



# City of Racine

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

## Meeting Agenda - Final Common Council

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

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Monday, October 16, 2017

7:00 PM

City Hall, Room 205

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**Monday due to Election per item 935-17**

**A. Call To Order**

**B. Pledge of Allegiance To The Flag**

**C. Approval of Journal of Council Proceedings (Minutes)  
October 3, 2017**

**D. Public Comments**

**E. Communications**

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

[973-17](#)

**Subject:** Communication from the Purchasing Agent submitting bid results for Official Notice #21-2017, building board up services.

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

[997-17](#)

**Subject:** Communication from the Assistant Commissioner of Public Works/City Engineer submitting Amendment No. 2 to an existing agreement with Precise Underground Marking Corporation, Milwaukee, WI, for the provision of underground facility locating services for the City-owned fiber optic and electrical systems.

[1011-17](#)

**Subject:** Communication from the Downtown Racine Corporation requesting to use City right-of-way for the annual Holiday Parade on Saturday, November 11, 2017.

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

[1013-17](#)

**Subject: (New)** Application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for Last Call on Wisconsin LLC, dba Last Call on Wisconsin, located at 525 Wisconsin Avenue, James Malnar, Agent. (1st District)

**Refer to Traffic Commission, by Ald. Jones**

[1025-17](#)

**Subject:** Communication from Devin Sutherland, on behalf of the Uptown Business Improvement District, requesting the removal of the No Parking, 6:00 AM to 8:00 AM, Monday through Friday restriction on Washington Avenue from 13th Street to 14th Street.

**Refer to Transit and Parking Commission, by Ald. DeHahn**

[995-17](#)

**Subject:** Communication from the City Attorney wishing to discuss the changes involving mobile payment for parking - Chapter 2, Article II, Division 10 and Chapter 94, Article V, of the Municipal Code of the City of Racine, WI.

## **F. Committee Reports**

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

[950-17](#)

**Subject:** Water Main Extension Agreement for Hidden Creek Condominiums (Res. 0346-17)

**Recommendation of the Racine Waterworks Commission on**

**9/26/17:** That the Mayor and City Clerk be authorized to enter into this agreement to facilitate this project with Hidden Creek Condominiums

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

**10/09/17:** That the Mayor and City Clerk be authorized to enter into this agreement to facilitate this project with Hidden Creek Condominiums

**Fiscal Note:** The Racine Water Utility will be paying for the water main extension - Estimated cost is \$50,000

[975-17](#)

**Subject:** Communication from the Purchasing Agent submitting bid results from Official Notice #17-2017, Uniform/ Textile Rental Services. (Res. 0345-17)

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

**10/09/2017:** To award Official Notice #17-2017, uniform/textile rental services, to Cintas Corp, DBA G&K Services of Menomonee Falls at their bid price of \$46,618.80, they being the lowest responsive, responsible bidder. This will be a (5) year contract commencing November 1, 2017 and ending on October 31, 2021.

**Fiscal Note:** Funds for this contract are available in the following accounts: 14010-53200, Street Maintenance Work Supplies, 70240-54200 Building Complex Repairs and Maintenance, 1500216-53210, King Center Janitorial Supplies, 1500218-53210, Tyler-Domer Center Janitorial Supplies, 1500217-53210, Bryant Center Janitorial Supplies, 153003-5410, Parks Building Maintenance and Supplies, 120-53200, Professional Supplies-Lab.

[981-17](#)

**Subject:** Communication from the Finance Director requesting to have Bradley Viegut from Robert W. Baird & Co., appear before the Finance and Personnel Committee at their next scheduled meeting on Monday, October 9, 2017 to discuss refunding the City's Note Anticipation Note and other prior debt issues.

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

**10/09/2017:** To approve the refunding of the City's \$11,800,000 2017 Note Anticipation Notes with General Obligation Refunding Bonds maturing annually in 2018-2031. Additionally, refund portions of the City's 2008 and 2011 General Obligation Refunding Bonds contingent on a minimum 2.0% present value savings at time of sale.

**Fiscal Note:** \$11.8M NAN's to be refunded with an estimated \$11.165M G.O. Refunding Bonds, TIC = 2.67%. \$8.515M of 2008 and 2011 G.O. refunding Bonds to be refinanced at an estimated TIC = 2.09% and present value savings of \$206,855 or 2.362%. Final dollar value, TIC and present values will be determined by market conditions on date of sale and will be reported out with adoption of Final Award Resolution on Tuesday, November 7, 2017.

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

[813-17](#)

**Subject:** Final Payment on Contract 20170018, Festival Hall - New Outdoor Stage, Absolute Construction Enterprises, Inc., contractor. (Res. 0349-17)

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

**10-10-17:** That the work done by Absolute Construction Enterprises, Inc.,

on Contract 20170018, Festival Hall - New Outdoor Stage be accepted and final payment authorized for a total contract amount of \$260,201.12. Final Payment to include retainage.

**Fiscal Note:** Contract was authorized under Resolution 0121-17, dated April 5, 2017.

[964-17](#)

**Subject:** (Direct Referral) Communication from Darryl Sturino, Sturino Funeral Home, requesting permission for a Revocable Occupancy Permit, to install a fence, underground irrigation system and landscaping in the right-of-way at 3014 Northwestern Avenue. (Res. 0328-17)

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

**09-26-17:** That Darryl Sturino, Sturino Funeral Home, be granted permission for a Revocable Occupancy Permit, to install a fence, underground irrigation system and landscaping in the right-of-way at 3014 Northwestern Avenue, subject to the abutting property owner providing alternate access to the easement area via their property and a \$150.00 fee paid, in accordance with the State Statute 66.0425, Privileges in Streets.

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

**10-10-17:** That Darryl Sturino, Sturino Funeral Home, be granted permission for a Revocable Occupancy Permit, to install a fence, per Building Code, in the right-of-way at 3014 Northwestern Avenue, subject to the abutting property owner providing alternate access to the right-of-way area via their property and a \$150.00 fee paid, in accordance with the State Statute 66.0425, Privileges in Streets. Further recommends amending Resolution 0328-17, dated October 3, 2017, to reflect the new verbiage.

**Fiscal Note:** N/A

[968-17](#)

**Subject:** Communication from the Assistant Commissioner of Public Works/City Engineer submitting WisDOT's preferred alternative for State Project ID: 2260-07-00/70, Durand Avenue (STH 11), Kentucky Avenue to Kearney Avenue. (Res. 0351-17)

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

**10-10-17:** Approve a standard signalized intersection at the intersection of Durand Avenue and Memorial Drive for State Project ID: 2260/07-00/70, Durand Avenue (STH 11), Kentucky Avenue to Kearney Avenue.

**Fiscal Note:** The difference in construction cost between the roundabout and signalized intersection, including additional right-of-way, as well as the cost of re-design work will be paid by WisDOT. The re-design cost will be credited in the State Municipal Agreement (SMA).

[974-17](#)

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations requesting permission to waive formal bidding for the replacement of HVAC equipment at Memorial Hall. (Res. 0350-17)

**Recommendation of the Public Works and Services Committee on 10-10-17:** The request to waive formal bidding procedures be approved in accordance with Racine Municipal Code Section 46-28 that allows for the waiving of formal public bids for purchases over \$25,000 for the purpose of maintaining uniformity of equipment and services.

Further recommends that the City enter into an agreement with Johnson Controls, Inc., in the amount of \$132,990.00 for the replacement of eight (8) Unit Ventilators and six (6) Variable Frequency Drives for Contract 20170084, HVAC Equipment Replacement - Memorial Hall, they being the sole source provider of their system compatible devices.

**Fiscal Note:** Funding to defray the cost of these materials is available in Org-Object 60623-57200, Memorial Hall-Building Improvements.

[993-17](#)

**Subject:** Bid results on Contract 20170043, Storm and Sanitary Sewer Lining. (Res. 0347-17)

**Recommendation of the Public Works and Services Committee on 10-10-17:** That bids for Contract 20170043, 2017 Storm & Sanitary Sewer Lining, be awarded to Musson Brothers, Inc., at their bid price of \$1,734,439.00, it being the lowest responsible bidder.

Further recommends that funds to defray the cost of this Public Works Department project be appropriated from the below Org-Objects:

\$ 399,481.33 - Org-Object 22640-57560, Sanitary Sewers  
\$ 700,000.00 - Org-Object 40101-57560, Sanitary Sewers  
\$ 634,957.67 - Org-Object 60484-57570, Storm Sewers  
\$1,734,439.00 - Total

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

[994-17](#)

**Subject:** Bid results on Contract 20170051, Samuel Myers Park Restoration - Phase IV. (Res. 0348-17)

**Recommendation of the Public Works and Services Committee on 10-10-17:** That bids for Contract 20170051, Samuel Myers Park Restorations - Phase IV, be awarded to Ray Hintz, Inc., at their bid price of \$45,077.78, plus Alternate No. 1 in the amount of \$6,231.50, plus Alternate No. 2 in the amount of \$5,261.76, for a total bid of \$56,571.04, it being the

lowest responsible bidder.

Further recommends that funds to defray the cost of this Public Works Department project be appropriated from Org-Object 20104-57110-20063, WCMP/NOAA Samuel Myers Park Grant and Org-Object 22720-52100, Professional Services-Lab.

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

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

[854-17](#)

**Subject:** Communication from the City Attorney recommending the creation of a Due Process board to address appeals regarding chronic nuisance determinations. (Ord. 0016-17)

**Recommendation of the Public Safety and Licensing Committee on 09-26-2017:** That the communication from the City Attorney recommending the creation of a Due Process board to address appeals regarding chronic nuisance determinations be recommended for approval.

**Fiscal Note:** N/A

[921-17](#)

**Subject:** Ordinance 0015-17 - An Ordinance to repeal and recreate Chapter 66, Article XXIX. - Nuisance Properties of the Code of Ordinances.

**Recommendation of the Public Safety and Licensing Committee on 9-12-2017:** That Ordinance 0015-17 be recommended for approval.

**Recommendation of the Public Safety and Licensing Committee on 09-26-2017:** That Ordinance 0015-17 be deferred for two weeks.

**Recommendation of the Public Safety and Licensing Committee on 10-10-2017:** That Ordinance 0015-17 be recommended for approval.

**Fiscal Note:** N/A

[1012-17](#)

**Subject:** Ordinance 0016-17

An Ordinance to recreate Chapter 2, Article III, Division 8. - Reserved of the City of Racine Code of Ordinances.

**Recommendation of the Public Safety and Licensing Committee on 10-10-2017:** That Ordinance 0016-17 be recommended for approval.

**Fiscal Note:** N/A

[867-17](#)

**Subject: (New)** Application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for Culture Bar & Grill, located at 433 Main Street, William Vaughn, Agent. (1st District)

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

**09-12-2017:** That the new application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for Culture Bar & Grill, located at 433 Main Street, William Vaughn, Agent be deferred.

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

**10-10-2017:** That the new application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for Culture Bar & Grill, located at 433 Main Street, William Vaughn, Agent be approved.

**Fiscal Note:** N/A

[969-17](#)

**Subject: (New)** Application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for GRC Sport Lounge LLC dba GRC Sport Lounge, 1307 Douglas Ave, Crystal Zaehler, Agent. (4th District).

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

**10-10-2017: (New)** Application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for GRC Sport Lounge LLC dba GRC Sport Lounge, 1307 Douglas Ave, Crystal Zaehler, Agent be approved.

**Fiscal Note:** N/A

[972-17](#)

**Subject: (Direct Referral)** Communication from the Purchasing Agent submitting the report on the bids received for the sale of Abandoned Vehicles, October 5, 2017.

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

**10-10-2017:** That the item be Received and Filed as the highest responsible bidder from the two bids was Sturtevant Auto Salvage.

**Fiscal Note:** This will generate \$12,882.00 in revenue for account 13101 48301.

[980-17](#)

**Subject: (Direct Referral)** Communication from Al Goodman, representing the Fifth Street Yacht Club, 761 Marquette Street to amend their Premise Description, request to include the grassy areas surrounding the club where alcoholic beverages would be served.

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

**10-10-2017: (Direct Referral)** Communication from Al Goodman, representing the Fifth Street Yacht Club, 761 Marquette Street to amend

their Premise Description, request to include the grassy areas surrounding the club, picnic area and the front of the building where alcoholic beverages would be served be approved.

**Fiscal Note:** N/A

### City Plan Commission Report, by Ald. Shakoor II

[1006-17](#)

**Subject:** (Direct Referral) A request from Jan Roland, representing Habitat for Humanity, seeking a conditional use permit to allow a ground floor residence at 1716 Geneva Street. (PC-17) (Res. 0352-17)

**Recommendation of the City Plan Commission on 10-11-17:** That the request from Jan Roland, representing Habitat for Humanity, for a conditional use permit to allow a ground floor residence at 1716 Geneva Street be approved, subject to conditions.

**Fiscal Note:** N/A

### Housing Loan Board Report, by Ald. Land

[1001-17](#)

**Subject:** Request from WHP-Lincoln School, LLC to subordinate a mortgage note held by the City of Racine. (Res. 0353-17)

**Recommendation of the Loan Board of Review on October 12, 2017:** That the request from WHP-Lincoln School, LLC to subordinate a mortgage note held by the City of Racine is approved. Further, that the director of City Development be authorized to enter into and execute the subordination agreement.

**Fiscal Note:** The 2007 mortgage note for 145,704 is forgiven at 1/14th per year over a 14 year period.

### Office of the Mayor Report, by Ald. Shakoor II

[1024-17](#)

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

Appoint JoAnn Nelson, 1339 14th St. Racine, 53403 to the Uptown Business Improvement District, to complete the term vacated by John Kopolus, expiring December 31, 2019.

Appoint Lauren Klein, 1328 Washington Ave., Racine, 53403 to the Uptown Business Improvement District, to complete the term vacated by Lou Larsen, expiring December 31, 2017.

Appoint Christina Mueller, 1618 Morton Ave., Racine, 53403 to the Cemetery Board to fill a vacancy, expiring April 30, 2021.



**Board of Parks, Recreation, and Cultural Services Report, by Ald. Meekma**[843-17](#)

**Subject:** Communication from the Aldermen from the 5th and 6th Districts on August 24, 2017 requesting removal of vegetation, weeds, and invasive trees along the bike trail abutting the overlook area on 6th Street and the bike trails north of the Zoo at the lake front.

**Recommendation of the Board of Parks, Recreation and Cultural Services on September 13, 2017:** To Receive and File the communication from the Aldermen from the 5th and 6th Districts on August 24, 2017 requesting removal of vegetation, weeds, and invasive trees along the bike trail abutting the overlook area on 6th Street and the bike trails north of the Zoo at the lake front.

**Recommendation of the Board of Parks, Recreation and Cultural Services on October 11, 2017:** To Receive and File the communication from the Aldermen from the 5th and 6th Districts on August 24, 2017 requesting removal of vegetation, weeds, and invasive trees along the bike trail abutting the overlook area on 6th Street and the bike trails north of the Zoo at the lake front.

**Fiscal Note:** NA

**G. Consent Resolutions**[Res.0328-17](#)

Right-of-Way at 3014 Northwestern Avenue

Resolved, that Darryl Sturino, Sturino Funeral Home, is granted permission for a Revocable Occupancy Permit, to install a fence, per Building Code, in the right-of-way at 3014 Northwestern Avenue, subject to the abutting property owner providing alternate access to the right-of-way area via their property and a \$150.00 fee paid, in accordance with the Wis. Stat. sec 66.0425, Privileges in Streets.

Further resolved, to amend Resolution 0328-17, dated October 3, 2017, to reflect the new verbiage.

Fiscal Note: N/A

Sponsors:

Terry McCarthy

[Res.0345-17](#)

Official Notice #17-2017, Uniform/Textile Rental Services

Resolved, that Official Notice #17-2017, Uniform/Textile Rental Services, is awarded to Cintas Corp, DBA G&K Services of Menomonee Falls at its bid price of \$46,618.80, it being the lowest responsive, responsible bidder. This will be a five year contract commencing November 1, 2017,

and ending on October 31, 2021.

Fiscal Note: Funds for this contract are available in the following accounts:

14010-53200, Street Maintenance Work Supplies  
70240-54200 Building Complex Repairs and Maintenance  
1500216-53210, King Center Janitorial Supplies  
1500218-53210, Tyler-Domer Center Janitorial Supplies  
1500217-53210, Bryant Center Janitorial Supplies  
153003-5410, Parks Building Maintenance and Supplies and  
120-53200, Professional Supplies-Lab

**Sponsors:**

Q.A. Shakoor II

**Res.0346-17**

Water Main Extension Agreement for Hidden Creek Condominiums

Resolved, that the Mayor and City Clerk are authorized to enter into this agreement to facilitate this project with Hidden Creek Condominiums.

Fiscal Note: The Racine Water Utility will be paying for the water main extension. The estimated cost is \$50,000.00.

**Sponsors:**

Q.A. Shakoor II

**Res.0347-17**

Contract 20170043, Storm and Sanitary Sewer Lining

Resolved, that bids for Contract 20170043, 2017 Storm & Sanitary Sewer Lining, is awarded to Musson Brothers, Inc., at its bid price of \$1,734,439.00, it being the lowest responsible bidder.

Fiscal Note: Funds to defray the cost of this Public Works Department project be appropriated from the below Org-Objects:

\$ 399,481.33 - Org-Object 22640-57560, Sanitary Sewers  
\$ 700,000.00 - Org-Object 40101-57560, Sanitary Sewers  
\$ 634,957.67 - Org-Object 60484-57570, Storm Sewers  
\$1,734,439.00 - Total

**Sponsors:**

Terry McCarthy

**Res.0348-17**

Contract 20170051, Samuel Myers Park Restoration - Phase IV

Resolved, that bids for Contract 20170051, Samuel Myers Park Restorations - Phase IV, is awarded to Ray Hintz, Inc., at its bid price of \$45,077.78, plus Alternate No. 1 in the amount of \$6,231.50, plus Alternate No. 2 in the amount of \$5,261.76, for a total bid of \$56,571.04, it being the lowest responsible bidder.

Fiscal Note: Funds to defray the cost of this Public Works Department project be appropriated from Org-Object 20104-57110-20063,

WCMP/NOAA Samuel Myers Park Grant and Org-Object 22720-52100, Professional Services-Lab.

**Sponsors:** Terry McCarthy

[Res.0349-17](#) Final Payment on Contract 20170018, Festival Hall - New Outdoor Stage

Resolved, that the work done by Absolute Construction Enterprises, Inc., on Contract 20170018, Festival Hall - New Outdoor Stage is accepted and final payment authorized for a total contract amount of \$260,201.12. Final Payment to include retainage.

**Fiscal Note:** Contract was authorized under Resolution 0121-17, dated April 5, 2017.

**Sponsors:** Terry McCarthy

[Res.0350-17](#) Waive Formal Bidding for Replacement of HVAC Equipment at Memorial Hall

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

Further resolved, that the City enter into an agreement with Johnson Controls, Inc., in the amount of \$132,990.00 for the replacement of eight Unit Ventilators and six Variable Frequency Drives for Contract 20170084, HVAC Equipment Replacement - Memorial Hall, it being the sole source provider of its system compatible devices.

**Fiscal Note:** Funding to defray the cost of these materials is available in Org-Object 60623-57200, Memorial Hall-Building Improvements.

**Sponsors:** Terry McCarthy

[Res.0351-17](#) State Project ID: 2260-07-00/70, Durand Avenue (STH 11), Kentucky Avenue to Kearney Avenue

Resolved, that a standard signalized intersection at the intersection of Durand Avenue and Memorial Drive for State Project ID: 2260/07-00/70, Durand Avenue (STH 11), Kentucky Avenue to Kearney Avenue is approved.

**Fiscal Note:** The difference in construction cost between the roundabout and signalized intersection, including additional right-of-way, as well as the cost of re-design work will be paid by WisDOT. The re-design cost will be credited in the State Municipal Agreement (SMA).

**Sponsors:** Terry McCarthy

[Res.0352-17](#)

1716 Geneva Street

Resolved, that the request from Jan Roland, representing Habitat for Humanity, seeking a conditional use permit to allow a ground floor residence at 1716 Geneva Street is approved, subject to the following conditions:

- a. That the plans presented to the Plan Commission on October 11, 2017 be approved subject to the conditions contained herein.
- b. That the all porch components be painted after twelve months when the treated lumber has had time to dry, or pre-aged treated lumber be used and the porch painted before occupancy.
- c. That, in recognition of the exposed eighteen-inch masonry foundation and six-inch wood skirt board, the four-inch Exposure Vinyl siding be approved for use as an exception to Sec. 114-735.3 thru 766.
- d. That a landscaping plan be provided and approved before issuance of building permits.
- e. That samples and specs of all building materials be provided and approved before the issuance of building permits.
- f. That if landscaping is not installed and porch not painted prior to the issuance of an occupancy permit, then a financial surety such as a bond, letter of credit, cash or other recognized assurance shall be submitted to the Director of City Development, the content and format of said assurance subject to review and approval of the City Attorney. An estimate of the cost of completing said improvements is to be provided by the applicant and the financial surety issued in an amount equal of the value of the incomplete improvements. The financial assurance shall be kept on file with the Department of City Development.
- g. That all codes and ordinances are complied with and required permits acquired.
- h. That no minor changes be made from the conditions of this permit without approval of the Plan Commission, and no major changes be made from the conditions of this permit without the approval of the Common council.
- i. That this conditional use permit is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

**Sponsors:**

Terry McCarthy

[Res.0353-17](#)

WHP-Lincoln School, LLC - Subordinate a Mortgage Note Held by the City of Racine

Resolved, that the request from WHP-Lincoln School, LLC to subordinate a

mortgage note held by the City of Racine is approved.

Further resolved, that the Mayor and City Clerk be authorized to enter into the subordination agreement.

Fiscal note: The 2007 mortgage note for \$145,704 is forgiven at 1/14th per year over a fourteen year period.

Sponsors: Mary Land

## H. Consent Agenda

## I. Common Council Announcements

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

## J. Adjourn

### Office of The City Clerk

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