Wiser, Holding, Wisneski, Morgenroth, Hart and Mozol

NOES: 1 - Weidner

Housing Loan Board Report, by Ald. Wiser

11-7028

Subject: Communication from IDA Coordinator requesting that the city deposit matching funds for the continuation of the Individual Development Account Program in Racine. (Resolution No. 11-2811)

Recommendation of the Loan Board of Review on 10-20-11: That \$45,250 be advanced from Account #812 to Fund #260. Funds to be repaid to Account #812 as private-sector pledges are redeemed.

Fiscal Note: There are sufficient funds for this recommendation.

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

11-7030

Subject: (Direct Referral) Request of the Director of City Development to consider revising the amount of equity required for owner-occupied home improvement loans. (Resolution No. 11-2813)

Recommendation of the Loan Board of Review on 10-20-11: That the equity requirement for homeowner loans be waived until October 31, 2014 with the stipulation that loans with insufficient equity be made only for code-related items including lead-based paint hazard reduction.

Fiscal Note: N/A

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

11-7031

Subject: (Direct Referral) Request of the Director of City Development to consider revising the interest rate charged for owner-occupied home improvement loans. (Resolution No. 11-2814)

Recommendation of the Loan Board of Review on 10-20-11: That the request be approved to lower the interest rates for Homeowner Fixed loans from 5% and 3% to 3% and 2% respectively.

Fiscal Note: N/A

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

Council Action

A motion was made by Alderman Dennis Wiser , seconded by Alderman Gregory Holding, that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

AYES: 15 - Fair, Marcus, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor, II, McCarthy, Wiser, Holding, Wisneski, Morgenroth, Hart and Mozol

11-7029

Subject: (Direct Referral) Request of Assistant Director, Joseph Heck, to transfer the lot at 61 Riverside Drive to St. Paul Community Economic Development Corporation. (Resolution No. 11-2812)

Recommendation of the Loan Board of Review on 10-20-11: That the request be approved on the condition that the work commences no later than April 1, 2012 and be completed by December 31, 2012.

Fiscal Note: N/A

Alderman Wiser requested that item 11-7029 be considered separately. Director Brian O'Connell spoke on the item.

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

AYES: 14 - Fair, Marcus, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor, II, McCarthy, Wiser, Holding, Morgenroth, Hart and Mozol

NON VOTING: 1 - Wisneski

Cemetery Commission Report, by Ald Weidner**10-5650**

Subject: Review Wis. Stats. §157.07

Recommendation of Board of Cemetery Commissioners on October 18, 2010: That this matter be deferred.

Fiscal Note: N/A

Recommendation of Board of Cemetery Commissioners on November 15, 2010: That this matter be deferred.

Fiscal Note: N/A

Recommendation of Board of Cemetery Commissioners on January 17, 2011: That this matter be deferred.

Fiscal Note: N/A

Recommendation of the Board of Cemetery Commissioners on February 21, 2011: That this matter be deferred.

Fiscal Note: N/A

Recommendation of the Board of Cemetery Commissioners on March 21, 2011: That this matter be deferred.

Fiscal Note: N/A

Recommendation of the Board of Cemetery Commissioners on April 18, 2011: That this matter be deferred.

Fiscal Note: N/A

Recommendation of the Board of Cemetery Commissioners on May 16, 2011: That this matter be deferred.

Fiscal Note: N/A

Recommendation of the Board of Cemetery Commissioners on June 27, 2011: That this matter be deferred.

Fiscal Note: N/A

Recommendation of the Board of Cemetery Commissioners on July 18, 2011: That this matter be deferred.

Fiscal Note: N/A

Recommendation of the Board of Cemetery Commissioners on

August 15, 2011: That this matter be deferred.

Fiscal Note: N/A

Recommendation of the Board of Cemetery Commissioners on September 19, 2011: That this matter be deferred.

Fiscal Note: N/A

Recommendation of the Board of Cemetery Commissioners on October 17, 2011: That this matter be received and filed.

Fiscal Note: N/A

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

AYES: 14 - Fair, Marcus, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoore, II, McCarthy, Wisner, Holding, Morgenroth, Hart and Mozol

NON VOTING: 1 - Wisneski

G. Consent Agenda-Resolutions

[Res.11-2792](#)

Request to apply for the SC Johnson Fund for the After Zones after school project (Grant Control No. 2011-035).

Resolved, that permission be granted for the Grant Facilitator to apply for the SC Johnson Fund (Grant Control 2011-035) in the amount of \$300,000 to be utilized for the Racine AfterZone Program.

Fiscal Note: The grant is for \$300,000 over a three year period to be utilized for the Racine AfterZone, a public/private strategic partnership.

Sponsors: Q.A. Shakoore, II

A motion was made that this Resolution be Adopted. The motion was APPROVED.

[Res.11-2793](#)

Request to apply for and accept the Wisconsin Department of Transportation 2012 Alcohol Enforcement Mobilization grant (Grant Control No. 2011-030).

Resolved, that permission be granted for the Chief of Police to apply for and accept the Wisconsin Department of Transportation 2012 Alcohol Enforcement Mobilization Grant (Grant Control No. 2011-030) in the amount of \$35,028.

Fiscal Note: The \$35,028 grant will require a 25% soft match in the

amount of \$8,757 on the part of the City.

Sponsors: Q.A. Shakoor, II

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.11-2794

Request to apply for and accept the Wisconsin Department of Transportation 2012 Speed Enforcement Mobilization Grant (Grant Control No. 2011-031).

Resolved, that permission be granted for the Chief of Police to apply for and accept the Wisconsin Department of Transportation 2012 Speed Enforcement Mobilization Grant (Grant Control No. 2011-031) in the amount of \$35,028.

Fiscal Note: The \$35,028 grant will require a 25% soft match in the amount of \$8,757 on the part of the City.

Sponsors: Q.A. Shakoor, II

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.11-2795

Request to apply for and accept the Wisconsin Department of Transportation 2012 Pedestrian Safety Enforcement Grant (Grant Control No. 2011-032).

Resolved, that permission be granted for the Chief of Police to apply for and accept the Wisconsin Department of Transportation 2012 Pedestrian Safety Enforcement Grant (Grant Control No. 2011-032) in the amount of \$4,032.

Fiscal Note: The \$4,032 grant will require a 25% soft match in the amount of \$1,008 on the part of the City.

Sponsors: Q.A. Shakoor, II

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.11-2796

Request to apply for and accept the Wisconsin Department of Transportation 2012 Bicycle Safety Grant (Grant Control No. 2011-033).

Resolved, that permission be granted for the Chief of Police to apply for and accept the Wisconsin Department of Transportation 2012 Bicycle Safety Grant (Grant Control No. 2011-033) in the amount of \$2,016.

Fiscal Note: The \$2,016 grant will require a 25% soft match in the

amount of \$504 on the part of the City.

Sponsors: Q.A. Shakoor, II

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.11-2797

Request to apply for and accept the Wisconsin Department of Transportation 2012 Seat Belt Safety Grant (Grant Control # 2011-034).

Resolved, that permission be granted for the Chief of Police to apply for and accept the Wisconsin Department of Transportation 2012 Seat Belt Safety Grant (Grant Control No. 2011-034) in the amount of \$25,200.

Fiscal Note: The \$25,200 grant will require a 25% soft match in the amount of \$6,300 on the part of the City.

Sponsors: Q.A. Shakoor, II

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.11-2798

Request final payment on Contract 13-09 (K9-013), Professional Services-Library Renovation Design Services, Architectural Associates, Ltd., consultant.

Resolved, that professional services provided by Architectural Associates, Ltd., under Contract 13-09 (K9-013), Professional Services - Library Renovation Design Services, be accepted and final payment authorized for a total contract amount of \$95,962.48.

Fiscal Note: Contract was authorized under Resolution No. 09-1223, dated February 3, 2009.

Sponsors: Sandy Weidner

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.11-2799

Request final payment on Contract 33-10 (K0-041), Upgrade City Hall Fan Controls and Server, Johnson Controls, Inc., contractor.

Resolved, that the work provided by Johnson Controls, Inc., under Contract 33-10 (K0-041), Upgrade City Hall Fan Controls and Services, be accepted and final payment authorized for a total contract amount of \$23,872.00.

Fiscal Note: Contract was authorized under Resolution No. 10-1916, dated March 16, 2010.

Sponsors: Sandy Weidner

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.11-2800

Request final payment on Contract 27-07 (K7-031), Professional Services - Replace Boiler System at Festival Hall, Southport Consulting, consultant.

Resolved, that the professional services provided by Southport Consulting, under Contract 27-07 (K7-031), Professional Services - Replace Boiler System at Festival Hall, be accepted and final payment authorized for a total contract amount of \$600.00.

Fiscal Note: Contract was authorized under Resolution No. 07-0096, dated March 6, 2007.

Sponsors: Sandy Weidner

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.11-2801

Request final payment on Contract 9-11 (K1-009), Police Impound Lot Renovations-Phase II, SRS Roofing & Sheet Metal, Inc., contractor.

Resolved, that the work provided by SRS Roofing & Sheet Metal, Inc., under Contract 9-11 (K1-009), Police Impound Lot Renovations - Phase II, be accepted and final payment authorized for a total contract amount of \$144,300.00.

Fiscal Note: Contract was authorized under Resolution No. 11-2413, dated February 16, 2011.

Sponsors: Sandy Weidner

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.11-2802

Request change order #1 for Contract 08-11 (K1-008) Horlick Athletic Field Restrooms (R1).

Resolved, that the request from the Director of Parks, Recreation and Cultural Services requesting change order #1 for Contract 08-11 (K1-008) Horlick Athletic Field Restrooms be approved.

Fiscal Note: Funds of \$8,242,58 available from account 991-700-5030.

Sponsors: Aron Wisneski

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.11-2803

Public Facility Permits

Resolved, that the following establishments be granted a public facilities permit for the permit year September 30, 2011 through September 30, 2013:

RACINE ZOOLOGICAL SOCIETY, D/B/A RACINE ZOO, 2131 N. MAIN STREET.

Further resolved, that the following establishments be granted a public facilities permit for the permit year May 31, 2011 through May 31, 2013:

PUBLIC GOLF ASSOCIATES, LTD., D/B/A JOHNSON PARK, 6200 Northwestern Avenue.

Fiscal Note: N/A

Sponsors: Aron Wisneski

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.11-2804

Request the review of reduced parking with VenuWorks for October 2011 through March 2012.

Resolved, that last year's special rate for VenuWorks for Lakefront Lot No. 4 parking lot be approved.

Further resolved, that this special rate will continue through March 2012 at a rate of \$100 per month.

Fiscal Note: 2012 Parking Utility revenue same as 2011.

Sponsors: Raymond DeHahn

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.11-2805

Request permission to rent Lakefront Lot No. 5 on November 12, 2011 from 5 P.M. until 11 P.M.

Resolved, that Racine's Gratitude Gala for World War II Veterans be provided special utilization of Lakefront Lot No. 5 on Saturday, November 12, 2011 after 5 P.M.

Further resolved, that Gratitude Gala representatives are to have volunteers and signage at the lot entrance in advance of 5 P.M. and are to reimburse the Parking Utility for the cost of having staff come in to raise the gate.

Fiscal Note: N/A

Sponsors: Raymond DeHahn

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.11-2806

Request review of public comments from the October 20, 2011 public hearing.

Resolved, that the Transit and Parking Commission go on record favoring the maintenance of Sunday service as the top priority for reinstating proposed BUS service cuts with a potential increase of the cash fare up to \$2.00 and the monthly pass up to \$66.00 as an alternative source of new funding if no other potential revenue sources can be identified.

Fiscal Note: The estimated new money required to not eliminate all Sunday service as proposed is \$250,000. The estimated new revenue generated by a 33% fare increase is estimated to be \$220,000 after a projected decrease in ridership of 15% is considered. No additional City funding for BUS operations is anticipated.

Sponsors: Raymond DeHahn

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.11-2807

Request from Nasir Hanif seeking and amendment to a conditional use permit at 4301 Washington Avenue.

Resolved that the request from Nasir Hanif, representing RZQ Oil Inc. d/b/a Washington Petro Mart, seeking an amendment to a conditional use permit at 4301 Washington Avenue to allow certain changes to the approved site and operation plan addressing outside sales, services and signage be approved in part, and denied in part, subject to the following conditions:

- a. That the plans presented to the Plan Commission on October 26, 2011, be approved subject to the conditions contained herein.
- b. That all applicable permits be obtained from the Building

Inspection Department.

- c. That addition of outside sales be approved only for a propane tank exchange station, a ice cooler/freezer, a compressed air station, and revised signage subject to the following conditions:
 1. The propane tank exchange station and the ice cooler/freezer are to be located to the west of the building, directly adjacent to the west or east of the trash/dumpster enclosure. The applicant shall submit a final site plan depicting such placements, for the review and approval of the Director of City Development.
 2. The compressed air station shall be located adjacent to the west lot line as depicted on the site plan. The hours of operation of the compressed air station shall be limited to 6:00 a.m. to 9:30 p.m. Monday through Saturday, and 8:00 a.m. to 8:00 p.m. on Sunday, to coincide with the hours of the gas station and convenience store.
 3. That one channel letter style branding sign may be added to the east fascia of the canopy as depicted in plans presented to the Plan Commission on October 26, 2011 subject to said sign being non-illuminate.
 4. That the existing monument sign may be replaced with a pole sign not exceeding 15 feet in total height having a setback from the street property line of not less than 4 feet from the leading edge of the sign, and a minimum clearance from the bottom of the sign to grade of not less than six feet.
 5. That the intensity of illumination of signage shall be monitored by the business operator and/or owner and City Development staff, and adjusted by business operator and/or owner if determined by City Development staff that said illuminated signage is adversely impacting areas residents.
- d. That the following aspects of the request are denied:
 1. Outdoor public phone.
 2. Outdoors seasonal sales (other than those addressed in condition c. above).
- e. That the vacuum and compressed air station found to the east of the building be removed within ten days of this approval.

- f. That all other aspects of this operation be in compliance with the conditions as listed in Common Council Resolution No. 5564 of October 21, 2003 unless otherwise amended herein.
- g. That no minor changes be made from the conditions of this permit without the approval of the Plan Commission, and no major changes be made from the conditions of this permit without the approval of the Common Council.
- h. That this permit is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

Sponsors: Aron Wisneski

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.11-2810

Request of Razor Sharp, LLC to locate a fitness center at 3900 Erie Street be approved.

Resolved, that the request of Razor Sharp, LLC to locate a fitness center at 3900 Erie Street be approved, subject to the following conditions:

- a. That the plans presented to the Plan Commission on October 26, 2011 be approved, subject to the conditions contained herein.
- b. That all codes and ordinances shall be complied with and required permits acquired.
- c. That all applicable building and occupancy permits be obtained from the Building Inspection Department prior to opening for business.
- d. That the hours of operation may be 24/7 for gym members, with Staff on site from 6:00 a.m. - 8:00 p.m. Monday through Friday; and from 7:00 a.m. - 3:00 p.m. Saturdays and Sundays. Access to the facility shall be controlled via electronic card entry into the facility.
- e. That all security cameras and panic buttons shall be installed and functional prior to issuance of an occupancy permit, and information and plans concerning said security shall be submitted to the Department of City Development for review.
- f. That all signage shall comply with any existing signage restrictions of the Shorecrest Shopping Center, and signage shall receive all necessary permits from the Building Department prior to installation.
- g. That the applicant and property owner work together and with all

other tenants to enclose all trash receptacles located along the west side of the building with 6'opaque enclosures and gates. This is to be completed within 6 months of this tenant occupancy.

h. That those improvements as required by above conditions shall be fully implemented by the dates listed. If the applicant or owner fails to implement the required improvements by said dates, 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 improvements.

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.

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 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.

By operating under this conditional use, the applicant and owner give permission to the City to enter upon the property for purpose hereby described.

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

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

Fiscal Note: N/A

Sponsors: Aron Wisneski

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.11-2811

Request that the city deposit matching funds for the continuation of the Individual Development Account Program in Racine.

Resolved, that \$45,250 be advanced from Account #812.000.5950 to Fund #260.000.1180. Funds to be repaid to Account #812.000.5950 as private-sector pledges are redeemed.

Fiscal Note: There are sufficient funds for this recommendation.

Sponsors: Dennis Wiser

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.11-2812

Transfer the lot at 61 Riverside Drive to St. Paul Community Economic Development Corporation. (Resolution No. 11-2812)

Resolved, that the request to transfer the lot at 61 Riverside Drive to St. Paul Community Economic Development Corporation, be approved on the condition that the work commences no later than April 1, 2012 and be completed by December 31, 2012.

Fiscal Note: N/A

Sponsors: Dennis Wiser

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.11-2813

Revising the amount of equity required for owner-occupied home improvement loans.

Resolved, that the equity requirement for homeowner loans be waived until October 31, 2014 with the stipulation that loans with insufficient equity be made only for code-related items including lead-based paint hazard reduction.

Fiscal Note: N/A

Sponsors: Dennis Wiser

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.11-2814

Revise the interest rate charged for owner-occupied home improvement loans.

Resolved, that the request be approved to lower the interest rates for Homeowner Fixed loans from 5% and 3% to 3% and 2% respectively.

Fiscal Note: N/A

Sponsors: Dennis Wiser

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Council Action

A motion was made by Alderman Gregory Holding, seconded by Alderman Aron Wisneski, that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

AYES: 15 - Fair, Marcus, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor, II, McCarthy, Wiser, Holding, Wisneski, Morgenroth, Hart and Mozol

Res.11-2808

Request of Living Light Church and other proposed programs located at 740 College Avenue be approved. Resolved, that the request of Living Light Church and other proposed programs as noted below to be located at 740 College Avenue be approved, subject to the following conditions:

- a. That the plans presented to the Plan Commission on October 26, 2011, be approved subject to the conditions contained herein.
- b. That all applicable building and occupancy permits be obtained from the Building Inspection Department.
- c. That this Conditional Use repeals and replaces all previous conditional use approvals for 740 College Avenue.
- d. That the parking lot be re-sealed and striped within 60 days of approval.
- e. That a search for additional off-street parking or parking agreements shall be undertaken by the church based on the increased demand for parking at this site and its various uses. A parking plan shall be submitted to the Department of City Development within 60 days of approval of this Conditional Use for review.
- f. That leases shall be created between the new building owners and all tenants leasing space within the building within 30 days of this approval to reflect the new property ownership and any conditions required of the uses. Copies of said leases shall be provided to the Department of City Development.
- g. That no additional uses be allowed, other than what is listed in this Conditional Use approval, without proper review and approval by the Department of City Development, and/or Plan Commission and Common Council.
- h. That all signs shall be professionally made, comply with zoning requirements, and be submitted for the review and approval of the

Director of City Development prior to issuance of building permits and installation.

i. That the dumpster enclosure shall be repaired, and the doors shall be put back on the enclosure as required within 30 days of this approval.

j. That Living Light Christian Church shall have hours of 9:00 a.m. - 9:00 p.m. Monday through Saturday, and from 7:00 a.m. - 9:00 p.m. on Sundays. Living Light service will take place in the area identified on the attached floor plan as the gymnasium following its remodel.

k. That The Vine Ministries may utilize the space identified on the attached floor plan for the lower level of the building for Tuesday Bible Study from 6:00 p.m. - 9:00 p.m., and for Sunday Services from 9:00 a.m. - 2:00 p.m.

l. That the Church of Christ shall occupy the space identified on the attached first floor plan, formerly the cafeteria, on Wednesday's for Bible study from 6:00 p.m. - 9:00 p.m., and Sunday services from 9:00 a.m. - 1:00 p.m.

m. That the request to offer health clinic services be located as identified on the lower level, subject to the following additional conditions:

1. The uses may include medical offices, licensed massage, music therapy, acupuncture/pressure, substance abuse and other psychological counseling, psychiatry, and physical therapy.
2. That the hours of the aforementioned clinics may be open to the general public from 6:00 a.m. - 8:00 p.m., Monday through Saturday; and 8:00 a.m. - 8:00 p.m. on Sundays.
3. That the approval of the Director of City Development shall be obtained prior to offering medical services not listed in this condition.
4. That the health clinic services do not include use of the swimming pool.

n. That the request to operate commercial recreation facilities, including the fitness center and swimming pool, Fit for Life program other fitness programs be subject to the following additional conditions and in the area identified on the lower level:

1. That the hours of such facilities may be open to the general

public from 6:00 a.m. - 8:00 p.m. Monday - Saturday, and 8:00 a.m. - 8:00 p.m. on Sunday.

2. That fitness and exercise classes are permitted, including dance, aerobics, pilates, yoga and similar classes.
 3. That recreational sports training, practice, and amateur tournament sessions may be allowed, including gymnastics, boxing, martial arts, swimming, basketball, volleyball, and similar types of sessions. Activities shall occur within the allowed hours inside the complex, without overflow into the parking area.
 4. That no professional or semi-professional sporting events involving ticket sales or entry fees are allowed. This includes boxing matches, cage fighting, mixed martial arts, or similar events.
- o. That a security plan for the building and information addressing safety, loitering, after-hours policies on how minors will be monitored after leaving the center, and any other potential security issues shall be submitted to the Department of City Development for review and approval within 60 days of this approval.
- p. That those improvements as required by above conditions shall be fully implemented by the dates listed. If the applicant or owner fails to implement the required improvements by said dates, 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 improvements.

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.

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 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.

By operating under this conditional use, the applicant and owner give permission to the City to enter upon the property for purpose hereby described.

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

r. That this plan shall be brought back before the Plan Commission within 6 months to monitor the progress and compliance with the listed conditions.

Fiscal Note: N/A

Sponsors: Aron Wisneski

Alderman Weidner requested that item 11-2808 be considered separately.

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

AYES: 14 - Fair, Marcus, Shields, Kaplan, Kaprelian-Becker, DeHahn, Shakoor, II, McCarthy, Wiser, Holding, Wisneski, Morgenroth, Hart and Mozol

NOES: 1 - Weidner

Res.11-2809

Adopt document titled "A Park and Open Space Plan for the City of Racine: 2035".

WHEREAS, the Board of Parks, Recreation and Cultural Services of the City of Racine (the Board) has worked with the Southeastern Wisconsin Regional Planning Commission (SEWRPC) to prepare a plan for the City of Racine that will serve as a park and open space plan for City of Racine, which is articulated in the document titled "A Park And Open Space Plan For The City Of Racine: 2035" (the Plan); an amendment to the document titled "A Comprehensive Plan for the City of Racine: 2035". The Plan containing maps, references and other descriptive materials and information applicable and specific to the City of Racine; and

WHEREAS, under the authority of Section 62.23 of the Wisconsin Statutes, and in accordance with Section 66.1001 of the Wisconsin Statutes, the Plan is intended to assist in promoting environmental stewardship and to assess current and future parks, recreation, and open space needs within the City. To these ends, the Plan provides an inventory of current facilities and programs, status of progress on

the previous park plan, framework for the development of the plan update, and recommendations for implementation of the Plan

WHEREAS, the Board conducted a public input meeting on October 12, 2011 for the purpose of educating the public and solicit public opinion on the Plan. On October 12, 2011 the Board forwarded a recommendation for adoption to the Plan Commission; and

WHEREAS, On October 26, 2011 the Plan Commission received the Plan and directed that prior to its adoption, an ordinance and resolution be prepared, and a public hearing before the Common Council be held.

WHEREAS, the City duly noticed an public hearing before the Common Council for December 6, 2011 following the procedures in Section 66.1001 (4) (d) of the Wisconsin Statutes.

NOW, THEREFORE, BE IT RESOLVED, the Common Council of the City of Racine hereby adopts the plan embodied in the document titled "A Park And Open Space Plan For The City Of Racine: 2035" as a guide to assist in promoting environmental stewardship and to assess current and future parks, recreation, and open space needs within the City; as an amendment to a document titled "A Comprehensive Plan for the City of Racine: 2035."

BE IT FURTHER RESOLVED that the City Clerk is authorized and directed to transmit a certified copy of this resolution to the Racine County Board and the SEWRPC.

Fiscal Note: To be determined

Sponsors: Aron Wisneski

A motion was made Referred to the City Plan Commission

I. Ordinances

ZOrd.7-11

Ordinance adopting a park and open space plan for the City of Racine, Wisconsin

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

SECTION 1. Pursuant to Section 62.23 of the Wisconsin Statutes, the City of Racine is authorized to prepare and adopt a park and open space plan, as a amendment to the City's comprehensive plan as defined in Sections 66.1001(1)(a) and 66.1001(2) of the Wisconsin Statutes; and

SECTION 2. The Board of Parks Recreation and Cultural Services (the Board) worked with the Southeastern Wisconsin Regional Planning Commission to prepare a plan for the City that served as a resource intended to assist in promoting environmental stewardship and to assess current and future parks, recreation, and open space needs within the City, which is articulated in the document titled " A Park And Open Space Plan For The City Of Racine: 2035" (the Plan) ; and

SECTION 3. The Board conducted a public input meeting on October 12, 2011 for the purpose of educating the public and solicit public opinion on the Plan, and on October 12, 2011 the Board forwarded a recommendation for adoption to the Plan Commission; and

SECTION 4. The Plan Commission of the City of Racine, by a majority vote of the entire commission recorded in its official minutes, recommended to the City Common Council approval of a resolution adopting the document titled " A Park And Open Space Plan For The City Of Racine: 2035" ; and

SECTION 5. The Common Council has duly noticed and conducted a public hearing on the Plan, in compliance with the requirements of Section 66.1001(4)(d) of the Wisconsin Statutes.

SECTION 6. The Common Council of the City of Racine, Wisconsin, does, by the enactment of this ordinance, formally adopt the document titled, "A Comprehensive Plan for The City of Racine: 2035," pursuant to Section 62.23 and Section 66.1001(4)(c) of the Wisconsin Statutes, as the City of Racine park and open space plan.

SECTION 7. 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: Aron Wisneski

Referred to City Plan Commission

J. Adjourn

The meeting was adjourned at 9:45 PM by Alderman Shakoor. The next scheduled meeting of the Council is November 15th 2011 at 7:00 PM.

ATTEST: JANICE M. JOHNSON-MARTIN
CITY CLERK