



City of Racine

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

Meeting Minutes - Final Common Council

Mayor John T. Dickert

Alderman Jeff Coe, Alderman Robert Anderson

Alderman Michael Shields, Alderman Jim Kaplan, Alderman David L. Maack

Alderman Sandy Weidner, Alderman Terry McCarthy, Alderman Raymond DeHahn

Alderman Q.A. Shakoor, II, Alderman Aron Wisneski, Alderman Gregory Holding

Alderman James T. Spangenberg, Alderman Ronald D. Hart, Alderman Robert Mozol,

Alderman Kelli Stein

Tuesday, October 6, 2009

7:00 PM

Room 205, City Hall

A. Call To Order

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

EXCUSED: 1 - Anderson

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)

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

D. Public Comments

George Meyers

E. Communications

Refer to Finance and Personnel Committee, by Ald. Spangenberg

[09-4193](#)

Subject: Communication from the Finance Director wishing to meet with the Finance & Personnel Committee to discuss refunding the City's outstanding 2009 Note Anticipation Notes.

Referred to Finance and Personnel Committee

[09-4224](#)

Subject: Communication from the Interim Public Health Administrator requesting permission for the Mayor and City Clerk to enter into a contract agreement and to accept grant funds of \$50,087 from the State of Wisconsin represented by its Division of Public Health of the Department of Health Services. (Grant Control #2009-062)

Referred to Finance and Personnel Committee

- [09-4225](#) **Subject:** Communication from the Interim Public Health Administrator requesting permission for the Mayor and City Clerk to enter into a contract agreement and to accept grant funds of \$32,965 from the State of Wisconsin represented by its Division of Public Health of the Department of Health Services. (Grant Control #2009-063)
Referred to Finance and Personnel Committee
- [09-4226](#) **Subject:** Communication from the Interim Public Health Administrator requesting permission for the Mayor and City Clerk to enter into a fee-for-service contract with the Department of Children and Families, Division of Family and Economic Security for up to \$14,250.
Referred to Finance and Personnel Committee
- [09-4240](#) **Subject:** Communication from the Director of Parks, Recreation & Cultural Services requesting to transfer funds in the amount of \$4,000.00 from various accounts to account # 101.710.5550 to purchase a "Big Belly" solar" trash collector.
Referred to Finance and Personnel Committee
- [09-4243](#) **Subject:** Communication from the Director of Parks, Recreation & Cultural Services requesting to transfer funds to accept the bid for North Beach Lift Station renovation.
Referred to Finance and Personnel Committee
- [09-4245](#) **Subject:** Communication from the Police Chief, requesting authorization to accept a private donation of a 1999 armored car.

(Also refer to the Public Safety & Licensing Committee.)
Referred to Finance and Personnel Committee
Referred to Public Safety and Licensing Committee
- [09-4248](#) **Subject:** A communication from the Fire Chief wishing to discuss transferring funds from Station 7 Roof Replacement to Building Repairs and Upgrades.
Referred to Finance and Personnel Committee
- [09-4251](#) **Subject:** Communication from the Grants Facilitator requesting permission to apply for the Brownfields Job Training Grant (Grant Control No. 2009-066) through the Environmental Protection Agency. The grant is in the amount of \$200,000 over a two year period.
Referred to Finance and Personnel Committee
- [09-4252](#) **Subject:** Communication from the Grants Facilitator requesting

permission to apply for the U.S. Department of Housing and Urban Development 2009 Healthy Homes Demonstration Program (Grant Control No. 2009-065). The grant is in the amount of \$875,000 with a project period of three years.

Referred to Finance and Personnel Committee

[09-4253](#)

Subject: The Director of City Development submitting a communication from the West Racine Business Improvement District #2 for its proposed 2010 Operating Plan and special assessments.

Referred to Finance and Personnel Committee

[09-4254](#)

Subject: The Director of City Development submitting a communication from the Uptown Business Improvement District for its proposed 2010 Operating Plan and special assessments.

Referred to Finance and Personnel Committee

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

[09-4196](#)

Subject: Communication from the Co-Race Director of the Jingle Bell Run for Arthritis Racine 2008 requesting permission to use City right-of-way on Saturday, December 5, 2009.

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

Referred to Public Works and Services Committee

Referred to Board of Park, Recreation and Cultural Services

[09-4198](#)

Subject: Communication from Wesley and Thelma Slater, 1705 Deane Boulevard, requesting their alley, bounded by Deane Boulevard, Quincy Avenue and 17th Street south to dead end, be repaired or repaved.

Referred to Public Works and Services Committee

[09-4256](#)

Subject: Communication from the Director of City Development requesting a revision on the policy on sale of real estate created by Resolution 07-0415.

Referred to Public Works and Services Committee

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

[09-4242](#)

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting to present bids for the North Beach Lift Station.

Referred to Public Safety and Licensing Committee

[09-4244](#)

Subject: Communication from the Police Chief, requesting authorization to enter into a Hold Harmless Agreement with ARB Investments for the use of the building at 1034 West Boulevard.

Referred to Public Safety and Licensing Committee

[09-4249](#)

Subject: Communication from Pepi's Pub and Grill, Joseph L Madison Agent, 618-6th Street for a reserve full "Class B" license.

Referred to the Public Safety and Licensing Committee

Refer to Traffic Commission, by Ald. Holding

[09-3768](#)

Subject: Communication from Toni Hansen, requesting changes in the stop sign location on Bate Street and Ashland Avenue.

Referred to Traffic Commission

[09-4250](#)

Subject: Communication from the Alderman of the 11th District, on behalf of Todd Kramer, 2034 Cleveland, requesting a 4-way stop at 20th Street and Cleveland Avenue.

Referred to Traffic Commission

Refer to Community Development Committee, by Ald. Q. A. Shakoor, II

[09-4255](#)

Subject: Communication from the Assistant Director of City Development requesting the allocation of the Homelessness Prevention and Rapid Re-housing Program (HRPR) grant be reviewed by the Community Development Committee.

Referred to Community Development Committee

F. Committee Reports

Finance and Personnel Committee Report, by Ald. Spangenberg

[09-3428](#)

Subject: (Direct Referral) Communication from the Deputy City Attorney requesting to meet in Closed Session pursuant to s. 19.85(1) (c), to discuss the collective bargaining agreement between the City of Racine and Local 430, AFL-CIO, International Brotherhood of Electrical Workers, for January 1, 2009 through December 31, 2010. (Res.09-1342)

Recommendation of the Finance & Personnel Committee on 04-13-09: Approve the collective bargaining agreement.

Recommendation of the Finance & Personnel Committee on 4-27-09: Approve the collective bargaining agreement.

Recommendation of the Finance & Personnel Committee on**09-21-09:** The item to 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.**[09-3514](#)**Subject:** (Direct Referral) Resolution 09-1342 approving a bargaining agreement between the City and Local 430, AFL-CIO International Brotherhood of Electrical Workers.**Recommendation of the Finance & Personnel Committee on****4-27-09:** Approve the collective bargaining agreement.**Fiscal Note:** Funds are available in the Department of Public Works Electricians and the Water/Wastewater Electrician's budgets.**Recommendation of the Finance & Personnel Committee on****09-21-09:** The item to 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.**[09-4086](#)**Subject:** Interim Public Health Administrator requesting permission to amend the contract with the Wisconsin Division of Public Health, Department of Health Services for the Women, Infants and Children Program. (Res.09-1614)**Recommendation of the Finance & Personnel Committee on****09-21-09:** Permission be granted for the Interim Public Health Administrator to amend the contract agreement with the Wisconsin Division of Public Health, (Grant Control No. 2006-049) Department of Health Services to accept \$20,000 additional funding to be utilized for the Women, Infants and Children Program during the period of January 1, 2009 through December 31, 2009.**Fiscal Note:** No match required on the part of the City.**A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.**[09-4089](#)**Subject:** Communication from the Interim Public Health Administrator requesting permission to apply for funds from the Water Environment Research Foundation. (Res.09-1615)

Recommendation of the Finance & Personnel Committee on

09-21-09: Permission be granted for the Interim Public Health Administrator apply for a grant from the Water Environment Research Foundation, (Grant Control No. 2009-047) in the amount up to \$300,000.

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

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

09-4126

Subject: Communication from the Grants Facilitator requesting permission to apply for the Project Safe Neighborhood 2009 Grant through the Wisconsin Office of Justice Assistance. (Res.09-1624)

Recommendation of the Finance & Personnel Committee on

09-21-09: Permission be granted for the Grants Facilitator apply for the Project Safe Neighborhood 2009 Grant (Grant Control No. 2009-055) in the amount of \$15,000 through the Wisconsin Office of Justice Assistance to be utilized for the Community Re-Entry Program.

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

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

09-4127

Subject: Communication from the Grants Facilitator requesting permission to apply for the Pathways Out of Poverty Program, 2009 Recovery through the Department of Labor. (Res.09-1625)

Recommendation of the Finance & Personnel Committee on

09-21-09: Permission be granted for the Grants Facilitator apply for the Pathways Out of Poverty Program, 2009 Recovery Grant (Grant Control No. 2008-057) in the amount up to \$4,000,000 through the Department of Labor to be utilized for the Green Collar Job Training Program.

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

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

09-4128

Subject: Communication from the Grants Facilitator requesting permission to apply for the Innovative Law Enforcement Program, 2009 JAG - Recovery Act Grant through the Wisconsin Office of Justice Assistance.

Recommendation of the Finance & Personnel Committee on

09-21-09: Item to 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.

09-4129

Subject: (Direct Referral) Communication from the City Attorney submitting the following collective bargaining agreements for consideration and referred to the Finance & Personnel Committee. (Res.09-1626)

Racine Professional Employees Association
Local 67 - DPW/Parks Unit
Local 67 - City Hall Clericals Unit
Local 67 - Police Department Clericals Unit
Local 321 - Firefighters
Fire Department Staff Officers Association
Local 1199 - Health Department Professionals
Local 430 - Electricians

Recommendation of the Committee of the Whole on 09-17-09: the Item be referred to the Finance and Personnel Committee.

Recommendation of the Finance & Personnel Committee on 09-21-09: The collective bargaining agreements for the above units be approved .

Fiscal Note: There are sufficient funds available to cover the terms of the contracts.

Alderman Spangenberg requested that item 09-4129 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: 12 - Coe, Shields, Maack, McCarthy, DeHahn, Shakoor, II, Holding, Wisneski, Spangenberg, Hart, Mozol and Stein

NOES: 1 - Weidner

EXCUSED: 1 - Anderson

ABSTENTIONS: 1 - Kaplan

09-4142

Subject: A Communication from the Director of City Development requesting approval of the Douglas Avenue Business Improvement District's 2010 Operating Plan. (Res.09-1621)

Recommendation of the Finance & Personnel Committee on 09-21-09: Approval of the 2010 Operating Plan and proposed special assessments for the Douglas Avenue Business Improvement District.

Fiscal Note: It is estimated \$68,855.85 will be raised through BID

assessments to be placed into the Douglas Avenue revenue account.

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

09-4147

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting permission to accept a \$400 donation from Mike & Anne Frontier for trees for the City of Racine.

Recommendation of the Finance & Personnel Committee on 09-21-09: Permission be granted for the Director of Parks, Recreation & Cultural Services accept a \$400 donation from Mike & Anne Frontier to be utilized for the purchase of trees for the City of Racine and a letter of thanks be sent.

Fiscal Note: No match required.

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

09-4149

Subject: The Director of City Development requesting permission to apply for a Hazardous Waste and Petroleum Site Assessment Grant. (Res.09-1622)

Recommendation of the Finance & Personnel Committee on 09-21-09: Permission be granted for the Director of City Development to apply for a Hazardous Waste and Petroleum Site Assessment Grant (Grant Control No. 2009-059) in the amount of \$400,000 from the U.S. Environmental Protection Agency.

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

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

09-4150

Subject: The Director of City Development request permission to apply for a Brownsfields Revolving Loan Fund Grant. (Res.09-1623)

Recommendation of the Finance & Personnel Committee on 09-21-09: Permission be granted for the Director of City Development apply for a Brownsfields Revolving Loan Fund Grant (Grant Control No. 2009-50) in the amount up to \$800,000 from the U.S. Environmental Protection Agency.

Fiscal Note: A 20% cost share is required in money or in kind service on the part of the City.

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

[09-4155](#)

Subject: Communication from the Finance Director wishing to submit and review the report on Federal and State Awards for the year ending December 31, 2008.

Recommendation of the Finance & Personnel Committee on 09-21-09: Item to 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.

[09-4194](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations requesting to apply for a Focus on Energy Implementation Grant, Project/Grant #17642/7766, to be utilized to replace metal halide lighting with LED lighting at the Racine Public Library. (Res.09-1616)

Recommendation of the Finance & Personnel Committee on 09-21-09: Permission be granted for the Assistant Commissioner of Public Works/Operations to apply for a Focus on Energy Implementation Grant, Project/Grant #17642/7766, (Grant Control No. 2009-058) in the amount of \$233 to be utilized to replace metal halide lighting with LED lighting at the Racine Public Library.

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

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

Council Action

A motion was made by Alderman James T. Spangenberg that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

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

EXCUSED: 1 - Anderson

Public Works and Services Committee Report, by Ald. Holding

[09-4003](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/ Engineering submitting Change Order No. 1 on Contract 23-09 (K9-024) Basin 17 & 18 Sewer Improvements, Woodland Hills Contractors, contractor. (Res.09-1640)

Recommendation of the Public Works and Services Committee on 8-25-09 and 9-08-09: Defer

Recommendation of the Public Works and Services Committee

on 9-29-09: That Change Order No. 1 on Contract 23-09 (K9-024), Basin 17 & 18 Sewer Improvements, Woodland Hills Contractors, contractor, as submitted, be approved in the deduct amount of \$10,993.35.

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

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

09-4058

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting Amendment No. 1 on Contract 13-09 (K9-013), Professional Services - Library Renovation Design Services, Architectural Associates, Ltd., consultant. (Res.09-1638)

Recommendation of the Public Works and Services Committee

on 8-25-09 and 9-08-09: Defer

Recommendation of the Public Works and Services Committee

on 9-29-09: That Amendment No. 1 to Contract 13-09 (K9-013), Professional Services - Library Renovation Design Services, Architectural Associates, Ltd., consultant, as submitted, be approved in the amount of \$25,620.00.

Further recommends that funding to defray the cost of these professional services be appropriated from Account 255.699.5020, Library-Remodel 2nd Floor.

Fiscal Note: Funds are available as herein delineated.

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

09-4097

Subject: (Direct Referral) Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 10-09 (K9-010), 2009 Sidewalk Construction, Phase I, AZAR LLC, contractor. (Res.09-1636)

Recommendation of the Public Works and Services Committee

on 9-08-09: Defer

Recommendation of the Public Works and Services Committee

on 9-29-09: The work done by AZAR, LLC under Contract 10-09 (K9-010), 2009 Sidewalk Construction, Phase I, be accepted and final payment authorized for a total contract amount of \$148,476.54.

Fiscal Note: Contract was authorized under Resolution No. 09-1314, dated April 8, 2009.

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

[09-4109](#)

Subject: Communication from John Mandujano, Jr. requesting permission to close Main Street and Monument Square for a Halloween event.

Recommendation of the Public Works and Services Committee on 9-29-09: That the communication 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.

[09-4141](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 34-09 (K9-035), Roof Replacement at Tyler-Domer Community Center, The Penebaker Enterprises, LLC, contractor. (Res.09-1637)

Recommendation of the Public Works and Services Committee on 9-29-09: The work done by The Penebaker Enterprises, LLC, under Contract 34-09 (K6-035), Roof Replacement at Tyler-Domer Community Center, be accepted and final payment authorized for a total contract amount of \$46,569.00.

Fiscal Note: Contract was authorized under Resolution No. 09-1406, dated May 19, 2009.

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

[09-4146](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Engineering submitting the 2009 Pavement Management System Summary Report.

Recommendation of the Public Works and Services Committee on 9-29-09: The communication 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.

[09-4152](#)

Subject: Communication from the Director of City Development requesting to repeal the Resolution 08-0839 regarding Adams Outdoor Advertising. (Res.09-1630)

Recommendation of the Public Works and Services Committee on 9-29-09: That Resolution No. 08-0839, of June 3, 2008, be rescinded.

Fiscal Note: Not applicable at this time.

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

09-4153

Subject: (Direct Referral) Communication from the Commissioner of Public Works/City Engineer submitting bid results on Contract 57-09 (K9-058), Sewer Insulation & Repair N. Osborne Blvd. (Res.09-1631)

Recommendation of the Public Works and Services Committee on 9-29-09: That Contract 57-09 (K9-058), Sewer Insulation and Structure Repair-North Osborne Boulevard Ravine, be awarded to Dirty Ducts Cleaning, Environmental and Insulation, Madison, WI, at their bid price of \$46,654.00, they being the lowest responsible bidder.

Further recommends that funding to defray the cost of this public works project be appropriated from Account 287.989.5310, Sanitary Sewer-Variou Locations.

Fiscal Note: Funds are available as herein delineated.

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

09-4154

Subject: (Direct Referral) Communication from the Commissioner of Public Works/City Engineer submitting bid results on Contract 58-09 (K9-059), 2009 LED Street Lights, CDBG-R. (Res.09-1632)

Recommendation of the Public Works and Services Committee on 9-29-09: That Contract 58-09 (K9-059), 2009 LED Street Lights, CDBG-R, be awarded to Ruud Lighting, Inc., Racine, WI, at their bid price of \$227,981.00, they being the lowest responsible bidder.

Further recommends that funding to defray the cost of this public works project be appropriated from 2009 CDBG-R funds.

Fiscal Note: Funds are available as herein delineated.

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

09-4156

Subject: Communication from the Alderman of the 11th District requesting the installation of handicap sidewalk ramps at the corner of Olive and Cleveland to facilitate access to Humble Park.

Recommendation of the Public Works and Services Committee

on 9-29-09: That the request to construct handicap ramps at the intersection of Olive Street and Cleveland Avenue be approved.

Further recommend that the Commissioner of Public Works/City Engineer be authorized and directed to place this work on an appropriate public works contract.

Fiscal Note: This work will be provided for in the 2010 budget.

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

09-4187

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/ Engineering submitting Amendment No. 1 on Contract 41-09 (K9-042), PS - WisDOT Economic Recovery Stage 2 Applications, Nielsen, Madsen & Barber, consultant. (Res.09-1639)

Recommendation of the Public Works and Services Committee

on 9-29-09: That Amendment No. 1 to Contract 41-09 (K9-042), Professional Services - WisDOT Economic Recovery Stage 2 Applications, Nielsen, Madsen & Barber, consultant, as submitted, be approved in the amount of \$4,926.87.

Further recommends that funding to defray the cost of these professional services be appropriated from Account 101.590.5610, Professional Services-Street Lighting.

Fiscal Note: Funds are available as herein delineated.

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

09-4188

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/ Engineering submitting a three-party amendment between the City, State and Bonestroo on State Contract ID: 2290-12-00, State Street, N. Memorial Drive to La Salle Street. (Res.09-1642)

Recommendation of the Public Works and Services Committee

on 9-29-09: That Amendment No. 1 on the three-party contract between the State of Wisconsin, City of Racine and Bonestroo, State Contract ID: 2290-12-00, State Street, N. Memorial Drive to LaSalle Street, be approved in the amount of \$16,613.23, with the City's share being \$3,322.65.

Further recommend that funding to defray the cost of the City's share of these professional services be appropriated from Account

988.908.5040, State Street-N. Memorial Drive to LaSalle Street.

Fiscal Note: Funds are available as herein delineated.

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

09-4189

Subject: (Direct Referral) Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 57-08 (K8-067), Professional Services - Construction Management Services for Sanitary Sewer Lining Basins RR17 & RR18, AECOM, consultant. (Res.09-1635)

Recommendation of the Public Works and Services Committee on 9-29-09: The professional services provided by AECOM Technical Services, Inc. under Contract 57-08 (K8-067), Professional Services - Construction Management Services for Sanitary Sewer Lining Basins RR17 & RR18, be accepted and final payment authorized for a total contract amount of \$54,463.26.

Fiscal Note: Contract was authorized under Resolution No. 08-1136, dated December 2, 2008.

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

09-4200

Subject: (Direct Referral) Communication from the Seventh Street Citizens Advisory Committee submitting recommendations for the intersection design fronting City Hall.

Recommendation of the Public Works and Services Committee on 9-29-09: That the roundabout, as presented for the final intersection design, including the center island wall be approved.

Fiscal Note: Funding for the roundabout is included in the Seventh Street Reconstruction Project.

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

09-4201

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/ Engineering submitting Change Order No. 1 on Contract 24-09 (K9-025), Curb and Gutter Repair, Stark Asphalt, contractor. (Res.09-1641)

Recommendation of the Public Works and Services Committee on 9-29-09: That Change Order No. 1 on Contract 24-09 (K9-025), Curb and Gutter Repair, Stark Asphalt, contractor, be approved in the amount of \$24,410.47.

Further recommends that funding to defray the cost of this change order be appropriated from the following accounts:

\$ 2,000.00 - Account 988.908.5510, New Sidewalks
\$ 1,867.81 - Account 989.908.5510, New Sidewalks
\$ 2,712.00 - Account 989.908.5530, Crosswalk Ramps
\$ 4,607.66 - Account 989.908.5320, Replacement Curb & Gutter
\$13,223.00 - Account 989.908.5310, New Curb & Gutter
\$24,410.47 - Total

Fiscal Note: Funds are available as herein delineated.

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

09-4205

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/ Engineering submitting Amendment No. 2 on Contract 57-08 (K8-067), Professional Services - Construction Management Sanitary Sewer Lining Basins RR17 & RR18, AECOM, consultant. (Res.09-1634)

Recommendation of the Public Works and Services Committee on 9-29-09: That Amendment No. 2 to Contract 57-08 (K8-067), Professional Services - Construction Management Sanitary Sewer Lining Basins RR17 & RR18, AECOM Technical Services, consultant, as submitted, be approved in the amount of \$1,683.26.

Further recommends that funding to defray the cost of these professional services be appropriated from Account 287.989.5310, Sanitary Sewer, Miscellaneous Locations.

Fiscal Note: Funds are available as herein delineated.

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

09-4230

Subject: (Direct Referral) Communication from the Commissioner of Public Works/City Engineer submitting a proposal from AECOM Technical Services, Inc. for Recycling Fee On-Call Services. (Res.09-1633)

Recommendation of the Public Works and Services Committee on 9-29-09: That the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with AECOM Technical Services, Inc. for Recycling fee On-Call Services, at a price not-to-exceed \$25,000.00.

Further recommends that funds to defray the cost of these professional services be appropriated from Account 289.000.5610,

Professional Services.

Fiscal Note: Funds are available as herein delineated.

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

Council Action

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

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

EXCUSED: 1 - Anderson

Public Safety and Licensing Committee Report, by Ald. Wisneski

[09-3870](#)

Subject: (New) Application of Tommy's Den, Tommy Daniels, Agent for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 901 S. Memorial Drive. (3rd District)

Recommendation of the Public Safety and Licensing Committee on 7-27-09: That the application of Tommy's Den, Tommy Daniels, Agent for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 901 S. Memorial Drive be deferred.

Recommendation of the Public Safety and Licensing Committee on 8-10-09: That the application of Tommy's Den, Tommy Daniels, Agent for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 901 S. Memorial Drive be deferred until a business plan and legal information be brought in by Tommy Daniels.

Recommendation of the Public Safety and Licensing Committee on 8-24-09: That the application of Tommy's Den, Tommy Daniels, Agent for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 901 S. Memorial Drive be deferred and the applicant meet with the City Attorney to work on details of camera system and security personnel that will be used.

Recommendation of the Public Safety and Licensing Committee on 9-8-09: That the license be denied due to the fragility of the neighborhood.

Recommendation of the Public Safety and Licensing Committee on 9-21-09: That the request for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for Tommy's Den, 901 S. Memorial Drive be denied due to past violence and fragility of the neighborhood.

Fiscal Note: N/A

Alderman Wisneski requested that item 09-3870 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: 12 - Coe, Maack, Weidner, McCarthy, DeHahn, Shakoor, II, Holding, Wisneski, Spangenberg, Hart, Mozol and Stein

NOES: 2 - Shields and Kaplan

EXCUSED: 1 - Anderson

09-4118

Subject: (New) Application of Chat & Chew, LLC., Dwight Mosby, Agent "Class B" Fermented Malt Beverage & Intoxicating Liquor License for 1846 Mead Street.

Recommendation of the Public Safety and Licensing Committee on 9-21-09: That the request for a "Class B" Fermented Malt Beverage & Intoxicating Liquor License for 1846 Mead Street, be denied due to the fragility of the neighborhood.

Fiscal Note: N/A

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

09-4119

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting to waive formal bidding and allow the Purchasing Agent to negotiate with H K Sports Fields for the renovation of Humble Park Northwest baseball diamond. (Res.09-1627)

Recommendation of the Public Safety and Licensing Committee on 9-21-09: that the formal bidding be waived and to allow the Purchasing Agent to negotiate with H K Sports Fields for the renovation of Humble Park Northwest baseball diamond Park Northwest baseball diamond.

Fiscal Note: Funding is available in CIP account #989-710-5030.

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

09-4120

Subject: Communication from the Police Chief, requesting to apply for and accept the Wisconsin DOT 2010 Alcohol Enforcement Mobilization Grant (Grant Control # 2009-050). (Res.09-1617)

Recommendation of the Public Safety and Licensing Committee

on 09-21-09: Permission be granted for the Police Chief to apply for and accept a \$30,000 Wisconsin Department of Transportation 2010 Alcohol Enforcement Mobilization Grant (Grant Control No. 2009-050) and that the Mayor and City Clerk be authorized and directed to enter into the agreement.

Recommendation of the Finance & Personnel Committee on 09-21-09: Permission be granted for the Police Chief to apply for and accept a \$30,000 Wisconsin Department of Transportation 2010 Alcohol Enforcement Mobilization Grant (Grant Control No. 2009-050) and that the Mayor and City Clerk be authorized and directed to enter into the agreement.

Fiscal Note: There is a 25% soft mach of \$7,500 on the part of the City.

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

[09-4121](#)

Subject: Communication from the Police Chief, requesting to apply for and accept the Wisconsin DOT 2010 Speed Enforcement Mobilization grant (Grant Control # 2009-051). (Res.09-1618)

Recommendation of the Finance & Personnel Committee on 09-21-09: Permission be granted for the Police Chief to apply for and accept a \$25,000 Wisconsin Department of Transportation 2010 Speed Enforcement Mobilization Grant (Grant Control No. 2009-051) and that the Mayor and City Clerk be authorized and directed to enter into the agreement.

Recommendation of the Public Safety and Licensing Committee on 09-21-09: that permission be granted for the Police Chief to apply for and accept a \$25,000 Wisconsin Department of Transportation 2010 Speed Enforcement Mobilization Grant (Grant Control No. 2009-051) and that the Mayor and City Clerk be authorized and directed to enter into the agreement.

Fiscal Note: There is a 25% soft mach of \$6,250 on the part of the City.

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

[09-4122](#)

Subject: Communication from the Police Chief, requesting to apply for and accept the Wisconsin DOT 2010 Pedestrian Safety Enforcement grant (Grant Control # 2009-052). (Res.09-1619)

Recommendation of the Finance & Personnel Committee on 09-21-09: Permission be granted for the Police Chief to apply for and

accept a \$4,000 Wisconsin Department of Transportation 2010 Pedestrian Safety Enforcement Grant (Grant Control No. 2009-052) and that the Mayor and City Clerk be authorized and directed to enter into the agreement.

Recommendation of the Public Safety and Licensing Committee on 09-21-09: That permission be granted for the Police Chief to apply for and accept a \$4,000 Wisconsin Department of Transportation 2010 Pedestrian Safety Enforcement Grant (Grant Control No. 2009-052) and that the Mayor and City Clerk be authorized and directed to enter into the agreement.

Fiscal Note: There is a 25% soft mach of \$1,000 on the part of the City.

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

[09-4123](#)

Subject:Communication from the Police Chief, requesting to apply for and accept the Wisconsin DOT 2010 Bicycle Safety Grant (Grant Control # 2009-053). (Res.09-1620)

Recommendation of the Public Safety and Licensing Committee on 09-21-09: Permission be granted for the Police Chief to apply for and accept a \$4,000 Wisconsin Department of Transportation 2010 Bicycle Safety Grant (Grant Control No. 2009-053) and that the Mayor and City Clerk be authorized and directed to enter into the agreement.

Recommendation of the Finance & Personnel Committee on 09-21-09: Permission be granted for the Police Chief to apply for and accept a \$4,000 Wisconsin Department of Transportation 2010 Bicycle Safety Grant (Grant Control No. 2009-053) and that the Mayor and City Clerk be authorized and directed to enter into the agreement.

Fiscal Note: There is a 25% soft mach of \$1,000 on the part of the City.

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

[09-4140](#)

Subject: (New) Application of Raytown Roadhouse, Inc., Pete Karas, Agent "Class B" Fermented Malt Beverage & Intoxicating Liquor License for 522 Sixth Street. (1st District)

Recommendation of the Public Safety and Licensing Committee on 9-21-09: That the Application of Raytown Roadhouse, Inc., Pete Karas, Agent for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 522 Sixth Street be approved with the following restrictions: a complete menu be submitted to the Clerks

Office, Security will be staffed while entertainment is offered, Daily clean up of a radius around the area will be completed, Digital cameras will be working and on site (Minimum of 4), and the kitchen be open before any sale of alcohol.

Fiscal Note: N/A

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

[09-4176](#)

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting to enter in an agreement with Nielsen Madsen & Barber SC to prepare plans and specifications for a canoe launch at Island Park. (Res.09-1628)

Recommendation of the Public Safety and Licensing Committee on 9-21-09:to enter in an agreement with Nielsen Madsen & Barber SC to prepare plans and specifications for a canoe launch at Island Park.

Fiscal Note: Funds are available in account 101-170-5610 (mostly grants)

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

[09-4192](#)

Subject: (Direct Referral) Application of Park 6, Thomas J. Holmes, Agent, for a Change of Agent for a "Class B" Fermented Malt Beverage and Intoxicating Liquor license for 500 Sixth Street. (1st District)

Recommendation of the Public Safety and Licensing Committee on 9-21-09: That the application of Thomas J. Holmes, Agent, for a Change of Agent for a "Class B" Fermented Malt Beverage and Intoxicating Liquor license for Park 6, 500 Sixth Street be approved.

Fiscal Note: N/A

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

[09-4197](#)

Subject: (NEW) Application of Max's Magic Supermarket, Balwinder Singh, Agent, for a Class "A" Retail Fermented Malt Beverage License for 1007 Washington Avenue. (1st District)

Recommendation of the Public Safety and Licensing on 9-21-09: That the application for a Class"A" Retail Fermented Malt Beverage License for 1007 Washington Avenue be granted with the following stipulations: No individual cans or bottles be sold, Windows be cleared of signage per current building code requirements, and No

advertisement of alcohol beverages be present on the exterior walls or in the windows of the business.

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 Aron Wisneski that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

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

EXCUSED: 1 - Anderson

Traffic Commission Report, by Ald. Holding

[09-4012](#)

Subject: Communication from the Alderman of the 4th District, on behalf of residents in the 800 and 900 blocks of Jackson Street, requesting signage be placed on that street.

Recommendation: Receive and file.

Fiscal Note: N/A

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

[09-4082](#)

Subject: (Direct Referral) Communication from the Alderman of the 11th District, on behalf of RAMAC, asking the City of Racine to improve the safety of the intersection of 5th Street and Wisconsin Avenue.

Recommendation: Receive and file.

Fiscal Note: N/A

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

[09-4148](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Engineering, on behalf of the Alderman of the 4th District, requesting the removal of school signs near the former San Juan Diego Middle School (1101 Douglas Ave).

Recommendation: The request to remove "No stopping, standing or parking from 7:30 A.M. to 5:00 P.M. on any school day except for school buses" at 1101 Douglas Avenue be approved.

Fiscal Note: There is a nominal cost to remove these signs.

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

Council Action

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

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

EXCUSED: 1 - Anderson

Transit and Parking Commission Report, by Ald. DeHahn

[09-3237](#)

Subject: (Direct Referral) Communication from the Alderman of the 7th District wishing to discuss the reimbursement of DART fees from nursing homes.

Recommendation of the Transit and Parking Commission on 2-25-09: Deferred

Recommendation of the Transit and Parking Commission on 3-25-09: Deferred

Recommendation of the Transit and Parking Commission on 4-29-09: Deferred

Recommendation of the Transit and Parking Commission on 5-27-09: Deferred

Recommendation of the Transit and Parking Commission on 6-17-09: Deferred

Recommendation of the Transit and Parking Commission on 7-29-09: Deferred

Recommendation of the Transit and Parking Commission on 9-30-09: Approve a \$15.00 per ticket convenience fee in addition to the \$2.50 fare per trip, effective November 1, 2009.

Fiscal Note: This change will generate additional revenue for the BUS to offset costs of the services.

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

[09-3974](#)

Subject: Communication from the Finance Director wishing to discuss the 2007 and 2008 Financial Statements of the City of Racine Transit

System.

Recommendation: Receive and file.

Fiscal Note: N/A

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

09-4215

Subject: (Direct Referral) Communication from the Executive Director of PTMR, on behalf of SEWRPC staff, requesting the use of the Transit Center on October 27, 2009 from 4:30 P.M. - 6:30 P.M. for a public hearing presenting the initial recommendations of the Racine County Transit Development Plan Advisory Committee.
(Res.09-1645)

Recommendation: Approve the use of the Transit Center by the Racine County Transit Development Plan Advisory Committee for a public hearing on October 27, 2009 subject to a Hold Harmless Agreement and liability insurance requirements.

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 Raymond DeHahn that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

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

EXCUSED: 1 - Anderson

City Plan Commission Report, by Ald. Holding

09-4246

Subject: (Res.09-1602) A resolution to vacate Northwestern Court from Northwestern Avenue to its terminus.

Recommendation of the City Plan Commission on 9-30-09: That the vacation of Northwestern Court from Northwestern Avenue to its terminus is not inconsistent with city plans and programs.

Further, that Resolution 09-1602 be adopted.

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

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

EXCUSED: 1 - Anderson

Redevelopment Authority of the City of Racine Report, by Ald. Spangenberg

[09-4067](#)

Subject: (Direct Referral) Proposal to amend the Redevelopment Plan for State Street Corridor Redevelopment Area Number 4.

Recommendation of the Redevelopment Authority on 9-2-09: That the Council approve the boundary amendment as proposed for State Street Corridor Redevelopment Plan Number 4.

Fiscal Note: N/A

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

[09-4071](#)

Subject: (Direct Referral) Request of the Director of City Development for funding from the Intergovernmental Revenue Sharing Fund to continue the Commercial Façade Grant Program.

Recommendation of the Redevelopment Authority on 9-2-09: That the Council approve \$100,000 in additional funding for the Commercial Façade Grant Program from the Intergovernmental Revenue Sharing Fund.

Fiscal Note: The funds are available in the Intergovernmental Revenue Sharing Fund.

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

Council Action

A motion was made by Alderman James T. Spangenberg that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

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

EXCUSED: 1 - Anderson

Committee of the Whole Report, by Ald. Q. A. Shakoor, II

[09-4190](#)

Subject: (Direct Referral) Communication from the City Attorney requesting to discuss labor negotiation strategy with the Committee of the Whole.

Recommended: that the Item be received and filed.

Fiscal Note: N/A

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

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

EXCUSED: 1 - Anderson

Office of the Mayor Report, by Ald. Q. A. Shakoor, II

[09-4241](#)

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

Reappoint Alderman Ron Hart for a one year term for both WaterWorks Commission and Wastewater Commission expiring October1, 2010

Reappoint Alderman Jim Spangenberg for a one year term for both WaterWorks and wastewater Commission expiring october 1,2010

Reappoint John Engel, 1144 N. Osborne Blvd Racine 53405 for a four year term for both Waterworks and wastewater Commissions expiring October 1,2013.

Reappoint Kathleen DeMatthew, 2908 Chatham Street Racine 53402 for a four year term for both waterworks and wastewater Commission expiring October 1,2013.

Appoint John Dexter, 3417 Douglas Avenue 53402 to the Douglas Avenue Business Improvement District Board to fill the current vacancy with a term ending 12/31/09

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

AYES: 13 - Coe, Kaplan, Maack, Weidner, McCarthy, DeHahn, Shakoor, II, Holding, Wisneski, Spangenberg, Hart, Mozol and Stein

NOES: 1 - Shields

EXCUSED: 1 - Anderson

Water Works Committee Report, by Ald Hart

[09-4171](#)

Subject: Submittal of the Report of the Finance Committee of the Racine Waterworks Commission Regarding Year 2010 Water Utility Operation and Maintenance Budget and the 2010-2014 Capital Improvements Budget Recommending Adoption

Recommendation of the Racine Waterworks Commission of

9-29-09: To adopt. Refer to the Finance and Personnel Committee.
This Communication was Referred to the Finance and Personnel Committee

[09-4172](#)

Subject: Presentation from R. W. Baird on the Status of 2010 Capital Borrowing for the Water Utility

Recommendation of the Racine Waterworks Commission of

9-29-09: To adopt the use of the Traditional Tax-Exempt Borrowing plan. Refer to the Finance and Personnel Committee.

This Communication was Referred to the Finance and Personnel Committee

[09-4229](#)

Subject: Adoption of Ordinance No. 19-09 Referring to Amending Secs. 98-33(a) of the Municipal Code of the City of Racine, Wisconsin Relating to Waterworks Commission by Adding the Following Phrase After the Word "Mayor", in the Second Sentence: "or, in the Mayor's Absence, the City Administrator," . . .

Recommendation of the Waterworks Commission on 9-28-09: To adopt Ordinance No. 19-09

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

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

EXCUSED: 1 - Anderson

Wastewater Commission Report, by Ald Hart

[09-4164](#)

Subject: Submittal of the Report of the Finance Committee of the Racine Wastewater Commission Regarding year 2010 Wastewater Utility Operation and Maintenance Budget and the 2010-2014 Capital Improvements Budget Recommending Adoption

Recommendation of the Racine Wastewater Commission of

9-29-09: To adopt. Refer to the Finance and Personnel Committee.

This Communication was Referred to the Finance and Personnel Committee

City Landmark's Preservation Commission Report, by Ald. Shakoor

[09-4175](#)

Subject: Communication from the Director of City Development requesting permission to apply for a Certified Local Government Historic Preservation Subgrant from the Wisconsin Historic Society to help fund the preparation of a National Register Nomination for the proposed Melvin Avenue Residential Historic District. (Res.09-1643)

Recommendation of the Landmarks Preservation Commission on

9-14-09: That the request be granted.

Fiscal Note: No local match required. Grant Control # 2009-061

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

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

EXCUSED: 1 - Anderson

G. Consent Agenda - Resolutions

[Res.09-1614](#) Permission granted to accept the amended contract agreement with Wisconsin Division of Public Health to accept additional funding for WIC Program

Resolved, that permission be granted for the Interim Public Health Administrator to amend the contract agreement with the Wisconsin Division of Public Health, (Grant Control No. 2006-049) Department of Health Services to accept \$20,000 additional funding to be utilized for the Women, Infants and Children Program during the period of January 1, 2009 through December 31, 2009.

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

Sponsors: James T. Spangenberg

A motion was made by Alderman Shakoor, II that this Resolution be Adopted. The motion was APPROVED by the following Council vote:

[Res.09-1615](#) Permission granted for Interim Public Health Administrator to apply for a grant from Water Environment Research Foundation

Resolved, that permission be granted for the Interim Public Health Administrator to apply for a grant from the Water Environment Research Foundation, (Grant Control No. 2009-047) in the amount up to \$300,000. The grant period is February 1, 2010 through January 31, 2011.

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

Sponsors: James T. Spangenberg

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

[Res.09-1616](#) Permission granted for Assistant Commissioner of Public Works to apply for a Focus on Energy Implementation Grant to replace metal halide lighting at Racine Public Library

Resolved, that permission be granted for the Assistant Commissioner of Public Works/Operations to apply for a Focus on Energy Implementation Grant, Project/Grant #17642/7766, (Grant Control No. 2009-058) in the

amount of \$233 to be utilized to replace metal halide lighting with LED lighting at the Racine Public Library.

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

Sponsors: James T. Spangenberg

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

Res.09-1617

Permission granted to Police Chief to apply for and accept a Wisconsin DOT 2010 Alcohol Enforcement Mobilization Grant

Resolved, that permission be granted for the Police Chief to apply for and accept a \$30,000 Wisconsin Department of Transportation 2010 Alcohol Enforcement Mobilization Grant (Grant Control No. 2009-050) and that the Mayor and City Clerk be authorized and directed to enter into the agreement.

Fiscal Note: There is a 25% soft match of \$7,500 on the part of the City.

Sponsors: James T. Spangenberg and Aron Wisneski

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

Res.09-1618

Permission granted to Police Chief to apply for and accept a Wisconsin DOT 2010 Speed Enforcement Mobilization Grant

Resolved, that permission be granted for the Police Chief to apply for and accept a \$25,000 Wisconsin Department of Transportation 2010 Speed Enforcement Mobilization Grant (Grant Control No. 2009-051) and that the Mayor and City Clerk be authorized and directed to enter into the agreement.

Fiscal Note: There is a 25% soft match of \$6,250 on the part of the City.

Sponsors: James T. Spangenberg and Aron Wisneski

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

Res.09-1619

Permission granted to Police Chief to apply for and accept a Wisconsin DOT 2010 Pedestrian Safety Enforcement Grant

Resolved, that permission be granted for the Police Chief to apply for and accept a \$4,000 Wisconsin Department of Transportation 2010 Pedestrian Safety Enforcement Grant (Grant Control No. 2009-052) and that the Mayor and City Clerk be authorized and directed to enter into the agreement.

Fiscal Note: There is a 25% soft match of \$1,000 on the part of the City.

Sponsors: James T. Spangenberg and Aron Wisneski

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

Res.09-1620

Permission granted to Police Chief to apply for and accept a Wisconsin DOT 2010 Bicycle Safety Grant

Resolved, that permission be granted for the Police Chief to apply for and accept a \$4,000 Wisconsin Department of Transportation 2010 Bicycle Safety Grant (Grant Control No. 2009-053) and that the Mayor and City Clerk be authorized and directed to enter into the agreement.

Fiscal Note: There is a 25% soft match of \$1,000 on the part of the City.

Sponsors: James T. Spangenberg and Aron Wisneski

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

Res.09-1621

2010 Operating Plan for Douglas Avenue Business Improvement District No. 4 be approved

Resolved, that the 2010 Operating Plan for Douglas Avenue Business Improvement District No. 4 be approved, and the Finance Director be authorized and directed to place the special assessments listed in the plan on the property tax bills of the parcels within the District.

Fiscal Note: It is estimated \$68,855.85 will be raised through BID assessments to be placed into the Douglas Avenue revenue account.

Sponsors: James T. Spangenberg

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

Res.09-1622

Permission granted for Director of City Development to apply for Hazardous Waste and Petroleum Site Assessment Grant from the U.S. Environmental Protection Agency

Resolved, that permission be granted for the Director of City Development to apply for a Hazardous Waste and Petroleum Site Assessment Grant (Grant Control No. 2009-059) in the amount of \$400,000 from the U.S. Environmental Protection Agency.

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

Sponsors: James T. Spangenberg

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

Res.09-1623

Permission granted for Director of City Development to apply for

Brownsfields Revolving Loan Fund Grant from the U.S. Environmental Protection Agency

Resolved, that permission be granted for the Director of City Development to apply for a Brownsfields Revolving Loan Fund Grant (Grant Control No. 2009-50) in the amount up to \$800,000 from the U.S. Environmental Protection Agency.

Fiscal Note: A 20% cost share is required in money or in kind service on the part of the City.

Sponsors: James T. Spangenberg

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

[Res.09-1624](#)

Permission granted for Grants Facilitator to apply for Project Safe Neighborhood 2009 Grant through Wisconsin Office of Justice for the Community Re-Entry Program

Resolved, that permission be granted for the Grants Facilitator to apply for the Project Safe Neighborhood 2009 Grant (Grant Control No. 2009-055) in the amount of \$15,000 through the Wisconsin Office of Justice Assistance to be utilized for the Community Re-Entry Program.

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

Sponsors: James T. Spangenberg

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

[Res.09-1625](#)

Permission for Grants Facilitator to apply for Pathways Out of Poverty Program, 2009 Recovery Grant through the Department of Labor for the Green Collar Job Training Program

Resolved, that permission be granted for the Grants Facilitator to apply for the Pathways Out of Poverty Program, 2009 Recovery Grant (Grant Control No. 2008-057) in the amount up to \$4,000,000 through the Department of Labor to be utilized for the Green Collar Job Training Program.

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

Sponsors: James T. Spangenberg

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

[Res.09-1627](#)

Formal bidding procedures be waived and Purchasing Agent be authorized to negotiate with H K Sports Fields for renovation of Humble Park Northwest baseball diamond

Resolved, that formal bidding procedures be waived and that the Purchasing Agent be authorized and directed to negotiate with H K Sports Fields for the renovation of Humble Park Northwest baseball diamond.

Fiscal Note: Funds are available in CIP 989-710-5030 to renovate Humble Park Northwest Baseball Diamond.

Sponsors: Aron Wisneski

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

Res.09-1628

Mayor and City Clerk enter into agreement with Nielsen Madsen & Barber to prepare plans and specifications for a canoe launch at Island Park

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with Nielsen Madsen & Barber SC to prepare plans and specifications for a canoe launch at Island Park.

Fiscal Note: Funds will be available in Account No. 101-170-5610, Professional Services, (mostly grants).

Sponsors: Aron Wisneski

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

Res.09-1629

Preliminary - Ten (10) Year
Benefits and Damages

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

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

All property fronting upon both sides:

PORTLAND CEMENT CONCRETE PAVING

Alden Court from Lathrop Avenue to cul-de-sac
Biscayne Avenue from Sovereign Drive to Southwood Drive
Blaine Avenue from Durand Avenue to Pierce Boulevard
Chatham Street from Barker Street to Kewaunee Street
Chatham Street from William Street to Melvin Avenue
Emstan Hills Road from Victorian Drive to dead end
Emstan Hills Road from Oakwood Drive to Monarch Drive
Fifteenth Street from College Avenue to Wisconsin Avenue
Franklin Street from Thirteenth Street to Twelfth Street
Franklin Street from Eighteenth Street to Seventeenth Street
Harrington Drive from N. Osborne Boulevard to Vista Drive

Liberty Street from Rickeman Court to Forest Street
Monarch Drive from Taylor Avenue to Biscayne Avenue
Murray Avenue from Seventeenth Street to Sixteenth Street
Oakwood Drive from Biscayne Avenue to Emstan Hills Road
Orchard Street from Durand Avenue to Pierce Boulevard
Orchard Street from Twentieth Street to Nineteenth Street
Owen Avenue from Sixteenth Street to 725' north of Sixteenth
Perry Avenue from Byrd Avenue to Sixteenth Street
Pine Ridge Circle from Pine Ridge Lane (N) to Pine Ridge Lane (S)
Pine Ridge Lane from Pine Ridge Circle to Waterbury Lane
Pine Ridge Lane from Waterbury Lane to Chicory Road
Rosalind Avenue from Spruce Street to Knoll Place
Spring Valley Drive from Vista Drive to Frances Drive

CURB AND GUTTER

Alden Court from Lathrop Avenue to cul-de-sac
Biscayne Avenue from Sovereign Drive to Southwood Drive
Emstan Hills Road from Victorian Drive to the dead end
Emstan Hills Road from Oakwood Drive to Monarch Drive
Monarch Drive from Taylor Avenue to Biscayne Avenue
Oakwood Drive from Biscayne Avenue to Emstan Hills Road
Pine Ridge Circle from Pine Ridge Lane (N) to Pine Ridge Lane (S)
Pine Ridge Lane from Pine Ridge Circle to Waterbury Lane
Pine Ridge Lane from Waterbury Lane to Chicory Road

SEWER AND WATER LATERALS

Chatham Street from Barker Street to Kewaunee Street
Emstan Hills Road from Victorian Drive to the dead end
Orchard Street from Durand Avenue to Pierce Boulevard
Orchard Street from Twentieth Street to Nineteenth Street

SANITARY SEWER

Fifteenth Street from College Avenue to Wisconsin Avenue

ALLEYS

Alley bounded by Twentieth Street & Twenty-first Street; Phillips Avenue & S. Memorial Drive

2. Said public improvement shall consist of **PORTLAND CEMENT CONCRETE PAVING, CURB AND GUTTER, SEWER AND WATER LATERALS, SANITARY SEWER AND ALLEYS.**
3. The total amount assessed against such district shall not exceed the total cost of the improvements and the amount assessed against any parcel

shall not be greater than the benefits accruing thereto from said improvements.

4. The assessments against any parcel may be paid in cash or in ten (10) annual installments.
5. The Commissioner of Public Works is directed to prepare a report consisting of:
 - a. Preliminary or final plans and specifications for said improvement.
 - b. An estimate of the entire cost of the proposed work or improvement.
 - c. An estimate, as to each parcel of property within the assessment district, of:
 - (1) The assessment of benefits to be levied.
 - (2) The damages to be awarded for property taken or damaged.
 - (3) The net amount of such benefits over damages or the net amount of such damages over benefits.

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

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

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

Sponsors: Gregory Holding

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

Res.09-1630

Resolution No. 08-0839 be rescinded

Resolved, that Resolution No. 08-0839 of June 3, 2008, regarding agreements with Adams Outdoor Advertising be rescinded.

Fiscal Note: N/A

Sponsors: Gregory Holding

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

Res.09-1631

Contract 57-09 (K9-058), Sewer Insulation and Structure Repair - North

Osborne Boulevard Racine, be awarded to Dirty Ducts Cleaning

Resolved, that Contract 57-09 (K9-058), Sewer Insulation and Structure Repair-North Osborne Boulevard Ravine, be awarded to Dirty Ducts Cleaning, Environmental and Insulation, Madison, WI, at its bid price of \$46,654.00, it being the lowest responsible bidder.

Further resolved, that funding to defray the cost of this public works project be appropriated from Account 287.989.5310, Sanitary Sewer-Variou Locations.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Gregory Holding

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

Res.09-1632

Contract 58-09 (K9-059), 2009 LED Street Lights, CDBG-R, be awarded to Ruud Lighting, Inc.

Resolved, that Contract 58-09 (K9-059), 2009 LED Street Lights, CDBG-R, be awarded to Ruud Lighting, Inc., Racine, WI, at their bid price of \$227,981.00, they being the lowest responsible bidder.

Further resolved, that funding to defray the cost of this public works project be appropriated from 2009 CDBG-R funds.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Gregory Holding

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

Res.09-1633

Mayor and City Clerk be authorized to enter into a professional services agreement with AECOM for Recycling fee On-Call Services

Resolved, that the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with AECOM Technical Services, Inc. for Recycling fee On-Call Services, at a price not-to-exceed \$25,000.00.

Further resolved, that funds to defray the cost of these professional services be appropriated from Account 289.000.5610, Professional Services.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Gregory Holding

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

Res.09-1634

Approval of Amendment No. 2 to Contract 57-08 (K8-067), Professional Services - Construction Management Sanitary Sewer Lining Basins RR17 & RR18, AECOM Technical Services

Resolved, that Amendment No. 2 to Contract 57-08 (K8-067), Professional Services - Construction Management Sanitary Sewer Lining Basins RR17 & RR18, AECOM Technical Services, consultant, as submitted, be approved in the amount of \$1,683.26.

Further resolved, that funding to defray the cost of these professional services be appropriated from Account 287.989.5310, Sanitary Sewer, Miscellaneous Locations.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Gregory Holding

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

Res.09-1635

Professional services provided by AECOM under Contract 57-08 (K8-067), be approved and final payment authorized

Resolved, that the professional services provided by AECOM Technical Services, Inc. under Contract 57-08 (K8-067), Professional Services - Construction Management Services for Sanitary Sewer Lining Basins RR17 & RR18, be accepted and final payment authorized for a total contract amount of \$54,463.26.

Fiscal Note: Contract was authorized under Resolution No. 08-1136, dated December 2, 2008.

Sponsors: Gregory Holding

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

Res.09-1636

Work done by AZAR, LLC under Contract 10-09 (K9-010), 2009 Sidewalk Construction, Phase I, be accepted and final payment authorized

Resolved, that the work done by AZAR, LLC under Contract 10-09 (K9-010), 2009 Sidewalk Construction, Phase I, be accepted and final payment authorized for a total contract amount of \$148,476.54.

Fiscal Note: Contract was authorized under Resolution No. 09-1314, dated April 8, 2009.

Sponsors: Gregory Holding

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

Res.09-1637

Work done by The Penebaker Enterprises, LLC under Contract 34-09 (K6-035), Roof Replacement at Tyler-Domer Community Center, be approved and final payment authorized

Resolved, that the work done by The Penebaker Enterprises, LLC, under Contract 34-09 (K6-035), Roof Replacement at Tyler-Domer Community Center, be accepted and final payment authorized for a total contract amount of \$46,569.00.

Fiscal Note: Contract was authorized under Resolution No. 09-1406, dated May 19, 2009.

Sponsors: Gregory Holding

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

Res.09-1638

Approval of Amendment No. 1 to Contract 13-09 (K9-013), Professional Services - Library Renovation Design Services, Architectural Associates, Ltd

Resolved, that Amendment No. 1 to Contract 13-09 (K9-013), Professional Services - Library Renovation Design Services, Architectural Associates, Ltd., consultant, as submitted, be approved in the amount of \$25,620.00.

Further resolved, that funding to defray the cost of these professional services be appropriated from Account 255.699.5020, Library-Remodel 2nd Floor.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Gregory Holding

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

Res.09-1639

Approval of Amendment No. 1 to Contract 41-09 (K9-042), Professional Services - WisDOT Economic Recovery Stage 2 Applications, Nielsen Madsen & Barber

Resolved, that Amendment No. 1 to Contract 41-09 (K9-042), Professional Services - WisDOT Economic Recovery Stage 2 Applications, Nielsen, Madsen & Barber, consultant, as submitted, be approved in the amount of \$4,926.87.

Further resolved, that funding to defray the cost of these professional services be appropriated from Account 101.590.5610, Professional Services-Street Lighting.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Gregory Holding

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

Res.09-1640

Approval of Change Order No. 1 to Contract 23-09 (K9-024), Basin 17 & 18 Sewer Improvements, Woodland Hills Contractors

Resolved, that Change Order No. 1 on Contract 23-09 (K9-024), Basin 17 & 18 Sewer Improvements, Woodland Hills Contractors, contractor, as submitted, be approved in the deduct amount of \$10,993.35.

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

Sponsors: Gregory Holding

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

Res.09-1641

Approval of Change Order No. 1 to Contract 24-09 (K9-025), Curb and Gutter Repair, Stark Asphalt

Resolved, that Change Order No. 1 on Contract 24-09 (K9-025), Curb and Gutter Repair, Stark Asphalt, contractor, be approved in the amount of \$24,410.47.

Further resolved, that funding to defray the cost of this change order be appropriated from the following accounts:

\$ 2,000.00 - Account 988.908.5510, New Sidewalks
\$ 1,867.81 - Account 989.908.5510, New Sidewalks
\$ 2,712.00 - Account 989.908.5530, Crosswalk Ramps
\$ 4,607.66 - Account 989.908.5320, Replacement Curb & Gutter
\$13,223.00 - Account 989.908.5310, New Curb & Gutter
\$24,410.47 - Total

Fiscal Note: Funds are available as herein delineated.

Sponsors: Gregory Holding

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

Res.09-1642

Approval of Amendment No. 1 on three-party contract with State of Wisconsin, City of Racine and Bonestroo, State Street, N. Memorial Drive and LaSalle Street

Resolved, that Amendment No. 1 on the three-party contract between the State of Wisconsin, City of Racine and Bonestroo, State Contract ID: 2290-12-00, State Street, N. Memorial Drive to LaSalle Street, be approved in the amount of \$16,613.23, with the City's share being

\$3,322.65.

Further resolved, that funding to defray the cost of the City's share of these professional services be appropriated from Account 988.908.5040, State Street-N. Memorial Drive to LaSalle Street.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Gregory Holding

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

Res.09-1643

Permission for Director of City Development to apply for a Certified Local Government Historic Preservation Subgrant from Wisconsin Historical Society

Resolved, that permission be granted to the Director of City Development to apply for a Certified Local Government Historic Preservation Subgrant (Grant Control No. 2009-061) from the Wisconsin Historic Society to help fund the preparation of a National Register Nomination for the proposed Melvin Avenue Residential Historic District.

Fiscal Note: No local match required. Grant Control #2009-061.

Sponsors: Robert Anderson

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

Res.09-1645

Permission granted to Racine County Transit Development Plan Advisory Committee to use Transit Center for a public hearing on October 27, 2009, subject to execution of a Hold Harmless Agreement

Resolved, that permission be granted for the use of the Transit Center by the Racine County Transit Development Plan Advisory Committee for a public hearing on October 27, 2009 from 4:30 p.m. to 6:30 p.m. subject to the execution of a Hold Harmless Agreement and liability insurance requirements.

Fiscal Note: N/A

Sponsors: Raymond DeHahn

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

Council Action

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

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

EXCUSED: 1 - Anderson

H. Resolutions

Res.09-1626 Approval of Collective Bargaining Agreements

Resolved, that the Collective Bargaining Agreements for the following units be approved:

Racine Professional Employees Association
Local 67 - DPW/Parks Unit
Local 67 - City Hall Clericals Unit
Local 67 - Police Department Clericals Unit
Local 321 - Firefighters
Fire Department Staff Officers Association
Local 1199 - Health Department Professionals
Local 430 - Electricians

Fiscal Note: There are sufficient funds available to cover the terms of the contracts.

Sponsors: James T. Spangenberg and Q.A. Shakoor, II

A motion was made by Alderman Shakoor, II that this Resolution be Adopted.

The motion was APPROVED by the following vote:

AYES: 12 - Coe, Shields, Maack, McCarthy, DeHahn, Shakoor, II, Holding, Wisneski, Spangenberg, Hart, Mozol and Stein

NOES: 1 - Weidner

EXCUSED: 1 - Anderson

ABSTENTIONS: 1 - Kaplan

Res.09-1644 For the Common Council of the City of Racine, Wisconsin to register its objection regarding proposed rate increases to the Public Service Commission

Whereas, energy usage is a necessity for modern life, being required for the heating and lighting of houses, heating of water, and cooking of food; and

Whereas, the costs for energy usage are a significant expense for individuals, corporations and municipalities; and

Whereas, due to its position as a provider of a necessary service that charges costs that can significantly impact local economies, the State government allows limited, regional energy monopolies, subject to regulation by the Public Service Commission (PSC); and

Whereas, WE Energies has requested of the PSC a rate increase of 7.4% to cover decreased revenue due to decreased consumer usage of WE Energy

services; and

Whereas, decreased usage of WE Energy services is directly related to the depressed state of the national economy, as indicated in part by the State of Wisconsin's unemployment rate being its highest level in the last 25 years; and

Whereas, responsible citizens who have lost their jobs and others such as Racine unions who have realized no cost of living increases to cover any increases in the cost of energy, have tried to contain their costs by reducing energy usage; and

Whereas, the requested rate increase will impact these citizens directly in their monthly bills and indirectly through increased City annual operational costs of over \$100,000 at a time of decreased State shared revenue; and

Whereas, WE Energies posted a 7% profit in 2008 of \$359.1 Million, while during the pendency of the depressed state of the national economy; and

Whereas, in a July 6, 2009 article in an Internet version of the *Milwaukee Journal Newspaper*, an Analyst surveyed by Bloomberg predicted Wisconsin Energy Corporation will post a 1% growth in profit; and

Whereas, the Public Service Commission will be taking public comments as it considers the rate increase proposal.

Now, therefore, be it resolved, that the Common Council of the City of Racine, Wisconsin, objects to any increase in energy rates for 2010 as long as the state of the national economy is such that responsible citizens are managing their energy costs by decreasing their usage, and should not be penalized therefore by an increase in their rates.

Further resolved, that the City Clerk/Treasurer send a copy of this Resolution to the Public Service Commission.

Fiscal Note: N/A

Sponsors: Terry McCarthy, Robert Anderson, Jeff Coe, Raymond DeHahn, Ronald D. Hart, Gregory Holding, Jim Kaplan, Q.A. Shakoor, II, Kelli Stein, Sandy Weidner, Aron Wisneski, John Dickert and Michael Shields

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

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

EXCUSED: 1 - Anderson

I. Ordinances

Ord.20-09 Ordinance No. 20-09

To amend Sec. 6-97(4) and create Sec. 6-97 (7) of the Municipal Code of the City of Racine, Wisconsin relating to Retail "Class A" intoxicating liquor licenses.

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

Part 1:

Sec. 6-97(4) of the Municipal Code of the City of Racine is hereby amended by deleting the last sentence in the paragraph: "Existing non-conforming licenses are grandfathered in the event of future sales of any such establishment(s)."

Part 2:

Sec. 6-97(7) of the Municipal Code of the City of Racine is hereby created to read as follows:

"(7) Exemptions.

When an establishment with a valid "Class A" or Class "A" license as of June 30, 2009 is thereafter sold, the subsequent buyer shall not be subject to either the quota or geographic restrictions set forth in this ordinance when applying for a new license. New licenses may be granted in such instances, contingent upon surrender of the existing license by the seller and upon the buyer's meeting all other requirements established by the City. An establishment whose license has been non-renewed, revoked or has otherwise expired, does not qualify for this exemption."

Part 3:

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

Passed by the Common Council:

Approved: _____

Mayor

Attest:

City Clerk

Fiscal Note: N/A

Sponsors: Aron Wisneski

Referred to Public Safety and Licensing Committee

J. Miscellaneous Business

K. Adjourn

The meeting was adjourned at 8:15p.m. by Alderman Hart. The next scheduled meeting of the Council is October 20, 2009.

*ATTEST: JANICE M. JOHNSON-MARTIN
CITY CLERK*