



City of Racine

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

Meeting Agenda - Final Common Council

*Alderman Jeff Coe, Alderman Robert Anderson, Alderman Michael Shields
Alderman Jim Kaplan, Alderman David L. Maack, Alderman Sandy Weidner
Alderman Raymond DeHahn, Alderman Q.A. Shakoor, II, Alderman Thomas Friedel
Alderman Gregory Holding, Alderman Aron Wisneski
Alderman James T. Spangenberg, Alderman Ronald D. Hart, Alderman Robert Mozol*

Monday, April 14, 2008

7:00 PM

Room 205, City Hall

- A. Call To Order**
- B. Pledge of Allegiance To The Flag**
- C. Approval of Journal of Council Proceedings (Minutes)**
- D. Public Comments**
- E. Public Hearings**

[ZOrd.0002-08](#) An Ordinance for Rezoning 407-409 Hubbard 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 known as 407-409 Hubbard Street and more particularly described as follows:

"The west 50 feet of Lot 1 & the west 50 feet of the north 25 feet of Lot 2 of Block 53 of the Original Plat of Racine. Said land being in the City of Racine, Racine County, Wisconsin"

be rezoned from "B-2" Community Shopping District, to "R-3" Limited General Residence District, and designated as Supplement No. _____, which Supplement is hereby made a part of this ordinance.

Part 2:

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

Passed by the Common Council:

Approved: _____

Mayor

Attest:

City Clerk

Fiscal Note: N/A

Sponsors: Gregory Holding

Ord.04-08

Ordinance No. 04-08

To repeal and recreate Secs. 114-447(2) and (3), amend Sec. 114-448 and amend Sec. 114-567 of the Municipal Code of the City of Racine, Wisconsin relating to Zoning - Permitted uses and regulations; Conditional Uses.

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

Part 1:

Sec. 114-447 (2) of the Municipal Code of the City of Racine is hereby repealed and recreated to read as follows:

"(2) Studios or work spaces above the building's street level for artist, sculptor, photographer, composer or other similar artisans or artists, or at the building's street level but no closer than 30 feet to the store front and screened from public view."

Part 2:

Sec. 114-447 (3) of the Municipal Code of the City of Racine is hereby repealed and recreated to read as follows:

"(3) Galleries for artist, sculptor, photographer, composer or other similar artisans or artists."

Part 3:

Sec. 114-448 of the Municipal Code of the City of Racine is hereby amended by adding the following at the end of the section:

"(16) Studios or work space located at the buildings street level for artist, photographer, sculptor, composer, dance or other similar artisans or artists."

Part 4:

Sec. 114-567 of the Municipal Code of the City of Racine is hereby amended by

adding the following at the end of the section:

"(30) Studios or work spaces for artist, sculptor, photographer, composer or other similar artisans or artists."

Part 4:

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

Passed by the Common Council:

Approved: _____

Mayor

Attest:

City Clerk

Fiscal Note: N/A

Sponsors: Gregory Holding

F. Communications

[08-1980](#) **Subject:** Monthly Building report for March 2008.

Refer to Finance and Personnel Committee, by Ald. Friedel

[08-1947](#) **Subject:** Communication from the Director of Parks, Recreation & Cultural Services requesting to apply for a grant from The Sustainable Racine Fund (Sustainable Neighborhood Partnership) within the Racine Community Foundation (City Grant Control # 2008-010) for a community gardening project.

[08-1949](#) **Subject:** Communication from the Director of Parks, Recreation & Cultural Services requesting to apply for a grant from The Sustainable Racine Fund (Sustainable Neighborhood Partnership) within the Racine Community Foundation (City Grant Control #2008-012) for a Reforest Racine project.

[08-1964](#) **Subject:** Communication from the Public Health Administrator requesting permission to apply for funding from the Sustainable Racine Fund in the amount of \$2,000. (Grant Control #2008-011)

[08-1966](#) **Subject:** Communication from the Public Health Administrator requesting permission to accept funding from the Root-Pike Watershed Initiative

Network. (Grant Control #2008-008)

08-1981 **Subject:** Communication from Police Chief Wahlen, requesting to apply for the 2008 Bulletproof Vest Partnership Grant (Grant Control # 2008-013).

(Also refer to Public Safety & Licensing Committee.)

08-1976 **Subject:** communication from the City Attorney submitting the claim of Maurie Gomez, of 5706 - 61st St, Kenosha, for consideration.

08-1986 **Subject:** communication from the City Attorney submitting the claim of Tyrone Johnson, 2516 Ashland Avenue, for consideration.

08-1993 **Subject:** Communication from the Deputy City Attorney submitting the claim of Mary Ann Glassen for consideration.

08-1991 **Subject:** Communication from the Deputy City Attorney to discuss amending the City of Racine Code of Ordinances to effect changes in the Human Resources Department.

08-1992 **Subject:** Communication from the Deputy City Attorney, Finance Director, and Human Resource Manager to discuss adding an additional HR Benefits Coordinator to the Human Resources Department.

08-1994 **Subject:** Communication from the Deputy City Attorney requesting to meet in Closed Session pursuant to s. 19.85(1)(c), to discuss the collective bargaining agreement between the City of Racine and Local 430, AFL-CIO, International Brotherhood of Electrical Workers, for June 1, 2008 through December 31, 2008.

08-1998 **Subject:** Communication from the Fire Chief requesting permission for the Mayor and City Clerk to sign an Intergovernmental Agreement, between Kenosha County Emergency Government and the City of Racine, to provide Level-B Hazardous Materials Response Services to Kenosha County.

(Also refer to Public Safety and Licensing Committee)

08-1999 **Subject:** Communication from the Assistant Finance Director requesting to appear before the Finance & Personnel Committee wishing to discuss the transfer of funds from the general fund to various special revenue funds to offset accumulated deficits in those funds for the year ended December 31, 2007.

08-2001 **Subject:** Communication from the Finance Director wishing to appear before the Finance & Personnel Committee to discuss adopting a single unified job description, title change and reclassification of the existing Accountant I & II positions within the Finance Department.

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

08-1946 **Subject:** Communication from the Apostolic Ministries Church, 933 LaSalle Street, requesting to close the 900 block of LaSalle Street on Sunday, June 22, 2008, for a special event.

08-1977 **Subject:** Direct Referral. Communication from Iglesia Evangelica Pentecostal Alarma Int. requesting to close the 600 block of 17th Street on Saturday, June 7, 2008, for a church event.

08-1978 **Subject:** Communication from Jeffrey L. Oakes requesting to vacate the north-south alley behind 3457 Douglas Avenue in exchange for the demolition of the dwelling at 3449 Douglas Avenue.

08-1995 **Subject:** Communication from Mi-Tech Services requesting an easement at 1824 Yout Street for the placement of AT&T equipment.

08-1996 **Subject:** Communication from Mi-Tech Services requesting an easement at 300 Lake Avenue for the placement of AT&T equipment.

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

08-1975 **Subject:** Application of Deutscher Mann Verein (German Men's Club), Robert J. Hill, Agent, for a Change of Agent for a "Class B" Club Retail Fermented Malt Beverage and Intoxicating Liquor license for 701 Villa Street. **(1st District)**

Refer to Transit and Parking Commission, by Ald. DeHahn

08-1948 **Subject:** Communication from Linda Budlow requesting permission to rent Lakefront Lot No. 5 for the Monument Square Art Fair on Saturday, June 7, 2008, and Sunday, June 8, 2008. This lot will provide parking for the artists participating in the art fair.

08-1974 **Subject:** Communication from the Transit Planner submitting the March 2008 operating and financial report for the Wisconsin Coach Lines Kenosha-Racine-Milwaukee intercity bus service.

[08-1982](#) **Subject:** Communication from the Transit Planner regarding the State of Wisconsin's 2008 funding for the Belle Urban System.

[08-1983](#) **Subject:** Communication from the Transit Planner regarding the State of Wisconsin's 2008 funding for the Wisconsin Coach Lines Kenosha-Racine-Milwaukee intercity bus service.

[08-1989](#) **Subject:** Communication from the Transit Planner regarding the pass through of State funding for the Wisconsin Coach Lines Kenosha-Racine-Milwaukee intercity bus service.

Refer to City Plan Commission, by Ald. Holding

[08-1969](#) **Subject:** Request to amend the project plan of Tax Incremental District No. 15.

Refer to Committee of the Whole, by Ald. Spangenberg

[08-1970](#) **Subject:** Request to enter into a settlement with E.G. Developments, LLC and Champion Environmental Services, Inc. regarding the former Racine Steel Castings property at 1425 North Memorial Drive.

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

[08-1953](#) **Subject:** Communication from the Downtown Rotary Club of Racine requesting the City provide 950 linear feet of wood slat fencing with 95 fencing stands for the 54th Annual Post Prom May 17, 2008.

[08-1984](#) **Subject:** Communication from Brett Kaydo wishing to discuss a water sport rental company for North Beach.

G. Committee Reports

Finance and Personnel Committee Report, by Ald. Friedel

[08-1888](#) **Subject:** Communication from the Director of Parks, Recreation & Cultural Services requesting permission to accept a \$1,000 donation from the Racine Education Council for the Black History Youth Achievement Awards program.

Recommendation of the Finance & Personnel Committee on

04-07-08: Permission granted for the Director of Parks, Recreation & Cultural Services accept a \$1,000 donation from the Racine Education

Council for the Black History Youth Achievement Award Program and a letter of thanks be sent.

Fiscal Note: N/A

08-1901

Subject: Communication from the General Manager of the Racine Water Utility requesting an agreement between Racine Water Utility and Village of Sturtevant relating to construction of water mains in Sturtevant be approved. (Res. #08-0753)

Recommendation of the Waterworks Commission on 3/25/08: That the Racine/Sturtevant Joint Engineering/Construction Management Agreement be approved and referred to the Finance and Personnel Committee.

Recommendation of the Finance & Personnel Committee on 04-07-08: The Mayor and City Clerk be authorized and directed to enter into an agreement with the Village of Sturtevant and the Racine Water Utility's Joint Engineering/Construction Management agreement.

Fiscal Note: N/A

08-1917

Subject: Communication from the Director of Racine Area Soap Box Derby requesting to waive the fees for closing Hoefert Drive for their 2008 race dates. (Res. #08-0747)

Recommendation of the Finance & Personnel Committee on 04-07-08: Deny the request to waive fees for the closing of Hoefert Drive. Further recommends to count each weekend date, May 10 - 11, 2008, June 14 - 15, 2008 and September 6 - 7, 2008 as a one event charge of \$318 for each weekend date for a total fee of \$954.

Fiscal Note: N/A

08-1921

Subject: Communication from the Public Health Administrator requesting permission to accept funds from the Children's Hospital of Wisconsin. (Grant Control #2008-005) (Res. #08-0749)

Recommendation of the Finance & Personnel Committee on 04-07-08: The Mayor and City Clerk be authorized and directed to enter into a \$3,640 agreement with the Children's Hospital of Wisconsin for Children and Youth with Special Health Care Needs grant (CYSHCN) (Grant Control No. 2008-005).

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

08-1922

Subject: Communication from the Public Health Administrator requesting permission to accept additional funding from the State of Wisconsin Department of Health and Family Services due to the increase in the Division of Public Health Contract Agreement amendment for the WIC Program. (Grant Control #2006-049) (Res #08-0751)

Recommendation of the Finance & Personnel Committee on

04-07-08: The Mayor and City Clerk be authorized and directed to enter into an amended contract with the State of Wisconsin Department of Health and Family Services (Grant Control No. 2006-049) for additional funding for the Division of Public Health Contract Agreement amending the Women, Infants, and Children Program (GAC #16359).

Fiscal Note: Total funding of \$30,402. \$2,298 for Farmers' Market Program and \$28,104 for the operation of WIC Program. No match required on the part of the City.

08-1923

Subject: Communication from the Executive Director of Racine Civic Center requesting to appear before the Finance & Personnel Committee to discuss waiving formal bidding and instruct the Purchasing Agent to negotiate with Mahaffey Fabric Structures for the purchase of a Sprung Structure Tent. (Res. #08-0748)

Recommendation of the Finance & Personnel Committee on

04-07-08: Permission be granted to waive formal bidding and that the City Purchasing Agent negotiate with Mahaffey Fabric Structures of Memphis, Tennessee for the purchase of a Sprung Structure Tent.

Fiscal Note: Funds are available in account 108.988.5030, Festival Hall - Sprung Structure Tent.

08-1924

Subject: Communication from the Public Health Administrator requesting permission to accept additional funding from the Department of Health and Family Services for the Tobacco Prevention and Control grant. (Grant Control #2007-047) (Res. #08-0750)

Recommendation of the Finance & Personnel Committee on

04-07-08: The Mayor and City Clerk be authorized and directed to enter into an amended contract with the Department of Health and Family Services (Grant Control No. 2007-047) for additional funding for the Tobacco Prevention and Control (#15984) grant.

Fiscal Note: Additional funding in the amount of \$8,112. No match required on the part of the City.

08-1936

Subject: Communication from the Assistant Finance Director requesting to appear before the Finance & Personnel Committee to discuss transferring \$55,288 from Racine County, from the State of Wisconsin Department of Transportation funds for specialized transportation, to the City of Racine for the 2007 calendar year. (Res. #08-0754)

Recommendation of the Finance & Personnel Committee on

04-07-08: Permission granted for the City of Racine to accept a transfer of \$55,288 from Racine County from the State of Wisconsin, Department of Transportation for specialized transportation to be utilized for offsetting 2007 expenses for the Belle Urban System dial-a-ride transportation service.

Fiscal Note: Funds will offset the 2007 calendar year operational costs.

Public Works and Services Committee Report, by Ald. Hart**08-1711**

Subject: Communication from Aldermen of the 11th & 12th Districts requesting the drafting and adoption of an ordinance to allow the operation of "Neighborhood Electric Vehicles" within the City of Racine.

Recommendation: The communication be received and filed.

Fiscal Note: Not applicable.

08-1871

Subject: Communication from the Executive Director of the Big Fish Bash requesting to use the turn-arounds at Festival Park for parking during the Big Fish Bash on July 17-20, 2008. (Res. #08-0756)

Recommendation: That Big Fish Bash be granted permission to close the turnarounds adjacent to Festival Park Drive and Christopher Columbus Causeway, on July 17, 2008, in accordance with their request.

Further recommends that permission be granted with the following stipulations:

- A. A hold harmless agreement be executed.
- B. A liability insurance certificate be filed prior to this event.
- C. Any overtime costs incurred by any City Department be charged to the sponsor.

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

Fiscal Note: There will be nominal costs to various City departments, on a regular shift basis, to assist in implementing this event. Since only a partial street closing is involved, no special event fee will be charged.

08-1918

Subject: Direct Referral. Communication from the Assistant Commissioner of Public Works/Engineering submitting a proposal from Earth Tech for the 2008 Racine Illicit Discharge Detection and Elimination (IDDE) Program. (Res. 08-0764)

Recommendation: The Mayor and City Clerk be authorized and directed to enter into an agreement with Earth Tech, Inc., for professional services for the 2008 Racine Illicit Discharge Detection and Elimination (IDDE) Program, at a price not-to-exceed \$48,605.00.

Further recommends that funds to defray the cost of these professional services are available in Account 104.000.5330, Monitoring Detection Enforcement.

Fiscal Note: Funds are available as herein delineated.

08-1919

Subject: Direct Referral. Communication from the Assistant Commissioner of Public Works/Engineering submitting a proposal from Earth Tech for a Water Quality Feasibility Study for Three Facilities. (Res. #08-0765)

Recommendation: The Mayor and City Clerk be authorized and directed to enter into an agreement with Earth Tech, Inc., for professional services for a Water Quality Feasibility Study for Three Facilities, at a price not-to-exceed \$16,900.00.

Further recommends that funds to defray the cost of these professional services are available in Account 104.000.5330, Monitoring Detection Enforcement.

Fiscal Note: Funds are available as herein delineated.

08-1926

Subject: Direct Referral. Communication from the Assistant Commissioner of Public Works/Engineering requesting to waive formal bidding and authorize the Purchasing Agent to negotiate for the floating dock installation from Port-A-Pier of Manitowoc. (Res. 08-0766)

Recommendation: Waive formal bidding procedures for the purchase of a floating dock.

Further recommends that the Purchasing Agent be authorized and directed to negotiate with Port-A-Pier, Manitowoc, WI, for the installation of a floating dock on the north side of the Root River, west of the Main Street Bridge.

Further recommends that the estimated cost of this equipment is \$140,000.00 and funding is available through a 50% reimbursement grant through the Wisconsin DNR with the remaining 50% funding from the Racine Harbor Commission fund balances.

Fiscal Note: Funds are available as herein delineated.

08-1942

Subject: Direct Referral. Communication from the Assistant Commissioner of Public Works/Operations submitting Change Order No. 4 to Contract 1-07 (K7-001), City Hall Renovations - Phase I, Seater Construction Co., Inc., contractor. (Res. #08-0761)

Recommendation: Change Order No. 4 on Contract 1-07 (K7-001), City Hall Renovations, Phase I, Seater Construction Company, Inc., contractor, as submitted, be approved in the amount of \$31,300.00.

Further recommends that funding to defray the cost of this change order be appropriated from Account 986.100.5010, City Hall Facility Plan Implementation.

Fiscal Note: Funds are available as herein delineated.

08-1943

Subject: Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 1-07 (K7-001), City Hall Renovations - Phase I, Seater Construction Co., Inc., contractor. (Res. 08-0762)

Recommendation: The work done by Seater Construction Company, Inc., under Contract 1-07 (K7-001), City Hall Renovations, Phase I, be accepted and final payment authorized for a total contract amount of \$667,884.00 from funds heretofore appropriated.

Fiscal Note: This contract was approved by Resolution 07-0073, dated February 21, 2007.

08-1954

Subject: Direct Referral. Communication from the Purchasing Agent submitting bids for garbage trucks. (Res. #08-0757)

Recommendation: The contract for two (2) truck chassis, heavy duty, low entry, dual steer cab w/25 cubic yard high compaction refuse packer, be

awarded to Cumberland Servicenter, at their bid price of \$363,018.00, with trade-in in the amount of \$3,000.00, for a total award of \$360,018.00, they being the lowest responsible bidder.

Further recommends that funds to defray the cost of this purchase be appropriated from Account 101.400.5780, Licensed Vehicles, Solid Waste.

Fiscal Note: Funding is available as herein delineated.

08-1955

Subject: Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting bid results on Contract 13-08 (K8-014) Concrete Street Reconstruction (R1). (Res.08-0760)

Recommendation: Contract 13-08 (K8-014), Concrete Street Reconstruction (R1), be awarded to LaLonde Contractors, Inc., Milwaukee, WI, at their bid price of \$1,362,023.11, they being the lowest responsible bidder.

Further recommends that funding to defray the cost of this public works project be appropriated from the following accounts:

\$ 45,080.00 - Account 987.907.5310, Sanitary Sewer Construction
\$ 182,064.00 - Account 104.900.5420, Repl. Storm Sewer Construction
\$ 122,057.30 - Account 988.600.5010, Traffic Signal Replacements
\$ 709,781.10 - Account 988.908.5020, Conc. Pvmt. Repl. Misc.
Locations
\$ 303,040.71 - Account 987.908.5020, Conc. Pvmt. Repl. Misc.
Locations
\$1,362,023.11 - Total

Fiscal Note: Funds are available as herein delineated.

08-1956

Subject: Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting bid results on Contract 6-08 (K8-007) City Hall Annex Masonry Tuckpointing. (Res. #08-0759)

Recommendation: Contract 6-08 (K8-007), City Hall Annex Masonry Tuckpointing, be awarded to R.D. Woods Co., Inc., Oak Creek, WI, at their bid price of \$13,340.00, plus Alternate Bid No. 1 in the amount of \$16,042.00 and Alternate Bid No. 2 in the amount of \$16,042.00, for a total contract amount of \$45,424.00, they being the lowest responsible bidder.

Further recommends that funding to defray the cost of this public works project be appropriated from the following accounts:

\$44,801.45 - Account 987.200.5010, Annex Tuckpointing
\$ 622.55 - Account 987.100.5020, City Hall-Tuckpointing
\$45,424.00 - Total

Fiscal Note: Funds are available as herein delineated.

08-1957

Subject: Resolution No. 08-0742, of April 2, 2008, relating to street improvements.

Recommendation: That Resolution No. 08-0742, of April 2, 2008, be amended to delete:

PORTLAND CEMENT CONCRETE PAVING

Jonathon Drive from cul-de-sac to North Main Street.
North Bay Drive from Sheffield Drive to cul-de-sac.
Ruby Avenue from Melvin Avenue to Lombard Avenue.

and, as amended , Resolution No. 08-0742, of April 2, 2008, be adopted.

Fiscal Note: Funds will be appropriated in the 2009 C.I.P. for these alley improvements, and special assessments will be paid by the abutting property owners for the alley improvements.

08-1959

Subject: Direct Referral. Communication from the Assistant Commissioner of Public Works/Engineering submitting Amendment No. 1 on Contract 03-06(K6-003), Public Works Workflow Analysis, Earth Tech, Inc., consultant. (Res. 08-0767)

Recommendation: Amendment No. 1 on Contract 3-06 (K6-003), Public Works Workflow Analysis, Earth Tech, Inc., consultant, as submitted, be approved in the not-to-exceed amount of \$16,200.00.

Further recommends that funding to defray the cost of these professional services be appropriated from Account 101.130.5830, GIS Layers.

Fiscal Note: Funds are available as herein delineated.

08-1961

Subject: Direct Referral. Communication from the Assistant Commissioner of Public Works/Operations submitting professional services proposals for the Racine Festival Hall AC Replacement. (Res. #08-0763)

Recommendation: The Mayor and City Clerk be authorized and directed

to enter into an agreement with Graef, Anhalt, Schloemer & Associates, Inc., for professional services for the Racine Festival Hall AC Replacement at a price not-to-exceed \$7,350.00.

Further recommends that funds to defray the cost of these professional services are available in Account 108.988.5010, Festival Hall AC Replacement.

Fiscal Note: Funds are available as herein delineated.

08-1968

Subject: Ordinance No. 5-08, of April 2, 2008, to create Sec. 94-21 of the Municipal Code of the City of Racine, Wisconsin, relating to Traffic and Vehicles - Neighborhood Electric Vehicles.

Recommendation: That Ordinance No. 5-08, of April 2, 2008, to create Sec. 94-21 of the Municipal Code of the City of Racine, Wisconsin, relating to Traffic and Vehicles - Neighborhood Electric Vehicles, be adopted.

Fiscal Note: Not applicable.

08-1979

Subject: Direct Referral. Communication from the Purchasing Agent submitting bids for dump bodies. (Res. 08-0758)

Recommendation: The contract for three (3) 5 cubic yard dump bodies with snow plow and tailgate material spreader installed on the chassis, be awarded to Casper's Truck Equipment, at their bid price of \$95,697.00, they being the lowest responsible bidder.

Further recommends that funds to defray the cost of this purchase be appropriated from Account 101.630.5780, Licensed Vehicles, Street Maintenance.

Fiscal Note: Funding is available as herein delineated.

Public Safety and Licensing Committee Report, by Ald. Shakoor

08-1920

Subject: Communication from Chief of Police Wahlen requesting to use Federal law to allow qualified retired officers to carry concealed weapons. (Res. #08-0752)

Recommendation of the Finance & Personnel Committee on

04-07-08: Permission granted for the Chief of Police, pursuant to Federal Law Officers Safety Act of 2004 HR218, to allow retired police officers to carry concealed weapons after passing firearm qualifications and the Police Chief's approval and further recommends that the Finance

Department create a separate account for the \$100 fee required from the retired officers.

Recommendation of the Public Safety and Licensing Committee on

4-7-08: That the request of Chief of Police Wahlen, to use the Federal law to allow qualified retired officers to carry concealed weapons, be approved.

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

[08-1925](#)

Subject: (New) Application of Sticky Rice, Morakot Khampane, Agent for a "Class B" Fermented Malt Beverage and intoxicating Liquor License for 337 Main Street. (1st District)

Recommendation of the Public Safety and Licensing Committee on

4-7-08: That the application of Sticky Rice, Morakot Khampane, Agent for a "Class B" Fermented Malt Beverage and intoxicating Liquor License for 337 Main Street (1st District) be granted.

Fiscal Note: N/A

[08-1927](#)

Subject: Communication from the Purchasing Agent submitting bid results for Official Notice #3 for one (1) brush chipper with minimum 18" capacity. (Res. #08-0755)

Recommendation of the Public Safety and Licensing Committee on

4-7-08: That permission be granted for the Purchasing Agent to award the bid for one (1) brush chipper with minimum 18" capacity to Wins Equipment, LLC for \$39,900.00 for a Rayco RC20 XP.

Fiscal Note: Funds are available in account 101.700.5780, Licensed Vehicles.

[08-1944](#)

Subject: (Direct Referral) Communication from Charles F. Brandt, Agent for Bucket's Pub, 2031 Lathrop Avenue wishing to amend his Premise Description to include the adjacent parking lot.

Recommendation of the Public Safety and Licensing Committee on

4-7-08: That the premise description for Bucket's Pub, 2031 Lathrop Avenue, be amended to include the adjacent parking lot.

Fiscal Note: N/A

[08-1958](#)

Subject: (Direct Referral) Communication from the Purchasing Agent submitting the monthly report for the sale of abandoned vehicles for April 3, 2008.

Recommendation of the Public Safety and Licensing Committee on 4-7-08: That the item be received and filed.

Fiscal Note: This will generate \$14,477.01 in revenues.

City Plan Commission Report, by Ald. Holding

[08-1971](#)

Subject: (Direct Referral) Ordinance amendments for drive-in/drive-through and mixed use. (Ord. 07-08)

Recommendation of City Plan Commission on 4-9-08: That an ordinance be prepared with the following text amendments:

Repeal 114 - 1 *Drive-in, takeout, or fast food establishment.*

AND...

Create 114 - 1 *Delicatessen or butcher* means an establishment whose primary intent is to offer for retail sale to patrons prepared or unprepared meal components to carry away for off premise consumption at a later time.

Create 114 - 1 *Drive-in or Drive-through establishment* means an establishment where either all or a portion of the operation affords the patron the ability to receive or consume good, services, entertainment or conduct business while seated in or on a vehicle.

Create 114 - 1 *Mixed use development* means a building or grounds intended to accommodate more than one use, either by right or by conditional use permits within a zoning district.

Create 114 - 1 *Mixed use - flex development* means a building or group of buildings and/or grounds redeveloped to accommodate uses that may not be included as those uses permitted either by right or by conditional use permit, within the zoning district in which it is located.

Create 114 - 1 *Mixed use - planned development* as defined in 114-182.

Create 114 - 1 Takeout - carryout restaurant means an establishment where the areas devoted to food preparation, related activities, and other areas not accessible to the public (walk-in coolers, food lockers, etc) totals over 50% of the floor area of the occupancy, or where it is anticipated that over 50% of patron visits involves the ability of patrons to order and carry away prepared foods for off premise consumption.

AND...

Amend 114 - 182 by striking the phrase "Use exceptions" and replacing it with the phrase "Mixed use".

Amend 114 - 468(24) by striking the number "10,000" and replacing it with the number "5000".

Further that a public hearing be scheduled.

Fiscal Note: N/A

08-1987

Subject: Ord.04-08 to repeal and recreate Secs. 114-447(2), and (3), amend Sec. 114-448 and amend Sec. 114-567 of the Municipal Code of the City of Racine, Wisconsin relating to Zoning - Permitted uses and regulations; Conditional Uses.

Recommendation of the City Plan Commission on 4-9-08 : That the ordinance be adopted.

08-1988

Subject: ZOrd.0002-08 for rezoning 407-409 Hubbard Street.

Recommendation of City Plan Commission on 4-9-08: That the ordinance be adopted.

Committee of the Whole Report, by Ald. Spangenberg

07-0412

Subject: Communication from the Alderman of the 9th District requesting to discuss the newly imposed inspection fees by the Building Department.

Recommendation of the Finance & Personnel Committee on 5-7-07: Refer to the Committee of the Whole.

Recommendation of the Committee of the Whole on 04-02-2008: the Item be received and filed.

Fiscal Note: N/A

07-0875

Subject: Communication from the Aldermen of the 3rd, 7th, 9th and 15th Districts requesting to discuss changing various rules governing the operations of City Council meetings and requesting copies of all prior passed resolutions that pertain to the current rules of the Council.

Recommendation: the Item be received and filed.

Fiscal Note: N/A

Office of the Mayor Report, by Ald. Spangenberg08-1997

Subject: Communication from Mayor Becker nominating appointments/reappointments to the following committees, commissions and boards for the City of Racine:

Access Corridor Development Review Committee:

Reappoint Alderman James Kaplan for a one-year term ending in May 2009.

Appoint David Namowicz, 3100 Mt. Pleasant St., for a three-year term ending in May 2011.

Community Development Committee:

Reappoint Carol Wallace, 1732 Park Ave., for a three-year term ending in May 2011.

Elderly Housing Authority:

Reappoint David Brown, 730 Washington Ave., for a two-year term ending in June 2010.

Landmarks Preservation Commission:

Reappoint Alderman Robert Anderson, for a one-year term ending in May 2009.

Racine Economic Development Committee:

Reappoint Alderman David Maack, for a one-year term ending in June 2009.

Reappoint Alderman Q.A. Shakoor, II, for a one-year term ending in June 2009.

Racine Sister City Planning Council:

Reappoint Keiko Skow, 1526 Holmes Ave., for a three-year term ending in December 2010.

Reappoint Sandra Tingle, 1740 Park Ave., for a three-year term ending in December 2010.

Reappoint Al Guetzlaff, 3821 Alden Court, for a three-year term ending in December 2010.

Reappoint Alderman Robert Anderson, for a one-year term ending in April 2009.

Reappoint Gerald Greenfield, 700 Waters Edge, for a three-year term ending in December 2010.

Reappoint William Pucci, 2424 Lathrop Ave., for a three-year term ending in December 2010.

Stationary Engineers Examining Board:

Reappoint Tim Hogan, 821 Stuart Rd., for a three-year term ending in April 2011.

H. Resolutions

Res.08-0747 Soap Box Derby Fees

Resolved, that the request from the Director of Racine Area Soap Box Derby to waive the fees for closing Hoefert Drive for their 2008 race dates be denied.

Further resolved, that each weekend date, May 10 - 11, 2008, June 14 - 15, 2008 and September 6 - 7, 2008, be counted as a one event charge of \$318 for each weekend date, for a total fee of \$954.

Fiscal Note: N/A

Sponsors: Thomas Friedel

Res.08-0748 Waive formal bidding procedures for purchase of Sprung Structure Tent for Festival Hall

Resolved, that being in the best interest of the City, formal bidding procedures be waived and that the City Purchasing Agent negotiate with Mahaffey Fabric Structures of Memphis, Tennessee for the purchase of a Sprung Structure Tent for Festival Hall.

Fiscal Note: Funds are available in account 108.988.5030, Festival Hall - Sprung Structure Tent.

Sponsors: Thomas Friedel

Res.08-0749 Agreement with Children's Hospital of Wisconsin to accept grant funds

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement for up to \$3,640 from the Children's Hospital of Wisconsin for Children and Youth with Special Health Care Needs Grant (CYSHCN)(Grant

Control No. 2008-005), with a beginning date of January 1, 2008.

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

Sponsors: Thomas Friedel

Res.08-0750 Amended contract with Department of Health and Family Services for Tobacco Prevention and Control

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an amended contract with the Department of Health and Family Services (Grant Control No. 2007-047) for additional funding for the Tobacco Prevention and Control (#15984) Grant. The contract period is January 1, 2008 through December 31, 2008.

Fiscal Note: Additional funding in the amount of \$8,112. No match required on the part of the City.

Sponsors: Thomas Friedel

Res.08-0751 Amended contract with State of Wisconsin for additional funding for WIC Program

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an amended contract with the State of Wisconsin Department of Health and Family Services (Grant Control No. 2006-049) for additional funding for the Division of Public Health Contract Agreement amending the Women, Infants, and Children Program (GAC #16359). The term of the WIC Contract period is January 1, 2008 through December 31, 2008.

Fiscal Note: Total funding of \$30,402. \$2,298 for Farmers' Market Program and \$28,104 for the operation of WIC Program. No match required on the part of the City.

Sponsors: Thomas Friedel

Res.08-0752 Permission for retired police officers to carry concealed weapons

Resolved, that permission be granted to the Chief of Police, pursuant to the Law Enforcement Officers Safety Act of 2004 HR218, Public Law 108-277, 18 U.S.C. 926C, to allow retired police officers to carry concealed weapons after passing firearm qualifications and the Police Chief's approval.

Further resolved, that the Finance Department create a separate account for the \$100 fee required from the retired officers.

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

Sponsors: Thomas Friedel and Q.A. Shakoor, II

Res.08-0753 Enter into Racine/Sturtevant Joint Engineering/Construction Management Agreement

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with the Village of Sturtevant for the Racine/Sturtevant Joint Engineering/Construction Management Agreement.

Fiscal Note: N/A

Sponsors: Thomas Friedel

Res.08-0754 Permission to transfer funds from Racine County from the State of Wisconsin for Belle Urban System

Resolved, that permission be granted for the City of Racine to accept a transfer of \$55,288 from Racine County from the State of Wisconsin, Department of Transportation, for specialized transportation to be utilized for offsetting 2007 expenses for the Belle Urban System dial-a-ride transportation service.

Fiscal Note: Funds will offset the 2007 calendar year operational costs.

Sponsors: Thomas Friedel

Res.08-0755 Award bid for Official Notice #3, brush chipper

Resolved, that the Purchasing Agent be granted permission to accept the bid for Official Notice #3 for one (1) brush chipper with minimum 18" capacity from Wins Equipment, LLC for \$39,900.00 for a Rayco RC20 XP.

Fiscal Note: Funds are available in Account 101.700.5780, Licensed Vehicles.

Sponsors: Q.A. Shakoor, II

Res.08-0756 Permission to close turnarounds for Big Fish Bash Event

Resolved, that Big Fish Bash be granted permission to close the turnarounds adjacent to Festival Park Drive and Christopher Columbus Causeway, on July 17, 2008, in accordance with their request.

Further resolved, that permission be granted with the following stipulations:

A. A hold harmless agreement be executed.

- B. Proof of liability insurance be filed prior to this event.
- C. Any overtime costs incurred by any City Department be charged to the sponsor.

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

Fiscal Note: There will be nominal costs to various City departments, on a regular shift basis, to assist in implementing this event. Since only a partial street closing is involved, no special event fee will be charged.

Sponsors: Ronald D. Hart

Res.08-0757 Contract for garbage trucks be awarded to Cumberland Servicenter

Resolved, that the contract for two (2) truck chassis, heavy duty, low entry, dual steer cab with 25 cubic yard high compaction refuse packer be awarded to Cumberland Servicenter at its bid price of \$363,018.00, with trade-in in the amount of \$3,000.00, for a total award of \$360,018.00, it being the lowest responsible bidder.

Further resolved, that funds to defray the cost of this purchase be appropriated from Account 101.400.5780, Licensed Vehicles, Solid Waste.

Fiscal Note: Funding is available as herein delineated.

Sponsors: Ronald D. Hart

Res.08-0758 Contract for dump trucks be awarded to Casper's Truck Equipment

Resolved, that the contract for three (3) 5 cubic yard dump bodies with snow plow and tailgate material spreader installed on the chassis be awarded to Casper's Truck Equipment at its bid price of \$95,697.00, it being the lowest responsible bidder.

Further resolved, that funds to defray the cost of this purchase be appropriated from Account 101.630.5780, Licensed Vehicles, Street Maintenance.

Fiscal Note: Funding is available as herein delineated.

Sponsors: Ronald D. Hart

Res.08-0759 Contract for City Hall Annex Masonry Tuckpointing awarded to R.D. Woods Company

Resolved, that Contract 6-08 (K8-007), City Hall Annex Masonry Tuckpointing, be awarded to R.D. Woods Co., Inc., Oak Creek, WI, at its bid price of \$13,340.00, plus Alternate Bid No. 1 in the amount of \$16,042.00 and Alternate Bid No. 2 in the amount of \$16,042.00, for a total contract amount of

\$45,424.00, it being the lowest responsible bidder.

Further resolved, that funding to defray the cost of this public works project be appropriated from the following accounts:

\$44,801.45 - Account 987.200.5010, Annex Tuckpointing
\$ 622.55 - Account 987.100.5020, City Hall-Tuckpointing
\$45,424.00 - Total

Fiscal Note: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

Res.08-0760 Contract for Concrete Street Reconstruction be awarded to LaLonde Contractors

Resolved, that Contract 13-08 (K8-014), Concrete Street Reconstruction (R1), be awarded to LaLonde Contractors, Inc., Milwaukee, WI, at its bid price of \$1,362,023.11, it being the lowest responsible bidder.

Further resolved, that funding to defray the cost of this public works project be appropriated from the following accounts:

\$ 45,080.00 - Account 987.907.5310, Sanitary Sewer Construction
\$ 182,064.00 - Account 104.900.5420, Repl. Storm Sewer Construction
\$ 122,057.30 - Account 988.600.5010, Traffic Signal Replacements
\$ 709,781.10 - Account 988.908.5020, Conc. Pvmt. Repl. Misc. Locations
\$ 303,040.71 - Account 987.908.5020, Conc. Pvmt. Repl. Misc. Locations
\$1,362,023.11 - Total

Fiscal Note: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

Res.08-0761 Change Order on contract for City Hall Renovations

Resolved, that Change Order No. 4 on Contract 1-07 (K7-001), City Hall Renovations, Phase I, Seater Construction Company, Inc., contractor, as submitted, be approved in the amount of \$31,300.00.

Further resolved, that funding to defray the cost of this change order be appropriated from Account 986.100.5010, City Hall Facility Plan Implementation.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

Res.08-0762 Final Payment for City Hall Renovations, Phase I, Seater Construction Company

Resolved, that the work done by Seater Construction Company, Inc., under Contract 1-07 (K7-001), City Hall Renovations, Phase I, be accepted and final payment authorized for a total contract amount of \$667,884.00 from funds heretofore appropriated.

Fiscal Note: This contract was approved by Resolution 07-0073, dated February 21, 2007.

Sponsors: Ronald D. Hart

Res.08-0763 Agreement for professional services Festival Hall AC replacement

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with Graef, Anhalt, Schloemer & Associates, Inc., for professional services for the Racine Festival Hall Air Conditioning replacement at a price not-to-exceed \$7,350.00.

Further resolved, that funds to defray the cost of these professional services are available in Account 108.988.5010, Festival Hall AC Replacement.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

Res.08-0764 Professional Services Agreement for 2008 Racine Illicit Discharge Detection and Elimination Program

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with Earth Tech, Inc., for professional services for the 2008 Racine Illicit Discharge Detection and Elimination (IDDE) Program, at a price not-to-exceed \$48,605.00.

Further resolved, that funds to defray the cost of these professional services are available in Account 104.000.5330, Monitoring Detection Enforcement.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

Res.08-0765 Professional Services Agreement for Water Quality Feasibility Study for City Facilities

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with Earth Tech, Inc., for professional services for a Water Quality Feasibility Study for Three Facilities, at a price not-to-exceed \$16,900.00.

Further resolved, that funds to defray the cost of these professional services are available in Account 104.000.5330, Monitoring Detection Enforcement.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

Res.08-0766 Waive formal bidding procedures for purchase of floating dock installation

Resolved, that being in the best interest of the City, formal bidding procedures be waived and that the Purchasing Agent be authorized and directed to negotiate with Port-A-Pier, Manitowoc, WI, for the installation of a floating dock on the north side of the Root River, west of the Main Street Bridge.

Further resolved, that the estimated cost of this equipment is \$140,000.00 and funding is available through a 50% reimbursement grant through the Wisconsin DNR with the remaining 50% funding from the Racine Harbor Commission fund balances.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

Res.08-0767 Amendment No. 1 on Contract 3-06 (K6-003) Public Works Workflow Analysis

Resolved, that Amendment No. 1 on Contract 3-06 (K6-003), Public Works Workflow Analysis, Earth Tech, Inc., consultant, as submitted, be approved in the not-to-exceed amount of \$16,200.00.

Further resolved, that funding to defray the cost of these professional services be appropriated from Account 101.130.5830, GIS Layers.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

I. Ordinances

Ord.07-08 Ordinance No. 07-08

To amend Sec. 114-1(b), to amend the title of Sec. 114-182, and to amend Sec. 114-468 (24) of the Municipal Code of the City of Racine, Wisconsin relating to Zoning - Rules of construction and definitions; conditional uses.

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

Part 1:

Sec. 114-1(b) of the Municipal Code of the City of Racine is hereby amended by repealing the definition of "*Drive-in, takeout, or fast food establishment*" and by adding the following definitions as follows:

Insert the following definition after the definition of "*Day care home*":

"Delicatessen or butcher means an establishment whose primary intent is to offer for retail sale to patrons prepared or unprepared meal components to carry away for off premise consumption at a later time."

Insert the following definition after the definition of *"Drainage system"*:

"Drive-in or Drive-through establishment means an establishment where either all or a portion of the operation affords the patron the ability to receive or consume goods, services, entertainment, or conduct business while seated in or on a vehicle."

Insert the following definition after the definition of *"Mezzanine"*:

"Mixed use development means a building or grounds intended to accommodate more than one use, either by right or by conditional use permits within a zoning district."

Insert the following definition after the definition of *"Mixed use development"*:

"Mixed use - flex development means a building or group of buildings and/or grounds redeveloped to accommodate uses that may not be included as those uses permitted either by right or by conditional use permit, within the zoning district in which it is located."

Insert the following definition after the definition of *"Mixed use - flex development"*:

"Mixed use - planned development as defined in 114-182."

Insert the following definition after the definition of *"Substantial improvement"*:

"Takeout - carryout restaurant" means an establishment where the areas devoted to food preparation, related activities, and other areas not accessible to the public (walk-in coolers, food lockers, etc.), totals over 50% of the floor area of the occupancy, or where it is anticipated that over 50% of patron visits involves the ability of patrons to order and carry away prepared foods for off premise consumption."

Part 2:

Sec. 114-182 of the Municipal Code is hereby amended by changing the title to read: "Mixed use."

Part 3:

Sec. 114-468 (24) of the Municipal Code of the City of Racine is hereby amended by changing the number "10,000" to read "5,000".

Part 4:

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

Passed by the Common Council:

Approved: _____

Mayor

Attest:

City Clerk

Fiscal Note: N/A

Sponsors: Gregory Holding

J. Miscellaneous Business

K. 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.