



# City of Racine

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

## Meeting Minutes - Final Common Council

*Mayor John T. Dickert, Alderman Q.A. Shakoor, II, Alderman Michael Shields, Alderman Ronald D. Hart, Alderman Jim Kaplan, Alderman Dennis Wisner, Alderman Sandy Weidner, Alderman Terry McCarthy, Alderman Raymond DeHahn, Alderman Gregory Holding, Alderman Robert Mozol, Alderman O. Keith Fair, Alderman Melissa Kaprelian-Becker, Alderman James Morgenroth, Alderman Krystyna Sarrazin, Alderman Molly Hall*

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Tuesday, February 5, 2013

7:00 PM

Room 205, City Hall

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### A. Call To Order

**PRESENT:** 14 - Fair, Shields, Kaprelian-Becker, DeHahn, McCarthy, Holding, Morgenroth, Mozol, Kaplan, Shakoor, II, Hart, Weidner, Sarrazin and Hall  
**EXCUSED:** 1 - Wisner

### B. Pledge of Allegiance To The Flag

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

### C. Approval of Journal of Council Proceedings (Minutes)

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

### D. Public Comments

*Sonazi Knotek  
Karl Fuller  
Mark Balwinski  
Sue DeKeuster*

### E. Communications

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

[13-8532](#)

**Subject:** Communication from the Police Chief, requesting to apply for and accept the Wisconsin DOT 2013 Pedestrian Safety Enforcement grant (grant control # 2013-001).

**Referred to Finance and Personnel Committee**

[13-8533](#)

**Subject:** Communication from the Police Chief, requesting to apply for and accept the Wisconsin DOT 2013 Bicycle Safety grant (grant

control # 2013-002).

**Referred to Finance and Personnel Committee**

[13-8538](#)

**Subject:** communication from the City Attorney requesting authorization to represent various City employees in the matter of Janet Venegas v City of Racine, et al, Racine County Case No. 12-CV-2726.

**Referred to Finance and Personnel Committee**

[13-8571](#)

**Subject:** Communication from the Director of Parks, Recreation & Cultural Services requesting permission to accept grant funds of \$25,000.00 from the Wisconsin Department of Natural Resources for tree inventory.

**Referred to Finance and Personnel Committee**

[13-8579](#)

**Subject:** Communication from the Fire Chief requesting Section 38-22 of the City Ordinance be repealed and recreated.

**Referred to Finance and Personnel Committee**

[13-8580](#)

**Subject:** communication from the City Attorney submitting the claim of Sears Holding Corporation for 2012 real estate taxes for consideration.

**Referred to Finance and Personnel Committee**

[13-8581](#)

**Subject:** communication from the City Attorney submitting the claim of Donna Hrenak and Martin Hrenak for consideration.

**Referred to Finance and Personnel Committee**

[13-8583](#)

**Subject:** Communication from the Public Health Administrator requesting permission to enter into a contract and to accept funds of \$6,000 from the Wisconsin Department of Agriculture Trade and Consumer Protection for the biannual prescription drug collection events hosted by the Health Department. (Grant Control # 2013-005)

**Referred to Finance and Personnel Committee**

[13-8585](#)

**Subject:** Communication from the Public Health Administrator requesting permission to accept a donation of \$4,000 from United for a Cure Cancer Prevention for the Racine County Breast and Cervical Health Fund. which is facilitated by the City of Racine Health Department.

**Referred to Finance and Personnel Committee**

[13-8586](#)

**Subject:** Communication from the Public Health Administrator requesting permission to enter into a contract agreement and to

accept funding in the amount of \$6,956 from the State of Wisconsin Division of Public Health for the Preventive Health and Health Services Block Grant for 2013. (Grant Control # 2013-004)

**Referred to Finance and Personnel Committee**

[13-8587](#)

**Subject:** Communication from the Public Health Administrator requesting permission to enter into a contract agreement and to accept funds of \$6,000 from the Department of Health Services for the support of the Racine County Medical Reserve Corps. (Grant Control # 2013-007)

**Referred to Finance and Personnel Committee**

[13-8588](#)

**Subject:** Communication from the Public Health Administrator requesting permission to enter into a contract agreement and to accept funding in the amount of \$4,000 from the National Association of County and City Health Officials (NACCHO) for support of the Racine County Medical Reserve Corps in 2013. (Grant Control Number: 2013-008)

**Referred to Finance and Personnel Committee**

[13-8589](#)

**Subject:** Communication from the Public Health Administrator requesting permission to accept funding in the amount of \$13,000 from the State of Wisconsin Division of Public Health for HIV Prevention Partner Services. (Grant Control # 2013-006)

**Referred to Finance and Personnel Committee**

[13-8590](#)

**Subject:** Communication from the Public Health Administrator requesting permission to enter into a Contract Agreement and to accept funding in the amount of \$167,339 from the Department of Health Services for the Local Public Health Departments Performance Consolidated Programs for the continuation of programs. (Grant Control # 2013-003)

**Referred to Finance and Personnel Committee**

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

[13-8582](#)

**Subject:** Communication from Racine Neighborhood Watch requesting to use the City Hall Annex parking lot for its plant sale fundraiser pickup on Saturday, May 19, 2012, from 5 a.m. until 3 p.m.

**Referred to Public Works and Services Committee**

[13-8592](#)

**Subject:** Communication from Alderman of 15th District and Alderman of the 5th District requesting evaluation and elimination of city owned lights before implementing the new "street light spacing policy" for WE Energy's leased lights.

**Referred to Public Works and Services Committee**[13-8594](#)

**Subject:** Communication from the Assistant Commissioner of Public Works/Operations requesting to waive formal bidding for the purchase of Cree LED Light Fixtures.

**Referred to Public Works and Services Committee****Refer to Public Safety and Licensing Committee, by Ald. Holding**[13-8531](#)

**Subject:** Application of Fifth Street Yacht Club, Inc., James L. Campbell, Agent, for a Change of Agent for a "Class B" Club license for 761 Marquette St. (4th District)

**Referred to Public Safety and Licensing Committee**[13-8542](#)

**Subject:** Communication from the Mayor requesting that the City Attorney repeal and recreate Sec. 6-106 prohibiting the issuance of a liquor license to premises that have delinquent accounts with the City.

**Referred to Public Safety and Licensing Committee**[13-8569](#)

**Subject:** Communication from Alders Kaprelian-Becker and Holding to revise and amend sections of Ordinance 12-12 Secondhand Dealers and Pawnbrokers licenses.

**Referred to Public Safety and Licensing Committee**[13-8584](#)

**Subject:** Communication from Alderman of the 12th District requesting the City Attorney prepare an ordinance relating to residency for sex offenders.

**Referred to Public Safety and Licensing Committee**[13-8593](#)

**Subject:** (Renewal) Application for BJ Coin & Jewelry, for a Secondhand Jewelry Dealer's License for 532 Monument Square. (1st District)

**Referred to Public Safety and Licensing Committee**[13-8595](#)

**Subject:** Communication requesting Change of Agent for Rapids Drive Convenience, LLC, 3520 Rapids Drive - Harjeet S. Walia, Agent, Class "A" Fermented Malt Beverage license (6th District).

**Referred to Public Safety and Licensing Committee****Refer to Traffic Commission, by Ald. Weidner**[13-8572](#)

**Subject:** Communication from Charlie Petrach requesting a 4-way stop sign at the intersection of Franklin Street and 20th Street.

Referred to Traffic Commission

## G. Committee Reports

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

[12-8481](#)

**Subject:** Communication from the Public Health Administrator requesting permission to apply for and accept \$1,532.76 from the Illinois Department of Natural Resources for a Waukegan Harbor South Beach Health Assessment. (Res. No. 13-0032)

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

**1-21-13:** The Mayor and City Clerk be authorized to enter into a \$1,532.76 agreement with the IL Department of Natural Resources for a Waukegan Harbor South Beach Assessment.

**Fiscal Note:** There is no cost to the City.

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

[13-8516](#)

**Subject:** Communication from Alderperson of District 5, requesting permission to apply for the Community Foundation grant and asking the Council to approve the City's participation in the America in Bloom contest for the year 2013. (Res. No. 13-0033)

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

**1-21-13:** Permission be granted to the Alderperson of District 5 to apply for the Community Foundation grant and the Council to approve the City's participation in the America in Bloom contest for the year 2013.

**Fiscal Note:** There is no cost to the City.

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

[13-8517](#)

**Subject:** Communication from the Alderman of District 11 requesting an amendment to the budget to eliminate CAR25, and move all the funding to the contingency account.

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

**1-21-13:** Receive and File.

**Fiscal Note:** N/A

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

**13-8528**

**Subject:** (Direct Referral) Communication from the City Attorney wishing to convene in closed session to discuss, with the Finance and Personnel Committee, strategy with respect to litigation in which the City of Racine is or is likely to become involved, specifically Racine Country Club v. City of Racine, Racine County Case Nos. 11 CV 1622 and 12 CV 1234.

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

**1-21-13:** Recommend that Racine County Cases No. 11-CV-1622 and 12-CV-1234, Racine Country Club v City of Racine, be settled in accordance with the Settlement Agreement and Release, and that property tax refunds due under the settlement be paid from account 101.990.5930, R.E & P.P Taxes cancelled. Further recommend that \$100,000 be transferred from account 101.990.5970, Contingency, to account 101.990.5930, R.E & P.P Taxes cancelled, to fully fund the refund.

**Fiscal Note:** The refund for 2010 is \$51,062; 2011 is 57,596 plus interest; 2012 is \$64,371. Total refund is \$173,029 plus 2011 interest. \$75,000 is budgeted in 2013 in account 101.990.5930, R.E & P.P Taxes cancelled. A \$100,000 transfer from the contingent account is needed to fully fund the refund. Chargebacks to other jurisdictions will be processed for their respective shares of the refunds and should be received in 2014.

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

Council Action

**A motion was made by Alderman Q.A. Shakoor, II, seconded by Alderman Terry McCarthy, that this be Considered as Reported to Adopt the Report. Adopted by the following vote:**

**AYES:** 14 - Fair, Shields, Kaprelian-Becker, DeHahn, McCarthy, Holding, Morgenroth, Mozol, Kaplan, Shakoor, II, Hart, Weidner, Sarrazin and Hall

**EXCUSED:** 1 - Wisner

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

**12-8412**

**Subject:** (Direct Referral) Communication from the City Engineer wishing to discuss the independent Engineering Report for the W. Sixth Street Bridge.

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

on 1-29-13: That the communication be received and filed.

**Fiscal Note:** N/A

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

[12-8413](#)

**Subject:** (Direct Referral) Communication from the City Engineer wishing to discuss the independent Engineering Report for the Memorial Drive Bridge.

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

on 1-29-13: That the communication be received and filed.

**Fiscal Note:** N/A

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

[13-8499](#)

**Subject:** (Direct Referral) Communication from the Commissioner of Public Works submitting final payment on Contract 07-12 (K2-007), Professional Services for 2012 Illicit Discharge Detection and Elimination Program Support, AECOM, consultant. (Res. No. 13-0037)

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

on 1-29-13: That the professional services provided by AECOM Technical Services, Inc. under Contract 7-12 (K2-007), Professional Services - 2012 Illicit Discharge Detection and Elimination (IDDE) Program Support, be accepted and final payment authorized for a total contract amount of \$19,962.44.

**Fiscal Note:** Contract was authorized under Resolution No. 12-2913, dated January 17, 2012.

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

[13-8500](#)

**Subject:** (Direct Referral) Communication from the Commissioner of Public Works submitting a request for final payment on Contract 37-12 (K2-042), Central Heating Plant-Tunnel Repairs, Allied Waterproofing, Inc., contractor. (Res. No. 13-0044)

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

on 1-29-13: That the work done by Allied Waterproofing, Inc. under Contract 37-12 (K2-042), Central Heating Plant Tunnel Repairs, be accepted and final payment authorized for a total contract amount of \$44,967.00.

**Fiscal Note:** Contract was authorized under Resolution No. 12-3271, dated August 21, 2012.

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

[13-8502](#)

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting a proposal from Industrial Roofing Services, Inc. for Contract 10-13 (K3-010), 2013 Parking Lot Repairs-Parking System & Hampden Place. (Res. No. 13-0051)

**Recommendation of the Public Works and Services Committee on 1-29013:** That the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with Industrial Roofing Services, Inc., under Contract 10-13 (K3-010), Professional Services - 2013 Parking Lot Repairs-Parking System & Hampden Place, in the not-to-exceed amount of \$14,700.00.

**Fiscal Note:** Funding to defray the cost of these professional services be appropriated from the following accounts:

\$ 7,700.00 - Account 106.993.5750, Surface Lot Repaving  
\$ 7,000.00 - Account 993.404.5020, Hampden Place-Resurface Lot  
\$ 14,700.00 - Total

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

[13-8513](#)

**Subject:** Communication from the Assistant Commissioner of Public Works/City Engineer submitting a proposal from Baird & Associates for Contract 17-13 (K3-017), Professional Services - Hydrographic Survey of 5th Street Boat Launch Basin. (Res. No. 13-0054)

**Recommendation of the Public Works and Services Committee on 1-29-13:** That the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with Baird & Associates, under Contract 17-13 (K3-017), Professional Services - Hydrographic Survey of 5th Street Launch Basin, in the not-to-exceed amount of \$7,200.00.

**Fiscal Note:** Funding to defray the cost of these professional services be appropriated from Account 993.700.5040, Pershing Park Boat Launch.

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

[13-8522](#)

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer submitting Change Order No. 3 on Contract 52-12 (K2-063) - 2012 Bridge Repairs, Vista Design & Construction, contractor. (Res. No. 13-0047)



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

**on 1-29-13:** That Change Order No. 3 on Contract 52-12 (K2-063), 2012 Bridge Repairs, Vista Design & Construction, LLC, contractor, be approved in the amount of \$10,603.66.

**Fiscal Note:** Funding to defray the cost of this change order be appropriated from Account 992.908.5020, Concrete Paving, Misc.

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

**13-8523**

**Subject:** (Direct Referral) Communication from the Commissioner of Public Works submitting final payment on Contract 52-12 (K2-063) - 2012 Bridge Repairs, Vista Design & Construction, contractor. (Res. No. 13-0048)

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

**on 1-29-13:** That the work done by Vista Design & Construction, LLC under Contract 52-12 (K2-063), 2012 Bridge Repairs, be accepted and final payment authorized for a total contract amount of \$195,851.41.

**Fiscal Note:** Contract was authorized under Resolution No. 12-3305, dated September 4, 2012.

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

**13-8529**

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer requesting to reduce the retainage to 3.41% on Contract 06-12 (K2-006) - 2012 Concrete Street Reconstruction. (Res. No. 13-0050)

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

**on 1-29-13:** That the request of the contractor to reduce the retainage on Contract 6-12 (K2-006), 2012 Concrete Street Reconstruction, A.W. Oakes & Son, Inc., contractor, to \$25,000.00, be approved.

**Fiscal Note:** The amount of retainage is sufficient to cover the value of the remainder of the work on this project.

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

**13-8530**

**Subject:** (Direct Referral) Communication from the Purchasing Agent submitting bid results on Official Notice #1 for Two (2) Heavy Duty, Low Entry, Dual Steer Cab Truck Chassis, with 25 Cubic Yard High Compaction Rear Loading Refuse Packers. (Res. No. 13-0036)

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

**on 1-29-13:** That the contract for Two (2) Heavy Duty, Low Entry, Dual Steer Cab Truck Chassis, with 25-cubic yard High Compaction Rear Loading Refuse Packer be awarded to R.N.O.W. Inc., at their bid price of \$384,140.00 with trade-in, they being the lowest responsible bidder.

**Fiscal Note:** Funding to defray the cost of this purchase be appropriated from Account 943.400.5010, Solid Waste - Refuse Trucks.

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

## Council Action

**A motion was made by Alderman Sandy Weidner, seconded by Alderman Raymond DeHahn, that this be Considered as Reported to Adopt the Report. Adopted by the following vote:**

**AYES:** 14 - Fair, Shields, Kaprelian-Becker, DeHahn, McCarthy, Holding, Morgenroth, Mozol, Kaplan, Shakoor, II, Hart, Weidner, Sarrazin and Hall

**EXCUSED:** 1 - Wisner

**13-8535**

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting Change Order No. 1 to Contract 24-12 (K2-026), Roof Replacement at Equipment Maintenance Garage, Alois Roofing & Sheet Metal, contractor. (Res. No. 13-0040)

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

**on 1-29-13:** That Change Order No. 1 on Contract 24-12 (K2-026), Roof Replacement at Equipment Maintenance Garage, Alois Roofing & Sheet Metal, contractor, be approved in the amount of \$5,350.00

**Fiscal Note:** Funding to defray the cost of this change order be appropriated from the following accounts:

\$ 5,000.00 - Contract Allowance

\$ 350.00 - Account 401.992.5760, Equipment Garage-Replace Roof

\$ 5,350.00 - Total

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

**13-8536**

**Subject:** (Direct Referral) Communication from the Commissioner of Public Works submitting a request for final payment on Contract 24-12 (K2-026), Roof Replacement at Equipment Maintenance Garage, Alois Roofing & Sheet Metal, contractor. (Res. No. 13-0041)

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

**on 1-29-13:** That the work done by Alois Roofing & Sheet Metal under Contract 24-12 (K2-026), Roof Replacement at Equipment Maintenance Garage, be accepted and final payment authorized for a total contract amount of \$148,904.00.

**Fiscal Note:** Contract was authorized under Resolution No. 12-3102, dated May 1, 2012.

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

**13-8539**

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting Change Order No. 1 to Contract 59-12 (K2-070), Painting of Main Street Lift Bridge, Drax, Inc., contractor. (Res. No. 13-0049)

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

**on 1-29-13:** That Change Order No. 1 on Contract 59-12 (K2-070), Painting of Main Street Lift Bridge, Drax, Inc., contractor, be approved in the amount of \$22,539.56.

**Fiscal Note:** Funding to defray the cost of this change order be appropriated from Account 930.086.5810, Main Street Lift Bridge.

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

**13-8540**

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer submitting Change Order No. 1 to Contract 12-12 (K2-013), CDBG Paving, Payne & Dolan, Inc., contractor. (Res. No. 13-0038)

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

**on 1-29-13:** That Change Order No. 1 on Contract 12-12 (K2-013), CDBG Paving, Payne & Dolan, Inc., contractor, be approved in the amount of \$152,514.45.

**Fiscal Note:** Funding to defray the cost of this change order be appropriated from the following accounts:

\$ 72,420.52 - Account 992.908.5220, Asphalt Resurfacing  
\$ 80,093.93 - Account 104.992.5420, Storm Sewer, Misc. Loc.  
\$ 152,514.45 - Total

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

**13-8541**

**Subject:** (Direct Referral) Communication from the Commissioner of Public Works submitting final payment to Contract 12-12 (K2-013), CDBG Paving, Payne & Dolan, contractor. (Res. No. 13-0039)

**Recommendation of the Public Works and Services Committee on 1-29-13:** That the work done by Payne & Dolan, Inc. under Contract 12-12 (K2-013), CDBG Paving, be accepted and final payment authorized for a total contract amount of \$1,198,648.65.

**Fiscal Note:** Contract was authorized under Resolution No. 12-3139, dated May 15, 2012.

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

[13-8556](#)

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer submitting Change Order No. 1 to Contract 27-12 (K2-031), CCTV & Manhole Inspection, Green Bay Pipe & TV, contractor. (Res. No. 13-0042)

**Recommendation of the Public Works and Services Committee on 1-29-13:** That Change Order No. 1 on Contract 27-12 (K2-031), CCTV & Manhole Inspection, Green Bay Pipe & TV, contractor, be approved in the deduct amount of (\$6,604.40).

**Fiscal Note:** Change Order No. 1 will result in a decrease in contract price. Funding accounts to be adjusted by the following amounts:

(\$ 6,203.20) - Account 104.992.5420, Storm Sewers, Misc. Loc.  
(\$ 401.20) - Account 287.992.5310, Sanitary Sewers, Var. Loc.  
(\$ 6,604.40) - Total

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

[13-8557](#)

**Subject:** (Direct Referral) Communication from the Commissioner of Public Works submitting final payment on Contract 27-12 (K2-031), CCTV & Manhole Inspection, Green Bay Pipe & TV, contractor. (Res. No. 13-0043)

**Recommendation of the Public Works and Services Committee on 1-29-13:** That the work done by Green Bay Pipe & TV under Contract 27-12 (K2-031), CCTV & Manhole Inspection, be accepted and final payment authorized for a total contract amount of \$262,458.57.

**Fiscal Note:** Contract was authorized under Resolution No. 12-7598, dated May 1, 2012.

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

[13-8558](#)

**Subject:** (Direct Referral) Communication from the Assistant

Commissioner of Public Works/City Engineer submitting Change Order No. 2 to Contract 38-12 (K2-043), Sewer and Lateral Lining, Musson Brothers, contractor. (Res. No. 13-0045)

**Recommendation of the Public Works and Services Committee on 1-29-13:** That Change Order No. 2 on Contract 38-12 (K2-043), Sewer and Lateral Lining, Musson Brothers, contractor, be approved in the deduct amount of (\$639.70).

**Fiscal Note:** Change Order No. 2 will result in a decrease in contract price. Funding account to be adjusted by (\$639.70) is 287.992.5310, Sanitary Sewers, Var. Loc.

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

[13-8559](#)

**Subject:** (Direct Referral) Communication from the Commissioner of Public Works submitting final payment on Contract 38-12 (K2-043), Sewer and Lateral Lining, Musson Brothers, contractor. (Res. No. 13-0046)

**Recommendation of the Public Works and Services Committee on 1-29-13:** That the work done by Musson Brothers under Contract 38-12 (K2-043), Sewer and Lateral Lining, be accepted and final payment authorized for a total contract amount of \$637,786.25.

**Fiscal Note:** Contract was authorized under Resolution No. 12-7727, dated June 4, 2012.

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

[13-8560](#)

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer submitting a proposal from AECOM Technical Services, Inc. for Contract 16-13 (K3-016), 2013 Pavement Inspections and Planning. (Res. No. 13-0053)

**Recommendation of the Public Works and Services Committee on 1-29-13:** That the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with AECOM Technical Services, Inc., under Contract 16-13 (K3-016), Professional Services - 2013 Pavement Inspection and Planning, in the not-to-exceed amount of \$82,100.00.

**Fiscal Note:** Funding to defray the cost of these professional services be appropriated from Account 101.130.5610, 2013 Professional Services.

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

[13-8562](#)

**Subject:** (Direct Referral) Communication from the Transit and Parking System Manager submitting a proposal from Arnold & O'Sheridan for Contract 11-13 (K3-011), Professional Services - 2013 Parking Ramp Repairs. (Res. No. 13-0052)

**Recommendation of the Public Works and Services Committee on 1-29-13:** That the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with Arnold & O'Sheridan, Inc., under Contract 11-13 (K3-011), Professional Services - 2013 Parking Ramp Repairs, in the not-to-exceed amount of \$26,000.00.

**Fiscal Note:** Funding to defray the cost of these professional services be appropriated from Account 106.993.5760, 2013 Building Improvements.

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

## Council Action

**A motion was made by Alderman Sandy Weidner, seconded by Alderman Raymond DeHahn, that this be Considered as Reported to Adopt the Report. Adopted by the following vote:**

**AYES:** 14 - Fair, Shields, Kaprelian-Becker, DeHahn, McCarthy, Holding, Morgenroth, Mozol, Kaplan, Shakoor, II, Hart, Weidner, Sarrazin and Hall

**EXCUSED:** 1 - Wisner

[13-8563](#)

**Subject:** (Direct Referral) Communication from the Commissioner of Public Works submitting a draft of the Adopt-A-Streetlight Program. (Res. No. 13-0055)

**Recommendation of the Public Works and Services Committee on 1-29-13:** That the Adopt-A-Streetlight Program be approved.

**Fiscal Note:** Residents will be required to pay the annual WE Energies lease cost for any street or alley light they are sponsoring plus a \$15 administrative fee.

**This Communication was Referred to the Public Works and Services Committee**

**Public Safety and Licensing Committee Report, by Ald. Holding**[12-8448](#)

**Subject:** (Direct Referral) Sale of Abandoned Vehicles 12-11-12.

**Recommendation of the Public Safety and Licensing Committee**

**on 1-8-13:** That the item be received and filed as the highest responsible bidder out of the three bids was Sturtevant Auto Salvage.

**Fiscal Note:** This will generate \$16,368.01 in revenue.

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

[12-8470](#)

**Subject: (New)** Application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for Curmudgeon's Pub & Grill LLC, located at 3458 Rapids Drive, Dawn Burbey, Agent. **(6th District)**

**Recommendation of the Public Safety and Licensing Committee**

**on 1-8-13:** That the new Application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for Curmudgeon's Pub & Grill LLC, located at 3458 Rapids Drive, Dawn Burbey, Agent be approved.

**Recommendation of the Public Safety and Licensing Committee**

**on 1-22-13:** That the application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for Curmudgeon's Pub & Grill LLC, located at 3458 Rapids Drive, Dawn Burbey, Agent be approved with the stipulation that a side agreement be implemented to include:

- Cooling off period between the change in license holders.
- A policy to restrict additional patrons from entering after 1:00 a.m.
- List of banned patrons to be submitted to the Racine Police Department.
- Donation of \$250 to a community organization such as Focus on Community.

**Fiscal Note:** N/A

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

[13-8486](#)

**Subject: (New)** Application of LO Ventures (Reefpoint Brew House), Patti Landreman, Agent for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 2 Christopher Columbus Causeway. **(1st District)**

**Recommendation of the Public Safety and Licensing Committee**

**on 1-22-13:** That the application of LO Ventures (Reefpoint Brew House), Patti Landreman, Agent for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 2 Christopher Columbus Causeway be approved.

**Fiscal Note:** N/A



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

**13-8514**

**Subject:** Communication from the Director of Parks, Recreation & Cultural Services requesting renewal of the agreement with Mobile Reduction Specialists, Inc. for the disposal of trees from City of Racine parks and streets at no charge to the city. (Res. No. 13-0056)

**Recommendation of the Public Safety and Licensing Committee on 1-22-13:** That the renewal of the agreement with Mobile Reduction Specialists, Inc. for the disposal of trees from City of Racine parks and streets be approved.

**Fiscal Note:** N/A

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

Council Action

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

**AYES:** 13 - Shields, Kaprelian-Becker, DeHahn, McCarthy, Holding, Morgenroth, Mozol, Kaplan, Shakoor, II, Hart, Weidner, Sarrazin and Hall

**EXCUSED:** 1 - Wisner

**ABSTENTIONS:** 1 - Fair

**Traffic Commission Report, by Ald. Weidner**

**12-8356**

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer, on behalf of McClure Engineering, requesting a left turn lane and No Parking restrictions on Wright Avenue east of Green Bay Rd. (STH 31) in conjunction with the Wal-Mart development on the Southwest corner of Green Bay Rd. (STH 31) and Wright Avenue (5695-00 Mount Pleasant, WI - Wright Avenue Concurrence). (Res. No. 13-0062)

**Recommendation of the Traffic Commission on 01-21-13:**  
Recommends the request from McClure Engineering (on behalf of the WisDOT) related to the signalization of the intersection of Green Bay Rd. (STH 31) and Wright Avenue, for No Parking on Wright Avenue, both sides, from Green Bay Rd. (STH 31), east 180 feet, be approved.

Further recommends the request from McClure Engineering (on behalf of the WisDOT) related to the signalization of the intersection of Green Bay Rd. (STH 31) & Wright Avenue, to install a mandatory left turn



lane on Wright Avenue, westbound, to Green Bay Rd. (STH 31), southbound, be granted.

Further recommends that Section 94-93, Mandatory left turns, be amended to include: The operator of a vehicle proceeding westerly on Wright Avenue and approaching Green Bay Rd. (STH 31) in the lane furthest to the left shall turn left onto Green Bay Rd. (STH 31) and shall not proceed in any other direction.

**Fiscal Note:** There is no cost to the City to install signs or pavement markings to implement these changes.

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

[12-8367](#)

**Subject:** (Direct Referral) Communication from the City Administrator, on behalf of Alderman Sarrazin and Woodland Alloy Castings (1222 - 18th St.), requesting a stop sign on northbound Clark Street at 18th Street.

**Recommendation of the Traffic Commission on 11-19-12:** Defer

**Recommendation of the Traffic Commission on 01-21-13:** The request for a stop sign on Clark Street at 18th Street be approved.

**Fiscal Note:** The estimated cost of this signage will result in an installation cost of \$100.00 and an annual maintenance cost of \$40.00.

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

[12-8390](#)

**Subject:** Communication from the Alderman of the 9th District, on behalf of Marcia Matavka (3617 Spring St.), requesting "Duck Crossing" signs be placed on Spring Street.

**Recommendation of the Traffic Commission on 01-21-13:** Receive and file.

**Fiscal Note:** N/A

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

[12-8411](#)

**Subject:** Communication from the Alderman of the 5th District, on behalf of Ron Stankovich (2312 Douglas & 2328 Douglas), requesting the No Parking signs in front of these addresses be re-evaluated for possible removal or time restrictions.

**Recommendation of the Traffic Commission on 01-21-13:** Receive

and file.

**Fiscal Note:** N/A

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

[12-8438](#)

**Subject:** (Direct Referral) Communication from the Alderman of the 4th District wishing to discuss Section 94-128 of the Municipal Code - Large Vehicle Parking Restrictions.

**Recommendation of the Traffic Commission on 01-21-13:** Receive and file.

**Fiscal Note:** N/A

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

[13-8561](#)

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

**A. Recommends that Section 94-66 (2) of Schedule C of the Municipal Code of the General Ordinances of the City of Racine relative to "Stop intersections" be amended:**

**By Including:**

**1. Right-of-way traffic on "18th Street"; Stop signs facing traffic on "Clark Street."**

**B. Recommends that Section 94-141 (1) of Schedule F of the Municipal Code of the General Ordinances of the City of Racine relative to "No parking at any time" be amended:**

**By Including:**

**1. Wright Avenue, both sides, from STH 31, east 180 feet**

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

Council Action

A motion was made by Alderman Sandy Weidner, seconded by Alderman Raymond DeHahn, that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

**AYES:** 14 - Fair, Shields, Kaprelian-Becker, DeHahn, McCarthy, Holding, Morgenroth, Mozol, Kaplan, Shakoor, II, Hart, Weidner, Sarrazin and Hall

EXCUSED: 1 - Wisner

### Transit and Parking Commission Report, by Ald. DeHahn

[13-8503](#)

**Subject:** (Direct Referral) Communication from the Transit and Parking System Manager requesting the review of the 2013 Belle Urban Transit System local share distribution and authorization to enter into 2013 cooperative agreements with Mount Pleasant, Sturtevant, Caledonia and the Town of Yorkville. (Res. No. 13-0058)

**Recommendation of the Transit and Parking Commission on 01-16-13:** Approve.

**Fiscal Note:** Local share distributions are contained in the 2013 Transit Budget.

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

[13-8504](#)

**Subject:** (Direct Referral) Communication from the Transit and Parking System Manager advising of the SE WI Planning Commission Transit Development Plan (TDP) Steering Committee and future public outreach meetings regarding a planned Route Restructure targeted for mid-2013.

**Recommendation of the Transit and Parking Commission on 01-16-13:** Receive and file.

**Fiscal Note:** No estimates available at this time.

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

[13-8505](#)

**Subject:** (Direct Referral) Communication from the Transit and Parking System Manager advising of employee health care cost increases in 2014 and the potential impact on the Belle Urban System 2014 budget.

**Recommendation of the Transit and Parking Commission on 01-16-13:** Receive and file.

**Fiscal Note:** No exact estimate of 2014 costs is available at this time.

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

[13-8509](#)

**Subject:** (Direct Referral) Communication from the Transit and Parking System Manager requesting a discussion of a Solar/LED lighting demonstration project in three Belle Urban System bus

shelters. (Res. No. 13-0059)

**Recommendation of the Transit and Parking Commission on  
01-16-13: Approve**

**Fiscal Note:** Federal funding of 80% with a local share estimated cost of \$970.

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

13-8510

**Subject:** (Direct Referral) Communication from the Transit and Parking System Manager introducing Dustan Balkcom as the newest Transit and Parking Commissioner.

**Recommendation of the Transit and Parking Commission on  
01-16-13: Receive and file.**

**Fiscal Note:** N/A

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

13-8511

**Subject:** (Direct Referral) Communication from the BUS General Manager presenting the December 2012 Transit Operations Report.

**Recommendation of the Transit and Parking Commission on  
01-16-13: Receive and file.**

**Fiscal Note:** Workers Compensation insurance rebates based on reduced claims totaled over \$30,000 for 2012 and BUS overtime was reduced by over 70% in 2012.

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

13-8512

**Subject:** (Direct Referral) Communication from the Transit and Parking System Manager authorizing distributing of a Request for Proposal (RFP) for replacement of Parking Utility equipment and management software. (Res. No. 13-0057)

**Recommendation of the Transit and Parking Commission on  
01-16-13: Approve.**

**Fiscal Note:** Funding is contained in the 2013 Parking Utility Budget.

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

Council Action

**A motion was made by Alderman Raymond DeHahn, seconded by Alderman Q.A. Shakoor, II, that this be Considered as Reported to Adopt the Report. Adopted by the following vote:**

**AYES:** 14 - Fair, Shields, Kaprelian-Becker, DeHahn, McCarthy, Holding, Morgenroth, Mozol, Kaplan, Shakoor, II, Hart, Weidner, Sarrazin and Hall

**EXCUSED:** 1 - Wisner

### **City Plan Commission Report, by Ald.Hall**

#### **13-8564**

**Subject:** (Direct Referral) Review and discuss potential changes to Ch. 114, Article X, of the Municipal Code to create standards for window signage within the City of Racine. (PC-13) (Ord. 04-13)

**Recommendation of the City Plan Commission on 1-30-13:** That an ordinance be prepared and a public hearing scheduled.

**Fiscal Note:** N/A

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

#### **13-8565**

**Subject:** (Direct Referral) Apply additional text changes as they relate to recent changes for Advertising signs, which were previously omitted. (PC-13) (Ord. 05-13)

**Recommendation of the City Plan Commission on 1-30-13:** That an ordinance be prepared and a public hearing scheduled.

**Fiscal Note:** N/A

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

#### **13-8567**

**Subject:** (Direct Referral) Request by Kim Eschmann to re-zone the property located at 1218 N. Main Street from R-3 Limited General Residence to B-2 Community Shopping District. (PC-13) (Z.Ord. 01-13)

**Recommendation of the City Plan Commission on 1-30-13:** That an ordinance be prepared and a public hearing scheduled.

**Fiscal Note:** N/A

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

### Council Action

**A motion was made by Alderman Molly Hall, seconded by Alderman Raymond**

**DeHahn, that this be Considered as Reported to Adopt the Report. Adopted by the following vote:**

**AYES:** 14 - Fair, Shields, Kaprelian-Becker, DeHahn, McCarthy, Holding, Morgenroth, Mozol, Kaplan, Shakoor, II, Hart, Weidner, Sarrazin and Hall

**EXCUSED:** 1 - Wisner

### **Mayor's Office Report, by Ald. Kaplan**

#### **13-8545**

**Subject:** Communication from Mayor Dickert nominating appointments/reappointments to the following committees, boards and/or commissions:

Reappoint Joey LeGath 1423 Hickory Racine, 53405 to the Business Improvement District #1 - Downtown for a term of 3 years, expiring December 1, 2015

Reappoint Mark Levine 515 Darby Place Racine, 53402 to the Business Improvement District #1 - Downtown for a term of 3 years, expiring December 1, 2015

Reappoint Ed Sharding 5314 6 Mile Rd Racine, 53402 to the Business Improvement District #1 - Downtown for a term of 3 years, expiring December 1, 2015

**A motion was made by Alderman Jim Kaplan , seconded by Alderman Q.A. Shakoor, II, Received and Filed as ReportedThe motion was Approvedby the Council with the following vote:**

### **Water Works Committee Report, by Ald Hart**

#### **13-8544**

**Subject:** Approval Request from the General Manager Regarding a Contract with the Village of Caledonia for Extended Water Service

**Recommendation of the Waterworks Commission on 1/29/13:** To Approve

FURTHER RECOMMENDS THAT THE ITEM BE REFERRED TO THE FINANCE AND PERSONNEL COMMITTEE FOR APPROVAL WITH A RECOMMENDATION THAT THE MAYOR AND CITY CLERK BE AUTHORIZED TO ENTER INTO THE AGREEMENT AND PETITION IN ACCORDANCE WITH CITY ORDINANCES FOR SUCH MATTERS

Fiscal Note: The Village of Caledonia will participate financially in their share of the cost of regional water utility infrastructure required to meet the needs of the local communities east of I-94.

**This Communication was Referred to the Finance and Personnel Committee**

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

[12-8290](#)

**Subject:** Communication from Mark Thomas from Ocean Blue Inflatables, LLC requesting permission to set up a large inflatable water slide for the summer of 2013 on North Beach.

**Recommendation of the Board of Parks, Recreation & Cultural Services on 11-14-12:** Deferred.

**Recommendation of the Board of Parks, Recreation & Cultural Services on 12-13-12:** To approve the concept of Mark Thomas' communication to set up a large inflatable water slide for the summer of 2013 on North Beach pending the approval of those City Department's requiring involvement. Further recommends, if approved by all involved department's, the location of the slide must then be approved by the Board of Parks, Recreation & Cultural Services Department prior to the implementation of an agreement and set up of the slide.

**Fiscal Note:** To be determined following the approval by administrative staff of involved departments.

**Recommendation of the Board of Parks, Recreation & Cultural Services on 1-9-13:** To deny the communication from Mark Thomas from Ocean Blue Infatables, LLC, requesting permission to set up a large inflatable water slide for the summer of 2013 on North Beach until this is found to be a viable project and not of great expense to the City.

**Fiscal Note:** N/A

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

**F. Consent Agenda - Resolutions**

[Res.13-0032](#)

Waukegan Harbor South Beach Health Assessment

Resolved, that the Mayor and City Clerk are authorized to enter into a \$1,532.76 agreement with the IL Department of Natural Resources for a Waukegan Harbor South Beach Assessment.

**Fiscal Note:** There is no cost to the City.

**Sponsors:** Q.A. Shakoor, II

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

Res.13-0033

2013 America in Bloom Contest

Resolved, that permission is granted to the Alderperson of District 5 to apply for the Community Foundation grant and the Council to approve the City's participation in the America in Bloom contest for the year 2013.

Fiscal Note: There is no cost to the City.

Sponsors: Q.A. Shakoor, II

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

Res.13-0034

Litigation Regarding *Racine Country Club v. City of Racine*

Resolved, that Racine County Cases No. 11-CV-1622 and 12-CV-1234, *Racine Country Club v. City of Racine*, are to be settled in accordance with the Settlement Agreement and Release, and that property tax refunds due under the settlement be paid from account 101.990.5930, R.E & P.P Taxes cancelled.

Further resolved, that \$100,000.00 be transferred from account 101.990.5970, Contingency, to account 101.990.5930, R.E & P.P Taxes cancelled, to fully fund the refund.

Fiscal Note: The refund for 2010 is \$51,062.00; 2011 is \$57,596.00 plus interest; 2012 is \$64,371.00. Total refund is \$173,029.00 plus 2011 interest. \$75,000.00 is budgeted in 2013 in account 101.990.5930, R.E & P.P Taxes cancelled. A \$100,000.00 transfer from the contingent account is needed to fully fund the refund. Chargebacks to other jurisdictions will be processed for their respective shares of the refunds and should be received in 2014.

Sponsors: Q.A. Shakoor, II

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

Res.13-0056

Mobile Reduction Specialists, Inc.

Resolved, that the renewal of the agreement with Mobile Reduction Specialists, Inc. for the disposal of trees from City of Racine parks and streets is approved.

Fiscal Note: N/A



**Sponsors:** Gregory Holding

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

**Res.13-0057**

Parking Utility Equipment and Management Software

Resolved, that the request for the Transit and Parking System Manger to be authorized to distribute a Request for Proposal (RFP) for replacement of parking utility equipment and management software is approved.

**Fiscal Note:** Funding is contained in the 2013 Parking Utility Budget.

**Sponsors:** Raymond DeHahn

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

**Res.13-0058**

2013 Belle Urban Transit System Cooperative Agreements

Resolved, that the Transit and Parking System Manger's request for review of the 2013 Belle Urban Transit System local share distribution and authorization to enter into 2013 cooperative agreements with Mt. Pleasant, Sturtevant, Caledonia, and the Town of Yorkville is approved.

**Fiscal Note:** Local share distributions are contained in the 2013 Transit Budget.

**Sponsors:** Raymond DeHahn

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

**Res.13-0059**

Solar / LED Lighting Demonstration

Resolved, that the Parking System Manager's request for a discussion of a Solar / LED lighting demonstration project in three Belle Urban System bus shelters is approved.

**Fiscal Note:** Federal funding of 80% with a local share estimated cost of \$970.00.

**Sponsors:** Raymond DeHahn

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

**Res.13-0060**

2013 Polling Place Changes

Resolved, that the request of the City Clerk to change several polling

places beginning with the 2013 elections is approved.

Fiscal Note: N/A

Sponsors: Jim Kaplan

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

**Res.13-0035**

2013 Color Run

Resolved, that permission is granted to Real Racine to use City right-of-way, Pershing Park, parking ramps and the Gateway parking lot for their event from Thursday, May 23, 2013, to Saturday, May 25, 2013 and close the following streets and to utilize certain other City streets, as indicated, on their race map, for The Color Run on Saturday, May 25, 2013:

Pershing Park Drive from 6th St 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

Resolved, that the following stipulations also apply:

- A. A hold harmless agreement be executed and a \$62.50 processing fee paid.
- B. Proof of liability insurance be filed prior to this event.
- C. Any overtime costs incurred by any City department be charged to the sponsor.
- D. The sponsor shall notify all abutting property owners seventy-two (72) hours in advance of this event.
- E. The sponsor shall pay a \$1,700.00 special event fee.
- F. 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. 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. Sponsor shall pay \$6.25 per impacted parking meter.

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

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

Sponsors: Sandy Weidner

**A motion was made Referred to the Board of Park, Recreation and Cultural Services**

[Res.13-0036](#)

Bid Results on Official Notice #1 for Two (2) Heavy Duty, Low Entry, Dual Steer Cab Truck Chassis, with 25 Cubic Yard High Compaction Rear Loading Refuse Packers

Resolved, that the contract for two (2) heavy duty, low entry, dual steer cab truck chassis, with 25-cubic yard high compaction rear loading refuse packer is awarded to R.N.O.W. Inc., at their bid price of \$384,140.00 with trade-in, they being the lowest responsible bidder.

Fiscal Note: Funding to defray the cost of this purchase be appropriated from Account 943.400.5010, Solid Waste - Refuse Trucks.

Sponsors: Sandy Weidner

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

[Res.13-0037](#)

Final payment on Contract 07-12 (K2-007), Professional Services for 2012 Illicit Discharge Detection and Elimination Program Support

Resolved, that the professional services provided by AECOM Technical Services, Inc. under Contract 7-12 (K2-007), Professional Services - 2012 Illicit Discharge Detection and Elimination (IDDE) Program Support, is accepted and final payment authorized for a total contract amount of \$19,962.44.

Fiscal Note: Contract was authorized under Resolution No. 12-2913,

dated January 17, 2012.

**Sponsors:** Sandy Weidner

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

**Res.13-0038**

Change Order No. 1 to Contract 12-12 (K2-013), CDBG Paving

Resolved, that Change Order No. 1 on Contract 12-12 (K2-013), CDBG Paving, Payne & Dolan, Inc., contractor, is approved in the amount of \$152,514.45.

**Fiscal Note:** Funding to defray the cost of this change order be appropriated from the following accounts:

\$ 72,420.52 - Account 992.908.5220, Asphalt Resurfacing  
\$ 80,093.93 - Account 104.992.5420, Storm Sewer, Misc. Loc.  
\$ 152,514.45 - Total

**Sponsors:** Sandy Weidner

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

**Res.13-0039**

Final payment to Contract 12-12 (K2-013), CDBG Paving

Resolved, that the work done by Payne & Dolan, Inc. under Contract 12-12 (K2-013), CDBG Paving, is accepted and final payment authorized for a total contract amount of \$1,198,648.65.

**Fiscal Note:** Contract was authorized under Resolution No. 12-3139, dated May 15, 2012.

**Sponsors:** Sandy Weidner

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

**Res.13-0040**

Change Order No. 1 to Contract 24-12 (K2-026), Roof Replacement at Equipment Maintenance Garage

Resolved, that Change Order No. 1 on Contract 24-12 (K2-026), Roof Replacement at Equipment Maintenance Garage, Alois Roofing & Sheet Metal, contractor, is approved in the amount of \$5,350.00

**Fiscal Note:** Funding to defray the cost of this change order be appropriated from the following accounts:

\$ 5,000.00 - Contract Allowance  
\$ 350.00 - Account 401.992.5760, Equipment Garage-Replace Roof  
\$ 5,350.00 - Total

**Sponsors:** Sandy Weidner

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

**Res.13-0041**

Final Payment on Contract 24-12 (K2-026), Roof Replacement at Equipment Maintenance Garage

Resolved, that the work done by Alois Roofing & Sheet Metal under Contract 24-12 (K2-026), Roof Replacement at Equipment Maintenance Garage, is accepted and final payment authorized for a total contract amount of \$148,904.00.

**Fiscal Note:** Contract was authorized under Resolution No. 12-3102, dated May 1, 2012.

**Sponsors:** Sandy Weidner

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

**Res.13-0042**

Change Order No. 1 to Contract 27-12 (K2-031), CCTV & Manhole Inspection

Resolved, that Change Order No. 1 on Contract 27-12 (K2-031), CCTV & Manhole Inspection, Green Bay Pipe & TV, contractor, is approved in the deduct amount of (\$6,604.40).

**Fiscal Note:** Change Order No. 1 will result in a decrease in contract price. Funding accounts to be adjusted by the following amounts:  
(\$ 6,203.20) - Account 104.992.5420, Storm Sewers, Misc. Loc.  
(\$ 401.20) - Account 287.992.5310, Sanitary Sewers, Var. Loc.  
(\$ 6,604.40) - Total

**Sponsors:** Sandy Weidner

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

**Res.13-0043**

Final payment on Contract 27-12 (K2-031), CCTV & Manhole Inspection

Resolved, that the work done by Green Bay Pipe & TV under Contract 27-12 (K2-031), CCTV & Manhole Inspection, is accepted and final payment authorized for a total contract amount of \$262,458.57.

**Fiscal Note:** Contract was authorized under Resolution No. 12-7598, dated May 1, 2012.

**Sponsors:** Sandy Weidner

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

**Res.13-0044**

Final Payment on Contract 37-12 (K2-042), Central Heating Plant-Tunnel Repairs

Resolved, that the work done by Allied Waterproofing, Inc. under Contract 37-12 (K2-042), Central Heating Plant Tunnel Repairs, is accepted and final payment authorized for a total contract amount of \$44,967.00.

Fiscal Note: Contract was authorized under Resolution No. 12-3271, dated August 21, 2012.

Sponsors: Sandy Weidner

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

**Res.13-0045**

Change Order No. 2 to Contract 38-12 (K2-043), Sewer and Lateral Lining

Resolved, that Change Order No. 2 on Contract 38-12 (K2-043), Sewer and Lateral Lining, Musson Brothers, contractor, is approved in the deduct amount of \$639.70.

Fiscal Note: Change Order No. 2 will result in a decrease in contract price. Funding account to be adjusted by (\$639.70) is 287.992.5310, Sanitary Sewers, Var. Loc.

Sponsors: Sandy Weidner

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

**Res.13-0046**

Final Payment on Contract 38-12 (K2-043), Sewer and Lateral Lining, Musson Brothers

Resolved, that the work done by Musson Brothers under Contract 38-12 (K2-043), Sewer and Lateral Lining, is accepted and final payment authorized for a total contract amount of \$637,786.25.

Fiscal Note: Contract was authorized under Resolution No. 12-7727, dated June 4, 2012.

Sponsors: Sandy Weidner

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

**Res.13-0047**

Change Order No. 3 on Contract 52-12 (K2-063) - 2012 Bridge

## Repairs

Resolved, that Change Order No. 3 on Contract 52-12 (K2-063), 2012 Bridge Repairs, Vista Design & Construction, LLC, contractor, is approved in the amount of \$10,603.66.

Fiscal Note: Funding to defray the cost of this change order be appropriated from Account 992.908.5020, Concrete Paving, Misc.

Sponsors: Sandy Weidner

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

**Res.13-0048**

Final Payment on Contract 52-12 (K2-063) - 2012 Bridge Repairs

Resolved, that the work done by Vista Design & Construction, LLC under Contract 52-12 (K2-063), 2012 Bridge Repairs, is accepted and final payment authorized for a total contract amount of \$195,851.41.

Fiscal Note: Contract was authorized under Resolution No. 12-3305, dated September 4, 2012.

Sponsors: Sandy Weidner

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

**Res.13-0049**

Change Order No. 1 to Contract 59-12 (K2-070), Painting of Main Street Lift Bridge

Resolved, that Change Order No. 1 on Contract 59-12 (K2-070), Painting of Main Street Lift Bridge, Drax, Inc., contractor, is approved in the amount of \$22,539.56.

Fiscal Note: Funding to defray the cost of this change order be appropriated from Account 930.086.5810, Main Street Lift Bridge.

Sponsors: Sandy Weidner

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

**Res.13-0050**

Reduce Retainage to 3.41% on Contract 06-12 (K2-006) - 2012 Concrete Street Reconstruction

Resolved, that the request of the contractor to reduce the retainage on Contract 6-12 (K2-006), 2012 Concrete Street reconstruction, A.W. Oakes & Son, Inc., contractor, to \$25,000.00, is approved.

Fiscal Note: The amount of retainage is sufficient to cover the value of

the remainder of the work on this project.

**Sponsors:** Sandy Weidner

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

**Res.13-0051**

2013 Parking Lot Repairs-Parking System & Hampden Place

Resolved, that the Mayor and City Clerk are authorized and directed to enter into a professional services agreement with Industrial Roofing Services, Inc., under Contract 10-13 (K3-010), Professional Services - 2013 Parking Lot Repairs-Parking System & Hampden Place, in the not-to-exceed amount of \$14,700.00.

**Fiscal Note:** Funding to defray the cost of these professional services be appropriated from the following accounts:

\$ 7,700.00 - Account 106.993.5750, Surface Lot Repaving  
\$ 7,000.00 - Account 993.404.5020, Hampden Place-Resurface Lot  
\$ 14,700.00 - Total

**Sponsors:** Sandy Weidner

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

**Res.13-0052**

2013 Parking Ramp Repairs

Resolved, that the Mayor and City Clerk are authorized and directed to enter into a professional services agreement with Arnold & O'Sheridan, Inc., under Contract 11-13 (K3-011), Professional Services - 2013 Parking Ramp Repairs, in the not-to-exceed amount of \$26,000.00.

**Fiscal Note:** Funding to defray the cost of these professional services be appropriated from Account 106.993.5760, 2013 Building Improvements

**Sponsors:** Sandy Weidner

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

**Res.13-0053**

2013 Pavement Inspections and Planning

Resolved, that the Mayor and City Clerk are authorized and directed to enter into a professional services agreement with AECOM Technical Services, Inc., under Contract 16-13 (K3-016), Professional Services - 2013 Pavement Inspection and Planning, in the not-to-exceed amount of \$82,100.00.



Fiscal Note: Funding to defray the cost of these professional services be appropriated from Account 101.130.5610, 2013 Professional Services.

Sponsors: Sandy Weidner

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

**Res.13-0054**

Hydrographic Survey of 5th Street Boat Launch Basin

Resolved, that the Mayor and City Clerk are authorized and directed to enter into a professional services agreement with Baird & Associates, under Contract 17-13 (K3-017), Professional Services - Hydrographic Survey of 5th Street Launch Basin, in the not-to-exceed amount of \$7,200.00.

Fiscal Note: Funding to defray the cost of these professional services be appropriated from Account 993.700.5040, Pershing Park Boat Launch.

Sponsors: Sandy Weidner

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

**Res.13-0062**

Left Turn Lane and No Parking Restrictions on Wright Avenue East of Green Bay Rd. (STH 31) in Conjunction with the Wal-Mart Development on the Southwest Corner of Green Bay Rd. (STH 31) and Wright Avenue (5695-00 Mount Pleasant, WI - Wright Avenue Concurrence)

Resolved, that the request from McClure Engineering (on behalf of the WisDOT) related to the signalization of the intersection of Green Bay Rd. (STH 31) and Wright Avenue for No Parking on Wright Avenue, both sides, from Green Bay Rd. (STH 31), east 180 feet, is approved.

Further resolved, that the request from McClure Engineering (on behalf of the WisDOT) related to the signalization of the intersection of Green Bay Rd. (STH 31) & Wright Avenue, to install a mandatory left turn lane on Wright Avenue, westbound, to Green Bay Rd. (STH 31), southbound, is granted.

Further resolved, that Section 94-93, Mandatory left turns, is amended to include: the operator of a vehicle proceeding westerly on Wright Avenue and approaching Green Bay Rd. (STH 31) in the lane furthest to the left shall turn left onto Green Bay Rd. (STH 31) and shall not proceed in any other direction.

Fiscal Note: There is no cost to the City to install signs or pavement markings to implement these changes.

Sponsors: Sandy Weidner

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

#### Council Action

**A motion was made by Alderman Jim Kaplan , seconded by Alderman Q.A. Shakoor, II, that this be Considered as Reported to Adopt the Report. Adopted by the following vote:**

**AYES:** 14 - Fair, Shields, Kaprelian-Becker, DeHahn, McCarthy, Holding, Morgenroth, Mozol, Kaplan, Shakoor, II, Hart, Weidner, Sarrazin and Hall

**EXCUSED:** 1 - Wisner

## G. Resolutions

### Res.13-0055 Adopt-A-Streetlight Program

Resolved, that the Adopt-A-Streetlight Program is approved.

Fiscal Note: Residents will be required to pay the annual WE Energies lease cost for any street or alley light they are sponsoring plus a \$15 administrative fee.

Sponsors: Sandy Weidner

**A motion was made Referred to the Public Works and Services Committee**

### Res.13-0061 A Resolution Calling Upon the U.S. Government to End Military Aid to Israel, Funded through the State Department Foreign Operations Budget, and Redirect that Money to Community Needs in Racine, Wisconsin

WHEREAS, It is in the national interest of the United States to encourage a just and lasting resolution to the Israeli-Palestinian conflict, thereby promoting peace in the entire Middle East, and

WHEREAS, there is international consensus that the territories captured by Israel in 1967 are Occupied Territories, and The Fourth Geneva convention states that an occupying power may not transfer its population into the occupied land, yet Israel has settled over 500,000 of its citizens in the Occupied Territories, and

WHEREAS, it has always been the policy of the United States to classify such settlements as illegal, yet weapons transferred to Israel at U.S. taxpayers expense play a vital role in enabling Israel to

maintain its occupation, and

WHEREAS, such use of U.S. Aid is in apparent violation of the United States Arms Export Control Act and Foreign Assistance Acts, and

WHEREAS, the United States and Israel signed a Memorandum of Understanding in August 2007 for the United States to provide Israel with \$30 billion in additional weapons between 2009 and 2018, and

WHEREAS, the FY 2010 Labor Budget in Brief estimates that the residents of Racine, Wisconsin, contribute more than \$11 million of their federal taxes to finance the purchase of these weapons for Israel from 2009 to 2018, and

WHEREAS, the FY 2010 Labor Budget in Brief estimates that with this same amount of tax money, the federal government could provide, per year, 134 families in Racine with affordable housing vouchers, or retrain 183 unemployed workers in Racine to enter the green jobs economy, or teach early reading skills to 327 Racine school children, or provide basic health care to 8,950 Racine residents, and

WHEREAS, the right of all humans to lives of dignity and safety is far too urgent for us to take the easier route of silence;

NOW, THEREFORE, let it be resolved that the Common Council of Racine, Wisconsin:

1. Call upon the United States government to end military aid to Israel until it abides by international law;
2. Call upon the United States government to redirect the money that Racine residents contribute in weapons to Israel to unmet community needs in the City of Racine;
3. Send a copy of this resolution to the appropriate Representatives and Senators, to the Secretary of State and to the President of the United States.

Fiscal Note: N/A

**Sponsors:** O. Keith Fair

*Alderman Fair made a motion to suspend the rules seconded by Alderman DeHahn.  
Alderman Holding objected.*

**Requires a 2/3 vote. motion failed for lack of 2/3 vote.**

**AYES:** 8 - Fair, Shields, Kaprelian-Becker, DeHahn, Shakoore, II, Hart, Sarrazin and Hall

**NOES:** 6 - McCarthy, Holding, Morgenroth, Mozol, Kaplan and Weidner

**EXCUSED:** 1 - Wisner

**A motion was made by Alderman Fair, seconded by Alderman Shakoor, II, that this Resolution be Referred to the Committee of the Whole. The motion was DEFEATED by the following vote:**

**AYES:** 5 - Fair, Shields, DeHahn, Shakoor, II and Sarrazin

**NOES:** 9 - Kaprelian-Becker, McCarthy, Holding, Morgenroth, Mozol, Kaplan, Hart, Weidner and Hall

**EXCUSED:** 1 - Wisner

**A motion was made by Alderman Gregory Holding, seconded by Alderman Molly Hall, that this be Received and Filed. The motion PASSED by the following vote:**

**AYES:** 9 - Kaprelian-Becker, McCarthy, Holding, Morgenroth, Mozol, Kaplan, Hart, Weidner and Hall

**NOES:** 5 - Fair, Shields, DeHahn, Shakoor, II and Sarrazin

**EXCUSED:** 1 - Wisner

## H. Ordinances

[Ord.02-13](#)

Ordinance 02-13

To recreate Section 6-106 of the Municipal Code of the City of Racine, Wisconsin relating to payment of property tax.

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

Part 1: Sec. 6-106. - Payment of property tax of the Municipal Code of the City of Racine is hereby repealed and recreated to read as follows:

**“Sec. 6-106. - Tax delinquencies and claims.** No license shall be granted or renewed for operation on any premises upon which property taxes, personal property taxes, assessments, special assessments, utility payments, or invoices are delinquent, or other financial claims of the City are unpaid.”

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.

Passed by the Common Council:

Approved:

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Fiscal Note: N/A

**Referred to Public Safety and Licensing Committee**

[Ord.03-13](#)

Ordinance 03-13

To recreate the following sections of the Municipal Code of the City of Racine, Wisconsin relating to Secondhand Dealers and Pawnbrokers licenses.

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

Part 1: In Sec. 22-891 - Pawnbrokers and secondhand article and jewelry dealers, repeal and recreate sections (a) through (k) of section (2) Definitions as follows:

“The following definitions apply to this Section:

(a) *Antique dealer* means a person, other than a nonprofit organization, who is engaged in the business of selling or purchasing used home furnishings. Antique dealers are subject to the requirements set forth in Wisconsin Statute section 134.695 and codified in section 22-891(10) below.

(b) *Article* means any item of value except jewelry as defined below.

(c) *Billable Transaction* means every reportable transaction conducted by a pawnbroker and secondhand article and jewelry dealer except renewals, redemptions, voids, confiscations, or extensions of existing pawns or purchases previously reported and continuously in the licensee’s possession.

(d) *Charitable Organization* means a corporation, trust, or community chest, fund, or foundation organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual.

(e) *Customer* means a person with whom a pawnbroker, secondhand article dealer or secondhand jewelry dealer or an agent thereof engages in a transaction of purchase, sale, receipt or exchange of any secondhand article or secondhand jewelry.

(f) *Display of license.* Each license issued under this chapter shall be displayed in a conspicuous place visible to anyone entering a licensed premise.

(g) *Jewelry* means any tangible personal property ordinarily wearable on the person and consisting in whole or in part of any metal, mineral, or gem customarily regarded as precious or semiprecious.

(h) *Pawnbroker* means any person who engages in the business of lending money on the deposit or pledge of any article or jewelry, or purchasing any article or jewelry with an expressed or implied agreement or understanding to sell it back at a subsequent time at a stipulated price. A person is not acting as a pawnbroker when engaging in any of the following:

1. Any transaction at an occasional garage or yard sale, an estate sale, a gun, knife, gem, or antique show, or a convention.
2. Any transaction entered into by a person engaged in the business of junk collector, junk dealer, or scrap processor, as described in Wis. Stats. § 70.995(2)(x).
3. Any transaction while operating as a charitable organization or conducting a sale, the proceeds of which are donated to a charitable organization.
4. Any transaction between a buyer of a new article and the person who sold the article when new that involves any of the following:
  - a. The return of the article.
  - b. The exchange of the article for a different, new article.
5. Any transaction as a purchaser of a secondhand article from a charitable organization if the secondhand article was a gift to the charitable organization.
6. Any transaction as a seller of a secondhand article that the person bought from a charitable organization if the secondhand article was a gift to the charitable organization.

(i) *Reportable Transaction* means every transaction conducted by a pawnbroker and secondhand article and jewelry dealer in which an article or jewelry is received through a pawn, purchase, consignment, or trade, or in which a pawn is renewed, extended, voided, or redeemed, or for which a unique transaction number or identifier is generated by their point-of-sale software, and is reportable except:

1. The bulk purchase or consignment of new or used articles from a merchant, manufacturer, or wholesaler having an established permanent place of business, and the retail sale of said articles, provided the pawnbroker or secondhand article or jewelry dealer shall maintain a record of such purchase or consignment that describes each item, and shall mark each item in a manner that relate it to that transaction record.
2. Retail and wholesale sales of articles originally received by pawn or purchase, and for which all applicable hold and/or redemption periods have expired.

(j) *Secondhand* means owned by any person, except a wholesaler, retailer, or any pawnbroker or secondhand article or jewelry dealer licensed under this Section or Wis. Stat. § 134.71 or an ordinance

adopted pursuant thereto immediately prior to the transaction at hand.

(k) *Secondhand Article Dealer* means any person who engages in the business of purchasing, selling or exchanging secondhand articles except when engaging in any of the following:

1. Any transaction at an occasional garage or yard sale, an estate sale, a gun, knife, gem or antique show, a convention or an auction.
2. Any transaction entered into by a person while engaged in a business as a pawnbroker or secondhand jewelry dealer for which the person is licensed under this Section, or under Wis. Stat. § 134.71 or under an ordinance adopted pursuant thereto.
3. Any transaction entered into by a person while engaged in the business of junk collector, junk dealer, auctioneer or scrap processor as described in Wis. Stat. § 70.995(2) and Racine Code of Ordinances section 22-641.
4. Any transaction while operating as a charitable organization or conducting a sale the proceeds of which are donated to a charitable organization.
5. Any transaction between a buyer of a new article and the person who sold the article when new, which involves any of the following:
  - a. The return of the article.
  - b. The exchange of the article for a different, new article.
6. Any transaction as a purchaser of a secondhand article from a charitable organization if the secondhand article was a gift to the charitable organization.
7. Any transaction as a seller of a secondhand article that the person bought from a charitable organization if the secondhand article was a gift to the charitable organization.
8. Any transaction between a buyer of a new article and a seller of new articles who accepts an occasional secondhand article in trade.
9. The sale of secondhand books or magazines.
10. Goods sold at the public market, i.e., farmers market, etc.
11. Goods sold by a bonafide antique, used furniture, or used clothing dealer, so long as seventy-five percent (75%) of said dealer's business revenue is derived through the sale of antiques, used furniture or used clothes. Antique dealers are subject to the requirements set forth in Wisconsin Statute section 134.695 and codified in section 22-891(10) below.

(l) *Secondhand Jewelry Dealer* means any person who engages in the business of any transaction consisting of purchasing, selling, receiving, or exchanging secondhand jewelry except for the following:

1. Any transaction at an occasional garage or yard sale, an estate sale, a gun, knife, gem or antique show, a convention or an auction.
2. Any transaction with a licensed secondhand jewelry dealer.
3. Any transaction entered into by a person while engaged in a

business of smelting, refining, assaying or manufacturing precious metals, gems or valuable articles if the person has no retail operation open to the public and does not purchase the precious metals, gems or valuable articles from the general public.

4. Any transaction between a buyer of new jewelry and the person who sold the jewelry when new, which involves any of the following:

- a. The return of the jewelry.
- b. The exchange of the jewelry for a different, new jewelry.

5. Any transaction operating as a charitable organization or conducting a sale the proceeds of which are donated to a charitable organization

6. Any transaction as a purchaser of secondhand jewelry from a charitable organization if the secondhand jewelry was a gift to the charitable organization.

7. Any transaction as a seller of secondhand jewelry that the person bought from a charitable organization if the secondhand jewelry was a gift to the charitable organization.

8. Any transaction between a buyer of a new jewelry and a seller of new jewelry who accepts an occasional secondhand piece of jewelry in trade.”

Part 2: Add section (10) to Sec. 22-891 - Pawnbrokers and secondhand article and jewelry dealers, as follows:

“(10) Antique dealer requirements.

(a) Per Wisconsin Statute section 134.695, no antique dealer may knowingly purchase or receive used home furnishings from a person unless the antique dealer obtains the person’s signature and records all of the following information:

- (1) The person’s name and address.
- (2) One of the following identification numbers:
  - a. The person’s motor vehicle operator’s license number.
  - b. The person’s state identification card number.
  - c. The person’s military identification card number.
  - d. The person’s U.S. passport number.
  - e. The person’s alien registration card number.
- (3) The registration plate numbers and the color, make, model and year of any motor vehicle delivering the used home furnishings to the antique dealer.
- (4) If known by the person, the address of the home or other building from which the used home furnishings were removed.

(b) An antique dealer shall maintain a record of the information provided under sub. (a) for not less than one year after the later of the dates on which the antique dealer purchases or receives the used home furnishings.”

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.

Passed by the Common Council:

\_\_\_\_\_  
Approved:

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Fiscal Note: N/A

Sponsors: Melissa Kaprelian-Becker and Gregory Holding

**Referred to Public Safety and Licensing Committee**

Ord.04-13

Ordinance 04-13

To amend Article X, Division 1 - Generally, of the Municipal Code of the City of Racine, Wisconsin, by adding a new section regarding window signage.

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

Part 1: The following section shall be created in Article X, Division 1 - Generally, of the Municipal Code of the City of Racine to read as follows:

**“Sec. 114-1038. - Window Signage**

(1) Window signage shall be permitted as follows:

(a) Allowance of window signage is over and above signage allocated for any building (such as wall, freestanding pole, monument, etc). Window signage shall not count against allowable square footage for permanent signage; therefore, a window sign permit is not required.

(b) All signage shall be maintained in good repair by the property owner. Damaged, faded torn, burnt-out, and unkempt signage is not allowed.

(c) Only products or services offered directly within the building or tenant space may be advertised.

(d) No window sign shall advertise any use or substance considered to be unlawful or illegal per the City of Racine code of ordinances, State Statutes, or federal regulations.

(e) Neon colored paint, use of markers, paper, hand drawn lettering, etc. are not to be used in the creation of a window signs.

(f) Window signage may be illuminated; however, the window signage shall not blink, flash, scroll, or produce any other movement, or have the appearance of movement.

## (2) Location

(a) Any sign attached to the interior of a window or attached to a product or other device located within 6-feet of the interior of a window shall be considered window signage. This includes displays, cardboard, advertisements, banners, flags, and the like.

(b) Window signage shall not be placed in view of a residential use or residentially zoned property unless authorized by the Plan Commission.

## (3) Measuring and Allowable Signage

(a) No more than 15% of a window section may be covered by window signage.

(b) A window section is the area of a window divided by a window frame, architectural feature, or the point where an interior tenant wall separates the interior space of a building. If there is no separation, the window section is the entire window.

(c) To calculate the amount of window signage allowed, measure the size of the window section and multiply by .15. This provides the amount of window signage allowed for that section. (For example, a window 10'x10' is 100 square feet. Multiply 100 by .15, and the allowable signage would be 15 square feet).

(d) "Open/Closed" and "Hours of Operation" signs less than 4 square feet total do not count towards signage allowances. If larger than 4 square feet, the difference shall be counted towards the total window signage allowance.

(e) Sign allocation shall be calculated separately per building elevation. Signage allowances from windows on other building elevations may not be added to increase the amount of signage for any other building windows."

Part 2: Sections 114-1039 - 114-1045 of the Municipal Code of the

City of Racine are hereby reserved.

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.

Passed by the Common Council:

\_\_\_\_\_  
Approved:

\_\_\_\_\_  
Mayor

Attest:  
\_\_\_\_\_  
City Clerk

Fiscal Note: N/A

Sponsors: Dennis Wisner

**Referred to City Plan Commission**

[Ord.05-13](#)

Ordinance 05-13

To repeal and recreate portions of Chapter 114 Zoning, of the Municipal Code of the City of Racine, Wisconsin.

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

Part 1: Repeal subsection (11) of Sec. 114-468. - Conditional uses, of the Municipal Code of the City of Racine, Wisconsin.

Part 2: Repeal subsection (b) (39) of Sec. 114-587. - Permitted uses and regulations, of the Municipal Code of the City of Racine, Wisconsin.

Part 3: Repeal Sec. 114-1078. - Sign permitted in the B2 district, of the Municipal Code of the City of Racine, Wisconsin.

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.

Passed by the Common Council:

\_\_\_\_\_

Approved:

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Fiscal Note: N/A

Sponsors: Dennis Wisler

**Referred to City Plan Commission**

**ZOrd.001-13**

An Ordinance Rezoning 1218 N. Main 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 property located at 1218 N. Main Street and more particularly described as follows:

“Those lands located in Block 53, Lot 5 of the original plat of the City of Racine, S.W. ¼ of the N.E. ¼ of Section 9. Township 3 North, Range 23 East. Said land being in the City of Racine, Racine County, Wisconsin” be rezoned from R -3 General Residence District to B-2 Community Shopping 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.

Passed by the Common Council:

\_\_\_\_\_  
Approved:

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Fiscal Note: N/A

Sponsors: Dennis Wisler

**Referred to City Plan Commission**

**I. Adjourn**

The meeting was adjourned at 8:20p.m. by Alderman Shakoor. The next scheduled meeting of the Council is Wednesday, February 20, 2013 ].

ATTEST: JANICE M. JOHNSON-MARTIN  
CITY CLERK