



# City of Racine

## Meeting Agenda - Final

### Common Council

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

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

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Tuesday, June 5, 2007

7:00 PM

Room 205, City Hall

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

Presentation of Racine Police Department's Citizen Award for Valor to Ms. Debra Hattix

- E. Communications**

**Refer to Finance and Personnel Committee, by Ald. Friedel**

**07-0658**      **Subject:** communication from the City Attorney submitting the claim of Joel Durfey and Pamela Durfey for consideration.

**07-0659**      **Subject:** communication from the City Attorney submitting the claim of Pedro Jones for consideration.

**07-0661**      **Subject:** communication from the City Attorney submitting the claim of Timothy Hart for consideration.

**07-0665**      **Subject:** A communication from the Public Health Administrator requesting permission to accept funding from the Root-Pike Watershed Initiative Network. (Grant Control #2007-005)

**(Also refer to the Board of Health.)**

**07-0687**      **Subject:** Communication from Police Chief Wahlen, requesting to apply

for the U.S. Department of Justice COPS Secure Our Schools (SOS) 2007 grant (Grant Control #2007-031).

(Also refer to the Public Safety & Licensing Committee.)

07-0688

**Subject:** Communication from Police Chief Wahlen, requesting to apply for the U.S. Department of Justice COPS 2007 Technology ("Tech") Program grant (Grant Control # 2007-032).

(Also refer to Public Safety & Licensing Committee.)

07-0689

**Subject:** Communication from Police Chief Wahlen to apply for, and accept, the State of Wisconsin Office of Justice Assistance Community Re-Entry Program (CRP) grant for Project Safe Neighborhoods Anti-Gang funding (Grant Control # 2007-033).

(Also refer to Public Safety & Licensing Committee.)

07-0691

**Subject:** Communication from Police Chief Wahlen, requesting to apply for the Office of Justice Assistance Gang Resistance Education and Training (G.R.E.A.T.) Grant (Grant Control # 2006-056).

(Also refer to the Public Safety & Licensing Committee.)

07-0697

**Subject:** communication from the City Attorney submitting the claim of Rachel Sanchez for consideration.

07-0706

**Subject:** Communication from the Fire Chief requesting permission to waive formal bidding and authorizing Purchasing Agent to negotiate and reach an agreement with Philips Medical Systems on the leasing of 6 Philips Heartstart MRx Advanced Life Support monitors, and 10 Philips FRx Automated External Defibrillators for the Fire Department. Funding is available in account 101.300.5770.

Refer to Public Safety and Licensing.

07-0707

**Subject:** Communication from the Fire Chief requesting permission to discuss and proceed with Phase I of the Heating and Ventilating System upgrade to Fire Station 8. The Purchasing Agent is included by reference.

Funding is available in account 987.300.5010.

07-0709

**Subject:** communication from the City Attorney requesting funding for the Judgment & Claims Account, 101.990.5910.

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

**07-0628**      **Subject:** Communication from the Commissioner of Public Works/City Engineer recommending that new sidewalk be installed at 2908 Indiana Street and the costs charged to the abutting property owner in accordance with City policy.

**07-0656**      **Subject:** Communication from the West Racine Business and Professional Association requesting permission to use public right-of-way for the Western Days parade on Saturday, July 21, 2007.

**07-0674**      **Subject:** Request from River Bend Lofts, LLC to acquire the air space property interest in the space over the Racine Street right-of-way, pursuant to Wis. Stat. 66.0915(4).

This request is for rights above and beyond those approved under Resolution 06-7197.

**07-0684**      **Subject:** Communication from the Event Chairperson for the Senor de Tlacolula Celebration requesting permission to close city right-of-way on Saturday, September 8, 2007 for a procession.

**07-0700**      **Subject:** Communication from the Commissioner of Public Works/City Engineer requesting to meet with the Finance and Personnel Committee regarding a minor reorganization within the Department of Public Works, Facility Management Division.

**07-0701**      **Subject:** Communication from the Assistant Commissioner of Public Works/Operations submitting a PECFA reimbursement check from the State of Wisconsin, Department of Commerce, on Contract 33-99 (K9-039), 1415 Hampden Place - Environmental Assessment Work.

**07-0705**      **Subject:** Communication from Sean Dunk, 1436 Summit Avenue, requesting interest in purchasing adjoining property owned by the City of Racine.

Also refer to City Plan Commission

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

**07-0622**      **Subject:** The following renewal application(s) for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 2007-2008:

LJF Corporation

3012 Rapids Drive

Luciano Flores, Agent

Demark's Bar and Restaurant, Inc.                      1600 Albert Street  
Sharon A. Burman, Agent

John Erby, LLC.    1111 Washington Ave.  
John Erby, Agent

Jane Depelecyn    1518 Washington Avenue

Derose Bar & Restaurant, LLC                              1444 Blake Avenue  
Sandra J. Barz, Agent

T.B. Hansen's, Inc.    501 Goold Street  
Thomas R. Hansen, Agent

Tango Bar, LLC    509 6th Street  
Alejandro D. Harbatenko, Agent

Restaurant of Racine, Inc.                                      207 Gaslight Circle  
Joseph M. DeRosa

Mike Williams    1403 Superior Street

Derango, LTD.    3840 Douglas Avenue  
Benedetto F. Derango, Agent

Radojko Radicevic    2515 Douglas Avenue

Alejandro Nunez    1240 Washington Avenue

Fraternal Order of Eagles Aerie 281, Inc.                      319 Hamilton Street  
Richard C. Fortier, Agent

Baldolino, LLC    3408 Douglas Avenue  
Tranquilino Benitez, Agent

Double D's Jam, Inc.    1307 Douglas Avenue  
Daniel J. Daams, Agent

DL Inc.    1100 Douglas Avenue  
Darlene Louise Larson, Agent

Infusino Pizzeria & Restaurant, Inc.                      3225 Rapids Drive  
Emilio Infusino, Agent

Infusino Pizzeria & Restaurant Emilio Infusino, Agent	3201 Rapids Drive
Racine Theatre Guild, Inc. Douglas Instenes, Agent	2519 Northwestern Avenue
Joey's on 6th, LLC Joseph G. Legath, Agent <b>(Change in Premise Description)</b>	910 Sixth Street
Joey's on Taylor, LTD Joseph G. Legath, Agent	1863 Taylor Avenue
Rosie H. Carothers	1333 Douglas Avenue
Bucket's Pub, Inc. Charles F. Brandt, Agent	2031 Lathrop Avenue
Hi-O Inc. Michael A. Henes, Agent	1816 Seventeenth Street
Hammes Tavern, LLC Michael J. Hammes, Agent	2005 Taylor Avenue
R. Hoey Enterprises LLC Richard P. Hoey, Agent	1653 Taylor Avenue
El Cotorreo, Inc. Jong Pong Chang, Agent	1224 Sixteenth Street
Harbor Lite Yacht Club, Inc. John Whaley, Agent	559 State Street
Roma Associates of Racine, Inc. Anthony J. Marino, Agent	3701 Durand Avenue
Sunami Cafe, LLC Hae Young Choi, Agent	518 College Avenue
Leonard Hand	835 Washington Avenue
Veteran's Club V.F.W. Post #1391, Inc. Steve Heether, Agent	820 Main Street

Yellow Rose Restaurant Holdings, LLC Scott Sebastian, Agent	340 Main Street
Buona Vita Corporation Achille Cortese, Agent	3701 Durand Avenue
Infusino's All Sports, LLC Egidio Infusino, Agent	3458 Rapids Drive
CBI Of Racine, Inc. Carl Stewart, Agent	1446 Dr. M.L. King, Jr. Dr.
Shillings Pub	611 Wisconsin Avenue
Alice F. Warren	963 Dr. M.L. King, Jr. Dr.
TBG'S, Inc. Chad E. Londre, Agent	1814 Taylor Avenue
Thang D. Pham	3616 Northwestern Ave.
WHG Real Estate South, LLC Timothy Geniesse, Agent	2521 S. Green Bay Road
TLV, Inc. Timothy L. Vite, Agent	2054 Lathorp Avenue
Diana L. Smith-Benson	1019 State Street
Uncorkt LLC Cheryl A. Estes, Agent	211 Sixth Street
Cerafin Davalos	607 Sixth Street
Scott Hansen Kelly G. Hansen, Agent	1301 Washington Avenue
Roger's Place, Inc. Roger Springsteen, Agent	1843 N. Wisconsin Street
Salute, Inc. Gemma De Bartolo-Wells, Agent	314 Main Street
DDM Investments, LLC David Savaglio, Agent	2416 Lathrop Ave.

Slobodan Lazarevic Slobodan Lazerevic, Agent	2002 Erie Street
Casablanca de Mexico, Inc. Blanca L. Webers, Agent	230 Main Street
Max Mueckler	3101 Douglas Avenue
Brucker LTD Justin Coe, Agent <b>(Change in Premise Description)</b>	1921 DeKoven Avenue
Wilbur Jones	501 High Street
Wilbur Jones	515 Sixth Street
Castle Lanes of Southeastern WI, Inc. Phillip G. Ontko, Agent	5615 Castle Court
Corner House, Inc. John G. Kopulos, Agent	1521 Washington Avenue
Pugh, Richard J., Inc. Richard Pugh, Agent	209 Dodge Street
Avarice Enterprises, LLC Zachary Morrow, Agent	1300 Michigan Blvd.
Anchor Inn & Bowling Corporation John Landerman, Agent	3701 Durand Avenue
Hillside Lanes, Inc. Richard Wonders, Agent	1400 Thirteenth Street
Mr. Kool's Sports Bar, LLC James O. Oliver, Sr., Agent	1330 Washington Avenue
RIKA, LLC Richard Shawhan, Agent	2 Christopher Columbus Causeway
Yong Fa Inc. Mei H. Li, Agent	2409 S. Green Bay Road
Juan M. Leon	1501 Prospect Street

Steven L. Matson	107 Fourth Street
WLS Wild Bill, Inc. William Sorenson, Agent	1641 Douglas Avenue
Pub On Wisconsin, Inc. Amy Arendt, Agent	525 Wisconsin Avenue
Daniel Z. Takerian, Inc. Daniel Z. Takerian, Agent	2322 Lathrop Avenue
MPDT, Partnership	303 Dodge Street
Coy & Diane Investments, Inc. Coy Peterson, Agent	5200 Washington Ave.
Coasters of Racine, LTD. Mike Kurhajec, Agent	1301 N. Main Street
Ricky's Place, Inc. Richard Smetana, Agent	236 Main Street
Peg & Lou's Bar and Grill LLC Peggy L. Larson, Agent	3113 Douglas Avenue
Peg & Lou's LLC Randall L. Larson, Agent	5840 Durand Avenue
La Condesa, LLC Margarita Vasquez, Agent	1748 State Street
Robert J. Kohel	2203 DeKoven Avenue
Carol S. Casper	1659 N. Main Street
Lee Allen Gaither	1300 Sixteenth Street
Blue Rock Lounge, LLC Mark R. Thomas, Agent	306 Sixth Street
Dennis Pias	1956 Taylor Avenue
Tommy Daniels	901 S. Memorial Drive



Lush Life, Inc. Jeannie Dillon, Agent	550 State Street
Dino Dominici	1816 Sixteenth Street
Teezers of Racine, Inc. Erin E. Anstett, Agent	1936 Lathrop Avenue
Mario Tovar	1510 Junction Avenue
Catherine R. Kett Catherine R. Kett, Agent	331 Main Street
James J. Graves	223 Gaslight Drive
Rose A. Martinez	1922 Sixteenth Street
Liquid Productions, LLC	961 Dr. M.L. King, Jr. Dr.
Dynasty Co., Inc. Stanley Ginkowski, Agent <b>(Change of Agent)</b>	2427 Lathrop Ave.
N & G, LLC Sam Naimi, Agent	3700 Northwestern Ave.
Rogene Marie Katt	1328 Superior Street
Lone Star Steakhouse & Saloon of WI	5880 Durand Avenue
Morakot Khampane Morakot Khampane, Agent	522 Sixth Street
Jack J. Moreno	3620 Northwestern Ave.
John Patrick McAuliffe	3700 Meachem Road
SDJJ, LLC. John McAuliffe, Agent	213 Sixth Street
Marion Wawiorka	1415 Washington Avenue
Grid Iron, LLC Deborah Delao, Agent	1632 Douglas Avenue



Parit Patel, Agent

Sam's East, Inc.                      6200 Regency West Drive  
Dana Topples, Agent (**CHANGE OF AGENT**)

Sami Ali                                      3322 Sixteenth Street

Dandee Liquor, Inc.                      3700 Meachem Road  
Vishnu Patel, Agent

Younis, LLC                                      1201 S. Memorial Drive  
Younis Abdallah, Agent

Jesus S. Maldonado                      516 High Street  
Yolanda Maldonado

Nagra Pump & Pantry, LLC                      1826 Douglas Ave.  
Sukhwkndar S. Nagra, Agent

Shree Krishna Enterprises, Inc.                      2062 Lathrop Ave.  
Jagdish Patel, Agent

M. Smit N. Corp.                                      918 West Boulevard  
Maheshkumar K. Patel, Agent

Kamaljit K. Dhaliwal                      1917 Sixteenth Street  
Deepinder S. Dhaliwal

Maria C. Davalos                                      1336 State Street

Timer's Of Racine, Inc.                      3800 Northwestern Avenue  
Shawn D. Voss, Agent

Iyad M. Alabed                                      1711 N. Main Street

Karen D. Kong                                      817 S. Main Street

Champion Liquor and Food, LLC                      1629 Douglas Avenue  
Jarnail Singh, Agent

Mega Marts, LLC                                      2406 S. Green Bay Road  
Matthew E. Kaprelian, Agent

Mega Marts, LLC                                      2210 Rapids Drive  
Guy B. Bristow, Agent

C&D Peterson Investments, Inc.      3900 Durand Avenue  
Coy Peterson, Agent

Georgetown Markets, Inc.      3710 Meachem Road  
Edward J. Trudeau, Agent

Akash Food & Liquor      3945 Erie Street  
Parminder K. Kaleka, Agent

Mohammed A. Shehadeh      1949 Racine Street

Aldi, Inc.      3110 Douglas Avenue

07-0625

**Subject:** The following renewal application(s) for a Class "A" Fermented Malt Beverage License for 2007-2008:

Gerardo E. Flores      1775 State Street

Priya, Corporation      3818 Durand Avenue  
Kavita Khullar, Agent

1819 Durand Inc.      1819 Durand Ave.  
Narendra V. Shah, Agent

Douglas Petro, LLC      3357 Douglas Ave.  
Surinder Singh, Agent

Speedway Superamerica, LLC      4630 Washington Ave.  
Vicky Huska, Agent

Skipper Marine Development, Inc.      2 Christopher Columbus  
Causeway  
Deb Hutchison, Agent

Speedway Superamerica, LLC      2110 S. Green Bay Road  
Rachel Sue Wells, Agent

Vishal Roadrunners Express, Inc.      1975 State Street  
Parveen Bhardwaj, Agent

Magic Dollar Super Market, LLC      1007 Washington Avenue  
Hussein M. Asad, Agent

MJ Gas & Food Mart, Inc.      1720 Douglas Avenue  
Jagjit S. Viridi, Agent

Christianos, Inc. Ketan Patel, Agent	2054 Kearney Avenue
Mangat Inc. Jatinder Singh Mangat	2100 N. Main Street
Vincent Esqueda	1105 N. Memorial Drive
Mohinder Singh	1627 Washington Avenue
Max Supermarket, LLC Rajinder Kaur, Agent	1200 Villa Street
Abdallah Batayneh	1600 Dr. M.L. King, Jr. Drive
Dipsha Inc. Tushar Patel, Agent	2056 Taylor Avenue
Midtown Market Singh Manjit, Agent	1229 Eleventh Street
Balwinder Dhillon	1530 Douglas Ave.
Jason & Pardeep, Inc. Rajinder Singh, Agent	5302 Washington Avenue
Himmat Gill, LLC Himmit Gill, Agent	2240 Northwestern Avenue
High Cone, Inc. Usha A. Shah, Agent	704 High Street
Sunny, Inc. Pargat Singh Randhawa, Agent	1511 Sixth Street
Mohammad O. Al-Abed	1559 Taylor Avenue
Jalil Mian	1100 Sixth Street
Lieungh's on Lathrop, LLC Andrea L. Lieungh, Agent	1933 Lathrop Avenue
NYS Aliance Navpreet S. Manhani, Agent	930 Washington Avenue

Open Pantry Food Marts of WI                      3441 Spring Street  
James L. Schutz, Agent

Aziz Abdul    1347 Lathrop Ave.

Gregbros, LLC                                        3701 Durand Avenue  
James Gregory, Agent

Raytown Enterprise, LLC                        2731 Durand Avenue

Lauro Davalos                                        1951 Mead Street

S&S Racine Business Enterprises, LLC        3700 Spring Street  
Chandra Sekhar R. Pula, Agent

**07-0626**

**Subject:** The following renewal application(s) for a Class "B" Fermented Malt Beverage License for 2007-2008:

Racinde Radiers Football Club, Inc.        1648 N. Memorial Drive  
Lawrence Benjamin, Agent

Edward L. Bilotto                                235 Main Street

The Sausage Kitchen, Inc.                      1706 Rapids Drive  
David W. Miller, Agent

Clifford Wolosek                                301 Hamilton Street

Saint John Nepomuk Church                  1923 Green Street  
Terry A. Killberg

Tacos El Rey, Inc.                                2207 Lathrop Ave.  
Sonia Harris, Agent

Cornelio Mora                                      1950 Racine Street  
Paula Mora

Public Golf Associates, LTD                  2801 Twelfth Street  
Scott A. Schuit, Agent

Jose Roman & Jose M. Espinoza              1824 Douglas Avenue

Joseph Hrouda                                    3 Fifth Street

Dragan Sekuloski                                605 Sixth Street







Washington Avenue for their Western Days.

## F. Committee Reports

### Finance and Personnel Committee Report, by Ald. Friedel

#### 07-0439

**Subject:** Communication from the Commissioner of Public Works/City Engineer requesting to appropriate funds to repair the Solid Waste Garage which was damaged in a traffic accident.

**Recommendation:** The bid for the repair of the damage to the Solid Waste Garage caused by an uninsured motorist be awarded to Rossi Construction Co., Inc., Racine, WI, at their price of \$10,559.00.

Further recommend that since this was an unanticipated accident and funding was not provided, that this item be referred to the Finance Committee for funding.

**Recommendation of the Finance & Personnel Committee on 05-21-07:** \$10,559 be transferred from Account 101.990.5970, Contingency to Account 101.410.5670 Solid Waste Garage Repairs & Maintenance.

**Fiscal Note:** There are sufficient funds available for the transfer.

#### 07-0533

**Subject:** Communication from the Commissioner of Public Works/City Engineer submitting Amendment No. 1 to the Janitorial Service Contract.

**Recommendation:** The City of Racine adopt and implement the Green Seal Environmental Standards GS-37 and GS-42 for all departmental purchases and contractual services including private firms managing city facilities.

Further recommends that Amendment No. 1 to the janitorial services contract for the Building Complex Division be approved in the amount of \$8,250.00.

Further recommends that this item be referred to the Finance and Personnel Committee to appropriate the necessary funding.

**Fiscal Note:** The Green Seal Standard provides specifications for the provision of janitorial cleaning products which meet minimum environmental requirements. There are insufficient funds in the existing 2007 budget for the implementation of this standard for the Building Complex Division.

**Recommendation of the Finance & Personnel Committee on**

**05-21-07:** That the beginning of 2008 and/or when each contract is renewed, the City implement the Green Seal Environmental Standards GS-37 and GS-42 for all departmental purchases and contractual services including private firms managing city facilities.

**Fiscal Note:** The additional cost will be considered in the 2008 budget.

**07-0549**

**Subject:** Communication from Barbara Fitzgerald requesting to appear before the Finance & Personnel Committee wishing to discuss her 2006 Personal Property Tax at 406 Main Street, Tax Account No. P00097097.

**Recommendation of the Finance & Personnel Committee on**

**05-21-07:** Permission granted for a settlement payment of \$200 for the 2006 Personal Property Tax at 406 Main Street, Tax Account No. P00097097. \$236.36 be written off against account 101.990.5930 Real Estate and Personal Property Taxes Cancelled and any remaining interests and penalties be waived.

**Fiscal Note:** Sufficient funds are available in account 101.990.5930 Real Estate and Personal Property Taxes Cancelled.

**07-0561**

**Subject:** Communication from the Director of City Development requesting to apply for a Stewardship Program Grant from the Wisconsin Department of Natural Resources (Grant Control No. 2007-026) for the extension of the Lake Michigan Pathway in the Pointe Blue area.

**Recommendation of the Finance & Personnel Committee on**

**05-21-07:** Permission granted for the Director of City Development to apply for a \$200,000 Stewardship Program Grant from the Wisconsin Department of Natural Resources (Grant Control No. 2007-026) to be utilized for the extension of the Lake Michigan Pathway in the Pointe Blue area.

**Fiscal Note:** A 50% hard match is required that will be paid by the Pointe Blue developer.

**07-0570**

**Subject:** Communication from the Narcotics Anonymous group requesting to utilize the Martin Luther King, Jr. and Tyler-Domer Community Centers at a reduced rate for two upcoming events.

**Recommendation of the Finance & Personnel Committee on**

**05-21-07:** Permission granted for the Narcotics Anonymous group allowed to utilize the Martin Luther King Jr. and Tyler-Domer Community

Centers at \$65 per day per event.

**Fiscal Note:** N/A

07-0583

**Subject:** Communication from the City Clerk submitting the bid received for printing the Common Council Proceedings and legal notices.

**Recommendation of the Finance & Personnel Committee on**

**05-21-07:** Racine Journal Times be awarded the bid to publish the Common Council Proceedings and all legal notices for the period of June 1, 2007 through May 31, 2008, they being the only bidder.

**Fiscal Note:** There are sufficient funds available in Account 101.010.5520, City Council Proceedings.

07-0632

**Subject:** Communication from the Finance Director wishing to discuss a transfer of funds to cover the cost of the professional services rendered in the recruitment of a City Administrator.

**Recommendation of the Finance & Personnel Committee on**

**05-21-07:** \$14,500 be transferred from account 101.020.5010, City Administrator Salaries to account 101.020.5610, City Administration Professional Services to be utilized for the cost of professional services rendered in the recruitment of a City Administration.

**Fiscal Note:** There are sufficient funds available for the transfer.

**Public Works and Services Committee Report, by Ald. Hart**

06-2167

**Subject:** Vacation of Reichert Court.

**Recommendation of the Public Works and Services Committee on**

**05-29-2007:** Since public interest requires it, that the following parcel of land, more particularly described as follows, be and hereby is vacated and discontinued:

Reichert Court from Michigan Boulevard to its eastern most terminus.

Further recommends that a preliminary resolution be introduced to the Common Council and referred to the City Plan Commission.

**Fiscal Note:** Not applicable.

**Recommendation of City Plan Commission on 05-30-2007:** That since the public interest requires it and since the proposed vacation is

consistent with adopted city plans and programs, that the following public way, more particularly described as follows, be and hereby is vacated and discontinued:

Reichert Court from Michigan Boulevard to the eastern terminus of Reichert Court.

Further recommends that a resolution be introduced and a public hearing be scheduled pursuant to sec. 66.1003 (4)(b), Wis. Stats.

**Fiscal Note:** N/A

07-0499

**Subject:** Communication from the Commissioner of Public Works/City Engineer recommending that Hillcrest Circle from Wright Avenue to the dead end and Oakdale Avenue from Wright Avenue to Athens Avenue be paved and the costs charged to the abutting property owners.

**Recommendation:** That a preliminary resolution be introduced for the paving of Hillcrest Circle from Wright Avenue to the dead end and Oakdale Avenue from Wright Avenue to Athens Avenue.

**Fiscal Note:** Not applicable at this time. Approval of the preliminary resolution only authorizes the Commissioner of Public Works/City Engineer to conduct a public hearing.

07-0581

**Subject:** Communication from the Commissioner of Public Works/City Engineer submitting Amendment No. 1 on Contract 30-06 (K6-031), Professional Services - Sixth Street Sanitary Sewer, Earth Tech, Inc., consultant.

**Recommendation:** Amendment No. 1 on Contract 30-06 (K6-031), Professional Services - Sixth Street Sanitary Sewer, Earth Tech, Inc., consultant, as submitted, be approved in the not-to-exceed amount of \$8012.00.

Further recommends that funding for this amendment are available in accounts:

\$4006.00 - Account 987.907.5330, Sanitary Sewer Const. - 6th Street.

\$4006.00 - Racine Water Utility.

\$8012.00 - Total

**Fiscal Note:** Funds are available as herein delineated.

07-0586

**Subject:** Communication from James W. Crain, 500 Wolff Street,

requesting to remove northeast corner of Wolff Street and Erie Street section of sidewalk.

**Recommendation:** The property owner of 500 Wolff Street be granted permission to remove the sidewalk abutting their property along North Wisconsin Street.

**Fiscal Note:** The cost of removing the sidewalk will be borne by the property owner.

07-0602

**Subject:** Communication from Harbor Fest, Inc. requesting to close city right-of-way on June 21, 2007 through June 24, 2007 for Harbor Fest.

**Recommendation:** That Harbor Fest, Inc. be granted permission to close Festival Park Drive between 5th Street and 6th Street, and 5th Street between Festival Park Drive and Lake Avenue, for Harbor Fest from 8:00 a.m. on Thursday, June 21, 2007 thru 8:00 a.m. on Monday, June 25, 2007, in accordance with their request.

Further recommends that permission be granted with the following stipulations:

- A. hold harmless agreement be executed.
- B. Liability insurance certificate be filed prior to this event.
- C. Any overtime costs incurred by any City department be charged to the sponsor.
- D. The sponsor shall notify all abutting property owners seventy-two (72) hours in advance of this event.
- E. The sponsor shall pay a \$300.00 special event fee.

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

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

07-0634

**Subject:** Communication from St. Catherine's High School to place planet posters along the Lake Michigan Pathway by Pershing Drive.

**Recommendation:** The communication be received and filed.

**Fiscal Note:** Not applicable.

**07-0635**

**Subject:** Communication from the Assistant Commissioner of Public Works/Operations submitting the request of the Wisconsin Department of Administration to renew the lease of space of at 800 Center Street for the Department of Corrections from January 1, 2008 to December 31, 2012.

**Recommendation:** The Mayor and City Clerk be authorized and directed to renew the lease agreement with the Wisconsin Department of Administration for the Department of Corrections for 5,894 square feet at the City Hall Annex, for the time period of January 1, 2008 to December 31, 2012. The rental rate for 2008 will be \$76,150.48 and will increase in accordance with the consumer price index.

**Fiscal Note:** This lease will generate a total revenue of \$404,293.24.

**07-0653**

**Subject:** Direct Referral. Communication from the Assistant Commissioner of Public Works/Engineering submitting a proposal from Earth Tech, Inc., for Construction Management Services for the sewer lining contract.

**Recommendation:** The Mayor and City Clerk be authorized and directed to enter into an agreement with Earth Tech for Construction Management Services for the 2007 Sewer Lining in the not-to-exceed amount of \$65,963.00.

Further recommends that funds to defray the cost of these Construction Management Services are available in the following accounts:

\$26,226.89 - Account 104.987.5420, Storm Sewer, Misc. Locations  
\$39,736.11 - Account 987.907.5310, Sanitary Sewer, Var. Locations  
\$65,963.00 - Total

**Fiscal Note:** Funds are available as herein delineated.

**07-0670**

**Subject:** Direct Referral. Communication from the Assistant Commissioner of Public Works/Operations submitting Change Order No. 2 to Contract 46-06 (K6-049), City Hall Data Center Improvements, Ricchio, Inc., contractor.

**Recommendation:** Change Order No. 2 on Contract 46-06 (K6-049), City Hall Data Center Improvements, Ricchio, Inc., contractor, as submitted, be approved in the amount of \$8,628.03.

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

\$1,783.95 - Account 985.120.5030, MIS-Communications Room Remodel  
\$6,844.08 - Account 987.100.5030, City Hall-IS Computer Room HVAC  
\$8,628.03 - Total

**Fiscal Note:** Funds are available as herein delineated.

07-0671

**Subject:** Direct Referral. Communication from the Assistant Commissioner of Public Works/Operations submitting Change Order No. 1 to Contract 1-07 (K7-001), City Hall Renovations - Phase I, Seater Construction Co., Inc., contractor.

**Recommendation:** Change Order No. 1 on Contract 1-07 (K7-001), City Hall Renovations - Phase I, Seater Construction Co., Inc., contractor, as submitted, be approved in the amount of \$45,574.00.

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

\$36,252.00 - Account 986.100.5010, City Hall Facility Plan Implementation  
\$ 9,322.00 - Account 985.020.5020, Redundent Email Server & Software  
\$45,574.00 - total

**Fiscal Note:** Funds are available as herein delineated.

07-0672

**Subject:** Item 16 of May 4, 1999, being a communication from a representative of the W.H. Pugh Oil Co. wishing to discuss the purchase of a portion of the Walker property located on the north side of Reichert Court.

**Recommendation:** The communication be received and filed.

**Fiscal Note:** Not applicable.

07-0673

**Subject:** Item 14 of May 2, 2000, being a communication from the 1st Vice-President of Racine Area Veterans, Inc. wishing to discuss the relocation of the Walker Manufacturing World War II Memorial Stone from its present location on Michigan Boulevard.

**Recommendation:** The communication be received and filed.

**Fiscal Note:** Not applicable.

07-0675

**Subject:** Direct Referral. Communication from the Commissioner of

Public Works/City Engineer submitting bids received on Contract 40-07 (K7-046), 2007 Sewer Lining.

**Recommendation:** Contract 40-07 (K7-046), 2007 Sewer Lining, be awarded to Visu-Sewer Clean & Seal, Inc., Pewaukee, WI, at their bid price of \$774,769.25, they being the lowest responsible bidder.

Further recommends that funding to defray the cost of this public works project be appropriated from the following accounts:

\$142,163.80 - Account 104.984.5400, Maiden Lane Detention Pond  
\$148,641.20 - Account 104.987.5420, Storm Sewers, Misc. Locations  
\$483,964.25 - Account 987.907.5310, Sanitary Sewer Construction  
\$774,769.25 - Total

**Fiscal Note:** Funds are available as herein delineated.

### **Public Safety and Licensing Committee Report, by Ald. Shakoor**

#### **07-0508**

**Subject:** Request of the Committee for the appearance of Christopher G. Nikolaus, Jr., regarding his application for an Operator's (Bartender's) License.

#### **Recommendation of the Public Safety & Licensing Committee of 04-23-07:**

That the license be denied.

#### **Recommendation of the Public Safety & Licensing Committee on**

**5-7-07:** That the request of the Committee for the appearance of Christopher G. Nikolaus, Jr., regarding his application for an Operator's (Bartender's) License be denied.

Motion passed by the following voice vote:

Ayes: Maack, Kaplan, Mozol

Noes: Holding

Non-voting - Alderman Q.A. Shakoor

#### **Recommendation of Public Safety and Licensing Committee of**

**5-21-07:** That the license be denied.

**Fiscal Note:** N/A



[07-0528](#)

**Subject: (New)** Application of Robert J. Kohel, Agent, Russ's Tap, for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License, for 2203 DeKoven Avenue. (2nd District)

**Recommendation of the Public Safety & Licensing Committee on**

**5-7-07:** That the application of Robert J. Kohel, Agent, Russ's Tap, for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License, for 2203 DeKoven Avenue be deferred until a solid business plan is submitted.

**Recommendation of Public Safety and Licensing Committee of**

**5-21-07:** That the license be granted.

**Fiscal Note: N/A**

[07-0541](#)

**Subject:** The following renewal application(s) for a Class "B" Retail Fermented Malt Beverage License for 2007-2008:

Mario Espinoza & Patricia Rodriguez                      3700 Durand Avenue  
Mario Espinoza, Agent

**(Changed from "Class C" & Class "B" to Class "B" only)**

Shannon J. Curtin    100 Kewaunee St.

PH Green Bay, LLC    5000 Washington Ave.  
Michael Marcinkus, Agent

**Recommendation of Public Safety and Licensing Committee of**

**5-21-07:** That the license renewals be granted.

**Fiscal Note: N/A**

[07-0557](#)

**Subject:** The following renewal application(s) for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 2007-2008:

George's Tavern of Racine, WI, Inc.                      1201 N. Main St.  
David K. Popoff, Agent

Fides F. Wagner-Richardson                              1102 Mound Avenue  
Fides F. Wagner-Richardson, Agent

6200 West, Inc.    1012 Main Street  
Douglas E. Nicholson, Agent

Redline Tavern Corp. 1200 N. Wisconsin Street  
Connie M. Nau, Agent

Racine Labor Hall, Inc. 2100 Layard Avenue  
Richard K. Fought, Agent

American Legion Post #546 1234 Douglas Ave.  
James Price, Agent

Rojo's Pub, LLC 1317 Yout Street  
Joseph A. Vlasak, Agent

Yardarm Bar & Grill, LTD 920 Erie Street  
Laura Tomasek, Agent

GMRI, Inc. 6000 Durand Avenue  
Jeffery Zimmerman, Agent

Outbreak Billiards Inc. 1717 Douglas Avenue  
Marko Stanosevic, Agent

Racine Art Museum Assoc., Inc. 441 Main Street  
Laura D'Amato

David J. Russell 600 High Street

**Recommendation of Public Safety and Licensing Committee of  
5-21-07:** That the license renewals be granted.

**Fiscal Note: N/A**

[07-0559](#)

**Subject:** The following renewal application(s) for a "Class A" Retail  
Fermented Malt Beverage and Intoxicating Liquor License for 2007-2008:

Vishal Corporation 3015 Rapids Dr.  
Prabodh Gala, Agent

Mitraj, Inc. 3711 Durand Ave.  
Radhhesyam Patel, Agent

Phesal E. Ckadan 1812 Sixteenth Street

**Recommendation of Public Safety and Licensing Committee of  
5-21-07:** That the license renewals be granted.

**Fiscal Note: N/A**[07-0563](#)

**Subject:** The following renewal application(s) for a Class "A" Retail Fermented Malt Beverage License for 2007-2008:

Lee's Deli, Inc.            2615 Washington Ave.  
John P. Henes, Agent

**Recommendation of Public Safety and Licensing Committee of 5-21-07:** That the license renewals be granted.

Fiscal Note: N/A

[07-0567](#)

**Subject: (New)** Application for a Class "B" and "Class C" Wine License for Manuel Salinas, Agent, for 418 Sixth Street. (1st District)

**Recommendation of Public Safety and Licensing Committee of 5-21-07:** That the license be granted pending submittal of the floor plan to the City Clerk's office.

**Fiscal Note: N/A**

[07-0572](#)

**Subject: (New)** Application of Ray Town Enterprises, LLC, Zohaib Mir, Agent, for a Class "A" Retail Fermented Malt Beverage License and Gasoline Station Owner/Managers license for 2731 Durand Avenue. (10th District)

**Recommendation of Public Safety and Licensing Committee of 5-21-07:** That the license be granted.

**Fiscal Note: N/A**

[07-0582](#)

**Subject: (NEW)** Application of Belle City Discount for a Secondhand Jewelry Dealer, and Secondhand Article Dealer's license for 2501 Douglas Avenue (5th District)

**Recommendation of Public Safety and Licensing Committee of 5-21-07:** That the license be granted.

**Fiscal Note: N/A**

[07-0585](#)

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



101.300.5670, Building maintenance Account to be utilized for repairs to Fire Stations 7 and 8.

**Fiscal Note:** There are sufficient funds available for the transfer.

07-0618

**Subject:** Communication from Wayne Clingman wishing to discuss the renewal of the liquor license at Neighborhood Pantry, 1511 West Sixth St.

**Recommendation of Public Safety and Licensing Committee of 5-21-07:** That the neighbors and the business owner meet with the Sustainable Neighborhood Listening Committee on May 31, 2007, and come up with a resolution to the problems and the item come back before the Public Safety & Licensing Committee with the results.

**Fiscal Note:** N/A

07-0619

**Subject: (Direct Referral)** Communicaton from the Purchasing Agent submitting the monthly report for the sale of abandoned vehicles for May 11, 2007.

**Recommendation of Public Safety and Licensing Committee of 5-21-07:** That the item be received and filed.

**Fiscal Note:** This will generate \$10, 648.00 in revenues.

07-0629

**Subject: (Direct Referral):** Final payment for engineering services for preparing plans and specifications for HVAC Upgrades at Dr. Bryant Community Center by Southport Consulting.

**Recommendation of Public Safety and Licensing Committee of 5-21-07:** That the engineering services for preparing plans and specifications for HVAC Upgrades at Dr. Bryant Community Center by Southport Consulting be accepted and final payment be authorized.

**Fiscal Note:** This will generate \$1,500.00 in revenues.

07-0652

**Subject:** (Direct Referral) Application of Kenny's on Main, LLC, Kenneth Meyer, Agent for a "Class B" Retail Fermented Malt beverage and intoxicating Liquor License at 1300 N. Main St. (4th District)

**Recommendation of Public Safety and Licensing Committee of**

**5-21-07:** That the license be granted.

**Fiscal Note:** N/A

**Traffic Commission Report, by Ald. Hart**

**06-2918**

**Subject:** (Direct Referral) Communication from the Alderman of the 5th District, on behalf of Dan Malnar, 1922 Geneva St, requesting the City enact an ordinance which would require school buses to use their stop signs when picking up and dropping off students.

**Recommendation:** Receive and file.

**Fiscal Note:** N/A

**07-0514**

**Subject:** Communication from the Alderman of the 11th District requesting installation of a stop sign at Biscayne and Monarch.

**Recommendation:** Receive and file.

**Fiscal Note:** N/A

**07-0527**

**Subject:** School crossing guard locations for the 2007 summer school session.

M.L. King and West  
Arthur and Kinzie  
17th and Grange  
Bate and Taylor  
LaSalle and Romayne  
21st and Kentucky  
16th and Grange  
17th and Taylor  
Blue River and Lathrop  
Arthur and Washington  
Kinzie and Osbourne  
Goold and LaSalle  
Graceland and Ohio  
17th and West  
Drexel and Durand  
6th and Howland  
Blue River and Kentucky  
Arthur and Osbourne  
Kewaunee and Main St

**Recommendation:** Approve crossing guard locations for the 2007 summer school session with the addition of Kewaunee and Main St.

**Fiscal Note:** Estimated salary cost is \$18,000 with funding available in Account 101.310.502, Police - Other Salaries.

07-0650

**Subject:** Communication from the Higher Ground Ministries, 1330 Martin Luther King Drive, requesting a "Reserved Parking" sign be placed on Martin Luther King Drive or Albert Street for their pastor.

**Recommendation:** Receive and file.

**Fiscal Note:** N/A

**Transit and Parking Commission Report, by Ald. DeHahn**

07-0115

**Subject:** Communication from Lori Jaime, General Manager of Radisson Inn Harbourwalk wishing to discuss the Radisson parking supplement.

**Recommendation:** The gate rate at the Gaslight Ramp be raised from \$1.25 to \$1.50 to match the other parking ramp rates and that the Radisson Inn Harbourwalk no longer be billed for parking surcharges, effective on June 11, 2007.

Also recommend that Resolution No. 07-0203 of May 1, 2007, be amended by changing the effective date to read June 11, 2007, and as amended be adopted.

**Fiscal Note:** The Parking System will see no immediate change in revenue from this action.

07-0529

**Subject:** Communication from the Transit Planner submitting a draft policy establishing guidelines for the use of the Racine Railroad Depot by organizations or individuals for fund raising events or meetings.

**Recommendation:** Policy be adopted.

**Fiscal Note:** N/A

07-0726

**Subject:** Gate rate at the Gaslight Ramp be raised from \$1.25 to \$1.50 to match the other parking ramp rates, and that the Radisson Inn Harbourwalk no longer be billed for parking surcharges, effective on June 11, 2007.

**Recommendation:** Resolution 07-0203 of May 1, 2007, be amended by

changing the effective date to read June 11, 2007, and as amended be adopted.

**Fiscal Note:** The Parking System will see no immediate change in revenue from this action.

07-0540

**Subject:** Communication from James Oliver, owner of Mr. Kool's Sports Bar, requesting permission to rent 14 parking spaces 24/7 in Uptown Lot # 5 - 1300 Washington Avenue.

**Recommendation:** Permission to rent 14 parking spaces in Uptown Lot # 5 - 1300 Washington Avenue - "Reserved Parking 6 P.M. to 2 A.M. Only" seven days per week, at a rate of \$29 per space per month.

**Fiscal Note:** The rental will generate \$406 per month for the Parking System and not impact the existing "No Parking 2 A.M. to 6 A.M." safety restriction.

07-0566

**Subject:** Communication from the Transit Planner submitting the April 2007 operating and financial report for the Wisconsin Coach Lines Kenosha-Racine-Milwaukee intercity bus service.

**Recommendation:** Receive and file.

**Fiscal Note:** N/A

07-0609

**Subject:** Communication from the Transit Planner wishing to discuss an amendment to the 2006 State assistance contract for the Belle Urban System.

**Recommendation:** The Mayor and City Clerk be authorized and directed to execute the amendment to the 2006 State assistance contract for the Belle Urban System.

**Fiscal Note:** The amendment will correct a mistake in the original agreement and provide approximately \$41,000 in additional State payments for the 2006 calendar year.

07-0610

**Subject:** Communication from the Transit Planner wishing to discuss an amendment to the 2006 State assistance contract for the pass-through of State funds to Wisconsin Coach Lines, Inc., for the Kenosha-Racine-Milwaukee intercity bus service.

**Recommendation:** The Mayor and City Clerk be authorized and directed to execute the amendment to the 2006 State assistance contract for pass



through funds to Wisconsin Coach Lines for the Kenosha-Racine-Milwaukee intercity bus service.

**Fiscal Note:** The amendment will correct a mistake in the original agreement and provide approximately \$7,500 in additional State payments for the 2006 calendar year.

07-0611

**Subject:** Communication from Sam Azarian Jr. wishing to discuss purchasing the Marquette Street municipal parking lot.

**Recommendation:** The Marquette Street municipal parking lot be sold to Sam Azarian Jr. for a cost of \$1 contingent upon the upgrade of fencing and landscape, and the separation of lighting circuits.

Also recommended this item be **referred to the City Plan Commission**.

**Fiscal Note:** The sale will generate \$1 to the Parking System.

07-0621

**Subject:** (Direct Referral) Communication from the Transit Planner wishing to discuss an amendment to the 2001 State capital assistance contract for the Belle Urban System.

**Recommendation:** The Mayor and City Clerk be authorized and directed to execute the amendment to the 2001 State capital assistance contract for the Belle Urban System.

**Fiscal Note:** The amendment will provide an additional \$60,000 previously promised to the Belle Urban System from older Federal grants, for the use in finalizing the engine overhaul contract.

07-0663

**Subject:** (Direct Referral) Communication from the Transit Planner wishing to discuss replacement of the fuel management system at the Belle Urban System.

**Recommendation:** The Purchasing Agent be directed to advertise for and receive bids for the replacement of the fuel management system at the Belle Urban System.

**Fiscal Note:** Funds are available in the 2005 Capital Improvement Program (20%) and Federal Transit Administration grant WI-03-0091 (80%) to pay for the project, estimated to cost \$45,000.

07-0664

**Subject:** (Direct Referral) Communication from the Transit Planner wishing to discuss replacement of the bus interior cleaning system at the Belle Urban System.

**Recommendation:** The Purchasing Agent be directed to advertise for and receive bids for the replacement of the bus interior cleaning system at the Belle Urban System.

**Fiscal Note:** Funds are available in the 2005 Capital Improvement Program (20%) and federal Transit Administration grant WI-03-0091 (80%) to pay for the project, estimated to cost \$90,000.

07-0666

**Subject:** (Direct Referral) Communication from the Transit Planner wishing to discuss the expansion of the Belle Urban System administrative offices.

**Recommendation:** The Commissioner of Public Works be authorized and directed to advertise for and receive bids for the expansion of the Belle Urban System administrative offices, subject to authorization from the State of Wisconsin, Department of Transportation, for federal funding for the construction.

**Fiscal Note:** Local funding is available in several Racine Capital Improvement programs and pending Federal Grants, subject to WISDOT approval, to pay for the project, estimated to cost \$500,000.

07-0668

**Subject:** (Direct Referral) Communication from the Transit Planner wishing to discuss a marketing plan for 2007 and the execution of an agreement with Versant, Inc. to develop advertising materials for the Belle Urban System.

**Recommendation:** The Mayor and City Clerk be authorized and directed to execute the agreement with Versant, Inc. for a 2007 marketing plan for the Belle Urban System budget, and 80% of which will be reimbursed by the Federal Transit Administration.

**Fiscal Note:** The cost of the marketing plan will be \$36,000, funds for which are included in the 2007 Belle Urban System budget, and 80% of which will be reimbursed by the Federal Transit Administration.

07-0680

**Subject:** (Direct Referral) Communication from the Transit Planner submitting the 2007 State Urban Mass Transit Operating Assistance contract for 2007 between WISDOT and the City of Racine, for Wisconsin Coach Lines, Kenosha-Racine-Milwaukee intercity bus service funding.

**Recommendation:** The Mayor and City Clerk be authorized and directed to execute the 2007 State Urban Mass Transit Operating Assistance contract for Wisconsin Coach Lines, Kenosha-Racine-Milwaukee intercity

bus service funding.

**Fiscal Note:** No City funding is involved.

07-0682

**Subject:** (Direct Referral) Communication from the Transit Planner submitting the 2007 State Urban Mass Transit Operating Assistance contract for 2007 between WISDOT and the City of Racine, for Belle Urban System funding.

**Recommendation:** The Mayor and City Clerk be authorized and directed to execute the 2007 State Urban Mass Transit Operating Assistance contract for the Belle Urban System.

**Fiscal Note:** The contract will provide the Belle Urban System with \$1,753,243 in State operating funds for the Belle Urban System.

**City Plan Commission Report, by Ald. Holding**

06-1521

**Subject:** Direct Referral. Consideration of a request by Ignacio Castaneda seeking a conditional use permit to operate an auto repair facility at 1440 West Street.

**Recommendation of City Plan Commission on 4-12-06:** Deferred.

**Recommendation of City Plan Commission on 5-9-07:** Deferred.

**Recommendation of City Plan Commission on 5-30-07:** That the request by Ignacio Castaneda seeking a conditional use permit to operate an auto repair facility at 1440 West Street be approved, subject to the following conditions:

- a. That the plans stamped "Received January 20, 2006" and presented to the Plan Commission on May 30, 2007 are approved, subject to the conditions contained herein.
- b. That this conditional use permit shall be reviewed by the Plan Commission on November 14, 2007 to determine the level of compliance with the conditions of approval, and the appropriate Plan Commission response to the conduct of the operation.
- c. That by August 1, 2007 the following maintenance, repairs, clean up and improvements shall be accomplished:
  1. Repair, straighten or replace damaged fence sections on north and east sides of property.
  2. Replace missing privacy slats in gates, and install privacy

- slats in the northern fence. All privacy slats are to be a uniform color.
3. Trim fence posts to a uniform height extending no greater than one foot above the fence panels.
  4. Paint the building and south fencing post in a uniform color scheme in colors which have first been submitted to the Director of City Development for a determination of their appropriateness.
  5. Pave damaged or unpaved portions of the parking lot.
  6. Remove all unlicensed or inoperable vehicles from outside storage on the property unless they are awaiting repair. All vehicle storage shall be contained on site.
  7. Remove all junked vehicles, vehicle parts, equipment and materials from outside storage.
  8. Remove all assorted debris and junk from the property.
  9. Install clear/transparent windows in all window openings facing West St.
- d. That there shall be no vehicle sales or salvage at this location.
- e. That all vehicles awaiting repairs, and tow trucks shall be stored on the subject property within the fenced area. Vehicles awaiting repairs, or those vehicles which have been repaired shall not be stored on the property for more than 20 days.
- f. That all vehicle repair shall be conducted indoors.
- g. That there shall be no vehicle preparation or painting conducted outdoors, and any preparation or painting of vehicles indoors shall be conducted in compliance with all appropriate codes and ordinances and that all required permits acquired.
- h. That off street parking areas shall be provided for all customer and employee vehicles. Parking spaces shall be striped.
- i. That there shall be no outside storage of junked vehicles, vehicles parts and accessories, and equipment.
- j. That all trash and recyclables shall be stored in closed containers and screened from view.
- k. That the maximum hours of operation shall be from 8:00 a.m. to 8:00 p.m. Monday through Saturday with no hours on Sunday.
- l. That all signs be submitted to the Director of City Development for

review and approval.

m. That no pennants, banners, streamers, temporary signs be displayed at this location.

n. That all applicable codes and ordinances be complied with and required permits acquired, and that an occupancy permit be requested from the Building Inspection Department prior to operation of the business.

o. 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.

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

**Fiscal Note:** N/A

07-0558

**Subject:** (Direct Referral) Request by John and Denise Helm for a conditional use permit to operate a carryout restaurant at 803-16th Street.

**Recommendation of the City Plan Commission on 5-9-07:** That the item be deferred.

**Recommendation of the City Plan Commission on 5-30-07:** That the item be received and filed.

07-0676

**Subject:** (Direct Referral) Request from Bhupendra and Parit Patel seeking consideration of an amendment to a gas station conditional use permit to construct a convenience store at 1616 Durand Avenue.

**Recommendation of the City Plan Commission on 5-30-07:** That the plans submitted by Bhupendra and Parit Patel seeking an amendment to a gas station conditional use permit to construct a convenience store at 1616 Durand Avenue be approved, subject to the following conditions:

a. That the plans stamped "Received May 4, 2007" and presented to the Plan Commission on May 30, 2007 be approved subject to the conditions contained herein.

b. That all applicable permits shall be obtained from the Building Inspection Department.

c. That the hours of operation be 5:00 a.m. to 11:00 p.m. daily.

d. That the following shall be submitted to the Director of City Development for review and approval prior to the issuance of a building permit.

1. Landscape plan: At a minimum, the landscape plan provide for the following: six-foot deep planting beds along Durand Avenue, Memorial Drive and Hamilton Avenue where no driveway is to be located. Landscaping shall be provided for along the north lot line. Said plan shall indicate the size and species of planting.
2. Dumpster screening plan: The dumpster shall be located on the east side of the building and enclosed within a six foot gated enclosure.
3. Facilities maintenance plan: All facilities shall be maintained on a daily basis in a professional manner. Facilities shall be defined as, but not limited to, landscaping, signage, lighting, building, and grounds.
4. Signage plan: The signage plan shall illustrate the elimination of the existing pole sign on the south east corner and the addition of a new monument sign. Said monument sign shall be professionally made, not contained within the vision triangle, compliment the architecture and color scheme of the building, and comply with zoning ordinance requirements. No signage shall be permitted on the canopy or at the fuel pumps.
5. Exterior lighting plan: The plan shall incorporate the refitting of the canopy with recessed flush mounted light fixtures that produce no side-casting of light.
6. Site plan: The site plan shall show only one driveway giving access to Memorial Drive and one driveway access to Hamilton Street with each drive being placed as far north on the property as possible. There shall be no driveway access to Durand Avenue. Curbing be installed wherever there is a drive area adjacent to a sidewalk. Curbing shall be installed at all closed driveway locations.
7. Building materials and colors samples: Building, canopy and canopy columns shall be in a color complementary to each other.

- e. That landscaping shall be installed and approved prior to the issuance of an occupancy permit. If an occupancy permit is requested prior to the installation of landscaping, then a letter of credit equal to the value of said landscape plan shall be submitted for review and approval by the Director of City Development prior to the issuance of an occupancy permit.
- f. That there shall be no outside storage, display or sale of products.
- g. That all driveway relocations, closures, and alterations be approved by the Commissioner of Public Works.
- h. That parking areas are to be paved with either concrete or asphalt, and striped.
- i. That all codes and ordinances be complied with and required permits acquired.
- j. 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.
- k. That this permit is subject to Plan Commission review for compliance with the listed conditions.

**Fiscal Note:** N/A

07-0677

**Subject:** (Direct Referral) Request from Mike Glasheen, City of Racine Transportation Planner, seeking an amendment to a conditional use permit to construct an office at the BUS facilities at 1824 Kentucky Street.

**Recommendation of City Plan Commission on 5-30-07:**

- a. That the plans stamped "Received May 10, 2007" and presented to the Plan Commission on May 30, 2007 be approved, subject to the conditions contained herein.
- b. That all applicable permits shall be obtained from the Building Inspection Department.
- c. That landscaping shall be installed and approved prior to the issuance of an occupancy permit. If an occupancy permit is requested prior to the installation of landscaping, then a letter of credit equal to the value of said landscape plan shall be submitted for review and approval by the Director of City Development prior to the issuance of an occupancy permit.

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

e. 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.

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

**Fiscal Note:** N/A

07-0678

**Subject:** (Direct Referral) Request from Ms. Harinder Kaur and Devendar Sing of Nagra Inc., seeking to rezone the property at 1813 Taylor Avenue to expand their convenience store.

**Recommendation of City Plan Commission on 5-30-07:** That the item be received and filed.

**Fiscal Note:** N/A

07-0683

**Subject:** (Direct Referral) Request seeking a minor amendment to a conditional use permit to the property at 1813 Taylor Avenue to expand their convenience store.

**Recommendation of City Plan Commission on 5-30-07:** That the plans submitted by Harinder Kaur and Devendar Sing of Nagra, Inc. seeking a minor amendment to a conditional use permit for the property at 1813 Taylor Avenue to expand their convenience store be approved, subject to the following conditions:

a. That the plans stamped "Received May 16, 2007" and presented to the Plan Commission on May 30, 2007 be approved subject to the conditions contained herein.

b. That all applicable permits shall be obtained from the Building Inspection Department.

c. That prior to the issuance of a building permit, all landscaping shall be installed in compliance with the approved plan.

d. That prior to the issuance of a building permit, a facilities maintenance plan be submitted for the review and approval of the Director of City



Development. All facilities shall be maintained on a daily basis in a professional manner. Facilities shall be defined as, but not limited to, landscaping, signage, lighting, building, and grounds.

e. That the building addition shall match the existing building in color and materials.

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

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.

i. That all other conditions of approval as contained in Common Council Resolution No. 6476 of May 3, 2005 be complied with unless modified herein.

**Fiscal Note:** N/A

07-0702

**Subject:** Res.06-6925

CONDITIONAL USE PERMIT FOR IGNACIO CASTANEDA AT 1440 WEST STREET

**Recommendation of City Plan Commission on 5-30-07:** That the item be received and filed.

**Sustainable Neighborhood Listening Committee Report, by Ald. Karas**

07-0414

**Subject:** Communication from Victor and Tammy Mateo, 1654 Morton Avenue, regarding trucks and crime in their neighborhood.

**Recommendation of the Public Works and Services Committee:** The communication be received and filed.

Further recommend that the Commissioner of Public Works send a communication to Superior Industrial Coatings informing them that their trucks are causing damage to the driveway and sidewalk and requesting that they take action to prevent trucks from damaging the described areas.

**Fiscal Note:** Not applicable at this time.

**Recommendation of the Sustainable Neighborhood Listening Committee on 4-26-07:** To defer.

**Recommendation of the Sustainable Neighborhood Listening Committee on 5-17-07:**

**Recommendation of the Sustainable Neighborhood Listening Committee on 5-31-07:** That this item be received and filed.

**Fiscal Note:** N/A

### **City Attorney's Office Report, by Ald Spangenberg**

**07-0100**

**Subject:** Request of the Committee for the appearance of The Drink, Michael Mlsna, Agent, 961 Dr. M. L. King Jr. Drive, for an incident that appeared on the December, 2006 Tavern Compliance Checks Report.

**Recommendation of the Public Safety & Licensing Committee of 02-12-07:** That the item be referred to the City Attorney's Office for possible resolution.

**Recommendation of the City Attorney:** the Item be Received and Filed.

**Fiscal Note:** N/A

### **Water Works Committee Report, by Ald Hart**

**07-0647**

**Subject:** (Direct Referral) Communication from the General Manager regarding a request from the developer of Pointe Blue for a temporary limited easement

**Recommendation of the Waterworks Commission on May 29, 2007:** The easement request be adopted and a resolution created.

### **Cemetery Commission Report, by Ald Weidner**

**07-0463**

**Subject:** Cemetery Audit is now complete and will be presented to the Board of Cemetery Commissioners for review.

**Recommendation:**

04/16/2007 - The Mayor will be calling a meeting of the whole to discuss the Audit.

**Recommendation of the Board of Cemetery Commissioners**

**5-21-07:** That a joint meeting be held between the Committee of the Whole and Cemetery Commission.

**07-0616**

**Subject:** Communication from the Washington Park High School Pom-Pon Squad requesting permission to use the parking lot at the northeast corner of Washington Avenue and West Boulevard for a car wash fund raiser. (Also refer to Cemetery Commission)

**Recommendation of the Board of Cemetery Commissioners**

**5-21-07:** that the request be denied.

**Recommendation of the Transit & Parking Commission 5-21-07:** The Washington Park High School Pom-Pon Squad be allowed to use the northeast corner of Washington Avenue and West Boulevard for a car wash fund raiser July 13 & 14, July 27 & 28, August 3 & 4, and August 24 & 25, 2007, at a cost of \$27 per weekend.

**Fiscal Note:** The rental will generate \$108 for the Parking System.

**G. Resolutions****Res.07-0226** Settlement Payment of 2006 Personal Property Tax

Resolved, that permission be granted for a settlement payment of \$200 for the 2006 Personal Property Tax at 406 Main Street, Tax Account No. P00097097. \$236.36 be written off against account 101.990.5930, Real Estate and Personal Property Taxes Cancelled, and any remaining interests and penalties be waived.

Fiscal Note: Sufficient funds are available in account 101.990.5930, Real Estate and Personal Property Taxes Cancelled.

**Sponsors:** Thomas Friedel

**Res.07-0227** Permission to apply for Stewardship Program Grant

Resolved, that permission be granted for the Director of City Development to apply for a \$200,000 Stewardship Program Grant from the Wisconsin

Department of Natural Resources (Grant Control No. 2007-026) to be utilized for the extension of the Lake Michigan Pathway in the Pointe Blue area.

Fiscal Note: A 50% hard match is required that will be paid by the Pointe Blue developer.

Sponsors: Thomas Friedel

**Res.07-0228** Transfer Funds for Female Locker Room Renovation at Fire Stations 7 and 8

Resolved, that permission be granted to transfer \$15,000 from Account 986.300.5040, Female Locker Room Renovation, to Account 986.300.5060, Fire Station 7 & 8 Building Repairs, to be utilized for repairs to Fire Stations 7 and 8.

Fiscal Note: There are sufficient funds available for the transfer.

Sponsors: Thomas Friedel and Q.A. Shakoor II

**Res.07-0229** Permission to apply for State of Wisconsin 2007 Motorcycle Safety Grant

Resolved, that permission be granted for the Chief of Police to apply for a \$7,500 State of Wisconsin 2007 Motorcycle Safety Grant (Grant Control No. 2007-028) to be utilized for traffic safety issues specific to the weekend of August 17-20, 2007 Hog Rally.

Fiscal Note: There is a 25% soft match required on the part of the City.

Sponsors: Thomas Friedel and Q.A. Shakoor II

**Res.07-0230** Award bid for printing Common Council Proceedings

Resolved, that the The Journal Times be awarded the bid to publish the Common Council Proceedings and all legal notices for the period of June 1, 2007 through May 31, 2008, they being the only bidder.

Fiscal Note: There are sufficient funds available in Account 101.010.5520, City Council Proceedings.

Sponsors: Thomas Friedel

**Res.07-0231** Accept Bid for repair of Solid Waste Garage and Transfer of Funds for Repair

Resolved, that the bid for the repair of the damage to the Solid Waste Garage caused by an uninsured motorist be awarded to Rossi Construction Co., Inc., Racine, WI, at their price of \$10,559.00.

Further resolved, that \$10,559 be transferred from Account 101.990.5970, Contingency, to Account 101.410.5670, Solid Waste Garage Repairs & Maintenance, to cover the cost of the repair.

Fiscal Note: There are sufficient funds available for the transfer.

Sponsors: Thomas Friedel

**Res.07-0232** City adopt and implement Green Seal Environmental Standards GS-37 and GS-42

Resolved, that beginning in 2008 and/or when each contract is renewed, the City adopt and implement the Green Seal Environmental Standards GS-37 and GS-42 for all departmental purchases and contractual services including private firms managing city facilities.

Fiscal Note: The additional cost will be considered in the 2008 budget.

Sponsors: Thomas Friedel and Ronald D. Hart

**Res.07-0233** Narcotics Anonymous Group granted permission to utilize community centers

Resolved, that permission be granted for the Narcotics Anonymous group to utilize the Martin Luther King Jr. and Tyler-Domer Community Centers at \$65 per day per event for two upcoming events.

Fiscal Note: N/A

Sponsors: Thomas Friedel

**Res.07-0234** Transfer of funds for recruitment of City Administrator

Resolved, that \$14,500 be transferred from account 101.020.5010, City Administrator Salaries, to account 101.020.5610, City Administration Professional Services, to be utilized for the cost of professional services rendered in the recruitment of a City Administration.

Fiscal Note: There are sufficient funds available for the transfer.

Sponsors: Thomas Friedel

**Res.07-0235** Final payment for engineering services for plans and specifications for HVAC Upgrades at Dr. Bryant Community Center

Resolved, that the engineering services for preparing plans and specifications

for HVAC Upgrades at Dr. Bryant Community Center by Southport Consulting be accepted and final payment authorized for a total contract amount of \$1,500.00 from funds heretofore appropriated.

Fiscal Note: This contract was approved by Resolution No. 07-0023 of February 6, 2007.

Sponsors: Q.A. Shakoor II

**Res.07-0236** School Crossing Guard Locations for 2007 Summer School Session

Resolved, that the following school crossing guard locations be approved for the 2007 Summer School Session:

M.L. King and West  
Arthur and Kinzie  
17th and Grange  
Bate and Taylor  
LaSalle and Romaine  
21st and Kentucky  
16th and Grange  
17th and Taylor  
Blue River and Lathrop  
Arthur and Washington  
Kinzie and Osbourne  
Gold and LaSalle  
Graceland and Ohio  
17th and West  
Drexel and Durand  
6th and Howland  
Blue River and Kentucky  
Arthur and Osbourne  
Kewaunee and Main St

Fiscal Note: Estimated salary cost is \$18,000 with funding available in Account 101.310.502, Police - Other Salaries.

Sponsors: Ronald D. Hart

**Res.07-0237** Harbor Fest Street Closures and Stipulations

Resolved, that Harbor Fest, Inc., be granted permission to close Festival Park Drive between 5th Street and 6th Street, and 5th Street between Festival Park Drive and Lake Avenue, for Harbor Fest from 8:00 a.m. on Thursday, June 21, 2007 thru 8:00 a.m. on Monday, June 25, 2007, in accordance with their request.

Further resolved, that permission be granted with the following stipulations:

- A. A hold harmless agreement be executed.
- B. Proof of liability insurance be filed prior to this event.
- C. Any overtime costs incurred by any City department be charged to the sponsor.
- D. The sponsor shall notify all abutting property owners seventy-two (72) hours in advance of this event.
- E. The sponsor shall pay a \$300.00 special event fee.

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

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

Sponsors: Ronald D. Hart

**Res.07-0238** Preliminary - Ten (10) Year Resolution  
Benefits and Damages

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

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

All property fronting upon both sides:

Portland Cement Concrete Paving

Oakdale Avenue from Wright Avenue to Athens Avenue  
Hillcrest Circle from Wright Avenue to dead end.

Sewer and Water

Oakdale Avenue from Wright Avenue to Athens Avenue

Sanitary Sewer

Oakdale Avenue from Wright Avenue to Athens Avenue

2. Said public improvement shall consist of Portland Cement Concrete Paving, Sewer and Water and Sanitary Sewer.

3. The total amount assessed against such district shall not exceed the total cost of the improvements and the amount assessed against any parcel shall

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

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

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

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

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

**Sponsors:** Ronald D. Hart

**Res.07-0239** Contract for 2007 Sewer Lining

Resolved, that Contract 40-07 (K7-046), 2007 Sewer Lining, be awarded to Visu-Sewer Clean & Seal, Inc., Pewaukee, WI, at their bid price of \$774,769.25, they being the lowest responsible bidder.

Further resolved, that funding to defray the cost of this public works project be appropriated from the following accounts:

\$142,163.80 - Account 104.984.5400, Maiden Lane Detention Pond  
\$148,641.20 - Account 104.987.5420, Storm Sewers, Misc. Locations  
\$483,964.25 - Account 987.907.5310, Sanitary Sewer Construction  
\$774,769.25 - Total

**Fiscal Note:** Funds are available as herein delineated.

**Sponsors:** Ronald D. Hart

**Res.07-0240** Lease Agreement with Department of Corrections

Resolved, that the Mayor and City Clerk be authorized and directed to renew the



lease agreement with the Wisconsin Department of Administration for the Department of Corrections for 5,894 square feet at the City Hall Annex, for the time period of January 1, 2008 to December 31, 2012. The rental rate for 2008 will be \$76,150.48 and will increase in accordance with the consumer price index.

Fiscal Note: This lease will generate a total revenue of \$404,293.24.

Sponsors: Ronald D. Hart

**Res.07-0241** Change Order on Contract for City Hall Data Center Improvements

Resolved, that Change Order No. 2 on Contract 46-06 (K6-049), City Hall Data Center Improvements, Ricchio, Inc., contractor, as submitted, be approved in the amount of \$8,628.03.

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

\$1,783.95 - Account 985.120.5030, MIS-Communications Room Remodel  
\$6,844.08 - Account 987.100.5030, City Hall-IS Computer Room HVAC  
\$8,628.03 - Total

Fiscal Note: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

**Res.07-0242** Change Order to Contract for City Hall Renovations - Phase I

Resolved, that Change Order No. 1 on Contract 1-07 (K7-001), City Hall Renovations - Phase I, Seater Construction Co., Inc., contractor, as submitted, be approved in the amount of \$45,574.00.

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

\$36,252.00 - Account 986.100.5010, City Hall Facility Plan Implementation  
\$ 9,322.00 - Account 985.020.5020, Redundent Email Server & Software  
\$45,574.00 - Total

Fiscal Note: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

**Res.07-0243** Vacation of Reichert Court

Resolved, that since public interest requires it, that the following parcel of land, more particularly described as follows, be and hereby is vacated and

discontinued:

Reichert Court from Michigan Boulevard to its eastern most terminus

Fiscal Note: N/A

Sponsors: Ronald D. Hart and Gregory Holding

**Res.07-0244** Professional Services Agreement for 2007 Sewer Lining

Resolved, that the Mayor and City Clerk be authorized and directed to enter into a professional service agreement with Earth Tech for Construction Management Services for the 2007 Sewer Lining in the not-to-exceed amount of \$65,963.00.

Further resolved, that funds to defray the cost of these Construction Management Services are available in the following accounts:

\$26,226.89 - Account 104.987.5420, Storm Sewer, Misc. Locations  
\$39,736.11 - Account 987.907.5310, Sanitary Sewer, Var. Locations  
\$65,963.00 - Total

Fiscal Note: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

**Res.07-0245** Amendment to Contract for Professional Services - Sixth Street Sanitary Sewer

Resolved, that Amendment No. 1 on Contract 30-06 (K6-031), Professional Services - Sixth Street Sanitary Sewer, Earth Tech, Inc., consultant, as submitted, be approved in the not-to-exceed amount of \$8012.00.

Further resolved, that funding for this amendment are available in accounts:

\$4006.00 - Account 987.907.5330, Sanitary Sewer Const. - 6th Street.  
\$4006.00 - Racine Water Utility.  
\$8012.00 - Total

Fiscal Note: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

**Res.07-0246** Final - Ten (10) Year  
Benefits & Damages Resolution

Whereas, the Public Works & Services Committee of the Common Council of the City of Racine, Wisconsin, held a public hearing at the Council Chambers in the City Hall at 5:30 P.M. on the 29th day of May, 2007, for the purpose of hearing all interested

persons concerning the preliminary resolution and report of the Commissioner of Public Works on the proposed improvement of:

Portland Cement Concrete Paving

Alley - Shoreland Drive to North Street; Charles Street to Sixth Avenue

Alley - Shoreland Drive to South Street; Charles Street to Sixth Avenue

Alley - Shoreland Drive to North Street; Charles Street to Eighth Avenue.

Alley - Shoreland Drive to South Street; Charles Street to Eighth Avenue.

Alley - Shoreland Drive to North Street; Ninth Avenue to Eighth Avenue.

Alley - Shoreland Drive to South Street; Ninth Avenue to Eighth Avenue.

Now, Therefore, Be it Resolved, by the Common Council of the City of Racine as follows:

1. That the report of the Commissioner of Public Works pertaining to the construction of the above described public improvements, including plans and specifications therefore, as modified, is hereby adopted and approved.
2. That the Commissioner of Public Works is directed to advertise for bids and to carry out the work of such improvement in accordance with the report of the Commissioner of Public Works.
3. That payment for said improvements be made by assessing the cost to the property benefited as indicated in said report.
4. That benefits and damages shown on the report, as modified, are true and correct, have been determined on a reasonable basis; do not exceed the value accruing to the property therefrom; and are hereby confirmed.
5. That the assessments for all projects included in said report are hereby combined as a single assessment, but any interested property owner shall be entitled to object to each assessment separately or both assessments jointly for any purpose or purposes.
6. That the assessments may be paid in cash or if any assessments are over \$200.00 it may be paid in ten (10) annual installments to the City Treasurer, deferred payments to bear interest at the rate of 8% per annum on the unpaid balance. Installments or assessments not paid when due shall bear additional interest on the amount due at the rate of 9.6% per annum.
7. The City Clerk is directed to publish this resolution in the official newspaper of the City of Racine as a Class I notice in the assessment district.
8. The Clerk is further directed to mail a copy of this resolution and a statement of the final assessment against his property, to every property owner whose name appears on the assessment roll, whose post office address is known or can with reasonable diligence be ascertained.

Dated \_\_\_\_\_  
Signed \_\_\_\_\_ Mayor  
Published \_\_\_\_\_  
Attest \_\_\_\_\_  
City Clerk  
**Sponsors:** Ronald D. Hart

**Res.07-0247** Permission to use Parking Lot for Fund Raiser

Resolved, that Washington Park High School Pom-Pon Squad be granted permission to use the northeast corner of Washington Avenue and West Boulevard for a car wash fund raiser July 13 & 14, July 27 & 28, August 3 & 4, and August 24 & 25, 2007, at a cost of \$27 per weekend.

**Fiscal Note:** The rental will generate \$108 for the Parking System.

**Sponsors:** Raymond DeHahn

**Res.07-0248** Permission to rent parking spaces in Uptown Lot #5

Resolved, that permission be granted to James Oliver to rent 14 parking spaces in Uptown Lot # 5 - 1300 Washington Avenue - "Reserved Parking 6 P.M. to 2 A.M. Only" seven days per week, at a rate of \$29 per space per month.

**Fiscal Note:** The rental will generate \$406 per month for the Parking System and not impact the existing "No Parking 2 A.M. to 6 A.M." safety restriction.

**Sponsors:** Raymond DeHahn

**Res.07-0249** Amendment to 2006 State Assistance Contract for Belle Urban System

Resolved, that the Mayor and City Clerk be authorized and directed to execute the amendment to the 2006 State Assistance Contract for the Belle Urban System.

**Fiscal Note:** The amendment will correct a mistake in the original agreement and provide approximately \$41,000 in additional State payments for the 2006 calendar year.

**Sponsors:** Raymond DeHahn

**Res.07-0250** Amendment to 2006 State Assistance Contract for Wisconsin Coach Lines

Resolved, that the Mayor and City Clerk be authorized and directed to execute the amendment to the 2006 State Assistance Contract for pass through funds

to Wisconsin Coach Lines for the Kenosha-Racine-Milwaukee intercity bus service.

Fiscal Note: The amendment will correct a mistake in the original agreement and provide approximately \$7,500 in additional State payments for the 2006 calendar year.

Sponsors: Raymond DeHahn

**Res.07-0251** Amendment to 2001 State Capital Assistance Contract for Belle Urban System

Resolved, that the Mayor and City Clerk be authorized and directed to execute the amendment to the 2001 State Capital Assistance Contract for the Belle Urban System.

Fiscal Note: The amendment will provide an additional \$60,000 previously promised to the Belle Urban System from older Federal grants, for the use in finalizing the engine overhaul contract.

Sponsors: Raymond DeHahn

**Res.07-0252** Purchasing Agent granted permission to advertise and receive bids for replacement of fuel management system

Resolved, that the Purchasing Agent be authorized and directed to advertise for and receive bids for the replacement of the fuel management system at the Belle Urban System.

Fiscal Note: Funds are available in the 2005 Capital Improvement Program (20%) and Federal Transit Administration grant WI-03-0091 (80%) to pay for the project, estimated to cost \$45,000.

Sponsors: Raymond DeHahn

**Res.07-0253** Purchasing Agent granted permission to advertise and receive bids for bus interior cleaning system

Resolved, that the Purchasing Agent be authorized and directed to advertise for and receive bids for the replacement of the bus interior cleaning system at the Belle Urban System.

Fiscal Note: Funds are available in the 2005 Capital Improvement Program (20%) and federal Transit Administration grant WI-03-0091 (80%) to pay for the project, estimated to cost \$90,000.

Sponsors: Raymond DeHahn

**Res.07-0254** Permission to advertise and receive bids for expansion of Belle Urban System Offices

Resolved, that the Commissioner of Public Works be authorized and directed to advertise for and receive bids for the expansion of the Belle Urban System administrative offices, subject to authorization from the State of Wisconsin, Department of Transportation, for federal funding for the construction.

Fiscal Note: Local funding is available in several Racine Capital Improvement programs and pending Federal Grants, subject to WISDOT approval, to pay for the project, estimated to cost \$500,000.

Sponsors: Raymond DeHahn

**Res.07-0255** Agreement with Versant

Resolved, that the Mayor and City Clerk be authorized and directed to execute the agreement with Versant, Inc. for a 2007 marketing plan for the Belle Urban System budget, and 80% of which will be reimbursed by the Federal Transit Administration.

Fiscal Note: The cost of the marketing plan will be \$36,000, funds for which are included in the 2007 Belle Urban System budget, and 80% of which will be reimbursed by the Federal Transit Administration.

Sponsors: Raymond DeHahn

**Res.07-0256** 2007 State Urban Mass Transit Operating Assistance Contract for 2007 for Wisconsin Coach Lines

Resolved, that the Mayor and City Clerk be authorized and directed to execute the 2007 State Urban Mass Transit Operating Assistance Contract for Wisconsin Coach Lines, Kenosha-Racine-Milwaukee intercity bus service funding.

Fiscal Note: No City funding is involved.

Sponsors: Raymond DeHahn

**Res.07-0257** 2007 State Urban Mass Transit Operating Assistance Contract for 2007 for Belle Urban System funding

Resolved, that the Mayor and City Clerk be authorized and directed to execute the 2007 State Urban Mass Transit Operating Assistance Contract for the Belle Urban System.

Fiscal Note: The contract will provide the Belle Urban System with \$1,753,243 in State operating funds for the Belle Urban System.

Sponsors: Raymond DeHahn

**Res.07-0258** Grant Temporary Limited Easement to Pointe Blue Developer

Resolved, that the developer of the Pointe Blue Project be granted a temporary limited easement for a three year period as shown in the May 7, 2007 Drawing No. 163187 containing 0.78 acres more or less.

Fiscal Note: N/A

Sponsors: Thomas Friedel

**Res.07-0259** Conditional Use Permit for 1440 West Street

Resolved, that the request by Ignacio Castaneda seeking a conditional use permit to operate an auto repair facility at 1440 West Street be approved, subject to the following conditions:

- a. That the plans stamped "Received January 20, 2006" and presented to the Plan Commission on May 30, 2007 are approved, subject to the conditions contained herein.
- b. That this conditional use permit shall be reviewed by the Plan Commission on November 14, 2007 to determine the level of compliance with the conditions of approval, and the appropriate Plan Commission response to the conduct of the operation.
- c. That by August 1, 2007 the following maintenance, repairs, clean up and improvements shall be accomplished:
  1. Repair, straighten or replace damaged fence sections on north and east sides of property.
  2. Replace missing privacy slats in gates, and install privacy slats in the northern fence. All privacy slats are to be a uniform color.
  3. Trim fence posts to a uniform height extending no greater than one foot above the fence panels.
  4. Paint the building and south fencing post in a uniform color scheme in colors which have first been submitted to the Director of City Development for a determination of their appropriateness.
  5. Pave damaged or unpaved portions of the parking lot.
  6. Remove all unlicensed or inoperable vehicles from outside storage on the property unless they are awaiting repair. All vehicle storage shall be contained on site.
  7. Remove all junked vehicles, vehicle parts, equipment and materials from outside storage.
  8. Remove all assorted debris and junk from the property.
  9. Install clear/transparent windows in all window openings facing West St.

- d. That there shall be no vehicle sales or salvage at this location.
- e. That all vehicles awaiting repairs, and tow trucks shall be stored on the subject property within the fenced area. Vehicles awaiting repairs, or those vehicles which have been repaired shall not be stored on the property for more than 20 days.
- f. That all vehicle repair shall be conducted indoors.
- g. That there shall be no vehicle preparation or painting conducted outdoors, and any preparation or painting of vehicles indoors shall be conducted in compliance with all appropriate codes and ordinances and that all required permits acquired.
- h. That off street parking areas shall be provided for all customer and employee vehicles. Parking spaces shall be striped.
- i. That there shall be no outside storage of junked vehicles, vehicles parts and accessories, and equipment.
- j. That all trash and recyclables shall be stored in closed containers and screened from view.
- k. That the maximum hours of operation shall be from 8:00 a.m. to 8:00 p.m. Monday through Saturday with no hours on Sunday.
- l. That all signs be submitted to the Director of City Development for review and approval.
- m. That no pennants, banners, streamers, temporary signs be displayed at this location.
- n. That all applicable codes and ordinances be complied with and required permits acquired, and that an occupancy permit be requested from the Building Inspection Department prior to operation of the business.
- o. 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.
- p. That this permit is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

Sponsors: Gregory Holding

[Res.07-0260](#) Conditional Use Permit for 1616 Durand Avenue

Resolved, that the plans submitted by Bhupendra and Parit Patel seeking an



amendment to a gas station conditional use permit to construct a convenience store at 1616 Durand Avenue be approved, subject to the following conditions:

- a. That the plans stamped "Received May 4, 2007" and presented to the Plan Commission on May 30, 2007 be approved subject to the conditions contained herein.
- b. That all applicable permits shall be obtained from the Building Inspection Department.
- c. That the hours of operation be 5:00 a.m. to 11:00 p.m. daily.
- d. That the following shall be submitted to the Director of City Development for review and approval prior to the issuance of a building permit.
  1. Landscape plan: At a minimum, the landscape plan provide for the following: six-foot deep planting beds along Durand Avenue, Memorial Drive and Hamilton Avenue where no driveway is to be located. Landscaping shall be provided for along the north lot line. Said plan shall indicate the size and species of planting.
  2. Dumpster screening plan: The dumpster shall be located on the east side of the building and enclosed within a six foot gated enclosure.
  3. Facilities maintenance plan: All facilities shall be maintained on a daily basis in a professional manner. Facilities shall be defined as, but not limited to, landscaping, signage, lighting, building, and grounds.
  4. Signage plan: The signage plan shall illustrate the elimination of the existing pole sign on the south east corner and the addition of a new monument sign. Said monument sign shall be professionally made, not contained within the vision triangle, compliment the architecture and color scheme of the building, and comply with zoning ordinance requirements. No signage shall be permitted on the canopy or at the fuel pumps.
  5. Exterior lighting plan: The plan shall incorporate the refitting of the canopy with recessed flush mounted light fixtures that produce no side-casting of light.
  6. Site plan: The site plan shall show only one driveway giving access to Memorial Drive and one driveway access to Hamilton Street with each drive being placed as far north on the property as possible. There shall be no driveway access to Durand Avenue. Curbing be installed wherever there is a drive area adjacent to a sidewalk. Curbing shall be installed at all closed driveway locations.
  7. Building materials and colors samples: Building, canopy and canopy columns shall be in a color complementary to each other.
- e. That landscaping shall be installed and approved prior to the issuance of an occupancy permit. If an occupancy permit is requested prior to the installation

of landscaping, then a letter of credit equal to the value of said landscape plan shall be submitted for review and approval by the Director of City Development prior to the issuance of an occupancy permit.

f. That there shall be no outside storage, display or sale of products.

g. That all driveway relocations, closures, and alterations be approved by the Commissioner of Public Works.

h. That parking areas are to be paved with either concrete or asphalt, and striped.

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

j. 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.

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

Fiscal Note: N/A

Sponsors: Gregory Holding

**Res.07-0261** Conditional Use Permit for 1824 Kentucky Street

Resolved, that an amendment to a conditional use permit to construct an office at the BUS facilities at 1824 Kentucky Street be approved, subject to the following conditions:

a. That the plans stamped "Received May 10, 2007" and presented to the Plan Commission on May 30, 2007 be approved, subject to the conditions contained herein.

b. That all applicable permits shall be obtained from the Building Inspection Department.

c. That landscaping shall be installed and approved prior to the issuance of an occupancy permit. If an occupancy permit is requested prior to the installation of landscaping, then a letter of credit equal to the value of said landscape plan shall be submitted for review and approval by the Director of City Development prior to the issuance of an occupancy permit.

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

e. 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.

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

Fiscal Note: N/A

Sponsors: Gregory Holding

Res.07-0262 Minor Amendment to Conditional Use Permit at 1813 Taylor Avenue

Resolved, that the plans submitted by Harinder Kaur and Devendar Sing of Nagra, Inc. seeking a minor amendment to a conditional use permit for the property at 1813 Taylor Avenue to expand their convenience store be approved, subject to the following conditions:

- a. That the plans stamped "Received May 16, 2007" and presented to the Plan Commission on May 30, 2007 be approved subject to the conditions contained herein.
- b. That all applicable permits shall be obtained from the Building Inspection Department.
- c. That prior to the issuance of a building permit, all landscaping shall be installed in compliance with the approved plan.
- d. That prior to the issuance of a building permit, a facilities maintenance plan be submitted for the review and approval of the Director of City Development. All facilities shall be maintained on a daily basis in a professional manner. Facilities shall be defined as, but not limited to, landscaping, signage, lighting, building, and grounds.
- e. That the building addition shall match the existing building in color and materials.
- f. That all codes and ordinances be complied with and required permits acquired.
- 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.
- i. That all other conditions of approval as contained in Common Council Resolution No. 6476 of May 3, 2005 be complied with unless modified herein.

Fiscal Note: N/A

Sponsors: Gregory Holding

## H. Ordinances

Ord.12-07

Ordinance No. 12-07

To amend Chapter 5 of the Municipal Code of the City of Racine, Wisconsin relating to Hours of Operation of Convenience Stores and Gas Station/Auto Repair Facilities.

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

Part 1:

Chapter 5, Section 5-8 of the Municipal Code of the City of Racine is hereby amended by amending the section to read as follows:

"Section 5-8. Hours of Operation.

(1) No holder of a license for a gas station/auto repair facility, whether operated in connection with retailing of edible or non-edible commodities, or both, shall sell or deliver any goods, wares, merchandise and personal property of any kind and nature to the ultimate consumer or the taking of an order therein for delivery therein of any goods, wares, merchandise and personal property of every kind and nature including any edible or non-edible commodities, including any sale or delivery for off-premises consumption, between the hours of midnight of any day of the week and 4:00 a.m. of that same day, anywhere in the City of Racine. If any provision of Chapter 22 or the Zoning Code, is more stringent as to hours of operation of businesses that are subject to this section, then Chapter 22 or the Zoning Code provision shall be given effect. Gas stations may keep one or more pumps open that can be operated by credit card when such stations are closed."

Part 2:

This ordinance shall become effective 60 days after its date of passage by the City Council and approval by the Mayor.

Approved:

\_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_

City Clerk

Fiscal Note: N/A

Sponsors: David L. Maack, Jeff Coe and Ronald D. Hart

**I. Miscellaneous Business**

Consideration of Amendment of fee schedule previously adopted on May 15, 2007 (07-0556)

**J. Adjourn**

Office of The City Clerk

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