



# City of Racine

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

## Meeting Minutes - Final Common Council

*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 Thomas Friedel  
Alderman Gregory Holding, Alderman Aron Wisneski  
Alderman James T. Spangenberg, Alderman Ronald D. Hart, Alderman Robert Mozol*

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Tuesday, March 18, 2008

7:00 PM

Room 205, City Hall

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### A. Call To Order

**PRESENT:** 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor, II, 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)

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

### D. Public Comments

*No one appeared for public comment.*

### E. Communications

[08-1847](#) **Subject:** Monthly Building Report February 2008.

Received and Filed

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

[08-1835](#) **Subject:** Request for the waiver of the Policy Regarding the Sale of City-Owned Property, under Resolution 07-0415, for the transfer of the property at 1135 Racine Street, as approved by Resolution 07-0527.

**Referred to Finance and Personnel Committee**

[08-1842](#) **Subject:** A Communication from the Fire Chief requesting permission to accept \$1,310 from Emergency One and \$400 from Wingfoot Commercial Tire for reimbursement of repairs to Racine Fire Department apparatus.

Fiscal Note: to be credited to account: 101.300.5550, Repairs and Maintenance.

**Referred to Finance and Personnel Committee**

**Referred to Public Safety and Licensing Committee**

[08-1844](#)

**Subject:** Communication from the Public Health Administrator requesting permission to apply for funding from the Root-Pike Watershed Initiative Network. (Grant Control #2008-008)

**Referred to Finance and Personnel Committee**

[08-1849](#)

**Subject:** A Communication from the Fire Chief requesting permission to apply and accept an Urban Area Security Initiative (UASI) Grant for \$50,000 to upgrade the fire department's Tactical Command Post. There is no match required. Grant Control Number 2008-009.

**Referred to Finance and Personnel Committee**

**Referred to Public Safety and Licensing Committee**

[08-1858](#)

**Subject:** Communication from the Director of Parks, Recreation & Cultural Services wishing to discuss the donation and or costs involved to restore the cannons to Monument Square with the recommended granite base.

**Referred to Finance and Personnel Committee**

[08-1865](#)

**Subject:** Communication from the Finance Director wishing to discuss the vacated Payroll Manager position.

**Referred to the Finance and Personnel Committee**

[08-1872](#)

**Subject:** Communication from the Finance Director wishing to appear before the Finance and Personnel Committee to discuss annual budget carry forwards from 2007 to 2008.

**Referred to the Finance and Personnel Committee**

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

[08-1828](#)

**Subject:** Communication from Porters of Racine requesting to install a sign in the NW corner of the Courthouse Plaza during construction.

**Referred to Public Works and Services Committee**

[08-1829](#)

**Subject:** Communication from the Sierra Club Southeast Gateway Group submitting a proposal for the use of rain barrels to reduce storm water

runoff and municipal water usage.

**Referred to Public Works and Services Committee**

[08-1843](#)

**Subject:** Use of east end of Melvin Avenue extended for placement of an emergency generator and an underground electrical line in the public right of way on Michigan Boulevard

**Referred to Public Works and Services Committee**

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

[08-1848](#)

**Subject:** Communication from the Purchasing Agent submitting bid results for ONE (1) STUMP CUTTER.

**Referred to Public Safety and Licensing Committee**

**Refer to Traffic Commission, by Ald. Hart**

[08-1846](#)

**Subject:** Communication from the Alderman of the 15th District wishing to discuss upgrading warning lights, for fire trucks, at certain intersections.

**Referred to Traffic Commission**

**Refer to Transit and Parking Commission, by Ald. DeHahn**

[08-1826](#)

**Subject:** Communication from Rita Lewis, Racine Montessori School, wishing to rent Lakefront Lot No. 5 from 6 A.M. to 5 P.M. for the Lakefront Artist Fair on Saturday, May 3, 2008.

**Referred to Transit and Parking Commission**

[08-1827](#)

**Subject:** Communication from the Transit Planner submitting the January 2008 operating and financial report for the Wisconsin Coach Lines Kenosha-Racine-Milwaukee intercity bus service.

**Referred to Transit and Parking Commission**

[08-1834](#)

**Subject:** Communication from the Transit Planner wishing to review and approve a grant contract with the State of Wisconsin Department of Transportation for the purchase of six (6) small, human services style, wheelchair lift equipped buses.

**Referred to Transit and Parking Commission**

[08-1845](#)

**Subject:** Communication from the Transit Planner submitting the January 2008 operating and financial report for the Belle Urban System.

**Referred to Transit and Parking Commission**

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

[08-1859](#)      **Subject:** Communication from the Relay Director of the Madison-Chicago 200 Relay requesting the use of the parking lots at North Park Beach from 2:00 a.m. - 8:00 a.m. on June 7, 2008.  
**Referred to Board of Park, Recreation and Cultural Services**

**Refer to Committee of the Whole by Ald. Spangenberg**

[08-1864](#)      **Subject:** Communication from Alderman of the 11th District requesting to meet and discuss government surveillance of public places.  
**Referred to the Committee of the Whole**

**F. Committee Reports**

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

[08-1786](#)      **Subject:** Communication from the Commissioner of Public Works/City Engineer regarding the elimination and creation of a position in the Equipment Maintenance Division.

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

**03-10-08:** Permission granted for the Commissioner of Public Works/City Engineer to eliminate the Equipment Washer-Greaser position, HU-05, and create a Truck Mechanic position, HU-23.

**Fiscal Note:** The elimination of Equipment Washer-Greaser position, HU-05 will help cover the cost of the Truck Mechanic position, HU-23.

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

[08-1741](#)      **Subject:** Communication from Bonnie Prochaska, requesting the use of the State Street Train Depot for an Eco-Fair event on April 26, 2008. (Res.08-0693)

**Recommendation of the Transit and Parking Commission on**

**02-27-08:** The request be granted, subject to execution of a hold harmless agreement, and the fee for use of the depot be waived.

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

**03-10-08:** Permission granted for Bonnie Prochaska, President of Ginkgo Leaf Studio, to utilize the State Street Train Depot for the Eco-Fair on April 26, 2008 subject to an execution of a Hold Harmless Agreement.

**Fiscal Note:** N/A

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

08-1802

**Subject:** Communication from the Public Health Administrator requesting permission to apply and accept funds from the Wisconsin Department of Health and Family Services, Centers for Disease Control and Prevention for Lead Poisoning Prevention. (Grant Control #2008-006) (Res.08-0695)

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

**03-10-08:** Permission granted for the Public Health Administrator to apply for and accept an \$85,897 grant with the Department of Health and Family Services, Centers for Disease Control to be utilized for prevention of lead poisoning. (Grant Control No. 2008-006).

**Fiscal Note:** There is a 50% 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.**

08-1806

**Subject:** Agreement with Ehlers and Associates, Inc. for professional Services related to a Tax Increment District for the Uptown Commercial Area. (Res.08-0694)

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

**03-10-08:** The Mayor and City Clerk be authorized and directed to execute a development agreement with Ehlers and Associates, Inc. for the redevelopment project in the Uptown commercial area.

**Fiscal Note:** Total cost of the contract will be \$13,500 and will be advanced from the 208 Industrial/Economic Development Fund.

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

08-1817

**Subject:** Communication from the Public Health Administrator requesting permission to accept an annual allocation of funds of \$250,000 from the State of Wisconsin to combat infant mortality. The first allocation being \$500,000 covering retroactive to July 1, 2007 through June 30, 2009. (Grant Control #2008-007) (Res.08-0696)

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

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

**03-10-08:** The Mayor and City Clerk be authorized and directed to enter into a \$250,000 agreement from the State of Wisconsin (Grant Control No. 2008-007) to be utilized for the newly created position of the Healthy Birth Outcomes Program.

**Recommendation of the Board of Health on 03-11-08:** The Mayor and City Clerk be authorized and directed to enter into an agreement with the State of Wisconsin to accept an annual allocation of \$250,000 (Grant Control No. 2008-007) to be utilized for the Healthy Birth Outcomes Program.

**Fiscal Note:** \$250,000 grant will be allocated annually from July 1, 2007 through June 30, 2009.

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

08-1818

**Subject:** Communication from the Public Health Administrator requesting that a Healthy Birth Outcomes Program Coordinator position be created.

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

**Recommendation of the Finance & Personnel Committee on 03-10-08:** Permission granted for the Public Health Administrator to create a limited term position for the Healthy Birth Outcomes Program.

**Recommendation of the Board of Health on 03-11-08:** Permission be granted for the Public Health Administrator to create a limited term position for the Healthy Birth Outcomes Program.

**Fiscal Note:** The position will be funded by an annual allocation of \$250,000 from the State of Wisconsin (Grant Control No. 2008-007) from July 1, 2007 through June 30, 2009.

**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. Adopted by the following vote:**

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

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

08-1807

**Subject:** Communication from Mark Rode, Commodore, Racine Yacht Club, requesting permission to use the land south of the Water Treatment Plant to spread, dewater and temporarily store materials dredged from their slip basin. (Res.08-0702)

**Recommendation:** The Mayor and City Clerk be authorized and directed

to enter into a License to Use Real Estate Agreement with the Racine Yacht Club granting them permission to use the Walker property to spread, dewater and temporarily store materials dredged from their slip basin, with the following stipulations:

- A. A Hold Harmless Agreement be executed;
- B. A Liability Insurance Certificate be filed;
- C. Racine Yacht Club provides environmental documentation that the materials are non-hazardous;
- D. They provide documentation that the project has been approved by the Wisconsin Department of Natural Resources; and
- E. All materials be removed from the site by March 30, 2009, with the caveat that the City may order its removal earlier, for any reason, with a 60 day written notice.

**Fiscal Note:** Not applicable.

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

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

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

#### **08-1626**

**Subject:** Communication from the Rotary Foundation of Racine West, Inc., requesting permission to utilize various parks for the 5th annual Great Midwest Dragon Boat Festival, on July 11 and 12, 2008, for the use of selling beverages, beer, food items and providing live entertainment, to close city streets and parking lanes for a parade and race administration and to utilize the parking lot at the south end of Pershing Drive. Also, sponsoring organizations request permission to place posters on or about city streets and parks regarding this free event. (Res.08-0698)

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

**02-11-08:** That permission be granted to utilize various parks for the 5th annual Great Midwest Dragon Boat Festival, on July 11 and 12, 2008, for the use of selling beverages, beer, food items and providing live entertainment, as long as applicant applies for all necessary permits and licenses.

Fiscal Note: N/A

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

**2-12-08:** Permission be granted to the Rotary Foundation of Racine West, Inc. to use the City-owned parking lot east of Gateway Technical College and the gravel area immediately east of the Gateway parking lot between

Pershing Park Drive and Lake Michigan for the fourth annual Great Midwest Dragon Boat Festival, to be held July 11-12, 2008.

Further recommends that the parking lane along the east side of Main Street from 11th Street to 14th Street be closed during the event.

Further recommends that no parking be allowed along the west side of Main Street from 14th Street to 16th Street during the event and that traffic be shifted to the west half of the roadway.

Further recommends that permission be granted to the sponsor to close Main Street, From 14th Street to 16th Street.

Further recommends that permission be granted to the sponsor to use certain city streets on Friday, July 11, 2008, and to close the following streets:

6th Street from Library Drive to Pershing Park Drive  
Pershing Park Drive from 6th Street to 11th Street  
11th Street from Main Street to Pershing Park Drive

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

- A. A hold harmless agreement be executed;
- B. A liability insurance certificate be filed prior to the 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 \$450.00 special event fee.

Further recommends that the Commissioner of Public Works/City Engineer, Chief of Police, and Director of Parks, Recreation and Cultural Services 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.

**Recommendation of the Board of Parks, Recreation & Cultural Services 3-12-08:** that the request be approved.

Further recommends, that permission to granted with the following stipulations:



- A. A hold harmless agreement be executed;
- B. A liability insurance certificate be filed prior to the event;
- C. Any overtime costs incurred by any city department be charged to the sponsor;
- D. The sponsor shall notify all abutting property owners 72 hours in advance of this event;
- E. The sponsor shall pay a \$318.00 per day rate.

**Fiscal note:** \$636.00 to the City

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

**08-1792**

**Subject:** (NEW) Application of Max's Family Supermarket, Sukjinder Singh, Agent, for a "Class A" Retail Fermented Malt Beverage and Intoxicating Liquor License for 1201 S. Memorial Drive. (3rd District)

**Recommendation of the Public Safety and Licensing Committee on 3-10-08:** That the application of Max's Family Supermarket, Sukjinder Singh, Agent, for a "Class A" Retail Fermented Malt Beverage and Intoxicating Liquor License for 1201 S. Memorial Drive (3rd District) be granted.

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

**08-1793**

**Subject:** (New) Application of Shogun Japanese Restaurant, Kwang Seok Youn, Agent for a "Class B" Fermented Malt Beverage and intoxicating Liquor License for 518 College Avenue. (1st District)

**Recommendation of the Public Safety and Licensing Committee on 3-10-08:** That the application of Shogun Japanese Restaurant, Kwang Seok Youn, Agent for a "Class B" Fermented Malt Beverage and intoxicating Liquor License for 518 College Avenue (1st District) be granted.

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

**08-1808**

**Subject:** Communication from the Director of Parks, Recreation & Cultural Services requesting permission to enter into an agreement with Earth Tech, Inc. to prepare plans and specifications for Washington Golf Course Storm Water Lift Station Upgrades. (Res.08-0691)

**Recommendation of the Public Safety and Licensing Committee on 3-10-08:** That permission be granted to enter into an agreement with Earth Tech, Inc. to prepare plans and specifications for Washington Golf Course

Storm Water Lift Station Upgrades.

**Fiscal Note:** The cost is not to exceed \$27,075.00 plus reimbursable costs. Funds are available in account 107.000.5750, Washington Lift Station.

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

08-1814

**Subject: Direct Referral:** Change Order #1 Contract 52-07 (K7-061), Remodel Racine Zoological Gardens, Phase III, by Seater Construction Co., Inc. (Res.08-0692)

**Recommendation of the Public Safety and Licensing Committee on 3-10-08:** That Change Order #1 Contract 52-07 (K7-061), Remodel Racine Zoological Gardens, Phase III, by Seater Construction Co., Inc. be approved.

**Fiscal Note:** Funds for this change order will be provided by the Racine Zoological Society.

**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. Adopted by the following vote:**

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

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

07-1018

**Subject:** (Direct Referral) Request by Kevin Bailey of DNPG/Racine LLC seeking consideration of a request to rezone property at 212 Hamilton Street from I-1 Restricted Industrial District to R-5 General Residence District to accommodate a multi-unit residential development.

**Recommendation of the City Plan Commission on 8-8-07:** That the item be deferred.

**Recommendation of the City Plan Commission on 3-12-08:** That the item be received and filed.

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

07-1393

**Subject:** Communication from the Alderman of the 9th District submitting revisions to the sign ordinance.

**Recommendation:** The communication be referred to the City Plan Commission.

**Fiscal Note:** Not applicable.

**Recommendation of City Plan Commission on 3-12-08:** That the item be received and filed.

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

08-1840

**Subject:**(Direct Referral) Rescission without prejudice of a Conditional Use Permit for an auto repair establishment at 2101 Lathrop Avenue.

**Recommendation of City Plan Commission on 3-12-08:** That the Conditional Use Permit for an auto repair establishment at 2101 Lathrop Avenue be rescinded without prejudice.

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

08-1841

**Subject:** (Direct Referral) Request for conditional use permit for tattoo and body piercing establishment at 614 Sixth Street. (Res.08-0697)

**Recommendation of City Plan Commission on 3-12-08:** That a request from Johnathan C. Zbinden of "i ov thee dragon" seeking a conditional use permit for a tattoo and body piercing establishment at 614 - 6th Street, Suite B, subject to the following conditions:

- a. That the plans presented to the Plan Commission on March 12, 2008 be approved subject to the conditions contained herein.
- b. That all requirements of the State Department of Health and Family Services be complied with.
- c. That all trash and recyclables be kept in closed containers and stored in the building until pick up.
- d. That no loitering be allowed in or around the building.
- e. That the tattoo and body piercing stations be screened from view from the exterior of the business.
- f. That the establishment's hours open to the general public be from noon to 9:00 p.m. Monday through Saturday; noon to 5:00 p.m. Sunday. Client services shall cease within one hour of closing.

- g. That the sale of food or drink not be allowed.
- h. That all signs be professionally made, comply with zoning ordinance requirements and be approved by Downtown Design Review Commission.
- 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 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.**

Council Action

**A motion was made by Alderman Gregory Holding to Adopt the Report. Adopted by the following vote:**

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

**Board of Parks, Recreation, and Cultural Services Report, by Ald. Wisneski**

**08-1742**

**Subject:** Communication from the YMCA requesting to use city right-of-way and Monument Square on June 21, 2008 for the 30th Annual Lighthouse Run. (Res.08-0665 of 03-04-08 and Res.08-0699 of 03-18-08)

**Recommendation of the Public Works and Services Committee (2-26-08):** Permission be granted to the sponsor of the Lighthouse Run to use certain city streets for the period of 6:00 a.m. to 10:30 a.m. on Saturday, June 21, 2008, and to close the following streets:

Main Street from State Street to Sixth Street  
Lake Avenue from 8th Street to State Street  
State Street from Main Street to Lake Avenue  
Main Street from State Street to 3 Mile Road (west side two traffic lanes will remain open for two-way traffic)  
Dodge Street from Main Street to Michigan Boulevard  
Michigan Boulevard from Dodge Street to Wolff Street  
Wolff Street from Michigan Boulevard to North Main Street

Further recommends that the Commissioner of Public Works be authorized and directed to communicate with the U. S. Coast Guard requesting permission to close Main Street Bridge to boat traffic for the period of 7:40 a.m. to 10:40 a.m. on Saturday, June 21, 2008 to satisfy the needs of this run.

Further recommends that this permission is granted 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 cost and equipment and material loss incurred by any department in the assistance of this event shall be charged to the sponsor;
- D. Sponsor shall comply with the approved policy on parking restrictions for special events, and the sponsor shall distribute to all abutting property occupants on those streets where parking is being prohibited written notices of the ban approximately 48 hours in advance of this event.
- E. Sponsor shall be responsible for all traffic control and detour signage during the event.
- F. Sponsor shall pay a \$1,400.00 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 in accordance with these stipulations.

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

**Recommendation of the Board of Parks, Recreation & Cultural Services 3-12-08:** that the request be approved.

Further recommends that the permission be granted with the following stipulations:

- A. A hold harmless agreement be executed;
- B. A liability insurance certificate be filed prior to the event;
- C. Any overtime costs incurred by any City department be charged to the sponsor;
- D. The sponsor shall notify all abutting property owners 72 hours in advance of this event;
- E. The sponsor shall pay a \$203.00 per day rate for Park Blocks;
- F. The sponsor shall pay a \$25.00 administrative fee for Monument Square.

**Fiscal note:** \$431.00 to the City

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

**08-1815**

**Subject:** Communication from the students and staff of Walden III Middle/High School requesting to build an outdoor classroom at Franklin Park. (Res.08-0700)

**Recommendation of the Board of Parks, Recreation & Cultural Services 3-12-08:** that the request be approved.

Further recommend that the request be granted with the following stipulations:

- A. A hold harmless agreement be executed;
- B. A liability insurance certificate be filed prior to the event;
- C. The cost of the outdoor classroom be fully funded by Walden students and staff;
- D. That the classroom remain in public use;
- E. Walden staff and students work with PRCS staff on final details.

**Fiscal note:** N/A

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

Council Action

**A motion was made by Alderman Aron Wisneski to Adopt the Report. Adopted by the following vote:**

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

## G. Resolutions

**Res.08-0691**

Agreement to prepare plans for Washington Park Golf Course Storm Water Lift Station

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with Earth Tech, Inc. to prepare plans and specifications for Washington Golf Course Storm Water Lift Station Upgrades, at a cost not to exceed \$27,075.00 plus reimbursable costs.

**Fiscal Note:** The cost is not to exceed \$27,075.00 plus reimbursable costs. Funds are available in Account 107.000.5750, Washington Lift Station.

**Sponsors:** Q.A. Shakoor, II

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

**Res.08-0692**

Change Order on contract for Remodeling Racine Zoological Gardens, Phase III

Resolved, that Change Order #1 Contract 52-07 (K7-061), Remodel Racine Zoological Gardens, Phase III, Seater Construction Co., Inc., be approved for an increase of \$44,878.00, for a total contract amount of \$1,621,278.00.

Fiscal Note: Funds for this change order will be provided by the Racine Zoological Society.

Sponsors: Q.A. Shakoor, II

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

**The motion was APPROVED by the following vote:**

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

**Res.08-0693** Permission to use State Street Train Depot for Eco-Fair subject to execution of Hold Harmless Agreement

Resolved, that permission be granted for Bonnie Prochaska, President of Ginkgo Leaf Studio, to utilize the State Street Train Depot for the Eco-Fair on April 26, 2008 subject to the following stipulations:

- A. A Hold Harmless Agreement be executed;
- B. Proof of liability insurance be filed.

Fiscal Note: N/A

Sponsors: Thomas Friedel

**A motion was made by Alderman Friedel that this Resolution be Adopted.**

**Res.08-0694** Agreement for Professional Services relating to Tax Increment District for Uptown Commercial Area

Resolved, that the Mayor and City Clerk be authorized and directed to enter into a professional services contract with Ehlers and Associates, Inc. for the redevelopment project in the Uptown commercial area to create the TID, including preparation of the project plan for the district, at a cost of \$13,500.00.

Fiscal Note: Total cost of the contract will be \$13,500 and will be advanced from the 208 Industrial/Economic Development Fund.

Sponsors: Thomas Friedel

**A motion was made by Alderman Friedel that this Resolution be Adopted.**

**Res.08-0695** Permission to enter into contract for Lead Poisoning Prevention Program

Resolved, that the Public Health Administrator be granted permission to apply and accept a grant with the Department of Health and Family Services in the amount of \$85,897 for prevention of lead poisoning, and that the Mayor and City Clerk be authorized and directed to execute the \$85,897 grant agreement with the Department of Health and Family Services, Centers for Disease Control to be utilized for prevention of lead poisoning. (Grant Control No. 2008-006).

Fiscal Note: There is a 50% soft match required on the part of the City.

Sponsors: Thomas Friedel

**A motion was made by Alderman Friedel that this Resolution be Adopted. The motion was APPROVED by the following vote:**

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

**Res.08-0696** Enter into agreement with State of Wisconsin for creation of position of Health Birth Outcomes Program

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with the State of Wisconsin to accept an annual allocation of \$250,000 (Grant Control No. 2008-007) to be utilized for the Healthy Birth Outcomes Program.

Fiscal Note: \$250,000 grant will be allocated annually from July 1, 2007 through June 30, 2009.

Sponsors: Thomas Friedel and Raymond DeHahn

**A motion was made by Alderman Friedel that this Resolution be Adopted.**

**Res.08-0697** Conditional Use Permit for 614 Sixth Street

Resolved, that the request from Johnathan C. Zbinden of "I Ov Thee Dragon" seeking a conditional use permit for a tattoo and body piercing establishment at 614 - 6th Street, Suite B, be granted subject to the following conditions:

- a. That the plans presented to the Plan Commission on March 12, 2008 be approved subject to the conditions contained herein.
- b. That all requirements of the State Department of Health and Family Services be complied with.
- c. That all trash and recyclables be kept in closed containers and stored in the building until pick up.
- d. That no loitering be allowed in or around the building.



- e. That the tattoo and body piercing stations be screened from view from the exterior of the business.
- f. That the establishment's hours open to the general public be from noon to 9:00 p.m. Monday through Saturday; noon to 5:00 p.m. Sunday. Client services shall cease within one hour of closing.
- g. That the sale of food or drink not be allowed.
- h. That all signs be professionally made, comply with zoning ordinance requirements and be approved by Downtown Design Review Commission.
- 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 approval of the Plan Commission, and no major changes be made from the conditions of this permit without the approval of the Common Council.
- k. That this permit is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

Sponsors: Gregory Holding

**A motion was made by Alderman Holding that this Resolution be Adopted.**

**Res.08-0698** Dragon Boat Festival Stipulations

Resolved, that permission be granted to the Rotary Foundation of Racine West, Inc., to utilize various parks for the 5th annual Great Midwest Dragon Boat Festival, on July 11 and 12, 2008, for the use of selling beverages, beer, food items and providing live entertainment, as long as applicant applies for all necessary permits and licenses.

Further resolved, that permission be granted to the Rotary Foundation of Racine West, Inc. to use the City-owned parking lot east of Gateway Technical College and the gravel area immediately east of the Gateway parking lot between Pershing Park Drive and Lake Michigan for the fourth annual Great Midwest Dragon Boat Festival, to be held July 11-12, 2008.

Further resolved, that the parking lane along the east side of Main Street from 11th Street to 14th Street be closed during the event.

Further resolved, that no parking be allowed along the west side of Main Street from 14th Street to 16th Street during the event and that traffic be shifted to the west half of the roadway.

Further resolved, that permission be granted to the sponsor to close Main Street, From 14th Street to 16th Street.

Further resolved, that permission be granted to the sponsor to use certain city streets on Friday, July 11, 2008, and to close the following streets:

6th Street from Library Drive to Pershing Park Drive  
Pershing Park Drive from 6th Street to 11th Street  
11th Street from Main Street to Pershing Park Drive

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 the 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 \$450.00 special event fee.
- F. The sponsor shall pay a \$318.00 per day rate for use of Myers Park

Further resolved, that the Commissioner of Public Works/City Engineer, Chief of Police, and Director of Parks, Recreation and Cultural Services 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: Jim Kaplan , Q.A. Shakoor, II and Ronald D. Hart

**A motion was made by Alderman Kaplan that this Resolution be Adopted.**

**Res.08-0699** Lighthouse Run Stipulations

Resolved, that permission be granted to the sponsor of the Lighthouse Run to use Monument Square on June 21, 2008 for the 30th Annual Lighthouse Run with the following stipulations:

- A. A hold harmless agreement be executed;
- B. Proof of liability insurance be filed prior to the event;
- C. Any overtime costs incurred by any City department be charged to the sponsor;
- D. The sponsor shall notify all abutting property owners 72 hours in advance of this event;
- E. The sponsor shall pay a \$203.00 per day rate for Park Blocks;
- F. The sponsor shall pay a \$25.00 administrative fee for Monument Square.

Fiscal Note: \$431.00 to the City.

Sponsors: Jim Kaplan

**A motion was made by Alderman Kaplan that this Resolution be Adopted.**

**Res.08-0700** Permission to build an outdoor classroom at Franklin Park

Resolved, that Walden III Middle/High School be granted permission to build an outdoor classroom at Franklin Park with the following stipulations:

- A. A hold harmless agreement be executed;
- B. Proof of liability insurance be filed prior to the event;
- C. The cost of the outdoor classroom be fully funded by Walden students and staff;
- D. That the classroom remain in public use;
- E. Walden staff and students work with PRCS staff on final details.

Fiscal Note: N/A

Sponsors: Jim Kaplan

**A motion was made by Alderman Kaplan that this Resolution be Adopted.**

**Res.08-0702** Enter into Agreement with Racine Yacht Club

Resolved, that the Mayor and City Clerk be authorized and directed to enter into a License to Use Real Estate Agreement with the Racine Yacht Club granting them permission to use the Walker property to spread, dewater and temporarily store materials dredged from their slip basin, with the following stipulations:

- A. A Hold Harmless Agreement be executed;
- B. Proof of Liability Insurance be filed;
- C. Racine Yacht Club provides environmental documentation that the materials are non-hazardous;
- D. They provide documentation that the project has been approved by the Wisconsin Department of Natural Resources; and
- E. All materials be removed from the site by March 30, 2009, with the caveat that the City may order its removal earlier, for any reason, with a 60 day written notice.

Fiscal Note: N/A

Sponsors: Ronald D. Hart

**A motion was made by Alderman Hart that this Resolution be Adopted.**

## **H. Ordinances**

**Ord.03-08** Ordinance No. 3-08

To amend Secs. 30-44, 30-56 and 30-57 of the Municipal Code of the City of Racine, Wisconsin relating to Administration - Powers and duties; supervision of cemeteries.

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

Part 1:

Sec. 30-44 of the Municipal Code of the City of Racine is hereby amended by deleting the word "city" in the section.

Part 2:

Sec. 30-56 of the Municipal Code of the City of Racine is hereby amended by deleting the word "manager" and inserting the word "supervisor" in its place.

Part 3:

Sec. 30-57 of the Municipal Code of the City of Racine is hereby amended by deleting the word "manager" and inserting the word "supervisor" in its place and by deleting the word "supervisor" after the word "cemetery."

Part 4:

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

Passed by the Common Council:

\_\_\_\_\_

Approved: \_\_\_\_\_

\_\_\_\_\_

Mayor

Attest:

\_\_\_\_\_

City Clerk

Fiscal Note: N/A

Sponsors: Jim Kaplan

**Referred to Board of Park, Recreation and Cultural Services**

**Referred to Board of Cemetery Commissioners**

**I. Miscellaneous Business**

Next Meeting will be Wednesday, April 2, 2008 due to Spring Election.

**J. Adjourn**

*The meeting was adjourned at 7:30p.m. by Alderman Shakoor. The next regular*

*scheduled meeting of the Council is Wednesday, April 2, 2008.*

ATTEST: JANICE M. JOHNSON-MARTIN  
CITY CLERK