



City of Racine

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

Meeting Minutes - Final Common Council

*Mayor John T. Dickert, Alderman Q.A. Shakoor, II, Alderman Eric Marcus,
Alderman Michael Shields, Alderman Ronald D. Hart,
Alderman Jim Kaplan,
Alderman Dennis Wisner, Alderman Aron Wisneski, Alderman Sandy Weidner, Alderman Terry McCarthy, Alderman Raymond DeHahn, Alderman Gregory Holding, Alderman Robert Mozol, Alderman O. Keith Fair, Alderman Melissa Kaprelian-Becker, Alderman James Morgenroth*

Wednesday, April 4, 2012

7:00 PM

Room 205, City Hall

A. Call To Order

PRESENT: 12 - Marcus, Shields, Kaplan, Kaprelian-Becker, Weidner, Shakoor, II, McCarthy, Wisner, Holding, Wisneski, Hart and Mozol

ABSENT: 1 - Fair

EXCUSED: 2 - DeHahn and Morgenroth

B. Pledge of Allegiance To The Flag

Troop 129 led the Council in the Pledge of Allegiance to the Flag.

C. Approval of Journal of Council Proceedings (Minutes)

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

D. Public Comments

*Sue DeKeuster
Wayne Clingman
Kari Dawson
Florence Boyer
Chris Flynn*

E. Communications

Refer to Finance and Personnel Committee, by Ald. Shakoor

[12-7537](#)

Subject: Communication from the Assistant Commissioner of Public Works/City Engineer requesting permission to apply for the State of Wisconsin Urban Nonpoint Source & Storm Water (UNPS&SW) Program Construction Grant for the Washington Park Streambank

Stabilization Project, Grant Control No. 2012-009.

Referred to Finance and Personnel Committee

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

[12-7515](#)

Subject: Communication from Peter Henkes, Lighthouse Run Director, requesting to use city right-of-way and Monument Square on June 16, 2012 for the 34th Annual Lighthouse Run.

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

Referred to Public Works and Services Committee

Referred to Board of Park, Recreation and Cultural Services

[12-7533](#)

Subject: Communication from Alderman Kaprelian-Becker, on behalf of Judith Nespoli (1219 Walton Ave.) requesting a public hearing for paving of the T-alley bounded by Geneva St. to Charles St.; Walton Ave. to Jones Ave.

Referred to Public Works and Services Committee

[12-7534](#)

Subject: Communication from Alderman Kaprelian-Becker, on behalf of Mary Olsen (2207 La Salle St.) requesting a public hearing for paving of the alley bounded by La Salle St. to Superior St.; Walton Ave. to Goold St.

Referred to Public Works and Services Committee

[12-7538](#)

Subject: Communication from the Assistant Commissioner of Public Works/Operations wishing to enter into an agreement for the provision of tire recycling services.

Referred to Public Works and Services Committee

[12-7543](#)

Subject: Communication from the President of Fourth Fest of Greater Racine requesting permission to use city right-of-way for the 4th of July parade and permission to use North Beach for the fireworks.

Referred to Public Works and Services Committee

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

[12-7541](#)

Subject: (New) Application for a Class "B" Fermented Malt Beverage License for Sandy Toes, LLC (Beachside Oasis), Greg Allan, Agent for 100 Kewaunee Street. **(4th District)**

Referred to Public Safety and Licensing Committee

[12-7546](#)

Subject: Communication for the 12th District Alderman that the Public

Safety and Licensing Committee consider amending Ordinance 6-97 to allow wine tasting samples at class A facilities.

Referred to Public Safety and Licensing Committee

[12-7548](#)

Subject: Communication from the Purchasing Agent requesting to appear before the Public Safety and Licensing Committee to discuss the results of Official Notice #5, Request for Proposals for ARC GIS Compatible Tree Inventory for the City of Racine.

Referred to Public Safety and Licensing Committee

[12-7547](#)

Subject: (New) Application for a Class "B" Fermented Malt Beverage License for Caleb Robinson, Agent for 3 Fifth Street. (**1st District**)

Referred to Public Safety and Licensing Committee

[12-7549](#)

Subject: Communication from the Interim Director of Parks, Recreation and Cultural Services requesting to rescind final payment for Contract 31-11 (K1-033) Sam Johnson Parkway Fountain Upgrades (R1), Resolution 12-2982 of February 22, 2012.

Referred to Public Safety and Licensing Committee

Refer to Economic Development Committee, by Ald. Shakoor

[12-7545](#)

Subject: Communication from Racine County Economic Development Corporation requesting adoption of a strategy and operational plan for the city's revolving loan fund.

Referred to Economic Development Committee

Refer to Committee of the Whole, by Ald. Holding

[12-7544](#)

Subject: communication from the Greater Racine Collaborative for Healthy Birth Outcomes (The Collaborative) requesting to present a project update to the Common Council at a Committee of the Whole.

Referred to Committee of the Whole

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

[12-7535](#)

Subject: Communication from Event Co-Chair of Relay for Life of Racine requesting to use the parking lot located near Wisconsin Street and Walton Avenue as well as to waive the fee for the Relay for Life of Racine event being held at the Racine Zoo on June 8, 2012 and June 9, 2012.

Referred to Board of Park, Recreation and Cultural Services

Referred to Finance and Personnel Committee

[12-7536](#)

Subject: Communication from Nona Dahlbe, member of Racine Relay for Life Committee, requesting North Beach Park closure signs be removed the night of June 8, 2012, to allow Relay for Life participants to use the North Beach parking lot over night.

Referred to Board of Park, Recreation and Cultural Services

F. Committee Reports

Finance and Personnel Committee Report, by Ald. Shakoor

[12-7470](#)

Subject: Communication from the Assistant Commissioner of Public Works/Engineering requesting authorization to accept a Wisconsin DNR Grant for Lincoln Park Streambank Stabilization - Grant Control No. 2011-013. (Res. 12-3047)

Recommendation of the Finance & Personnel Committee on 3-26-12: Permission be granted for the Assistant Commissioner of Public Works/Engineering to accept the \$100,000 Wisconsin DNR Grant for Lincoln Park Streambank Stabilization - Grant Control No. 2011-013.

Fiscal Note: The total amount of the study to update the project will be \$200,000, with 50% of the grant funding available in the amount of \$100,000, and a 50% local share of \$100,000. Funding for the local share is available in Account No. 104.992.5470-Lincoln Park Streambank.

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

[12-7471](#)

Subject: Communication from the Assistant Commissioner of Public Works/Engineering requesting authorization to accept a Wisconsin DNR Grant for Water Quality Planning (Non-Point Source Pollutant Modeling) - Grant Control No. 2011-014. (Res. 12-3048)

Recommendation of the Finance & Personnel Committee on 3-26-12: Permission be granted for the Assistant Commissioner of Public Works/Engineering to accept a \$31,500 Wisconsin DNR Grant for Water Quality Planning (Non-Point Source Pollutant Modeling) - Grant Control No. 2011-014.

Fiscal Note: The total amount of the project is \$45,000, with 70% of the grant funding available in the amount of \$31,500 and a 30% local share of \$13,500. Funding for the local share is available in Account No. 104.992.5450-SLAMM Model (\$45,000).

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

[12-7472](#)

Subject: Communication from the Assistant Commissioner of PublicWorks/Engineering requesting authorization to accept a Wisconsin DNR Grant for Streambank Erosion Condition Report Update - Grant Control No. 2011-015. (Res. 12-3049)

Recommendation of the Finance & Personnel Committee on 3-26-12: Permission be granted for the Assistant Commissioner of PublicWorks/Engineering to accept a \$70,000 Wisconsin DNR Grant for Streambank Erosion Condition Report Update - Grant Control No. 2011-015.

Fiscal Note: The total amount of the study to update the report will be \$100,000, with 70% of the grant funding available in the amount of \$70,000, and a 30% local share of \$30,000. Funding for the local share is available in Account No. 104.992.5460 - Root River Assessment.

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

[12-7473](#)

Subject: Communication from the Grants Facilitator to apply for a grant with the Racine Rotary Foundation to support the Racine AfterZones initiative. (Grant Control #2012-0006) (Res. 12-3050)

Recommendation of the Finance & Personnel Committee on 3-26-12: Permission be granted for the Grants Facilitator to apply for a \$2,000 grant with the Racine Rotary Foundation to support the Racine AfterZones initiative. (Grant Control #2012-0006)

Fiscal Note: The grant amount is \$2,000 and will support branding and marketing materials. There is no match requirement.

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

[12-7474](#)

Subject: Communication from the Grants Facilitator requesting to apply for the Second Chance Act Adult Offender Reentry Program for Planning and Demonstration 2012 Grant Announcement through the US Department of Justice.(Grant Control No. 2012-007). (Res. 12-3051)

Recommendation of the Finance & Personnel Committee on 3-26-12: Permission be granted for the Grants Facilitator to apply for the \$750,000 Second Chance Act Adult Offender Reentry Program for Planning and Demonstration 2012 Grant Announcement through the US Department of Justice conditioned on the waiving of the 25% cash

match by the DOJ (Grant Control No. 2012-007).

Fiscal Note: There is a 50% cash and in-kind match for this grant (25% cash of \$187,500 and 25% in-kind of \$187,500), however, the cash requirement can be waived by the Attorney General for municipalities that are facing hardship. It is anticipated that the City and its several partners will be able to provide the 25% in-kind services.

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

[12-7475](#)

Subject: Communication from the Grants Facilitator to apply for the Title V Community Prevention Grant for Truancy Prevention Programs through the Wisconsin Office of Justice Assistance. (Grant Control No. 2012-008) (Res. 12-3052)

Recommendation of the Finance & Personnel Committee on 3-26-12: Permission be granted for the Grants Facilitator to apply for the \$49,000 Title V Community Prevention Grant for Truancy Prevention Programs through the Wisconsin Office of Justice Assistance. (Grant Control No. 2012-008)

Fiscal Note: The grant amount is \$49,000 and requires a 50% in-kind match to be provided primarily by Unified School District.

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

[12-7511](#)

Subject: (Direct Referral) The Common Council referred Ordinance No. 4-12 to change the organizational structure of the City's Management team regarding the positions of City Engineer, City Assessor, and the Building Complex Facilities Manager.

Recommendation of the Finance & Personnel Committee on 3-26-12: Adopt Ordinance No. 4-12

Fiscal Note: N/A

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

[12-7512](#)

Subject: (Direct Referral) The Common Council referred Ordinance No. 5-12 to repeal Article II, Division 9, Sec. 2-186 of the Municipal Code of the City of Racine, Wisconsin and to amend Sec. 2-531 (b) and (c) of the Municipal Code of the City of Racine, Wisconsin relating to Article IV., Departments, Division 8. Commissioner of Public Works.

Recommendation of the Finance & Personnel Committee on 3-26-12: Adopt Ordinance No. 5-12

Fiscal Note: N/A

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

12-7520

Subject: (Direct Referral) Communication from Fair Housing Director requesting permission to formally accept a donation from SC Johnson, A Family Company, for the annual Fair Housing Updates & Awards/Conference Program and Luncheon Event to be held on April 13, 2012. (Res. 3053)

Recommendation of the Finance & Personnel Committee on 3-26-12: Permission be granted for the Fair Housing Director to formally accept a \$1,000 donation from SC Johnson, A Family Company, for the annual Fair Housing Updates & Awards/Conference Program and Luncheon Event to be held on April 13, 2012.

Fiscal Note: The donation is for \$1,000.

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

Council Action

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

AYES: 12 - Marcus, Shields, Kaplan, Kaprelian-Becker, Weidner, Shakoor, II, McCarthy, Wisner, Helding, Wisneski, Hart and Mozol

ABSENT: 1 - Fair

EXCUSED: 2 - DeHahn and Morgenroth

Public Works and Services Committee Report, by Ald. Weidner**12-7509**

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations requesting permission to waive formal bidding procedures for the purchase of a tar melter applicator. (Res. 12-3062)

Recommendation of the Public Works and Services Committee on 3-27-12: That formal bidding procedures be waived and that the Purchasing Agent be authorized and directed to negotiate with Sherwin Industries, Milwaukee, WI, for the purchase of one tar melter/applicator.

Fiscal Note: The estimated cost of this equipment of \$42,000.00 and funding is available in Account 101.630.5770, Machinery &

Equipment-St. Maint.

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

12-7427

Subject: Communication from the Harbor Commission requesting permission to upgrade the dinghy rack structure at the Rooney Recreational Area. (Res. 12-3055)

Recommendation of the Public Works and Services Committee on 3-13-12: Defer

Recommendation of the Public Works and Services Committee on 3-27-12: That permission be granted to the Racine Board of Harbor Commissioners to install landscaping and remove and replace the dinghy rack structure in the Rooney Recreational Area.

Fiscal Note: Funding for this project is appropriated in the special revenue fund 2012 Harbor Commission Budget.

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

12-7460

Subject: (Direct Referral) Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 21-11 (K1-021), PS-2011 Racine Illicit Discharge Detection and Elimination Program Support, AECOM Technical Services, Inc., consultant. (Res. 12-3059)

Recommendation of the Public Works and Services Committee on 3-27-12: That the professional services provided by AECOM Technical Services, Inc., under Contract 21-11 (K1-021), Professional Services - Racine Illicit Discharge and Elimination Program Support, be accepted and final payment authorized for a total contract amount of \$19,999.95.

Fiscal Note: Contract was authorized under Resolution No. 11-2374, dated January 18, 2011.

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

12-7462

Subject: Communication from the Assistant Commissioner of Public Works/Operations submitting Amendment No. 1 to the Recycle Cart Maintenance Agreement with Rehrig Pacific Company. (Res. 12-3064)

Recommendation of the Public Works and Services Committee on 3-27-22: That Amendment No. 1 to the Recycle Cart Maintenance Agreement with Rehrig Pacific Company, consultant, as submitted, be approved in the amount of \$899.00 per month.

Fiscal Note: Funding to defray the cost of these professional services be appropriated from Account 289.000.5610, Professional Services.

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

12-7510

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting Amendment No. 4 to Contract 22-10 (K0-025), Professional Services - Design Services for City Hall Facilities Plan Implementation-Phase III, Butterfield, Rudie & Seitz, consultant. (Res. 12-3063)

Recommendation of the Public Works and Services Committee on 3-27-12: That Amendment No. 4 to Contract 22-10 (K0-025), Professional Services - Design Services for City Hall Facilities Plan Implementation-Phase III, Butterfield, Rudie & Seitz, consultant, as submitted, be approved in the amount of \$2,250.00.

Fiscal Note: Funding to defray the cost of these professional services be appropriated from Account 990.100.5010, City Hall - Facility Plan Implementation.

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

12-7500

Subject: Communication from the Assistant Commissioner of Public Works/Operations requesting the transfer of funds and waiving of formal bidding for a brine making system. (Res. 12-3061)

Recommendation of the Finance & Personnel Committee on 3-26-12: Transfer the \$224,200 remaining balance from account 289.991.5010 Recycling Transfer Building to account 991.540.5010 Brine System.

Recommendation of the Public Works and Services Committee on 3-27-12: That formal bidding procedures be waived and that the Purchasing Agent be authorized and directed to negotiate the furnishing and installation of the BrineXtreme Brine Production and Blending Equipment System, that being in the best interest of the City.

Fiscal Note: Alternatives to building a Recycling Transfer Station will be implemented. The remaining funding of \$224,200 for this project is available for the Salt Brine System. Total cost of the Salt Brine System is approximately \$360,000. The remaining funding for the Brine System will be provided for in the 2013 Capital Projects by reallocated \$135,800 from the projected 2013 Recycling Transfer Station amount of \$750,000 as provided for in the 2012-2016 Adopted Capital Improvement Plan.

Alderman Weidner requested that item 12-7500 be considered separately.

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

AYES: 12 - Marcus, Shields, Kaplan, Kaprelian-Becker, Weidner, Shakoor, II, McCarthy, Wisner, Holding, Wisneski, Hart and Mozol

ABSENT: 1 - Fair

EXCUSED: 2 - DeHahn and Morgenroth

12-7507

Subject: (Direct Referral) Communication from the Commissioner of Public Works/City Engineer submitting bid results on Contract 3-12 (K2-003), Traffic Signal Replacement - 16th Street and West Blvd. (Res. 12-3056)

Recommendation of the Public Works and Services Committee on 3-27-12: That Contract 3-12 (K2-003), Traffic Signal Replacement - 16th Street to West Blvd., be awarded to Outdoor Lighting Construction Co., Inc., Milwaukee, WI, at their bid price of \$96,832.84, they being the lowest responsible bidder.

Fiscal Note: Funding to defray the cost of this public works project be appropriated from the following accounts:

\$ 91,832.84 - Account 992.600.5010, Traffic Signals (2012 Budget)
\$ 5,000.00 - Account 992.590.5010, Street Lighting
\$ 96,832.84 - Total

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

12-7508

Subject: (Direct Referral) Communication from the Commissioner of Public Works/City Engineer submitting bid results on Contract 6-12 (K2-006), 2012 Concrete Street Reconstruction (R1). (Res. 12-3057)

Recommendation of the Public Works and Services Committee on 3-27-12: That Contract 6-12 (K2-006), 2012 Concrete Street Reconstruction (R1), be awarded to A.W. Oakes & Son, Inc., Racine, WI, at their bid price of \$1,465,605.25, they being the lowest responsible bidder.

Fiscal Note: Funding to defray the cost of this public works project be appropriated from the following accounts:

\$ 157,095.81 - Account 991.908.5020, Concrete Pvmt Repl., Misc.
\$ 959,013.94 - Account 992.908.5020, Concrete Pvmt Repl., Misc.
\$ 18,504.66 - Account 991.590.5010, Replace City Circuits
\$ 18,186.34 - Account 992.590.5010, Replace City Circuits

\$ 55,978.00 - Account 104.992.5420, Storm Sewers, Misc.
\$ 16,400.00 - Account 287.992.5310, Sanitary Sewers, Var. Loc.
\$ 240,426.50 - Account 104.992.5430, Mound Avenue Project
\$ 1,465,605.25 - Total

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

12-7513

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Engineering submitting a Professional Services Agreement from Nielsen, Madsen & Barber for on-call Professional Registered Land Surveying Services. (Res. 12-3058)

Recommendation of the Public Works and Services Committee on 3-27-12: That the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with Nielsen, Madsen & Barber for On-call Professional Registered Land Surveying Services, in the not-to-exceed amount of \$5,000.00

Fiscal Note: Funding to defray the cost of these professional services be appropriated from Account 101.130.5610, Professional Services.

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

12-7528

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Engineering submitting Amendment No. 4 to Contract 03-11 (K1-003), PS - Design Services for Repairs to Spring St. Bridge, Ayres Associates, Consultant. (Res. 12-3060)

Recommendation of the Public Works and Services Committee on 3-27-12: That Amendment No. 4 to Contract 3-11 (K1-003), Professional Services - Design Services for Repairs to Spring Street Bridge, Ayres & Associates, consultant, as submitted, be approved in the amount of \$9,750.00.

Fiscal Note: Funding to defray the cost of these professional services be appropriated from Account 992.520.5020, Memorial Drive Bridge.

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

12-7532

Subject: (Direct Referral) Communication from the City Administrator submitting the request of Real Racine to use city right-of-way for The Color Run on May 19, 2012. (Res. 12-3054)

Recommendation of the Public Works and Services Committee on 3-27-12: That permission be granted to Real Racine to close the following streets and to utilize certain other City streets, as indicated, on their race map, for The Color Run on Saturday, May 19, 2012:

5th Street from Festival Park Drive to Main Street,
Main Street from 5th Street to 4th Street,
4th Street from Main Street to Water Street,
Water Street from 4th Street to College Avenue,
College Avenue from Water Street to 6th Street,
6th Street from College Avenue to Lake Avenue,
Lake Avenue from 6th Street to 10th Street,
10th Street from Lake Avenue to Main Street,
Main Street from 10th Street to 16th Street,
16th Street from Main Street to Wisconsin Avenue,
Wisconsin Avenue from 16th Street to 11th Street,
11th Street from Wisconsin Avenue to Pershing Park Drive,
Pershing Park Drive from 11th Street to 6th Street,
6th Street from Pershing Park Drive to Festival Park Drive,
Festival Park Drive from 6th Street to Festival Hall;

with the following stipulations:

- A. A hold harmless agreement be executed and a \$62.50 processing fee paid.
- 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 \$1,700.00 special event fee.
- F. Sponsor shall be responsible for submitting a Temporary Traffic Control Plan to the Engineering Department for approval; and providing and removing all temporary traffic control devices and detour signs.
- G. Sponsor shall provide a detour plan for the closure of all State Connecting Highways, arterial and collector streets to the City Engineer for approval.
- H. Sponsor shall pay \$750.00 for street sweeping.
- I. Sponsor shall pay \$6.25 per impacted parking meter.

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.

Council Action

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

AYES: 12 - Marcus, Shields, Kaplan, Kaprelian-Becker, Weidner, Shakoor, II, McCarthy, Wiser, Holding, Wisneski, Hart and Mozol

ABSENT: 1 - Fair

EXCUSED: 2 - DeHahn and Morgenroth

Public Safety and Licensing Committee Report, by Ald. Wisneski

12-7461

Subject: Communication from the Interim Director of Parks, Recreation and Cultural Services requesting formal bidding be waived and the Purchasing Agent be authorized to negotiate with H & K Sports Fields for the renovation of Lincoln Park Baseball diamond. (Res. 12-3065)

Recommendation of the Public Safety and Licensing Committee on 03-26-12: That formal bidding be waived and the Purchasing Agent be authorized and directed to negotiate with H & K Sports Fields for the renovation of Lincoln Park Baseball diamond.

Fiscal Note: Funds are available from account 992.710.502 which should not exceed \$23,750.00.

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

12-7495

Subject: Communication from the Interim Director of Parks, Recreation and Cultural services requesting authorization of final payment for Contract 22-11 (K1-022) Masonry Restoration at Tyler-Domer Community Center. (Res. 12-3066)

Recommendation of the Public Safety and Licensing Committee on 03-26-12: That final payment for Contract 22-11 (K1-022) Masonry Restoration at Tyler-Domer Community Center be approved.

Fiscal Note: Funds are available in account 991.700.5030 for the final payment of \$10,293.75.

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

12-7480

Subject: (Direct Referral) Request of the Committee for the appearance of Keith Fair, Agent for The Place on Sixth, 509 Sixth Street, regarding an incident at the establishment on March 10, 2012.

Recommendation of the Public Safety and Licensing Committee

on 03-26-12: That the matter of the Place on 6th, 509 Sixth Street be referred to a due process hearing based on the continuous number of police calls, fights and large crowds to determine whether the license should be revoked or suspended.

Fiscal Note: Approximate cost \$6,000.

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

Council Action

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

AYES: 12 - Marcus, Shields, Kaplan, Kaprelian-Becker, Weidner, Shakoor, II, McCarthy, Wiser, Holding, Wisneski, Hart and Mozol

ABSENT: 1 - Fair

EXCUSED: 2 - DeHahn and Morgenroth

Transit and Parking Commission Report, by Ald. Weidner

12-7486

Subject: (Direct Referral) Communication from the Transit and Parking System Manager requesting to discuss the potential purchase of a 30-stall parking area at Water and Park Streets.

Recommendation of the Transit and Parking Commission on 03-21-12: Receive and file.

Fiscal Note: N/A

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

12-7487

Subject: (Direct Referral) Communication from Rik Edgar requesting that parking fees for VenuWorks full-time staff be waived.

Recommendation of the Transit and Parking Commission on 03-21-12: Receive and file.

Fiscal Note: N/A

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

12-7488

Subject: (Direct Referral) Communication from the BUS General Manager to review January and February BUS ridership, revenue and operations information.

Recommendation of the Transit and Parking Commission on 03-21-12: Receive and file.

Fiscal Note: N/A

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

[12-7489](#)

Subject: (Direct Referral) Communication from the Transit and Parking System Manager requesting to review proposals to provide commuter bus service connecting Racine with Milwaukee and Kenosha and make a recommendation for award of a contract. (Res. 12-3069)

Recommendation of the Transit and Parking Commission on 03-21-12: The Transit and Parking System Manager be empowered to negotiate a three-year contract with a two-year renewal option for the operation of commuter bus service with WI Coach Lines, the sole bidder responding to a Request for Proposals. The contract will specify that no City of Racine funds are to be needed for payment for this service. Federal and State funding will be the sole source of public funding. The motion recommends that the Racine Common Council authorize the Mayor to sign a contract with WI Coach Lines that stipulates no commitment on the part of the City for the ultimate cost of commuter bus service linking Racine with Milwaukee and Kenosha Counties.

Fiscal Note: No City commitment or obligation of funding.

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

[12-7490](#)

Subject: (Direct Referral) Communication from the Transit and Parking System Manager requesting to review and approve a summer BUS ridership promotional campaign. (Res. 12-3071)

Recommendation of the Transit and Parking Commission on 03-21-12: A joint promotion with area businesses be undertaken to encourage summer BUS ridership through a campaign to have local youth prepare BUS promotional announcements as part of a radio station promotion. The BUS will provide a 10-ride pass to each qualified contestant and any other prizes awarded will be funded and supplied by the radio station and/or local businesses.

Fiscal Note: Funds for the promotional campaign are already included in the approved BUS budget with 80% of the cost to be provided by a Federal Congestion Mitigation Air Quality (CMAQ) grant.

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

[12-7491](#)

Subject: (Direct Referral) Communication from the Transit and Parking System Manager requesting to review and approve the revised 2011 BUS Annual Report.

Recommendation of the Transit and Parking Commission on 03-21-12: Receive and file.

Fiscal Note: N/A

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

[12-7492](#)

Subject: (Direct Referral) Communication from the Transit and Parking System Manager requesting to review and approve application for a 2012 "State of Good Repair" grant. (Res. 12-3070)

Recommendation of the Transit and Parking Commission on 03-21-12: The City of Racine authorize the application for and acceptance of a Federal Transit Administration (FTA) State of Good Repair grant in an amount not to exceed \$432,000 to fund a BUS storage building roof replacement, BUS Transit Center modifications, required BUS radio frequency narrow-banding and needed replacement of maintenance equipment.

Fiscal Note: City Capital Improvement funding for the local share has already been approved and included in previous Capital Improvement Programs.

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

[12-7493](#)

Subject: (Direct Referral) Communication from the Transit and Parking System Manager requesting to discuss the 2012 Parking Ramp maintenance program and stakeholder outreach.

Recommendation of the Transit and Parking Commission on 03-21-12: Receive and file.

Fiscal Note: N/A

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

Council Action

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

AYES: 12 - Marcus, Shields, Kaplan, Kaprelian-Becker, Weidner, Shakoor, II, McCarthy, Wiser, Holding, Wisneski, Hart and Mozol

ABSENT: 1 - Fair

EXCUSED: 2 - DeHahn and Morgenroth

City Plan Commission Report, by Ald. Wisneski

12-7467

Subject: (Direct Referral) Request from Bryan Linstroth, representing Stein Gardens and Gifts, seeking a conditional use permit to operate a seasonal garden center at 3502 Douglas Avenue. (PC-12) (Res. 12-3067)

Recommendation of the City Plan Commission on 3-28-12: That the item be approved subject to conditions.

Fiscal Note: N/A

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

12-7525

Subject: (Direct Referral) Request from Terry J. Walz seeking a conditional use permit to operate a facility for the tuning and restoration of motorcycles at 2711 Lathrop Avenue. (PC-12) (Res. 12-3068)

Recommendation of the City Plan Commission on 3-28-12: That the item be approved subject to conditions.

Fiscal Note: N/A

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

Council Action

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

AYES: 12 - Marcus, Shields, Kaplan, Kaprelian-Becker, Weidner, Shakoor, II, McCarthy, Wiser, Holding, Wisneski, Hart and Mozol

ABSENT: 1 - Fair

EXCUSED: 2 - DeHahn and Morgenroth

Housing Loan Board Report, by Ald. Wiser

12-7477

Subject: (Direct Referral) Request of the Assistant Director of City Development to accept an offer to purchase 900 Center Street. (Res.

12-3072)

Recommendation of the Loan Board of Review on March 30, 2012: That the request be approved. Further recommend that the Mayor, City Clerk, and Assistant Director of City Development be authorized to execute any necessary selling documents.

Fiscal Note: The City will receive \$35,000 in proceeds, minus commissions and closing costs.

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

[12-7540](#)

Subject: (Direct Referral) Request of the Assistant Director of City Development to accept an offer to purchase 1124 Irving Place (NSP-1). (Res. 12-3073)

Recommendation of the Loan Board of Review on March 30, 2012: That the request be approved contingent on the buyer accepting the period of affordability deed restriction. Further recommend that the Mayor, City Clerk, and Assistant Director of City Development be authorized to execute any necessary selling documents.

Fiscal Note: The City will receive \$53,500 in proceeds, minus commissions and closing costs.

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

Council Action

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

AYES: 12 - Marcus, Shields, Kaplan, Kaprelian-Becker, Weidner, Shakoor, II, McCarthy, Wisner, Holding, Wisneski, Hart and Mozol

ABSENT: 1 - Fair

EXCUSED: 2 - DeHahn and Morgenroth

Water Works Committee Report, by Ald Hart

[12-7526](#)

Subject: Minor Ordinance Reference Changes - Sec. 18-551, 18-553

Recommendation of the Racine Water Works Commission on 3/27/12: To approve.

FURTHER RECOMMEND, THE ITEM BE REFERRED TO THE

PUBLIC WORKS & SERVICES COMMITTEE

This Communication was Referred to the Public Works and Services Committee

Standing Joint Review Board Report, by Ald. Holding.[12-7413](#)

Subject: (Direct Referral) Request to create Tax Incremental District No. 17 for the Porters of Racine redevelopment.

Recommendation of the Standing Joint Review Board on 3-26-12:

That, pursuant to sec. 66.1005 (4m)(b), Wisconsin Statutes, the Standing Joint Review Board met on March 26, 2012 and approved Tax Incremental District No. 17 as described in your Resolution 12-3043, and

Recommends that this item be received and filed as the district is now created.

Fiscal Note: N/A

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

AYES: 12 - Marcus, Shields, Kaplan, Kaprelian-Becker, Weidner, Shakoor, II, McCarthy, Wiser, Holding, Wisneski, Hart and Mozol

ABSENT: 1 - Fair

EXCUSED: 2 - DeHahn and Morgenroth

G. Consent Agenda[Res.12-3021](#)

Anchor Fitness

Resolved, that Anchor Fitness is granted permission to use one lane of Reichert Court west to Michigan Boulevard and 1/3 of the east side (northbound) lane of Michigan Boulevard to Goold Street for the Second Annual Marina Mayhem 5K/10K Challenge, to be held on Saturday, September 29, 2012, from 7:30 a.m. to 10:00 a.m., with the following stipulations:

- A. A hold harmless agreement be executed.
- B. A liability insurance certificate be filed prior to this event.
- C. Any overtime costs incurred by any City department be charged to the sponsor.
- D. The sponsor shall notify all abutting property owners seventy-two (72) hours in advance of this event.
- E. A \$62.50 processing fee be paid.

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

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

Sponsors: Sandy Weidner

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

Res.12-3047

Wisconsin DNR Grant for Lincoln Park Streambank Stabilization

Resolved that, permission is granted for the Assistant Commissioner of Public Works/Engineering to accept the \$100,000 Wisconsin DNR Grant for Lincoln Park Streambank Stabilization - Grant Control No. 2011-013.

Fiscal Note: The total amount of the study to update the project will be \$200,000, with 50% of the grant funding available in the amount of \$100,000, and a 50% local share of \$100,000. Funding for the local share is available in Account No. 104.992.5470-Lincoln Park Streambank.

Sponsors: Q.A. Shakoor, II

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

Res.12-3048

Wisconsin DNR Grant for Water Quality Planning (Non-Point Source Pollutant Modeling)

Resolved, that permission is granted for the Assistant Commissioner of Public Works/Engineering to accept a \$31,500 Wisconsin DNR Grant for Water Quality Planning (Non-Point Source Pollutant Modeling) - Grant Control No. 2011-014.

Fiscal Note: The total amount of the project is \$45,000, with 70% of the grant funding available in the amount of \$31,500 and a 30% local share of \$13,500. Funding for the local share is available in Account No. 104.992.5450-SLAMM Model (\$45,000).

Sponsors: Q.A. Shakoor, II

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

Res.12-3049

Wisconsin DNR Grant for Streambank Erosion Condition Report Update

Resolved that, permission is granted for the Assistant Commissioner of PublicWorks/Engineering to accept a \$70,000 Wisconsin DNR Grant for Streambank Erosion Condition Report Update - Grant Control No. 2011-015.

Fiscal Note: The total amount of the study to update the report will be \$100,000, with 70% of the grant funding available in the amount of \$70,000, and a 30% local share of \$30,000. Funding for the local share is available in Account No. 104.992.5460 - Root River Assessment.

Sponsors: Q.A. Shakoor, II

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

[Res.12-3050](#)

Racine Rotary Foundation to support the Racine AfterZones initiative.

Resolved, that permission is granted for the Grants Facilitator to apply for a \$2,000 grant with the Racine Rotary Foundation to support the Racine AfterZones initiative. (Grant Control #2012-0006)

Fiscal Note: The grant amount is \$2,000 and will support branding and marketing materials. There is no match requirement.

Sponsors: Q.A. Shakoor, II

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

[Res.12-3051](#)

Second Chance Act Adult Offender Reentry Program

Resolved, that permission is granted for the Grants Facilitator to apply for the \$750,000 Second Chance Act Adult Offender Reentry Program for Planning and Demonstration 2012 Grant Announcement through the US Department of Justice conditioned on the waiving of the 25% cash match by the DOJ (Grant Control No. 2012-007).

Fiscal Note: There is a 50% cash and in-kind match for this grant (25% cash of \$187,500 and 25% in-kind of \$187,500), however, the cash requirement can be waived by the Attorney General for municipalities that are facing hardship. It is anticipated that the City and its several partners will be able to provide the 25% in-kind services.

Sponsors: Q.A. Shakoor, II

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

[Res.12-3052](#)

Title V Community Prevention Grant for Truancy Prevention Programs

Resolved, that permission is granted for the Grants Facilitator to apply for the \$49,000 Title V Community Prevention Grant for Truancy Prevention Programs through the Wisconsin Office of Justice Assistance. (Grant Control No. 2012-008)

Fiscal Note: The grant amount is \$49,000 and requires a 50% in-kind match to be provided primarily by Unified School District.

Sponsors: Q.A. Shakoor, II

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

Res.12-3053

Fair Housing Updates & Awards/Conference Program and Luncheon

Resolved, that permission is granted for the Fair Housing Director to formally accept a \$1,000 donation from SC Johnson, A Family Company, for the annual Fair Housing Updates & Awards/Conference Program and Luncheon Event to be held on April 13, 2012.

Fiscal Note: The donation is for \$1,000.

Sponsors: Q.A. Shakoor, II

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

Res.12-3054

The Color Run

Resolved, that permission is granted to Real Racine to close the following streets and to utilize certain other City streets, as indicated, on their race map, for The Color Race on Saturday, May 19, 2012:

5th Street from Festival Park Drive to Main Street,
Main Street from 5th Street to 4th Street,
4th Street from Main Street to Water Street,
Water Street from 4th Street to College Avenue,
College Avenue from Water Street to 6th Street,
6th Street from College Avenue to Lake Avenue,
Lake Avenue from 6th Street to 10th Street,
10th Street from Lake Avenue to Main Street,
Main Street from 10th Street to 16th Street,
16th Street from Main Street to Wisconsin Avenue,
Wisconsin Avenue from 16th Street to 11th Street,
11th Street from Wisconsin Avenue to Pershing Park Drive,
Pershing Park Drive from 11th Street to 6th Street,
6th Street from Pershing Park Drive to Festival Park Drive,
Festival Park Drive from 6th Street to Festival Hall;

with the following stipulations:

- A. A hold harmless agreement be executed and a \$62.50 processing fee paid.
- 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 \$1,700.00 special event fee.
- F. Sponsor shall be responsible for submitting a Temporary Traffic Control Plan to the Engineering Department for approval; and providing and removing all temporary traffic control devices and detour signs.
- G. Sponsor shall provide a detour plan for the closure of all State Connecting highways, arterial and collector streets to the City Engineer for approval.
- H. Sponsor shall pay \$750.00 for street sweeping.
- I. Sponsor shall pay \$6.25 per impacted parking meter.

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

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

Sponsors: Sandy Weidner

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

Res.12-3055

Rooney Recreational Area

Resolved, that permission is granted to the Racine Board of Harbor Commissioners to install landscaping and remove and replace the dinghy rack structure in the Rooney Recreational Area.

Fiscal Note: Funding for this project is appropriated in the special revenue fund 2012 Harbor Commission Budget.

Sponsors: Sandy Weidner

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

Res.12-3056

Traffic Signal Replacement - 16th Street and West Blvd

Resolved, that Contract 3-12 (K2-003), Traffic Signal Replacement - 16th Street to West Blvd., is awarded to Outdoor Lighting Construction

Co., Inc., Milwaukee, WI, at their bid price of \$96,832.84, they being the lowest responsible bidder.

Fiscal Note: Funding to defray the cost of this public works project be appropriated from the following accounts:

\$ 91,832.84 - Account 992.600.5010, Traffic Signals (2012 Budget)

\$ 5,000.00 - Account 992.590.5010, Street Lighting

\$ 96,832.84 - Total

Sponsors: Sandy Weidner

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

Res.12-3057

Contract 6-12 (K2-006)

Resolved, that Contract 6-12 (K2-006), 2012 Concrete Street Reconstruction (R1), is awarded to A.W. Oakes & Son, Inc., Racine, WI, at their bid price of \$1,465,605.25, they being the lowest responsible bidder.

Fiscal Note: Funding to defray the cost of this public works project be appropriated from the following accounts:

\$ 157,095.81 - Account 991.908.5020, Concrete Pavement Repl., Misc.

\$ 959,013.94 - Account 992.908.5020, Concrete Pavement Repl., Misc.

\$ 18,504.66 - Account 991.590.5010, Replace City Circuits

\$ 18,186.34 - Account 992.590.5010, Replace City Circuits

\$ 55,978.00 - Account 104.992.5420, Storm Sewers, Misc.

\$ 16,400.00 - Account 287.992.5310, Sanitary Sewers, Var. Loc.

\$ 240,426.50 - Account 104.992.5430, Mound Avenue Project

\$ 1,465,605.25 - Total

Sponsors: Sandy Weidner

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

Res.12-3058

Registered Land Surveying Services

Resolved, that the Mayor and City Clerk are authorized and directed to enter into a professional services agreement with Nielsen, Madsen & Barber for On-call Professional Registered Land Surveying Services, in the not-to-exceed amount of \$5,000.00

Fiscal Note: Funding to defray the cost of these professional services be appropriated from Account 101.130.5610, Professional Services.

Sponsors: Sandy Weidner

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

Res.12-3059

Contract 21-11(K1-021)

Resolved, that the professional services provided by AECOM Technical Services, Inc., under Contract 21-11 (K1-021), Professional Services - Racine Illicit Discharge and Elimination Program Support, is accepted and final payment is authorized for a total contract amount of \$19,999.95.

Fiscal Note: Contract was authorized under Resolution No. 11-2374, dated January 18, 2011.

Sponsors: Sandy Weidner

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

Res.12-3060

Amendment No. 4 to Contract 03-11 (K1-003)

Resolved, that Amendment No. 4 to Contract 3-11 (K1-003), Professional Services - Design Services for Repairs to Spring Street Bridge, Ayres & Associates, consultant, as submitted, is approved in the amount of \$9,750.00.

Fiscal Note: Funding to defray the cost of these professional services be appropriated from Account 992.520.5020, Memorial Drive Bridge.

Sponsors: Sandy Weidner

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

Res.12-3061

Brine making system

Resolved, that formal bidding procedures is waived and that the Purchasing Agent is authorized and directed to negotiate the furnishing and installation of the BrineXtreme Brine Production and Blending Equipment System, that being in the best interest of the City.

Fiscal Note: Alternatives to building a Recycling Transfer Station will be implemented. The remaining funding of \$224,200 for this project is available for the Salt Brine System. Total cost of the Salt Brine System is approximately \$360,000. The remaining funding for the Brine System will be provided for in the 2013 Capital Projects by reallocated \$135,800 from the projected 2013 Recycling Transfer Station amount of \$750,000 as provided for in the 2012-2016 Adopted Capital

Improvement Plan.

Sponsors: Sandy Weidner

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

Res.12-3062

Tar melter applicator

Resolved, that formal bidding procedures are waived and that the Purchasing Agent is authorized and directed to negotiate with Sherwin Industries, Milwaukee, WI, for the purchase of one tar melter/applicator.

Fiscal Note: The estimated cost of this equipment of \$42,000.00 and funding is available in Account 101.630.5770, Machinery & Equipment-St. Maint.

Sponsors: Sandy Weidner

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

Res.12-3063

Amendment No. 4 to Contract 22-10 (K0-025)

Resolved, that Amendment No. 4 to Contract 22-10 (K0-025), Professional Services - Design Services for City Hall Facilities Plan Implementation-Phase III, Butterfield, Rudie & Seitz, consultant, as submitted, is approved in the amount of \$2,250.00.

Fiscal Note: Funding to defray the cost of these professional services be appropriated from Account 990.100.5010, City Hall - Facility Plan Implementation.

Sponsors: Sandy Weidner

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

Res.12-3064

Amendment No. 1 to the Recycle Cart Maintenance Agreement with Rehrig Pacific Company

Resolved, that Amendment No. 1 to the Recycle Cart Maintenance Agreement with Rehrig Pacific Company, consultant, as submitted, is approved in the amount of \$899.00 per month.

Fiscal Note: Funding to defray the cost of these professional services be appropriated from Account 289.000.5610, Professional Services.

Sponsors: Sandy Weidner

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

Res.12-3065

H & K Sports Fields for the renovation of Lincoln Park Baseball diamond

Resolved, that formal bidding is waived and the Purchasing Agent is authorized and directed to negotiate with H & K Sports Fields for the renovation of Lincoln Park Baseball diamond.

Fiscal Note: Funds are available from account 992.710.502 which should not exceed \$23,750.00.

Sponsors: Aron Wisneski

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

Res.12-3066

Contract 22-11 (K1-022)

Resolved, that final payment for Contract 22-11 (K1-022) Masonry Restoration at Tyler-Domer Community Center is approved.

Fiscal Note: Funds are available in account 991.700.5030 for the final payment of \$10,293.75.

Sponsors: Aron Wisneski

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

Res.12-3069

Commuter bus service connecting Racine with Milwaukee and Kenosha

Resolved, that the Transit and Parking System Manager is empowered to negotiate a three-year contract with a two-year renewal option for the operation of commuter bus service with WI Coach Lines, the sole bidder responding to a Request for Proposals. The contract will specify that no City of Racine funds are needed for payment of this service. Federal and State funding will be the sole source of public funding. The motion recommends that the Racine Common Council authorize the Mayor to sign a contract with WI Coach Lines that stipulates no commitment on the part of the City for the ultimate cost of commuter bus service linking Racine with Milwaukee and Kenosha Counties.

Fiscal Note: No City commitment or obligation of funding.

Sponsors: Raymond DeHahn

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

Res.12-3070

"State of Good Repair"

Resolved, that the City of Racine authorize the application for and acceptance of a Federal Transit Administration (FTA) State of Good Repair grant in an amount not to exceed \$432,000 to fund a BUS storage building roof replacement, BUS Transit Center modifications, required BUS radio frequency narrow-banding and needed replacement of maintenance equipment.

Fiscal Note: City Capital Improvement funding for the local share has already been approved and included in previous Capital Improvement Programs.

Sponsors: Raymond DeHahn

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

Res.12-3071 BUS ridership promotional campaign

Resolved, that a joint promotion with area businesses is undertaken to encourage summer BUS ridership through a campaign to have local youth prepare BUS promotional announcements as part of a radio station promotion. The BUS will provide a 10-ride pass to each qualified contestant and any other prizes awarded will be funded and supplied by the radio station and/or local businesses.

Fiscal Note: Funds for the promotional campaign are already included in the approved BUS budget with 80% of the cost to be provided by a Federal Congestion Mitigation Air Quality (CMAQ) grant.

Sponsors: Raymond DeHahn

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

Res.12-3072 Purchase 900 Center Street

Resolved, that the request is approved.

Further resolved that the Mayor, City Clerk, and Assistant Director of City Development be authorized to execute any necessary selling documents.

Fiscal Note: The City will receive \$35,000 in proceeds, minus commissions and closing costs.

Sponsors: Dennis Wisner

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

Res.12-3067

3502 Douglas Avenue

That the request from Bryan Linstroth, representing Stein Gardens and Gifts, seeking a conditional use permit to operate a seasonal garden center at 3502 Douglas Avenue be approved, subject to the following conditions:

- a. That the plans presented to the Plan Commission on February 29, 2012 be approved, subject to the conditions contained herein.
- b. That all signs be professionally made and comply with all ordinance requirements.
- c. That all codes and ordinances be complied with and all permits acquired.
- d. That bathroom and hand washing facilities be available for all staff and customers.
- e. That all trash and recyclables be stored in closed containers, confined within the garden sales area, and be screened from view.
- f. That the grounds be cleaned of all garbage and debris on a daily basis.
- g. That appropriate fire access to the main building be maintained.
- h. That no minor changes to the conditions of this permit be made without the approval of the Plan Commission and no major changes made without the approval of the Common Council.
- i. That this permit is subject to review by the Plan Commission for compliance with the listed conditions.

Fiscal Note: N/A

Sponsors: Aron Wisneski

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

Res.12-3068

2711 Lathrop Avenue

That the request from Terry J. Walz seeking a conditional use permit to operate a facility for the tuning and restoration of motorcycles at 2711 Lathrop Avenue be approved, subject to the following conditions:

- a. That the plans presented to the Plan Commission on March 28,

2012 be approved subject to the conditions contained herein.

- b. That all codes and ordinances be complied with and required permits acquired.
- c. That all components of this operation be in compliance with the use Flex Development Use Supplement described in Resolution 07-0221, unless otherwise amended herein.
- d. That the hours of operation be 8:00 a.m. to 8:00 p.m. Monday through Saturday, and no hours on Sunday.
- e. That there be no outside display, storage, repair or service activities.
- f. That there be no outside overnight parking of vehicles.
- g. That all trash, scrap and recyclables be stored in closed containers and screened from view.
- h. That vehicle testing be conducted indoors or on Lathrop Avenue and that shop doors shall be closed while running motorcycle engines in order to maximize the containment of noises indoors.
- i. That all signs be professionally made, comply with the zoning ordinance requirements and be submitted to the Director of City Development for review and approval.
- j. That no minor changes be made from the conditions of this permit without the approval of the Plan Commission and no major changes be made from the conditions of this permit without the approval of the Common Council.
- k. That this permit is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

Sponsors: Aron Wisneski

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

Res.12-3073

Purchase 1124 Irving Place (NSP-1)

Resolved, that the request is approved contingent on the buyer accepting the period of affordability deed restriction.

Further resolved, that the Mayor, City Clerk, and Assistant Director of

City Development be authorized to execute any necessary selling documents.

Fiscal Note: The City will receive \$53,500 in proceeds, minus commissions and closing costs

Sponsors: Dennis Wisner

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

Council Action

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

AYES: 12 - Marcus, Shields, Kaplan, Kaprelian-Becker, Weidner, Shakoor, II, McCarthy, Wisner, Holding, Wisneski, Hart and Mozol

ABSENT: 1 - Fair

EXCUSED: 2 - DeHahn and Morgenroth

H. Ordinances

Ord.3-12

Ord. 3-12

To amend Chapter 114, Article VIII - Flood Regulations, of the Municipal Code of the city of Racine, Wisconsin relating to Zoning.

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

Part 1:

Sec. 114-845(2) Official maps revisions- in last sentence replace the words "most current approved" with "most restrictive".

Sec. 114-845(2)(a)(b) Official maps: Based on the FIS - repeal (a) & (b) and recreate (a) as follows:

(a) Flood Insurance Rate Map (FIRM), panels 55101C0111D, 55101C0113D, 55101C0114D, 5101C0118D, 55101C0119D, 55101C0209D, 55101C0226D, 55101C0227D, 55101C0228D, 55101C0229D, 55101C0231D, 55101C0232D, 55101C0233D, 55101C0234D, 55101C0236D, 55101C0237D, and 55101C0241D, dated May 2, 2012; with corresponding profiles that are based on the Flood Insurance Study (FIS) dated May 2, 2012, Volume numbers 55101CV001A and 55101CV002A.

Sec.114-845(4) *Locating floodplain boundaries.* - delete code reference 114-907 and replace with code reference 114-903(3).

Sec.114-845(4) *Note* - delete code reference 114-907(6) and replace with 114-910(6)

Sec.114-845(7) *Municipalities and state agencies regulated.*- after the word “law”, delete “the city is” and replace with “all cities, villages, towns and counties are”; and after the word “permit”, add the following sentences: “State agencies are required to comply if s.13.48(13), Stats., applies. The construction, reconstruction, maintenance and repair of state highways and bridges by the Wisconsin Department of Transportation is exempt when s.30.2022, Stats., applies.”

Sec.114-861 *Permitted uses.* - delete the code reference 114-907 and replace with 114-901.

Sec.114-871 *Permitted uses.* - delete the code reference 114-871 and replace with 114-872; and delete the code reference 114-907 and replace with 114-901.

Sec.114-871 *Floodfringe Overlay District - Permitted uses* - In the second sentence, after the word “district,” insert the words “as well as sewage systems, manufactured home parks, subdivisions, and individual units.”

Sec.114-872(2)(b) *Accessory structures or uses* - delete code references 114-862(2)(a),(b),(c),(d),(e),(f),(g) and replace it with 114-862(2)(a),(b),(c),(d).

Sec.114-872(4) *Manufacturing and industrial uses* - delete code reference 114-907 and replace with 114-905.

Sec.114-872(5) *Storage of materials* - delete code reference 114-907 and replace with 114-905.

Sec.114-872(6)(a) *Public utilities* - delete code reference 114-907 and replace with 114-905.

Sec.114-872(7) *Wells* - delete code reference 114-907 and replace with 114-905.

Sec.114-872 insert (10) as follows: “All mobile recreational vehicles that are on site for 180 consecutive days or more or are not fully licensed and ready for highway use shall have the lowest floor

elevated to the flood protection elevation; and be anchored so they do not float, collapse or move latterly during a flood. A mobile recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect utilities and security devices and has no permanently attached additions.”

Sec.114-881 General Floodplain Overlay District - Permitted uses - after the words “zoning district,” insert the words “ such is the case for public and private campgrounds,”.

Sec.114-881 Permitted uses - delete the code reference 114-907 and replace with 114-901.

Sec.114-883(3) Determining floodway and flood fringe limits - delete code reference 114-907(2)(c) and replace with 114-901(2)(c).

Sec.114-890(2)(d) Nonconforming Uses - General - after the word “would” insert the words “ equal or;”; and delete code reference 114-871(1) and replace with 114-872(1).

Sec.114-890 (2)(e) Nonconforming Uses - General - In the second sentence, after the word “condition” insert the words “ equal or.”

Sec.114-890(2)(f) Nonconforming Uses - General - delete code reference 114-907 and replace with 114-905.

Sec.114-891(1)(d) Nonconforming Uses- Floodway areas - delete code reference 114-907 and replace with 114-905.

Sec.114-891(2) Nonconforming Uses- Floodway areas - following the first sentence, add the following sentence: “No new on-site sewage disposal systems, or addition to an existing on-site sewage disposal system, except where an addition has been ordered by a government agency to correct a hazard to public health, shall be allowed on a floodway area.”

Sec.114-892(1) Nonconforming Uses- Floodfringe areas - delete code reference 114-907.

Sec.114-892(2) Nonconforming Uses- Floodfringe areas - delete code reference 114-907 and replace with 114-903.

Sec.114-892(2)(f) Nonconforming Uses- Floodfringe areas - delete code reference 114-872(6) and replace with 114-872(5).

Sec.114-892(3)(c) Nonconforming Uses- Floodfringe areas - after

the word “not” insert “equal or.”

Sec.114-892(4) Nonconforming Uses- Floodfringe areas - following the first sentence, add the following sentence: “All new private sewage disposal systems, and the addition to or replacement of existing private sewage disposal systems are prohibited.”

Sec.114-901(2)(a)(6) Site Development Plan - delete the words “national geodetic and vertical datum” and replace with “Flood Insurance Rate Maps in North American Vertical Datum (NAVD).”

Sec.114-901(2)(a)(7) Site Development Plan - delete “NGVD” and replace with “NAVD.”

Sec.114-903 Zoning Board of Appeals - wherever there is a code reference 114-862 replace with “114-Article II, Divisions 2 and 3.”

Sec.114114-904(1)(c) To review appeals of permit denials - delete code reference 114-862(1)(b)2 and replace with 114-862(1)(b).

Sec.114-911 Procedures - delete code reference 114-902(2) and replace with 114-901(2).

Sec.114-912 Enforcement - delete \$1,000.00 and replace with \$50.

Sec.114-913 Definitions - change the term “occupancy certificate” to “certificate of occupancy.”

Sec.114-913 Definitions - after the definition “Municipality or municipal” insert the flowing definition: “NAVD or North American Vertical Datum. Elevations referenced to mean sea level datum, 1988 adjustment.”

Part 2:

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

Passed by the Common Council:

Approved: _____

Mayor

I. Adjourn

The meeting was adjourned at 8:02p.m. by Alderman Shakoor. The next scheduled meeting of the Council is Monday, April 16, 2012.

ATTEST: JANICE M. JOHNSON-MARTIN
CITY CLERK