



City of Racine

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

Meeting Minutes - Final

Common Council

*Alderman Jeff Coe
Alderman Mollie Jones
Alderman John Tate II
Alderman Tracey Larrin
Alderman Steve Smetana
Alderman Sandy Weidner
Alderman Maurice Horton
Alderman Q.A. Shakoor II
Alderman Terry McCarthy
Alderman Carrie Glenn
Alderman Mary Land
Alderman Henry Perez
Alderman James Morgenroth
Alderman Jason Meekma
Alderman Melissa Lemke*

Tuesday, December 18, 2018

7:00 PM

City Hall, Room 205

A. Call To Order

PRESENT: 14 - Coe, Jones, Tate II, Larrin, Smetana, Weidner, Horton, Shakoor II, McCarthy, Glenn, Land, Perez, Meekma and Lemke

EXCUSED: 1 - Morgenroth

B. Pledge of Allegiance To The Flag

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

C. Approval of Journal of Council Proceedings (Minutes) December 4, 2018

A motion was made by Alderman Coe, seconded by Alderman Meekma, to Approve the Minutes. The motion PASSED by the following vote:

AYES: 14 - Coe, Jones, Tate II, Larrin, Smetana, Weidner, Horton, Shakoor II, McCarthy, Glenn, Land, Perez, Meekma and Lemke

EXCUSED: 1 - Morgenroth

D. Public Comments

The following people appeared to speak before the Common Council:

*Deb Monefeldt
Corey Prince
CJ Rouse
Dory Tamlbraith*

*Kresha M.
Mercedes Dzindzeleta
Kevin Newell*

E. Office of the City Clerk

[1302-18](#)

Subject: Communication from the Assistant City Clerk requesting the attached list of possible alternate early absentee locations be approved for the 2019 calendar year.

A motion was made by Alderman Meekma, seconded by Alderman Shakoor II, that this Communication be Approved. The motion PASSED by the following vote:

AYES: 14 - Coe, Jones, Tate II, Larrin, Smetana, Weidner, Horton, Shakoor II, McCarthy, Glenn, Land, Perez, Meekma and Lemke

EXCUSED: 1 - Morgenroth

F. Communications

Refer to Finance and Personnel Committee, by Ald. Shakoor II

[1138-18](#)

Subject: Committee Appearance Request of Chief Howell to Apply for and Accept an Officer Safety / Wellness Grant

Recommendation of the Finance & Personnel Committee on 01-07-2019: That permission be granted to apply and accept an Officer Safety / Wellness Grant in the amount of \$3500.00 to cover the cost of Officer Safety and Wellness training.

Fiscal Note: No City Match

Sponsors: Q.A. Shakoor II

Referred to Finance and Personnel Committee

[1321-18](#)

Subject: Communication from the City Attorney requesting authorization to represent police officers Seeger and Melby in an action filed in U.S. District Court under case # 18-C-1498, Roy Anderson v. Off. Seeger et al.

Recommendation of the Finance & Personnel Committee on 01-07-2019: That the City Attorney's Office be authorized to represent Officer Seeger, Officer Melby and all other officers in the above captioned lawsuit.

Fiscal Note: N/A

Referred to Finance and Personnel Committee

[1326-18](#)

Subject: Communication from Chief Howell requesting permission to waive formal bidding and sole source the purchase of new digital radio base stations and network equipment.

Recommendation of the Finance & Personnel Committee on 01-07-2019: That permission be granted to waive formal bidding and sole source the purchase of new digital radio base stations and network equipment.

Fiscal Note: Funds for this purchase are available in account 45031 57350 at a cost of \$527,959.

Sponsors: Q.A. Shakoor II

Referred to Finance and Personnel Committee

[1306-18](#)

Subject: Communication from the City of Racine Water Utility General Manager presenting a 2019 Revenue Bond Issue with Baird.

Recommendation of the Waterworks Commission on 12-18-18: Approve.

Recommendation of the Finance & Personnel Committee on 01-07-2019: To approve the Waterworks Revenue Bond Issue as presented by R.W. Baird.

Fiscal Note: The \$20 million revenue bond will be repaid from revenues generated from new customers and Mt. Pleasant TID #5 proceeds.

Sponsors: Q.A. Shakoor II

Referred to Finance and Personnel Committee

Refer to Public Works and Services Committee, by Ald. Tate II

[1330-18](#)

Subject: Communication from the Alderman of the 3rd District requesting to establish rubric and rationale for the installation of street lighting in the 2019 budget year.

Recommendation of the Public Works and Services Committee on 01-08-19: Defer and direct the Commissioner to present policy on street light installations for 2019.

Referred to Public Works and Services Committee

[1336-18](#)

Subject: Communication from the City Attorney and the Director of City

Development requesting the creation of an ordinance establishing use-of-public rights-of-way regulations, particularly mobile tower siting regulations, for the City of Racine, including but not limited to application and approval processes, fees, and aesthetic, undergrounding and spacing standards. (Ord. 0001-19)

Recommendation of the Finance & Personnel Committee on 01-07-2019: To recommend the adoption of an ordinance establishing use-of-public rights-of-way regulations.

Fiscal Note: To be discussed

Referred to Public Works and Services Committee

G. Committee Reports

Finance and Personnel Committee Report, by Ald. Shakoor II

[1237-18](#)

Subject: Communication from John Schumann wishing to meet with the Finance and Personnel Committee to discuss a donation of \$69,916.32 from the estate of Nickolas Willing to the Racine Fire Department, to be used towards the purchase of defibrillators and a power lift cot and/or tactical gear.

Recommendation of the Finance & Personnel Committee on 12-10-2018: That permission be granted to accept a donation of \$69,916.32 from the estate of Nickolas Willing to the Racine Fire Department to be used towards the purchase of defibrillators and a power lift cot and/or tactical gear.

Fiscal Note: Donation of \$69,916.32 from the estate of Nickolas Willing.

Sponsors: Q.A. Shakoor II

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[1254-18](#)

Subject: Communication from the Fire Chief requesting permission to apply for and accept funding from the Wisconsin Department of Military Affairs/Wisconsin Emergency Management for the purpose of acquiring a chemical and radiological detection monitoring equipment. (Grant Control #00203)

Recommendation of the Finance & Personnel Committee on 12-10-2018: That permission be granted to the Fire Chief to apply for and accept funding from the Wisconsin Department of Military

Affairs/Wisconsin Emergency Management for the purpose of acquiring a chemical and radiological detection monitoring equipment and that the City advance the funds in anticipation of the grant.

Fiscal Note: The grant awarded is for \$114,507.55. There is no hard match for the grant. Any soft match will be funded from the Fire Department's State Haz Mat fund. No levy dollars are involved.

Sponsors: Q.A. Shakoor II

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[1274-18](#)

Subject: Communication from the Manager of Housing and Community Development requesting the City accept 1937 Racine Street from Racine County and transfer the deed to Racine Habitat for Humanity for the purpose of redevelopment.

Recommendation of the Finance & Personnel Committee on

12-10-2018: That the Finance & Personnel Committee recommend approval of the acceptance of 1937 Racine Street from Racine County and transfer of the deed from the City of Racine to the Racine Habitat for Humanity with conditions as recommended by staff.

Fiscal Note: Racine Habitat for Humanity with reimburse the City for title transfer, recording or any other applicable fees estimated at approximately \$30 dollars.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[1291-18](#)

Subject: (Direct Referral) A request from the Director of City Development seeking approval for the adoption of a Tax Increment Financing Agreement detailing the terms of public support and incentives necessary to accomplish the North Beach Development at 1129 Michigan Boulevard.

Recommendation of the Finance & Personnel Committee on

12-10-2018: That the Tax Increment Financing Agreement be approved as negotiated and submitted and that the Mayor, City Clerk, City Attorney and Finance Director be authorized and directed to sign on behalf of the City.

Fiscal Note: All of the Development Incentives and financing terms included within or contemplated by the Agreement are fully supported within the City's adopted I.G. and CIP Budgets and are favorable to the long-term financial stability and viability of the City. The need for and appropriate use of said incentives have been verified and validated as

evidenced by an independent third-party review conducted by Ehlers consultants on behalf of the City.

Sponsors: Q.A. Shakoor II

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

Public Works and Services Committee Report, by Ald. Tate II

[1206-18](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer, on behalf of James Raab - 1412 Riverview Terrace, requesting removal of No Parking on Riverview Terrace.

Recommendation of the Public Works and Services Committee on 11-27-18: Defer

Recommendation of the Public Works and Services Committee on 12-11-18: Recommends that the request to reduce No Parking restrictions on Riverview Terrace be approved.

Fiscal Note: The estimated cost of this signage will result in an installation cost of \$100.00 and an annual maintenance cost of \$40.00.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[1209-18](#)

Subject: Communication from the City Attorney wishing to meet with the Public Works and Services Committee regarding an ordinance to amend and update Sec. 94-128. Large vehicle parking restrictions, directing the City Attorney to submit proposed revisions to the Municipal Code.

Recommendation of the Public Works and Services Committee on 11-27-18: Defer

Recommendation of the Public Works and Services Committee on 12-11-18: Approve amending and updating Sec. 94-128, Large Vehicle Parking Restrictions.

Fiscal Note: N/A

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[1224-18](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer, on behalf of J. Jeffers & Co., requesting a vacation of the dead end alley south of 17th Street

between Phillips Avenue and Packard Avenue.

Recommendation of the Public Works and Services Committee on 11-27-18: Approve the recommendation of right-of-way vacation subject to the attached conditions. Further recommends that this item be referred to the City Plan Commission.

Recommendation of the City Plan Commission on 12-12-18: That the proposed alley vacation is consistent with City plans and programs and recommends that a resolution be prepared and a public hearing scheduled.

Further, that execution of the vacation be consistent with the conditions of approval recommended by the Public Works and Services Committee on 11-27-18.

Recommendation of the Public Works and Services Committee on 01-08-19: Approve the recommendation of right-of-way vacation subject to the attached conditions.

Fiscal Note: N/A

Sponsors: John Tate II

Ald. Tate II requested that item 1224-18 be considered separately.

A motion was made by Ald. Tate II, seconded by Ald. Shakoor II, to Referred to Public Works and Services Committee

AYES: 14 - Coe, Jones, Tate II, Larrin, Smetana, Weidner, Horton, Shakoor II, McCarthy, Glenn, Land, Perez, Meekma and Lemke

EXCUSED: 1 - Morgenroth

[1233-18](#)

Subject: Communication from the Assistant Commissioner of Public Works/City Engineer requesting a preliminary resolution for paving the West N/S alley bounded by Romaine Avenue to Layard Avenue; Geneva Street to LaSalle Street.

Recommendation of the Public Works and Services Committee on 12-11-18: That a preliminary resolution be introduced for paving of the West N/S alley bounded by Romaine Avenue to Layard Avenue; Geneva Street to LaSalle Street.

Fiscal Note: This is an assessable alley project and, therefore, all costs will be paid by the abutting property owners.

Sponsors: John Tate II

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[1234-18](#)

Subject: Communication from the Assistant Commissioner of Public Works/City Engineer requesting a preliminary resolution for paving the East/West alley bounded by Romaine Avenue to Layard Avenue; Geneva Street to LaSalle Street.

Recommendation of the Public Works and Services Committee on 12-11-18: That a preliminary resolution be introduced for paving of the East/West alley bounded by Romaine Avenue to Layard Avenue; Geneva Street to LaSalle Street.

Fiscal Note: This is an assessable alley project and, therefore, all costs will be paid by the abutting property owners.

Sponsors: John Tate II

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[1235-18](#)

Subject: Communication from the Assistant Commissioner of Public Works/City Engineer requesting a preliminary resolution for paving the East N/S alley bounded by Romaine Avenue to Layard Avenue; Geneva Street to LaSalle Street.

Recommendation of the Public Works and Services Committee on 12-11-18: That a preliminary resolution be introduced for paving of the East N/S alley bounded by Romaine Avenue to Layard Avenue; Geneva Street to LaSalle Street.

Fiscal Note: This is an assessable alley project and, therefore, all costs will be paid by the abutting property owners.

Sponsors: John Tate II

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[1240-18](#)

Subject: In accordance with Section 2-95 of the Municipal Code of the General Ordinances of the City of Racine, recommends that the following requests for changes in traffic code be granted:

A. Recommends that Section 94-141(1) of Schedule F relating to "No parking at any time", be amended:

By Deleting:

Riverview Terrace, both sides, from Memorial Drive east 190 feet.

By Including:

Riverview Terrace, both sides, from Memorial Drive east 65 feet.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[1242-18](#)

Subject: Bid results on Contract 20180130 - Civic Centre Colonnade Restroom Renovations.

Recommendation of the Public Works and Services Committee on 12-11-18: That bids for Contract 20180130, Civic Centre - Colonnade Restroom Renovation, be awarded to Absolute Construction Enterprises, Inc., at their bid price of \$64,400.00, it being the lowest responsible bidder.

Further recommends that funds to defray the cost of this Public Works Department project be appropriated from Org-Object 60622-57200, Civic Centre-Building Improvements.

Fiscal Note: Funds are available as herein delineated.

Sponsors: John Tate II

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[1243-18](#)

Subject: Bid results on Contract 20180131 - Construct Home - 1521 Packard Avenue.

Recommendation of the Public Works and Services Committee on 12-11-18: That bids for Contract 20180131, Construct Home - 1521 Packard Avenue, be awarded to Double D Construction, Inc., at their bid price of \$229,770.00, it being the lowest responsible bidder.

Further recommends that funds to defray the cost of this Housing Department project be appropriated from Org-Object 20007-57400, 1521 Packard.

Fiscal Note: Funds are available as herein delineated.

Sponsors: John Tate II

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[1244-18](#)

Subject: (Direct Referral) Communication from the Assistant

Commissioner of Public Works/Operations requesting to waive formal bidding for the purchase of LED light fixtures.

Recommendation of the Public Works and Services Committee on 12-11-18: That the request of the Purchasing Agent to waive formal bidding procedures be approved in accordance with Racine Municipal Code Section 46-28 that allows for the waiving of formal public bids for purchases over \$25,000 for the purpose of maintaining uniformity of equipment and services.

Further recommends that the Purchasing Agent be authorized and directed to purchase LED light fixtures from Cree Industries, Racine, WI, for an indeterminate sum at this time, they being the sole source provider of this equipment.

Fiscal Note: Funding to defray the cost of these materials is available in the below Org-Objects:

\$ 90,000.00 - Org-Object 14012-53200, Street Light Work Supplies
\$330,000.00 - Org-Object 70240-54100, Bldg Complex Repairs & Maint
\$ 45,000.00 - Org-Object 60383-57200, Parking System Building Impr

Sponsors: John Tate II

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[1246-18](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations requesting permission to waive formal bidding procedures for the purchase of budgeted loader vehicles.

Recommendation of the Public Works and Services Committee on 12-11-18: The request of the Assistant Commissioner of Public Works/Operations to waive formal bidding procedures be approved in accordance with Racine Municipal Code Section 46-28 that allows for the waiving of formal public bids for purchases over \$25,000 for the purpose of maintaining uniformity of equipment and services.

Further recommends that the Purchasing Agent be authorized and directed to negotiate and purchase one Case 621F Wheel Loader with 4-in-1 bucket and snow plow from Miller-Bradford and Risberg, Inc., for the price of \$213,000, they being the sole source provider of this equipment.

Fiscal Note: Funding to defray the cost of these \$213,000 vehicles is available in Org-Object 45140-57311, DPW Equipment Vehicles.

Sponsors: John Tate II

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[1247-18](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer requesting to waive formal bidding procedures for the purchase of Neenah Foundry materials.

Recommendation of the Public Works and Services Committee on 12-11-18: That the request of the Assistant Commissioner of Public Works/City Engineer to waive formal bidding procedures be approved in accordance with Racine Municipal Code Section 46-28 that allows for the waiving of formal public bids for purchases over \$25,000 for the purpose of maintaining uniformity of equipment and services.

Further recommends that the Purchasing Agent be authorized and directed to negotiate with Neenah Foundry for the purchase of Neenah Foundry materials.

Fiscal Note: These negotiations will be done on an as-needed basis with funding available in Org-Object 22640-57560, Sanitary Sewer and Org-Object 60484-57570, Storm Sewers.

Sponsors: John Tate II

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[1248-18](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations requesting to waive formal bidding procedures for the purchase of materials for the Johnson Controls Metasys System.

Recommendation of the Public Works and Services Committee on 12-11-18: That the request of the Assistant Commissioner of Public Works/Operations to waive formal bidding procedures be approved in accordance with Racine Municipal Code Section 46-28 that allows for the waiving of formal public bids for purchases over \$25,000 for the purpose of maintaining uniformity of equipment and services.

Further recommends that the Purchasing Agent be authorized and directed to purchase the necessary materials from Johnson Controls, for an indeterminate sum at this time, they being the sole source provider of this equipment.

Fiscal Note: Funding to defray the cost of these services is available in the below Org-Objects:

\$30,000 - Org-Object 70240-54200, Equipment Repairs & Maintenance-Building Complex
\$40,000 - Org-Object 70240-57200, Building Improvements

Sponsors: John Tate II

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[1252-18](#)

Subject: Final Payment on Contract 20170014 - PS-2017 Pavement Inspection & Planning, AECOM, consultant.

Recommendation of the Public Works and Services Committee on 12-11-18: That the work done by AECOM, under contract 20170014, PS-2017 Pavement Inspection & Planning, be accepted and final payment authorized for a total contract amount of \$108,454.60.

Fiscal Note: Contract was authorized under Resolution 0067-17 of February 22, 2017.

Sponsors: John Tate II

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[1253-18](#)

Subject: Final Payment on Contract 20160032, PS-2016 Sewer Asset Management Services, AECOM, consultant.

Recommendation of the Public Works and Services Committee on 12-11-8: That the work done by AECOM, under contract 20160032, PS-2016 Sewer Asset Management Services, be accepted and final payment authorized for a total contract amount of \$179,473.19.

Fiscal Note: Contract was authorized under Resolution 0240-16 of June 21, 2016.

Sponsors: John Tate II

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[1257-18](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer requesting parking restriction changes to Section 94, Transportation Sections of the Municipal Code of Racine, related to STH 32 (Douglas Avenue/Hamilton Street) - N. Main Street to Gould Street, WisDOT Project ID: 2350-00-70.

Recommendation of the Public Works and Services Committee on 12-11-18: Recommends that the request for No Parking restrictions on

STH 32 (Douglas Avenue/Hamilton Street) be approved.

Fiscal Note: The cost to the City to install signs or pavement markings to implement these changes is included on WisDOT project ID: 2350-00-70.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[1258-18](#)

Subject: In accordance with Section 2-95 of the Municipal Code of the General Ordinances of the City of Racine, recommends that the following requests for changes in traffic code be granted:

A. Recommends that Section 94-141(1) of Schedule F relating to "No parking at any time", be amended:

By Deleting

Douglas Avenue, east side, from Goold Street south 80 feet.

Douglas Avenue, west side, from Marquette Street south 200 feet.

Douglas Avenue, west side, from Yout Street north 300 feet.

Douglas Avenue, east side, from Yout Street north 175 feet.

Yout Street, both sides, from Charles Street east 55 feet.

Yout Street, north side, from Douglas Avenue west 134 feet.

Yout Street, south side, from North Memorial Drive to Douglas Avenue.

Rapids Drive, south side, from Douglas Avenue west 130 feet.

Hamilton Street, south side, from North Main Street east 65 feet.

By Including:

Douglas Avenue, east side, from Goold Street south 250 feet.

Douglas Avenue, west side, from St. Patrick Street to Yout Street north 300 feet.

Douglas Avenue, east side, from English Street to Yout Street north 175 feet.

Douglas Avenue, east side, from High Street to Hagerer Street north 75 feet.

Douglas Avenue, west side, from LaSalle Street north 50 feet.

Douglas Avenue, west side, from Superior Street to Albert Street.

Douglas Avenue, east side, from Barker Street south 75 feet.

Yout Street, north side, from Douglas Avenue west 134 feet to Charles Street east 55 feet.

Yout Street, south side, from North Memorial Drive to Charles Street east 55 feet.

Rapids Drive, south side, from Douglas Avenue to Charles Street.

Hamilton Street, south side, from North Main Street to Douglas Avenue.

Hamilton Street, north side, from North Main Street west 75 feet.

Dr. Martin Luther King, Jr. Drive, west side, from Rapids Drive to High Street.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[1269-18](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations requesting to waive formal bidding procedures for the purchase of chemicals for our HVAC System.

Recommendation of the Public Works and Services Committee on 12-11-18: That the request of the Assistant Commissioner of Public Works/Operations to waive formal bidding procedures be approved in accordance with Racine Municipal Code Section 46-28 that allows for the waiving of formal public bids for purchases over \$25,000 for the purpose of maintaining uniformity of equipment and services.

Further recommends that the Purchasing Agent be authorized and directed to purchase the necessary materials from HOH Water Technology.

Fiscal Note: Funding to defray the estimated \$25,000 annual cost of

these materials is available in Org-Object 70240-54100, Building Repairs and Maintenance.

Sponsors: John Tate II

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[1270-18](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations requesting to waive formal bidding procedures for the purchase of HVAC related products.

Recommendation of the Public Works and Services Committee on 12-11-18: That the request of the Assistant Commissioner of Public Works/Operations to waive formal bidding procedures be approved in accordance with Racine Municipal Code Section 46-28 that allows for the waiving of formal public bids for purchases over \$25,000 for the purpose of maintaining uniformity of equipment and services.

Further recommends that the Purchasing Agent be authorized and directed to purchase the necessary materials from McCotter Energy Systems.

Fiscal Note: Funding to defray the annual cost of these products is available in Org-Object 70240-54100, Building Repairs and Maintenance.

Sponsors: John Tate II

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[1276-18](#)

Subject: Final Payment on Contract 20170096, PS - Underground Facility Locating Services/Amendment No. 2, Precise Underground Marking Corporation, consultant.

Recommendation of the Public Works and Services Committee on 12-11-18: That the work done by Precise Underground Marking Corporation, under contract 20170096, PS - Underground Facility Locating Services/Amendment No. 2, be accepted and final payment authorized for a total contract amount of \$44,000.00.

Fiscal Note: Contract was authorized under Resolution 0366-17 of November 7, 2017.

Sponsors: John Tate II

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[1286-18](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer, on behalf of the Alderwoman of the 15th District, requesting a preliminary resolution for paving the alley bounded by La Salle Street to 1st Avenue; North Street to Shoreland Drive.

Recommendation of the Public Works and Services Committee:

That a preliminary resolution be introduced for paving the alley bounded by La Salle Street to 1st Avenue; North Street to Shoreland Drive.

Fiscal Note: This is an assessable alley project and, therefore, all costs will be paid by the abutting property owners.

Sponsors: John Tate II

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[1287-18](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations requesting to waive formal bidding procedures for the purchase of the City lock and key system.

Recommendation of the Public Works and Services Committee on

12-11-18: That the request of the Assistant Commissioner of Public Works/Operations to waive formal bidding procedures be approved in accordance with Racine Municipal Code Section 46-28 that allows for the waiving of formal public bids for purchases over \$25,000 for the purpose of maintaining uniformity of equipment and services.

Further recommends that the Purchasing Agent be authorized and directed to purchase the necessary materials from Apex Key and Lock.

Fiscal Note: Funding to defray the annual cost of these products is available in Org-Object 45040-57200, DPW-Building Improvements.

Sponsors: John Tate II

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[1288-18](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer, on behalf of the Alderman of the 8th District, requesting a preliminary resolution for the paving of the alley bounded by High Street to St. Patrick Street; Summit Avenue to Carlisle Avenue.

Recommendation of the Public Works and Services Committee on

12-11-18: That a preliminary resolution be introduced for paving the alley

bounded by High Street to St. Patrick Street; Summit Avenue to Carlisle Avenue.

Fiscal Note: This is an assessable alley project and, therefore, all costs will be paid by the abutting property owners.

Sponsors: John Tate II

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[1294-18](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer submitting a proposal for 2019 Stormwater Utility Support Services, AECOM, consultant.

Recommendation of the Public Works and Services Committee on 12-11-18: That the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with AECOM for 2019 Stormwater Utility Support Services for the not-to-exceed amount of \$50,000.

Further recommends that funding to defray the costs of these professional services are available in Org-Object 60484-52100, Professional Services, Storm Water Utility.

Fiscal Note: Funds are available as herein delineated.

Sponsors: John Tate II

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

Public Safety and Licensing Committee Report, by Ald. Coe

[0674-18](#)

Subject: Communication from the Alderman of the 1st District wishing to discuss safety concerns and issues associated with the number of police calls for the property located at 314 10th St.

Recommendation of the Public Safety and Licensing Committee on 6-26-18: That the communication from the Alderman of the 1st District wishing to discuss safety concerns and issues associated with the number of police calls for the property located at 314 10th St, be deferred until August 28th, 2018.

Recommendation of the Public Safety and Licensing Committee on 9-25-18: That the communication from the Alderman of the 1st District wishing to discuss safety concerns and issues associated with the number of police calls for the property located at 314 10th St, be deferred

for 60 days.

Recommendation of the Public Safety and Licensing Committee

on 12-11-18: That the communication from the Alderman of the 1st District wishing to discuss safety concerns and issues associated with the number of police calls for the property located at 314 10th St, be received and filed.

Fiscal Note: N/A

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[0675-18](#)

Subject: Communication from the Alderman of the 1st District wishing to discuss safety concerns and issues associated with the number of police calls for the property located at 516 11th St, including 1047 Villa St.

Recommendation of the Public Safety and Licensing Committee

on 6-26-18: That the communication from the Alderman of the 1st District wishing to discuss safety concerns and issues associated with the number of police calls for the property located at 516 11th St., be deferred until August 28th, 2018.

Recommendation of the Public Safety and Licensing Committee

on 9-25-18: That the communication from the Alderman of the 1st District wishing to discuss safety concerns and issues associated with the number of police calls for the property located at 516 11th St., be deferred for 60 days.

Recommendation of the Public Safety and Licensing Committee

on 12-11-18: That the communication from the Alderman of the 1st District wishing to discuss safety concerns and issues associated with the number of police calls for the property located at 516 11th St., be received and filed.

Fiscal Note: N/A

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[0859-18](#)

Subject: Communication from the Alderperson of the Third District requesting that the Common Council order the Chief of Police direct that all first offense possession of marijuana violations be issued civil ordinance citations as opposed to being referred for criminal charges.

Recommendation of the Public Safety and Licensing Committee

on 8-28-18: That the communication from the Alderperson of the Third

District requesting that the Common Council order the Chief of Police direct that all first offense possession of marijuana violations be issued civil ordinance citations as opposed to being referred for criminal charges, be deferred until the September 25th meeting to gather more information on this issue.

Recommendation of the Public Safety and Licensing Committee on 9-25-18: That the communication from the Alderperson of the Third District requesting that the Common Council order the Chief of Police direct that all first offense possession of marijuana violations be issued civil ordinance citations as opposed to being referred for criminal charges, be deferred for 30 days so that the Police Department and City Attorney's Office can gather more information on this issue.

Recommendation of the Public Safety and Licensing Committee on 12-11-18: To Receive and File.

Fiscal Note: N/A

Alderman Coe requested that item 0859-18 be considered separately.

A motion was made by Alderman Coe, seconded by Alderman Perez, that the recommendation from committee be Adopted. The motion FAILED by the following vote:

AYES: 5 - Coe, Smetana, Weidner, Glenn and Perez

NOES: 9 - Jones, Tate II, Larrin, Horton, Shakoor II, McCarthy, Land, Meekma and Lemke

EXCUSED: 1 - Morgenroth

A motion was made by Alderman Tate II, seconded by Alderman Meekma, that this Communication be Adopted. The motion PASSED by the following vote:

AYES: 9 - Jones, Tate II, Larrin, Horton, Shakoor II, McCarthy, Land, Meekma and Lemke

NOES: 5 - Coe, Smetana, Weidner, Glenn and Perez

EXCUSED: 1 - Morgenroth

[0860-18](#)

Subject: Communication from the Alderperson of the Third District requesting that Racine Ordinance section 66-261 be amended to set the forfeiture for any violations thereof to one dollar.

Recommendation of the Public Safety and Licensing Committee on 8-28-18: That the communication from the Alderperson of the Third District requesting that Racine Ordinance section 66-261 be amended to set the forfeiture for any violations thereof to one dollar, be deferred until the September 25th meeting to gather more information on this issue.

Recommendation of the Public Safety and Licensing Committee

on 9-25-18: That the communication from the Alderperson of the Third District requesting that Racine Ordinance section 66-261 be amended to set the forfeiture for any violations thereof to one dollar, be deferred for 30 days so that the Police Department and City Attorney's Office can gather more information on this issue.

Recommendation of the Public Safety and Licensing Committee

on 12-11-18: To Receive and File.

Fiscal Note: N/A

Alderman Coe requested that item 0860-18 be considered separately.

A motion was made by Alderman Coe, seconded by Alderman Smetana, that the recommendation from committee be Approved. The motion FAILED by the following vote:

AYES: 5 - Coe, Smetana, Weidner, Glenn and Perez

NOES: 8 - Jones, Tate II, Horton, Shakoor II, McCarthy, Land, Meekma and Lemke

EXCUSED: 2 - Larrin and Morgenroth

A motion was made by Alderman Meekma, seconded by Alderman Coe, that this be Amended to set the forfeiture from one dollar to seventy five dollars. The motion PASSED by the following vote:

AYES: 9 - Coe, Smetana, Weidner, Shakoor II, McCarthy, Glenn, Land, Perez and Meekma

NOES: 4 - Jones, Tate II, Horton and Lemke

EXCUSED: 2 - Larrin and Morgenroth

A motion was made by Alderman Tate II, seconded by Alderman Lemke, that this be Amended to set the forfeiture to a range of one dollar to seventy five dollars. The motion PASSED by the following vote:

AYES: 13 - Coe, Jones, Tate II, Smetana, Weidner, Horton, Shakoor II, McCarthy, Glenn, Land, Perez, Meekma and Lemke

EXCUSED: 2 - Larrin and Morgenroth

A motion was made by Alderman Tate II, seconded by Alderman Jones, that this be Adopted as Amended. The motion PASSED by the following vote:

AYES: 10 - Coe, Jones, Tate II, Horton, Shakoor II, McCarthy, Land, Perez, Meekma and Lemke

NOES: 2 - Smetana and Weidner

EXCUSED: 3 - Larrin, Glenn and Morgenroth

[1250-18](#)

Subject: (Direct Referral) Communication from the Purchasing Agent submitting bids received for the sale of Abandoned Vehicles, November 28, 2018.

Recommendation of the Public Safety and Licensing Committee on 12-11-18: That the item be received and filed as the highest responsible bidder from the two bids was Sturtevant Auto Salvage.

Fiscal Note: This will generate \$15,440.00 in revenue for account 13101 48301.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[1273-18](#)

Subject: Communication from the City Attorney's Office requesting an update to the guidelines adopted by the Public Safety and Licensing Committee relating to arrests and conviction records in the context of licensing, in order to comply with recent changes in state law.

Recommendation of the Public Safety and Licensing Committee on 12-11-18: That the communication from the City Attorney's Office requesting an update to the guidelines adopted by the Public Safety and Licensing Committee relating to arrests and conviction records in the context of licensing, in order to comply with recent changes in state law, be approved.

Fiscal Note: N/A

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[1277-18](#)

Subject: (Direct Referral) Request of the Committee for the appearance of Osyed Salem, applicant for an Operator's License.

Recommendation of the Public Safety and Licensing Committee on 12-11-18: That the request of the the committee for the appearance of Osyed Salem, applicant for an Operator's License, be denied.

Fiscal Note: N/A

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[1278-18](#)

Subject: (Direct Referral) Request of the Committee for the appearance of Michael Mooney, applicant for an Operator's License.

Recommendation of the Public Safety and Licensing Committee on 12-11-18: Request of the Committee for the appearance of Michael Mooney, applicant for an Operator's License, be approved.

Fiscal Note: N/A

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

City Plan Commission Report, by Ald. Meekma

[1137-18](#)

Subject: (Direct Referral) Review of Draft Heritage Preservation Plan.

Recommendation of the Landmarks Preservation Commission on 10-29-18: That at their meeting of October 29, 2018 the Landmarks Preservation Commission (the LPC) approved the document titled "Racine Heritage Preservation Plan, Final Draft, October 23, 2018.

Further that the Racine Heritage Preservation Plan be transmitted to the City Plan Commission for consideration and adoption as an amendment to the document titled "A Comprehensive Plan for the City of Racine: 2035".

Recommendation of the City Plan Commission on 12-12-18: That an ordinance be created and a public hearing scheduled.

Fiscal Note: N/A

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

Office of the Mayor Report, by Ald. Meekma

[1320-18](#)

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

Reappoint Dean Rosenberg, 217 6th St, Racine, 53403 to the Downtown Business Improvement District for a term of three years, expiring December 31, 2021.

Reappoint Michelle Schimian, 430 Main St. Racine, 53403 to the Downtown Business Improvement District for a three year term, expiring December 31, 2021.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

Executive Committee Report by, Ald. Meekma

[1340-18](#)

Subject: Communication from the City Attorney requesting to meet with the Executive Committee in closed session pursuant to Wisconsin Statute section 19.85(1)(g) to discuss the settlement of a litigation in which the City is currently involved, specifically *Harmon, et al., v. City of Racine, et al.*, US District Court, Eastern District of Wisconsin Case No. 18 CV 209-JPS

Staff Recommendation to the Executive Committee on 12/4/2018:

To approve the negotiated settlement of *Harmon, et al., v. City of Racine, et al.*

Fiscal Note: To be discussed.

Alderman Meekma requested that item 1340-18 be considered separately.

A motion was made by Alderman Meekma, seconded by Alderman Tate II, that this Communication be Approved. The motion PASSED by the following vote:

AYES: 10 - Coe, Jones, Tate II, Horton, Shakoor II, McCarthy, Land, Perez, Meekma and Lemke

NOES: 2 - Smetana and Weidner

EXCUSED: 3 - Larrin, Glenn and Morgenroth

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

[1251-18](#)

Subject: Communication from Robert Goebel requesting to place a commemorative boulder and plaque on Park Place (Sam Johnson Parkway) at the corner of 6th St. and Lake Ave.

Recommendation of the Board of Parks, Recreation & Cultural Services on 12-12-18: To approve the request to place a commemorative boulder and plaque on Park Place or a site approved by PRCS staff.

Fiscal Note: Funding will be provided by Mr. Goebel.

Sponsors: Jason Meekma

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[1279-18](#)

Subject: (Direct Referral) Communication from the Developer of Auburn Hills Subdivision, Auburn Hills LLC, requesting approval of an easement in Johnson Park as part of the Auburn Hills Subdivision storm water management plan.

Recommendation of the Board of Parks, Recreation & Cultural

Services on 12-12-18: To Approve the easement with Auburn Hills, LLC, (Developer) for a storm water structure at Johnson Park South Pond and the addition of a swale or larger overflow pipe from Johnson Park North Pond to Johnson Park South Pond subject to the following criteria:

1. Plans must be approved by City of Racine staff.
2. Developer must pull City of Racine Building Permits for all work on City owned property.
3. All cost to design, install and maintain the storm water structure and landscape are the responsibility of the Developer.
4. All completed construction must include finished landscape and warrantee replacement of trees in project area.
5. City of Racine staff shall monitor performance of the storm water system for an agreed upon number of years. The Developer will be responsible for design and storm water infrastructure upgrades, if required.
6. Developer shall add covenants to the subdivision property titles to ensure stormwater infrastructure is maintained for perpetuity.

Fiscal Note: All cost to design, install and maintain the structure is responsibility of Developer.

Sponsors: Jason Meekma

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[1282-18](#)

Subject: (Direct Referral) Communication from WE-Energies requesting an easement on the property at DeKoven Center Woods east of Grand Avenue at 20th St.

Recommendation of the Board of Parks, Recreation & Cultural

Services: To approve the request from WE-Energies for an easement on the property at DeKoven Center Woods east of Grand Avenue at 20th St.

Fiscal Note: None.

Sponsors: Jason Meekma

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

H. [1344-18](#)

Subject: Common Council Vote on Consent Agenda (Communications, Committee Reports, Resolutions)

Council Action on Consent Agenda Items

A motion was made that this Communication be Approved. The motion PASSED by the following vote:

AYES: Coe, Jones, Tate II, Smetana, Weidner, Horton, Shakoor II, McCarthy, Land, Perez, Meekme, and Lemke

EXCUSED: Morgenroth, Larrin, Glenn

I. Ordinances

Refer to City Plan Commission

[Ord.0019-18](#)

Ordinance 0019-18

Ordinance adopting an amendment to a document titled “A Comprehensive Plan for the City of Racine: 2035” (Comp Plan 2035) to incorporate the document titled “Racine Heritage Preservation Plan, Final Draft October, 23, 2018” (Heritage Plan). The Common Council of the City of Racine do ordain as follows:

SECTION 1: Pursuant to Section 62.23 of the Wisconsin Statutes, the City of Racine is authorized to prepare and adopt certain amendments to Comp Plan 2035 as defined in Sections 66.1001(1)(a) and 66.1001(2) of the Wisconsin Statutes; and

SECTION 2: The City of Racine Landmarks Preservation Commission (the LPC), working with Department of City Development Staff and the planning firm the Lakota Group (Lakota) have prepared for the City an update and replacement for the 1981 document titled “Architectural and Historical Survey of the City of Racine” which will serve as a resource intended to assist in promotion and stewardship of the City’s historical resources, as articulated in the Heritage Plan; and

SECTION 3: Following a 10 month plan preparation period during which the LPC and Lakota conducted public stakeholder interviews, focus group sessions, community speak out sessions, community workshops, LPC meetings, online surveys, and an online comments plat, on October 29, 2018 the LPC, approved the Heritage Plan and forwarded a recommendation for its adoption to the Common Council as an amendment to Comp Plan 2035; and

SECTION 4: On November 7, 2018 the Common Council received the Heritage Plan and referred it to the City Plan Commission (CPC) for review and recommendation as an amendment to Comp Plan 2035; and

SECTION 5: On December 7, 2018 an announcement of the Heritage Plan and its review and approval scheduled was distributed to the Clerks of all adjacent municipalities, and Racine County, and copies of the plan

were made available for public review at the Racine Public Library, in the Department of City Development, and electronically at the City of Racine's webpage and at Build Up Racine; and

SECTION 6: On December 12, 2018 the CPC conducted a public review, and questions and answer session, with representatives of the Lakota Group and City development Staff and recommended to Common Council that an ordinance prepared and public hearing scheduled to effectuate the adoption of the heritage Plan as an amendment to Comp Plan 2035; and

SECTION 7: On December 18, 2018 Ord. 0019-18 was introduced at the Common Council meeting and a Common Council public hearing set for 7:00 P.M. February 5, 2019 to afford the public the ability to offer additional comments and recommendations associated with the Heritage Plan, an amendment to Comp Plan 2035; and

SECTION 8: On January 23, 2019 by a majority vote, as recorded in its official minutes, the CPC recommended to the Common Council the adoption of a resolution, and the adoption of Ord. 0019-18, both being vehicles adopting the document titled "Racine Heritage Preservation Plan, Final Draft October, 23, 2018" as an amendment to the document titled "A Comprehensive Plan for the City of Racine: 2035"; and

SECTION 9: On February 5, 2019 the Common Council duly noticed and conducted a public hearing on the amendment to Comp Plan 2035, in compliance with the requirements of Section 66.1001(4)(d) of the Wisconsin Statutes.

SECTION 10: The Common Council of the City of Racine, Wisconsin, does, by the enactment of this ordinance, formally adopt the document titled "Racine Heritage Preservation Plan, Final Draft October, 23, 2018" as an amendment to the document titled "A Comprehensive Plan for the City of Racine: 2035", pursuant to Section 62.23 and Section 66.1001(4) (c) of the Wisconsin Statutes.

SECTION 11: This ordinance shall take effect upon passage by a majority vote of the members-elect of the City Common Council and publication or posting as required by law.

Fiscal Note: N/A

Sponsors: Jason Meekma

Referred to City Plan Commission

Refer to Public Works & Services Committee

[Ord.0018-18](#)

Ordinance 0018-18

An ordinance to amend section 94-128. - Large vehicle parking restrictions of the City of Racine of Ordinances.

WHEREAS, section 94-128 governing large vehicle parking is inconsistent with section 94-312 regulating heavy traffic vehicles;

WHEREAS, the language in section 94-128 is unclear as to how weight is measured; and

WHEREAS, the City has an interest in clarifying what type of vehicles are prohibited from parking on a public street or alley in excess of more than 30 minutes in a 24-hour period.

NOW THEREFORE, the Common Council of the City of Racine, Wisconsin, do ordain as follows:

Part I: To delete and recreate section 94-128. - Large vehicle parking restrictions to read as follows:

Sec. 94-128. - - Large vehicle parking restrictions

(a) Definitions. A large vehicle is defined as a vehicle, trailer or combination thereof which meets any of the following criteria:

(1) A combined weight of vehicle and load in excess of 10,000 pounds or registered in excess of 10,000 pounds

(2) Has a length of greater than 30 feet.

(3) Is of such a width that when parked in accordance with the provisions of Wis. Stats. § 346.54, encroaches on the normal traveled way of the street upon which it is parked.

(b) Parking restrictions. No person shall park a large vehicle, as defined in this section, on any public street or alley for more than 30 minutes during any 24-hour period, excepting that school buses servicing public or private schools within the Racine Unified School District may park for

no more than three hours during a 24-hour period.

(c) Exceptions to prohibition. Vehicles which are covered by the exceptions set forth in Wis. Stats. § 346.50 are also exempt from the prohibitions of this section. Vehicles engaged in construction work shall be exempt from the prohibitions of this section only when engaged directly in construction work. Vehicles actively engaged in loading and unloading are also exempted from this section. Vehicles owned by public utilities and which have been approved by the police department as necessary for on-call service in responding to police and fire emergencies are also exempt from the prohibition of this section.

(d) Payment of forfeiture in lieu of court appearance. Any person charged with a violation of the offense listed in subsection (a) of this section may pay the amount of \$50.00 at the police department in lieu of a court appearance.

(Code 1973, §§ 27.44.010-27.44.030; Ord. No. 27-90, pt. 1, 7-17-90; Ord. No. 27-95, pts. 1-4, 12-5-95; Ord. No. 14-99, pt. 1, 12-21-99; Ord. No. 6-00, pt. 1, 6-7-00)

Part II: This ordinance shall take effect upon passage by a majority vote of the members-elect of the City Common Council and publication or posting as required by law.

Fiscal Note: N/A

Sponsors: John Tate II

Referred to Public Works and Services Committee

J. Common Council Announcements

Announcements are limited to recognition of City residents and employees, memorials, and non-political community events. Discussion of matters related to governmental business is prohibited.

K. Adjourn

Alderman Shakoor II made a motion to adjourn the meeting at 10:06 PM. The next scheduled meeting of the Council is January 15, 2018.

*ATTEST: TARA COOLIDGE
ASSISTANT CITY CLERK*