



City of Racine Meeting Minutes 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*

Tuesday, June 5, 2007

7:00 PM

Room 205, City Hall

A. Call To Order

PRESENT: 15 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

B. Pledge of Allegiance To The Flag

Mayor Becker led the Council in the Pledge of Allegiance to the Flag.

C. Approval of Journal of Council Proceedings (Minutes)

to Approve the Minutes

D. Public Comments

*Lorna I. Revere
Mercedes Dzindletta
Paul B. Smedegaard*

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.

Referred to the Finance and Personnel Committee

[07-0659](#)

Subject: communication from the City Attorney submitting the claim of Pedro Jones for consideration.

Referred to the Finance and Personnel Committee

[07-0661](#)

Subject: communication from the City Attorney submitting the claim of Timothy Hart for consideration.

Referred to the Finance and Personnel Committee

[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.)

Referred to the Finance and Personnel Committee

Referred 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.)

Referred to the Finance and Personnel Committee

Referred to the Public Safety and 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.)

Referred to the Finance and Personnel Committee

Referred to the Public Safety and 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.)

Referred to the Finance and Personnel Committee

Referred to the Public Safety and 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.)

Referred to the Finance and Personnel Committee

Referred to the Public Safety and Licensing Committee

[07-0697](#)

Subject: communication from the City Attorney submitting the claim of

Rachel Sanchez for consideration.

Referred to the Finance and Personnel Committee

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.

Referred to the Finance and Personnel Committee

Referred to the Public Safety and Licensing Committee

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.

Referred to the Finance and Personnel Committee

07-0709

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

Referred to the Finance and Personnel Committee

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.

Referred to the Public Works and Services Committee

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.

Referred to the Public Works and Services Committee

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.

Referred to the Public Works and Services Committee

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.

Referred to the Public Works and Services Committee

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.

Referred to the Public Works and Services Committee

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.

Referred to the Public Works and Services Committee

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

Referred to the Public Works and Services Committee

Referred to the 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 Sandra J. Barz, Agent	1444 Blake Avenue
T.B. Hansen's, Inc. Thomas R. Hansen, Agent	501 Goold Street
Tango Bar, LLC Alejandro D. Harbatenko, Agent	509 6th Street
Restaurant of Racine, Inc. Joseph M. DeRosa	207 Gaslight Circle
Mike Williams	1403 Superior Street
Derango, LTD. Benedetto F. Derango, Agent	3840 Douglas Avenue
Radojko Radicevic	2515 Douglas Avenue
Alejandro Nunez	1240 Washington Avenue
Fraternal Order of Eagles Aerie 281, Inc. Richard C. Fortier, Agent	319 Hamilton Street
Baldolino, LLC Tranquilino Benitez, Agent	3408 Douglas Avenue
Double D's Jam, Inc. Daniel J. Daams, Agent	1307 Douglas Avenue
DL Inc. Darlene Louise Larson, Agent	1100 Douglas Avenue
Infusino Pizzeria & Restaurant, Inc. Emilio Infusino, Agent	3225 Rapids Drive
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 (Change in Premise Description)	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.	1446 Dr. M.L. King, Jr. Dr.

Carl Stewart, Agent

Shillings Pub

611 Wisconsin Avenue

Alice F. Warren

963 Dr. M.L. King, Jr. Dr.

TBG'S, Inc.

1814 Taylor Avenue

Chad E. Londre, Agent

Thang D. Pham

3616 Northwestern Ave.

WHG Real Estate South, LLC

2521 S. Green Bay Road

Timothy Geniesse, Agent

TLV, Inc.

2054 Lathorp Avenue

Timothy L. Vite, Agent

Diana L. Smith-Benson

1019 State Street

Uncorkt LLC

211 Sixth Street

Cheryl A. Estes, Agent

Cerafin Davalos

607 Sixth Street

Scott Hansen

1301 Washington Avenue

Kelly G. Hansen, Agent

Roger's Place, Inc.

1843 N. Wisconsin Street

Roger Springsteen, Agent

Salute, Inc.

314 Main Street

Gemma De Bartolo-Wells, Agent

DDM Investments, LLC

2416 Lathrop Ave.

David Savaglio, Agent

Slobodan Lazarevic

2002 Erie Street

Slobodan Lazarevic, Agent

Casablanca de Mexico, Inc.

230 Main Street

Blanca L. Webers, Agent

Max Mueckler

3101 Douglas Avenue

Brucker LTD

1921 DeKoven Avenue

Justin Coe, Agent

(Change in Premise Description)

Wilbur Jones 501 High Street

Wilbur Jones 515 Sixth Street

Castle Lanes of Southeastern WI, Inc. 5615 Castle Court
Phillip G. Ontko, Agent

Corner House, Inc. 1521 Washington Avenue
John G. Kopulos, Agent

Pugh, Richard J., Inc. 209 Dodge Street
Richard Pugh, Agent

Avarice Enterprises, LLC 1300 Michigan Blvd.
Zachary Morrow, Agent

Anchor Inn & Bowling Corporation 3701 Durand Avenue
John Landerman, Agent

Hillside Lanes, Inc. 1400 Thirteenth Street
Richard Wonders, Agent

Mr. Kool's Sports Bar, LLC 1330 Washington Avenue
James O. Oliver, Sr., Agent

RIKA, LLC 2 Christopher Columbus Causeway
Richard Shawhan, Agent

Yong Fa Inc. 2409 S. Green Bay Road
Mei H. Li, Agent

Juan M. Leon 1501 Prospect Street

Steven L. Matson 107 Fourth Street

WLS Wild Bill, Inc. 1641 Douglas Avenue
William Sorenson, Agent

Pub On Wisconsin, Inc. 525 Wisconsin Avenue
Amy Arendt, Agent

Daniel Z. Takerian, Inc. 2322 Lathrop Avenue

Daniel Z. Takerian, Agent	
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 (Change of Agent)	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
Ian Investments LLC Pedro Sanchez, Agent	1318 Douglas Ave.
Randall Larsen Randall Larsen, Agent	1436 Junction Ave.

Referred to the Public Safety and Licensing Committee

[07-0623](#)

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

Fifth Street Yacht Club of Racine, Inc. 761 Marquette Street
James C. Muleski, Agent

Racine Yacht Club, Inc. 1 Barker Street
Patricia Landreman, Agent

Deutscher Maenner Verein 701 Villa Street
Neal J. Seiser, Agent

Sommerset Club, Inc. 201 Sixth Street
David M. Perkins, Agent

Referred to the Public Safety and Licensing Committee

07-0624

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

Phesal E.Ckadan 1812 Sixteenth Street

Fresh Brands Distributing, Inc. 3900 Erie St.
Robert G. Helvick, Agent

Fresh Brands Distributing, Inc. 4011 Durand Avenue
David P. Losiniecki, Agent

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

2418 Douglas, Inc. 2418 Douglas Ave.
Narendra Shah, Agent

Taylor Liquor, Inc. 2813 Taylor Ave.
Ilesh Patel, Agent

Dan's Liquor, Inc. 1856 Taylor Avenue
Jagdish R. Patel

Purvi & Mishali, Inc. 1401 Washington Ave.
Parit Patel, Agent

Sam's East, Inc. 6200 Regency West Drive
Dana Topple, 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

Referred to the Public Safety and Licensing Committee

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. 2054 Kearney Avenue
 Ketan Patel, Agent

Mangat Inc. 2100 N. Main Street

Jatinder Singh Mangat	
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 James L. Schutz, Agent	3441 Spring Street
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

Referred to the Public Safety and Licensing Committee

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

Referred to the Public Safety and Licensing Committee

07-0627

Subject: The following renewal application(s) for a "Class B" Retail

[07-0704](#) **Subject:** Request for a grant of local option Block Grant funds for the marketing of an Artist Relocation Program.

Referred to the Community Development Committee

Refer to Redevelopment Authority of the City of Racine, by Ald Spangenberg

[07-0685](#) **Subject:** Request of The West Racine Business and Professional Association for use of the redevelopment property on the 3100 block of Washington Avenue for their Western Days.

Referred to the Redevelopment Authority of the City of Racine

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.

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

[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.

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

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.

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

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.

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

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

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

Council Action

A motion was made by Alderman Thomas Friedel to Adopt the Report.

AYES: 15 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

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.

Alderman Maack requested that item 07-0583 be considered separately.

A motion was made by that this be Received and Filed as Reported. The motion PASSED

AYES: 14 - Coe, Anderson, Shields, Kaplan, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

NOES: 1 - Maack

[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.

Alderman Karas requested that item 07-0632 be considered separately.

Received and Filed as Reported

AYES: 13 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Friedel, Holding, Wisneski, Spangenberg and Hart

NOES: 2 - Karas and Mozol

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

Referred to the City Plan Commission

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.

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

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.

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

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.

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

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.

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

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.

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

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.

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

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.

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

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.

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

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.

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

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.

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

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.

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

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.

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

Council Action

A motion was made by Alderman Ronald D. Hart to Adopt the Report.

AYES: 15 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

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 Committe of**5-21-07:** That the license be denied.**Fiscal Note: N/A****A motion was made that this Communication be Received and Filed as Reported.
The motion was APPROVED**[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 Committe of****5-21-07:** That the license be granted.**Fiscal Note: N/A****A motion was made that this Communication be Received and Filed as Reported.
The motion was APPROVED**[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 Committe of
5-21-07:** That the license renewals be granted.

Fiscal Note: N/A

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

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, Ageng

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

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

[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

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

[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

Recommendation of Public Safety and Licensing Committee of**5-21-07:** That the license be granted.**Fiscal Note: N/A**

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

07-0608

Subject: Communication from the Chief of Police requesting to apply for the State of Wisconsin 2007 Motorcycle Safety Grant to address traffic safety issues specific to the weekend of August 17-20, 2007 HOG Rally. Grant Control # 2007-028 has been issued.

Recommendation of the Finance & Personnel Committee on

05-21-07: Permission 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.

Recommendation of Public Safety and Licensing Committee of

5-21-07: 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.

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

07-0615

Subject: Communications from the Fire Chief requesting to transfer \$15,000 from Female Locker Room Renovation Account to Building Maintenance Account. The funds will be used to make unplanned repairs to Fire Stations 7 and 8.

Recommendation of the Finance & Personnel Committee on

05-21-07: Permission granted for the Fire Chief 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.

Recommendation of Public Safety and Licensing Committee of

5-21-07: That the Fire Chief be granted permission to transfer \$15,000 from Account 986.300.5040, Female Locker room Renovation to Account 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.

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

[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

Referred to the Public Safety and Licensing Committee

[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.

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

[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: \$1,500.00 will be appropriated from account 931.230.5960, Bryant Air Handling Unit.

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

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

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

Council Action

A motion was made by Alderman Q.A. Shakoor II to Adopt the Report.

AYES: 15 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

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

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

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

A motion was made by Alderman Ronald D. Hart that this be Adopted. The motion FAILED by the following vote:

AYES: Friedel

NOES: DeHahn, Hart, Holding, Kaplan, Karas, Maack, Mozol, Shakoor, Shields, Spangenberg, Weidner, Wisneski, Anderson and Coe

A motion was made by Alderman Ronald D. Hart that this be Adopted As Amended to include the installation of a stop sign at Biscayne and Monarch. The motion PASSED

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

NOES: 1 - Friedel

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 Romaine
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.

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

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

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

Council Action

A motion was made by Alderman Ronald D. Hart to Adopt the Report.

AYES: 15 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

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.

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

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

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

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.

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

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.

Referred to the Transit and Parking Commission

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

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

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.

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

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.

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

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.

Alderman Hart requested that item 07-0611 be considered separately.

Referred to the Public Works and Services Committee

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.

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

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.

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

[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.

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

[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.

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

[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.

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

[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.

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

[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.

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

Council Action

A motion was made by Alderman Raymond DeHahn to Adopt the Report.

AYES: 15 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

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

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

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.

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

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

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

[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

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

[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

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

[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

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

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.

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

Council Action

A motion was made by Alderman Gregory Holding to Adopt the Report.

AYES: 15 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

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

A motion was made by Alderman Pete Karas that this be Received and Filed as Reported. The motion PASSED

AYES: 15 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

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

A motion was made by Alderman James T. Spangenberg that this be Received and Filed as Reported. The motion PASSED

AYES: 15 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

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.

A motion was made by Alderman Ronald D. Hart that this be Received and Filed as Reported. The motion PASSED

AYES: 15 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

Cemetery Commission Report, by Ald Weidner07-0463

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.

Referred to the Board of Cemetery Commissioners

Referred to the Committee of the Whole

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.

Alderman Holding made a motion that the recommendation be amended to include water usage at the Mound Cemetery.

A motion was made by Alderman Sandy Weidner that this be Adopted As Amended: . The motion PASSED

AYES: 15 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

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.

Adopted

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.

Adopted

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.

Adopted

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.

Adopted

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.

Adopted

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.

A motion was made by Alderman Thomas Friedel that this be Adopted. The motion PASSED

AYES: 15 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

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.

Adopted

[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

Adopted

[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.

A motion was made by Alderman Thomas Friedel that this be Adopted. The motion PASSED

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

NOES: 1 - Karas

[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.

Adopted

[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
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

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

Adopted

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.

Adopted

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.

Adopted

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.

A motion was made by Alderman Ronald D. Hart that this be Adopted. The motion PASSED

AYES: 15 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

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.

Adopted

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.

A motion was made by Alderman Ronald D. Hart that this be Adopted. The motion PASSED

AYES: 15 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

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.

A motion was made by Alderman Ronald D. Hart that this be Adopted. The motion PASSED

AYES: 15 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

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

Referred to the City Plan Commission

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.

A motion was made by Alderman Ronald D. Hart that this be Adopted. The motion PASSED

AYES: 15 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

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.

A motion was made by Alderman Ronald D. Hart that this be Adopted. The motion PASSED

AYES: 15 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

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

Referred to the Public Works and Services Committee

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.

Further resolved, that permission be granted for water usage from the Mound Cemetery Maintenance Building for the car wash fund raiser.

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

Adopted as Amended.

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.

Referred to the Transit and Parking Commission

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.

Adopted**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.

Adopted**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.

Adopted**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.

Adopted**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.

Adopted

[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.

Adopted

[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.

Adopted

[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.

Adopted

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.

Adopted

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

Adopted

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

Adopted

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

Adopted

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

Adopted

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

Adopted

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

Referred to the Public Safety and Licensing Committee

J. Adjourn

The meeting was adjourned at 8:25 p.m. by Alderman Shakoor. The next scheduled meeting of the Council is June 19, 2007.

ATTEST: JANICE M. JOHNSON-MARTIN
CITY CLERK