



City of Racine

Meeting Agenda - Revised

Common Council

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

*Alderman Jeff Coe, Alderman Robert Anderson, Alderman Michael Shields
Alderman Jim Kaplan, Alderman David L. Maack, Alderman Sandy Weidner
Alderman Raymond DeHahn, Alderman Q.A. Shakoor, II, Alderman Pete Karas
Alderman Thomas Friedel, Alderman Gregory Holding, Alderman Aron Wisneski
Alderman James T. Spangenberg, Alderman Ronald D. Hart, Alderman Robert Mozol*

Tuesday, May 15, 2007

7:00 PM

Room 205, City Hall

FINAL REVISED AGENDA

- A. Call To Order**
- B. Pledge of Allegiance To The Flag**
- C. Approval of Journal of Council Proceedings (Minutes)**
- D. Public Comments**

RECOGNITION OF FIREFIGHTERS

E. Communications

07-0551 **Subject:** Communication from the Chairman of the City of Racine Board of Ethics submitting their 2006-2007 Annual Report.

07-0565 **Subject:** Building Report for the month of April, 2007

Refer to Finance and Personnel Committee, by Ald. Friedel

07-0549 **Subject:** Communication from Barbara Fitzgerald requesting to appear before the Finance & Personnel Committee wishing to discuss her 2006 Personal Property Tax at 406 Main Street, Tax Account No. P00097097.

07-0561 **Subject:** Request by the Director of City Development to apply for a Stewardship Program grant from the Wisconsin Department of Natural Resources for the extension of the Lake Michigan Pathway in the Pointe Blue area.

07-0568 **Subject:** Communication from the Racine Community Outpost requesting

to discuss funding to relocate two of the Racine Police Department community policing houses.

Also refer to Public Safety & Licensing Committee

07-0569 **Subject:** Communication from the Mayor of the City of Kenosha requesting the loan of two Civil War cannon barrels to the Kenosha Public Museums for display with the Civil War Museum of the Upper Middle West.

07-0570 **Subject:** Request of Narcotics Anonymous for the use of the Martin Luther King, Jr. Community Center and Tyler-Domer Community Center at a reduced rate for two upcoming events.

07-0583 **Subject:** Communication from the City Clerk submitting the bid received for printing the Common Council Proceedings and legal notices.

07-0615 **Subject:** Communications from the Fire Chief requesting to transfer \$15,000 from Female Locker Room Renovation Account to Building Maintenance Account. The funds will be used to make unplanned repairs to Fire Stations 7 and 8.

Also refer to Public Safety and Licensing.

07-0608 **Subject:** Communication from Chief Wahlen, requesting to apply for the State of Wisconsin 2007 Motorcycle Safety Grant, to address traffic safety issues specific to the weekend of August 17-20, 2007 (HOG Rally). Grant Control # 2007-028 has been issued.

(Also refer to Public Safety & Licensing Committee.)

07-0632 **Subject:** Communication from the Finance Director wishing to discuss a transfer of funds to cover the cost of the professional services rendered in the recruitment of a City Administrator.

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

07-0581 **Subject:** Communication from the Commissioner of Public Works/City Engineer submitting Amendment No. 1 on Contract 30-06 (K6-031), Professional Services - Sixth Street Sanitary Sewer, Earth Tech, Inc., consultant.

07-0586 **Subject:** Communication from James W. Crain, 500 Wolff Street, requesting to remove northeast corner of Wolff and Erie Street section of sidewalk.

[07-0602](#) **Subject:** Communication from Harborfest, Inc. requesting to close city right-of-way on June 21, 2007 through June 24, 2007 for Harborfest.

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

[07-0541](#) **Subject:** The following renewal application(s) for a Class "B" Retail Fermented Malt Beverage License for 2007-2008:

Mario Espinoza & Patricia Rodriguez 3700 Durand Avenue
Mario Espinoza, Agent

(Changed from "Class C" & Class "B" to Class "B" only)

Shannon J. Curtin 100 Kewaunee St.

PH Green Bay, LLC 5000 Washington Ave.
Michael Marcinkus, Agent

[07-0557](#) **Subject:** The following renewal application(s) for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 2007-2008:

George's Tavern of Racine, WI, Inc. 1201 N. Main St.
David K. Popoff, Agent

Fides F. Wagner-Richardson 1102 Mound Avenue
Fides F. Wagner-Richardson, Agent

6200 West, Inc. 1012 Main Street
Douglas E. Nicholson, Agent

Redline Tavern Corp. 1200 N. Wisconsin Street
Connie M. Nau, Agent

Racine Labor Hall, Inc. 2100 Layard Avenue
Richard K. Fought, Agent

American Legion Post #546 1234 Douglas Ave.
James Price, Agent

Rojo's Pub, LLC 1317 Yout Street
Joseph A. Vlasak, Agent

Yardarm Bar & Grill, LTD 920 Erie Street
Laura Tomasek, Agent

GMRI, Inc. 6000 Durand Avenue

Jeffery Zimmerman, Agent

Outbreak Billiards Inc. 1717 Douglas Avenue
Marko Stanosevic, Agent

Racine Art Museum Assoc., Inc. 441 Main Street
Laura D'Amato

David J. Russell 600 High Street

07-0559

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

Vishal Corporation 3015 Rapids Dr.
Prabodh Gala, Agent

Mitraj, Inc. 3711 Durand Ave.
Radhhesyam Patel, Agent

Phesal E. Ckadan 1812 Sixteenth Street

07-0563

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

Lee's Deli, Inc. 2615 Washington Ave.
John P. Henes, Agent

07-0567

Subject: (New) Application for a Class "B" and "Class C" Wine License for Manuel Salinas, Agent, for 418 Sixth Street. (1st District)

07-0572

Subject: (New) Application of Ray Town Enterprises, LLC, Zohaib Mir, Agent, for a Class "A" Retail Fermented Malt Beverage License and Gasoline Station Owner/Managers license for 2731 Durand Avenue. (10th District)

07-0582

Subject: (NEW) Application of Belle City Discount for a Secondhand Jewelry Dealer, and Secondhand Article Dealer's license for 2501 Douglas Avenue(5th District)

07-0585

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

6100 West, Inc. 231 Main Street
Douglas E. Nicholson, Agent

[07-0614](#) **Subject:** Request of the Director of Parks, Recreation & Cultural Services to meet with the Public Safety & Licensing Committee for permission to enter into an agreement with Ken Saiki Design Inc. to prepare specifications for the Monument Square enhancements.

[07-0618](#) **Subject:** Communication from Wayne Clingman wishing to discuss the renewal of the liquor license at Neighborhood Pantry, 1511 West Sixth St.

Refer to Transit and Parking Commission, by Ald. DeHahn

[07-0566](#) **Subject:** Communication from the Transit Planner submitting the April 2007 operating and financial report for the Wisconsin Coach Lines Kenosha-Racine-Milwaukee intercity bus service.

[07-0609](#) **Subject:** Communication from the Transit Planner wishing to discuss an amendment to the 2006 State assistance contract for the Belle Urban System.

[07-0610](#) **Subject:** Communication from the Transit Planner wishing to discuss an amendment to the 2006 State assistance contract for the pass-through of State funds to Wisconsin Coach Lines, Inc., for the Kenosha-Racine-Milwaukee intercity bus service.

[07-0611](#) **Subject:** Communication from Sam Azarian Jr. wishing to discuss purchasing the Marquette Street municipal parking lot.

[07-0616](#) **Subject:** Communication from the Washington Park High School Pom-Pon Squad requesting permission to use the parking lot at the northeast corner of Washington Avenue and West Boulevard for a car wash fund raiser.

(Also refer to Cemetery Commission)

Refer to City Plan Commission, by Ald. Holding

[07-0607](#) **Subject:** Request by the Director of City Development to rezone 1300 (odd) Block of Washington Avenue.

[07-0613](#) **Subject:** Communication from Jan Roland, President of Racine Habitat for Humanity, requesting the transfer of the north side of Jones Park to Habitat

for Humanity to build homes.

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

Refer to Committee of the Whole, by Ald. Spangenberg

07-0580

Subject: Communication from the aldermen of the 1st, 5th and 13th District wishing to discuss expanding joint fire services between Racine, Mt. Pleasant, Caledonia and Sturtevant.

F. Committee Reports

Finance and Personnel Committee Report, by Ald. Friedel

07-0350

Subject: Communication from the City Attorney submitting the claim of Shawn Goodin & Melissa Goodin for consideration.

Recommendation of the Finance & Personnel Committee on 4-9-07:
Item be deferred.

Recommendation of the Finance & Personnel Committee on 5-7-07:
The claim of Shawn & Melissa Goodwin be settled in the amount of \$25,749.50 for a failed wye connection.

Fiscal Note: There are sufficient funds available in Account 101.990.5910, Judgement and Claims for payment.

07-0341

Subject: Communication from the Executive Director of the Racine Arts Council requesting funds from the Hotel Tax Fund in the amount of \$1,000 per month to be utilized for rent.

Recommendation of the Finance & Personnel Committee on 4-9-07:
Item to be deferred.

Recommendation of the Finance & Personnel Committee on 04-23-07: Item to be deferred.

Recommendation of the Finance & Personnel Committee on 05-07-07: Receive and file.

Fiscal Note: There are no room tax funds available at this time.

07-0366

Subject: Communication from the Healthcare Project Team requesting the

opportunity to present a progress report to date and recommendations to hire a consultant to continue their work.

During the 2007 budget deliberations the creation of the Healthcare Project Team to evaluate the current healthcare network was discussed. Since that time the committee has been formed, a work plan has been developed and consultants interviewed.

Recommendation of the Finance & Personnel Committee on 4-9-07:

The item be deferred.

Recommendation of the Finance & Personnel Committee on 5-7-07:

The City of Racine enter into a contract with The Willis Group to act as our health insurance consultant at a cost not to exceed \$40,000.00.

Fiscal Note: NA

[07-0460](#)

Subject: Communication from Lorna Hennig, Executive Director of Racine Arts Council, requesting hotel tax money to pay for rent of the Racine Arts Council office located at 505 Sixth Street.

Recommendation of the Finance & Personnel Committee on

04-23-07: Item to be deferred.

Recommendation of the Finance & Personnel Committee on 5-7-07:

Receive and file.

Fiscal Note: There are no room tax funds available at this time.

[07-0471](#)

Subject: Communication from the City Attorney submitting the claim of Naifeh Abdelrahman for consideration.

Recommendation of the Finance & Personnel Committee on 5-7-07:

The claim of Naifeh Abdelrahman, 1620 Boyd Avenue, requesting a \$4,141.11 reimbursement caused by damage to her vehicle from a fallen tree branch be denied.

Fiscal Note: N/A

[07-0473](#)

Subject: Communication from the City attorney submitting the claims of American Family Insurance Company and its insureds, Carla & Ronald Prochnow, for consideration.

Recommendation of the Finance & Personnel Committee on 5-7-07:

The claim of American Family Insurance company and their insured, Carla & Ronald Prochnow, 2709 Kentucky Street, requesting a \$17,036.27 and \$19,663.55 reimbursement caused by sewer backup into the basement be denied.

Fiscal Note: N/A

07-0534

Subject: Communication from the Deputy City Attorney submitting the claim of Ed & Darlene Aude for consideration.

Recommendation of the Finance & Personnel Committee on 5-7-07:

The claim of Ed & Darlene Aude be settled in the amount of \$29,775.20 for a failed wye connection.

Fiscal Note: There are sufficient funds available in Account 101.990.5910, Judgement and Claims for payment.

07-0553

Subject: Communication from the Asst. Commissioner/Engineering requesting permission to apply for a CMAQ grant (Grant Control No. 2007-024) from the Wisconsin Department of Transportation for Signal Interconnect and System Timing Optimization for Sixth Street north to the city limits.

Recommendation of the Finance & Personnel Committee on 5-7-07:

The Asst. Commissioner/Engineering be given permission to apply for a CMAQ grant (Grant Control No. 2007-024) from the Wisconsin Department of Transportation for Signal Interconnect and System Timing Optimization for Sixth Street north to the city limits.

Fiscal Note: Federal \$478,400: Local hard match \$119,600. Local portion to be funded in the 2008 CIP.

07-0554

Subject: Communication from the Asst. Commissioner/Engineering requests permission to apply for a CMAQ grant (Grant Control No. 2007-025) from the Wisconsin Department of Transportation for Signal Interconnect and System Timing Optimization for Sixth Street north to the city limits.

Recommendation of the Finance & Personnel Committee on 5-7-07:

The Asst. Commissioner/Engineering be given permission to apply for a CMAQ grant (Grant Control No. 2007-025) from the Wisconsin Department of Transportation for Signal Interconnect and System Timing Optimization for Sixth Street south to the city limits.

Fiscal Note: Federal \$438,840: Local hard match \$109,710. Local portion to be funded in the 2008 CIP.

07-0555

Subject: Communication from the Belle Urban System Transit Planner requests permission to apply for a CMAQ grant (Grant Control No. 2007-023) from the Wisconsin Department of Transportation for the purchase of ADA Accessible Replacement Dial-A-Ride buses.

Recommendation of the Finance & Personnel Committee on 5-7-07:

The Belle Urban System Transit Planner be given permission to apply for a CMAQ grant (Grant Control No. 2007-023) from the Wisconsin Department of Transportation for the purchase of ADA Accessible Replacement Dial-A-Ride buses.

Fiscal Note: Federal \$232,000: Local hard match \$58,000. Local portion to be funded in the 2008 CIP.

07-0556

Subject: Communication from the 6th District Alderman requesting that the rental fees for the use of Horlick Field Baseball Diamond in 2007 be reduced.

Recommendation of the Finance & Personnel Committee on 5-7-07:

Reduce the fees to \$80/day for Horlick field usage for all adult groups.

Fiscal Note: N/A

07-0412

Subject: Communication from the Alderman of the 9th District requesting to discuss the newly imposed inspection fees by the Building Department.

Recommendation of the Finance & Personnel Committee on 5-7-07:

Refer to the Committee of the Whole.

Fiscal Note: N/A

Public Works and Services Committee Report, by Ald. Hart

07-0472

Subject: Communication from Project New Life requesting to use city right-of-way on August 25, 2007 for it's 7th annual Back-2-School community event.

Recommendation: Permission be granted to Project New Life to close Short Street between Douglas Avenue and Tenth Avenue on Saturday, August 25, 2007, for their Back to School community event.

Further recommends that permission be granted with the following stipulations:

- A. A hold harmless agreement be executed;
- B. A liability insurance certificate be filed prior to 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.

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 incurred on a regular shift basis to provide limited assistance to implement this event.

07-0491

Subject: Communication from the Commissioner of Public Works/City Engineer regarding the installation of sidewalks at 1703 Lathrop Avenue along Monroe Avenue and along the west side of West Boulevard from 16th Street to Wright Avenue.

Recommendation: That consideration be given to the construction of sidewalk along Monroe Avenue for the property whose address is 1703 Lathrop Avenue and along the west side of West Boulevard from 16th Street to Wright Avenue for the 2008 construction season and that a preliminary resolution be introduced.

Fiscal Note: The cost of this sidewalk would be assessed to the abutting property owners.

07-0494

Subject: Communication from K. Singh & Associates, Inc. notifying the City of residual groundwater contamination within the street right-of-way of 1819 Durand Avenue.

Recommendation: The communication be received and filed.

Fiscal Note: Not applicable.

07-0532

Subject: Communication from Hartman Design, Inc. requesting permission to install a sign and gooseneck lighting for Mechanix Ltd., Inc., at 1626 Douglas Ave.

Recommendation: The property owner of 1626 Douglas Avenue be granted permission to install a stationary, projecting sign, gooseneck lighting, and a temporary enclosure which will be on the public sidewalk, as requested, with the stipulation that a hold harmless agreement be executed, in accordance with State Statute 66.0425, Privileges in Streets.

Further recommends that the property owner be charged a \$50.00 fee to cover costs associated with filing this item with the Register of Deeds office.

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

07-0533

Subject: Communication from the Commissioner of Public Works/City Engineer submitting Amendment No. 1 to the Janitorial Service Contract.

Recommendation: The City of Racine adopt and implement the Green Seal Environmental Standards GS-37 and GS-42 for all departmental purchases and contractual services including private firms managing city facilities.

Further recommends that Amendment No. 1 to the janitorial services contract for the Building Complex Division be approved in the amount of \$8,250.00.

Further recommends that this item be referred to the Finance and Personnel Committee to appropriate the necessary funding.

Fiscal Note: The Green Seal Standard provides specifications for the provision of janitorial cleaning products which meet minimum environmental requirements. There are insufficient funds in the existing 2007 budget for the implementation of this standard for the Building Complex Division.

07-0545

Subject: Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting bid results on Contract 25-07 (K7-029), Concrete Street Reconstruction (R1).

Recommendation: Contract 25-07 (K7-029), Concrete Street Reconstruction (R1), be awarded to LaLonde Contractors, Inc., Milwaukee, WI, at their base bid price of \$1,715,492.72 plus alternates 1, 2 and 3 in the amount of \$171,186.40, for a total contract amount of \$1,886,679.12,

they being the lowest responsible bidder.

Further recommends that funding to defray the cost of this public works project be appropriated from the following accounts:

\$ 154,000.00 - Account 986.908.5010, Concrete Paving Misc. Locations
\$ 125,624.68 - Account 987.908.5010, Concrete Paving Misc. Locations
\$ 38,594.20 - Account 986.908.5020, Concrete Pvmt. Repl. Misc. Locations
\$ 839,343.25 - Account 987.908.5020, Concrete Pvmt. Repl. Misc. Locations
\$ 25,000.00 - Account 987.908.5110, Bituminous Concrete Paving
\$ 36,332.02 - Account 987.908.5130, Asphalt Resurfacing
\$ 179,536.97 - Account 104.984.5400, Maiden Lane Detention Pond
\$ 3,281.04 - Account 104.986.5420, Storm Sewer Misc. Locations
\$ 43,291.71 - Account 104.987.5420, Storm Sewer Misc. Locations
\$ 19,909.56 - Account 986.907.5310, Sanitary Sewer Const. Var. Locations
\$ 89,467.44 - Account 987.907.5310, Sanitary Sewer Const. Var. Locations
\$ 38,449.10 - Account 986.908.5220, Replacement Curb & Gutter
\$ 120,000.00 - Account 987.908.5220, Replacement Curb & Gutter
\$ 2,000.00 - Account 987.908.5510, New Sidewalks
\$ 30,000.00 - Account 987.908.5530, Crosswalk Ramps
\$ 13,814.85 - Account 986.600.5010, Traffic Signal Replacements
\$ 67,134.30 - Account 987.590.5010, Replace City Circuits
\$ 60,900.00 - Water Department
\$1,886,679.12 - Total

Fiscal Note: Funds are available as herein delineated.

07-0546

Subject: Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting bid results on Contract 26-07 (K7-030), 2007 City Resurfacing (R1).

Recommendation: Contract 26-07 (K7-030), 2007 City Resurfacing (R1), be awarded to A.W. Oakes & Sons, Inc., Racine, WI, at their bid price of \$1,006,716.82, they being the lowest responsible bidder.

Further recommends that funding to defray the cost of this public works project be appropriated from the following accounts:

\$ 251,781.12 - Account 986.908.5130, Asphalt Resurfacing
\$ 424,084.21 - Account 987.908.5130, Asphalt Resurfacing
\$ 134,572.49 - Account 906.000.5110, Bituminous Concrete Paving
\$ 80,551.00 - Account 104.987.5420, Storm Water

\$ 115,728.00 - Account 987.907.5310, Sanitary Sewer
\$1,006.716.82 - Total

Fiscal Note: Funds are available as herein delineated.

07-0550

Subject: Direct Referral. Communication from the Assistant Commissioner of Public Works/Engineering submitting Change Order No. 1 on Contract 39-06 (K6-041), Pritchard/Reservoir Park Pond Retrofit, K & L Construction, Inc., contractor.

Recommendation: Change Order No. 1 on Contract 39-06 (K6-041), Pritchard/Reservoir Park Pond Retrofit, K&L Construction, contractor, as submitted, be approved in the amount of \$58,880.50.

Further recommends that funding to defray the cost of this change order be appropriated from Account 104.987.5420, Storm Sewers, Various Locations.

Fiscal Note: Funds are available as herein delineated.

07-0562

Subject: Communication from a representative of the Downtown Rotary Club requesting a special events noise variance and permission to extend the curfew, use the 5th Street Parking Ramp, hang banners at Civic Centre and Festival Hall, use city streets for a parade, and operate a spotlight and run interactive games at Festival Park on May 19 & 20, 2007 in connection with the Rotary Post Prom.

Also refer to Police and Fire Commission, Transit and Parking Commission and Board of Parks, Recreation and Cultural Services.

Recommendation of the Public Works and Services Committee

05-08-07: The request of the Rotary Post Prom Committee of the Downtown Rotary Club, to close:

Fifth Street, from Lake Avenue to Festival Park Drive,
Festival Park Drive, from Fifth Street to Sixth Street,
Sixth Street, from Festival Park Drive to Pershing Park Drive,
Pershing Park Drive, from Sixth Street to Eleventh Street, and
Eleventh Street from Pershing Park Drive to Main Street,

from 7:00 p.m., Saturday, May 19, 2007, to 4:30 a.m., Sunday, May 20, 2007, for the Rotary Post Prom, be approved.

FURTHER RESOLVED, that permission be granted with the following stipulations:

- A. A hold harmless agreement be executed;
- B. Proof of liability insurance be filed prior to the event;
- C. The setup and dismantling of barricades will be the responsibility of the sponsor;
- D. Any overtime and/or equipment and material loss will be charged to the sponsor;
- E. Sponsor shall pay a \$350.00 special event fee.

FURTHER RESOLVED, that permission be granted for the curfew to be extended to the attendees until 4:00 a.m., Sunday, May 20, 2007; approve use of the 5th Street Parking Ramp from 8:00 p.m., May 19, 2007 to 4:00 a.m., May 20, 2007 for 401 spaces at a fee of \$1.50 per space for a total cost of \$601.50; approve use of Lakefront Parking Lot #4 on May 19 & 20, 2007 at no cost, subject to execution of a hold harmless agreement; allow hanging of banners at Racine Civic Center and Festival Hall; permit use of search lights at Festival Hall site on May 19, 2007, and permit use of the following interactive games in the colonnade area of Festival Park until 3:00 a.m., Sunday, May 20, 2007: Laser Maize, Gladiator Joust, Inflatable Twister, Quarterback Attack, Pop-a-shot, and Dance Machine.

FURTHER RESOLVED, that the Commissioner of Public Works 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.

07-0573

Subject: Resolution 07-0191 relating to street improvements.

Recommendation: Resolution No. 07-0191, of May 8, 2007, be amended to delete:

PORTLAND CEMENT CONCRETE PAVING

Spring Valley Drive from Spring Steet to Harrington Drive.
North Wisconsin Street from Carlton Drive north to the cul-de-dac.

and, as amended , Resolution No. 07-0191, of May 8, 2007, be adopted.

Fiscal Note: Funds will be appropriated in the 2008 C.I.P. for these street improvements, and special assessments will be paid by the abutting property owners for the street improvements.

Public Safety and Licensing Committee Report, by Ald. Shakoor**07-0508**

Subject: Request of the Committee for the appearance of Christopher G. Nikolaus, Jr., regarding his application for an Operator's (Bartender's) License.

Recommendation of the Public Safety & Licensing Committee of 04-23-07:

That the license be denied.

Recommendation of the Public Safety & Licensing Committee on

5-7-07: That the request of the Committee for the appearance of Christopher G. Nikolaus, Jr., regarding his application for an Operator's (Bartender's) License be denied.

Motion passed by the following voice vote:

Ayes: Maack, Kaplan, Mozol

Noes: Holding

Non-voting - Alderman Q.A. Shakoor

Fiscal Note: N/A

07-0513

Subject: (NEW) Application of Iyad M. Alabed, Agent, for a "Class A" Retail Fermented Malt Beverage and Intoxicating Liquor License for 1711 N. Main Street. (4th District)

Recommendation of the Public Safety & Licensing Committee on

5-7-07: That the application of Iyad M. Alabed, Agent, for a "Class A" Retail Fermented Malt Beverage and Intoxicating Liquor License for 1711 N. Main Street be granted with the following provision:

1. That there will be no individual/single container sales of beer.

Motion passed by the following voice vote:

Ayes: Holding, Maack, Kaplan

Noes: Mozol

Non-voting - Alderman Q.A. Shakoor

Fiscal Note: N/A

[07-0531](#)

Subject: Communication from the Purchasing Agent submitting bid results on Official Notice #7, Five Thermal Imaging Cameras For The Racine Fire Department.

Recommendation of the Public Safety & Licensing Committee on

5-7-07: That official notice #7 be awarded to 5 Alarm Fire and Safety, LLC, at their bid price of \$39,122.50, they being the lowest responsible bidder.

Further recommend the item be referred to Finance & Personnel.

[07-0536](#)

Subject: (New) Application of Troy Shesler for a Class "B" Retail Fermented Malt Beverage License for 1600 Douglas Avenue (4th District)

Recommendation of the Public Safety & Licensing Committee on

5-7-07: That the application of Troy Shesler for a Class "B" Retail Fermented Malt Beverage License for 1600 Douglas Avenue be received and filed.

Fiscal Note: N/A

[07-0538](#)

Subject: (New) Application of Mack's Sport Bar, Mack L. Mitchell, Agent for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 223 Sixth Street. (1st District)

Recommendation of the Public Safety & Licensing Committee on

5-7-07: That the application of Mack's Sport Bar, Mack L. Mitchell, Agent for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 223 Sixth Street license be denied, due to the high concentration of existing licenses already in the area.

Motion passed by the following voice vote:

Ayes: Maack, Holding, Kaplan

Noes: Mozol

Non-voting - Alderman Q.A. Shakoor

Fiscal Note: N/A

[07-0542](#)

Subject: Communication from the Purchasing Agent submitting bid results on Official Notice #6, One (1) 64,000 GVW Truck Chassis with Log Loader.

Recommendation of the Public Safety & Licensing Committee on

5-7-07: That official notice #6, One (1) 64,000 GVW Truck Chassis with Log Loader be awarded to Badger Truck Center at their bid price of \$129,373.00, they being the lowest responsible bidder.

City Plan Commission Report, by Ald. Holding[06-2198](#)

Subject: Request by the Chief Building Inspector seeking an interpretation of Sec. 114-735.5 of the Zoning Ordinance regarding building design standards for residential properties and the "snout house" as it relates to a proposed condo development at 1108 N. Wisconsin Avenue.

Recommendation of the City Plan Commission on 5-9-07: That the item be received and filed.

[06-2203](#)

Subject: Direct Referral. Request by Ilija B. & Marika Georgievski seeking to rezone 3400 Rapids Drive from R-2 Single Family Residence to B-2 Community Shopping District.

Recommendation of City Plan Commission on 7-12-06: Deferred.

Recommendation of City Plan Commission on 5-9-07: That the item be received and filed.

[06-2204](#)

Subject: Direct Referral. Ilija B. and Marika Georgievski seeking a conditional use permit to allow a ground floor single family residence in a B-2 Community Shopping District at 3400 Rapids Drive.

Recommendation of the City Plan Commission on 5-9-07: That the item be received and filed.

[06-2287](#)

Subject: Direct Referral. Review of the use supplement for Flex Development Overlay at 2711 Lathrop Avenue.

Recommendation of City Plan Commission on 7-26-06: That the item be deferred.

Recommendation of City Plan Commission on 5-9-07: That a use supplement be adopted by a resolution of the Common Council in association with a Flex Development Overlay District at 2711 Lathrop Avenue, subject to the following conditions:

- a. That all uses listed in the underlying "I-1" Restricted Industrial District are permissible by right or by conditional use permit as specified in each district.

- b. That all applicable permits are obtained from the Building Inspection Department.
- c. That the following flex uses are permitted in addition to those permitted in the "I-1" Restricted Industrial District.
 - 1. Permitted uses: those uses permitted in the "B-2" Community Shopping District except those excluded herein.
 - 2. Conditional uses: those conditional uses permitted in the "B-2" Community Shopping District including auto sales as a primary use not to exceed twenty vehicles for sales display or storage except those excluded herein.
 - 3. Uses excluded: bus stations and terminals, adult entertainment uses, recycling drop-off or processing sites, live entertainment, and outdoor recreation facilities.
- d. That all aspects of the flex uses and all other uses shall be contained on site.
- e. That all trash and recyclables be stored in closed containers and screened from view.
- f. That the following is prohibited.
 - 1. Changes in exterior light fixtures unless first approved by the Director of City Development for design, placement and intensity.
 - 2. Pennants, banners, streamers, balloons, spot lights, or string lights.
 - 3. Vehicle mounted advertising devices such as antenna sleeves, balloons, or other forms of advertising or visual attraction methods other than window signs and price stickers.
 - 4. Storage or display of inoperable vehicles or vehicles part.
- g. That the following be submitted for the review and approval of the Director of City Development prior to the implementation of desired uses at this facility, but before September 1, 2006:
 - 1. A landscape plan for implementation that illustrates plantings along Lathrop Avenue, and the design and location of a dumpster enclosure.
 - 2. A comprehensive sign package for implementation that creates a unified design for all tenants to be occupying this location.

h. That the following be accomplished by October 31, 2006.

1. Repair and paint the fencing.
2. Install approved landscaping.
3. Clear brush, weed trees and debris from the rear/eastern yard area.
4. Paving and striping of the rear/eastern yard area if intended to be used for parking.

i. That the Chief Building Inspector or Director of City Development may impose additional conditions on a single or a group of flex uses to mitigate potential negative impacts on the subject or surrounding properties. Decisions in this regard may be appealed by the affected operator(s) to the Plan Commission who will forward a recommendation to the Common Council.

j. That upon consultation between the Chief Building Inspector and Director of City Development, additional uses not listed in this resolution may be permitted if found to comply with the spirit and intent of this flex development and the Flex Development Overlay District.

k. That all applicable codes and ordinances be complied with and required permits acquired.

l. That no minor changes be made from the conditions of this flex development without the approval of the Plan Commission and no major changes be made without the approval of the Common Council.

m. That this flex development is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

06-2759

Subject: (Direct Referral). Request from Randy Echeverria seeking a conditional use permit for the construction of an auto repair garage at 1413 Prospect Street.

Recommendation of the City Plan Commission 11-08-06: Deferred.

Recommendation of the City Plan Commission 5-9-07: That the item be received and filed.

06-2853

Subject:(Direct Referral). Request from Randy Musaitef of Stereo City seeking an amendment to a Conditional Use Permit for automobile sales at 2042 Lathrop Avenue.

Recommendation of the City Plan Commission on 11-29-06:

Deferred.

Recommendation of the City Plan Commission on 5-9-07: That the item be denied.

Executive Committee Report, by Ald Spangenberg

[06-1897](#)

Subject: Communication from the Program Director of the First Choice Pre-Apprenticeship Training Program requesting the use of the Marquette Street Fire Station.

Recommendation of Executive Committee: Recommends motion to move into negotiations on a lease.

Recommendation of the Public Works & Services Committee (6-13-06): The Mayor be authorized and directed to negotiate a lease agreement with the First Choice Pre-Apprenticeship Training Program for the use of the Marquette Street Fire Station.

Fiscal Note: Not applicable at this time.

Office of the Mayor Report, by Ald. Spangenberg

[07-0612](#)

Subject: Communication from Mayor Becker nominating appointments to the following Committees:

City Plan Commission:

Appoint Brent Oglesby, 1427 Thurston Avenue, to fill an unexpired term (Howard Harper) ending in May 2009.

Community Development Committee:

Reappoint Donnie Snow, 730 Washington Avenue, for a three-year term ending in May 2010.

Board of Health Report, by Ald. DeHahn

[07-0502](#)

Subject: Communication from the Public Health Administrator requesting permission for the Mayor and City Clerk to sign a contract agreement with the Wisconsin Department of Health and Family Services for the HUD Lead Hazard Reduction Program (Grant Control #2007-21).

Recommendation of the Finance & Personnel Committee on 5-7-07:

The Mayor and City Clerk be authorized to sign a contract agreement with

the Wisconsin Department of Health and Family Services for the HUD Lead Hazard Reduction Program (Grant Control #2007-21).

Recommendation of the Board of Health on 05-08-07: The Mayor and City Clerk be authorized to sign a contract agreement with the Wisconsin Department of Health and Family Services for the HUD Lead Hazard Reduction Program.

Fiscal Note: There is no city match.

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

07-0333

Subject: Communication from Racine County Convention and Visitors Bureau requesting to use city right-of-way for The Racine.org Running Festival on Saturday, April 28, 2007.

Recommendation of the Public Works and Services Committee 3-27-07: Racine County Convention and Visitors Bureau be granted permission to use city right-of-way on Saturday, April 28, 2007, from 8:00 a.m. to 12:00 noon, with the following stipulations:

- A. A hold harmless agreement be executed.
- B. A liability insurance certificate be filed prior to this event.
- C. Any overtime costs incurred by any City department be charged to the sponsor.

Further recommends that the Commissioner of Public Works be authorized and directed to communicate with the U. S. Coast Guard requesting permission to close the Main Street Bridge to boat traffic from 8:00 a.m. to 9:30 a.m. on that date.

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

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

Recommendation of the Board of Parks, Recreation & Cultural Services 5-9-07: that the communication be received and filed.

Fiscal Note: N/A

07-0375

Subject: Request of the Downtown Rotary Club of Racine for 950 linear

feet of wood slat fencing and 95 fencing stands to be used on May 19 and 20 for the 53rd Annual Post Prom.

Recommendation of the Board of Parks, Recreation & Cultural Services 5-9-07: that the request be approved.

Fiscal Note: N/A

[07-0376](#)

Subject: Request from Ald. Maack on behalf of a group of north side citizens who would like to landscape two paths north of the Zoo.

Recommendation of the Board of Parks, Recreation & Cultural Services 5-9-07: that the request be approved pending staff approval of plans.

Fiscal Note: N/A

[07-0388](#)

Subject: Communication from the Racine County Convention and Visitors Bureau, in conjunction with The Promotion Company of Indianapolis, IN, requesting to use city right-of-way on Monday, June 4, 2007, for the Hot Rod Magazine Power Tour.

Recommendation of the Public Works and Services Committee (4-10-07): Permission be granted to The Promotion Company of Indianapolis, IN to close the following streets on Monday, June 4, 2007, from 10:00 a.m. to 8:00 p.m., for the Hot Rod Magazine Power Tour:

Main Street from State Street to 11th Street
Wisconsin Avenue from 4th Street to 7th Street
3rd Street from Wisconsin Avenue to Lake Avenue
4th Street from Wisconsin Avenue to Lake Avenue
5th Street from Wisconsin Avenue to Lake Avenue
5th Street from Lake Avenue to Festival Park Drive
Sam Johnson Parkway from Main Street to Lake Avenue
Sam Johnson Parkway from Lake Avenue to Festival Park Drive
6th Street from Wisconsin Avenue to Lake Avenue
6th Street from Lake Avenue to Pershing Park Drive
Pershing Park Drive from 6th Street to 11th Street
11th Street from Main Street to Pershing Park Drive
Festival Park Drive from 5th Street to Sam Johnson Parkway

Further recommend that they be granted permission to use the Gateway Parking Lot.

Further recommend that permission be granted with the the following

stipulations:

- A. A hold harmless agreement be executed;
- B. A liability insurance certificate be filed prior to this event;
- C. Any overtime costs incurred by any City department be charged to the sponsor;
- D. Sponsor shall notify all abutting property occupants 72 hours in advance of the event.
- E. The sponsor shall be responsible for the signing of the necessary detours for the State Highway route.
- F. The sponsor shall pay a \$1,550 special event fee.

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

Fiscal Note: There will be nominal costs incurred on a regular shift basis to provide limited assistance to implement this event.

Recommendation of the Board of Parks, Recreation & Cultural Services 5-9-07: to approve the use of City right-of-way (Pershing Park) pursuant to recommendations of the Public Works and Services Committee.

Fiscal Note: \$330.00 fee to the City

07-0462

Subject: Request of the Spirit of Racine Triathlon for the use of North Beach from July 18 - 22, 2007 for their annual race.

Recommendation of the Board of Parks, Recreation & Cultural Services 5-9-07: that the request be received and filed.

Fiscal Note: \$534.00 fee to the City

07-0464

Subject: Request of Racine County Convention and Visitors Bureau to use North Beach on July 14 & 15, 2007 for the 2nd Annual Corona Light EVP Professional Beach Volleyball Tour.

Recommendation of the Board of Parks, Recreation & Cultural Services 5-9-07: that the request be received and filed.

Fiscal Note: \$450.00 fee to the City

07-0468

Subject: Request of Trinity Lutheran Church to use Lakeview Park and the

use of bathroom facilities in the Lakeview Center on July 18, 2007 for their Vacation Bible School.

Recommendation of the Board of Parks, Recreation & Cultural Services: that the request be received and filed.

Fiscal Note: N/A

[07-0469](#)

Subject: Request of the Director of Parks, Recreation & Cultural Services to establish a Parks Foundation in Racine.

Recommendation of the Board of Parks, Recreation & Cultural Services 5-9-07: that the request be approved.

Fiscal Note: N/A at this time

[07-0543](#)

Subject: Communication from the 11th District Alderman presenting on behalf of Jayne Siler a request for a flagpole to be installed in Monument Square.

Recommendation of the Board of Parks, Recreation & Cultural Services 5-9-07: that the request be approved and staff work with the architect to place a flagpole on Monument Square.

Fiscal Note: To be determined.

City Landmark's Preservation Commission Report, by Ald. Anderson

[07-0620](#)

Subject: Ordinance No. 7-07

To amend Secs. 58-63(a), 58-64(a) and create Sec. 58-66 of the Municipal Code of the City of Racine, Wisconsin relating to Historic Preservation.

Recommendation of Landmarks Preservation Commission: That the ordinance be adopted.

Fiscal Note: N/A

G. Resolutions

[Res.07-0206](#)

PRELIMINARY - Ten (10) Year
Benefits and Damages

Installation of Sidewalks

RESOLVED, by the Common Council of the City of Racine, Wisconsin:

1. The Common Council hereby declares its intention to exercise its power under s. 66.60(7), Wisconsin Statutes, to levy special assessments upon property within the following described area for benefits conferred upon such property by improvement of the following street(s):

All property fronting upon:

SIDEWALK

1703 Lathrop along Monroe Avenue

The west side of West Boulevard from 16th Street to Wright Avenue.

2. Said public improvement shall consist of Sidewalk Construction.

3. The total amount assessed against such property shall not exceed the total cost of the improvements and the amount assessed against any parcel shall not be greater than the benefits accruing thereto from said improvements.

4. The assessments against any parcel may be paid in cash or in ten (10) annual installments.

5. The Commissioner of Public Works is directed to prepare a report consisting of:

a. Preliminary or final plans and specifications for said improvement.

b. An estimate of the entire cost of the proposed work or improvement.

c. An estimate, as to each parcel of property within the assessment district, of:

(1) The assessment of benefits to be levied.

(2) The damages to be awarded for property taken or damaged.

(3) The net amount of such benefits over damages or the net amount of such damages over benefits.

Upon completing such report the Commissioner of Public Works is directed to file a copy thereof in the City Clerk's office for public inspection.

6. Upon receiving the report of the Commissioner of Public Works, the City Clerk is directed to give a Class 1 notice of a public hearing on such report as specified in s. 66.60(7), Wisconsin Statutes.

The hearing shall be held before the Committee on Public Works and Services of the Racine Common Council in the City Hall at a time set by the Clerk in accordance with s. 66.60(7), Wisconsin Statutes.

Sponsors: Ronald D. Hart

Res.07-0207 HUD Lead Hazard Reduction Program

Resolved, that the Mayor and City Clerk be authorized and directed to enter into a contract agreement with the Wisconsin Department of Health and Family Services for the HUD Lead Hazard Reduction Program (Grant Control #2007-21).

Fiscal Note: There is no city match.

Sponsors: Thomas Friedel and Raymond DeHahn

Res.07-0208 Horlick Baseball Diamond Fee Reduction Request

Resolved, that the rental fees for the use of Horlick Field Baseball Diamond in 2007 be reduced to \$80/day for all adult groups.

Fiscal Note: N/A

Sponsors: Thomas Friedel

Res.07-0209 Settlement of Goodin Claim

Resolved, that the claim of Shawn & Melissa Goodin for a failed wye connection be settled in the amount of \$25,749.50.

Fiscal Note: There are sufficient funds available in Account 101.990.5910, Judgment and Claims for payment.

Sponsors: Thomas Friedel

Res.07-0210 Settlement of Aude Claim

Resolved, that the claim of Ed & Darlene Aude for a failed wye connection be settled in the amount of \$29,775.20.

Fiscal Note: There are sufficient funds available in Account 101.990.5910, Judgment and Claims for payment.

Sponsors: Thomas Friedel

Res.07-0211 CMAQ Application Request for Sixth Street North

Resolved, that the Asst. Commissioner/Engineer be granted permission to apply for a CMAQ grant (Grant Control No. 2007-024) from the Wisconsin

Department of Transportation for Signal Interconnect and System Timing Optimization for Sixth Street north to the city limits.

Fiscal Note: Federal \$478,400: Local hard match \$119,600. Local portion to be funded in the 2008 CIP.

Sponsors: Thomas Friedel

Res.07-0212 CMAQ Application request Sixth Street South

Resolved, that the Asst. Commissioner/Engineer be granted permission to apply for a CMAQ grant (Grant Control No. 2007-025) from the Wisconsin Department of Transportation for Signal Interconnect and System Timing Optimization for Sixth Street south to the city limits.

Fiscal Note: Federal \$438,840: Local hard match \$109,710. Local portion to be funded in the 2008 CIP.

Sponsors: Thomas Friedel

Res.07-0213 CMAQ Application Request for Dial-A-Ride Buses

Resolved, that the Belle Urban System Transit Planner be granted permission to apply for a CMAQ grant (Grant Control No. 2007-023) from the Wisconsin Department of Transportation for the purchase of ADA Accessible Replacement Dial-A-Ride buses.

Fiscal Note: Federal \$232,000: Local hard match \$58,000. Local portion to be funded in the 2008 CIP.

Sponsors: Thomas Friedel

Res.07-0214 Contract for health insurance consultant

Resolved, that the Mayor and City Clerk be authorized and directed to enter into a contract with The Willis Group to act as our health insurance consultant at a cost not to exceed \$40,000.00.

Fiscal Note: Funds are available in Account 405.000.5610, Professional Services.

Sponsors: Thomas Friedel

Res.07-0215 Rotary Post Prom

Resolved, that the request of the Rotary Post Prom Committee of the

Downtown Rotary Club, to close:

Fifth Street, from Lake Avenue to Festival Park Drive,
Festival Park Drive, from Fifth Street to Sixth Street,
Sixth Street, from Festival Park Drive to Pershing Park Drive,
Pershing Park Drive, from Sixth Street to Eleventh Street, and
Eleventh Street from Pershing Park Drive to Main Street,

from 7:00 p.m., Saturday, May 19, 2007, to 4:30 a.m., Sunday, May 20, 2007,
for the Rotary Post Prom, be approved.

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

- A. A hold harmless agreement be executed;
- B. Proof of liability insurance be filed prior to the event;
- C. The setup and dismantling of barricades will be the responsibility of the sponsor;
- D. Any overtime and/or equipment and material loss will be charged to the sponsor;
- E. Sponsor shall pay a \$350.00 special event fee.

Further resolved, that permission be granted for the curfew to be extended to the attendees until 4:00 a.m., Sunday, May 20, 2007; approve use of the 5th Street Parking Ramp from 8:00 p.m., May 19, 2007 to 4:00 a.m., May 20, 2007 for 401 spaces at a fee of \$1.50 per space for a total cost of \$601.50; approve use of Lakefront Parking Lot #4 on May 19 & 20, 2007 at no cost, subject to execution of a hold harmless agreement; allow hanging of banners at Racine Civic Center and Festival Hall; permit use of search lights at Festival Hall site on May 19, 2007, and permit use of the following interactive games in the colonnade area of Festival Park until 3:00 a.m., Sunday, May 20, 2007: Laser Maize, Gladiator Joust, Inflatable Twister, Quarterback Attack, Pop-a-shot, and Dance Machine.

Further resolved, that the Commissioner of Public Works 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: Ronald D. Hart

Res.07-0216 Back-2-School Event

Resolved, that permission be granted to Project New Life to close Short Street between Douglas Avenue and Tenth Avenue on Saturday, August 25, 2007, for their Back to School community event.

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

- A. A hold harmless agreement be executed;
- B. Proof of liability insurance be filed prior to this event;
- C. Any overtime costs incurred by any City department be charged to the sponsor;
- D. The sponsor shall notify all abutting property owners seventy-two (72) hours in advance of this event.
- E. The sponsor shall pay a \$250.00 special event fee.

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

Fiscal Note: There will be nominal costs incurred on a regular shift basis to provide limited assistance to implement this event.

Sponsors: Ronald D. Hart

Res.07-0217 Hold Harmless Agreement for Mechanix Ltd., Inc.

Resolved, that the property owner of 1626 Douglas Avenue be granted permission to install a stationary, projecting sign, gooseneck lighting, and a temporary enclosure which will be on the public sidewalk, as requested, with the stipulation that a hold harmless agreement be executed, in accordance with Wis. Stat. sec. 66.0425, Privileges in Streets.

Further resolved, that the property owner be charged a \$50.00 fee to cover costs associated with filing this item with the Register of Deeds office.

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

Sponsors: Ronald D. Hart

Res.07-0218 Contract for Concrete Street Reconstruction

Resolved, that Contract 25-07 (K7-029), Concrete Street Reconstruction (R1), be awarded to LaLonde Contractors, Inc., Milwaukee, WI, at their base bid price of \$1,715,492.72 plus alternates 1, 2 and 3 in the amount of \$171,186.40, for a total contract amount of \$1,886,679.12, they being the lowest responsible bidder.

Further resolved, that funding to defray the cost of this public works project be appropriated from the following accounts:

\$ 154,000.00 - Account 986.908.5010, Concrete Paving Misc. Locations
 \$ 125,624.68 - Account 987.908.5010, Concrete Paving Misc. Locations
 \$ 38,594.20 - Account 986.908.5020, Concrete Pvm. Repl. Misc. Locations
 \$ 839,343.25 - Account 987.908.5020, Concrete Pvm. Repl. Misc. Locations
 \$ 25,000.00 - Account 987.908.5110, Bituminous Concrete Paving
 \$ 36,332.02 - Account 987.908.5130, Asphalt Resurfacing
 \$ 179,536.97 - Account 104.984.5400, Maiden Lane Detention Pond
 \$ 3,281.04 - Account 104.986.5420, Storm Sewer Misc. Locations
 \$ 43,291.71 - Account 104.987.5420, Storm Sewer Misc. Locations
 \$ 19,909.56 - Account 986.907.5310, Sanitary Sewer Const. Var. Locations
 \$ 89,467.44 - Account 987.907.5310, Sanitary Sewer Const. Var. Locations
 \$ 38,449.10 - Account 986.908.5220, Replacement Curb & Gutter
 \$ 120,000.00 - Account 987.908.5220, Replacement Curb & Gutter
 \$ 2,000.00 - Account 987.908.5510, New Sidewalks
 \$ 30,000.00 - Account 987.908.5530, Crosswalk Ramps
 \$ 13,814.85 - Account 986.600.5010, Traffic Signal Replacements
 \$ 67,134.30 - Account 987.590.5010, Replace City Circuits
\$ 60,900.00 - Water Department
 \$1,886,679.12 - Total

Fiscal Note: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

Res.07-0219 Contract for 2007 City Resurfacing

Resolved, that Contract 26-07 (K7-030), 2007 City Resurfacing (R1), be awarded to A.W. Oakes & Sons, Inc., Racine, WI, at their bid price of \$1,006,716.82, they being the lowest responsible bidder.

Further resolved, that funding to defray the cost of this public works project be appropriated from the following accounts:

\$ 251,781.12 - Account 986.908.5130, Asphalt Resurfacing
 \$ 424,084.21 - Account 987.908.5130, Asphalt Resurfacing
 \$ 134,572.49 - Account 906.000.5110, Bituminous Concrete Paving
 \$ 80,551.00 - Account 104.987.5420, Storm Water
\$ 115,728.00 - Account 987.907.5310, Sanitary Sewer
 \$1,006,716.82 - Total

Fiscal Note: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

Res.07-0220 Change Order No. 1 for Pritchard/Reservoir Park Pond Retrofit

Resolved, that Change Order No. 1 on Contract 39-06 (K6-041),

Pritchard/Reservoir Park Pond Retrofit, K&L Construction, contractor, as submitted, be approved in the amount of \$58,880.50.

Further resolved, that funding to defray the cost of this change order be appropriated from Account 104.987.5420, Storm Sewers, Various Locations.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

Res.07-0221

Use Supplement for Flex Development Overlay at 2711 Lathrop Avenue

Resolved, that a use supplement be adopted in association with a Flex Development Overlay District at 2711 Lathrop Avenue, subject to the following conditions:

- a. That all uses listed in the underlying "I-1" Restricted Industrial District are permissible by right or by conditional use permit as specified in each district.
- b. That all applicable permits are obtained from the Building Inspection Department.
- c. That the following flex uses are permitted in addition to those permitted in the "I-1" Restricted Industrial District.
 1. Permitted uses: those uses permitted in the "B-2" Community Shopping District except those excluded herein.
 2. Conditional uses: those conditional uses permitted in the "B-2" Community Shopping District including auto sales as a primary use not to exceed twenty vehicles for sales display or storage except those excluded herein.
 3. Uses excluded: bus stations and terminals, adult entertainment uses, recycling drop-off or processing sites, live entertainment, and outdoor recreation facilities.
- d. That all aspects of the flex uses and all other uses shall be contained on site.
- e. That all trash and recyclables be stored in closed containers and screened from view.
- f. That the following is prohibited:

1. Changes in exterior light fixtures unless first approved by the Director of City Development for design, placement and intensity.
 2. Pennants, banners, streamers, balloons, spot lights, or string lights.
 3. Vehicle mounted advertising devices such as antenna sleeves, balloons, or other forms of advertising or visual attraction methods other than window signs and price stickers.
 4. Storage or display of inoperable vehicles or vehicle parts.
- g. That the following be submitted for the review and approval of the Director of City Development prior to the implementation of desired uses at this facility, but before September 1, 2006:
1. A landscape plan for implementation that illustrates plantings along Lathrop Avenue, and the design and location of a dumpster enclosure.
 2. A comprehensive sign package for implementation that creates a unified design for all tenants to be occupying this location.
- h. That the following be accomplished by October 31, 2006:
1. Repair and paint the fencing.
 2. Install approved landscaping.
 3. Clear brush, weed trees and debris from the rear/eastern yard area.
 4. Paving and striping of the rear/eastern yard area if intended to be used for parking.
- i. That the Chief Building Inspector or Director of City Development may impose additional conditions on a single or a group of flex uses to mitigate potential negative impacts on the subject or surrounding properties. Decisions in this regard may be appealed by the affected operator(s) to the Plan Commission who will forward a recommendation to the Common Council.
- j. That upon consultation between the Chief Building Inspector and Director of City Development, additional uses not listed in this resolution may be permitted if found to comply with the spirit and intent of this flex development and the Flex Development Overlay District.
- k. That all applicable codes and ordinances be complied with and required permits acquired.
- l. That no minor changes be made from the conditions of this flex

development without the approval of the Plan Commission and no major changes be made without the approval of the Common Council.

m. That this flex development is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

Sponsors: Gregory Holding

Res.07-0222 Permission for installation of fencing and stands at Festival Hall for Annual Post Prom event

Resolved, the the Downtown Rotary Club be granted permission to use City fencing and stands at the edge of the parking lot and sideways to the south of Festival Hall for crowd and traffic control for the Annual Post Prom at Festival Hall on Saturday, May 19-20, 2007.

Fiscal Note: N/A

Sponsors: Jim Kaplan

Res.07-0223 Use of City right-of-way for Hot Rod Magazine Power Tour

Resolved, that permission be granted to The Promotion Company of Indianapolis, IN to close the following streets on Monday, June 4, 2007, from 10:00 a.m. to 8:00 p.m., for the Hot Rod Magazine Power Tour:

Main Street from State Street to 11th Street
Wisconsin Avenue from 4th Street to 7th Street
3rd Street from Wisconsin Avenue to Lake Avenue
4th Street from Wisconsin Avenue to Lake Avenue
5th Street from Wisconsin Avenue to Lake Avenue
5th Street from Lake Avenue to Festival Park Drive
Sam Johnson Parkway from Main Street to Lake Avenue
Sam Johnson Parkway from Lake Avenue to Festival Park Drive
6th Street from Wisconsin Avenue to Lake Avenue
6th Street from Lake Avenue to Pershing Park Drive
Pershing Park Drive from 6th Street to 11th Street
11th Street from Main Street to Pershing Park Drive
Festival Park Drive from 5th Street to Sam Johnson Parkway

Further resolved, that they be granted permission to use the Gateway Parking Lot.

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

- A. A hold harmless agreement be executed;
- B. Proof of liability insurance be filed prior to this event;
- C. Any overtime costs incurred by any City department be charged to the

sponsor;

D. Sponsor shall notify all abutting property occupants 72 hours in advance of the event.

E. The sponsor shall be responsible for the signing of the necessary detours for the State Highway route.

F. The sponsor shall pay a \$1,550 special event fee.

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

Fiscal Note: There will be nominal costs incurred on a regular shift basis to provide limited assistance to implement this event.

Sponsors: Jim Kaplan and Ronald D. Hart

Res.07-0224 Marquette Street Fire Station Lease

Resolved, that the Mayor and City Clerk be authorized and directed to enter into lease agreements with Human Capital Development Corporation for the Pre-Apprenticeship Training Program and Fellowship of Christian Believers Church for the lease of the former Marquette Street Fire Station, 1437 Marquette Street, for the period of May 16, 2007 through December 31, 2008.

Fiscal Note: N/A

Sponsors: James T. Spangenberg

Res.07-0225

Authorizing the Study of a Cooperative Boundary Plan between the Village of Mount Pleasant and the City of Racine

Whereas, the Common Council of the City of Racine has determined that in order to promote the public health, safety and welfare of the City citizens, the City must provide for the harmonious and planned development of the City of Racine in conjunction with its neighbors; and

Whereas, the legislature has provided a means for municipalities to cooperate and plan for development and growth as well as establish boundaries among themselves under the provisions of section 66.0307, Wisconsin Statutes; and

Whereas, the City of Racine values and supports the future by cooperative intergovernmental agreements.

Now, Therefore, Be it Resolved, by the Common Council of the City of Racine that:

1. The City of Racine, through its agents and officials, is authorized to participate in the preparation of a cooperative boundary plan with the Village of Mount Pleasant under the procedures and standards set forth in §66.0307, Wis. Stats.;

2. That the City of Racine, staff and consultants are hereby authorized and

directed to work with representatives of the Village of Mount Pleasant to prepare a cooperative plan for consideration by the Village Board and the City Council and if approved the eventual submission to the Department of Administration for review;

3. The City Clerk is directed to give written notice of the adoption of any cooperative boundary plan approved by the Common Council of the City of Racine within five (5) days of adoption to the following entities:

- A. Department of Administration
Department of Transportation
Department of Agriculture, Trade and Consumer Protection
Department of Natural Resources;
- B. The Clerks of any municipality, school district, technical college, district, sewerage district or sanitary district which has any part of its territory within five (5) miles of either the City of Racine or the Village of Mount Pleasant;
- C. The Racine County Clerk;
- D. The Racine County zoning agency created under §59.63(2), Wis. Stats., or the Southeastern Wisconsin Regional Planning Commission.

Fiscal Note: N/A

Sponsors: James T. Spangenberg

H. Ordinances

[Ord.11-07](#) Ordinance No. 11-07

To create Sec. 6-195 of the Municipal Code of the City of Racine, Wisconsin relating to Security cameras.

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

Part 1:

Section 6-195 of the Municipal Code of the City of Racine is hereby created to read as follows:

"Sec. 6-195. Security cameras.

1. Applicability.

The provisions of this section shall apply to every alcohol beverage establishment licensed pursuant to ch. 6, except for the following:

- a. Bona fide clubs, organized labor unions, county or local fair associations, or agricultural societies, churches, lodges or societies that have been in existence for not less than 6 months prior to the date of application, or to posts

established by veterans' organizations.

- b. Charitable, eleemosynary, educational or religious organizations.
- c. Convenience food stores as defined in s. 6-36.
- d. Class "C" fermented malt beverage wholesaler as defined in s. 6-52(4).

2. Regulations.

- a. Every licensee of an establishment referenced in sub. 1, shall install, maintain in proper working order and operate during all hours the premises is open to customers, security cameras which can produce reproducible digital color images.
- b. If a time-lapse digital video recorder is operated, recorded images shall not be recorded at a slower rate than 24 hours.
- c. Recorded digital image files shall be kept for a minimum of 7 days and made available upon request to the police department and other law enforcement agencies.

3. Location.

Cameras shall be placed at the exterior of the establishment so as to provide a clear full frame view of the activities occurring on the premises parking lot and in areas of the premises bordered by a city street. Additionally, cameras shall be placed at locations within the establishment that afford a panoramic, full frame view in order to accurately capture activities occurring within the entire licensed premises, with the exception of storage areas."

Part 2:

This ordinance shall take effect 6 months from the date of passage and publication.

Passed by the Common Council

Approved: _____

Mayor

Attest:

City Clerk

Fiscal Note: N/A

Sponsors: Q.A. Shakoor II and David L. Maack

I. Miscellaneous Business

J. 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.