



City of Racine

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

Meeting Agenda - Final Common Council

*Alderman Jeff Coe
Alderman Mollie Jones
Alderman John Tate II
Alderman Tracey Larrin
Alderman Steve Smetana
Alderman Sandy Weidner
Alderman Raymond DeHahn
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, July 17, 2018

7:00 PM

City Hall, Room 205

A. Call To Order

B. Pledge of Allegiance To The Flag

C. Approval of Journal of Council Proceedings (Minutes) June 19, 2018

E. Public Comments

F. Office of the City Clerk

[0754-18](#)

Subject: Communication from the Alderman of the 11th District requesting to resind resolution 0181-18.

G. Communications

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

[0689-18](#)

Subject: Communication from the Director of Parks, Recreation, and Cultural Services requesting permission to accept a donation from Educator's Credit Union for the Gus Macker Tournament.

[0703-18](#)

Subject: Communication from the Fire Chief requesting permission to accept a donation of \$1,000 from the FBI Milwaukee Citizens Academy

Alumni Association for the UTV Fund.

[0708-18](#) **Subject:** Communication from the Public Health Administrator requesting permission to accept the contract amendment and funding in the amount of \$15,000 from the Department of Health Services / Division of Public Health for the AIDS / HIV Partner Services program.

[0709-18](#) **Subject:** Communication from the Public Health Administrator requesting permission to enter into a grant agreement and accept funding in the amount of \$75,000 from the Fund for Lake Michigan at the Greater Milwaukee Foundation for the support of the Priority Green Infrastructure and Habitat Projects within the Pike and Wind Point Watersheds project.

[0710-18](#) **Subject:** Communication from the Public Health Administrator requesting permission to enter into an agreement and accept funding in the amount of \$29,000 from the Wisconsin Department of Natural Resources for the Wisconsin Beach Monitoring Program.

[0718-18](#) **Subject:** Communication from the Director of Parks, Recreation & Cultural Services requesting permission to accept a \$1500 donation received on 6/29/18 for various programs from Landmark Credit Union.

[0737-18](#) **Subject:** Communication from the Finance Director requesting to have Brad Viegut, our representative from Robert W. Baird & Company, appear before the Finance and Personnel Committee at their next scheduled meeting on Monday, July 23, 2018 to discuss our 2018 borrowing for budgeted Capital Projects.

[0738-18](#) **Subject:** A request by the Mayor and City Administrator to apply for a grant through the National Recreation and Parks Association, "Great Urban Parks Campaign", for funding to support green storm-water infrastructure within a City of Racine Park, in an amount not to exceed \$300,000, with no local match required. The grant must be completed and submitted by midnight, August 3, 2018.

[0747-18](#) **Subject:** Communication from the Racine Police Department requesting to receive reimbursement from WisDOT, not to exceed \$60,000.00, for law enforcement services in relation to the I-94/41 corridor construction project.

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

[0732-18](#) **Subject:** Communication from the Assistant Commissioner of Public Works/City Engineer submitting a State/Municipal Project Agreement for the 2018 - 2019 Local Roads Improvement Program (LRIP).

[0733-18](#) **Subject:** Communication from Doug Nicholson (Main Hub - 1300 N. Main Street) requesting permission to close Hubbard Street from Main Street to

Wisconsin Street on July 28, 2018 from 6:00 A.M. to 7:00 P.M. for a car show. (Res. 0220-18)

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

[0716-18](#) **Subject:** Communication from the Alderman of the 3rd District wishing to discuss safety concerns and issues associated with the number of police calls for the property located at 1948 Hickory Grove Ave.

[0735-18](#) **Subject:** Communication from the Alderman of the 5th District requesting changes to chapter 6 of the ordinance to allow for growlers and to make other cleanup changes.

H. Committee Reports

Finance and Personnel Committee Report, by Ald. Shakoor II

[0611-18](#) **Subject:** Communication from the Director of Parks, Recreation & Cultural Services requesting permission to accept a \$1,500.00 from United Healthcare Services, Inc. for the Juneteenth Day Event at the Dr. John Bryant Community Center. (Res. 0213-18)

Recommendation of the Finance & Personnel Committee on

06/25/2018: Permission be granted to the Director of Parks, Recreation & Cultural Services to accept a \$1,500.00 from United Healthcare Services, Inc. for the Juneteenth Day Event at the Dr. John Bryant Community Center.

Fiscal Note: No City match required.

[0632-18](#) **Subject:** Communication from the City Attorney requesting authorization to represent employees in the case of *Cobbs v. Chiapete, et al.*, U.S. District Court Eastern District of Wisconsin Case No. 2018-CV-338.

Recommendation of the Finance & Personnel Committee on

06/25/2018: To authorize the City Attorney to represent employees in the case of *Cobbs v. Chiapete, et al.*, U.S. District Court Eastern District of Wisconsin Case No. 2018-CV-338.

Fiscal Note: Outside counsel has been retained and will be paid through the use of the City Attorney's Office professional services account Org-Obj 11004 52100. Total fees are to be determined.

[0633-18](#) **Subject:** Communication from the City Attorney requesting authorization to represent employees in the case of *Denwiddie v. Mueller, et al.*, U.S. District Court Eastern District of Wisconsin Case No. 2018-CV-601-JPS.

Recommendation of the Finance & Personnel Committee on

06/25/2018: To authorize the City Attorney to represent employees in the case of *Denwiddie v. Mueller, et al.*, U.S. District Court Eastern District of Wisconsin Case No. 2018-CV-601-JPS.

Fiscal Note: N/A

[0685-18](#)

Subject: Communication from the Mayor and the Alderperson of the 15th District requesting that Chapter 62 of the Racine Code of Ordinances be amended to provide for greater protection against sexual orientation and gender identity discrimination.

Recommendation of the Finance & Personnel Committee on

06/25/2018: To amend Chapter 62 of the Racine Code of Ordinances to provide for greater protection against sexual orientation and gender identity discrimination.

Fiscal Note: N/A

[0704-18](#)

Subject: (Direct Referral) A request by the Director of City Development for the termination of Tax Incremental District No. 8 (State Street Corridor). (Res. 0214-18)

Recommendation of the Finance and Personnel Committee on

06/25/2018: That the request by the Director of City Development for the termination of Tax Incremental District No. 8 (State Street Corridor) be approved. Further that the Mayor and City Clerk be authorized and directed to submit the necessary forms and reports to the Wisconsin Department of Revenue.

Fiscal Note: N/A

[0706-18](#)

Subject: (Direct Referral) Presentation of First Quarter Fiscal Results.

Recommendation of the Finance & Personnel Committee on

06/25/2018: Receive and File.

Fiscal Note: N/A

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

[0595-18](#)

Subject: Ordinance 0010-18 - Reinspection Fees.

Recommendation of the Public Works and Services Committee on

07-10-18: That Ordinance 0010-18 be adopted.

Fiscal Note: N/A

[0631-18](#)

Subject: Communication from the Commissioner of Public Works requesting approval to sign a Memorandum of Understanding (MOU) for State Project ID: 2290-03-73, STH 38, Bridge over Root River B-51-0012 between the City of Racine and WisDOT. (Res. 0228-18)

Recommendation of the Public Works and Services Committee on 07-10-18: Grant approval for the Commissioner of Public Works to sign the Memorandum of Understanding (MOU) for State Project ID: 2290-03-73, STH 38, Bridge over Root River B-51-0012 between the City of Racine and WisDOT.

Fiscal Note: N/A

[0641-18](#)

Subject: Communication from the Assistant Commissioner of Public Works/City Engineer submitting a reimbursement agreement between the Village of Mount Pleasant and the City of Racine for the Indiana Street repaving project - Contract 20180016, 2018 City Resurfacing Phase II (R1). (Res. 0229-18)

Recommendation of the Public Works and Services Committee on 07-10-18: Approve the reimbursement agreement between the Village of Mount Pleasant and the City of Racine for the Indiana Street repaving project - Contract 20180016, 2018 City Resurfacing Phase II (R1).

Fiscal Note: Mount Pleasant will not be responsible for paying more than \$160,000.00 total for its portion without subsequent Village Board approval.

[0668-18](#)

Subject: Change Order No. 1 on Contract 20180001, HDPE Conduit & Fiber Extension to North Beach Oasis Building, Jet Underground, LLC., contractor. (Res. 0231-18)

Recommendation of the Public Works and Services Committee on 07-10-18: That Change Order No. 1 on Contract 20180001, HDPE Conduit & Fiber Extension to North Beach Oasis Building, Jet Underground, LLC., contractor, be approved in the amount of \$11,264.08.

Further recommends that funding to defray the cost of the change order be appropriated from the below Org-Objects:

\$ 7,446.32 - Org-Object 70113-57355, Computer Hardware
\$ 3,817.76 - Org-Object 14012-53200, Electrical Supplies & Repairs
\$11,264.08 - Total

Fiscal Note: Funds are available as herein delineated.

[0669-18](#)

Subject: Final Payment on Contract 20180001, HDPE Conduit & Fiber Extension to North Beach Oasis Building, Jet Underground, LLC., contractor. (Res. 0232-18)

Recommendation of the Public Works and Services Committee on 07-10-18: That the work done by Jet Underground, LLC., under Contract 20180001, HDPE Conduit & Fiber Extension to North Beach Oasis Building, be accepted and final payment authorized for a total contract amount of \$39,709.86. Final Payment to include retainage.

Fiscal Note: Contract was authorized under Resolution 0053-18 of February 21, 2018.

[0672-18](#)

Subject: Communication from the Alderman of the 8th District requesting to address concerns of grass and weed control in the 8th District.

Recommendation of the Public Works and Services Committee on 07-10-18: Receive and file.

Fiscal Note: N/A

[0683-18](#)

Subject: (Direct Referral) Communication from RAMAC, requesting to close 5th Street between Wisconsin Avenue and College Avenue, for a member summer block party on August 23, 2018 (rain date August 28, 2018), from 12:00 Noon to 8:00 P.M. (Res. 0221-18)

Recommendation of the Public Works and Services Committee on 07-10-18: That permission be granted to RAMAC to close 5th Street between Wisconsin Avenue and College Avenue, from 12:00 Noon to 8:00 P.M. on August 23, 2018 (rain date August 28, 2018) for a member summer block party with the following stipulations:

- A. A hold harmless agreement be executed and a \$75.00 processing fee paid.
- B. A liability insurance certificate be filed prior to this event.
- C. Any overtime costs incurred by any City department be charged to the sponsor.
- D. The sponsor shall notify all abutting property owners seventy-two (72) hours in advance of this event.
- E. The sponsor shall pay a \$250.00 special event fee.
- F. If required, sponsor shall be responsible for submitting a Temporary Traffic Control Plan to the Engineering Department for approval, and providing and removing all temporary traffic control devices and detour signs.

G. If required, sponsor shall provide a detour plan for the closure of all State connecting highways, arterial and collector streets to the City Engineer for approval.

H. If required, sponsor is responsible for cleaning the streets.

I. If required, sponsor shall install parking meter hoods or temporary parking signs at least twenty-four (24) hours in advance of the event and if this is not done, sponsor is responsible for vehicle towing and parking violation expenses of the violators.

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

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

[0684-18](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer submitting Amendment No. 1 on State Project ID: 1693-34-06, Lake Michigan Pathway - Phase 4 (City Contract 20150070). (Res. 0230-18)

Recommendation of the Public Works and Services Committee on 07-10-18: That Amendment No. 1 to State Project ID: 1693-34-06, Lake Michigan Pathway - Phase 4 (City Contract 20150070), as submitted, be approved.

Fiscal Note: This is a time extension amendment only. There is no change in compensation.

[0699-18](#)

Subject: Bid results on Contract 20180052, Bryant Community Center - Harmony Park.

Recommendation of the Public Works and Services Committee on 07-10-18: That bids for Contract 20180052, Bryant Community Center - Harmony Park, be rejected and rebid at a later date.

Fiscal Note: N/A

[0700-18](#)

Subject: Bid results on Contract 20180053, Solbraa Park - Court Construction. (Res. 0224-18)

Recommendation of the Public Works and Services Committee on 07-10-18: That bids for Contract 20180053, Solbraa Park - Court Construction, be awarded to Payne & Dolan, Inc. at their bid price of \$93,367.10, it being the lowest responsible bidder.

Further recommends that funds to defray the cost of this Parks Department project be appropriated from Org-Object 45050-57110, Parks - Land Improvements.

Fiscal Note: Funds are available as herein delineated.

[0701-18](#)

Subject: Bid results on Contract 20180054, Park Service Center - Parking Lot. (Res. 0225-18)

Recommendation of the Public Works and Services Committee on 07-10-18: That bids for Contract 20180054, Park Service Center - Parking Lot, be awarded to A.W. Oakes & Son, Inc., at their bid price of \$270,385.00, it being the lowest responsible bidder.

Further recommends that funds to defray the cost of this Parks Department project be appropriated from Org-Object 45050-57110, Parks - Land Improvements.

Fiscal Note: Funds are available as herein delineated.

[0707-18](#)

Subject: (Direct Referral) Communication from Jason Roetz, Fast Signs, on behalf of Twin Disc, requesting permission to place banners over City right-of-way at 1328 Racine Street. (Res. 0222-18)

Recommendation of the Public Works and Services Committee on 07-10-18: That the property owner, Twin Disc, at 1328 Racine Street be granted permission to place banners over City right-of-way, as requested, with the stipulation that a hold harmless agreement be executed and a \$150.00 processing fee paid, in accordance with the State Statute 66.0425, Privileges in Streets.

Fiscal Note: There will be no cost to the City of Racine.

[0714-18](#)

Subject: (Direct Referral) Change Order No. 1 on Contract 20180018, Wustum Museum - Fire Alarm Replacement, Starfire Systems, Inc., contractor. (Res. 0226-18)

Recommendation of the Public Works and Services Committee on 07-10-18: That Change Order No. 1 on Contract 20180018, Wustum Museum - Fire Alarm Replacement, Starfire Systems, Inc., contractor, be approved in the amount of \$515.00.

Further recommends that funding to defray the cost of the change order be appropriated from Org-Object 50008-57200, Wustum-Building Improvements.

Fiscal Note: Funds are available as herein delineated.

[0715-18](#)

Subject: Final Payment on Contract 20180018, Wustum Museum - Fire Alarm Replacement, Starfire Systems, Inc., contractor. (Res. 0227-18)

Recommendation of the Public Works and Services Committee on 07-10-18: That the work done by Starfire Systems, Inc., under Contract 20180018, Wustum Museum - Fire Alarm Replacement, be accepted and final payment authorized for a total contract amount of \$53,715.00. Final Payment to include retainage.

Fiscal Note: Contract was authorized under Resolution 0054-18 of February 21, 2018.

[0722-18](#)

Subject: (Direct Referral) Communication from Sam Azarian requesting to terminate the 20-year lease for the municipal parking lot at 919 Marquette Street. (Res. 0223-18)

Recommendation of the Public Works and Services Committee on 07-10-18: Approve the termination of the 20-year lease for the municipal parking lot at 919 Marquette Street.

Fiscal Note: N/A

Public Safety and Licensing Committee Report, by Ald. Coe

[0508-18](#)

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

Recommendation of the Public Safety and Licensing Committee on 05-22-18: That the operator license application for Samantha Ryder be deferred until the June 12, 2018 meeting.

Recommendation of the Public Safety and Licensing Committee on 6-12-18: That the operator license application for Samantha Ryder be deferred until the June 26, meeting.

Recommendation of the Public Safety and Licensing Committee on 6-26-18: That the operator license application for Smanatha Ryder be denied.

Fiscal Note: N/A

[0677-18](#)

Subject: (New) Application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for Beacon Hospitality INC, located at 3113 Douglas Ave, Dan Taivalkoski, Agent. (7st District).

Recommendation of the Public Safety and Licensing Committee on 6-26-18: That the **(New)** Application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for Beacon Hospitality INC, located at 3113 Douglas Ave, Dan Taivalkoski, Agent, be approved.

Fiscal Note: N/A

[0686-18](#)

Subject: (Direct Referral) Communication from Marjorie Wachs, representing Apple Hospitality Group, Inc. (Applebee's Neighborhood Grill and Bar), 2521 S. Green Bay Road to Amend their Premise Description on their "Class B" Fermented Malt Beverage and Intoxicating Liquor License.

Recommendation of the Public Safety and Licensing Committee on 6-26-18: That the Communication from Marjorie Wachs, representing Apple Hospitality Group, Inc. (Applebee's Neighborhood Grill and Bar), 2521 S. Green Bay Road to Amend their Premise Description on their "Class B" Fermented Malt Beverage and Intoxicating Liquor License, be deferred.

Recommendation of the Public Safety and Licensing Committee on 7-10-18: That the Communication from Marjorie Wachs, representing Apple Hospitality Group, Inc. (Applebee's Neighborhood Grill and Bar), 2521 S. Green Bay Road to Amend their Premise Description on their "Class B" Fermented Malt Beverage and Intoxicating Liquor License, be received and filed.

Fiscal Note: N/A

[0711-18](#)

Subject: (New) Application of Pamela Leville dba As Time Goes By Antique to Modern for a Secondhand Article/Jewelry Dealer License located at 223 Sixth Street. **(1st District)**

Recommendation of the Public Safety Licensing Committee on 7-10-18: That the application of Pamela Leville dba As Time Goes By Antique to Modern for a Secondhand Article/Jewelry Dealer License located at 223 Sixth Street, be approved.

[0717-18](#)

Subject: (New) Application of Pauls Pub LLC dba Paul's Pub, Jeremy Sigwart, Agent, for a **Change of Agent** for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 2416 Lathrop Ave. (11th District)

Recommendation of the Public Safety and Licensing Committee on 7-10-18: That the Application of Pauls Pub LLC dba Paul's Pub, Jeremy Sigwart, Agent, for a **Change of Agent** for a "Class B" Fermented Malt

Beverage and Intoxicating Liquor License for 2416 Lathrop Ave, be approved.

Fiscal Note: N/A

[0729-18](#)

Subject: (Direct Referral) Communication from the City Attorney's Office requesting to discuss the citizen complaint against Culture Bar and the procedures going forward.

Recommendation of the Public Safety and Licensing Committee on 7-10-18: That the communication from the City Attorney's Office requesting to discuss the citizen complaint against Culture Bar and the procedures going forward, that a summons be issued and due process hearing be held pursuant to s. 125.12(2) and that no deposit be posted by the complainant at this time.

Fiscal Note: N/A

[0731-18](#)

Subject: (New) Communication from DNC Transportation, LLC, Tobias Conner, Agent, applying for a public passanger vehicle provider's license.

Recommendation of the Public Safety and Licensing Committee on 7-10-18: That the Communication from DNC Transportation, LLC, Tobias Conner, Agent, applying for a public passanger vehicle provider's license, be approved.

Fiscal Note: N/A

Traffic Commission Report, by Ald. Jones

[0551-18](#)

Subject: Communication from Sue Smith, 2018 Starving Artist Fair Chairman, requesting the use of "Temporary No Parking" signs and requesting parking restrictions in conjunction with the Starving Artist Outdoor Fair, on Sunday, August 5, 2018.

Recommendation of the Traffic Commission on 06-18-18: Recommends that the request to use Temporary No Parking signs on the north side of 11th Street between Wisconsin Avenue and S. Main Street on August 5, 2018 between 7:30 A.M. and 1:00 P.M. be granted.

Fiscal Note: N/A

[1207-17](#)

Subject: Communication from the Alderman of the 8th District, on behalf of Marco Chavez - 1443 Carlisle Avenue, requesting stop signs at the intersection of Carlisle Avenue and Kewaunee Street.

Recommendation of the Traffic Commission on 01-15-18: Defer

Recommendation of the Traffic Commission on 06-18-18: Receive and file.

Fiscal Note: N/A

Transit and Parking Commission Report, by Ald. DeHahn

[0678-18](#)

Subject: (Direct Referral) Communication from the Transit and Parking System Manager requesting to change the lost ticket fee in ramps managed by ABM. (Res. 0215-18)

Recommendation of the Transit and Parking Commission on 06-20-18: Approve increasing the lost ticket fee in parking ramps managed by ABM to \$5.00.

Fiscal Note: There would be an increase in revenue of \$900.00 annually.

City Plan Commission Report, by Ald. Meekma

[0705-18](#)

Subject: (Direct Referral) A request by Alex Martinez of Casa Del Alfarero Global seeking a conditional use permit to operate a religious institution at 1344 Lathrop Avenue. (PC-18) (Res. 0216-18)

Recommendation of the City Plan Commission on 6-27-18: That the request be approved subject to conditions.

Fiscal Note: N/A

Community Development Committee Report, by Ald. Meekma

[0572-18](#)

Subject: (Direct Referral) A request by Parks Department - Main Gallery for an amendment of the 2017 CDBG contract to extend the expiration date until September 30, 2018. (Res. 0217-18)

Recommendation of the Community Development Committee on 6-14-18: To approve the amendment to the 2017 CDBG contract with Parks Department - Main Gallery to extend the expiration date until September 30, 2018.

Fiscal Note: The total FY 2017 CDBG contract budget of the Parks Department - Main Gallery will remain \$32,000.

[0573-18](#)

Subject: (Direct Referral) A request by Parks Department - Forestry for an amendment of the 2017 CDBG funds contract to extend the expiration date until May 31, 2019. (Res. 0218-18)

Recommendation of the Community Development Committee on

6-14-18: To approve an amendment to the 2017 CDBG contract with Parks Department - Forestry to extend the expiration date until May 31, 2019.

Fiscal Note: The total FY 2017 CDBG contract budget of the Parks Department - Forestry will remain \$54,500.

[0608-18](#)

Subject: (Direct Referral) Request for \$50,000 of HOME funds by Lutheran Social Services for Tenant Based Rental Assistance (TBRA) Program (Res. 0219-18)

Recommendation of the Community Development Committee on

6-14-18: Approve the request by Lutheran Social Services for \$50,000 of HOME funds for the Tenant Based Rental Assistance program and further authorize the Mayor and City Clerk to enter into an agreement with Lutheran Social Services consistent with HOME regulations.

Fiscal Note: Funds for the Tenant-Based Rental Assistance program were approved in the 2018 Annual Action Plan.

Housing Loan Board Report, by Ald. Land

[0727-18](#)

Subject: (Direct Referral) Request of the Director of City Development to accept the offer of Maria D. Villalobos to purchase 1531 Packard Avenue. (Res. 0233-18)

Recommendation of the Loan Board of Review on 7-12-18: To

approve the request to accept the offer of Maria D. Villalobos to purchase 1531 Packard Avenue as presented.

Further resolved that the Mayor, the City Clerk, and the Director of City Development are authorized to execute any documents necessary to complete the sale.

Fiscal Note: The City will receive \$85,000 minus commissions and closing costs.

Committee of the Whole Report, by Ald. Meekma[47-17](#)

Subject: Communication from the Alderman of the 6th District requesting a meeting of the Committee of the Whole to discuss the November 21, 2016 recommendation of the Redevelopment Authority to negotiate a pre development agreement for subsidized housing for the City owned property at 615 Marquette Street.

Recommendation of the Committee of the Whole on 07-10-2018: the Item be Received and Filed.

Fiscal Note: N/A

[48-17](#)

Subject: Communication from the Alderman of the 6th District requesting a meeting of the Committee of the Whole to discuss Machinery Row and the City's rights under the development agreement and mortgages.

Recommendation of the Committee of the Whole on 07-10-2018: the Item be Received and Filed.

Fiscal Note: N/A

[103-17](#)

Subject: Communication from the Alderman of the 11th and 15th Districts requesting that the Committee of the Whole meet to discuss supporting the Great Lakes and St. Lawrence Cities Initiative in their challenge to the Waukesha water diversion.

Recommendation of the Committee of the Whole on 07-10-2018: the Item be Received and Filed.

Fiscal Note: N/A

[0170-16](#)

Subject: Communication from the Alderman of the Sixth District requesting that the Committee of the Whole meet to receive a presentation from SEWRPC and the DNR about the proposed diversion and return of Lake Michigan water to Waukesha and to discuss the proper response, if any, by the Common Council.

Recommendation of the Committee of the Whole on 07-10-2018: the Item be Received and Filed.

Fiscal Note: N/A

[0386-18](#)

Subject: Communication from the Mayor proposing an amendment to City of Racine Ordinance 62.29(a) adding two members to Affirmative Action

and Human Rights Commission.

Recommendation of the Committee of the Whole on 06-19-2018: the City Attorney's Office to draft an ordinance to increase AA/Hr Board by one member who self-identifies as a member of the LGBTQ community and one member with a recognized disability.

Fiscal Note: N/A

[500-17](#)

Subject: Communication from Mayor Dickert requesting the Great Lakes St. Lawrence Cities Initiative and other NGO's be invited to present to the Committee of the Whole regarding the Waukesha Water Diversion.

Recommendation of the Committee of the Whole on 07-10-2018: the Item be Received and Filed.

Fiscal Note: N/A

[537-17](#)

Subject: Communication from the Alderwoman of the Sixth District requesting that the Committee of the Whole meet to address the establishment of a support agreement between the City of Racine and the Redevelopment Authority of the City of Racine.

Recommendation of the Committee of the Whole on 07-10-2018: to direct staff to draft a support agreement between the City of Racine and the Redevelopment Authority of the City of Racine, to be returned to the Committee of the Whole upon completion.

Fiscal Note: N/A

[0637-18](#)

Subject: (Direct Referral) Communication from the President of the Common Council requesting the Committee of the Whole prioritize, or summarily dispense with, the following Agenda Items as submitted by the Alderpersons, or other persons, on the dates noted:

Item 0170-16 request for SEWRPC and DNR presentation on Waukesha water

(6th District, 02-24-2016)

Item 47-17 request a discussion of RDA negotiations of pre-development agreement for subsidized housing at 615 Marquette St

(6th District, 01-18-2017)

Item 48-17 request a discussion of rights under the mortgage on Machinery Row

(6th District, 01-18-2017)

Item 103-17 request to support Great Lakes & St Lawrence Cities Initiative's challenge to Waukesha water

(11th & 15th District, 02-03-2017)

Item 500-17 request for Great Lakes & St Lawrence Cities presentation on Waukesha water

(Mayor, 05-22-2017)

Item 537-17 request discussion of support agreement between City and RDA

(6th District, 06-02-2017)

Item 640-17 request by Waukesha's Mayor to make a presentation on water diversion

(06-29-2017)

Item 646-17 request policy to submit slide presentations to members 48-72 hrs before meetings

(8th District, 06-30-2017)

Item 652-17 request to recognize global warming as a national and local threat

(Melissa Kaprelian-Becker, 07-03-2017)

Item 660-17 request for yard debris and green/brown waste collection program

(9th District, 07-07-2017)

Item 752-17 request Resolution supporting AB 386 (Dark Store)

(6th District, 07-31-2017)

Item 785-17 request review of alley maintenance policy

(3rd District, 08-09-2017)

Item 877-17 discussion of available wastewater capacity

(09-01-2017)

Item 1100-17 removal of all parking meters

(5th District, 11-10-2017)

Item 1129-17 communications staff person (exercise of budget veto)

(Mayor, 11-17-2017)

Item 0385-18 proposed consolidation of Cemetery Board and Golf Course Liaison Committee

(Mayor, 04-13-2018)

Item 0386-18 increase AA/HR Commission by 2 additional members

(Mayor, 04-13-2018)

Recommendation of the Committee of the Whole on 06-19-2018:

Deferred

Recommendation of the Committee of the Whole on 07-10-2018: the Item, as amended, be Recommended for Approval.

Fiscal Note: N/A

[0638-18](#)

Subject: (Direct Referral) Communication from the President of the Common Council requesting the Committee of the Whole address

procedural issues for the Common Council, Committee of the Whole, and standing committees.

Recommendation of the Committee of the Whole on 06-19-2018:

Deferred.

Recommendation of the Committee of the Whole on 07-10-2018: the Item be referred to the Executive Committee to develop proposals to return to the Committee of the Whole for consideration.

Fiscal Note: N/A

[640-17](#)

Subject: Communication from the Mayor of the City of Waukesha requesting to make a presentation regarding Waukesha's plans to borrow Lake Michigan water and return it via the Root River.

Recommendation of the Committee of the Whole on 07-10-2018: the Item be Received and Filed.

Fiscal Note: N/A

[646-17](#)

Subject: Communication from the Alderman of the 8th District requesting to have slide presentations submitted to responsible committee(s) 48 to 72 hours prior to presentation, unless item has sensitive legal ramifications.

Recommendation of the Committee of the Whole on 07-10-2018: the Item be Received and Filed.

Fiscal Note: N/A

[652-17](#)

Subject: Communication from Melissa Kaprelian-Becker seeking approval by the City Council of a resolution recognizing global warming as a national and local threat.

Recommendation of the Committee of the Whole on 07-10-2018: the Item be Received and Filed.

Fiscal Note: N/A

[752-17](#)

Subject: Communication from the Alderman of the Sixth District submitting a request to the Common Council to create and forward a resolution supporting AB 386 (Dark Store) to the State Legislature.

Recommendation of the Committee of the Whole on 07-10-2018: the Item be Received and Filed.

Fiscal Note: N/A

[785-17](#)

Subject: Communication from the Alderman of the 3rd District requesting a comprehensive review/modification of alley maintenance policy.

Recommendation to the Public Works and Services Committee on 08-29-17: Refer this item to the Finance and Personnel Committee for alley maintenance funding consideration.

Recommendation of the Finance & Personnel Committee on 11.27.2017: The communication be deferred until the Committee of the Whole has an opportunity to discuss and make a recommendation.

Recommendation of the Committee of the Whole on 06-19-2018: the Item be Received and Filed.

Fiscal Note: N/A

[877-17](#)

Subject: (Direct Referral) Discussion regarding available wastewater capacity to support growth-related development.

Recommendation of the Committee of the Whole on 09-05-2017: the Item be deferred.

Recommendation of the Committee of the Whole on 07-10-2018: the Item be referred to the Public Works & Services Committee.

Fiscal Note: N/A

Office of the Mayor Report, by Ald. Meekma

[0698-18](#)

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

Appoint Melissa Abel, 808 Arthur Avenue, Racine, 53405 to the Board of Parks, Recreation and Cultural Services for a three year term expiring April 30, 2021.

Appoint Alderman John Tate, II, 2044 Kinzie Ave, Racine, 53405 to the FourthFest Planning Committee.

[0748-18](#)

Subject: Communication from Mayor Mason nominating the following

appointments:

Appoint Chris Hefel, to the Board of Zoning Appeals
Appoint Carl Hubbard, 1306 Hayes Ave, to the AAHRC
Appoint JJ McAuliffe, to the Due Process Board
Appoint Charles Helm, 1814 Charles St, to the Community Development Committee
Appoint Armintha Franklin, 2828 Chicory Rd, to the Community Development Committee

[0746-18](#)

Subject: Communication from the Mayor proposing that the August 7, 2018 meeting of the Common Council be changed to August 8, 2018 to accommodate National Night Out.

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

[0688-18](#)

Subject: (Direct Referral) Communication from the Events Director of Real Racine on behalf of the event owner of Wisconsin Senior Olympics requesting use of Pershing Park and the Lake Michigan Parkway outside of park hours for The Olympian 5K Run/Walk and 10K Run on August 11, 2018. (Res. 0234-18)

Recommendation of the Board of Parks, Recreation and Cultural Services on 07-11-2018: The Item be Approved.

Fiscal Note: Public event fees will apply as determined by PRCS Administration.

I. Consent Resolutions

[Res.0201-18](#)

Official Notice #8-2018 - Request for Proposal Construction Management Services for City of Racine Fire Station 6

Resolved, that the Purchasing Agent is authorized to negotiate and contract with Riley Construction for the provision of construction management as associated with construction services for a fee structure of 1.95% of the total construction cost plus reimbursable costs of \$28,500.00.

Fiscal Note: Funds for this service are available in account 45030-57200.

Sponsors:

Q.A. Shakoor II

[Res.0213-18](#)

\$1,500.00 from United Healthcare Services, Inc. for the Juneteenth Day Event at the Dr. John Bryant Community Center

Resolved, that permission is granted to the Director of Parks, Recreation & Cultural Services to accept a \$1,500.00 donation from United Healthcare Services, Inc. for the Juneteenth Day Event at the Dr. John Bryant

Community Center.

Fiscal Note: No City match required.

Sponsors:

Q.A. Shakoor II

Res.0214-18

Termination of Tax Incremental District No. 8 (State Street Corridor)

Resolved, that the request by the Director of City Development for the termination of Tax Incremental District No. 8 (State Street Corridor) is approved. Further that the Mayor and City Clerk are authorized and directed to submit the necessary forms and reports to the Wisconsin Department of Revenue.

Fiscal Note: N/A

Sponsors:

Q.A. Shakoor II

Res.0215-18

Lost Ticket Fee in Ramps Managed by ABM

Resolved, that increasing the lost ticket fee in parking ramps managed by ABM to \$5.00 is approved.

Fiscal Note: There would be an increase in revenue of \$900.00 annually.

Sponsors:

Raymond DeHahn

Res.0216-18

1344 Lathrop Avenue

The request from Casa Del Alfarero, seeking a conditional use permit to allow a type 1 non-commercial-type use at 1344 Lathrop Avenue is approved, subject to the following conditions:

a) That the plans presented to the Plan Commission on June 27, 2018 be approved subject to the conditions contained herein.

b) That all of the following occur by October 31, 2018:

1. Building walls be washed and touch up paint to match the existing color of the walls of the building be applied to the building. If switching paint scheme, colors shall be submitted to City Development Department for approval, prior to application.

2. Landscaping shrubs be installed on the property as indicated on the submitted site plan. Unplanted green areas shall remain as grass or mulched with organic materials. Stone or rocks are not allowed.

3. Two street trees be installed along the right-of-way for Lathrop Avenue adjacent to the property frontage. Species and planting methodology to be approved by the City Forester prior to installation with installation to occur

in October under presence of City Forester or designee if requested by City Forester.

4. If trash collection from the City of Racine is not allowed, submission to and approval by the Department of City Development of plans for the trash storage area which shows that all trash and recycling be kept in closed containers which are completely screened from public view and includes a gate on the trash storage area.

c) That if, prior to the issuance of an Occupancy Permit, required site improvements listed in "b" above have not been or cannot be completed, a financial surety shall be provided to the City. The surety shall be in a format as approved by the City Attorney's office, and subject to all stipulations as identified for financial sureties in the City of Racine. The dollar amount shall be determined at the time of application based upon estimates provided by the applicants for any incomplete work, and shall be valid for no less than one (1) year from the date of issuance. The surety format and content is subject to review and approval by the City Attorney.

d) That hours of operation are 8:00 AM-5:00 PM on weekends and on Mondays and Fridays from 7:00 AM-9:00 AM and 6:00 PM-10:00 PM, Tuesdays and Thursdays from 7:00 AM-9:00 AM and 5:00PM-10:00 PM and on Wednesdays from 9:00 AM-10:00 PM.

e) That no string or LED lights be placed in interior or exterior of windows or as building accent lighting.

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

g) 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.

h) That this conditional use permit is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

Sponsors:

Jason Meekma

[Res.0217-18](#)

Main Gallery - Amend 2017 CDBG Contract Extending to September 30, 2018

Resolved, that the Community Development Committee is approved to amend the 2017 CDBG contract with Parks Department - Main Gallery to

extend the expiration date until September 30, 2018.

Fiscal Note: The total FY 2017 CDBG contract budget of the Parks Department - Main Gallery will remain \$32,000.00.

Sponsors:

Jason Meekma

Res.0218-18

2017 CDBG Funds Contract Expiration Extended to May 31, 2019

Resolved, that the Community Development Committee is approved to amend the 2017 CDBG contract with Parks Department - Forestry to extend the expiration date until May 31, 2019

Fiscal Note: The total FY 2017 CDBG contract budget of the Parks Department - Forestry will remain \$54,500.00.

Sponsors:

Jason Meekma

Res.0219-18

\$50,000.00 of HOME funds for Tenant Based Rental Assistance (TBRA) Program

Resolved, that the request by Lutheran Social Services for the use of \$50,000.00 of HOME funds for the continuation of the Tenant Based Rental Assistance program.

Further resolved, that the Mayor and City Clerk are authorized to enter into an agreement with Lutheran Social Services consistent with HOME regulations.

Fiscal Note: Funds for the Tenant-Based Rental Assistance program were approved in the 2018 Annual Action Plan.

Sponsors:

Jason Meekma

Res.0220-18

Hubbard Street Car Show on July 28, 2018

Resolved, that Doug Nicholson (Main Hub - 1300 N. Main Street) is granted permission to close Hubbard Street from Main Street to Wisconsin Street on July 28, 2018, from 6:00 a.m. to 7:00 p.m., for a car show, with the following stipulations:

- A. A hold harmless agreement be executed and a \$75.00 processing fee paid.
- B. A liability insurance certificate be filed prior to this event.
- C. Any overtime costs incurred by any City department be charged to the sponsor.
- D. The sponsor shall notify all abutting property owners 72 hours in

advance of this event.

E. The sponsor shall pay a \$250.00 special event fee.

F. No alcoholic beverages will be sold and/or dispensed within the street right-of-way.

G. If required, sponsor shall be responsible for submitting a Temporary Traffic Control Plan to the Engineering Department for approval, and providing and removing all temporary traffic control devices and detour signs.

H. If required, sponsor shall provide a detour plan for the closure of all State Connecting Highways, arterial and collector streets to the City Engineer for approval.

I. If required, sponsor is responsible for cleaning the streets.

J. If required, sponsor shall install parking meter hoods or temporary parking signs at least 24 hours in advance of the event and if this is not done, sponsor is responsible for vehicle towing and parking violation expenses of the violators.

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

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

Sponsors:

John Tate II

[Res.0221-18](#)

5th Street Between Wisconsin Avenue and College Avenue

Resolved, that permission is granted to RAMAC to close 5th Street between Wisconsin Avenue and College Avenue, from 12:00 Noon to 8:00 p.m. on August 23, 2018 (with a rain date of August 28, 2018) for a member summer block party with the following stipulations:

A. A hold harmless agreement be executed and a \$75.00 processing fee paid.

B. A liability insurance certificate be filed prior to this event.

C. Any overtime costs incurred by any City department be charged to the sponsor.

D. The sponsor shall notify all abutting property owners 72 hours in advance of this event.

E. The sponsor shall pay a \$250.00 special event fee.

F. If required, sponsor shall be responsible for submitting a Temporary Traffic Control Plan to the Engineering Department for approval, and providing and removing all temporary traffic control devices and detour signs.

G. If required, sponsor shall provide a detour plan for the closure of all State connecting highways, arterial and collector streets to the City Engineer for approval.

H. If required, sponsor is responsible for cleaning the streets.

I. If required, sponsor shall install parking meter hoods or temporary parking signs at least 24 hours in advance of the event and if this is not done, sponsor is responsible for vehicle towing and parking violation expenses of the violators.

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

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

Sponsors:

John Tate II

[Res.0222-18](#)

Banners Over City Right-of-way at 1328 Racine Street

Resolved, that the property owner, Twin Disc, at 1328 Racine Street is granted permission to place banners over City right-of-way, as requested, with the stipulation that a hold harmless agreement be executed and a \$150.00 processing fee be paid, in accordance with Wisconsin Statute section 66.0425, Privileges in Streets.

Fiscal Note: There will be no cost to the City of Racine.

Sponsors:

John Tate II

[Res.0223-18](#)

Terminate 20-year Lease for Parking Lot at 919 Marquette Street

Resolved, that termination of the 20-year lease for the municipal parking lot at 919 Marquette Street is approved.

Fiscal Note: N/A

Sponsors:

John Tate II

[Res.0224-18](#) Contract 20180053 - Solbraa Park - Court Construction

Resolved, that bids for Contract 20180053 - Solbraa Park - Court Construction, are awarded to Payne & Dolan, Inc., at its bid price of \$93,367.10, it being the lowest responsible bidder.

Fiscal Note: Funds to defray the cost of this Parks Department project be appropriated from Org-Object 45050-57110, Parks - Land Improvements.

Sponsors: John Tate II

[Res.0225-18](#) Contract 20180054 - Park Service Center - Parking Lot

Resolved, that bids for Contract 20180054 - Park Service Center - Parking Lot, are awarded to A.W. Oakes & Son, Inc., at its bid price of \$270,385.00, it being the lowest responsible bidder.

Fiscal Note: Funds to defray the cost of this Parks Department project be appropriated from Org-Object 45050-57110, Parks - Land Improvements.

Sponsors: John Tate II

[Res.0226-18](#) Change Order No. 1 on Contract 20180018 - Wustum Museum - Fire Alarm Replacement

Resolved, that Change Order No. 1 on Contract 20180018 - Wustum Museum - Fire Alarm Replacement, Starfire Systems, Inc., contractor, is approved in the amount of \$515.00.

Fiscal Note: Funding to defray the cost of the change order be appropriated from Org-Object 50008-57200, Wustum-Building Improvements.

Sponsors: John Tate II

[Res.0227-18](#) Final Payment on Contract 20180018 - Wustum Museum - Fire Alarm Replacement

Resolved, that the work done by Starfire Systems, Inc., under Contract 20180018, Wustum Museum - Fire Alarm Replacement, is accepted and final payment authorized for a total contract amount of \$53,715.00. Final Payment to include retainage.

Fiscal Note: Contract was authorized under Resolution 0054-18 of February 21, 2018.

Sponsors: John Tate II

[Res.0228-18](#) Memorandum of Understanding for State Project ID: 2290-03-73

Resolved, that the Commissioner of Public Works is approved to sign the

Memorandum of Understanding for State Project ID: 2290-03-73, STH 38, Bridge over Root River B-51-0012 between the City of Racine and Wisconsin Department of Transportation.

Fiscal Note: N/A

Sponsors:

John Tate II

Res.0229-18

Indiana Street Repaving Project - Contract 20180016 - 2018 City Resurfacing Phase II (R1)

Resolved, that the reimbursement agreement between the Village of Mount Pleasant and the City of Racine for the Indiana Street repaving project - Contract 20180016, 2018 City Resurfacing Phase II (R1) is approved.

Fiscal Note: Mount Pleasant will not be responsible for paying more than \$160,000.00 total for its portion without subsequent Village Board approval.

Sponsors:

John Tate II

Res.0230-18

Amendment No. 1 on State Project ID: 1693-34-06, Lake Michigan Pathway - Phase 4 (City Contract 20150070)

Resolved, that Amendment No. 1 to State Project ID: 1693-34-06, Lake Michigan Pathway - Phase 4 (City Contract 20150070), as submitted, is approved.

Fiscal Note: This is a time extension amendment only. There is no change in compensation.

Sponsors:

John Tate II

Res.0231-18

Change Order No. 1 on Contract 20180001 - HDPE Conduit & Fiber Extension to North Beach Oasis Building

Resolved, that Change Order No. 1 on Contract 20180001, HDPE Conduit & Fiber Extension to North Beach Oasis Building, Jet Underground, LLC., contractor, is approved in the amount of \$11,264.08.

Fiscal Note: Funding to defray the cost of the change order be appropriated from the below Org-Objects:

\$ 7,446.32 - Org-Object 70113-57355, Computer Hardware
\$ 3,817.76 - Org-Object 14012-53200, Electrical Supplies & Repairs
\$11,264.08 - Total

Sponsors:

John Tate II

Res.0232-18

Final Payment on Contract 20180001 - HDPE Conduit & Fiber Extension to North Beach Oasis Building

Resolved, that the work done by Jet Underground, LLC., under Contract 20180001, HDPE Conduit & Fiber Extension to North Beach Oasis Building, is accepted and final payment authorized for a total contract amount of \$39,709.86. Final Payment to include retainage.

Fiscal Note: Contract was authorized under Resolution 0053-18 of February 21, 2018.

Sponsors: John Tate II

[Res.0233-18](#) 1531 Packard Avenue

Resolved, that the request to accept the offer of Maria D. Villalobos to purchase 1531 Packard Avenue as presented is approved.

Further resolved, that the Mayor, the City Clerk and the Director of City Development are authorized to execute any documents necessary to complete the sale.

Fiscal Note: The City will receive \$85,000.00 minus commissions and closing costs.

Sponsors: Mary Land

[Res.0234-18](#) The Olympian 5K Run/Walk and 10K Run on August 11, 2018

Resolved, that the use of Pershing Park and the Lake Michigan Parkway outside of park hours for The Olympian 5K Run/Walk and 10K Run on August 11, 2018, is approved.

Fiscal Note: Public event fees will apply as determined by PRCS Administration.

Sponsors: Jason Meekma

J. Consent Agenda

K. Ordinances

Refer to Public Works and Services Committee

[Ord.0005-18](#) Ordinance 0005-18 - Transit, Parking, and Traffic

An ordinance to amend Chapter 2, Articles II, III, and V, and Chapter 94, Articles III and V, of the Municipal Code of the City of Racine, Wisconsin.

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

Part 1: Amend Chapter 2, Article II, Division 4 of the Municipal Code of the

City of Racine, Wisconsin, as follows:

Delete the words "traffic commission" from Section 2-95(a) and substitute the words "public works and services committee" therefor.

Delete the words "traffic commission" from the third sentence of Section 2-95(b) and substitute the words "public works and services committee" therefor.

Part 2: Amend Chapter 2, Article II, Division 4 of the Municipal Code of the City of Racine, Wisconsin, as follows:

Insert the word "parking," between the word "traffic," and the word "utilities."

Part 3: Repeal Chapter 2, Article III, Division 9 of the Municipal Code of the City of Racine, Wisconsin.

Part 4: Repeal and Recreate Chapter 2, Article III, Division 10 of the Municipal Code of the City of Racine, Wisconsin, as follows:

Sec. 2-291. - Created; composition.

There is hereby created a transit commission, which shall constitute a public utility within the meaning of Wis. Stats. §§ 66.0801, et seq., and shall function as a transit utility for the operation of the transit system for the city. The transit commission shall consist of five commissioners. Included in the membership of the transit commission shall be a citizen member, three citizens of recognized business ability, and one alderman elected by the common council. The citizen members of the commission shall be appointed by the mayor, subject to the confirmation of the common council; vacancies shall be filled in the same manner.

Sec. 2-292. - Terms of office; compensation.

All appointments of citizen members of the transit commission shall be for a term of three years. The other members of the commission shall serve during the period of time they hold their respective offices. Appointments shall be made on October 1. The term of office shall begin upon appointment, confirmation, and qualification, and shall continue until the qualification of a successor. Vacancies shall be filled for the unexpired term. Members of the commission shall receive no compensation for their services.

Sec. 2-293. - Election of officers; secretary.

Each year within 30 days after the time designated in this division for the

beginning of terms, the members of the transit commission shall organize by the election of a citizen member as chairman of the commission and the selection of such other officers as they may deem necessary. The traffic engineer or his representative shall serve as secretary of the commission.

Sec. 2-294. - Duties

It shall be the general duty of the transit commission to provide overall supervision of the assets and operation of the transit system to ensure that it functions as an integrated part of the overall transportation system. This supervision shall include, but is not limited to, recommendations to the common council relating to: the issuance of revenue bonds, service agreements and contracts, retention of professional transit management firms, routes, fares, hours of service, buildings and grounds, purchase and maintenance of transit vehicles and transit related items, personal recruitment and training, labor relations and negotiations, advertising and insurance, the general financial status of the transit system, and other items which concern the physical and operational aspects of bus transit management.

Sec. 2-295. - Budget.

The transit commission shall annually prepare operating and outlay budgets for the activities in which it is engaged, which budgets shall be approved by a majority of the members of the commission and shall be submitted to the common council for its approval. The commission shall be subject to the budget ordinance of the city and shall have no authority to expend funds other than those appropriated or approved by the common council.

Sec. 2-296. - Finances.

All accounts relating to the mass transit system shall be audited by the transit commission, and if approved by a majority of the commission, shall be paid by orders upon the city treasurer, signed by the mayor, city clerk, and finance director. The finance director shall keep, as separate funds, all income and revenue derived from the mass transportation system and any funds especially provided for either by the common council and pay therefrom all orders legally drawn upon such funds.

Sec. 2-297. - Real estate purchases; construction work.

The transit commission shall purchase no real estate to be used as part of the mass transit system without the prior approval of a majority of the members of the common council. Any construction work undertaken by the commission shall be under the immediate supervision of the commissioner

of public works.

Sec. 2-298. - Recommendations to the council.

The common council and its committees shall refer to the transit commission for its recommendation all matters coming before them relating to mass transit. The common council shall vote upon any recommendation of the commission within 90 days after the filing of such recommendation with the city clerk. If any proposed ordinance, resolution, petition, or request referred to the commission is disapproved by the commission, such ordinance, resolution, petition or request shall not be adopted or granted, except by at least a majority vote of the full membership of the common council.

Part 5: Amend Chapter 2, Article V, Division 8 of the Municipal Code of the City of Racine, Wisconsin as follows:

Delete the words “and parking,” “parking and,” and “and of the traffic commission” from the third sentence of Section 2-531(e).

Create Section 2-531(g) as follows:

The city engineer:

(a) shall evaluate, and issue decisions regarding, all traffic-related requests;

(b) shall study and consider matters pertaining to vehicular and pedestrian traffic, school crossing guards, on-street parking, and other related matters of the city;

(c) shall recommend to the public works and services committee ways and means of handling, improving, and controlling such traffic problems, on-street parking, including the location of on-street parking meters within the established parking meter zones, and related matters as may arise in the city, and shall, with the approval of the common council, carry on, conduct, and direct such programs of education and publicity as deemed advisable for handling, improving, and controlling such traffic conditions, on-street parking problems and related matters;

(d) may adopt and publish in writing standards, warrants and criteria for control of traffic on streets and on-street parking operations, which shall not become effective until approval by the common council.

Part 6: Amend Chapter 94, Article III, Division 2 of the Municipal Code of the City of Racine, Wisconsin, as follows:

Delete the words "traffic commission" from Section 94-142 and substitute the words "public works and services committee" therefor.

Part 7: Amend Chapter 94, Article III, Division 3 of the Municipal Code of the City of Racine, Wisconsin, as follows:

Delete the words "traffic commission" from Section 94-163 and substitute the words "public works and services committee" therefor.

Part 8: Amend Chapter 94, Article V, of the Municipal Code of the City of Racine, Wisconsin as follows:

Delete the words "transit and parking commission" from Section 94-276.

Delete the words "transit and parking commission" from Section 94-285(a) and substitute the words "common council" therefor.

Delete the words "transit and parking commission" from Section 94-286(a) and substitute the words "public works and services committee" therefor.

Part 9: 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:

Q.A. Shakoor II

Refer to Public Works and Services

[Ord.0008-18](#) Ordinance 0008-18 - Racine Works

An ordinance to amend Chapter 46, Articles II, of the Municipal Code of the City of Racine, Wisconsin.

Part 1: Repeal and Recreate Section 46-41 of the Municipal Code of the City of Racine, Wisconsin, as follows:

Sec. 46-41. - Racine Works Program.

(a) Purpose. U.S. Department of Labor statistics show that the unemployment rate in the City of Racine is one of the highest in the state and is consistently higher than other parts of the State of Wisconsin. The City of Racine Common Council finds that the high unemployment rate, especially among low and moderate income groups, has a substantial adverse impact on the social and economic fiber of the entire community.

The Racine Works Program is designed and intended to reduce unemployment by creating work opportunities for Racine residents and by retaining current jobs of residents through imposition of a requirement that, for certain public works contracts, a designated percent of hours worked under the contract be performed by qualified low-income Racine residents

(b) Definitions. The following words and phrases have the meaning indicated for this section:

Direct financial assistance means the value of below-market land sales, any direct subsidies to developers, and city expenditures for private improvements, with a combined value of \$1 million or more, as determined by the director of city development, targeted specifically to a project. It includes the value of tax increment financing and below-market-rate loans provided by the city.

Eligible resident means an individual who resides in the City of Racine, Wisconsin, for contracts awarded by the city, or an individual who resides in a municipality served by the water utility for water utility contracts and whose income does not exceed the area Housing and Urban Development (HUD) income limits set forth for low- or very low-income households, as of the date of hire, which is 80 percent of the county median income, as determined annually by HUD. Such residents shall have completed at a minimum a pre-apprentice program geared toward a specific trade. Residents who possess an apprenticeship or journeyman status shall also be eligible provided their current income status make them eligible.

Racine Works Program (RWP) means the residents' preference program created and implemented in this section.

Qualified low income resident a person who has completed a pre-apprentice, apprentice, or journeyman program or status in a particular trade such as carpentry, cement finishing, iron worker, plumbing, electrical, and similar trades. Qualifying contract means (1) a public works contract, as defined in Wis. Stats. § 66.0901(1)(c), awarded by the city or its water utility in an amount greater than \$200,000.00 and is paid by city source funds for city public works contracts or by water utility funds for water utility contracts, (2) a contract for site preparation, including, but not limited to, razing of buildings, filling, grading, and other similar work, or (3) a construction contract or contract for site preparation awarded by a developer for a development that received direct financial assistance from the city or from the redevelopment authority. A contract shall constitute a qualifying contract irrespective of the funding source to the fullest extent possible considering the requirements of state and federal law.

Qualifying work means all labor, including skilled and non-skilled labor, and

including but not limited to, general laborer, labor performed in journeyman, sub-journey, pre-apprenticeship, apprenticeship, and on-the-job training programs.

Worker hours means the total hours qualifying work performed pursuant to a qualifying contract, whether those workers are employed by the contractor or any subcontractor. In determining the total worker hours to be furnished at a construction site, the number of hours devoted to all tasks customarily performed on a construction site shall be included, whether or not such tasks are performed on the construction site. Worker hours includes work performed by persons filling apprenticeships and participating in on-the-job training programs and work performed by supervisors and superintendents on job sites who are not hourly wage workers.

(c) Applicability; exceptions. RWP applies to all qualifying contracts, excepting that in exceptional circumstances where the commissioner of public works for department of public works contracts, or the general manager of the water utility for water utility contracts, determines that substantial grounds exist to exempt a contract from RWP, such as where a contract requires special skill or experience, then the commissioner of public works for department of public works contracts or the general manager of the water utility for water utility contracts, may exempt such contracts from RWP.

(d) Worker hours requirement. Contractors performing work under a non-exempt qualifying contract shall employ or ensure employment of eligible residents in the work under such contract and subcontracts to the extent that eligible residents perform qualifying work in the amount of 20 percent of the total worker hours.

(e) Verification; documentation. The contractor shall, upon completion of each non-exempt qualifying contract, and before final payment under the contract is requested, certify by affidavit whether it has complied with RWP. Such affidavit shall include the name, street address, municipality of residence, race, gender, and total hours worked of each employee used for the contract, including such records of subcontractors for work under subcontracts. Such certification shall submit such affidavit to the city affirmative action/human rights officer. Contractors shall maintain personnel records listing the name, address, race, and gender of each employee used for the contract as well as payroll records that provide information from which compliance with RWP requirements can be determined, including such records of subcontractors for work of eligible residents under the subcontract. The contractor shall provide such documents to city upon reasonable notice during the pendency of the contract and shall maintain such payroll records for a period of at least

three years after city's final payment under the contract. Contractors and subcontractors shall permit a city representative to engage in on-the-job interviews with employees to assist in determining compliance with RWP.

(f) Administration. RWP shall be administered by the city affirmative action/human rights officer, who shall provide prospective contractors with information regarding RWP, with forms required for compliance certification, who shall also determine compliance with RWP requirements. The affirmative action/human rights officer shall, on a semi-annual basis, provide the common council with information regarding RWP and the common council shall review the program and determine whether to enact revisions to RWP.

(g) Prohibition and penalty. No contractor or agent thereof shall fail to employ and use on non-exempt qualifying contracts eligible residents for at least the percent of qualifying work specified in this section. Upon failure of a contractor or agent to timely submit the affidavit required under paragraph (e), above, such contractor or agent shall be prohibited from bidding on any qualifying contract until such affidavit is submitted. Upon failure of a contract or agent thereof to fail to employ and use on non-exempt contracts eligible residents for at least the percent of qualifying work specified in this section, such contractor or agent thereof may be cited for such failure. Upon conviction, such person shall forfeit \$10,000, or two and one-half percent of the total cost of the qualifying contract as awarded, whichever is greater, plus statutory court costs.

(h) Debarment. If after recommendation of the public works and services committee, the due process board determines that a contractor or agent thereof has failed to employ eligible residents under a non-exempt qualifying contract in the percentage required in this section, or if upon recommendation of the general manager of the water utility, the due process board finds that a contractor or agent thereof has failed to employ eligible residents under a non-exempt qualifying contract in the percentage specified in this section, the common council, for department of public works contracts, and the water works commission, for water utility contracts, may not award any contract to such person unless otherwise recommended by the public works and services committee and approved by the common council or recommended by such general manager and approved by the water works commission, respectively, or unless three years have elapsed from the date the due process board made its determination, or three years have elapsed from the date of final determination by a court of competent jurisdiction that is adverse to the contractor, whichever is later.

Part 2: 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

Refer to Public Safety and Licensing

[Ord.0011-18](#) Ordinance 0011-18 Sec. 6-21 - Social Host Ordinance

An Ordinance to amend Section 6-18, Article I, Chapter 6, of the Municipal Code of the City of Racine, Wisconsin.

WHEREAS, in order to comply with recent change in case law governing social host ordinances,

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

Part 1: To recreate Sec. 6-18 - Social host ordinance as follows:

(a) This section may be referred to as the social host ordinance.

(b) The purpose of this section is to discourage underage possession and consumption of alcohol, even if done within the confines of a private residence, and to hold any person who knowingly permits or fails to take action to prevent the illegal consumption of alcohol by underage persons.

(c) Definitions. For purposes of this section, the following terms have the following meanings:

Allow or host means to aid, conduct, entertain, organize, supervise, control, or permit an event or gathering.

Alcohol means ethyl alcohol, hydrated oxide of ethyl, or spirits of wine, whiskey, rum, brandy, gin or any other distilled spirits including dilutions and mixtures thereof from whatever source or by whatever process produced.

Alcoholic beverage means alcohol, spirits, liquor, wine, beer and every liquid or solid containing alcohol, spirits, wine or beer, and which contains one-half of one percent or more of alcohol by volume and which is fit for beverage purposes either alone or when diluted, mixed or combined with other substances.

Control means having the authority or power, or both, to direct, manage, oversee, or restrict the affairs, assets, or business of a person or entity.

Event or gathering means any group of two or more persons who have assembled or gathered together for a social occasion or other activity.

Parent means a person having legal custody of a juvenile as a natural, adoptive, or step parent; a legal guardian; or a person to whom legal custody has been given by court order.

Present means at hand or in attendance.

Public or private property includes, but is not limited to, any apartment, condominium, dwelling unit, farm, field, hall, hotel room, home, land, meeting room, motel room, park, place of assembly, or yard, whether occupied on a temporary or permanent basis and whether leased, owned, rented, or used with or without permission or compensation.

Underage person means any individual under 21 years of age.

(d)

Prohibited acts.

(1) It is unlawful for any adult to knowingly permit or fail to take action to prevent the illegal consumption of alcohol beverages by an underage person on property, including any premises, owned and occupied by the adult or occupied by the adult and under the adult's control. (2) It is unlawful for any adult to intentionally encourage or contribute to a violation of sub.

(1). Exceptions.

(1) This section does not apply to a person who procures for or dispenses, gives, or sells alcohol or any alcoholic beverage to an underage person if the underage person is in the direct company of the underage person's parent, guardian, or spouse and the parent, guardian, or spouse has attained the legal drinking age, has consented to the underage person possessing or consuming the alcohol or alcoholic beverage, and is in a position to observe and control the underage person.

(2) This section does not apply to legally protected religious observances.

(3) This section does not apply to an underage person who is lawfully in possession of alcohol or alcoholic beverages during the course and scope of employment.

Penalties.

(1) Upon conviction for a violation of any provision of this section, a person

will forfeit not less than \$500.00 if the person has not committed a previous violation within 30 months of the violation.

(2) Upon conviction for a violation of any provision of this section, a person will forfeit not less than \$500.00 if the person has committed a previous violation within 30 months of the violation.

(3) Upon conviction for a violation of any provision of this section, a person will forfeit not less than \$1000.00 if the person has committed 2 previous violations within 30 months of the violation.

(4) Upon conviction for a violation of any provision of this section, a person will forfeit not less than \$10,000.00 if the person has committed 3 or more previous violations within 30 months of the violation.

Part 2: 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:

Jeff Coe

L. 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.

M. Adjourn

Office of The City Clerk

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