



City of Racine

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

Meeting Agenda - Final Common Council

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

Monday, April 15, 2019

7:00 PM

City Hall, Room 205

Old Council

A. Call To Order

B. Pledge of Allegiance To The Flag

C. Proclamations

[0439-19](#) **Subject:** Fair Housing Month Proclamation

[0440-19](#) **Subject:** National Community Development Week Proclamation

D. Approval of Journal of Council Proceedings (Minutes) April 3, 2019

E. Public Hearings

[ZOrd.0002-19](#) Zoning Ordinance 0002-19 - Small Wireless Facility Aesthetics

Sponsors: Jason Meekma

Attachments: [Agenda Briefing Memorandum 1336-18](#)
[#Zoning Ordinance 0002-19 - Small Wireless Facility Aesthetics 2019-04-12](#)

F. Public Comments

G. Communications

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

[0394-19](#) **Subject:** Communication from the City Attorney submitting the claim of Masharaya Bostick for consideration.

Attachments: [bostick_001](#)

[0410-19](#) **Subject:** Communication from the City Attorney submitting the claim of Tammy Ruggaber for consideration.

Attachments: [ruggaber_001](#)

[0411-19](#) **Subject:** Communication from the City Attorney submitting the claim of Fard Mohammed for consideration.

Attachments: [mohammed_001](#)

[0412-19](#) **Subject:** Communication from the City Attorney requesting authorization to represent employees and officials in the case of *Tyran Pinkins v. City of Racine, et al*, U.S. Court Eastern District of Wisconsin Case No. 2-19-CV-00368-PP.

[0413-19](#) **Subject:** Communication from the City Attorney requesting authorization to represent employees and officials in the case of *Charles A. House v. Scott M. Cleland, et al.*, U.S. District Court Eastern District of Wisconsin Case No. 2:19-CV-00397-LA.

[0414-19](#) **Subject:** Communication from the City Attorney submitting the claim of Brinelle Nabors for reimbursement of attorney fees pursuant to Wisconsin Statute section 895.35(2)(b).

[0429-19](#) **Subject:** Communication from Mayor Mason requesting the transfer of property addressed 1125 Center Street (Parcel# 01511000), acquired through the In Rem tax foreclosure process, to St. Paul Missionary Baptist Church.

Attachments: [\(0429-19\) ABM - St. Paul Transfer](#)

[0430-19](#) **Subject:** Communication from Mayor Mason requesting approval of a Parking Facility Lease Agreement and a Parking Facility Offer to Purchase and Addendum with Racine Harborside, LLC (Royal Capital Group) regarding the @NorthBeach Development at 1129 Michigan Boulevard.

[0431-19](#) **Subject:** Communication from Mayor Mason requesting approval of a Condominium Declaration (for a Parking Facility) with Racine Harborside, LLC (Royal Capital Group) regarding the @NorthBeach Development at 1129 Michigan Boulevard.

[0432-19](#) **Subject:** Communication from Mayor Mason requesting approval of an Escrow Agreement with Racine Harborside, LLC (Royal Capital Group) regarding the @NorthBeach Development at 1129 Michigan Boulevard.

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

[0354-19](#) **Subject:** Communication from the Racine Arts Council requesting to close 5th Street, from Main Street to Wisconsin Avenue, from 12:00 p.m. Friday, May 31, 2019, until 7:00 p.m. Sunday, June 2, 2019, for the annual Monument Square Art Festival.

Attachments: [0354-19 Monument Square Art Festival 2019.pdf](#)

[0372-19](#) **Subject:** Communication from the Eagle's Club requesting permission to close the 300 block of Hamilton Street from 12 p.m. to 6 p.m., on Sunday, June 23, 2019, for the annual Eagle's Club Car and Motorcycle Show to benefit the Lew Reed Spinal Cord Injury Fund.

Attachments: [0372-19 Eagle's Car & Motorcycle Show 2019.pdf](#)

[0392-19](#) **Subject:** Communication from Marci Bruley requesting permission to place an awning with signage over City right-of-way at 236 Main Street.

Attachments: [0392-19 Awning & Sign 236 Main Street - Marci's On Main.pdf](#)

[0393-19](#) **Subject:** Communication from Alder Larrin requesting parking restriction changes in the 1600 block of Douglas Avenue.

Attachments: [0393-19 Parking Restriction Change Request 1600 Blk Douglas Ave.pdf](#)

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

[0264-19](#) **Subject: (New)** Application of Map Sixth Street, LLC - DBA: The Nash, Mark A. Porcaro, Agent, for a **Change of Agent** for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 522 Sixth Street. (1st District)

Attachments: ["Class B" Application](#)

[0355-19](#) **Subject: (New)** Application of Main Massage, LLC - Jingai Wang, Owner for a Massage Establishment Permit for 1324 N. Main Street. (4th District)

Attachments: [Massage Establishment Permit Application](#)

[0433-19](#) **Subject: (New)** Application of Racine Labor Hall, Inc. - DBA: Racine Labor Center, Louise A. Madala, Agent, for a **Change of Agent** for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for

2100 Layard Avenue. (7th District)

Attachments: [04122019134116](#)

Refer to City Plan Commission, by Alder Shakoor II

[0437-19](#)

Subject: Communication from Alder Jones requesting that the action of the Common Council of January 15, 2019, granting a conditional use permit to Fury II, LLC, to allow mixed use in an existing building, at 1800 Clark Street and 1825 Holborn Street, be rescinded, and that Resoluiton 0996-18, dated January 15, 2019, be rescinded.

H. Committee Reports

Finance and Personnel Committee Report, by Ald. Shakoor II

[0320-19](#)

Subject: Developers Agreement for The Villages, Phase 1, LLC

Recommendation of the Waterworks Commission on 3-26-19:
Approve.

Recommendation of the Finance & Personnel Committee on 04-08-2019: To Approve.

Fiscal Note: The Developer (Highway 20 and 90th Development, LLC) will pay for all costs associated with the new water main including design and construction-related inspection costs.

Sponsors: Q.A. Shakoor II

Attachments: [hwy 20 and 90th devel agrmt](#)
[#0320-19 Resolution](#)

[0328-19](#)

Subject: Communication from Chief Howell requesting to sole source K-9 acquisitions.

Recommendation of the Finance & Personnel Committee on 04-08-19: Permission be granted to sole source Police Department K-9 acquisitions through Racine Police Officer Steven Beal dba Patriot K-9, LLC.

Fiscal Note: The City will save approximately \$12,000 in the purchase price. Additional handler, travel, per diem, fuel and lodging expenses of up to \$4,000 or more are saved.

Sponsors: Q.A. Shakoor II

Attachments: [MEMO Acquisition of K-9 Maxx](#)
[#0328-19 Resolution](#)

[0329-19](#)

Subject: Communication from Chief Howell requesting approval to purchase K-9 Maxx from Patriot K-9 LLC.

Recommendation of the Finance & Personnel Committee on

04-08-2019: Permission be granted to purchase K-9 "Maxx", a 20 month old AKC registered male German Shepherd from Patriot K-9, LLC.

Fiscal Note: \$4,000 purchase contract price is available in K-9 Donation account 20622.48500.31002.

Sponsors:

Q.A. Shakoor II

Attachments:

[K-9 Maxx Purchase Agreement](#)

[#0329-19 Resolution](#)

[0338-19](#)

Subject: Purchasing Agent wishing to discuss the bid results for Official Notice #2-2019 - Request for Proposals for Biergarten Concession Services.

Recommendation of the Finance & Personnel Committee on 04-08-2019: That the Purchasing Agent be authorized to negotiate and contract with Hop Heads Hospitality & Events for the provision of Belle City Biergartens.

Fiscal Note: The contract will generate approximately \$5000-\$7000 in 15004 46753 (parks rental fees) for 2019.

Sponsors:

Q.A. Shakoor II

Attachments:

[Scan-04-Apr-2019:01:16:24](#)

[#0338-19 Resolution](#)

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

[0078-19](#)

Subject: Communication from the Mayor and Alder Lemke requesting the amendment of the Code of Ordinances to address zoning, aesthetic, undergrounding and spacing standards for mobile tower siting within the City of Racine.

Recommendation of the Public Works and Services Committee on

02-12-19: Defer until the March 12, 2019, Public Works and Services Committee meeting.

Recommendation of the Public Works and Services Committee on

03-12-19: Defer until the March 26, 2019, Public Works and Services Committee meeting.

Recommendation of the City Plan Commission on 03-28-19: That the request be received and filed.

Recommendation of the Public Works and Services Committee on 04-09-19: Approve and adopt Ordinance 0002-19, Small Wireless Facility Aesthetics.

Fiscal Note: N/A

Attachments: [0078-19 Agenda Briefing Memorandum 1336-18.pdf](#)

[#Zoning Ordinance 0002-19 - Small Wireless Facility Aesthetics 2019-04-12](#)

[0279-19](#)

Subject: Final Payment on Contract 20180028, PS - 2018 Pavement Inspection and Planning, AECOM, consultant.

Recommendation of the Public Works and Services Committee on 04-09-19: That the work done by AECOM, under Contract 20180028, PS - 2018 Pavement Inspection and Planning, be accepted and final payment authorized for a total contract amount of \$82,437.98.

Fiscal Note: Contract was authorized under Resolution 0027-18, dated February 6, 2018.

Sponsors: John Tate II

Attachments: [0279-19 FP Contract 20180028, PS-2018 Pavement Inspection & Planning.pdf](#)

[#0279-19 Resolution](#)

[0280-19](#)

Subject: Communication from the RYDE General Manager submitting a report for year 2018 and 4th quarter 2018.

Recommendation of the Public Works and Services Committee on 04-09-19: Receive and file.

Fiscal Note: N/A

[0300-19](#)

Subject: (Direct Referral) Change Order No. 1 on Contract 20180130, Civic Centre Colonnade Restroom Renovation, Absolute Construction Enterprises, Inc., contractor.

Recommendation of the Public Works and Services Committee on 04-09-19: That Change Order No. 1 on Contract 20180130, Civic Centre Colonnade Restroom Renovations, Absolute Construction Enterprises, Inc., contractor, be approved in the amount of \$2,573.26.

Further recommends that funding to defray the cost of the change order be appropriated from Org-Object 60622-57200, Civic Centre Building Improvements.

Fiscal Note: Funds are available as herein delineated.

Sponsors: John Tate II

Attachments: [0300-19 CO 1 Contract 20180130 - Civic Centre Colonnade Restroom Renovat](#)
[#0300-19 Resolution](#)

[0311-19](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer requesting approval of the Transportation Project Plat and acquisition of property for State Project ID: 2703-00-24, 16th Street - Racine Street (STH 32) to Main Street.

Recommendation of the Public Works and Services Committee on 04-09-19: That approval be granted for the Transportation Plat and acquisition of property for State Project ID: 2703-00-24, 16th Street - Racine Street (STH 32) to Main Street.

Fiscal Note: Funding for the fees and acquisition of the temporary limited easements is available in Org-Object 45040-57500-40003, 16th Street-Racine St. to Main St.

Sponsors: John Tate II

Attachments: [0311-19 Legal Descriptions.pdf](#)
[0311-19 2703-00-24 Plat.pdf](#)
[#0311-19 Resolution](#)

[0323-19](#)

Subject: (Direct Referral) Communication from the Transit and Parking System Manager requesting authorization for the Mayor and City Clerk to sign the 2019 Urban Mass Transit Paratransit Assistance Contract between WisDOT and the City of Racine (Grant Control No. 00230).

Recommendation of the Public Works and Services Committee on 04-09-19: The Mayor and City Clerk be authorized and directed to sign the 2019 Urban Mass Transit Paratransit Assistance Contract between WisDOT and the City of Racine (Grant Control No. 00230).

Fiscal Note: Revenue of \$85,808.

Sponsors: John Tate II

Attachments: [#0323-19 Resolution](#)

[0332-19](#)

Subject: (Direct Referral) Change Order No. 1 on Contract 20180021, 2018 Assessable Streets and Alley Paving, Cornerstone Pavers, LLC, contractor.

Recommendation of the Public Works and Services Committee on 04-09-19: That Change Order No. 1 on Contract 20180021, 2018 Assessable Streets and Alley Paving, Cornerstone Pavers, LLC, contractor, be approved in the amount of \$47,763.18.

Further recommends that funding to defray the cost of the change order be appropriated from Org-Object 45040-57500, Concrete Street Paving, Misc. Locations.

Fiscal Note: Funds are available as herein delineated.

Sponsors:

John Tate II

Attachments:

[0332-19 CO1 Contract 20180021, 2018 Assessable Streets and Alley Paving.pr](#)
[#0332-19 Resolution](#)

0350-19

Subject: (Direct Referral) Communication from Discover Douglas requesting to place planters in the median area of Douglas Avenue and Charles Street.

Recommendation of the Public Works and Services Committee on 04-09-19: Approve placing of planters in the median area of Douglas Avenue and Charles Street.

Further recommends a revocable permit be executed and a \$75.00 processing fee paid.

Fiscal Note: N/A

Attachments:

[0350-19 Douglas Ave Planter Relocation Request.pdf](#)

0351-19

Subject: (Direct Referral) Change Order No. 3 on Contract 20170048, Sidewalk Repairs (R1), RAZA of Racine, LLC, contractor.

Recommendation of the Public Works and Services Committee on 04-09-19: That Change Order No. 3 on Contract 20170048, Sidewalk Repairs (R1), RAZA of Racine, LLC, contractor, be approved in the amount of \$73,869.27.

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

Fiscal Note: Funds are available as herein delineated.

Sponsors:

John Tate II

Attachments:

[0351-19 CO3 Contract 20170048, Sidewalk Repairs.pdf](#)
[#0351-19 Resolution](#)

0352-19

Subject: Final Payment on Contract 20170048, Sidewalk Repairs (R1), RAZA of Racine, LLC, contractor.

Recommendation of the Public Works and Services Committee on 04-09-19: That the work done by RAZA of Racine, LLC, under Contract

20170048, Sidewalk Repairs (R1), be accepted and final payment authorized for a total contract amount of \$486,232.66. Final Payment to include retainage.

Fiscal Note: Contract was authorized under Resolution 0333-17, dated October 3, 2017.

Sponsors: John Tate II

Attachments: [0352-19 FP Contract 20180048, Sidewalk Repairs.pdf](#)
[#0352-19 Resolution](#)

[0353-19](#)

Subject: (Direct Referral) Communication from Racine Area Veteran's, Inc., requesting to use City right-of-way for the Memorial Day Parade on Monday, May 27, 2019.

Recommendation of the Public Works and Services Committee on 04-09-19: That permission be granted to Racine Area Veteran's, Inc. to close certain City streets on Monday, May 27, 2019, between 9:00 a.m. and 12:00 p.m. for the Memorial Day Parade.

Fiscal Note: Since the City is a co-sponsor of this event, there are no stipulations.

Sponsors: John Tate II

Attachments: [0353-19 Memorial Day Parade 2019.pdf](#)
[0353-19 Memorial Day Parade Stipulations.docx](#)
[#0353-19 Resolution](#)

[0363-19](#)

Subject: Bid Results on Contract 20190017, 2019 CDBG Resurfacing.

Recommendation of the Public Works and Services Committee on 04-09-19: That bids for Contract 20190017, 2019 CDBG Resurfacing, be awarded to Payne & Dolan, Inc., at its bid price of \$623,568.62, 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:

\$ 92,033.11 - Org-Object 22640-57560, Sanitary Sewers
 \$ 50,965.47 - Org-Object 60484-57570, Storm Sewers
 \$ 21,614.00 - Org-Object 45040-57510, Curb & Gutter Replacement
 \$ 52,794.64 - Org-Object 45040-57515, Sidewalk Replacement
 \$ 1,454.40 - Org-Object 45040-57515, Crosswalk Ramps
 \$404,707.00 - Org-Object 20048-57500, CDBG Paving (60000017 Bricks & Mortar HUD Paving)
 \$623,568.62 - Total

Fiscal Note: Funds are available as herein delineated.

Sponsors: John Tate II

Attachments: [0363-19 Bid Results Contract 20190017, 2019 CDBG Resurfacing.pdf](#)
[#0363-19 Resolution](#)

[0364-19](#)

Subject: Bid Results on Contract 20190027, Concrete Street Reconstruction.

Recommendation of the Public Works and Services Committee on 04-09-19: That bids for Contract 20190027, Concrete Street Reconstruction, be awarded to A.W. Oakes & Son, Inc., at its bid price of \$1,570,467.00, 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:

\$ 849,234.07 - Org-Object 45040-57500, DPW Paving
\$ 73,031.00 - Org-Object 45040-57515, DPW Sidewalks
\$ 281,410.41 - Org-Object 60484-57570, Storm Sewers
\$ 292,196.52 - Org-Object 22640-57560, Sanitary Sewers
\$ 74,595.00 - Org-Object 45040-57520, Replace City Circuits
\$1,570,467.00 - Total

Fiscal Note: Funds are available as herein delineated.

Sponsors: John Tate II

Attachments: [0364-19 Bid Results Contract 20190027, Concrete Street Reconstruction.pdf](#)
[#0364-19 Resolution](#)

[0365-19](#)

Subject: Bid Results on Contract 20190029, Uptown Pass-Through Park.

Recommendation of the Public Works and Services Committee on 04-09-19: That bids for Contract 20190029, Uptown Pass-Through, be awarded to A.W. Oakes & Son, Inc., at its bid price of \$209,500.00, 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 40019-57110-60023, Uptown Pass-Through Park.

Fiscal Note: Funds are available as herein delineated.

Sponsors: John Tate II

Attachments: [0365-19 Bid Results Contract 20190029, Uptown Pass-Through Park.pdf](#)
[#0365-19 Resolution](#)

[0366-19](#)

Subject: (Direct Referral) Amendment No. 5 to State Project ID: 2440-09-00, Washington Avenue (STH 20) - Roosevelt Avenue to West Boulevard.

Recommendation of the Public Works and Services Committee on 04-09-19: That Amendment No. 5 to the Three-Party Contract between the City of Racine, WisDOT and Strand Associates, Inc., for State Project ID: 2440-09-00, Washington Avenue (STH 20) - Roosevelt Avenue to West Boulevard, as submitted, be approved. (City Contract 20150067)

Fiscal Note: Amendment No. 5 is in the not-to-exceed amount of \$15,081.73, with the City's share being \$3,770.43 (25%), and the State's share being \$11,311.30 (75%), bringing the total contract amount to \$1,671,727.93. Funding to defray the cost of this amendment be appropriated from Org-Object 45040-57500-40003, DPW-Paving.

Sponsors:

John Tate II

Attachments:

[0366-19 Amend No 5 - State Proj 2440-09-00, Washignton - Roosevelt Ave to V #0366-19 Resolution](#)

[0373-19](#)

Subject: (Direct Referral) Communication from the Racine Police Department requesting the west curb on Geneva Street, just south of Hamilton Street, be posted as Law Enforcement Only parking.

Recommendation of the Public Works and Services Committee on 04-09-19: Recommends that the request to add Law Enforcement Vehicle Parking Only on Geneva Street adjacent to the COP House be granted.

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.

Attachments:

[0373-19 Law Enforcement Parking Only Request.pdf](#)

[0415-19](#)

Subject: Ordinance 0008-19, Right-of-Way Encroachments.

Recommendation of the Public Works and Services Committee on 04-09-19: Amend Section 82-143 (b) to change the wording as follows: "Licenses issued by the Director of City Development or their designee shall be issued annually, concurrent with the issuance of their business license", and as amended, Ordinance 0008-19, Right-of-Way Encroachments, be adopted.

Fiscal Note: N/A

[0416-19](#)

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 94-147(a) of Schedule H of the Municipal Code of the General Ordinances of the City of Racine relative to “Stopping, standing, or parking prohibited in places reserved for law enforcement vehicles; where permitted” be amended:

By Including:

1. **Geneva Street, west side, from Hamilton Street south 40 feet.**

Public Safety and Licensing Committee Report, by Ald. Coe

[0276-19](#)

Subject: (Direct Referral) Request of the Committee for the appearance of Candice Streeter, applicant for an Operator's License.

Recommendation of the Public Safety and Licensing Committee on 03-26-19: That the operator license application for Candice Streeter be deferred for two weeks.

Recommendation of the Public Safety and Licensing Committee on 04-09-19: That the operator license application for Candice Streeter be denied.

Fiscal Note: N/A

Attachments:

[Candice Streeter letter to appear](#)

[Streeter - Operator's Lic App](#)

City Plan Commission Report, by Ald. Shakoor II

[0387-19](#)

Subject: (Direct Referral) Request by Habeeb Ali Hasan seeking a conditional use permit for a building addition to accommodate a carryout restaurant at 3024 Rapids Drive. (PC-19)

Recommendation of the City Plan Commission on 4-10-19: That the request by Habeeb Ali Hasan seeking a conditional use permit for a building addition to accommodate a carryout restaurant at 3024 Rapids Drive be approved subject to conditions.

Fiscal Note: N/A

Sponsors:

Jason Meekma

Attachments: [applicant-submittal](#)
[review and recommendation](#)
[public-hearing-notice](#)
[\(0387-19\) CU 3024 Rapids Drive](#)
[#0387-19 Resolution](#)

[0422-19](#) **Subject:** (ZOrd.0002-19) An ordinance to create Chapter 114, Article VII, Division 13 - Small Wireless Facility Aesthetics, of the Municipal Code of the City of Racine, Wisconsin.

Recommendation of the City Plan Commission on 4-10-19: That the ordinance be adopted.

Fiscal Note: N/A

Attachments: [#Zoning Ordinance 0002-19 - Small Wireless Facility Aesthetics 2019-04-12](#)

Office of the Mayor, By Alder Shakoor II

[0420-19](#) **Subject: (Direct Referral)** Communication from Mayor Mason requesting approval to apply for a \$100,000 grant from the Kresge Foundation as part of their Advancing Health Equality through housing funding opportunity, application due by May 7th, 2019 (Grant Control #00236).

Fiscal Note: No city match is required.

[0436-19](#) **Subject: (Direct Referral)** Communication from Mayor Mason appointing and reappointing the following:

Reappointing Mohammed Rafiullah to the Board of Health for a term expiring April 30, 2021
Appointing Alder Lemke to the Board of Health for a term expiring April 20, 2020
Appointing Alder Horton to the Board of Health for a term expiring April 20, 2020
Reappointing Alder Land to the Board of Park, Recreation & Cultural Services for a term expiring April 20, 2020
Reappointing Alder Larrin to the Board of Park, Recreation & Cultural Services for a term expiring April 20, 2020
Appointing Alder Elect Jung to the City Plan Commission for a term expiring April 20, 2020
Appointing Alder Glenn to the Board of Cemetary Commissioners for a term expiring April 20, 2020

I. Consent Agenda

J. 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.

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.