



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 Mollie Jones, Alderman Michael Shields,
Alderman Jim Kaplan, Alderman Steve Smetana,
Alderman Sandy Weidner,
Alderman Raymond DeHahn,
Alderman Q.A. Shakoor II,
Alderman Terry McCarthy, Alderman Dennis Wisner,
Alderman Mary Land, Alderman Henry Perez,
Alderman James Morgenroth,
Alderman Ronald Hart, Alderman Melissa Lemke*

Wednesday, April 6, 2016

7:00 PM

City Hall, Room 205

Wednesday due to election

A. Call To Order

PRESENT: 15 - Coe, Jones, Shields, Kaplan, Smetana, Weidner, DeHahn, Shakoor II, McCarthy, Wisner, Land, Perez, Morgenroth, Hart and Lemke

B. Pledge of Allegiance To The Flag

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

C. Approval of Journal of Council Proceedings (Minutes)

A motion made by Alderman Wisner, seconded by Alderman Shakoor II, that this be Adopted. The motion PASSED by the following vote:

AYES: 15 - Coe, Jones, Shields, Kaplan, Smetana, Weidner, DeHahn, Shakoor II, McCarthy, Wisner, Land, Perez, Morgenroth, Hart and Lemke

D. Public Comments

*The following people appeared to speak before the Common Council:
Ken Brown
Aldexter Hamilton
Brian Stevens
George Meyers*

E. Communications

Refer to Finance and Personnel Committee, by Ald. Shakoor

[0224-16](#)

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting permission to apply for \$35,000 in grant funds from the NRPA/Walmart Foundation to support the food service

program at the Dr. John Bryant Community Center, Dr. Martin Luther King Community Center and the Tyler Domer Community Center. No Match Required. Grant Control #00088. (Res No. 0127-16)

Recommendation of the Finance & Personnel Committee on 4/11/16: The Grant permission to apply for \$35,000.00 in grant funds from the NRPA/Walmart Foundation to support the food service program at the Dr. John Bryant Community Center, Dr. Martin Luther King Community Center and the Tyler Domer Community Center.

Fiscal Note: This grant does not require a match of funds. Grant #00088.

Referred to the Finance and Personnel Committee.

[0233-16](#)

Subject: Communication from Chief Howell requesting to appear before the appropriate committee to discuss the Racine Police Department applying for and accepting the Wisconsin Department of Transportation's 2016 Seat Belt grant. (Res No. 0128-16)

Recommendation of the Finance & Personnel Committee on 4/11/16: Grant permission to accept the Wisconsin Department of Transportation 2016 Seat Belt Grant. The grant is in the amount of \$45,000.00, with a 25% soft match of \$11,250.

Fiscal Note: The grant requires a 25% soft match of \$11,250. Grant Control number 00087

Referred to the Finance and Personnel Committee.

[0247-16](#)

Subject: Communication from the Purchasing Agent submitting bid results on Official Notice #4-2016, for one (1) 5,000 pound compact, cushion tire forklift. (Res No. 0119-16)

Recommendation of the Finance & Personnel Committee on 4/11/16: To award to Badger Toyota Lift at their bid price of \$23,689, they being the lowest responsive, responsible bidder.

Fiscal Note: Funds for this purchase are available in account 45150 57300, Parks Department Equipment.

Referred to the Finance and Personnel Committee.

[0248-16](#)

Subject: Communication from the Purchasing Agent submitting bids for Official Notice #5-2016, Eotech Night Vision & Thermal Imaging Devices. (Res No. 0118-16)

Recommendation of the Finance & Personnel Committee on

4/11/16: To award to Advantage Police Supply at their bid price of \$31,421, they being the lowest responsive, responsible bidder.

Fiscal Note: Funds for this purchase are available in account 20307 57300 31016 JAG grant (\$16,500) and 13101 53230 (\$14,921), Police Department Small Equipment 57300, Police Department Equipment.

Referred to the Finance and Personnel Committee.

[0249-16](#)

Subject: Communication from the Purchasing Agent submitting bid results on Official Notice #6-2016, for (10) cases of TreeAge. (Res No. 0120-16)

Recommendation of the Finance & Personnel Committee on 4/11/16: To award to Midwest Arborist at their bid price of \$39,520, they being the lowest responsive, responsible bidder.

Fiscal Note: Funds for this purchase are available in account 45150 57110, Parks Department Land Improvements

Referred to the Finance and Personnel Committee.

[0251-16](#)

Subject: Communication from the Purchasing Agent submitting bids for Official Notice #7-2016, Forestry Maintenance Contract for the golf courses, cemeteries and Wustum Museum. (Res No. 0121-16)

Recommendation of the Finance & Personnel Committee on 4/11/16: To award to Asplundh Tree Expert Company at their bid price as attached, they being the lowest responsive, responsible bidder.

Fiscal Note: Funds for the purchase are available in account 45150 57110, Parks Department Land Improvements.

Referred to the Finance and Personnel Committee.

[0278-16](#)

Subject: Communication from the Finance Director requesting City Council acknowledgement and endorsement of payment mandated by Racine County Circuit Court Branch 1. Money Judgment: 30301, dated February 4, 2016, in Case Number 10-CV-1235; Racine Joint Venture II LLC. vs. City of Racine, for refunds of 2009-2011 Real Estate Property Taxes, costs and interest totaling \$440,284.20. (Res No. 0129-16)

Recommendation of the Finance & Personnel Committee on 4/11/16: Recommend that Racine County Circuit Court Money

Judgement Number 30301 of February 4, 2016 in Case Number 10-CV-1235, Racine Joint Venture II, LLC vs. City of Racine, in the amount of \$440,284.20 be paid.

Further recommend that \$225,000 from account 11202-56200 Contingency, \$168,500 from account 11201-51500 Sick Leave Payout, and \$66,500 from account 11201-51020 Unemployment Compensation, for a total of \$460,000, be transferred to account 11202-53420 Misc. RE and PP Taxes Cancelled in the 2015 Budget.

Fiscal Note: There are sufficient funds available for the transfer and payment.

Referred to the Finance and Personnel Committee.

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

[0238-16](#)

Subject: Communication from the President of Fourth Fest of Greater Racine, Inc. requesting permission to use City right-of-way for the 4th of July parade and permission to use North Beach for the fireworks. (Res No. 0132-16)

Recommendation of the Public Works and Services Committee on 04-12-16: That permission be granted to Fourth Fest of Greater Racine, Inc. to close certain City streets on Monday, July 4, 2016, from 7:00 A.M. to 12:30 P.M., to hold the 2016 Independence Day Parade.

Further recommends that in the interest of public safety, the Commissioner of Public Works, City Engineer and Chief of Police be authorized and directed to close the following streets:

Main Street from Shoreland Drive to 14th Street; 14th Street from the lake to Racine Street; Michigan Boulevard from Goold Street to St. Patrick Street; Ruby Avenue from South Street to Shoreland Drive; Walton Avenue, Romaine Avenue, Augusta Street, Wolff Street, William Street, Isabelle Avenue and Melvin Avenue from Main Street to Geneva Street.

Further recommends that the Commissioner of Public Works be authorized and directed to communicate with the U.S. Coast Guard requesting permission to close the Main Street and State Street bridges to boat traffic for the period from 7:45 A.M. to 11:30 A.M. and from 9:30 P.M. to 10:30 P.M.

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: Since the City is a co-sponsor of this event, there are no stipulations.

Referred to Public Works and Services Committee.

[0239-16](#)

Subject: Change Order No. 1 on Contract 20150048, HVAC Upgrades - Solid Waste Garage, Martin Peterson Co., Inc., contractor. (Res No. 0138-16)

Recommendation of the Public Works and Services Committee on 04-12-16: That Change Order No. 1 on Contract 20150048, HVAC Upgrades - Solid Waste Garage, Martin Peterson Co., Inc., contractor, as submitted, be approved in the amount of \$14,185.00.

Further recommends that funding to defray the cost of the change order be appropriated from the Org-Object 45040-57200, Solid Waste Garage - HVAC.

Fiscal Note: Funds are available as herein delineated.

Referred to Public Works and Services Committee.

[0240-16](#)

Subject: Tristin Erickson (5K Events) requesting permission to use City right-of-way on July 23, 2016 for the Get Lei'd 5K Run/Walk. (Res No. 0134-16)

Recommendation of the Public Works and Services Committee on 04-12-16: That Tristin Erickson (5K Events) be granted permission to use City right-of-way on July 23, 2016, for the Get Lei'd 5K Run/Walk event with the following stipulations:

- A. A hold harmless agreement be executed and a \$75.00 processing fee paid.
- B. A liability insurance certificate be filed prior to this event.
- C. Any overtime costs incurred by any City department be charged to the sponsor.
- D. The sponsor shall notify all abutting property owners seventy-two (72) hours in advance of this event.
- E. If required, sponsor shall be responsible for submitting a Temporary Traffic Control Plan to the Engineering Department for approval, and providing and removing all temporary traffic control devices and detour signs.
- F. If required, sponsor shall provide a detour plan for the closure of all State Connecting Highways, arterial and collector streets to the City Engineer for approval.
- G. Sponsor is responsible for cleaning the streets.
- H. If required, sponsor shall install parking meter hoods or temporary

parking signs at least twenty-four (24) hours in advance of the event, and if this is not done, sponsor is responsible for vehicle towing and parking violation expenses of the violators.

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

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

Referred to Public Works and Services Committee.

[0241-16](#)

Subject: Tristin Erickson (5K Events) requesting permission to use City right-of-way on September 3, 2016 for the Bacon 5Kegs Run/Walk. (Res No. 0133-16)

Recommendation of the Public Works and Services Committee on 04-12-16: That Tristin Erickson (5K Events) be granted permission to use City right-of-way on September 3, 2016, for the Bacon 5Kegs Run/Walk event with the following stipulations:

- A. A hold harmless agreement be executed and a \$75.00 processing fee paid.
- B. A liability insurance certificate be filed prior to this event.
- C. Any overtime costs incurred by any City department be charged to the sponsor.
- D. The sponsor shall notify all abutting property owners seventy-two (72) hours in advance of this event.
- E. If required, sponsor shall be responsible for submitting a Temporary Traffic Control Plan to the Engineering Department for approval, and providing and removing all temporary traffic control devices and detour signs.
- F. If required, sponsor shall provide a detour plan for the closure of all State Connecting Highways, arterial and collector streets to the City Engineer for approval.
- G. Sponsor is responsible for cleaning the streets.
- H. If required, sponsor shall install parking meter hoods or temporary parking signs at least twenty-four (24) hours in advance of the event, and if this is not done, sponsor is responsible for vehicle towing and parking violation expenses of the violators.

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

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

Referred to Public Works and Services Committee.

[0271-16](#)

Subject: Communication from the Racine Director of the Ragnar Relay Chicago 2016 race requesting permission to use City right-of-way on June 10 - 11, 2016. (Res No. 0136-16)

Recommendation of the Public Works and Services Committee on 04-12-16: Permission be granted to the sponsor of the Ragnar Relay Chicago 2016 Race to use certain City streets for the period of 8:00 P.M. Friday, June 10, 2016 to 10:00 A.M. on Saturday, June 11, 2016, and to use City right-of-way (sidewalks and parking lanes) along the following streets:

Start at Main St. and Three Mile Rd. (City limits)
South on Main St. to Carlton Dr.
West on Carlton Dr. to Erie St.
South on Erie St. to Melvin Ave.
East on Melvin Ave. to Main St.
South on Main St. to Goold St.
East on Goold St. to Michigan Blvd.
South on Michigan Blvd. to Dodge St.
West on Dodge St. to Main St.
South on Main St. to 16th St.
West on 16th St. to Wisconsin Ave.
South on Wisconsin Ave. to 21st St.
West on 21st St. to Roosevelt Park Dr.
South on Roosevelt Park Dr. to 24th St.
West on 24th St. to Racine St.
South on Racine St. to Durand Ave. (this portion located in County)
West on Durand Ave. to West Blvd. (pick up trail through Elmwood Park)

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

- A. A hold harmless agreement be executed and a \$75.00 processing fee paid.
- B. A liability insurance certificate be filed prior to this event.
- C. Any overtime costs incurred by any City department be charged to the sponsor.
- D. The sponsor shall notify all abutting property owners seventy-two (72) hours in advance of this event.
- E. The sponsor shall pay a \$250 special event fee.
- F. If required, sponsor shall be responsible for submitting a Temporary Traffic Control Plan to the Engineering Department for approval, and providing and removing all temporary traffic control devices and detour signs.

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

H. Sponsor is responsible for cleaning the streets.

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

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

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

Referred to Public Works and Services Committee.

[0272-16](#)

Subject: Change Order No. 1 on Contract 20150034, Festival Hall Colonnade Roof Replacement, Cudahy Roofing and Supply, Inc., contractor. (Res No. 0139-16)

Recommendation of the Public Works and Services Committee on 04-12-16: That Change Order No. 1 on 20150034, Festival Hall Colonnade Roof Replacement, Cudahy Roofing and Supply, Inc., contractor, as submitted, be approved in the deduct amount of (\$3,310.00).

Further recommends that the funding account be adjusted by the following amount:

(\$3,310.00) - Org-Object 60622-57200, Festival Park Building Improvements
(\$3,310.00) - Total

Fiscal Note: Funds are available as herein delineated.

Referred to Public Works and Services Committee.

[0279-16](#)

Subject: Communication from the Assistant Commissioner of Public Works/City Engineer requesting a Resolution authorizing WisDOT permission to install any bike/pedestrian accommodations based on ACT 55 for State Project ID: 2440-09-00, Washington Avenue - Roosevelt Avenue to West Boulevard. (Res No. 0149-16)

Recommendation of the Public Works and Services Committee on

04-12-16: That the Mayor and Common Council pass a Resolution authorizing WisDOT permission to install any bike/pedestrian accommodations based on ACT 55 for State Project ID: 2440-09-00, Washington Avenue - Roosevelt Avenue to West Boulevard.

Fiscal Note: N/A

Referred to Public Works and Services Committee.

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

[0214-16](#)

Subject: (New) Application for a "CLASS B" Fermented Malt Beverage and Intoxicating Liquor License for Culinary Infusion Inc, 2219 Washington Ave, Kathleen Meyer, Agent. (3rd District).

Recommendation of the Public Safety and Licensing Committee on 04-12-16: That the Application for a "CLASS B" Fermented Malt Beverage and Intoxicating Liquor License for Culinary Infusion Inc, 2219 Washington Ave, Kathleen Meyer, Agent be approved.

Fiscal Note: N/A

Referred to Public Safety and Licensing Committee.

[0252-16](#)

Subject: Communication from the Municipal Judge and the City Attorney submitting the deposit schedule for violations Chapter 3 (Sex Offender Residency Restrictions), Chapter 6 (Alcoholic Beverages), Chapter 10 (Animals), Chapter 30 (Cemeteries), Chapter 42 (Environment), Chapter 66 (Offenses), and Chapter 94 (Traffic and Vehicles).

Recommendation of the Public Safety and Licensing Committee on 04-12-16: That the deposit schedule provided by the Municipal Judge and City Attorney be approved.

Fiscal Note: N/A

Referred to Public Safety and Licensing Committee.

[0277-16](#)

Subject: Communication from the Fire Chief requesting that the City enter into a hold harmless agreement with Willkomm Development LLP for fire department training. (Res No. 0151-16)

Recommendation of the Public Safety and Licensing Committee on 04-12-16: That the communication from Chief Hansen requesting that the City enter into a hold harmless agreement with Willkomm Development LLP for fire department training be approved.

Fiscal Note: N/A

Referred to Public Safety and Licensing Committee.

[0282-16](#)

Subject: (New) Application for a "CLASS A" Retail Fermented Malt Beverage and Intoxicating Liquor License for HP Mart Inc. (DBA) Durand Mart, 3900 Durand Ave, Vismay Chudasama, Agent. (11th District)

Recommendation of the Public Safety and Licensing Committee on 04-12-16: That the Application for a "CLASS A" Retail Fermented Malt Beverage and Intoxicating Liquor License for HP Mart Inc. (DBA) Durand Mart, 3900 Durand Ave, Vismay Chudasama, Agent be approved.

Fiscal Note: N/A

Referred to Public Safety and Licensing Committee.

[0283-16](#)

Subject: (New) Application for a CLASS "A" Retail Fermented Malt Beverage License for Amansaman LLC (DBA) Kwik Pantry Food Mart, 600 3 Mile, Balvir Singh, Agent. (15th District)

Recommendation of the Public Safety and Licensing Committee on 04-12-16: That the Application for a CLASS "A" Retail Fermented Malt Beverage License for Amansaman LLC (DBA) Kwik Pantry Food Mart, 600 3 Mile, Balvir Singh, Agent be approved.

Fiscal Note: N/A

Referred to Public Safety and Licensing Committee.

Refer to Traffic Commission, by Ald. Morgenroth

[0269-16](#)

Subject: Communication from the Alderman of the 9th District requesting a traffic study at the corner of Osborne, Blaine and Haven.

Referred to Traffic Commission.

Refer to Board of Health, by Ald. Kaplan

[0284-16](#)

Subject: Communication from the Public Health Administrator requesting permission to enter into a Cooperative Agreement between the United States Geological Survey and the City of Racine in the amount of \$29,603.35 for evaluation and restoration activities along Lake Michigan shoreline in Racine, Wisconsin. (Res No. 0126-16)

Recommendation of the Finance & Personnel Committee on 4/11/16: Grant permission to enter into a Cooperative Agreement (#G164C00046) between the United States Geological Survey and the

City of Racine, in the amount of \$29,603.35.

Fiscal Note: There is no match required of the City. Grant control number 00079.

Referred to Finance and Personnel Committee.

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

[0270-16](#)

Subject: Communication from Ragnar Relay requesting to utilize Pershing Park from 8:00 pm on Friday, June 10, 2016 through noon on Saturday, June 11, 2016 for the Ragnar Relay Chicago 2016. (Res No. 0155-16)

Recommendation of the Board of Parks, Recreation & Cultural Services on 4/13/16: To permit Ragnar Events, LLC to utilize Pershing Park from 8:00 p.m. on Friday, June 10, 2016 through noon on Saturday, June 11, 2016 for the 2016 Ragnar Relay Chicago pending submission of proper paperwork including insurance certificate and payment of park fees & charges.

Fiscal Note: Park Permit Fees & Charges as Applicable

Referred to Board of Parks, Recreation, and Cultural Services.

F. Committee Reports

Public Works and Services Committee Report, by Ald. Morgenroth

[0212-16](#)

Subject: Final Payment on Contract 43-14 (K4-043), PS - 2014 Illicit Discharge Detection & Elimination Program Support, AECOM, consultant. (Res No. 0109-16)

Recommendation of the Public Works and Services Committee on 03-29-16: That the work done by AECOM, under Contract 43-14 (K4-043), PS - 2014 Illicit Discharge Detection & Elimination Program Support, be accepted and final payment authorized for a total contract amount of \$19,988.30.

Fiscal Note: Contract was authorized under Resolution 14-0301, dated July 15, 2014.

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

[0219-16](#)

Subject: Revision 1 to State Municipal Agreement for State Project ID: 2703-00-02, West 6th Street Bridge Project. (Res No. 0108-16)

Recommendation of the Public Works and Services Committee on 03-29-16: That Revision 1 to State Municipal Agreement for State Project ID: 2703-00-02, West 6th Street Bridge Project, as submitted, be approved.

Fiscal Note: This is a no-cost revision. Funding to defray the cost of this revision is allocated in the 2015-2024 CIP Budget.

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

[0220-16](#)

Subject: Bid results on Contract 20160002, 2016 Concrete Street Reconstruction (R1). (Res No. 0106-16)

Recommendation of the Public Works and Services Committee on 03-29-16: That bids for Contract 20160002, 2016 Concrete Street Reconstruction (R1), be awarded to LaLonde Contractors, Inc. at their bid price of \$991,736.18, it being the lowest responsible bidder.

Further recommends that funds to defray the cost of this public works project be appropriated from the below Org-Objects:

\$187,141.40 - Org-Object 60484-57570, Storm Sewers
 \$664,415.96 - Org-Object 45040-57500, DPW Paving
 \$ 24,380.00 - Org-Object 22640-57560, Sanitary Sewers
 \$109,511.25 - Org-Object 45040-57530, DPW Traffic Control
 \$ 6,287.57 - Org-Object 45040-57515, DPW Sidewalks
 \$991,736.18 - Total

Fiscal Note: Funds are available as herein delineated.

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

[0237-16](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer submitting a professional services agreement from AECOM for Contract 20160023, PS - 2016 Pavement Inspection & Planning. (Res No. 0107-16)

Recommendation of the Public Works and Services Committee on 03-29-16: That the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with AECOM, on Contract 20160023, PS - 2016 Pavement Inspection & Planning, in the not-to-exceed amount of \$83,900.00.

Further recommends that funds to defray the cost of these professional services be appropriated from Org-Object 14002-52100,

Professional Services - Engineering.

Fiscal Note: Funds are available as herein delineated.

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

[0243-16](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations requesting to amend Resolution 0062-16, of March 1, 2016, to include the request to use the Civic Centre Ramp and Lakefront Lot No. 5 for The Color Run parking on May 28, 2016. (Res No. 0105-16)

Recommendation of the Public Works and Services Committee on 03-29-16: That Resolution 0062-16, of March 1, 2016, be amended to include the request to use the Civic Centre Ramp and Lakefront Lot No. 5 for The Color Run parking on May 28, 2016.

Fiscal Note: \$1,098 will be generated in revenue for the parking system.

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

[0245-16](#)

Subject: Change Order No. 2 on Contract 20150056, 2015 Storm Sewer Relay, A.W. Oakes & Sons, Inc., contractor. (Res No. 0110-16)

Recommendation of the Public Works and Services Committee on 03-29-16: That Change Order No. 2 on Contract 20150056, 2015 Storm Sewer Relay, A.W. Oakes & Sons, Inc., contractor, as submitted, be approved in the amount of \$47,587.00.

Further recommends that funding to defray the cost of the change order be appropriated from Org-Object 60484-57570, Storm Sewers.

Fiscal Note: Funds are available as herein delineated.

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

[0246-16](#)

Subject: Final Payment on Contract 20150056, 2015 Storm Sewer Relay, A.W. Oakes & Sons, Inc., contractor. (Res No. 0111-16)

Recommendation of the Public Works and Services Committee on 03-29-16: That the work done by A.W. Oakes & Sons, Inc., under Contract 20150056, 2015 Storm Sewer Relay, be accepted and final payment authorized for a total contract amount of \$237,731.50. Final Payment to include retainage.

Fiscal Note: Contract was authorized under Resolution 15-0354,

dated September 15, 2015.

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

[0254-16](#)

Subject: (Direct Referral) Communication from Abdel Jawad, Metro Wireless, LLC., requesting permission to place a sign over City right-of-way at 1639 Douglas Avenue. (Res No. 0104-16)

Recommendation of the Public Works and Services Committee on 03-29-16: That the property owner at 1639 Douglas Avenue (Metro Wireless, LLC.) is granted permission to install a stationary projecting sign, as requested, with the stipulation that a hold harmless agreement be executed and a \$150.00 processing fee paid, in accordance with the State Statute 66.0425, Privileges in Streets.

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

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

[0266-16](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works requesting to waive formal bidding procedures for the Sidewalk Inspection and Concrete Shaving Services. (Res No. 0112-16)

Recommendation of the Public Works and Services Committee on 03-29-16: The request of the Purchasing Agent to waive formal bidding procedures be approved in accordance with Racine Municipal Code Section 46-28 that allows for the waiving of formal public bids for purchase over \$25,000 for the purpose of maintaining uniformity of equipment and services.

Further recommends that the Purchasing Agent be authorized and directed to purchase and negotiate with Safe Step Incorporated, a franchisee of Precision Concrete Cutting, for the provision of visually inspecting portions of the City's sidewalk system to identify trip hazards as well as sections of sidewalk that should be removed/replaced or mud-jacked, and for the abatement of specific trip hazards on sidewalks via a proprietary angled saw-cutting technique to create sloped transitions meeting the Americans with Disabilities Act standards for the not-to-exceed price of \$150,000.00, they being the sole source provider of this service.

Fiscal Note: Funding to defray the cost of these services is available in Org-Object 45040-57515, DPW-Sidewalks.

Alderman Weidner requested that item 0266-16 be considered separately.

A motion was made that this Communication be Approved. The motion was

APPROVED.

Public Safety and Licensing Committee Report, by Ald. Coe

[0163-16](#)

Subject: Application of The Faccia Bella Club, Todd Anderson, Agent, for a Change of Agent for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 3422 Douglas Ave (7th District).

Recommendation of the Public Safety and Licensing Committee on 03-08-16: That the Application of The Faccia Bella Club, Todd Anderson, Agent, for a Change of Agent for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 3422 Douglas Ave be deferred as the new agent, Mr. Todd Anderson did not appear.

Recommendation of the Public Safety and Licensing Committee on 03-22-16: That the Application of The Faccia Bella Club, Todd Anderson, Agent, for a Change of Agent for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 3422 Douglas Ave be approved.

Fiscal Note: N/A

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

[0216-16](#)

Subject: Communication from Chief Howell requesting to appear before the appropriate committee to discuss the appointment of Humane Officers.

Recommendation of the Public Safety and Licensing Committee on 03-22-16: That the communication from Chief Howell requesting to appear before the appropriate committee to discuss the appointment of Humane Officers be approved.

Fiscal Note: N/A

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

[0217-16](#)

Subject:(Change of Agent) Application of Speedway #2089, Andrew C. Sheahan, Agent, for a Change of Agent for a Class "A" Retail Fermented Malt Beverage License for 4620 Washington Ave (12th District).

Recommendation of the Public Safety and Licensing Committee on 03-22-16: That the Application of Speedway #2089, Andrew C. Sheahan, Agent, for a Change of Agent for a Class "A" Retail Fermented Malt Beverage License for 4620 Washington Ave be

approved.

Fiscal Note: N/A

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

[0218-16](#)

Subject: Application of Piggly Wiggly 009, Joseph L. Novotny, Agent, for a Change of Agent for a "Class A" Retail Fermented Malt Beverage and Intoxicating Liquor License for 4011 Durand Ave.

Recommendation of the Public Safety and Licensing Committee on 03-22-16: That the Application of Piggly Wiggly 009, Joseph L. Novotny, Agent, for a Change of Agent for a "Class A" Retail Fermented Malt Beverage and Intoxicating Liquor License for 4011 Durand Ave be approved.

Fiscal Note: N/A

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

Traffic Commission Report, by Ald. Morgenroth

[0116-16](#)

Subject: Communication from Michelle Ortwein, Chairperson - Starving Artist Outdoor Fair, requesting the use of "Temporary No Parking" signs and requesting parking restrictions in conjunction with the Starving Artist Outdoor Fair, on Sunday, August 7, 2016.

Recommendation of the Traffic Commission on 03-21-16: Recommends that the request to use Temporary No Parking signs on the east side of S. Main Street between 10th and 11th Streets on August 7, 2016, between 9:00 A.M. and 4:00 P.M. be granted.

Further recommends that the request to waive the "No Parking Any Time" restriction on 10th and 11th Streets before 9:00 A.M. and from 4:00 P.M. to 5:00 P.M. on August 7, 2016, in connection with the Starving Artists Outdoor Art Fair, be granted.

Fiscal Note: N/A

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

[0153-16](#)

Subject: Communication from the Alderman of the 6th District, requesting a formal policy on the radar speed feedback sign from the Commissioner of Public Works. (Res No. 0113-16)

Recommendation of the Traffic Commission on 03-21-16: Approve the formal policy on the radar speed feedback sign.

Fiscal Note: N/A

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

City Plan Commission Report, by Ald.Wiser[0108-16](#)

Subject: (Direct Referral) A request by Nicholas J. Infusino, representing Bill Moore & Associates Graphics, Inc. for exceptions to the Regency Mall Planned Development sign standards to permit signage exceeding the total square footage allowed for Ross Stores, Inc. (PC-16). (Res No. 0114-16)

Recommendation of the Plan Commission on 3/30/2016: Recommends that the request by Nicholas J. Infusino, representing Bill Moore & Associates Graphics, Inc. for exceptions to the Regency Mall Planned Development sign standards to permit signage exceeding the total square footage allowed for Ross Stores, Inc. be approved subject to conditions.

Fiscal Note: N/A

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

[0255-16](#)

Subject: (Direct Referral) A request by Nicholas J. Infusino, representing Bill Moore & Associates Graphics, Inc. for exceptions to the Regency Mall Planned Development sign standards to permit signage exceeding the total square footage allowed for Ross Stores, Inc. (PC-16)

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

[0257-16](#)

Subject: (Direct Referral) Consideration of a conditional use request from Kenneth Brown for a ground floor residence in a B-4 Central Business District in the rear (western 40+/- feet) of the building located at 334 Main Street (PC-16). (Res No. 0116-16)

Recommendation of the Plan Commission on 3/30/2016:

Recommends that a conditional use request from Kenneth Brown for a ground floor residence in a B-4 Central Business District in the rear (western 40+/- feet) of the building located at 334 Main Street be approved subject to conditions.

Recommendation of the Plan Commission on 4/13/2016:

Recommend that the item be received and filed.

Fiscal Note: N/A

Alderman Wisner requested that item 0257-16 be considered separately.

A motion was made by Alderman Wisner, seconded by Alderman Coe, that this Communication be Referred to the City Plan Commission. The motion PASSED by the following vote:

AYES: 8 - Coe, Jones, Kaplan, DeHahn, Shakoor II, McCarthy, Wisner and Land

NOES: 7 - Shields, Smetana, Weidner, Perez, Morgenroth, Hart and Lemke

[0260-16](#)

Subject: (Direct Referral) Consideration of a conditional use request from Albino Saucedo, representing Rany Kong for a restaurant to occupy a portion of the building at 817 Main Street (PC-16). (Res No. 0115-16)

Recommendation of the Plan Commission on 3/30/2016:

Recommends that a conditional use request from Albino Saucedo, representing Rany Kong for a restaurant to occupy a portion of the building at 817 Main Street be approved subject to conditions.

Fiscal Note: N/A

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

Housing Loan Board Report, by Ald. Land

[0262-16](#)

Subject: (Direct Referral) Request of the Interim Director of City Development to accept the offer of Jerrica and Jumar Dunn to purchase 1016 Park Avenue, an NSP-1 property. (Res No. 0117-16)

Recommendation of the Loan Board of Review on March 31, 2016:

To approve the request of the Interim Director of City Development to accept the offer of Jerrica and Jumar Dunn to purchase 1016 Park Avenue, with contingencies as listed on attachment.

Fiscal note: The property was acquired and a new house was built through the NSP-1 program. The City will receive \$83,000 in proceeds minus commission and closing costs.

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

Water Works Committee Report, by Ald Hart

[0230-16](#)

Subject: Kinzie Avenue 2016 Water Main Replacement Agreement (Res No. 0146-16)

Recommendation of the Waterworks Commission on 3/29/16:

Approve. Authorize the Mayor and City Clerk to enter into a Joint Agreement with the Racine Water Utility for water main replacement in association with the reconstruction of Kinzie Avenue between Green Bay Road and Ohio Street.

Recommendation of the Public Works and Services Committee on 04-12-16: Authorize the Mayor and City Clerk to enter into a Joint Agreement with the Racine Water Utility for water main replacement in association with the reconstruction of Kinzie Avenue between Green Bay Road and Ohio Street.

Fiscal Note: The Racine Water Utility will pay for all work associated with the installation of a new water main.

A motion was made that this Communication be Referred to the Public Works and Services Committee, . The motion was APPROVED on a voice vote in consent.

[0244-16](#)

Subject: Water Main Developers Agreement for Cynthia Lane in the Village of Mt. Pleasant . (Res No. 0124-16)

Recommendation of the Finance and Personnel Committee on 4/11/16: To approve and authorize the Mayor and City Clerk to sign the agreement.

Fiscal Note: The Village will pay all costs associated with this local water main installation.

A motion was made that this Communication be Referred to the Finance and Personnel Committee, . The motion was APPROVED on a voice vote in consent.

Wastewater Commission Report, by Ald. Hart

[0229-16](#)

Subject: Kinzie Avenue 2016 Interceptor Sewer Replacement Agreement (Res No. 0147-16)

Recommendation of the Wastewater Commission on 3/29/16: To Approve. Authorize the Mayor and City Clerk to enter into a Joint Agreement with the Racine Wastewater Utility for interceptor replacement in association with the reconstruction of Kinzie Avenue between Green Bay Road and Ohio Street.

Recommendation of the Public Works and Services Committee on 04-12-16: Authorize the Mayor and City Clerk to enter into a Joint Agreement with the Racine Wastewater Utility for interceptor replacement in association with the reconstruction of Kinzie Avenue between Green Bay Road and Ohio Street.

Fiscal Note: The Wastewater utility will pay for all costs associated with the installation of a new sanitary sewer interceptor.

A motion was made that this Communication be Referred to the Public Works and Services Committee, . The motion was APPROVED on a voice vote in consent.

Board of Cemetery Commissioners, by Ald. Weidner

[0022-16](#)

Subject: Communication from Alderman of the 6th District, requesting a change to ordinances 30-6 and 70-90 to permit leashed dogs in city cemeteries.

Recommendation of the Cemetery Commissioners on 2/15/16: To receive and file.

Fiscal Note: N/A

Alderman Wisner requested that item 0022-16 be considered separately.

A motion was made by Alderman Weidner, seconded by Alderman McCarthy, that this Communication be Approved as Presented. The motion PASSED by the following vote:

AYES: 15 - Coe, Jones, Shields, Kaplan, Smetana, Weidner, DeHahn, Shakoor II, McCarthy, Wisner, Land, Perez, Morgenroth, Hart and Lemke

G. Consent Resolutions

[Res.0104-16](#)

Sign over City Right-of-Way at 1639 Douglas Avenue

Resolved, that the property owner at 1639 Douglas Avenue (Metro Wireless, LLC) is granted permission to install a stationary projecting sign, as requested, with the stipulation that a hold harmless agreement be executed and a \$150.00 processing fee paid, in accordance with the State Statute § 66.0425, Privileges in Streets.

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

Sponsors: James Morgenroth

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

[Res.0105-16](#)

Amend Res No. 0062-16 to Include Use of Civic Centre Ramp and Lakefront Lot No. 5

Resolved, that Resolution No. 0062-16, of March 1, 2016, is amended to include the request to use the Civic Centre Ramp and Lakefront Lot No. 5 for The Color Run parking on May 28, 2016.

Fiscal Note: \$1,098.00 will be generated in revenue for the parking system.

Sponsors: James Morgenroth

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

[Res.0106-16](#)

Contract 20160002, 2016 Concrete Street Reconstruction (R1)

Resolved, that Contract 20160002, 2016 Concrete Street Reconstruction (R1), is awarded to LaLonde Contractors, Inc. at its bid price of \$991,736.18, it being the lowest responsible bidder.

Fiscal Note: Funds to defray the cost of this public works project be appropriated from the below Org-Objects:

\$187,141.40 - Org-Object 60484-57570, Storm Sewers
\$664,415.96 - Org-Object 45040-57500, DPW Paving
\$ 24,380.00 - Org-Object 22640-57560, Sanitary Sewers
\$109,511.25 - Org-Object 45040-57530, DPW Traffic Control
\$ 6,287.57 - Org-Object 45040-57515, DPW Sidewalks
\$991,736.18 - Total

Sponsors: James Morgenroth

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

[Res.0107-16](#)

Contract 20160023, PS - 2016 Pavement Inspection & Planning

Resolved, that the Mayor and City Clerk are authorized and directed to enter into a professional services agreement with AECOM, on Contract 20160023, PS - 2016 Pavement Inspection & Planning, in the not-to-exceed amount of \$83,900.00.

Fiscal Note: Funds to defray the cost of these professional services be appropriated from Org-Object 14002-52100, Professional Services - Engineering.

Sponsors: James Morgenroth

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

[Res.0108-16](#)

Revision 1 to State Municipal Agreement for State Project ID: 2703-00-02, West 6th Street Bridge Project

Resolved, that Revision 1 to State Municipal Agreement for State Project ID: 2703-00-02, West 6th Street Bridge Project, as submitted, is approved.

Fiscal Note: This is a no-cost revision. Funding to defray the cost of this revision is allocated in the 2015-2024 CIP Budget.

Sponsors: James Morgenroth

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

[Res.0109-16](#)

Contract 43-14 (K4-043), PS - 2014 Illicit Discharge Detection & Elimination Program Support

Resolved, that the work done by AECOM, under Contract 43-14 (K4-043), PS - 2014 Illicit Discharge Detection & Elimination Program Support, is accepted and final payment authorized for a total contract amount of \$19,988.30.

Fiscal Note: Contract was authorized under Resolution 14-0301, dated July 15, 2014.

Sponsors: James Morgenroth

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

[Res.0110-16](#)

Change Order No. 2 on Contract 20150056, 2015 Storm Sewer Relay

Resolved, that Change Order No. 2 on Contract 20150056, 2015 Storm Sewer Relay, A.W. Oakes & Sons, Inc., contractor, as submitted, is approved in the amount of \$47,587.00.

Fiscal Note: Funding to defray the cost of the change order be appropriated from Org-Object 60484-57570, Storm Sewers.

Sponsors: James Morgenroth

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

[Res.0111-16](#)

Final Payment on Contract 20150056, 2015 Storm Sewer Relay

Resolved, that the work done by A.W. Oakes & Sons, Inc., under Contract 20150056, 2015 Storm Sewer Relay, is accepted and final payment authorized for a total contract amount of \$237,731.50. Final payment to include retainage.

Fiscal Note: Contract was authorized under Resolution 15-0354, dated September 15, 2015.

Sponsors: James Morgenroth

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

[Res.0112-16](#)

Sidewalk Inspection and Concrete Shaving Services

Resolved, that the request of the Purchasing Agent to waive formal bidding procedures is approved in accordance with Racine Municipal Code Section 46-28 that allows for the waiving of formal public bids for purchases over \$25,000.00 for the purpose of maintaining uniformity of equipment and services.

Further resolved, that the Purchasing Agent is authorized and directed to negotiate with and purchase from Safe Step Incorporated, a franchisee of Precision Concrete Cutting, for the provision of visually inspecting portions of the City's sidewalk system to identify trip hazards as well as sections of sidewalk that should be removed/replaced or mud-jacked, and for the abatement of specific trip hazards on sidewalks via a proprietary angled saw-cutting technique to create sloped transitions meeting the Americans with Disabilities Act standards for the not-to-exceed price of \$150,000.00, it being the sole source provider of this service.

Fiscal Note: Funding to defray the cost of these services is available in Org-Object 45040-57515, DPW-Sidewalks.

Sponsors: James Morgenroth

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

[Res.0113-16](#)

Policy on Radar Speed Feedback Sign

Resolved, that developing a formal policy on the radar speed feedback sign is approved.

Fiscal Note: N/A

Sponsors: Jim Kaplan

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

[Res.0114-16](#)

Ross Stores, Inc. Regency Mall Signage

Resolved, that the request by Nicholas J. Infusino, representing Bill Moore & Associates Graphics, Inc. for exceptions to the Regency Mall planned development sign standards to permit signage exceeding the total square footage allowed for Ross Stores, Inc. is approved, subject to the following conditions:

1. That the plans presented to the Plan Commission at the March 30, 2016 meeting be approved subject to the conditions contained herein.
2. That all codes and ordinances are complied with and required permits acquired, unless otherwise excepted herein.
3. That the south facing sign may be up to 150 square feet in size with the "Dress for Less" trademarked tag line in a "side stack" configuration, and the west facing sign may be up to 275 square feet in size with the "Dress for Less" trademarked tag line in a bottom stacked configuration.
4. That in consideration of mitigating circumstances and past precedence, the proposed configurations represent a 125 square foot exception to the Regency Mall sign standards.
5. That no minor changes be made from the conditions of this permit without the approval of the Plan Commission, and no major change be made from the conditions of this permit without the approval of the Common Council.
6. That this permit is subject to review by the Plan Commission for compliance with the listed conditions.

Fiscal Note: N/A

Sponsors: Dennis Wiser

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

[Res.0115-16](#)

Restaurant at 817 Main Street

Resolved, that the request from Albino Saucedo, representing Kong Enterprises, LLC., seeking a conditional use permit to allow a restaurant offering on-site dining, carryout and delivery to be located at 817 Main Street is approved, subject to the following conditions:

1. That the plans presented to the Plan Commission on March 30, 2016 be approved subject to the conditions contained herein.
2. That all codes and ordinances are complied with and required permits acquired.

3. That all signs be professionally made and comply with the zoning ordinance requirements and be submitted to the Director of City Development for review and approve. Further, all signage is subject to review and approval by the Downtown Area Design Review Committee prior to issuance of any sign permits.
4. That curbing or wheel stops be placed along the Main Street side walk adjacent to the parking spaces prior to issuance of an occupancy permit.
5. That no alcohol or liquor license is requested or shall be granted for the restaurant at this location.
6. That the hours of operation may be 11:00 a.m. - 10:00 p.m., Sunday - Friday. Closed on Saturdays.
7. That the property be maintained in a neat and orderly fashion with loose trash and garbage being removed from outside areas on a daily basis.
8. That valid parking and traffic concerns which may arise from this approval shall be addressed by the owner and applicant to the satisfaction of the Plan Commission.
9. That no minor changes be made from the conditions of this permit without the approval of the Plan Commission and no major changes be made from the conditions of this permit without the approval of the Common Council.
10. That this permit is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

Sponsors: Dennis Wisner

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

[Res.0117-16](#)

Purchase of 1016 Park Avenue

Resolved, that the request of the Interim Director of City Development to accept the offer of Jerrica and Jumar Dunn to purchase 1016 Park Avenue, an NSP-1 property is approved with contingencies as listed on attachment.

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

to complete the sale.

Fiscal Note: The property was acquired and a new house was built through the NSP-1 program. The City will receive \$83,000.00 in proceeds minus commission and closing costs.

Sponsors: Mary Land

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

H. Resolutions

[Res.0116-16](#)

Conditional Use Permit for 334 Main Street

Resolved, that the request by Kenneth Brown seeking a conditional use permit for a ground floor residence in a B-4 central business district in the rear (western 40 +/- feet) of the building located at 334 Main Street is approved subject to the following conditions:

1. That the plans presented to the Plan Commission on March 30, 2016, be approved subject to the conditions contained herein.
2. That as a condition of occupancy, all outstanding legal issues related to this residential use be addressed with the City Attorney's Office, the Municipal Court or other legal jurisdiction having standing.
3. That all applicable building and occupancy permits be obtained from the Building Inspection Department.
4. That all trash and recyclables be stored in closed containers and screened from view.
5. That no minor changes be made from the conditions of this permit without the approval of the Plan Commission, and no major changes be made from the conditions of this permit without the approval of the Common Council.
6. That this permit is subject to review by the Plan Commission for compliance with the listed conditions.

Fiscal Note: N/A

Sponsors: Dennis Wiser

A motion was made by Alderman Wiser, seconded by Alderman McCarthy, that this Resolution be Referred. The motion FAILED by the following vote:

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

K. Adjourn

Ald. Shakoor made a motion to adjourn the meeting, which was APPROVED without objection, at 8:11 pm. The next scheduled meeting of the Council is Monday, April 18, 2016.

ATTEST: JANICE M JOHNSON-MARTIN
CITY CLERK