



City of Racine

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

Meeting Minutes - Final Common Council

Mayor John T. Dickert
Alderman Jeff Coe, Alderman Robert Anderson
Alderman Michael Shields, Alderman Jim Kaplan, Alderman
David L. Maack
Alderman Sandy Weidner, Alderman Terry McCarthy,
Alderman Raymond DeHahn
Alderman Q.A. Shakoor, II, Alderman Aron Wisneski,
Alderman Gregory Holding
Alderman James T. Spangenberg, Alderman Ronald D. Hart,
Alderman Robert Mozol, Alderman Kelli Stein

Tuesday, January 19, 2010

7:00 PM

Room 205, City Hall

A. Call To Order

At a regular meeting of the Common Council held this 19th day of January 2010, His Honor, President Shakoor, II presided and the following Aldermen were present at Roll Call:

PRESENT: 15 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, McCarthy, DeHahn, Shakoor, II, Holding, Wisneski, Spangenberg, Hart, Mozol and Stein

B. Pledge of Allegiance To The Flag

President Shakoor led the Council in the Pledge of Allegiance to the Flag.

C. Approval of Journal of Council Proceedings (Minutes)

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

President Shakoor reminded everyone of the importance of participating and completing the upcoming census count.

D. Public Comments

The following people spoke:

<i>Don OKeefe</i>	<i>Joy Garret</i>
<i>Jon Becker</i>	<i>Tim Farr</i>
<i>Elliot Cohen</i>	<i>Tina Plump</i>
<i>Rita Christensen</i>	<i>George Meyers</i>
<i>John Mosley</i>	<i>Al Yarbrough</i>
<i>Trenton House</i>	

E. Communications

Refer to Finance and Personnel Committee, by Ald. Spangenberg

[07-0839](#) **Subject:** communication from the City Attorney submitting the claim of Carolyn Bayer and Richard Bayer for consideration.

Referred to Finance and Personnel Committee

[10-4630](#) **Subject:** Communication from the Director of Parks, Recreation & Cultural Services requesting permission to extend the waiver of certain fees until March 31, 2010 to promote pre-sales of the new crypts and niches at Mound Cemetery.

Referred to Finance and Personnel Committee

[10-4654](#) **Subject:** Request from Morris Reece, the City of Racine Complete Count Committee Coordinator, to have the cost associated with the use of Monument Square waived for the overnight stay on Monument Square event on January 22, 2010 at 6:00 p.m. until January 23, 2010 8:00 a.m.

Alderman Spangenberg made a motion to suspend the rules for separate consideration on item 10-4654. Motion carried.

Alderman Spangenberg made a motion to approve the request to waive the fees for the City of Racine Complete Census Committee to use Monument Square on January 22nd-23rd. The motion carried with a voice vote.

Received and Filed as Reported

[10-4656](#) **Subject:** Communication from the Interim Public Health Administrator requesting to accept funds from the State of Wisconsin represented by its Division of Public Health of the Department of Health Services Immunization Program. (Grant Control #2009-068)

Referred to Finance and Personnel Committee

[10-4658](#) **Subject:** Communication from the Chief of Police, requesting to transfer Police Evidence Funds from Fund 712 to Fund 216.

Referred to Finance and Personnel Committee

Referred to Public Safety and Licensing Committee

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

[10-4634](#) **Subject:** Communication from the General Manager of the Water Utility requesting permission to close State Highway 20 for a future construction project

Referred to Public Works and Services Committee

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

[10-4638](#) **Subject:** Communication from the Director of Parks, Recreation &

Cultural Services requesting to waive formal bidding and the Purchasing Agent be authorized to negotiate with H. Barber & Sons, Inc. for a replacement beach cleaner.

Referred to Public Safety and Licensing Committee

[10-4642](#)

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting to enter in an agreement with Industrial Roofing Services, Inc. to prepare plans and specifications and project administration for Window and Door Replacement at Humble Park Community Center.

Referred to Public Safety and Licensing Committee

[10-4643](#)

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting to enter in an agreement with Industrial Roofing Services, Inc. to prepare plans and specifications and project administration for Exterior Masonry Restoration at Tyler-Domer Community Center.

Referred to Public Safety and Licensing Committee

Refer to Transit and Parking Commission, by Ald. DeHahn

[09-4629](#)

Subject: Communication from Rita Lewis, Racine Montessori School, wishing to rent Lakefront Lot No. 5 from 5:30 A.M. to 5:00 P.M. for the Lakefront Artist Fair on Saturday, May 1, 2010.

Referred to Transit and Parking Commission

[10-4631](#)

Subject: Communication from City Administrator requesting to discuss parking for events at the Festival Hall parking lot.

Referred to Transit and Parking Commission

[10-4644](#)

Subject: Communication from the Executive Director of PTMR, requesting the purchase of the RouteMatch Automatic Vehicle Location and Mobile Data Communication modules for BUS paratransit operations.

Referred to Transit and Parking Commission

Refer to Redevelopment Authority of the City of Racine, by Ald Spangenberg

[10-4655](#)

Subject: Request by Karen Sorenson on behalf of Tom Tousis requesting an extension of deadlines for West Racine redevelopment project.

Alderman Shield objected to the referral.

Referred to the Redevelopment Authority of the City of Racine

Refer to the Committee of the Whole by Ald. Maack.[10-4659](#)

Subject: Communication from the Alderman of the Sixth District, on behalf of Dale Slaastad 1723 Shoop Street, would consider placing an advisory referendum on the April 6th, 2010 ballot regarding the purchase and implementation of recycling bins.

Sponsors: Sandy Weidner

Referred to the Committee of the Whole

F. Committee Reports**Finance and Personnel Committee Report, by Ald. Spangenberg**[09-4534](#)

Subject: Communication from the Director of Racine Wastewater Utility requesting an amendment of the Household Hazardous Waste Agreements with Surrounding Communities for the New 2010 Rate of \$2.40/Year/Household (Res.10-1792)

Recommendation of the Wastewater Commission on 12/15/09:

That Mayor Dickert and the City Clerk be authorized to sign amendments to the Household Hazardous Waste Agreement with participating communities. Refer to the Finance and Personnel Committee for approval.

Recommendation of the Finance & Personnel Committee on

01-11-10: The Mayor and the City Clerk be authorized and directed to amend the Racine Area Intergovernmental Household Hazardous Waste Program agreement with the City of Racine and the participating communities.

Fiscal Note: Reduce the annual fee on a per residential dwelling from \$4.00 per year to \$2.40 per year for the year 2010 and subsequent years.

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

[09-4572](#)

Subject: Communication from the Chief of Police, requesting authorization for the Purchasing Agent to negotiate sole-source procurement for the purchase of a Video File Management Software system. (Res.10-1793)

Recommendation of the Finance & Personnel Committee on

01-11-10: Permission be granted for formal bidding procedures be waived and that the Purchasing Agent be authorized to negotiate the

purchase of a Video File Management Software system with the Tough Solutions company.

Fiscal Note: Funds are available in account 101.311.5770, Machinery & Equipment Outlay.

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

[09-4574](#)

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting to accept a donation of \$575 from St. Catherine's Boys Soccer for a park bench at Lockwood Park playground.

Recommendation of the Finance & Personnel Committee on 01-11-10: The Director of Parks, Recreation & Cultural Services accept the donation of \$575 from St. Catherine's Boy's Soccer team to be utilized for the purchase of a park bench placed at Lockwood Park playground and an appropriate letter of thanks be sent.

Fiscal Note: N/A

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

[09-4578](#)

Subject: Communication from Racine County Economic Development Corporation submitting its proposed 2010 agreement for the commercial corridor redevelopment program. (Res.10-1794)

Recommendation of the Redevelopment Authority on 01-06-10: Whereas sec. 46-268 of the Racine Municipal Code calls for the Authority to advise the Common Council on the use of Intergovernmental Revenue Sharing (Sewer Agreement) Funds, the Authority recommends the use of \$69,400.00 from the Intergovernmental Revenue Sharing Fund for the renewal of the RCEDC commercial corridor initiative contract for 2010.

Further recommends that the Mayor and City Clerk be authorized and directed to enter into the agreement with RCEDC.

Recommendation of the Finance & Personnel Committee on 01-11-10: The Mayor and City Clerk be authorized and directed to enter into an agreement between the City of Racine and the Racine County Economic Development Corporation (RCEDC) to provide economic development assistance to the City, commencing on January 1, 2010 to December 31, 2010. Further recommends that \$69,400.00 from the Intergovernmental Revenue Sharing Fund be used for the renewal of the RCEDC commercial corridor contract for 2010.

Fiscal Note: Funds are available in account 919-000-5610, Professional Services-Commercial Corridors.

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

[09-4579](#)

Subject: Communication from Racine County Economic Development Corporation submitting its proposed 2010 agreement for the Brownfield redevelopment program. (Res.10-1795)

Recommendation of the Redevelopment Authority on 01-06-10:

Whereas sec. 46-268 of the Racine Municipal Code calls for the Authority to advise the Common Council on the use of Intergovernmental Revenue Sharing (Sewer Agreement) Funds, the Authority recommends the use of \$55,000.00 from the Intergovernmental Revenue Sharing Fund for the renewal of the RCEDC brownfield initiative contract for 2010.

Further recommends that the Mayor and City Clerk be authorized and directed to enter into the agreement with RCEDC.

Fiscal Note: The funds are available in the city's 2010 capital budget.

Recommendation of the Finance & Personnel Committee on

01-11-10: The Mayor and City Clerk be authorized and directed to enter into a 2010 agreement with the Racine County Economic Development Corporation (RCEDC) for the Brownfield Redevelopment program.

Fiscal Note: The assistance provided under the agreement will cost \$55,000, no increase from 2009. Funding is available from Intergovernmental Sewer Revenue Sharing Funds which are included in the 2010 CIP.

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

[09-4592](#)

Subject: Communication from the Interim Public Health Administrator requesting to accept additional funding of \$17,656 from the State of Wisconsin Department of Health Services for the Division of Public Health. (Grant Control #2006-049) (Res.10-1791)

Recommendation of the Finance & Personnel Committee on

01-11-10: The Mayor and City Clerk be authorized and directed to amend the agreement with the State of Wisconsin Department of Health Services for the Division of Public Health Contract, Grant Control No. 2006-049, to accept additional funding of \$17,656 to be utilized for the Women, Infants and Children (WIC) Program.

Fiscal Note: No match required on the part of the City.

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

Council Action

A motion was made by Alderman James T. Spangenberg that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

AYES: 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, McCarthy, DeHahn, Holding, Wisneski, Spangenberg, Hart, Mozol and Stein

NON VOTING: 1 - Shakoor, II

09-4593

Subject: Communication from Friends of Seniors, Inc. requesting to renew their lease for 201 Goold Street for 2010 - 2011. (Res.10-1796)

Recommendation of the Finance & Personnel Committee on

01-11-10: The lease with Friends of Seniors, Inc. for the property at 201 Goold Street be renewed for the 24 month period from June 1, 2010 through May 31, 2012 under the same terms and conditions as the current lease expiring May 31, 2010.

Fiscal Note: The City will forgo the lease rate increase that other City tenants are paying. The annual rate will continue to be \$20,000 per year.

Alderman Maack requested that item 09-4583 be considered separately.

Alderman Maack made a motion to amend the agreement to 12 months rather than 24 months. Motion was defeated by the following vote:

Ayes: Holding, Maack and Mozol.

Noes: DeHahn, Hart, Kaplan, McCarthy, Shields, Spangenberg, Stein, Weidner, Wisneski, Anderson and Coe.

Non-Voting: Shakoor

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

AYES: 13 - Coe, Anderson, Shields, Kaplan, Weidner, McCarthy, DeHahn, Holding, Wisneski, Spangenberg, Hart, Mozol and Stein

NOES: 1 - Maack

NON VOTING: 1 - Shakoor, II

Public Works and Services Committee Report, by Ald. Holding

09-4334

Subject: (Direct Referral) Communication from the Commissioner of Public Works/City Engineer requesting final payment on Contract 52-05 (K5-059), Citywide Brownfield Assessment (EPA Grant), Sigma

Environmental Services, consultant. (Res.10-1801)

Recommendation of the Public Works and Services Committee on 11-10-09 and 11-24-09: Defer

Recommendation of the Public Works and Services Committee on 1-12-10: The professional services provided by Sigma Environmental Services under Contract 52-05 (K5-059), Citywide Brownfield assessment (ERA Grant), be accepted and final payment authorized for a total contract amount of \$112,350.00.

Fiscal Note: Contract was authorized under Resolution No. 6598, dated August 2, 2005.

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

[09-4479](#)

Subject: Communication from Mrs. Lance McClure, 2716 Northwestern Avenue, requesting that the sidewalk along the side of her home be closed.

Recommendation of the Public Works and Services Committee on 12-8-09: That the item be referred to the Parks, Recreation and Cultural Services Commission with the request that the Parks Department maintain the sidewalk during winter months so that school children can use the sidewalk for access to Wadewitz and Gilmore Schools in an easier and safer fashion.

Recommendation of the Board of Parks, Recreation and Cultural Services 1-13-10: that the communication be referred back to the Public Works and Services Committee with the recommendation that the Parks, Recreation and Cultural Services Department not be responsible for clearing the snow.

Fiscal Note: N/A

A motion was made that this Communication be Referred to the Public Works and Services Committee, . The motion was APPROVED.

[09-4497](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 36-07 (K7-042), Professional Services-City Hall Renovations-Phase II, ARC Architectural Group, LLC, consultant. (Res.10-1805)

Recommendation of the Public Works and Services Committee on 1-12-10: The professional services provided by ARC Architectural Group, LLC under Contract 36-07 (K7-042), Professional Services -

City Hall Renovations, Phase II, be accepted and final payment authorized for a total contract amount of \$85,480.00.

Fiscal Note: Contract was authorized under Resolution No. 07-0169, dated April 16, 2007.

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

[09-4503](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 22-09 (K9-023), 2009 Alley Paving, A.W. Oakes & Son, Inc., contractor. (Res.10-1808)

Recommendation of the Public Works and Services Committee on 1-12-10: The work done by A.W. Oakes & Son, Inc. under Contract 22-09 (K9-023), 2009 Alley Paving, be accepted and final payment authorized for a total contract amount of \$306,194.04.

Fiscal Note: Contract was authorized under Resolution No. 09-1404, dated May 19, 2009.

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

[09-4523](#)

Subject: Communication from the Assistant Commissioner of Public Works/Engineering submitting Amendment No. 2 on Contract 41-09 (K9-042), PS - WisDOT Economic Recovery Stage 2 Applications, Nielsen, Madsen & Barber, consultant. (Res.10-1812)

Recommendation of the Public Works and Services Committee on 1-12-10: That Amendment No. 2 to Contract 41-09 (K9-042), Professional Services - WisDOT Economic Recovery Stage 2 Applications, Nielsen Madsen & Barber, consultant, as submitted, be approved in the amount of \$3,225.50.

Further recommends that funding to defray the cost of these professional services be appropriated from Account 101.590.5610, Professional Services - Street Lighting.

Fiscal Note: Funds are available as herein delineated.

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

[09-4524](#)

Subject: Communication from the Commissioner of Public Works/City Engineer submitting final payment on Contract 41-09 (K9-042), PS - WisDOT Economic Recovery Stage 2 Applications, Nielsen, Madsen & Barber, consultant. (Res.10-1813)

Recommendation of the Public Works and Services Committee

on 1-12-10: The professional services provided by Nielsen Madsen & Barber under Contract 41-09 (K9-042), Professional Services - WisDOT Economic Recovery Stage 2 Applications, be accepted and final payment authorized for a total contract amount of \$126,526.87.

Fiscal Note: Contract was authorized under Resolution No. 09-1321, dated April 8, 2009.

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

09-4546

Subject: Communication from the Assistant Commissioner of Public Works/Engineering submitting Change Order No. 1 to Contract 63-09 (K9-064) 2009 LED Street Lights, Ltd., EECBG, Spectrum Lighting, contractor. (Res.10-1819)

Recommendation of the Public Works and Services Committee

on 1-12-10: That Change Order No. 1 on Contract 63-09 (K9-64), 2009 LED Street Lights, EECBG, Spectrum Lighting, Ltd., contractor, be approved in the amount of \$45,720.00.

Further recommends that funding to defray the cost of this change order be appropriated from Account 282.020.5350, LED Street Lights.

Fiscal Note: Funds are available as herein delineated.

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

09-4571

Subject: Communication from the General Manager, Racine Water and Wastewater Utilities, submitting an agreement for alterations to the Lathrop Avenue Storm Sewer. (Res.10-1798)

Recommendation of the Public Works and Services Committee

on 1-12-10: That the Mayor and City Clerk be authorized and directed to enter into an agreement with the City of Racine Wastewater Utility for the installation of a 30" sanitary interceptor sewer, which conflicts with a 60" storm sewer, with the following stipulations:

A. The Racine Wastewater Utility will be responsible for all construction associated with the sanitary interceptor sewer installation and modifications to the storm sewer.

B. The Racine Wastewater Utility provide as-built drawings of the completed work to the City of Racine.

C. The Racine Wastewater Utility shall reimburse the Racine Stormwater Utility and the City of Racine for any and all costs

associated with future maintenance, repairs or reconstruction due to the location of the 30" sanitary interceptor sewer pipe.

Fiscal Note: There will be no cost to the City of Racine by approving the installation of the sanitary interceptor sewer as required.

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

09-4573

Subject: (Direct Referral) Communication from the Commissioner of Public Works/City Engineer submitting final payment on Contract 24-09 (K9-025), Curb & Gutter Replacement, Stark Asphalt, contractor. (Res.10-1809)

Recommendation of the Public Works and Services Committee on 1-12-10: The work done by Stark Asphalt under Contract 24-09 (K9-025), Curb & Gutter Replacement, be accepted and final payment authorized for a total contract amount of \$163,988.87.

Fiscal Note: Contract was authorized under Resolution No. 09-1392, dated May 6, 2009.

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

09-4583

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Engineering submitting Amendment No. 2 to State Contract ID: 2290-11-00, Northwestern Avenue (STH 38) - Golf Rd. to Rapids Dr., Strand Associates, Inc, consultant. (Res.10-1818)

Recommendation of the Public Works and Services Committee on 1-12-09: That Amendment No. 2 to State Contract ID: 2290-11-00, Northwestern Avenue from Golf Avenue to Rapids Drive, Strand Associates, consultant, be approved in the amount of \$2,064.80, with the City's share being 20%, or \$412.96.

Further recommend that funding to defray the cost of the City's share of these professional services be appropriated from Account 988.908.5030, Northwestern - Golf to City Limits.

Fiscal Note: Funds are available as herein delineated.

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

09-4588

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting Amendment # 4 for Contract 14-09 (K9-014) Design of Parks Pavement Project by Nielsen Madsen & Barber, S.C. (Res.10-1799)

Recommendation of the Public Works and Services Committee

on 1-12-10: That Amendment No. 4 to Contract 14-09 (K9-014), Design of Parks Pavement Project, Nielsen Madsen & Barber, S.C., consultant, as submitted, be approved in the amount of \$4,359.47.

Further recommends that funding to defray the cost of these professional services be appropriated from Account 988.700.5020, Lincoln Parking Lot Asphalt.

Fiscal Note: Funds are available as herein delineated.

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

09-4595

Subject: Communication from the Assistant Commissioner of Public Works/Operations requesting permission to waive formal bidding procedures for the purchase of a wheel loader vehicle. (Res.10-1814)

Recommendation of the Public Works and Services Committee

on 1-12-10: The Common Council waive formal bidding procedures for the purchase of a Case 621 Wheel Loader, for the purposes of inventory management and ease of maintenance benefits, in the best interest of the taxpayers.

Further recommends that the Purchasing Agent be authorized and directed to negotiate with Miller-Bradford and Risberg, Inc. for the purchase of the Case wheel loader.

Fiscal Note: The estimated cost of this equipment is \$172,000.00 with funding available in the 2010 budget.

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

09-4596

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Engineering submitting a proposal for a professional services agreement for the design and review of the Festival Hall Retaining Wall, Contract 06-10 (K0-006) PS - Arnold & O'Sheridan, Inc., consultants. (Res.10-1816)

Recommendation of the Public Works and Services Committee

on 1-12-10: That the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with Arnold & O'Sheridan, Inc. for Design and Review of the Festival Hall Retaining Wall, at a price not-to-exceed \$16,500.00.

Further recommends that funds to defray the cost of these professional services be appropriated from Account 101.990.5010,

Festival Hall Retaining Wall.

Fiscal Note: Funds are available as herein delineated.

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

09-4598

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Engineering submitting a professional services agreement with AECOM for the 2010 Sewer Management Services - Contract 14-10 (K0-014) PS. (Res.10-1817)

Recommendation of the Public Works and Services Committee on 1-12-10: That the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with AECOM Technical Services for 2010 Sewer Management Services, at a price not-to-exceed \$58,450.00.

Further recommends that funds to defray the cost of these professional services be appropriated from the following accounts:

\$29,225.00 - Account 104.990.5420, Storm Sewer, Misc. Loc.
\$29,225.00 - Account 287.990.5310, Sanitary Sewer, Var. Loc.
\$58,450.00 - Total

Fiscal Note: Funds are available as herein delineated.

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

09-4600

Subject: Communication from a representative of Thoughts for Food requesting permission to close the 300 block of Hamilton Street on Saturday, March 6, 2010, for their annual event. (Res.10-1797)

Recommendation of the Public Works and Services Committee on 1-12-10: The owner of George's Tavern be granted permission to close Hamilton Street from Main Street to Chatham Street, from 6:00 p.m., Saturday, March 6, 2010 to 2:00 a.m., Sunday, March 7, 2010, in conjunction with the Thoughts for Food Fundraiser, 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. No alcoholic beverages will be sold and/or dispensed within the street right-of-way;

F. In the event of snow, the sponsor shall remove all barricades from the street.

G. Sponsor shall be responsible for all detour signage during the event.

H. 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 to various city departments, on a regular shift basis, to assist in implementing this event.

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

[09-4602](#)

Subject: Communication from the Commissioner of Public Works/City Engineer requesting that Section 46 of the Municipal Code be amended to comply with changes to State Statute 66.0904.

Recommendation of the Public Works and Services Committee

on 1-12-10: The City Attorney be authorized and directed to draft and submit an ordinance to the Common Council which meets the requirements of State Statute 66.0904 as it relates to publicly funded private contracts and prevailing wage rate requirements.

Fiscal Note: This ordinance is the result of legislation passed by the State of Wisconsin requiring prevailing wage determinations on private construction projects which receive public assistance greater than \$1,000,000.00.

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

[09-4610](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting a proposal from Industrial Roofing Services, Inc. for Exterior Restoration and Window Replacement Specifications for Various Facilities. (Res.10-1815)

Recommendation of the Public Works and Services Committee

on 1-12-10: That the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with Industrial Roofing Services, Inc. for Exterior Restoration and Window Replacement Specifications at Various Facilities, at a price not-to-exceed \$25,450.00.

Further recommends that funds to defray the cost of these professional services be appropriated from the following accounts:

\$11,750.00 - Account 989.100.5020, City Hall Tuckpointing
\$ 4,200.00 - Account 990.410.5010, Solid Waste Garage
Tuckpointing
\$ 7,000.00 - Account 108.990.5510 Memorial Hall Tuckpointing
\$ 2,500.00 - Account 108.990.5520, Memorial Hall Window
Replacement
\$25,450.00 - Total

Fiscal Note: Funds are available as herein delineated.

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

[09-4615](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 54-08 (K8-064), Professional Services - Design Maintenance Agreement and Review Phone System, Maron Structure Technologies, consultant. (Res.10-1806)

Recommendation of the Public Works and Services Committee on 1-12-10: The professional services provided by Maron Structure Technologies under Contract 54-08 (K8-064), Professional Services - Design Maintenance Agreement and Review Phone System, be accepted and final payment authorized for a total contract amount of \$9,000.00.

Fiscal Note: Contract was authorized under Resolution No. 08-0975, dated August 19, 2008.

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

[09-4616](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 23-07 (K7-027), Professional Services - State Street Bridge Sidewalk Repairs, HNTB, consultant. (Res.10-1804)

Recommendation of the Public Works and Services Committee on 1-12-10: The professional services provided by HNTB under Contract 23-07 (K7-027), Professional Services - State Street Bridge Sidewalk Repairs, be accepted and final payment authorized for a total contract amount of \$32,133.73.

Fiscal Note: Contract was authorized under Resolution No. 07-0083, dated February 21, 2007.

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

[09-4617](#)

Subject: (Direct Referral) Communication from the Commissioner of

Public Works/City Engineer submitting a request for final payment on Contract 3-07 (K7-003), Professional Services - Central Heating Plant Repairs, HNTB, consultant. (Res.10-1803)

Recommendation of the Public Works and Services Committee

on 1-12-10: The professional services provided by HNTB under Contract 3-07 (K7-003), Professional Services - Central Heating Plant Repairs, be accepted and final payment authorized for a total contract amount of \$29,346.88.

Fiscal Note: Contract was authorized under Resolution No. 06-7358, dated December 19, 2006.

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

[09-4618](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 66-03 (K3-079), Professional Services - Environmental Conditions Summary at Walker Site, Kapur & Associates, Inc., consultant. (Res.10-1800)

Recommendation of the Public Works and Services Committee

on 1-12-10: The professional services provided by Kapur & Associates, Inc. under Contract 66-03 (K3-079), Professional Services - Environmental Conditions Summary at Walker Site, be accepted and final payment authorized for a total contract amount of \$15,000.00.

Fiscal Note: Contract was authorized under Resolution No. 5624, dated November 18, 2003.

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

[09-4619](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 45-05 (K5-052), Construction Inspection Services for Railroad Depot Restoration, Isthmus Architecture, Inc., consultant. (Res.10-1802)

Recommendation of the Public Works and Services Committee

on 1-12-10: The professional services provided by Isthmus Architecture, Inc. under Contract 45-05 (K5-052), Construction Inspection Services for Railroad Depot Restoration, be accepted and final payment authorized for a total contract amount of \$20,963.00.

Fiscal Note: Contract was authorized under Resolution No. 6539, dated June 21, 2005.

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

09-4620

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Engineering submitting Change Order No. 3 on Contract 9-09 (K9-009), 2009 Concrete Street Reconstruction (R1), LaLonde Contractors, Inc., contractors. (Res.10-1810)

Recommendation of the Public Works and Services Committee on 1-12-10: That Change Order No. 3 on Contract 9-09 (K9-009), 2009 Concrete Street Reconstruction (R1), LaLonde Contractors, contractor, be approved in the amount of \$41,043.06.

Further recommends that funding to defray the cost of this change order be appropriated from the following accounts:

\$26,722.00 - Account 989.907.5320, Sanitary Sewer Const. State Street
\$ 2,149.96 - Account 989.600.5010, Traffic Signal Replacements
\$12,171.10 - Account 104.900.5420, Storm Sewer, Misc. Locations
\$41,043.06 - Total

Fiscal Note: Funds are available as herein delineated.

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

09-4622

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Engineering submitting final payment on Contract 9-09 (K9-009), 2009 Concrete Street Reconstruction (R1), LaLonde Contractors, Inc., contractors. (Res.10-1811)

Recommendation of the Public Works and Services Committee on 1-12-10: The work done by LaLonde Contractors, Inc. under Contract 9-09 (K9-009), 2009 Concrete Street Reconstruction (R1), be accepted and final payment authorized for a total contract amount of \$1,820,853.91.

Fiscal Note: Contract was authorized under Resolution No. 09-1313, dated April 8, 2009.

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

09-4623

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Engineering submitting final payment on Contract 19-09 (K9-020) CCTV Services and Manhole Inspection, Green Bay Pipe & TV, contractors. (Res.10-1807)

Recommendation of the Public Works and Services Committee

on 1-12-10: The work done by Green Bay Pipe & TV under Contract 19-09 (K9-020), CCTV Services and Manhole Inspection, be accepted and final payment authorized for a total contract amount of \$291,293.82.

Fiscal Note: Contract was authorized under Resolution No. 09-1315, dated April 8, 2009.

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

Council Action

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

AYES: 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, McCarthy, DeHahn, Holding, Wisneski, Spangenberg, Hart, Mozol and Stein

NON VOTING: 1 - Shakoor, II

Public Safety and Licensing Committee Report, by Ald. Wisneski**09-4380**

Subject: Communication from the 11th District Alderman requesting to repeal Resolution 1685 of May 26, 1998 and to establish a policy which does not rebate any portion of the reserve "Class B" liquor license fee.

Recommendation of the Public Safety & Licensing Committee on 11-23-09: That the Communication from the 11th District Alderman requesting to repeal Resolution 1685 of May 26, 1998 and to establish a policy which does not rebate any portion of the reserve "Class B" liquor license fee be deferred.

Recommendation of the Public Safety & Licensing Committee on 12-7-09: That the Communication from the 11th District Alderman requesting to repeal Resolution 1685 of May 26, 1998 and to establish a policy which does not rebate any portion of the reserve "Class B" liquor license fee be deferred, and staff bring a draft policy change for the Committees consideration.

Recommendation of the Public Safety & Licensing Committee on 12-21-09: That the item be deferred until the next meeting.

Recommendation of the Public Safety & Licensing Committee on 1-11-10: That the item be received and filed.

Fiscal Note: N/A

Alderman Wisneski requested that item 09-4380 be considered separately.

Alderman Wisneski made a motion not to follow the recommendations of the Public Safety and Licensing Committee, and to not receive and file 09-4380. Motion carried with the following vote:

*Ayes: DeHahn, Kaplan, Mozol, Shields, Spangenberg, Anderson and Coe.
Noes: Hart, Holding, Maack, McCarthy, Stein, Weidner and Wisneski. President Shakoor voted Noe on the tie.*

Alderman Holding made a motion to approve the resolution he submitted to rescind the refund of the reserve fee for a class B license. Motion carried with the following vote:

*Ayes: DeHahn, Hart, Holding, Maack, McCarthy, Stein, Weidner and Wisneski.
Noes: Kaplan, Mozol, Shields, Spangenberg, Anderson and Coe.
Non-Voting: Shakoor*

09-4590

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting final payment for Mound Cemetery New Crypt Design and Fountain Restoration by MekusTanager.
(Res.10-1790)

Recommendation of the Public Safety & Licensing Committee

1-11-10: That final payment for Mound Cemetery New Crypt Design and Fountain Restoration by MekusTanager be approved.

Fiscal Note: Funds are available in accout 207.002.5760, Mound Crypts.

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

09-4597

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting to reduce the contract retainage for Parks & Parking System Improvements by O & M Excavating & Grading Inc.
(Res.10-1789)

Recommendation of the Public Safety & Licensing Committee

1-11-10: That the request to reduce the contract retainage for Parks & Parking System Improvements by O & M Excavating & Grading Inc. be approved.

Fiscal Note: N/A

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

09-4599

Subject: (Direct Referral) Communication from the Purchasing Agent

submitting the report of bids received on the sale of abandoned vehicles 01-04-2010.

Recommendation of the Public Safety & Licensing Committee on 1-11-10: That the item be received and filed.

Fiscal Note: This will generate \$5555.01 in revenue.

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

Council Action

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

AYES: 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, McCarthy, DeHahn, Holding, Wisneski, Spangenberg, Hart, Mozol and Stein

NON VOTING: 1 - Shakoor, II

10-4635

Subject: Ordinance No. 28-09

To amend Sec. 22-1131, Sec. 22-1146, and Sec. 22-1163(a), (b) and (c) of the Municipal Code of the City of Racine, Wisconsin relating to Stationary engineer; Definitions and Board of Examiners; Composition; appointment of members, term - Qualifications; fees; temporary license.

Recommendation of the Public Safety & Licensing Committee on 1-11-10: That Ordinance 28-09 be adopted.

Fiscal Note: N/A

This Communication was Referred to the Public Safety and Licensing Committee

City Plan Commission Report, by Ald. Holding

09-4626

Subject: (Direct Referral) Request from Robert Hacker of Bauer Sign Co. representing Culver's Restaurant seeking a minor amendment to a conditional use permit to update an electronic message sign at 5801 21st Street. (Res.10-1824)

Recommendation of the City Plan Commission on 1-13-10: That the request be approved subject to recommendations.

Fiscal Note: N/A

A motion was made that this Communication be Received and Filed as

Reported. The motion was **APPROVED**.

[09-4628](#)

Subject: (Direct Referral) Review of a two-lot certified survey map for Rainmaker Inv. LLC for a property at 2834 West Lawn Avenue. (Res.10-1825)

Recommendation of City Plan Commission on 1-14-10: That the CSM be approved subject to recommendations.

Fiscal Note: N/A

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

Council Action

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

AYES: 12 - Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Holding, Wisneski, Spangenberg, Hart, Mozol and Stein

NON VOTING: 3 - Coe, McCarthy and Shakoor, II

Community Development Committee Report, by Ald. Maack

[09-4105](#)

Subject: (Direct Referral) Development of 2010 Community Development Block Grant (CDBG) Funding Allocation. (Res.10-1821)

Recommendation of the Community Development Committee on 1-07-2010: That the 2010 Community Development Block Grant (CDBG) funds be allocated as shown on the attachment; further recommends that any funds in excess of those allocated be placed in the Local Option Fund and that any funding shortfall be compensated from the Local Option Fund; further recommends that the appropriate city officials be directed and authorized to execute the appropriate documents to secure the grant funding; and further recommends that the appropriate city officials be authorized to execute third-party agreements with agencies and organizations approved for use of the funds.

Fiscal note: A grant award of \$2,100,000 is expected.

Alderman Maack requested that item 09-4105 be considered separately.

Alderman Shields made a motion to amend 09-4105 removing \$2000.00 each from grant on lines 14, 16, 22, 45 and 53 and put the total of \$10,000 in grant request #35.

Alderman DeHahn made a motion to amend the amendment to remove \$1000 from the grants over \$20,000 and add it to line #35. Motion after a discussion was withdrawn.

The initial amendment which increased the request on line 35 by \$10,000 passed with the following vote:

Ayes: DeHahn Hart, Kaplan, McCarthy, Shields, Spangenberg, Stein, Wisneski and Anderson.

Noes: Holding, Maack, Mozol, Weidner and Coe.

Non-Voting: Shakoor

A motion was made that this Communication be Adopted As Amended: . The motion was APPROVED by the following vote:

AYES: 9 - Anderson, Shields, Kaplan, McCarthy, DeHahn, Wisneski, Spangenberg, Hart and Stein

NOES: 5 - Coe, Maack, Weidner, Holding and Mozol

NON VOTING: 1 - Shakoor, II

09-4539

Subject: Request from the Department of City Development to adopt an Anti-Displacement and Relocation Plan for HUD Assisted Projects per HUD requirements. (Res.10-1823)

Recommendation of the Community Development Committee on 1-07-10: That the Anti-Displacement and Relocation Plan for HUD-Assisted Projects be approved as presented.

Fiscal Note: N/A

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

09-4581

Subject: Request of Neighborhood Housing Services (NHS) of Southeast Wisconsin to revise their 2009 Community Development Block Grant (CDBG) program budget. (Res.10-1822)

Recommendation of the Community Development Committee on 1-07-10: That the request of Neighborhood Housing Services of Southeast Wisconsin to revise their 2009 Community Development Block Grant (CDBG) program budget be approved.

Fiscal Note: There is no effect on the amount of funds allocated.

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

Council Action

A motion was made by Alderman David L. Maack that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

AYES: 13 - Coe, Shields, Kaplan, Maack, Weidner, McCarthy, DeHahn, Holding, Wisneski, Spangenberg, Hart, Mozol and Stein

ABSTENTIONS: 1 - Anderson

NON VOTING: 1 - Shakoor, II

Board of Health Report, by Ald. Mozol

[09-4494](#)

Subject: Communication from the Interim Public Health Administrator requesting permission to enter into agreements to provide Level I Health Services to the Villages of Elmwood Park and Wind Point. (Res.10-1820)

Recommendation of the Finance & Personnel Committee on 12-21-09: The Mayor and City Clerk be authorized and directed to enter into an agreement with the Villages of Elmwood Park and Wind Point to provide Level 1 Health Services from January 1, 2010 through December 31, 2010.

Recommendation of the Board of Health on 01-12-10: The Mayor and City Clerk be authorized and directed to enter into an agreement with the Villages of Elmwood Park and Wind Point to provide Level 1 Health Services from January 1, 2010 through December 31, 2010.

Fiscal Note: There is a 10% increase from last year.

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

[10-4637](#)

Subject: It is anticipated that the Board of Health will convene in closed session pursuant to sec. 19.85(1)(c), Wis. Stats. to consider employment, promotion, compensation or performance data of a public employee over which the Board of Health has jurisdiction or exercises responsibility. The Board will reconvene in open session.

Recommendation of Board of Health on 01-12-10: That the appointment of Dottie-Kay Bowersox as Public Health Officer with an initial fixed compensation of \$94,508 per year be approved.

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

Council Action

A motion was made by Alderman Robert Mozol that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

AYES: 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, McCarthy, DeHahn, Holding, Wisneski, Spangenberg, Hart, Mozol and Stein

NON VOTING: 1 - Shakoor, II

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

09-4591

Subject: Communication from Ron Britten wishing to discuss a potential agreement with the City of Racine and the Wisconsin Consolidated Sports Association, Ltd. (Res.10-1826)

Recommendation of the Board of Parks, Recreation and Cultural Services 1-13-10: that the request for an agreement be approved.

Fiscal Note: N/A

Received and Filed as Reported

AYES: 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, McCarthy, DeHahn, Holding, Wisneski, Spangenberg, Hart, Mozol and Stein

NON VOTING: 1 - Shakoor, II

G. Consent Agenda-Resolutions

Res.10-1789

Approval to reduce retainage on Contract 50-09 (K9-051), Parks & Parking System Improvements, O & M Excavating & Grading, Inc., contractor

Resolved, that retainage for Contract 50-09 (K9-051), Parks & Parking System Improvements, O & M Excavating & Grading, Inc., contractor, be reduced from \$10,246.53 to \$2,000.00.

Fiscal Note: Contract was approved by Resolution No. 09-1510 of July 21, 2009.

Sponsors: Aron Wisneski

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

Res.10-1790

Work be accepted and final payment authorized for Mound Cemetery New Crypt Design and Fountain Restoration, MekusTanager, consultant

Resolved, that the work be accepted and final payment authorized for Mound Cemetery New Crypt Design and Fountain Restoration, MekusTanager, contractor, for a total contract price of \$108,672.31 from Account 207.002.5760, Mound Crypts.

Fiscal Note: Funds are available in Account 207.002.5760, Mound Crypts.

Sponsors: Aron Wisneski

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

Res.10-1791

Mayor and City Clerk be authorized and directed to enter into an amended agreement with the State of Wisconsin Dept. of Health Services for the Division of Public Health for the WIC Program for additional funding

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an amended agreement with the State of Wisconsin Department of Health Services for the Division of Public Health Contract, Grant Control No. 2006-049, to accept additional funding of \$17,656 to be utilized for the Women, Infants and Children (WIC) Program, for the budget period of January 1, 2010 through December 31, 2010.

Fiscal Note: No match required on the part of the City.

Sponsors: James T. Spangenberg

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

Res.10-1792

Mayor and City Clerk be authorized to sign amendments with the new 2010 rate to the Household Hazardous Waste Agreement with participating communities

Resolved, that the Mayor and the City Clerk be authorized and directed to sign amendments to the Racine Area Intergovernmental Household Hazardous Waste Program Agreement at the new 2010 rate with the following participating communities: Village of Elmwood Park, Village of North Bay, Village of Wind Point, Village of Caledonia, Village of Mt. Pleasant and Village of Sturtevant.

Fiscal Note: Reduce the annual fee on a per residential dwelling from \$4.00 per year to \$2.40 per year for the year 2010 and subsequent years.

Sponsors: James T. Spangenberg

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

Res.10-1793

Permission to waive formal bidding procedures and authorize Purchasing Agent to negotiate purchase of a Video File Management Software System for the Police Department

Resolved, that being in the best interest of the City, formal bidding procedures be waived and that the Purchasing Agent be authorized to negotiate the purchase of a Video File Management Software System with the Tough Solutions Company.

Fiscal Note: Funds are available in Account 101.311.5770, Machinery & Equipment Outlay.

Sponsors: James T. Spangenberg

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

APPROVED.**Res.10-1794**

Mayor and City Clerk be authorized to enter into an agreement between the City of Racine and Racine County Economic Development Corporation to provide economic development assistance to the City

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement between the City of Racine and the Racine County Economic Development Corporation (RCEDC) to provide economic development assistance to the City, commencing on January 1, 2010 to December 31, 2010.

Further resolved, that \$69,400.00 from the Intergovernmental Revenue Sharing Fund be used for the renewal of the RCEDC Commercial Corridor Contract for 2010.

Fiscal Note: Funds are available in Account 919-000-5610, Professional Services-Commercial Corridors.

Sponsors: James T. Spangenberg

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

Res.10-1795

Mayor and City Clerk be authorized to enter into a 2010 Agreement with Racine County Economic Development Corporation for the Brownfield Redevelopment Program

Resolved, that the Mayor and City Clerk be authorized and directed to enter into a 2010 agreement with the Racine County Economic Development Corporation (RCEDC) for the Brownfield Redevelopment Program.

Fiscal Note: The assistance provided under the agreement will cost \$55,000, no increase from 2009. Funding is available from Intergovernmental Sewer Revenue Sharing Funds which are included in the 2010 CIP.

Sponsors: James T. Spangenberg

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

Res.10-1796

Lease with Friends of Seniors, Inc., for the property at 201 Goold Street be renewed for 24 months

Resolved, that the lease with Friends of Seniors, Inc., for the property at 201 Goold Street be renewed for the 24 month period from June 1, 2010 through May 31, 2012 under the same terms and conditions as the current lease expiring May 31, 2010.

Fiscal Note: The City will forgo the lease rate increase that other City

tenants are paying. The annual rate will continue to be \$20,000 per year.

Sponsors: James T. Spangenberg

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

Res.10-1797

Permission to close Hamilton Street for Thoughts for Food Fundraiser contingent on stipulations

Resolved, that the owner of George's Tavern be granted permission to close Hamilton Street from Main Street to Chatham Street, from 6:00 p.m., Saturday, March 6, 2010 to 2:00 a.m., Sunday, March 7, 2010, in conjunction with the Thoughts for Food Fundraiser, 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. No alcoholic beverages will be sold and/or dispensed within the street right-of-way;
- F. In the event of snow, the sponsor shall remove all barricades from the street;
- G. Sponsor shall be responsible for all detour signage during the event;
- H. 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 to various city departments, on a regular shift basis, to assist in implementing this event.

Sponsors: Gregory Holding

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

Res.10-1798

Mayor and City Clerk be authorized to enter into an agreement with the City of Racine Wastewater Utility for alterations to the Lathrop Avenue Storm Sewer

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with the City of Racine Wastewater Utility for the installation of a 30" sanitary interceptor sewer, which conflicts with a 60" storm sewer, with the following stipulations:

- A. The Racine Wastewater Utility will be responsible for all construction associated with the sanitary interceptor sewer installation and

modifications to the storm sewer.

B. The Racine Wastewater Utility provide as-built drawings of the completed work to the City of Racine.

C. The Racine Wastewater Utility shall reimburse the Racine Stormwater Utility and the City of Racine for any and all costs associated with future maintenance, repairs or reconstruction due to the location of the 30" sanitary interceptor sewer pipe.

Fiscal Note: There will be no cost to the City of Racine by approving the installation of the sanitary interceptor sewer as required.

Sponsors: Gregory Holding

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

Res.10-1799

Amendment No. 4 to Contract 14-09 (K9-014), Design of Parks Pavement Project, Nielsen Madsen & Barber, S.C., consultant, be approved

Resolved, that Amendment No. 4 to Contract 14-09 (K9-014), Design of Parks Pavement Project, Nielsen Madsen & Barber, S.C., consultant, as submitted, be approved in the amount of \$4,359.47.

Further resolved, that funding to defray the cost of these professional services be appropriated from Account 988.700.5020, Lincoln Parking Lot Asphalt.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Gregory Holding

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

Res.10-1800

Professional services provided by Kapur & Associates under Contract 66-03 (K3-079), Environmental Conditions Summary at Walker Site, be approved and final payment authorized

Resolved, that the professional services provided by Kapur & Associates, Inc. under Contract 66-03 (K3-079), Professional Services - Environmental Conditions Summary at Walker Site, be accepted and final payment authorized for a total contract amount of \$15,000.00.

Fiscal Note: Contract was authorized under Resolution No. 5624, dated November 18, 2003.

Sponsors: Gregory Holding

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

Res.10-1801

Professional services provided by Sigma Environmental Services under Contract 52-05 (K5-059), Citywide Brownfield Assessment (ERA Grant), be approved and final payment authorized

Resolved, that the professional services provided by Sigma Environmental Services under Contract 52-05 (K5-059), Citywide Brownfield Assessment (ERA Grant), be accepted and final payment authorized for a total contract amount of \$112,350.00.

Fiscal Note: Contract was authorized under Resolution No. 6598, dated August 2, 2005.

Sponsors: Gregory Holding

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

Res.10-1802

Professional services provided by Isthmus Architecture, Inc. under Contract 45-05 (K5-052), Construction Inspection Services for Railroad Depot Restoration, be approved and final payment authorized

Resolved, that the professional services provided by Isthmus Architecture, Inc. under Contract 45-05 (K5-052), Construction Inspection Services for Railroad Depot Restoration, be accepted and final payment authorized for a total contract amount of \$20,963.00.

Fiscal Note: Contract was authorized under Resolution No. 6539, dated June 21, 2005.

Sponsors: Gregory Holding

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

Res.10-1803

Professional services provided by HNTB under Contract 3-07 (K7-003), Central Heating Plant Repairs, be approved and final payment authorized

Resolved, that the professional services provided by HNTB under Contract 3-07 (K7-003), Professional Services - Central Heating Plant Repairs, be accepted and final payment authorized for a total contract amount of \$29,346.88.

Fiscal Note: Contract was authorized under Resolution No. 06-7358, dated December 19, 2006.

Sponsors: Gregory Holding

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

Res.10-1804

Professional services provided by HNTB under Contract 23-07 (K7-027), State Street Bridge Sidewalk Repairs, be approved and final payment authorized

Resolved, that the professional services provided by HNTB under Contract 23-07 (K7-027), Professional Services - State Street Bridge Sidewalk Repairs, be accepted and final payment authorized for a total contract amount of \$32,133.73.

Fiscal Note: Contract was authorized under Resolution No. 07-0083, dated February 21, 2007.

Sponsors: Gregory Holding

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

Res.10-1805

Professional services provided by ARC Architectural Group, LLC under Contract 36-07 (K7-042), City Hall Renovations, Phase II, be approved and final payment authorized

Resolved, that the professional services provided by ARC Architectural Group, LLC under Contract 36-07 (K7-042), Professional Services - City Hall Renovations, Phase II, be accepted and final payment authorized for a total contract amount of \$85,480.00.

Fiscal Note: Contract was authorized under Resolution No. 07-0169, dated April 16, 2007.

Sponsors: Gregory Holding

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

Res.10-1806

Professional services provided by Maron Structure Technologies under Contract 54-08 (K8-064), Design Maintenance Agreement and Review Phone System, be approved and final payment authorized

Resolved, that the professional services provided by Maron Structure Technologies under Contract 54-08 (K8-064), Professional Services - Design Maintenance Agreement and Review Phone System, be accepted and final payment authorized for a total contract amount of \$9,000.00.

Fiscal Note: Contract was authorized under Resolution No. 08-0975, dated August 19, 2008.

Sponsors: Gregory Holding

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

Res.10-1807

Work done by Green Bay Pipe & TV under Contract 19-09 (K9-020), CCTV Services and Manhole Inspection, be approved and final payment authorized

Resolved, that the work done by Green Bay Pipe & TV under Contract

19-09 (K9-020), CCTV Services and Manhole Inspection, be accepted and final payment authorized for a total contract amount of \$291,293.82.

Fiscal Note: Contract was authorized under Resolution No. 09-1315, dated April 8, 2009.

Sponsors: Gregory Holding

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

Res.10-1808

Work done by A.W. Oakes & Son, Inc., under Contract 22-09 (K9-023), 2009 Alley Paving, be approved and final payment authorized

Resolved, that the work done by A.W. Oakes & Son, Inc., under Contract 22-09 (K9-023), 2009 Alley Paving, be accepted and final payment authorized for a total contract amount of \$306,194.04.

Fiscal Note: Contract was authorized under Resolution No. 09-1404, dated May 19, 2009.

Sponsors: Gregory Holding

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

Res.10-1809

Work done by Stark Asphalt under Contract 24-09 (K9-025), Curb & Gutter Replacement, be approved and final payment authorized

Resolved, that the work done by Stark Asphalt under Contract 24-09 (K9-025), Curb & Gutter Replacement, be accepted and final payment authorized for a total contract amount of \$163,988.87.

Fiscal Note: Contract was authorized under Resolution No. 09-1392, dated May 6, 2009.

Sponsors: Gregory Holding

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

Res.10-1810

Change Order No. 3 on Contract 9-09 (K9-009), 2009 Concrete Street Reconstruction (R1), LaLonde Contractors, Inc., be approved

Resolved, that Change Order No. 3 on Contract 9-09 (K9-009), 2009 Concrete Street Reconstruction (R1), LaLonde Contractors, contractor, be approved in the amount of \$41,043.06.

Further resolved, that funding to defray the cost of this change order be appropriated from the following accounts:

\$26,722.00 - Account 989.907.5320, Sanitary Sewer Const. State Street
\$ 2,149.96 - Account 989.600.5010, Traffic Signal Replacements

\$12,171.10 - Account 104.900.5420, Storm Sewer, Misc. Locations
\$41,043.06 - Total

Fiscal Note: Funds are available as herein delineated.

Sponsors: Gregory Holding

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

Res.10-1811

Work done by LaLonde Contractors, Inc., under Contract 9-09 (K9-009), 2009 Concrete Street Reconstruction (R1), be approved and final payment authorized

Resolved, that the work done by LaLonde Contractors, Inc., under Contract 9-09 (K9-009), 2009 Concrete Street Reconstruction (R1), be accepted and final payment authorized for a total contract amount of \$1,820,853.91.

Fiscal Note: Contract was authorized under Resolution No. 09-1313, dated April 8, 2009.

Sponsors: Gregory Holding

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

Res.10-1812

Amendment No. 2 to Contract 41-09 (K9-042), Professional Services - WisDOT Economic Recovery Stage 2 Applications, Nielsen Madsen & Barber, consultant, be approved

Resolved, that Amendment No. 2 to Contract 41-09 (K9-042), Professional Services - WisDOT Economic Recovery Stage 2 Applications, Nielsen Madsen & Barber, consultant, as submitted, be approved in the amount of \$3,225.50.

Further resolved, that funding to defray the cost of these professional services be appropriated from Account 101.590.5610, Professional Services - Street Lighting.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Gregory Holding

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

Res.10-1813

Professional services provided by Nielsen Madsen & Barber under Contract 41-09 (K9-042), WisDOT Economic Recovery Stage 2 Applications, be approved and final payment authorized

Resolved, that the professional services provided by Nielsen Madsen & Barber under Contract 41-09 (K9-042), Professional Services - WisDOT

Economic Recovery Stage 2 Applications, be accepted and final payment authorized for a total contract amount of \$126,526.87.

Fiscal Note: Contract was authorized under Resolution No. 09-1321, dated April 8, 2009.

Sponsors: Gregory Holding

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

Res.10-1814

Formal bidding procedures be waived and Purchasing Agent be authorized to negotiate with Miller-Bradford and Risberg, Inc., for the purchase of a wheel loader vehicle

Resolved, that being in the best interest of the City, formal bidding procedures be waived for the purchase of a Case 621 Wheel Loader, for the purposes of inventory management and ease of maintenance benefits.

Further resolved, that the Purchasing Agent be authorized and directed to negotiate with Miller-Bradford and Risberg, Inc., for the purchase of the Case wheel loader.

Fiscal Note: The estimated cost of this equipment is \$172,000.00 with funding available in the 2010 budget.

Sponsors: Gregory Holding

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

Res.10-1815

Mayor and City Clerk be authorized to enter into a professional services agreement with Industrial Roofing Services, Inc., for Exterior Restoration and Window Replacement Specifications for Various Facilities

Resolved, that the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with Industrial Roofing Services, Inc., for Exterior Restoration and Window Replacement Specifications at Various Facilities, at a price not-to-exceed \$25,450.00.

Further resolved, that funds to defray the cost of these professional services be appropriated from the following accounts:

\$11,750.00 - Account 989.100.5020, City Hall Tuckpointing
\$ 4,200.00 - Account 990.410.5010, Solid Waste Garage Tuckpointing
\$ 7,000.00 - Account 108.990.5510 Memorial Hall Tuckpointing
\$ 2,500.00 - Account 108.990.5520, Memorial Hall Window Replacement
\$25,450.00 - Total

Fiscal Note: Funds are available as herein delineated.

Sponsors: Gregory Holding

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

Res.10-1816

Mayor and City Clerk be authorized to enter into a professional services agreement for the Design and Review of the Festival Hall Retaining Wall, Arnold & O'Sheridan, Inc., consultants

Resolved, that the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with Arnold & O'Sheridan, Inc., for Design and Review of the Festival Hall Retaining Wall, at a price not-to-exceed \$16,500.00.

Further resolved, that funds to defray the cost of these professional services be appropriated from Account 101.990.5010, Festival Hall Retaining Wall.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Gregory Holding

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

Res.10-1817

Mayor and City Clerk be authorized to enter into a professional services agreement with AECOM Technical Services for 2010 Sewer Management Services

Resolved, that the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with AECOM Technical Services for 2010 Sewer Management Services, at a price not-to-exceed \$58,450.00.

Further resolved, that funds to defray the cost of these professional services be appropriated from the following accounts:

\$29,225.00 - Account 104.990.5420, Storm Sewer, Misc. Loc.
\$29,225.00 - Account 287.990.5310, Sanitary Sewer, Var. Loc.
\$58,450.00 - Total

Fiscal Note: Funds are available as herein delineated.

Sponsors: Gregory Holding

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

Res.10-1818

Amendment No. 2 to State Contract ID: 2290-11-00, Northwestern Avenue from Golf Avenue to Rapids Drive, Strand Associates, consultant, be approved

Resolved, that Amendment No. 2 to State Contract ID: 2290-11-00, Northwestern Avenue from Golf Avenue to Rapids Drive, Strand

Associates, consultant, be approved in the amount of \$2,064.80, with the City's share being 20%, or \$412.96.

Further resolved, that funding to defray the cost of the City's share of these professional services be appropriated from Account 988.908.5030, Northwestern - Golf to City Limits.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Gregory Holding

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

Res.10-1819

Change Order No. 1 on Contract 63-09 (K9-064), 2009 LED Street Lights, EECEBG, Spectrum Lighting, Ltd., contractor, be approved

Resolved, that Change Order No. 1 on Contract 63-09 (K9-64), 2009 LED Street Lights, EECEBG, Spectrum Lighting, Ltd., contractor, be approved in the amount of \$45,720.00.

Further resolved, that funding to defray the cost of this change order be appropriated from Account 282.020.5350, LED Street Lights.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Gregory Holding

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

Res.10-1820

Mayor and City Clerk be authorized to enter into an agreement with the Villages of Elmwood Park and Wind Point to provide Level 1 Health Services to the Villages

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with the Villages of Elmwood Park and Wind Point to provide Level 1 Health Services from January 1, 2010 through December 31, 2010.

Fiscal Note: There is a 10% increase from last year.

Sponsors: Robert Mozol

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

Res.10-1822

Approval of Neighborhood Housing Services of Southeast Wisconsin revision of their 2009 Community Development Block Grant Program Budget

Resolved, that the request of Neighborhood Housing Services of Southeast Wisconsin to revise their 2009 Community Development Block

Grant (CDBG) Program Budget be approved.

Fiscal Note: There is no effect on the amount of funds allocated.

Sponsors: Q.A. Shakoor, II

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

Res.10-1823

Approval of Anti-Displacement and Relocation Plan for HUD Assisted Projects per HUD requirements

Resolved, that the Anti-Displacement and Relocation Plan for HUD-Assisted Projects be approved as presented.

Fiscal Note: N/A

Sponsors: Q.A. Shakoor, II

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

Res.10-1824

Request from Robert Hacker of Bauer Sign Company representing Culvers Restaurant seeking a minor amendment to a Conditional Use Permit to update an electronic message sign at 5801 - 21st Street be approved

Resolved, that the request from Robert Hacker of Bauer Sign Company representing Culvers Restaurant seeking a minor amendment to a Conditional Use Permit to update an electronic message sign at 5801 - 21st Street be approved, subject to the following conditions:

- a. That the sign design and location indicated in the plans as presented to the Plan Commission on January 13, 2010 be approved subject to the conditions as outlined herein.
- b. That Section 114-1033, Electronic Message Signs, of the Zoning Ordinance, be complied with that the sign be allowed to be illuminated with red L.E.D.'s.
- c. That all other codes and ordinances be complied with and required permits acquired.
- d. That no minor changes be made without approval of the plan Commission and no major changes be made without the approval of the Common Council.
- e. That this permit is subject to Plan Commission review for compliance with the listed conditions.
- f. That this approval is subject to the concurrence of the Wisconsin Department of Transportation.

Fiscal Note: N/A

Sponsors: Gregory Holding

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

Res.10-1825

Certified Survey Map (CSM) for Rainmaker Inv. LLC for the property at 2834 West Lawn Avenue be approved

Resolved, that the Certified Survey Map (CSM) for Rainmaker Inv., LLC, for the property located at 2834 West Lawn Avenue is approved, subject to the following conditions:

- a. That by this approval, a variance is granted to the Racine Municipal Code, Section 86-152(b), a authorized by Section 86-116, to allow access to a public street from Parcel 2 by way of an access easement in consideration of appropriate land use planning and considering that a extraordinary hardship would result, were the access easement(s) not approved.
- b. That access to West Lawn Avenue from Parcel 2 be limited to a maximum vehicle weight of 6,000 pounds and the CSM be amended to illustrate such a prohibition.
- c. That the prior to City signature, the following shall accomplished:
 1. The processing fee of \$150 be paid to the Department of City Development.
 2. Resolve all technical discrepancies as identified by City Staff.

Fiscal Note: N/A

Sponsors: Gregory Holding

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

Res.10-1826

Approval of Lease Agreement between City of Racine and the Wisconsin Consolidated Sports Association, Ltd. for use of baseball diamonds at Humble Park

Resolved, that the Lease Agreement between the City of Racine and the Wisconsin Consolidated Sports Association, Ltd. for use of baseball diamonds at Humble Park for a two year term be approved subject to the terms as outlined in the agreement.

Fiscal Note: N/A

Sponsors: Terry McCarthy

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

Res.10-1827

Preliminary - Ten (10) Year

Benefits and Damages

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

The west side of West Boulevard from 15th 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: Gregory Holding

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

Council Action

A motion was made that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

AYES: 15 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, McCarthy, DeHahn, Shakoor, II, Holding, Wisneski, Spangenberg, Hart, Mozol and Stein

Resolutions

Res.10-1821

Approval of 2010 Community Development Block Grant (CDBG) Funding Allocation and appropriate city officials be authorized to execute all necessary documents

Resolved, that the 2010 Community Development Block Grant (CDBG) funds be allocated as shown on the attachment.

Further resolved, that any funds in excess of those allocated be placed in the Local Option Fund and that any funding shortfall be compensated from the Local Option Fund.

Further resolved, that the appropriate city officials be authorized and directed to execute the appropriate documents to secure the grant funding.

Further resolved, that the appropriate city officials be authorized to execute third-party agreements with agencies and organizations approved for use of the funds.

Fiscal Note: A grant award of \$2,100,000 is expected.

Sponsors: Q.A. Shakoor, II

Alderman Maack made a motion that 10-1821 should be adopted as amended.

A motion was made by Alderman Maack that this Resolution be Adopted as amended. The motion was APPROVED by the following vote:

AYES: 9 - Anderson, Shields, Kaplan, McCarthy, DeHahn, Wisneski, Spangenberg, Hart and Stein

NOES: 5 - Coe, Maack, Weidner, Holding and Mozol

NON VOTING: 1 - Shakoor, II

Res.10-1828

Whereas, the Common Council has gone on record as being opposed to the proliferation of establishments selling alcohol in the City of Racine inasmuch as an overabundance of said establishments is detrimental to the health, safety and welfare of its citizenry; and

Whereas, the State of Wisconsin sets the limit of "Class B" establishments for the City of Racine, but permits the City to exceed said number via a reserve "Class B" liquor license with a fee of

\$10,000; and

Whereas, the City's policy, pursuant to Resolution 1685 of May 26, 1998, has been to rebate \$9,500.00 of the reserve fee upon the opening of the licensed establishment.

Now, therefore, be it resolved to repeal Resolution 1685 of May 26, 1998 and to establish a policy which does not rebate any portion of the reserve "Class B" liquor license fee.

Fiscal Note: N/A

Sponsors: Gregory Holding

A motion was made by Alderman Aron Wisneski that this be Adopted. The motion PASSED by the following vote:

AYES: 9 - Maack, Weidner, McCarthy, DeHahn, Shakoor, II, Holding, Wisneski, Hart and Stein

NOES: 6 - Coe, Anderson, Shields, Kaplan, Spangenberg and Mozol

H. Ordinances

Ord.2-10

Ordinance No. 2-10

To create Section 94-22 of the Municipal Code of the City of Racine, Wisconsin relating to Traffic and vehicles - Disorderly conduct with a motor vehicle.

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

Part 1:

Section 94-22 of the Municipal Code of the City of Racine is hereby created to read as follows:

"Section 94-22. Disorderly conduct with a motor vehicle.

No person shall, within the City of Racine, on public or private property, by or through the use of a motor vehicle, motorcycle, snowmobile, minibike, ATV or any other motorized vehicle, engage in violent, dangerous, abusive, unreasonably loud or otherwise disorderly conduct, including but not limited to unnecessary or deliberate or intentional: spinning of wheels, squealing of tires, revving of the engine, blowing of the horn, causing the engine to backfire, causing excessive or sudden veering or acceleration, causing the vehicle, while commencing to move or in motion, to raise one or more of its wheels off the ground, or causing the vehicle to otherwise be operated in an erratic or dangerous manner under circumstances which tend to cause or provoke a disturbance."

Part 2:

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

Passed by the Common Council:

Approved: _____

Mayor

Attest:

City Clerk

Fiscal Note: N/A

Sponsors: Robert Mozol

Referred to Public Safety and Licensing Committee

Ord.1-10

Ordinance 1-10

To repeal and recreate Sec. 6-59(b) and amend Secs. 6-59(c) and (d) of the Municipal Code of the City of Racine, Wisconsin relating to Alcoholic beverages - Grant of conditional license.

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

Part 1:

Sec. 6-59(b) of the Municipal Code of the City of Racine is hereby repealed and recreated to read as follows:

“(b) The Common Council, in making such a conditional grant of a license, may direct the city clerk to withhold the issuance of the license for such time, not to exceed nine (9) months, as the common council deems a reasonable period for completion of such work in conformity with all such representations made to the common council, and/or completion of the renovation.

During such period of time as the referenced work is being completed, the applicant must provide bi-monthly written progress reports to the city clerk.

Upon written request of the applicant to the Public Safety and Licensing Committee, this period may be extended for an additional period not to exceed six (6) months, and the license may be renewed one time with issuance withheld, but no such extension shall be granted unless the applicant has already completed a substantial portion of the construction or renovation of the premises with the original time set by the common council for withholding of the issuance of the license pending completion of the work. The applicant shall notify the city clerk upon completion of the work, after which the clerk shall cause such inspection of the premises as is deemed

appropriate to ascertain that the premises is in conformity with all material representations made to the common council at the time of the granting of the license. Upon satisfactory completion of the work, the Public Safety and Licensing Committee may direct the city clerk to issue the license.”

Part 2:

Sec. 6-59(c) of the Municipal Code of the City of Racine is hereby amended by inserting in the first line after the words “Common Council,” the phrase “and/or the Public Safety and Licensing Committee.”

Part 3:

Sec. 6-59(d) of the Municipal Code of the City of Racine is hereby amended by inserting in the last line after the words “allotted time,” the phrase “or failure to meet other requirements herein,” ...

Part 4:

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

Passed by the Common Council:

Approved: _____

Mayor

Attest:

City Clerk

Fiscal Note: N/A

Sponsors: Aron Wisneski

Referred to Public Safety and Licensing Committee

I. Miscellaneous Business

Alderman Coe reminded everyone of the benefit for Dan DeMatthews to be held on Sunday January 24th at Roma Lodge.

J. Adjourn

The meeting was adjourned at 8:58 pm by Alderman Hart. The next scheduled meeting of the Council is Tuesday February 2nd, 2010.

ATTEST: JANICE M. JOHNSON-MARTIN
CITY CLERK