



City of Racine

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

Meeting Minutes - Final

Common Council

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

Tuesday, November 20, 2018

7:00 PM

City Hall, Room 205

A. Call To Order

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

EXCUSED: 1 - Morgenroth

B. Pledge of Allegiance To The Flag

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

C. Committee of the Whole Report, by Ald. Meekma

[1155-18](#)

Subject: (Direct Referral) Communication from the President of the Council wishing to discuss filling the vacancy, interviewing candidates, and making a recommendation for the 7th District alderman position.

Recommendation of the Committee of the Whole on 11-13-2018:

That at its next meeting the Common Council appoint Maurice Horton as the Alderperson of the 7th District for the remainder of the current term of office.

Fiscal Note: N/A

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

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

EXCUSED: 1 - Morgenroth

ABSTENTIONS: 1 - Horton

D. Swearing In of the Alder-Select of the 7th District

E. Proclamation

**F. Approval of Journal of Council Proceedings (Minutes)
November 7, 2018 and November 13, 2018**

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

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

EXCUSED: 1 - Morgenroth

G. Public Comments

The following people appeared to speak before the Common Council:

*Bob Wortock
Harold Von De Bur
Alfonso Gardner
Mercedes Dzindzeleta
Devin Sutherland
Pastor Buckley
Colin McKenna
Ryan Savasta
JJ McAuliffe*

H. Communications

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

[1168-18](#)

Subject: Communication from the Fire Chief requesting permission to accept funding from the Racine Community Foundation grant for the purpose of acquiring a Rescue Utility Task Vehicle. (Grant Control #00169)

Recommendation of the Finance & Personnel Committee on 11/26/2018: That permission be granted to accept funding from the Racine Community Foundation grant for the purpose of acquiring a Rescue Utility Task Vehicle.

Fiscal Note: The grant awarded is for \$24,000. There is no hard match for the grant.

Sponsors: Q.A. Shakoor II

Referred to Finance and Personnel Committee

[1205-18](#)

Subject: Communication from the City Attorney requesting to meet with the Finance and Personnel Committee in Closed Session pursuant to Wisconsin Statutes section 19.85(1)(g), to confer with legal counsel concerning an issue regarding Central States, Southeast, and Southwest Areas Pension Fund.

Recommendation of the Finance & Personnel Committee on

11/26/2018: To approve the negotiated settlement with Central States, Southeast and Southwest Areas Pension Fund and to request the Mayor to establish an Ad Hoc Committee to address the annual shortfall of the Transit Pension Fund.

Fiscal Note: No present payment, contingent future liability only.

Sponsors: Q.A. Shakoor II

Referred to Finance and Personnel Committee

[1210-18](#)

Subject: Communication from the Human Resources Manager and City Attorney requesting to appear before the Finance and Personnel Committee to discuss the City's Stop Loss Insurance coverage for 2019.

Recommendation of the Finance & Personnel Committee on

11/26/2018: That the Mayor and City Clerk are authorized and directed to enter into an agreement for the City's 2019 Health Insurance Stop Loss Coverage with American Fidelity Assurance Company through the Horton Group.

Fiscal Note: Total annual premium for 2019 of \$848,931. This is approximately a 12% decrease from 2018. Funding is available in Org-Object 70312 52130, Stop-Loss Premium.

Sponsors: Q.A. Shakoor II

Referred to Finance and Personnel Committee

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

[1188-18](#)

Subject: Communication from the Transit and Parking System Manager requesting to discuss the Racine County Juror parking rates for 2019.

Recommendation of the Public Works and Services Committee on 11-27-18: That the Mayor and City Clerk be authorized and directed to enter into an agreement with Racine County to provide juror parking at the rate of \$750.00 per month in 2019.

Fiscal Note: \$9,000.00 in revenue will go into the Parking Utility fund.

Sponsors: John Tate II

Referred to Public Works and Services Committee

[1190-18](#)

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

Recommendation of the Public Works and Services Committee on 11-27-18: Recommends that Section 94-93, Mandatory left turns, be amended to include:

The operator of a vehicle proceeding northerly on Douglas Avenue and approaching Rapids Drive in the lane furthest to the left shall turn left onto Rapids Drive and shall not proceed in any other direction.

The operator of a vehicle proceeding southerly on Douglas Avenue and approaching High Street in the lane furthest to the left shall turn left onto High Street and shall not proceed in any other direction.

The operator of a vehicle proceeding southerly on LaSalle Street and approaching Kewanee Street shall turn left onto Kewaunee Street and shall not proceed in any other direction.

Further recommends that Section 94-94, Mandatory right turns, be amended to include:

The operator of a vehicle proceeding westerly on Kewaunee Street and approaching LaSalle Street shall turn right onto LaSalle Street and shall not proceed in any other direction.

The operator of a vehicle proceeding easterly on Rapids Drive and approaching Douglas Avenue in the lane furthest to the right shall turn right onto Douglas Avenue and shall not proceed in any other direction.

The operator of a vehicle proceeding southerly on Douglas Avenue and approaching Yout Street in the lane furthest to the right shall turn right onto Yout Street and shall not proceed in any other direction.

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

A. Recommends that Section 94-81 (b) of Schedule E of the Municipal Code of the General Ordinances of the City of Racine relative to "One-way streets" be amended:

By Including:

- 1. Charles Street, between Douglas Avenue and Yout Street, northbound.

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

Referred to Public Works and Services Committee

[1201-18](#)

Subject: Communication from the American Transmission Company, LLC., requesting to enter into an agreement with the City of Racine to operate overweight vehicles on Oakes Road.

Recommendation of the Public Works and Services Committee on 11-27-18: That the Mayor and City Clerk be authorized and directed to enter into an agreement with American Transmission Company, LLC., to operate overweight vehicles on Oakes Road.

Fiscal Notes: American Transmission Company, LLC., will pay the City of Racine \$5,000 to enter into the agreement and \$500.00 for each load exceeding 80,000 lbs. All revenue will be deposited in Org-Object 14010-45222, Judgement/Damages St. Maintenance.

Sponsors: John Tate II

Referred to Public Works and Services Committee

[1209-18](#)

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

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

Referred to Public Works and Services Committee

[1195-18](#)

Subject: Change Order No. 1 on Contract 20180051, 2018 Storm and Sanitary Sewer CCTV, Green Bay Pipe and TV, Inc., contractor.

Recommendation of the Public Works and Services Committee on 11-27-18: That Change Order No. 1 on Contract 20180051, 2018 Storm and Sanitary Sewer CCTV, Green Bay Pipe and TV, Inc., contractor, be approved in the deduct amount of (\$14,022.50).

Further recommends that the funding accounts be adjusted by the following amounts:

(\$ 7,860.26) - Org-Object 60484-57570, Storm Sewer, Misc. Loc
(\$ 6,162.24) - Org-Object 22640-54560, Sanitary Sewers, Var. Loc
(\$14,022.50) - Total

Fiscal Note: Funds are available as herein delineated.

Sponsors: John Tate II

Referred to Public Works and Services Committee

[1192-18](#)

Subject: Change Order No. 2 on Contract 20170093, Young Industrial Park Pond Dredging, A.W. Oakes & Son, Inc., contractor.

Recommendation of the Public Works and Services Committee on 11-27-18: That Change Order No. 2 on Contract 20170093, Young Industrial Park Pond Dredging, A.W. Oakes & Son, Inc., contractor, be approved in the amount of \$12,901.07.

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.

Sponsors: John Tate II

Referred to Public Works and Services Committee

[1197-18](#)

Subject: Change Order No. 2 on Contract 20180019, Grange & Thurston Reconstruct (R1), Milwaukee General Construction Company, Inc., contractor.

Recommendation of the Public Works and Services Committee on 11-27-18: That Change Order No. 2 on Contract 20180019, Grange & Thurston Reconstruct (R1), Milwaukee General Construction Company, Inc., contractor, be approved in the deduct amount of (\$67,783.52).

Further recommends that the funding accounts be adjusted by the following amounts:

(\$ 1,266.45) - Org-Object 45040-57500, DPW Paving
(\$ 1,978.20) - Org-Object 45040-57515, DPW Sidewalks
(\$ 5,345.53) - Org-Object 60484-57570, Storm Sewers
(\$59,193.34) - Org-Object 22640-57560, Sanitary Sewers
(\$67,783.52) - Total

Fiscal Note: Funds are available as herein delineated.

Sponsors: John Tate II

Referred to Public Works and Services Committee

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

[1157-18](#)

Subject: (New) Application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for Truth Sports Bar LLC, DBA Truth Sports Bar, located at 1436 Junction Avenue, Jacqueline Lagrone, Agent. (3rd District)

Recommendation of the Public Safety and Licensing Committee

on 11-27-18: That the Application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for Truth Sports Bar LLC, DBA Truth Sports Bar, located at 1436 Junction Avenue, Jacqueline Lagrone, Agent be approved.

Fiscal Note: N/A

Referred to Public Safety and Licensing Committee

[1191-18](#)

Subject: (New) Application of Speedway LLC (#4451) dba Speedway, Carmella Harris, Agent, for a **Change of Agent** for a Class "A" Fermented Malt Beverage License for 2110 S. Green Bay Road. (14th District)

Recommendation of the Public Safety and Licensing Committee

on 11-27-18: That the Application of Speedway LLC (#4451) dba Speedway, Carmella Harris, Agent, for a **Change of Agent** for a Class "A" Fermented Malt Beverage License for 2110 S. Green Bay Road be approved.

Fiscal Note: N/A

Referred to Public Safety and Licensing Committee

[1194-18](#)

Subject: (New) Application for a Class "B" and "Class C" Fermented Malt Beverage and Wine License for Eric Benitez and Leticia Benitez dba Lety's Mexican restaurant, 3408 Douglas Ave, Leticia Benitez,

Agent. (7th District)

Recommendation of the Public Safety and Licensing Committee

on 11-27-18: That the Application for a Class "B" and "Class C" Fermented Malt Beverage and Wine License for Eric Benitez and Leticia Benitez dba Lety's Mexican restaurant, 3408 Douglas Ave, Leticia Benitez, Agent be approved.

Fiscal Note: N/A

Referred to Public Safety and Licensing Committee

[1200-18](#)

Subject: (New) Application of Skin & Body Therapy by Ella, Inc. DBA Skin & Body Therapy by Ella, Inc. for a Massage Establishment Permit for 1036 Kentucky Street, 2018-2019. (12th District)

Recommendation of the Public Safety and Licensing Committee

on 11-27-18: That the Application of Skin & Body Therapy by Ella, Inc. DBA Skin & Body Therapy by Ella, Inc. for a Massage Establishment Permit for 1036 Kentucky Street, 2018-2019 be approved contingent upon the applicant contacting City Development and questioning the zoning for a massage establishment in a residential area.

Fiscal Note: N/A

Referred to Public Safety and Licensing Committee

I. Committee Reports

Finance and Personnel Committee Report, by Ald. Shakoor II

[1151-18](#)

Subject: Communication from Devin Sutherland, representing Business Improvement District No. 4, Douglas Avenue, for approval of its proposed 2019 Operating Plan.

Recommendation of the Finance & Personnel Committee on

11/12/2018: To approve the Business Improvement District No. 4, Douglas Avenue, proposed 2019 Operating Plan and direct the Finance Director to include the Districts special charges on the 2018 property tax bills of affected parcels.

Fiscal Note: N/A

Sponsors: Q.A. Shakoor II

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[1152-18](#)

Subject: Communication from Devin Sutherland, representing Business Improvement District No. 3, Uptown, for approval of its proposed 2019 Operating Plan.

Recommendation of the Finance & Personnel Committee on 11/12/2018: To approve the Business Improvement District No. 3, Uptown, proposed 2019 Operating Plan and direct the Finance Director to include the Districts special charges on the 2018 property tax bills of affected parcels.

Fiscal Note: N/A

Sponsors: Q.A. Shakoor II

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[1078-18](#)

Subject: Communication from Kelly Kruse, representing Business Improvement District No. 1, Downtown, for approval of its proposed 2019 Operating Plan.

Recommendation of the Finance & Personnel Committee on 10/22/2018: To Defer this item to the next scheduled Finance & Personnel Committee meeting on Monday, November 12, 2018, to allow Kelly Kruse, representing the Business Improvement District No. 1, Downtown, the opportunity to speak before the Committee.

Recommendation of the Finance & Personnel Committee on 11/12/2018:To approve the Business Improvement District No. 1, Downtown, proposed 2019 Operating Plan and direct the Finance Director to include the Districts special charges on the 2018 property tax bills of affected parcels.

Fiscal Note: N/A

Sponsors: Q.A. Shakoor II

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[1118-18](#)

Subject: Permission for the General Manager of the Water Utility to be authorized to file applications for Financial Assistance from the State of Wisconsin Environmental Improvement Fund

Recommendation of the Racine Waterworks Commission on 10-30-18: To approve

Recommendation of the Finance & Personnel Committee on

11/12/2018: That permission be granted to the General Manager of the Water Utility to be authorized to file applications for Financial Assistance from the State of Wisconsin Environmental Improvement Fund.

Fiscal Note: N/A - As part of the loan process, the State requires that an authorized representative be appointed. General Manager, Keith Haas, shall be appointed.

Sponsors: Q.A. Shakoor II

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[1119-18](#)

Subject: Permission for the General Manager of the Water Utility to enter a Declaration of Official Intent with the City of Racine for reimbursement of the Water Treatment Plant Pumping Improvements project

Recommendation of the Racine Waterworks Commission on

10-30-18: To approve and authorize the Mayor and City Clerk to sign the Comfort Resolution regarding Declaration of Official Intent to Reimburse for Water Treatment Plant pumping improvements.

Recommendation of the Finance & Personnel Committee on

11/12/2018: That permission be granted to the General Manager of the Water Utility to enter a Declaration of Official Intent with the City of Racine for reimbursement of the Water Treatment Plant Pumping improvements.

Fiscal Note: The Racine Water Utility is applying for a Safe Drinking Water Fund Loan. It may expend internal funds that would be reimbursed by loan proceeds in the future.

Sponsors: Q.A. Shakoor II

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[1121-18](#)

Subject: Permission for the General Manager of the Wastewater Utility to be authorized to file applications for Financial Assistance from the State of Wisconsin Environmental Improvement Fund

Recommendation of the Racine Wastewater Commission on

10-31-18: To approve

Recommendation of the Finance & Personnel Committee on

11/12/2018: That permission be granted to the General Manager of the Wastewater Utility to be authorized to file applications for Financial Assistance from the State of Wisconsin Environmental Improvement Fund.

Fiscal Note: N/A - As part of a loan, the State requires that an authorized representative be appointed. General Manager, Keith Haas, shall be appointed.

Sponsors: Q.A. Shakoor II

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[1122-18](#)

Subject: Permission for the General Manager of the Wastewater Utility to enter a Declaration of Official Intent with the City of Racine for reimbursement of the West 6th Street Interceptor Sewer Relocation project

Recommendation of the Racine Waterworks Commission on 10-30-18: To approve and authorize the Mayor and City Clerk to sign the Comfort Resolution regarding Declaration of Official Intent to Reimburse for the West 6th Street Interceptor Relocation project.

Recommendation of the Finance & Personnel Committee on 11/12/2018: That permission be granted to the General Manager of the Wastewater Utility to enter a Declaration of Official Intent with the City of Racine for reimbursement of the West 6th Street Interceptor Relocation project.

Fiscal Note: The Racine Wastewater Utility is applying for a Clean Water Fund Loan. It may expend internal funds that would be reimbursed by loan funds in the future.

Sponsors: Q.A. Shakoor II

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[1128-18](#)

Subject: Communication from Chief Howell requesting to apply for and accept the Beat Patrol Overtime Grant for 2019

Recommendation of the Finance & Personnel Committee on 11/12/2018: That permission be granted to the Chief of Police to apply for and accept the Beat Patrol Overtime Grant for 2019.

Fiscal Note: \$100,000 grant with no match required on the part of the City.

Sponsors: Q.A. Shakoor II

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[1129-18](#)

Subject: Communication from Chief Howell requesting to apply for and accept the 2019 Beat Patrol Grant

Recommendation to the Finance & Personnel Committee on

11/12/2018: That permission be granted to the Chief of Police to apply for and accept the 2019 Beat Patrol Grant.

Fiscal Note: \$121,434 grant with a minimum 25% cost sharing match required. Given City wages and fringe benefits, match is estimated to be \$88,466 which is provided for in the 2019 adopted budget.

Sponsors: Q.A. Shakoor II

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[1143-18](#)

Subject: Communication from the Fire Chief requesting to waive formal bidding to acquire a new Ford/Horton Medical Response Unit from Foster Coach of Sterling, Illinois.

Recommendation of the Finance & Personnel Committee on

11/12/2018: That permission be granted to the Fire Chief to waive formal bidding to acquire a new Ford/Horton Medical Response Unit from Foster Coach of Sterling, Illinois.

Fiscal Note: \$190,000 of funding for this purchase is available in the 2019 CIP Program.

Sponsors: Q.A. Shakoor II

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[1126-18](#)

Subject: Communication from the City Attorney submitting the claim of Devonne Wilhoit for consideration.

Recommendation of the Finance & Personnel Committee on

11/12/2018: That this claim be denied.

Fiscal Note: N/A

A motion was made that this Claim be Denied. The motion was APPROVED on a Voice Vote in Consent

[1127-18](#)

Subject: Communication from the City Attorney submitting the claim of Gerhard Scherfer for consideration.

Recommendation of the Finance & Personnel Committee on

11/12/2018: That this claim be denied.

Fiscal Note: N/A

A motion was made that this Claim be Denied. The motion was APPROVED on a Voice Vote in Consent

[1149-18](#)

Subject: Communication from the City Attorney and the Human Resources Manager submitting the Staff Officers Association of the Racine Fire Department 2018-2020 collective bargaining agreement for consideration.

Recommendation of the Finance & Personnel Committee on 11/12/2018: To approve the Staff Officers Association of the Racine Fire Department 2018 - 2020 collective bargaining agreement.

Fiscal Note: Association wages shall be adjusted to maintain a minimum of a 15% base pay differential for RFD SOA Battalion Chief position, 12.5% base pay differential for Division Chief 1 position and 10% base pay differential for Division Chief 2 position, all above the IAFF Local 321 Captain Firefighter/Paramedic highest base pay (i.e., end of 11th year) per Appendix 'A' of the Local 321 collective bargaining agreement. Anticipated additional costs: 2018, \$44,000; 2019, \$25,700; 2020, \$15,000. 2019 increase is included in the 2019 adopted budget.

Sponsors: Q.A. Shakoor II

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[1150-18](#)

Subject: Communication from the City Attorney and the Human Resources Manager submitting the Racine Professional Employees Association 2019 collective bargaining agreement for consideration.

Recommendation of the Finance & Personnel Committee on 11/12/2018: To approve the Racine Professional Employees Association 2019 collective bargaining agreement for consideration.

Fiscal Note: 2.25% annual 2019 increase is the same as all non-represented employees. Anticipated additional cost of \$64,450 is included in the 2019 adopted budget.

Sponsors: Q.A. Shakoor II

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[1174-18](#)

Subject: (Direct Referral) Acceptance of 2018 Energy Innovation Grant in the amount of \$78,000.00 from the Public Service Commission of Wisconsin.

Recommendation of the Finance & Personnel Committee on 11/12/2018:
To accept the 2018 Energy Innovation Grant in the amount of \$78,000.00
from the Public Service Commission of Wisconsin.

Fiscal Note: Soft match of \$33,000.00 covered by City Staff salaries and
fringe benefits.

Sponsors: Q.A. Shakoor II

**A motion was made that this Communication be Approved as Presented. The
motion was APPROVED on a Voice Vote in Consent**

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

1117-18

Subject: (Direct Referral) Change Order No. 2 on Contract 20170048,
Sidewalk Repairs (R1), RAZA of Racine, LLC., contractor.

**Recommendation of the Public Works and Services Committee on
11-13-18:** That Change Order No. 2 on Contract 20170048, Sidewalk
Repairs (R1), RAZA of Racine, LLC., contractor, be approved in the
amount of \$64,044.28

Further recommends that funding to defray the cost of the change order
be appropriated from Org-Object 45040-57515, Sidewalks.

Fiscal Note: Funds are available as herein delineated.

Sponsors: John Tate II

**A motion was made that this Communication be Approved as Presented. The
motion was APPROVED on a Voice Vote in Consent**

1144-18

Subject: Final Payment on Contract 20170050, Bryant Community
Center Roof Replacement, Carlson Racine Roofing and Sheet Metal,
Inc., contractor.

**Recommendation of the Public Works and Services Committee on
11-13-18:** That the work done by Carlson Racine Roofing and Sheet
Metal, Inc., under contract 20170050, Bryant Community Center Roof
Replacement, be accepted and final payment authorized for a total
contract amount of \$176,499.00. Final Payment to include retainage.

Fiscal Note: Contract was authorized under Resolution 0335-17 of
October 3, 2017.

Sponsors: John Tate II

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[1153-18](#)

Subject: Communication from the Alderman of the 1st District requesting "Free Parking Fridays and Saturdays in December", at all metered parking spaces to promote businesses and encourage holiday activities in Racine.

Recommendation of the Public Works and Services Committee on 11-13-18: Approve free parking on November 23, 24, December 1, 8, 15, 22, 24, 2018 at all metered parking spaces to promote businesses and encourage holiday activities in Racine.

Fiscal Note: Estimated parking system revenue loss is \$14,000.

Sponsors: John Tate II

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[1165-18](#)

Subject: Bid results on Contract 20180123, State Street Lift Bridge - Electrical Upgrades.

Recommendation of the Public Works and Services Committee on 11-13-18: That bids for Contract 20180123, State Street Lift Bridge - Electrical Upgrades, be awarded to Faith Technologies, Inc., at their bid price of \$237,200.00, it being the lowest responsible bidder.

Further recommends that funds to defray the cost of this Public Works project be appropriated from Org-Object 40402-57545, Bridges-State.

Fiscal Note: Funds are available as herein delineated.

Sponsors: John Tate II

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

Public Safety and Licensing Committee Report, by Ald. Coe

[0432-18](#)

Subject: (Direct Referral) (Renewal) Application of Jensen & Jensen Inc., for a 2018-2019 Motor Vehicle Towing License.

Recommendation of the Public Safety and Licensing Committee on 11-13-18: That the renewal application of Jensen & Jensen Inc., for a 2018-2019 Motor Vehicle Towing License be approved.

Fiscal Note: N/A

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[1003-18](#)

Subject: Communication from the Director of Parks, Recreation & Cultural Services wishing to amend and update Chapter 102 of the Code of Ordinances.

Recommendation of the Board of Parks, Recreation & Cultural Services on 10-10-18: Recommend Item be Referred to Public Safety and Licensing.

Recommendation of the Public Safety and Licensing Committee on 11-13-18: That the Communication from the Director of Parks, Recreation & Cultural Services be approved and the City Attorney's Office be directed to draft changes to Chapter 102 of the Code of Ordinances.

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

[1125-18](#)

Subject: (New) (Place to Place Transfer) Application of Johnathan P. Dunk (DBA: John's Dock), Johnathan P. Dunk - Agent, for a Place to Place Transfer of a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 3207 Washington Avenue. (9th District)

Recommendation of the Public Safety and Licensing Committee on 11-13-18: That the application of Johnathan P. Dunk (DBA: John's Dock)- Agent, for a Place to Place Transfer of a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 3207 Washington Avenue be approved.

Fiscal Note: N/A

Alderman Shakoor II requested that item 1125-18 be considered separately.

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

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

EXCUSED: 1 - Morgenroth

[1133-18](#)

Subject: (New) (Direct Referral) Application of Desmond Lacy Barker dba Great Lakes Transportation LLC for a Public Passenger Business License.

Recommendation of the Public Safety and Licensing Committee

on 11-13-18: That the application of Desmond Lacy Barker dba Great Lakes Transportation LLC for a Public Passenger Business License be approved.

Fiscal Note: N/A

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[1145-18](#)

Subject: (New) Application for Class "B" & "Class C" Fermented Malt Beverage & Wine Licenses for Longshot Vinyl LLC, located at 324 - 6th Street, Jada Pfarr, Agent. (1st District).

Recommendation of the Public Safety and Licensing Committee

on 11-13-18: That the application for Class "B" & "Class C" Fermented Malt Beverage & Wine Licenses for Longshot Vinyl LLC, located at 324-6th Street, Jada Pfarr, Agent 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

[1146-18](#)

Subject: (Direct Referral) Communication from the Purchasing Agent submitting bids received for the sale of Abandoned Vehicles, October 31, 2018.

Recommendation of the Public Safety and Licensing Committee

on 11-13-18: That the item be Received and Filed as the highest responsible bidder from the two bids was Sturtevant Auto Salvage.

Fiscal Note: This will generate \$15,088.00 in revenue for account 13101 48301.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

City Plan Commission Report, by Ald. Meekma

[1182-18](#)

Subject: (Direct Referral) A request from Butterfield, Rudie & Seitz, authorized agent for Deliverance Crusaders Church Inc. seeking a conditional use permit to continue and expand operations of a Religious Institution, classified as a Class 1 non-commercial type use on the ground floor of an existing building at 1010 Saint Patrick Street. (PC-18)

Recommendation of the City Plan Commission on 11-14-18: That based on the findings of fact that the request from Butterfield, Rudie &

Seitz, authorized agent for Deliverance Crusaders Church Inc. seeking a conditional use permit to continue and expand operations of a religious institution at 1010 Saint Patrick Street be approved subject to the following conditions:

a. That the plans presented to the Plan Commission on November 14, 2018 be approved subject to the conditions contained herein.

b. That the following development standards be complied with prior to occupancy unless otherwise noted:

1. Site be landscaped and maintained as required by Sec. 114-735 in accordance with a plan to be submitted by applicant. Plan shall address headlight screening from streets, buffer yard to the east of existing buildings, and open yard area at the intersection of Douglas Avenue and Saint Patrick Street, and landscaping along St. Patrick Street. Plantings shall be submitted to the Department of City Development and approved prior to installation. Installation to occur by July 1, 2019; and

2. A transitional yard of no less than 6 feet be installed along the eastern lot line and wall, fence, or densely planted compact hedge, not less than five feet nor more than eight feet in height along the lot line as required in Sec. 114-470; and

3. Masonry finish as proposed by applicant be installed a total of eight feet above grade on all facades of the addition, as required by Sec. 735.5; and

4. Submittal of a drainage plan for the site as required by Sec. 114-739; said plan shall indicate where the lot drains and the layout of the storm sewer. Upon approval of the drainage plan, installation of improvements as required by the plan shall be installed prior to occupancy; and

5. Signage and pavement markings be installed at each entrance indicating the direction of traffic flow as to avoid congestion on streets and provide for optimal vehicular flow.

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

d. All changes to plans as required from the Joint Plan Review Team project review letter occur.

e. That all codes and ordinances are complied with and required permits

acquired.

f. That no minor changes be made from the conditions of this permit without approval of the Plan Commission, and no major changes be made from the conditions of this permit without the approval of the Common Council.

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

Fiscal Note: N/A

Sponsors: Jason Meekma

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[1183-18](#)

Subject: (Direct Referral) A request from Engberg Anderson Architects, authorized agent for J. Jeffers and Co. seeking a conditional use permit to provide residential dwelling units in an existing building at 1701 Packard Avenue. (PC-18)

Recommendation of the City Plan Commission on 11-14-18: That based on the findings of fact, that the request from J. Jeffers & Co. seeking a conditional use permit to provide residential dwelling units in an existing building at 1701 Packard Avenue be approved subject to the following conditions:

a. That the plans presented to the Plan Commission on November 14, 2018 be approved subject to the conditions contained herein.

b. That the following development standards be complied with prior to occupancy unless otherwise noted:

1. Parking areas along 17th Street, Phillips Avenue and South Memorial Drive be screened as required by Sec. 114-737 using a combination of plantings, berms or decorative wall/fence, which is not chain link with slats. All landscaping beds shall be organic material and not stone or rocks. Prior to installation, method(s) and combination(s) of screening to be approved by City Development Department; and

2. Specifications for trash enclosure required by Sec. 114-740 as shown on the site plans be submitted to and approved by City Development prior to installation. Privacy slats in a chain link fence shall not be utilized on the enclosure; and

3. Specifications for lighting fixtures be submitted to and approved by the City Development Department prior to installation as required by Sec. 114-742; and

4. A revised plan showing the proposed potable water or fire service connection(s) to be submitted showing the re-use of existing service(s), or the installation of new service(s); and

5. Submittal of a drainage plan for the site as required by Sec. 114-

739; said plan shall indicate where the lot drains and the layout of the storm sewer. Upon approval of the drainage plan, installation of improvements as required by the plan shall be installed prior to occupancy.

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

d. All changes to plans as required from the Joint Plan Review Team project review letter occur.

e. Compliance with Landmarks Preservation Commission findings of appropriateness and State Historic Preservation Office related to the preservation of the building.

f. That all signage be reviewed and approved by the City Development Department prior to installation. Signage shall be compatible with the time period of the building and not be an internally illuminated panel(s).

g. That the following exceptions are granted with the issuance of this conditional use permit:

1. Sec. 114-1188 of three (3) parking spaces; and
2. Sec. 114-1205 off street loading zone not occupy required parking facilities; and
3. Sec. 114-370 for yard requirements as specified in the Flex Overlay supplement.

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

i. That no minor changes be made from the conditions of this permit without approval of the Plan Commission, and no major changes be made from the conditions of this permit without the approval of the Common Council.

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

Fiscal Note: N/A

Sponsors: Jason Meekma

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[1184-18](#)

Subject: (Direct Referral) A request from J. Jeffers and Co. seeking a rezoning of the properties at 2100 and 2200 Northwestern Avenue from

I-1 General Industrial District to R-5 General Residence District with a Flex Development Overlay. (PC-18) (ZOrd. 0002-18)

Recommendation of the City Plan Commission on 11-14-18: That based on the findings of fact, that the request from J. Jeffers & Co. seeking a zone change of the properties at 2100 and 2200 Northwestern Avenue from I-1 General Industrial District to R-5 General Residence District with a Flex Development Overlay District have an ordinance prepared and a public hearing scheduled.

Fiscal Note: N/A

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[1185-18](#)

Subject: (Direct Referral) A request from Cardinal Capital Management Inc. seeking a zone change from I-2 General Industrial District with a Flex Development Overlay District, to R-5 General Residence District at the property addressed 1520 & 1536 Clark Street. (PC-18) (ZOrd. 0003-18)

Recommendation of the City Plan Commission on 11-14-18: That the based on the findings of fact that the request from cardinal capital management seeking a zone change from I-2 General Industrial with a Flex Development Overlay District to R-5 General Residence District at 1520 and 1536 Clark Street have an ordinance prepared and a public hearing scheduled.

Fiscal Note: N/A

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[1186-18](#)

Subject: (Direct Referral) A request from Michael Roane, authorized agent for Brinshore Development LLC, seeking a zone change from a combination of R-3 Limited General Residence District, I-1 Restricted Industrial District, and I-2 General Industrial District, to R-5 General Residence District at the properties of 821 Carroll Street, 930 Carroll Street, northern portion of 931 Carroll Street, 1130 Center Street, 1132 Center Street, 1134 Center Street, and 1140 Center Street. (PC-18) (ZOrd. 0004-18)

Recommendation of the City Plan Commission on 11-14-18: That based on the findings of fact that the request from Michael Roane, authorized agent for Brinshore Development LLC, seeking a zone change from a combination of R-3 Limited General Residence District, I-1 Restricted Industrial District, and I-2 General Industrial District, to R-5 General Residence District at the properties of 821 Carroll Street, 930 Carroll Street, northern portion of 931 Carroll Street, 1130 Center Street,

1132 Center Street, 1134 Center Street, and 1140 Center Street have an ordinance prepared and a public hearing scheduled.

Fiscal Note: N/A

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[1187-18](#)

Subject: (Direct Referral) A request from Adams Outdoor Advertising seeking a major amendment to an existing conditional use permit to convert an existing billboard to an electronic message sign at 5200 Durand Avenue. (PC-18)

Recommendation of the City Plan Commission on 11-14-18: That based on the findings of fact the request from Adams Outdoor Advertising seeking a major amendment to an existing conditional use permit to convert an existing billboard to an electronic message sign at 5200 Durand Avenue be approved subject to the following conditions:

- a. That the plans presented to the Plan Commission on November 14, 2018 be approved subject to the conditions contained herein.
- b. That in the matter of a five year waiting period for the submittal of an application for the conversion of the two sided static billboard at 5200 Durand Avenue to a two sided electronic message center, approved as condition "f. 2." of Common Council Resolution 15-0173, said waiting period is hereby waived.
- c. That in consideration of the waving of the five year waiting period, three billboards and associated infrastructure formerly at 1143 Douglas Avenue shall not be reconstructed.
- d. That the following development standards be complied with prior to sign permit issuance unless otherwise noted:
 1. Site landscaping be trimmed and maintained as required by Sec. 114-735; and
 2. Maximum brightness levels for electronic or digital display signs shall not exceed 5000 nits when measured from the sign's face at its maximum brightness, between sunrise and sunset, as determined by the National Weather Service.
 3. Maximum brightness levels for electronic, digital display signs shall not exceed 350 nits when measured from the sign's face at its maximum brightness, between sunset and sunrise, as determined by the National Weather Service.
 4. Each message change shall be accomplished in one second or less, and each message shall remain in a fixed position for a minimum of 8 seconds.
 5. The use of scrolling, flashing, blinking, chasing, or traveling lights, videos, or similar animation is prohibited except during message changes.

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

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

g. That the following exceptions are granted with the issuance of this conditional use permit:

1. Sec. 114-1033(b) (2) for size of signage (retain an existing sign dimension by allowing a 300 sq. ft. electronic message center where a 75 sq. ft. electronic message center is permitted); and

2. Sec. 114-1033 (b) (3) and Sec. 114-1078 (1)(c) for height of signage (allow the retention of a 25 ft. high sign where as 15 ft. height is permitted).

h. That no minor changes be made from the conditions of this permit without approval of the Plan Commission, and no major changes be made from the conditions of this permit without the approval of the Common Council.

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

Fiscal Note: N/A

Sponsors: Jason Meekma

Alderman Meekma requested that item 1187-18 be considered separately.

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

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

NOES: 1 - Weidner

EXCUSED: 1 - Morgenroth

[1199-18](#)

Subject: (Ord. 0017-18) An Ordinance amending Chapter 114, Article VIII Flood Regulations, Division I, Section 114-845(2)(a) Flood insurance rate map (FIRM).

Recommendation of the City Plan Commission on 11-14-18: That the ordinance be adopted.

Fiscal Note: N/A

Alderman Meekma requested that item 1199-18 be considered separately.

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

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

EXCUSED: 2 - Coe and Morgenroth

A motion was made by Alderman Meekma, seconded by Alderman Jones, that this by Ordinance by Adopted As Amended. The motion PASSED by the following vote:

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

EXCUSED: 2 - Coe and Morgenroth

Community Development Committee Report, by Ald. Meekma[1171-18](#)

Subject: (Direct Referral) Request by the Department of Parks, Recreation and Cultural Services for \$20,000 of Community Development Block Grant (CDBG) funds for tree stump removal.

Staff Recommendation: Due to lack of quorum at the Community Development Committee on November 15, 2018 the staff recommendation is that the request for \$20,000.00 of CDBG funds for hazard tree and stump removal be approved.

Fiscal Note: There are sufficient CDBG funds available to meet this request. No match is required.

Sponsors: Jason Meekma

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[1172-18](#)

Subject: (Direct Referral) Request by the Department of City Development for \$41,790 of Community Development Block Grant (CDBG) funds for demolition of vacant and blighted structures.

Staff Recommendation: Due to lack of quorum at the Community Development Committee on November 15, 2018 the staff recommendation is that the request for \$41,790 of CDBG funds for demolition of vacant and blighted structures be approved.

Fiscal Note: There are sufficient CDBG funds available to meet this

request. No match is required.

Sponsors: Jason Meekma

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[1173-18](#)

Subject: (Direct Referral) Request by the Manager of Housing and Community Development for the allocation of up to \$275,000 of HOME funds to build a new single-family house at 1521 Packard Avenue.

Staff Recommendation: Due to lack of quorum at the Community Development Committee on November 15, 2018 the staff recommendation is that the request for up to \$275,000 of HOME funds for the purposes of building a single-family house at 1521 Packard Avenue be approved.

Fiscal Note: There are sufficient HOME funds available to meet this request. No match is required.

Sponsors: Jason Meekma

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

J. Common Council Vote on Consent Agenda (Communications, Committee Reports, Resolutions)

A motion was made by Alderman Jason Meekma, seconded by Alderman Q.A. Shakoor II, that this be Considered as Reported Adopted by the following vote

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

EXCUSED: 1 - Morgenroth

K. Resolutions

[Res.0356-18](#)

RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF \$9,720,000 GENERAL OBLIGATION REFUNDING BONDS

WHEREAS, the Common Council hereby finds and determines that it is necessary, desirable and in the best interest of the City of Racine, Racine County, Wisconsin (the "City") to raise funds for the public purpose of refunding obligations of the City, including interest on them, specifically, the Note Anticipation Notes, dated September 11, 2018 (the "Refunded Obligations") (hereinafter the refinancing of the Refunded Obligations shall be referred to as the "Refunding");

WHEREAS, the Common Council deems it to be necessary, desirable and in the best interest of the City to refund the Refunded Obligations for the purpose of providing permanent financing for the projects financed by the Refunded Obligations;

WHEREAS, the City is authorized by the provisions of Section 67.04, Wisconsin Statutes, to borrow money and issue general obligation bonds to refinance its outstanding obligations; and

WHEREAS, it is the finding of the Common Council that it is necessary, desirable and in the best interest of the City to authorize the issuance of and to sell its general obligation refunding bonds (the "Bonds") to Robert W. Baird & Co. Incorporated (the "Purchaser"), pursuant to the terms and conditions of its bond purchase proposal attached hereto as Exhibit A and incorporated herein by this reference (the "Proposal").

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City that:

Section 1. Authorization and Sale of the Bonds. For the purpose of paying the cost of the Refunding, there shall be borrowed pursuant to Section 67.04, Wisconsin Statutes, the principal sum of NINE MILLION SEVEN HUNDRED TWENTY THOUSAND DOLLARS (\$9,720,000) from the Purchaser in accordance with the terms and conditions of the Proposal. The Proposal is hereby accepted and the Mayor and City Clerk or other appropriate officers of the City are authorized and directed to execute an acceptance of the Proposal on behalf of the City. To evidence the obligation of the City, the Mayor and City Clerk are hereby authorized, empowered and directed to make, execute, issue and sell to the Purchaser for, on behalf of and in the name of the City, the Bonds aggregating the principal amount of NINE MILLION SEVEN HUNDRED TWENTY THOUSAND DOLLARS (\$9,720,000) for the sum set forth on the Proposal, plus accrued interest to the date of delivery.

Section 2. Terms of the Bonds. The Bonds shall be designated "General Obligation Refunding Bonds"; shall be issued in the aggregate principal amount of \$9,720,000; shall be dated December 11, 2018; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and shall bear interest at the rates per annum and mature on December 1 of each year, in the years and principal amounts as set forth on the Pricing Summary attached hereto as Exhibit B-1 and incorporated herein by this reference. Interest shall be payable semi-annually on June 1 and December 1 of each year commencing on June 1, 2019. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of

the Municipal Securities Rulemaking Board. The schedule of principal and interest payments due on the Bonds is set forth on the Debt Service Schedule attached hereto as Exhibit B-2 and incorporated herein by this reference (the "Schedule").

Section 3. Redemption Provisions. The Bonds maturing on December 1, 2028 and thereafter are subject to redemption prior to maturity, at the option of the City, on December 1, 2027 or on any date thereafter. Said Bonds are redeemable as a whole or in part, and if in part, from maturities selected by the City, and within each maturity by lot, at the principal amount thereof, plus accrued interest to the date of redemption. If the Proposal specifies that any of the Bonds are subject to mandatory redemption, the terms of such mandatory redemption shall be set forth on an attachment hereto as Exhibit MRP and incorporated herein by this reference. Upon the optional redemption of any of the Bonds subject to mandatory redemption, the principal amount of such Bonds so redeemed shall be credited against the mandatory redemption payments established in Exhibit MRP for such Bonds in such manner as the City shall direct.

Section 4. Form of the Bonds. The Bonds shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit C and incorporated herein by this reference.

Section 5. Tax Provisions.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Bonds as the same becomes due, the full faith, credit and resources of the City are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the City a direct annual irrepealable tax in the years 2018 through 2031 for payments due in the years 2019 through 2032 in the amounts set forth on the Schedule.

(B) Tax Collection. So long as any part of the principal of or interest on the Bonds remains unpaid, the City shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Bonds, said tax shall be, from year to year, carried onto the tax roll of the City and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the City for said years are collected, except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund Account created below.

(C) Additional Funds. If at any time there shall be on hand insufficient

funds from the aforesaid tax levy to meet principal and/or interest payments on said Bonds when due, the requisite amounts shall be paid from other funds of the City then available, which sums shall be replaced upon the collection of the taxes herein levied.

Section 6. Segregated Debt Service Fund Account.

(A) Creation and Deposits. There be and there hereby is established in the treasury of the City, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established for obligations previously issued by the City may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for General Obligation Refunding Bonds, dated December 11, 2018" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Bonds is fully paid or otherwise extinguished. There shall be deposited into the Debt Service Fund Account (i) all accrued interest received by the City at the time of delivery of and payment for the Bonds; (ii) any premium not used for the Refunding which may be received by the City above the par value of the Bonds and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Bonds when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Bonds when due; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Bonds until all such principal and interest has been paid in full and the Bonds canceled; provided (i) the funds to provide for each payment of principal of and interest on the Bonds prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Bonds may be used to reduce the next succeeding tax levy, or may, at the option of the City, be invested by purchasing the Bonds as permitted by and subject to Section 67.11(2)(a), Wisconsin Statutes, or in permitted municipal

investments under the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"), which investments shall continue to be a part of the Debt Service Fund Account. Any investment of the Debt Service Fund Account shall at all times conform with the provisions of the Internal Revenue Code of 1986, as amended (the "Code") and any applicable Treasury Regulations (the "Regulations").

(C) Remaining Monies. When all of the Bonds have been paid in full and canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account shall be transferred and deposited in the general fund of the City, unless the Common Council directs otherwise.

Section 7. Proceeds of the Bonds; Segregated Borrowed Money Fund.

The proceeds of the Bonds (the "Bond Proceeds") (other than any premium not used for the Refunding and accrued interest which must be paid at the time of the delivery of the Bonds into the Debt Service Fund Account created above) shall be deposited into a special fund separate and distinct from all other funds of the City and disbursed solely for the purpose or purposes for which borrowed or for the payment of the principal of and the interest on the Bonds. Monies in the Borrowed Money Fund may be temporarily invested in Permitted Investments. Any monies, including any income from Permitted Investments, remaining in the Borrowed Money Fund after the purpose or purposes for which the Bonds have been issued have been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purpose(s) shall be deposited in the Debt Service Fund Account.

Section 8. No Arbitrage. All investments made pursuant to this Resolution shall be Permitted Investments, but no such investment shall be made in such a manner as would cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations and an officer of the City, charged with the responsibility for issuing the Bonds, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Bonds to the Purchaser which will permit the conclusion that the Bonds are not "arbitrage bonds," within the meaning of the Code or Regulations.

Section 9. Compliance with Federal Tax Laws. (a) The City represents and covenants that the projects financed by the Bonds and by the Refunded Obligations and the ownership, management and use of the projects will not cause the Bonds or the Refunded Obligations to be "private activity bonds" within the meaning of Section 141 of the Code. The City further covenants that it shall comply with the provisions of the

Code to the extent necessary to maintain the tax-exempt status of the interest on the Bonds including, if applicable, the rebate requirements of Section 148(f) of the Code. The City further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Bonds) if taking, permitting or omitting to take such action would cause any of the Bonds to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Bonds to be included in the gross income of the recipients thereof for federal income tax purposes. The City Clerk or other officer of the City charged with the responsibility of issuing the Bonds shall provide an appropriate certificate of the City certifying that the City can and covenanting that it will comply with the provisions of the Code and Regulations.

(b) The City also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Bonds provided that in meeting such requirements the City will do so only to the extent consistent with the proceedings authorizing the Bonds and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

Section 10. Execution of the Bonds; Closing; Professional Services.

The Bonds shall be issued in printed form, executed on behalf of the City by the manual or facsimile signatures of the Mayor and City Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the City of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Bonds may be imprinted on the Bonds in lieu of the manual signature of the officer but, unless the City has contracted with a fiscal agent to authenticate the Bonds, at least one of the signatures appearing on each Bond shall be a manual signature. In the event that either of the officers whose signatures appear on the Bonds shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Bonds and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The City hereby authorizes the officers and agents of the City to enter into, on its behalf, agreements and contracts in conjunction with the Bonds, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing

disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Bonds is hereby ratified and approved in all respects.

Section 11. Payment of the Bonds; Fiscal Agent. The principal of and interest on the Bonds shall be paid by the City Clerk or the City Treasurer (the "Fiscal Agent").

Section 12. Persons Treated as Owners; Transfer of Bonds. The City shall cause books for the registration and for the transfer of the Bonds to be kept by the Fiscal Agent. The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Bond shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

Any Bond may be transferred by the registered owner thereof by surrender of the Bond at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Mayor and City Clerk shall execute and deliver in the name of the transferee or transferees a new Bond or Bonds of a like aggregate principal amount, series and maturity and the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Bond surrendered for transfer.

The City shall cooperate in any such transfer, and the Mayor and City Clerk are authorized to execute any new Bond or Bonds necessary to effect any such transfer.

Section 13. Record Date. The 15th day of the calendar month next preceding each interest payment date shall be the record date for the Bonds (the "Record Date"). Payment of interest on the Bonds on any interest payment date shall be made to the registered owners of the Bonds as they appear on the registration book of the City at the close of business on the Record Date.

Section 14. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Bonds eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the City agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations, which the City Clerk or other authorized representative of the City is authorized and directed to

execute and deliver to DTC on behalf of the City to the extent an effective Blanket Issuer Letter of Representations is not presently on file in the City Clerk's office.

Section 15. Official Statement. The Common Council hereby approves the Preliminary Official Statement with respect to the Bonds and deems the Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the City in connection with the preparation of such Preliminary Official Statement and any addenda to it or final Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate City official shall certify the Preliminary Official Statement and any addenda or final Official Statement. The City Clerk shall cause copies of the Preliminary Official Statement and any addenda or final Official Statement to be distributed to the Purchaser.

Section 16. Undertaking to Provide Continuing Disclosure. The City hereby covenants and agrees, for the benefit of the owners of the Bonds, to enter into a written undertaking (the "Undertaking") if required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Bonds or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the City to comply with the provisions of the Undertaking shall not be an event of default with respect to the Bonds).

To the extent required under the Rule, the Mayor and City Clerk, or other officer of the City charged with the responsibility for issuing the Bonds, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the City's Undertaking.

Section 17. Redemption of the Refunded Obligations. The Refunded Obligations are hereby called for prior payment and redemption on December 21, 2018 at a price of par plus accrued interest to the date of redemption.

The City hereby directs the City Clerk to work with the Purchaser to cause timely notice of redemption, in substantially the form attached hereto as Exhibit D and incorporated herein by this reference (the "Notice"), to be

provided at the times, to the parties and in the manner set forth on the Notice. Any and all actions heretofore taken by the officers and agents of the City to effectuate the redemption of the Refunded Obligations are hereby ratified and approved.

Section 18. Record Book. The City Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Bonds in the Record Book.

Section 19. Bond Insurance. If the Purchaser determines to obtain municipal bond insurance with respect to the Bonds, the officers of the City are authorized to take all actions necessary to obtain such municipal bond insurance. The Mayor and City Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Mayor and City Clerk including provisions regarding restrictions on investment of Bond proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Bonds by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Bond provided herein.

Section 20. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the Common Council or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Adopted, approved and recorded November 20, 2018.

Sponsors: Q.A. Shakoor II

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

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

EXCUSED: 1 - Morgenroth

[Res.0357-18](#)

RESOLUTION AUTHORIZING THE ISSUANCE OF \$3,500,000 GENERAL OBLIGATION PROMISSORY NOTES AND THE ISSUANCE AND SALE OF \$3,500,000 TAXABLE NOTE ANTICIPATION NOTES IN ANTICIPATION THEREOF

WHEREAS, the Common Council hereby finds and determines that it is necessary, desirable and in the best interest of the City of Racine, Racine County, Wisconsin (the "City") to raise funds for public purposes, including paying the cost of community development and tax incremental projects (the "Project");

WHEREAS, the Common Council hereby finds and determines that the Project is within the City's power to undertake and therefore serves a "public purpose" as that term is defined in Section 67.04(1)(b), Wisconsin Statutes;

WHEREAS, cities are authorized by the provisions of Chapter 67, Wisconsin Statutes, to borrow money and issue general obligation promissory notes for such public purposes;

WHEREAS, it is the finding of the Common Council that it is necessary, desirable and in the best interest of the City to authorize the issuance of and covenant to issue general obligation promissory notes (the "Securities") to provide permanent financing for the Project;

WHEREAS, the Securities have not yet been issued or sold;

WHEREAS, cities are authorized by the provisions of Section 67.12(1)(b), Wisconsin Statutes, to issue note anticipation notes in anticipation of receiving the proceeds from the issuance and sale of the Securities;

WHEREAS, it is the finding of the Common Council that it is necessary, desirable and in the best interest of the City to authorize the issuance and sale of note anticipation notes pursuant to Section 67.12(1)(b), Wisconsin Statutes (the "Notes"), in anticipation of receiving the proceeds from the issuance and sale of the Securities, to provide interim financing to pay the cost of the Project;

WHEREAS, due to certain provisions contained in the Internal Revenue Code of 1986, as amended, it is necessary to issue the Notes on a taxable rather than tax-exempt basis; and

WHEREAS, it is the finding of the Common Council that it is necessary, desirable and in the best interest of the City to sell the Notes to Robert W. Baird & Co. Incorporated (the "Purchaser"), pursuant to the terms and conditions of its note purchase proposal attached hereto as Exhibit A and incorporated herein by this reference (the "Proposal").

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the

City that:

Section 1. Authorization and Issuance of Securities. The City hereby authorizes the issuance of and declares its intention and covenants to issue the Securities pursuant to the provisions of Chapter 67, Wisconsin Statutes, in an amount sufficient to retire any outstanding note anticipation notes issued for the purpose of paying the cost of the Project. There is hereby levied on all the taxable property in the City a direct, annual, irrevocable tax sufficient to pay the interest on said Securities as it becomes due, and also to pay and discharge the principal thereof.

Section 2. Authorization and Sale of the Notes. In anticipation of the sale of the Securities, for the purpose of paying the cost of the Project, there shall be borrowed pursuant to Section 67.12(1)(b), Wisconsin Statutes, the principal sum of THREE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$3,500,000) from the Purchaser in accordance with the terms and conditions of the Proposal. The Proposal is hereby accepted and the Mayor and City Clerk or other appropriate officers of the City are authorized and directed to execute an acceptance of the Proposal on behalf of the City. To evidence the obligation of the City, the Mayor and City Clerk are hereby authorized, empowered and directed to make, execute, issue and sell to the Purchaser for, on behalf of and in the name of the City, the Notes aggregating the principal amount of THREE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$3,500,000) for the sum set forth on the Proposal, plus accrued interest to the date of delivery.

Section 3. Terms of the Notes. The Notes shall be designated "Taxable Note Anticipation Notes"; shall be issued in the aggregate principal amount of \$3,500,000; shall be dated December 11, 2018; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1; and shall bear interest at the rate per annum and mature on December 1, 2023 as set forth on the schedule attached hereto as Exhibit B and incorporated herein by this reference (the "Schedule"). Interest shall be payable semi-annually on June 1 and December 1 of each year commencing on June 1, 2019. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board.

Section 4. Redemption Provisions. The Notes are subject to redemption prior to maturity, at the option of the City, on December 1, 2021 or on any date thereafter. Said Notes are redeemable as a whole or in part, and if in part by lot, at the principal amount thereof, plus accrued interest to the date of redemption.

Section 5. Form of the Notes. The Notes shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit C and incorporated herein by this reference.

Section 6. Security. The Notes shall in no event be a general obligation of the City and do not constitute an indebtedness of the City nor a charge against its general credit or taxing power. No lien is created upon the Project or any other property of the City as a result of the issuance of the Notes. The Notes shall be payable only from (a) any proceeds of the Notes set aside for payment of interest on the Notes as it becomes due and (b) proceeds to be derived from the issuance and sale of the Securities, which proceeds are hereby declared to constitute a special trust fund, hereby created and established, to be held by the City Clerk or City Treasurer and expended solely for the payment of the principal of and interest on the Notes until paid. The City hereby agrees that, in the event such monies are not sufficient to pay the principal of and interest on the Notes when due, if necessary, the City will pay such deficiency out of its annual general tax levy or other available funds of the City; provided, however, that such payment shall be subject to annual budgetary appropriations therefor and any applicable levy limits; and provided further, that neither this Resolution nor any such payment shall be construed as constituting an obligation of the City to make any such appropriation or any further payments.

Section 7. Segregated Debt Service Fund Account.

(A) Creation and Deposits. There be and there hereby is established in the treasury of the City, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established for obligations previously issued by the City may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for Taxable Note Anticipation Notes, dated December 11, 2018" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Notes is fully paid or otherwise extinguished. There shall be deposited into the Debt Service Fund Account (i) all accrued interest received by the City at the time of delivery of and payment for the Notes; (ii) any proceeds of the Notes representing capitalized interest on the Notes or other funds appropriated by the City for payment of interest on the Notes, as needed to pay the interest on the

Notes when due; (iii) proceeds of the Securities (or other obligations of the City issued to pay principal of or interest on the Notes); (iv) such other sums as may be necessary at any time to pay principal of and interest on the Notes when due and which are appropriated by the Common Council for that purpose; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Notes until all such principal and interest has been paid in full and the Notes canceled; provided that such monies may be invested in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"), which investments shall continue to be a part of the Debt Service Fund Account. Said account shall be used for the sole purpose of paying the principal of and interest on the Notes and shall be maintained for such purpose until the Notes are fully paid or otherwise extinguished.

(C) Remaining Monies. When all of the Notes have been paid in full and canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account shall be transferred and deposited in the general fund of the City, unless the Common Council directs otherwise.

Section 8. Covenants of the City. The City hereby covenants with the owners of the Notes as follows:

(A) It shall issue and sell the Securities as soon as practicable, as necessary to provide for payment of the Notes;

(B) It shall segregate the proceeds derived from the sale of the Securities into the special trust fund herein created and established and shall permit such special trust fund to be used for no purpose other than the payment of principal of and interest on the Notes until paid. After the payment of principal of and interest on the Notes in full, said trust fund may be used for such other purposes as the Common Council may direct in accordance with law; and,

(C) It shall maintain a debt limit capacity such that its combined outstanding principal amount of general obligation bonds or notes or certificates of indebtedness and the \$3,500,000 authorized for the issuance of the Securities to provide for the payment of the Notes shall at no time exceed its constitutional debt limit.

Section 9. Proceeds of the Notes; Segregated Borrowed Money Fund. The proceeds of the Notes (the "Note Proceeds") (other than any premium and accrued interest which must be paid at the time of the delivery of the Notes into the Debt Service Fund Account created above) shall be deposited into a special fund separate and distinct from all other funds of the City and disbursed solely for the purpose or purposes for which borrowed or for the payment of the principal of and the interest on the Notes. Monies in the Borrowed Money Fund may be temporarily invested in Permitted Investments. Any monies, including any income from Permitted Investments, remaining in the Borrowed Money Fund after the purpose or purposes for which the Notes have been issued have been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purpose(s) shall be deposited in the Debt Service Fund Account.

Section 10. Execution of the Notes; Closing; Professional Services. The Notes shall be issued in printed form, executed on behalf of the City by the manual or facsimile signatures of the Mayor and City Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the City of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Notes may be imprinted on the Notes in lieu of the manual signature of the officer but, unless the City has contracted with a fiscal agent to authenticate the Notes, at least one of the signatures appearing on each Note shall be a manual signature. In the event that either of the officers whose signatures appear on the Notes shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Notes and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The City hereby authorizes the officers and agents of the City to enter into, on its behalf, agreements and contracts in conjunction with the Notes, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Notes is hereby ratified and approved in all respects.

Section 11. Payment of the Notes; Fiscal Agent. The principal of and interest on the Notes shall be paid by the City Clerk or the City Treasurer (the "Fiscal Agent").

Section 12. Persons Treated as Owners; Transfer of Notes. The City shall cause books for the registration and for the transfer of the Notes to be kept by the Fiscal Agent. The person in whose name any Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Note shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

Any Note may be transferred by the registered owner thereof by surrender of the Note at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Mayor and City Clerk shall execute and deliver in the name of the transferee or transferees a new Note or Notes of a like aggregate principal amount, series and maturity and the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Note surrendered for transfer.

The City shall cooperate in any such transfer, and the Mayor and City Clerk are authorized to execute any new Note or Notes necessary to effect any such transfer.

Section 13. Record Date. The 15th day of the calendar month next preceding each interest payment date shall be the record date for the Notes (the "Record Date"). Payment of interest on the Notes on any interest payment date shall be made to the registered owners of the Notes as they appear on the registration book of the City at the close of business on the Record Date.

Section 14. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Notes eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the City agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations, which the City Clerk or other authorized representative of the City is authorized and directed to execute and deliver to DTC on behalf of the City to the extent an effective Blanket Issuer Letter of Representations is not presently on file in the City Clerk's office.

Section 15. Official Statement. The Common Council hereby approves the Preliminary Official Statement with respect to the Notes and deems the Preliminary Official Statement as "final" as of its date for purposes of

SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the City in connection with the preparation of such Preliminary Official Statement and any addenda to it or final Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate City official shall certify the Preliminary Official Statement and any addenda or final Official Statement. The City Clerk shall cause copies of the Preliminary Official Statement and any addenda or final Official Statement to be distributed to the Purchaser.

Section 16. Undertaking to Provide Continuing Disclosure. The City hereby covenants and agrees, for the benefit of the owners of the Notes, to enter into a written undertaking (the "Undertaking") if required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Notes or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the City to comply with the provisions of the Undertaking shall not be an event of default with respect to the Notes).

To the extent required under the Rule, the Mayor and City Clerk, or other officer of the City charged with the responsibility for issuing the Notes, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the City's Undertaking.

Section 17. Record Book. The City Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Notes in the Record Book.

Section 18. Bond Insurance. If the Purchaser determines to obtain municipal bond insurance with respect to the Notes, the officers of the City are authorized to take all actions necessary to obtain such municipal bond insurance. The Mayor and City Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Mayor and City Clerk including provisions regarding restrictions on investment of Note proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Notes by the

bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Note provided herein.

Section 19. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the Common Council or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Adopted, approved and recorded November 20, 2018.

Sponsors: Q.A. Shakoor II

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

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

EXCUSED: 1 - Morgenroth

L. Ordinances

Refer to City Plan Commission

[ZOrd.0002-18](#) ZOrd. 0002-18 - An Ordinance Rezoning Property at 2100 and 2200 Northwestern Avenue

To amend the map of the Zoning Ordinance of the City of Racine.

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

Part 1: That 2100 Northwestern Avenue, more particularly described as follows:

That part of the Northeast ¼ and the Northwest ¼ of Section 8, Township 3 North, Range 23 East, Racine County, City of Racine, parts as described in documents held by the Racine County Register of Deeds, Volume 1209, Page 202 and Volume 1559 Pages 553-555, excepting parts described in Vol 1681 page 476 and excepting parts dedicated for public street purposes as described in Document 2391568; 3.5 acres more-or-less, be rezoned from I-2 General Industrial District to R-5 General Residence District with a Flex Development Overlay District, and

Part 2: That 2200 Northwestern Avenue, more particularly described as follows:

That part of the Northwest ¼ of Section 8, Township 3 North, Range 23 East, Racine County, City of Racine, parts as described in documents held by the Racine County Register of Deeds, Volume 1681, page 476, Northeasterly of Northwestern Avenue; 3.660 acres more-or-less, be rezoned from I-2 General Industrial District to R-5 General Residence District with a Flex Development Overlay District.

Part 3: This ordinance shall take effect upon passage by a majority vote of the members-elect of the City Common Council and publication or posting as required by law.

Fiscal Note: N/A

Sponsors: Jason Meekma

Referred to City Plan Commission

Refer to City Plan Commission

[ZOrd.0003-18](#) ZOrd. 0003-18 - An Ordinance Rezoning 1520 and 1536 Clark Street

To amend the map of the Zoning Ordinance of the City of Racine.

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

Part 1: That the properties located at 1520 and 1536 Clark Street and more particularly described as follows:

1520 Clark Street: "Said lands being in Racine County, WI, City of Racine, Being in the Southwest 1/4 of the Southwest ¼ of Section 16 Township 3 North, Range 23 East, Block 84 of the School Section, in the Blake and Fish subdivision plat as described in Volume 1651, Page 473 and the adjacent vacated Blake Street (AKA Higgins Court), containing 2.955 acres, more-or-less", and

1536 Clark Street: "Said lands being in Racine County, WI, City of Racine, Being in the Southwest 1/4 of the Southwest ¼ of Section 16 Township 3 North, Range 23 East, Block 84 of the School Section, in the Blake and Fish subdivision, Lot 33 and part of lot 28 as described in Volume 1832, Page 764, containing 4,707.93 square feet, more-or-less", and

Said lands being part of the vacated public right-of-way of Fifteenth Street between the Westerly right-of-way line of Clark Street and the

Easterly railroad right-of-way line of the Chicago and Northwestern Transportation Company.

Be rezoned from I-2 with a FD-Flex Development Overlay District, to R-5 General Residence District.

Part 2: This ordinance shall take effect upon passage by a majority vote of the members-elect of the City Common Council and publication or posting as required by law.

Fiscal Note: N/A

Sponsors: Jason Meekma

Referred to City Plan Commission

Refer to City Plan Commission

[ZOrd.0004-18](#)

ZOrd. 0004-18 - An Ordinance Rezoning 821, 930, and a part of 931 Carroll Street, and 1130, 1132, 1134, and 1140 Center Street

To amend the map of the Zoning Ordinance of the City of Racine.

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

Part 1: That the properties located at 821 Carrol Street and the Eastern 165 feet +/- of 930 Carrol Street, more particularly described as follows:

Part of the West ½ of Section 16, Town 3 North, Range 23 East, City of Racine, Racine County, Wisconsin Lots 9 (excluding the Eastern 56 feet), 12, 13, 16 (Eastern 165 feet +/-), 23, 24, 27, 28, 31 and 32 (excluding the Western 29 feet), 1.17 acres more-or-less, all in Block 66, Herrick and Crams Subdivision,

Be rezoned from R-3 Limited General Residence District to R-5 General Residence District, and

Part 2: That the properties located in the Western 115 feet +/- of 930 Carrol Street and part of 931 Carrol Street more particularly described as follows:

Part of the West ½ of Section 16, Town 3 North, Range 23 East, City of Racine, Racine County Lots 16 (Western 25 feet +/-) and 17, 0.371 acres more-or-less, all in Block 66, Herrick and Crams Subdivision, and

Part of the Northwest ¼ and Western ½ of Section 16, Town 3 North, Range 23 East, in the City of Racine, Racine County, Wisconsin, the

northern 286.24 feet (as measured along the Western boundary) of a part of the former right-of-way of the Chicago, Milwaukee, Saint Paul and Pacific Railroad Company as described in documents held at the Racine County Register of Deeds, Volume 1748, Page 876, being north of Twelfth Street, South of Eleventh Street and West of Block 66 of the School Section, Herrick and Crams Subdivision, 0.54 acres more-or-less,

Be rezoned from I-2 General Industrial District to R-5 General Residence District, and

Part 3: That the properties located at 1130, 1132, 1134, and 1140 Center Street and more particularly described as follows:

Part of the West ½ of Section 16, Town 3 North, Range 23 East, City of Racine, Racine County Lots 19 and 20, 0.37 acres more-or-less, all in Block 66, Herrick and Crams Subdivision,

Be rezoned from R-3 Limited General Residence District to R-5 General Residence District.

Part 4: This ordinance shall take effect upon passage by a majority vote of the members-elect of the City Common Council and publication or posting as required by law.

Fiscal Note: N/A

Sponsors: Jason Meekma

Referred to City Plan Commission

M. Common Council Announcements

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

N. Adjourn

Alderman Shakoor II made a motion to adjourn the meeting at 8:40 PM. The next scheduled meeting of the Council is December 4, 2018.

ATTEST: TARA COOLIDGE
ASSISTANT CITY CLERK