



# City of Racine

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

## Meeting Agenda - Final Common Council

*Alderman Jeff Coe*  
*Alderman Mollie Jones*  
*Alderman John Tate II*  
*Alderman Tracey Larrin*  
*Alderman Steve Smetana*  
*Alderman Sandy Weidner*  
*Alderman Raymond DeHahn*  
*Alderman Q.A. Shakoor II*  
*Alderman Terry McCarthy*  
*Alderman Dennis Wiser*  
*Alderman Mary Land*  
*Alderman Henry Perez*  
*Alderman James Morgenroth*  
*Alderman Jason Meekma*  
*Alderman Melissa Lemke*

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Tuesday, July 18, 2017

7:00 PM

City Hall, Room 205

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### A. Call To Order

### B. Pledge of Allegiance To The Flag

### C. Approval of Journal of Council Proceedings (Minutes) July 5, 2017

### D. Public Comments

### E. Communications

[668-17](#)

**Subject: (Direct Referral)** Communication from the City Administrator proposing that the Common Council fill the vacancy in the Office of the Mayor on an interim basis and, if necessary, a vacancy in the Office of the Common Council President.

**Staff Recommendation:** The Common Council fill the vacancy in the Office of the Mayor on an interim basis and, if necessary, a vacancy in the Office of the Common Council President.

[670-17](#)

**Subject: (Direct Referral)** Communication from the City Administrator requesting that the Common Council set a date for a Special Mayoral Election.

**Staff Recommendation:** The Common Council set a date for a Special

Mayoral Election.

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

- [658-17](#)      **Subject:** Communication from the City Attorney submitting the claim of Brian Winch for consideration.
- [681-17](#)      **Subject:** Communication from the Director of City Development representing the Racine County Economic Development Corporation (RCEDC) requesting semi-annual plan certifications for the period ending March 31, 2017 for the City Revolving Loan Fund (City-RLF).
- [692-17](#)      **Subject:** Communication from the Public Health Administrator requesting permission to accept grant funding from the Division of Intergovernmental Relations, Department of Administration, representing the State of Wisconsin / Wisconsin Coastal Management Program in the amount of \$49,765 for installation of a rain garden at Samuel Myers Park. (Grant Control #00138)
- [698-17](#)      **Subject:** Communication from the Finance Director requesting to have Brad Viegut, our representative from Robert W. Baird & Company, appear before the Finance and Personnel Committee at their next scheduled meeting on Monday, July 24, 2017 to discuss our 2017 borrowing for budgeted Capital Projects.
- [707-17](#)      **Subject:** Communication from the Public Health Administrator requesting permission to allow the Finance Department to make a 2017 budget amendment allowing the transfer of \$35,000 from the Laboratory Department's Fund Balance Reserves account to the Professional Services account.

**Refer to Public Works and Services Committee, by Ald. McCarthy**

- [654-17](#)      **Subject:** Communication from Brett Ekes, Co-Chairman of the St. Joseph Parish Festival, requesting to close St. Patrick Street between Erie Street and N. Wisconsin Street, on Friday, September 8, 2017 from 5:00 P.M. to 11:00 P.M., Saturday, September 9, 2017 from Noon to 11:00 P.M. and Sunday, September 10, 2017 from Noon to 5:00 P.M. for the annual church festival.
- [677-17](#)      **Subject:** Communication from the Assistant Commissioner of Public Works/City Engineer submitting Revision 1 to the State/Municipal Agreement for State Project ID: 2260-08-00/70, Durand Avenue (STH 11), Kearney Avenue to E of Memorial Drive.
- [678-17](#)      **Subject:** Communication from the Assistant Commissioner of Public Works/City Engineer submitting Revision 3 to the State/Municipal Agreement for State Project ID: 2350-00-00/20/70, Hamilton Street/Douglas Avenue (STH 32), Main Street to Goid Street.

[680-17](#)      **Subject:** Communication from the Assistant Commissioner of Public Works/City Engineer submitting a proposal for Contract 20170038, PS - 2017 Bridge Inspections - Memorial Drive Bridge and West 6th Street Bridge, Ayres Associates, consultant.

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

[682-17](#)      **Subject:** Application of Infusino Pizzeria & Restaurant Inc, dba Infusino's Italian Village, Pasquale Infusino, Agent, for a **Change of Agent** for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 3201 Rapids Drive (6th District).

[683-17](#)      **Subject:** Application of Infusino Pizzeria & Restaurant Inc, dba Infusino's Italian Village, Pasquale Infusino, Agent, for a **Change of Agent** for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 3225 Rapids Drive (6th District).

[694-17](#)      **Subject: (New)** Application for a Class "A" Fermented Malt Beverage Liquor License for Quick N Save LLC dba Quick N Save, located at 5302 Washington Avenue, Jatinder Dhillon, Agent. (12th District)

**Refer to Committee of the Whole, by Ald. Wisner**

[652-17](#)      **Subject:** Communication from Melissa Kaprelian-Becker seeking approval by the City Council of a resolution recognizing global warming as a national and local threat.

[660-17](#)      **Subject:** Communication from the Alderman of the 9th District proposing that the City of Racine consider programs for collecting and disposing yard debris and green or brown waste.

## F. Committee Reports

**Finance and Personnel Committee Report, by Ald. Shakoor**

[644-17](#)      **Subject:** Communication from the Director of City Development requesting to discuss accepting the following property donations from Racine County for transfer to nonprofit organizations Racine Habitat for Humanity, Inc and Great Lakes Community Conservation Corp for rehabilitation: 3518 Kinzie Avenue, 1124 David Street, and 1432 Illinois Street. Transfer will include a written agreement with the city detailing construction period, construction permits, and right of first purchase if property is disposed before construction completion. (Res. No. 0242-17)

**Recommendation of the Finance & Personnel Committee on**

**7/10/2017:** To approve the Director of City Development to accept property donations of 3518 Kinzie Avenue, 1124 David Street and 1432 Illinois Street from Racine County and take proper actions to deed the properties to the non-profit agencies of Racine Habitat for Humanity,

Inc. and Great Lakes Community Conservation Corp. with restrictions and contingencies as presented.

**Fiscal Note:** Both nonprofit groups will pay any fees incurred by the City while obtaining and transferring the properties from the County, including all closing costs. The City will expend staff time (salaries) administrating the transfer, developing the contracts, and monitoring the project compliance.

[645-17](#)

**Subject:** Communication from the Director of City Development requesting to discuss additional funding and recommended changes to the City's White Box program. (Res. No. 0243-17)

**Recommendation of the Finance & Personnel Committee on**

**7/10/2017:** To approve the following White Box program policies; To increase \$150,000 in White Box funding from the Intergovernmental Revenue Fund for the 2017 Fiscal Year for a total of \$250,000; combine the line item for façade grants and white box grants into one funding line item that could be allocated for either facades grant or white Box grant applications on a first-come/first-served basis (thus increasing the total funding for development incentives to \$400,000 for FY 2017); Create a "sunset" on the White Box Program for the end of FY 2019 to incentivize vacant property-owners to take more immediate action to rehabilitate and lease vacant spaces; and allowing a property owner of a building with more than one distinct, vacant retail spaces to obtain more than one "White Box" grant.

**Fiscal Note:** The proposed White Box program policy changes would increase the FY 2017 Funding for the White Box program from \$100,000 to \$250,000. The combination of White Box line items and budgeted façade grant line items (budgeted \$150,000 in FY 2017) to a total of \$400,000 available for either White Box or façade grants. During FY 2017, there has been \$91,545 awarded in White Box incentives and \$50,000 awarded in façade grants. These policy changes would result in a total of \$258,455 available for either White Box or façade grants for the rest of fiscal year 2017.

[659-17](#)

**Subject:** (Direct Referral) 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 *Cottingham, et al. v. City of Racine, et al.*, U.S. District Court, Eastern District of Wisconsin Case No. 16-CV-1560. (Res. No. 0244-17)

**Recommendation of the Finance & Personnel Committee on**

**7/10/2017:** To approve the settlement of *Cottingham, et al. v. City of Racine, et al.*, U.S. District Court, Eastern District of Wisconsin Case No. 16-CV-1560.

**Fiscal Note:** There are sufficient funds available in account 11202-53500, Misc-Judgements and Claims for the settlement.

[664-17](#)

**Subject:** (Direct Referral) Communication from the Finance Director requesting City Council acknowledgment and endorsement of authorization to execute a settlement agreement and payment in Racine County Case numbers 2015CV0745 and 2016CV1122 for partial refunds of 2014 and 2015 real estate property taxes, costs and interest totaling \$84,663; authorization to execute a settlement agreement and payment for 2016 real estate property taxes, costs and interest totaling \$50,124. (Res. No. 0241-17)

**Recommendation of the Finance & Personnel Committee on**

**7/10/2017:** Settlement of Racine County Case numbers 2015CV0745 and 2016CV1122; and settlement of claim of excessive assessment for 2016 real estate property taxes in the cumulative principal amount of \$134,545.66 plus cumulative interest through June 30, 2017 of \$222.96 plus cumulative per diem interest of \$1.00 starting July 1 through payment date for an estimated total of approximately \$134,788.

**Fiscal Note:** There are sufficient funds available for payment of this settlement in account 11202-53420, Misc-Property Taxes Cancelled. Approximately half of the refund will be charged back to the other taxing jurisdictions. Principal + interest by year is as follows: 2014 \$41,979.77 + \$51.29; 2015 \$42,589.32 + \$42.88; 2016 \$49,976.57 + \$147.79.

**Public Works and Services Committee Report, by Ald. McCarthy**

[587-17](#)

**Subject:** Communication from the Commissioner of Public Works submitting revisions to the proposed bulky and yard waste handling systems.(Res. No. 0249-17)

**Recommendation of the Public Works and Services Committee on 06-27-17:** Defer

**Recommendation of the Public Works and Services Committee on**

**07-11-17:** Recommend that the Department of Public Works establish a bulky waste handling system to provide Solid Waste System customers means of disposing of large items of non-regulated wastes, and excess volumes of household wastes that can't be fit into solid waste cart(s). This system shall provide pick-ups of bulky wastes to individual residential customers through a "call in" system requiring the property owner to call the DPW Field Office at (262) 636-9126 to schedule a

pick-up. Each residential unit, as determined by the City Assessor, will be allowed four "no charge" bulky waste collections annually. If a residential unit uses more than four bulky waste pickups, the property owner will be charged a \$50 fee per 5 Yard Truck collection. Residential customers shall also have the option of disposing of non-regulated household bulky wastes, at no charge, at three drop-off sites. Proof of residency shall be required when items are dropped off at these sites. The three drop-off sites shall be available as follows:

1. Pearl Street Facility (830 Racine Street) - Main Site - open Tuesday through Saturday, except holidays and Saturdays following a holiday, 52 weeks per year; from 10:00 AM to 6:00 PM.
2. Yout Street and Edgewood Avenue (1936 Edgewood Avenue) - open Mondays and Wednesdays, except holidays, April through November, 10:00 AM to 6:00 PM.
3. 19th Street and West Boulevard (1955 Grove Avenue) - open Tuesdays and Thursdays, except holidays, April through November, 10:00 AM to 6:00 PM.

**Fiscal Note:** Implementing these changes will reduce the City's Workers Compensation (Org 11201 Object 51500) expenditures by an estimated average of \$100,000 per year.

These changes will allow four workers to be reassigned from the Solid Waste Division (Org 14006) to the Street Maintenance Division (Org 14010). This reassignment will be budget neutral but will result in more street maintenance being accomplished annually.

[608-17](#)

**Subject:** Communication from Cari Greving, on behalf of Bigsley Event House (dba The Color Run), requesting to use City right-of-way for The Color Run on September 16, 2017. (Res. No. 0245-17)

**Recommendation of the Public Works and Services Committee on 07-11-17:** Permission be granted to Bigsley Event House to close the following streets and to utilize certain other City streets, as indicated, on their race map, for The Color Run on Saturday, September 16, 2017.

Pershing Park Drive from 6th Street to 11th Street  
11th Street from Main Street to Pershing Park Drive  
Main Street from 10th Street to 11th Street  
10th Street from Main Street to Lake Avenue  
Lake Avenue from 10th Street to State Street  
6th Street from Pershing Park Drive to Center Street  
7th Street from Lake Avenue to Center Street  
Main Street from 7th Street to Main Street Bridge  
Gaslight Drive from Lake Avenue to cul-de-sac

2nd Street from Main Street to Wisconsin Avenue  
Wisconsin Avenue from 2nd Street to 3rd Street  
3rd Street from Wisconsin Avenue to Main Street

with the following stipulations:

- A. A hold harmless agreement be executed and a \$100.00 processing fee paid.
- B. A liability insurance certificate be filed prior to this event.
- C. Any overtime costs incurred by any City department be charged to the sponsor.
- D. The sponsor shall notify all abutting property owners seventy-two (72) hours in advance of this event.
- E. The sponsor shall pay a \$1,700.00 special event fee.
- F. If required, sponsor shall be responsible for submitting a Temporary Traffic Control Plan to the Engineering Department for approval, and providing and removing all temporary traffic control devices and detour signs.
- G. If required, sponsor shall provide a detour plan for the closure of all State connecting Highways, arterial and collector streets to the City Engineer for approval.
- H. Sponsor shall pay \$750.00 for street sweeping.
- I. If required, sponsor shall install parking meter hoods or temporary parking signs at least twenty-four (24) hours in advance of the event and if this is not done, sponsor is responsible for vehicle towing and parking violation expenses of the violators.
- J. Sponsor shall pay \$6.25 per impacted parking meter.

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

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

[632-17](#)

**Subject:** Communication from the Alderman of the 9th District requesting a preliminary resolution for paving the (NS) alley bounded by Blaine Avenue to Hayes Avenue; Lindermann Avenue to Washington Avenue. (Res. No. 0246-17)

**Recommendation of the Public Works and Services Committee on 07-11-17:** That a preliminary resolution be introduced for the paving of the (NS) alley bounded by Blaine Avenue to Hayes Avenue; Lindermann Avenue to Washington Avenue.

**Fiscal Note:** This is an assessable alley project and, therefore, all costs will be paid by the abutting property owners.

[656-17](#)

**Subject:** (Direct Referral) Change Order No. 1 on Contract 20160011, 2016 City Resurfacing (R1), A.W. Oakes and Son, Inc., contractor. (Res. No. 0247-17)

**Recommendation of the Public Works and Services Committee on 07-11-17:** That Change Order No. 1 on Contract 20160011, 2016 City resurfacing (R1), A.W. Oakes and Son, Inc., contractor, as submitted, be approved in the deduct amount of (\$41,403.22).

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

(\$326,442.80) - Org-Object 45040-57500, DPW Paving  
\$ 40,680.00 - Org-Object 60484-57570, Storm Sewers  
(\$ 38,605.00) - Org-Object 22640-57560, Sanitary Sewers  
(\$ 14,122.94) - Org-Object 40104-57500, Paving  
\$ 37,411.41 - Org-Object 40104-57500, Asphalt Resurfacing (Parks)  
\$225,000.00 - Org-Object 22640-57500, Sanitary Sewer Paving  
\$ 34,676.11 - Org-Object 45050-57500, Sidewalk Replacements  
(\$ 41,403.22) - Total

**Fiscal Note:** Funds are available as herein delineated.

[657-17](#)

**Subject:** Final Payment on Contract 20160011, 2016 City Resurfacing (R1), A.W. Oakes and Son, Inc., contractor. (Res. No. 0248-17)

**Recommendation of the Public Works and Services Committee on 07-11-17:** That the work done by A.W. Oakes & Son, Inc. on Contract 20160011, 2016 City Resurfacing (R1), be accepted and final payment authorized for a total contract amount of \$1,608,363.23.

**Fiscal Note:** Contract was authorized under Resolution 0177-16, dated May 17, 2016.

### Public Safety and Licensing Committee Report, by Ald. Coe

[617-17](#)

**Subject:** Communication from the City of Racine Police Department recommending changes to section 42-181 of the Code of Ordinances (Abandoned, nuisance or junked vehicles).

**Recommendation of the Public Safety and Licensing Committee on 07-11-17:** That the City Attorney's Office draft an ordinance to coincide with the recommended changes.

**Fiscal Note:** N/A

[631-17](#)

**Subject:** The following renewal application for a "Class B" Retail



Fermented Malt Beverage and Intoxicating Liquor License for 2017-2018:

HILLSIDE LANES, LLC 1400 THIRTEENTH STREET  
(TRADENAME) HILLSIDE LANES  
RICHARD WONDERS, AGENT

**Recommendation of the Public Safety and Licensing Committee on 07-11-17:** That the renewal application for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 2017-2018 be approved.

**Fiscal Note:** N/A

[638-17](#)

**Subject: (New)** Application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for CBI of Racine Inc dba Tropical's Paradise, located at 1600 Douglas Avenue, Dorothy Lee, Agent (4th District).

**Recommendation of the Public Safety and Licensing Committee on 07-11-17:** That the new Application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for CBI of Racine Inc dba Tropical's Paradise, located at 1600 Douglas Avenue, Dorothy Lee, Agent be approved.

**Fiscal Note:** N/A

[641-17](#)

**Subject:** Application for a Class "A" Fermented Malt Beverage License for Lathrop Food Mart Inc dba Lathrop Food Mart, located at 1347 Lathrop Avenue, Aziz Abdul, Agent. (13th District)

**Recommendation of the Public Safety and Licensing Committee on 07-11-17:** That the application for a Class "A" Fermented Malt Beverage License for Lathrop Food Mart Inc dba Lathrop Food Mart, located at 1347 Lathrop Avenue, Aziz Abdul, Agent be approved.

**Fiscal Note:** N/A

#### **Committee of the Whole Report, by Ald. Wisner**

[650-17](#)

**Subject:** (Direct Referral) Request by the City Administrator to Consider: Recommendation of The Committee of the Whole Relating to the proposed, Downtown Multi-Purpose Event Center and Hotel project. A resolution to adopt a preferred financing model for the development, financing, and construction of an event center on the rda-owned property at 233 lake st., and to authorize and direct city staff to pursue certain partnership engagement efforts required to further develop the financing model and recruitment of a private, full-service hotel. (Res. No.

0250-17)

**Recommendation of the Committee of the Whole on 07-06-2017:**  
the resolution, as amended, be approved.

**Fiscal Note:** N/A

[653-17](#)

**Subject:** (Direct Referral) Communication from the Finance Director and the City Clerk requesting to address the Committee of the Whole concerning timing and logistical matters regarding the scheduling and conduct of a special mayoral election.

**Recommendation of the Committee of the Whole on July 5, 2017:**  
the Item be Received and Filed.

**Fiscal Note:** N/A

#### **Office of the Mayor Report, by Ald. Wisner**

[667-17](#)

**Subject:** Communication from Mayor Dickert to

Appoint Sean Brown, 3136 Kristy Ct, Racine 53406 to the Sex Offender Residency Appeal Board for a 3 year term, expiring July 31, 2020.

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

[590-17](#)

**Subject:** Communication from the Purchasing Agent requesting to discuss the results of Official Notice #2-2017, Request for Proposals for Lease and Management services for City of Racine golf courses. (Res No. 0210-17)

**Recommendation of the Finance & Personnel Committee on 6/26/2017:** To approve that the Purchasing Agent be authorized to negotiate and contract with Green Golf Partners for the provision of Lease and Management Services for the Golf Courses.

**Recommendation of the Board of Parks, Recreation & Cultural Services on 7/12/17:** To approve that the Purchasing Agent be authorized to negotiate and contract with Green Golf Partners for the provision of Lease and Management Services for the Golf Courses.

**Fiscal Note:** N/A

[620-17](#)

**Subject:** Communication from the Root River Council requesting permission to hold the Root River Festival on Sunday, August 27, 2017 at Lincoln Park. Further requests permission to allow a horse drawn

carriage to shuttle participants to the festival. (Res. No. 0252-17)

**Recommendation of the Board of Parks, Recreation & Cultural Services on 7/12/17:** To approve the Root River Council's request to hold the Root River Festival on Sunday, August 27, 2017 at Lincoln Park pending proper permits and payment of fees & charges. Further approve a horse drawn carriage to shuttle participants to the festival.

**Fiscal Note:** Park permit fees & charges as determined by PRCS.

[621-17](#)

**Subject:** Communication from Real Racine requesting to hold the 2017 Color Run at Pershing Park on Saturday, September 16, 2017. Further requests permission to allow staff/volunteers at the park during closed hours on an as need basis for setup purposes. (Res. No. 0253-17)

**Recommendation of the Board of Parks, Recreation & Cultural Services on 7/12/17:** To approve Real Racine's request to hold the 2017 Color Run event along Pershing Park on Saturday, September 16, 2017. Further approve staff/volunteers upon park grounds during closed hours on an as need basis for set up purposes.

**Fiscal Note:** Park permit fees & charges as determined by PRCS.

[622-17](#)

**Subject:** Communication from Wolverine Fireworks Display, Inc. to utilize the Pershing Boat Launch walkout as the fireworks launch site for the Roma Lodge Italian festival from 4:00 p.m. until midnight on Friday, July 28, 2017 and Saturday, July 29, 2017 with the possible rain date of Sunday, July 30, 2017. (Res. No. 0254-17)

**Recommendation of the Board of Parks, Recreation & Cultural Services on 7/12/17:** To approve Wolverine Fireworks Display, Inc. request to utilize the Pershing Boat Launch walkout as the fireworks launch site for the Roma Lodge Italian Fest from 4:00 p.m. until midnight on Friday, July 28, 2017 and Saturday, July 29, 2017 with the possible rain date of Sunday, July 30, 2017.

**Fiscal Note:** N/A

## G. Consent Resolutions

[Res.0241-17](#)

Settlement of Racine County Circuit Court Cases 2015CV0745 and 2016CV1122

Resolved, that City Council acknowledge and endorse authorization to execute a settlement agreement and payment in Racine County Circuit Court Cases 2015CV0745 and 2016CV1122 for partial refunds of 2014 and 2015 real estate property taxes, costs and interest totaling \$84,663.00.

Further resolved, that authorization is given to execute a settlement agreement and payment for 2016 real estate property taxes, costs and interest totaling \$50,124.00.

Further resolved, that settlement of Racine County Circuit Court Cases 2015CV0745 and 2016CV1122; and settlement of claim of excessive assessment for 2016 real estate property taxes in the cumulative principal amount of \$134,545.66 plus cumulative interest through June 30, 2017 of \$222.96 plus cumulative per diem interest of \$1.00 starting July 1 through payment date for an estimated total of approximately \$134,788.00 is approved.

Fiscal Note: There are sufficient funds available for payment of this settlement in account 11202-53420, Misc-Property Taxes Cancelled. Approximately half of the refund will be charged back to the other taxing jurisdictions. Principal and interest by year is as follows: 2014 \$41,979.77 + \$51.29; 2015 \$42,589.32 + \$42.88; 2016 \$49,976.57 + \$147.79.

**Sponsors:**

Q.A. Shakoor II

**Res.0242-17**

Property Donations - 3518 Kinzie Avenue, 1124 David Street and 1432 Illinois Street

Resolved, that the Director of City Development is approved to accept property donations of 3518 Kinzie Avenue, 1124 David Street and 1432 Illinois Street from Racine County and take proper actions to deed the properties to the non-profit agencies of Racine Habitat for Humanity, Inc. and Great Lakes Community Conservation Corp. with restrictions and contingencies as presented.

Fiscal Note: Both nonprofit groups will pay any fees incurred by the City while obtaining and transferring the properties from the County, including all closing costs. The City will expend staff time (salaries) administrating the transfer, developing the contracts, and monitoring the project compliance.

**Sponsors:**

Q.A. Shakoor II

**Res.0243-17**

City's White Box Program

Resolved, that the White Box program policies are approved as follows:

To increase \$150,000 in White Box funding from the Intergovernmental Revenue Fund for the 2017 Fiscal Year for a total of \$250,000; combine the line item for façade grants and white box grants into one funding line item that could be allocated for either facades grant or white Box grant applications on a first-come/first-served basis (thus increasing the total

funding for development incentives to \$400,000 for FY 2017); Create a “sunset” on the White Box Program for the end of FY 2019 to incentivize vacant property-owners to take more immediate action to rehabilitate and lease vacant spaces; and allowing a property owner of a building with more than one distinct, vacant retail spaces to obtain more than one “White Box” grant.

Fiscal Note: The proposed White Box Program policy changes would increase the fiscal year 2017 funding for the White Box Program from \$100,000.00 to \$250,000.00. The combination of White Box line items and budgeted facade grant line items (budgeted \$150,000.00 in fiscal year 2017) to a total of \$400,000.00 available for either White Box or facade grants. During fiscal year 2017, there has been \$91,545.00 awarded in White Box incentives and \$50,000.00 awarded in facade grants. These policy changes would result in a total of \$258,455.00 available for either White Box or facade grants for the rest of fiscal year 2017.

Sponsors:

Q.A. Shakoor II

[Res.0244-17](#)

Cottingham, et al. v. City of Racine, et al., U.S. District Court, Eastern District of Wisconsin Case No. 16-CV-1560

Resolved, that the case of Cottingham, et al. v. City of Racine, et al., U.S. District Court, Eastern District of Wisconsin Case No. 16-CV-1560, is approved to be settled in the amount of \$400,000.

Fiscal Note: Of the \$400,000 settlement amount, approximately \$55,300 in legal fees has already been paid, to be applied to the City's deductible amount leaving a remainder of approximately \$169,700 to be paid. There are sufficient funds available in account 11202-53500, Misc-Judgements and Claims for the settlement.

Sponsors:

Q.A. Shakoor II

[Res.0245-17](#)

The Color Run - September 16, 2017

Resolved, that permission is granted to Bigsley Event House (dba The Color Run) to use City right-of-way for The Color Run on September 16, 2017.

Further resolved, that permission is granted to Bigsley Event House to close the following streets and to utilize certain other City streets, as indicated, on their race map, for The Color Run on Saturday, September 16, 2017.

Pershing Park Drive from 6th Street to 11th Street, 11th Street from Main Street to Pershing Park Drive, Main Street from 10th Street to 11th Street, 10th Street from Main Street to Lake Avenue, Lake Avenue from 10th Street to State Street, 6th Street from Pershing Park Drive to

Center Street, 7th Street from Lake Avenue to Center Street, Main Street from 7th Street to Main Street Bridge, Gaslight Drive from Lake Avenue to cul-de-sac, 2nd Street from Main Street to Wisconsin Avenue, Wisconsin Avenue from 2nd Street to 3rd Street, 3rd Street from Wisconsin Avenue to Main Street, with the following stipulations:

- A. A hold harmless agreement be executed and a \$100.00 processing fee paid.
- B. A liability insurance certificate be filed prior to this event.
- C. Any overtime costs incurred by any City department be charged to the sponsor.
- D. The sponsor shall notify all abutting property owners seventy-two (72) hours in advance of this event.
- E. The sponsor shall pay a \$1,700.00 special event fee.
- F. If required, sponsor shall be responsible for submitting a Temporary Traffic Control Plan to the Engineering Department for approval, and providing and removing all temporary traffic control devices and detour signs.
- G. If required, sponsor shall provide a detour plan for the closure of all State connecting Highways, arterial and collector streets to the City Engineer for approval.
- H. Sponsor shall pay \$750.00 for street sweeping.
- I. If required, sponsor shall install parking meter hoods or temporary parking signs at least twenty-four (24) hours in advance of the event and if this is not done, sponsor is responsible for vehicle towing and parking violation expenses of the violators.
- J. Sponsor shall pay \$6.25 per impacted parking meter.

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

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

**Sponsors:**

Terry McCarthy

**Res.0246-17**

Preliminary - Ten (10) Year  
Benefits and Damages

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

1. The Common Council hereby declares its intention to exercise its power under § 66.0703, Wisconsin Statutes, to levy special assessments upon property within the following described area for benefits conferred upon such property by improvement of the following street(s):

All property fronting upon both sides:

## PORTLAND CEMENT CONCRETE PAVING

Alley (NS) - bounded by Blaine Avenue to Hayes Avenue; Lindermann Avenue to Washington Avenue

2. Said public improvement shall consist of PORTLAND CEMENT CONCRETE PAVING.
3. The total amount assessed against such district shall not exceed the total cost of the improvements and the amount assessed against any parcel shall not be greater than the benefits accruing thereto from said improvements.
4. The assessments against any parcel may be paid in cash or in ten (10) annual installments.
5. The Commissioner of Public Works is directed to prepare a report consisting of:
  - a. Preliminary or final plans and specifications for said improvement.
  - b. An estimate of the entire cost of the proposed work or improvement.
  - c. An estimate, as to each parcel of property within the assessment district, of:
    - (1) The assessment of benefits to be levied.
    - (2) The damages to be awarded for property taken or damaged.
    - (3) The net amount of such benefits over damages or the net amount of such damages over benefits.

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

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

The hearing shall be held at the Council Chambers in the City Hall at a time set by the Clerk in accordance with §. 66.0703 (7)(a), Wisconsin Statutes.

Fiscal Note: This is an assessable alley project and, therefore, all costs

will be paid by the abutting property owners.

**Sponsors:** Terry McCarthy

**Res.0247-17** Change Order No. 1 on Contract 20160011

Resolve, that a change is made to Order No. 1 on Contract 20160011, 2016 City resurfacing (R1), A.W. Oakes and Son, Inc., contractor, as submitted, is approved to deduct \$41,403.22.

**Fiscal Note:** That the funding accounts be adjusted by the following amounts:

(\$326,442.80) - Org-Object 45040-57500, DPW Paving  
\$ 40,680.00 - Org-Object 60484-57570, Storm Sewers  
(\$ 38,605.00) - Org-Object 22640-57560, Sanitary Sewers  
(\$ 14,122.94) - Org-Object 40104-57500, Paving  
\$ 37,411.41 - Org-Object 40104-57500, Asphalt Resurfacing (Parks)  
\$225,000.00 - Org-Object 22640-57500, Sanitary Sewer Paving  
\$ 34,676.11 - Org-Object 45050-57500, Sidewalk Replacements  
(\$ 41,403.22) - Total

**Sponsors:** Terry McCarthy

**Res.0248-17** Final Payment on Contract 20160011

Resolved, that the work done by A.W. Oakes & Son, Inc. on Contract 20160011, 2016 City Resurfacing (R1), is accepted and final payment authorized for a total contract amount of \$1,608,363.23.

**Fiscal Note:** Contract was authorized under Resolution 0177-16, dated May 17, 2016.

**Sponsors:** Terry McCarthy

**Res.0249-17** Bulky and Yard Waste Handling Systems

Resolved, that the Department of Public Works establish a bulky waste handling system to provide solid waste system customers means of disposing of large items of non-regulated wastes, and excess volumes of household wastes that can't fit into solid waste cart(s). This system shall provide pick-ups of bulky wastes to individual residential customers through a "call in" system requiring the property owner to call the DPW Field Office at (262) 636-9126 to schedule a pick-up. Each residential unit, as determined by the City Assessor, will be allowed four "no charge" bulky waste collections annually. If a residential unit uses more than four bulky waste pickups, the property owner will be charged a \$50 fee per 5 Yard Truck collection. Residential customers shall also have the option of disposing of non-regulated household bulky wastes, at no charge, at three drop-off sites. Proof of residency shall be required when items are dropped off at these sites. The three drop-off sites shall be



available as follows:

1. Pearl Street Facility (830 Racine Street) - Main Site - open Tuesday through Saturday, except holidays and Saturdays following a holiday, 52 weeks per year; from 10:00 a.m. to 6:00 p.m.
2. Yout Street and Edgewood Avenue (1936 Edgewood Avenue) - open Mondays and Wednesdays, except holidays, April through November, 10:00 a.m. to 6:00 p.m.
3. 19th Street and West Boulevard (1955 Grove Avenue) - open Tuesdays and Thursdays, except holidays, April through November, 10:00 a.m. to 6:00 p.m.

Fiscal Note: Implementing these changes will reduce the City's Workers Compensation (Org 11201 Object 51500) expenditures by an estimated average of \$100,000 per year.

These changes will allow four workers to be reassigned from the Solid Waste Division (Org 14006) to the Street Maintenance Division (Org 14010). This reassignment will be budget neutral but will result in more street maintenance being accomplished annually.

**Sponsors:**

Terry McCarthy

**Res.0250-17**

Event Center at 233 Lake Avenue

RESOLVED, that a preferred financing model for the development, financing, and construction of an event center on the Redevelopment Authority of the City of Racine (RDA)-owned property at 233 Lake Avenue, and authorization and direction to city staff to pursue certain partnership engagement efforts required to further develop the financing model and recruitment of a private, full-service hotel, is adopted.

WHEREAS, The City of Racine (City), as represented by its elected board of aldermen serving as the Committee of the Whole, and the RDA, as represented by its members, were jointly presented with the detailed results of the Phase I - due-diligence process for an event center and hotel project;

WHEREAS, this Phase I, due-diligence process, commissioned City staff and consultants to recommend conceptual programming, conceptual architectural and site design, construction cost estimates based upon the conceptual architectural plans, operating pro-formas, and possible financing models, for an event center and full-service hotel proposed for construction on the RDA-owned property at 233 Lake Avenue;

WHEREAS, the programming, architectural, operating, and financing

models were presented to the City and the RDA on both June 20, 2017 and June 27, 2017;

WHEREAS, the goals of the recommended financing model were to: 1) Use new revenues resulting from the event center and hotel to help capitalize the project; 2.) Share reserves from other economic development funding sources with a similar focus and mission (tax increment districts & intergovernmental funds); and 3.) Minimize the overall possible burden to Racine City property tax payers;

WHEREAS, the recommended financing model is designed to rely on several revenue sources to pay for both the up-front and amortized debt service costs of the event center;

WHEREAS, in order to commit to financing the design, construction, and operation of the proposed event center, the RDA and the City, must agree upon and adopt the financing model while also establishing what steps must be next taken;

WHEREAS, it is now incumbent upon the RDA and City to clearly identify and articulate the components and parameters the financing model should contain, and to provide clear authorization and direction to City Staff on how to proceed prior to any future or final action on approving the financing of the design and construction of the event center and hotel project.

FURTHER RESOLVED, that the Common Council of the City of Racine and Members of the Redevelopment Authority of the City of Racine hereby adopts and endorses a single, "optimal" financing model (the Model) for the possible payment of both the up-front and amortized debt service costs of a proposed event center and hotel project to be constructed on RDA-owned property at 233 Lake Avenue in Downtown Racine.

FURTHER RESOLVED, that said endorsement and adoption is limited to the following components, methodologies, and features:

1. Total Master Project Budget (construction, site improvements, and contingency) for the event center and hotel project shall not exceed \$55,000,000.00.
2. Within the Master Project Budget, site improvements (all construction exterior to the building envelope) shall not exceed \$3,500,000.00, and shall be funded by incremental tax revenues lawfully collected and shared from Tax Increment District (T.I.D.) numbers 9, 12, 13, and 14.
3. Any established "owners contingency" within the Master Project

Budget shall not exceed \$2,500,000.00 and shall be funded from Intergovernmental Fund balance reserves not otherwise budgeted.

4. Existing available fund balance reserves, collectively held in T.I.D numbers 9, 11, 12, 13 & 14 shall be shared, in an amount not-to-exceed \$10,700,000.00 to pay up-front capital costs for the design and construction of the event center, as well as possible costs of debt issuance and to limit the overall long-term indebtedness on the event center.

5. Total long-term indebtedness of the event center shall not exceed a principal sum of \$39,500,000.00.

6. The total long-term indebtedness on the event center (including all principal and interest) shall be amortized over a period not to exceed thirty years and shall be structured such as to avoid any unfavorable impact on the City's credit standing or ability to concurrently finance or bond for needed, prioritized public infrastructure or public safety facilities or structures.

7. The sources of repayment for the total long-term indebtedness shall include:

A. The capture of 100% of the new incremental property taxes paid on an approximate-150-room, full-service, destination hotel (hotel), integrally-attached to the event center (privately-financed and owned) as captured for the lawful-maximum twenty-seven years through a new T.I.D. to be set up to encompass the 233 Lake Avenue site. (Targeted to produce approximately \$294,000.00 per year.)

B. The capture and use of 100% of the new hotel occupancy taxes paid on room rentals at the hotel for a period not to exceed thirty years as agreed to by an agreement with Real Racine for said capture and use. (Targeted to produce approximately \$301,000.00 per year.)

C. The dedication of 100% of all cell tower carrier lease payments generated from any and all lease agreements with carriers placing antennae array on the hotel roof. (Targeted to produce at least \$30,000.00 per year.)

D. The dedication of a major portion of the exterior building "Naming Rights" for the event center for a period not to exceed thirty years. (Targeted to produce \$285,000.00 per year, while still dedicating approximately \$50,000.00 per year for operational expense support.)

E. The dedication of a negotiated \$3,000.00 per game played capital contribution from an anchor tenant USHL Hockey franchisee, to be in

addition to the negotiated per game operational lease payment, for a period not to exceed thirty years. (Targeted to produce approximately \$90,000.00 per year.)

F. The imposition and dedication of a capital “ticket surcharge” charged against each event ticket sold at the event center, for a period not to exceed thirty years, at a rate of \$0.75 per hockey game ticket, and \$1.00 per all non-hockey event tickets. (Targeted to produce approximately \$127,500.00 per year.)

G. The dedication and use of not to exceed \$800,000.00 per year in City Intergovernmental revenue funds for each of the seventeen fiscal years 2017 through 2033. (Targeted to produce approximately \$800,000.00 per year.)

H. The agreement to provide dedicated funding commitment(s) from one or more governmental sources other than the City, or from private-sector or non-profit, or foundation sources, in a cumulative amount totaling or exceeding approximately \$365,000.00 per year, for a period not to exceed thirty years. (Targeted to produce approximately \$365,000.00 per-year.)

I. The agreement by the City to provide a yearly contribution, from its available debt service property tax levy in an amount sufficient to cover any “short-falls” to yearly debt service payment requirements not otherwise provided by the cumulative revenues from the sources herein before identified, for a period not to exceed thirty years. (Targeted to require approximately \$365,000 per-year.)

FURTHER RESOLVED, that working in combination with the RDA, City staff is authorized and directed to implement the financial model measured by the following milestone achievements:

1. The Development of an agreement with a private sector developer to finance and construct an approximate 150-room, destination, full-service hotel, integrally constructed with the EVENT CENTER on the 233 Lake Avenue site, contingent on the RDA and City committing to finance and construct the EVENT CENTER as proposed.
2. The Development of work and agreements to develop a new tax increment district designed to capture the incremental property taxes produced by the hotel.
3. The Development of the preliminary work and agreements to assure that Real Racine and the City may use 100% of the hotel occupancy taxes produced by the hotel and that the occupancy taxes will be dedicated to the long term indebtedness of the event center.

4. The solicitation and development of one or more contingent offers to purchase exterior building naming rights for a proposed term or terms of not less than five years at a per-year net value approximating \$334,000.00 exclusive of commissions.
5. The development of an agreement with an anchor tenant, USHL Minor League hockey franchisee, who agrees to lease terms including but not limited to: approximate gross per-game operational lease payments of \$4,000.00; net per-game capital lease payments of \$3,000.00; capital ticket surcharges of not less than \$0.75 per ticket sold; and a lease term of not less than twenty years.
6. The development of a capital improvement plan showing the impact on expected capital plans by dedicating \$800,000.00 of intergovernmental funds for long-term indebtedness payments on the event center.
7. The solicitation and contingent agreement(s) to provide dedicated funding commitment(s) from one or more governmental sources other than the City, or from private sector or non-profit, or foundation sources, in a cumulative amount totaling at or near \$365,000.00 per year, for a period of thirty years, or alternative financial commitments under different terms with similar or equal total effect.
8. The immediate creation and staffing support for an Advisory Committee to the Mayor, whose membership shall be selected from among community leaders, business leaders, representatives of one or more other jurisdictions, the RDA, DRC, Real Racine, citizens, or other interested parties. This Committee shall serve to provide input, evaluation and feedback on event center and hotel project financing, programming, architectural designs, and construction.
9. There be a city wide master capital improvement plan with bond implications.
10. Should the revenues exceed the projected amounts, then the additional funds will first alleviate the tax burden of the citizens of Racine.

BE IT FINALLY RESOLVED, that upon satisfactory completion of the milestone achievements listed above in numbers 1 through 10, The Common Council and the Redevelopment Authority declare their joint intent to thereafter promptly schedule public and legally noticed meetings to vote to approve the financing, design, and construction of the event center and hotel project in keeping with the financing model described herein.

Fiscal Note: N/A

Sponsors: Dennis Wiser

[Res.0252-17](#) Root River Festival

Resolved, that the Root River Council's request to hold the Root River Festival on Sunday, August 27, 2017 at Lincoln Park pending proper permits and payment of fees & charges is approved.

Further, resolved to approve a horse drawn carriage to shuttle participants to the festival.

Fiscal Note: Park permit fees & charges as determined by PRCS.

Sponsors: Jason Meekma

[Res.0253-17](#) 2017 Color Run

Resolved, that Real Racine's request to hold the 2017 Color Run at Pershing Park on Saturday, September 16, 2017 is approved.

Further resolved, that permission is granted to allow staff/volunteers at the park during closed hours on an as need basis for setup purposes.

Fiscal Note: Park permit fees & charges as determined by PRCS

Sponsors: Jason Meekma

[Res.0254-17](#) Roma Lodge Italian Festival

Resolved, that Wolverine Fireworks Display, Inc. is approved to utilize the Pershing Boat Launch walkout as the fireworks launch site for the Roma Lodge Italian festival from 4:00 p.m. until midnight on Friday, July 28, 2017 and Saturday, July 29, 2017 with the possible rain date of Sunday, July 30, 2017.

Fiscal Note: N/A

Sponsors: Jason Meekma

## H. Consent Agenda

## I. 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.**

## **J. Adjourn**

### **Office of The City Clerk**

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