



# City of Racine

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

## Meeting Agenda - Final Common Council

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

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Tuesday, November 20, 2012

7:00 PM

Room 205, City Hall

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

[Ord.10-12](#)

Ordinance 10-12

To repeal and recreate the following sections of Chapter 114 - Zoning, of the Municipal Code of the City of Racine, Wisconsin relating to Article V: District Regulations and Article X: Sign Regulations of the Municipal Code.

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

Part 1: Repeal Sec. 114-487 - (b) (22) - Permitted uses and regulations. Permitted Uses. Outdoor advertising devices.

Part 2: Re-number Sec. 114-487 (23) - Parking lots and structures to (22) and follow the numbering pattern down to (31) Wholesale Establishments.

Part 3: Repeal from Sec. 114-488 - Conditional Uses (Par. 1) the following: “, except advertising signs,”

Part 4: Repeal from Sec. 114-588 (8) - Conditional uses. Advertising signs larger than 300 square feet in area (see article X of this chapter)

the following: "larger than 300 square feet in area."

Part 5: Add to Sec. 114-608 (b) - Permitted and conditional use. Conditional uses, the following text after the word superimposed: "except advertising signs,"

Part 6: Repeal from Sec. 114-1079 (1) - Signs permitted in the B3 district. Area, "However, any such sign greater than 300 square feet in area shall be permitted only as a conditional use. Where more than four signs in the aggregate are located on any zoning lot, the fifth such sign and each succeeding sign, respectively, shall reduce the total allowable sign area by 20 percent."

Part 7: Add to Sec. 114-1079 - Signs permitted in the B3 district, add the following as (3): "Advertising signs shall be conditional uses subject to the terms of this chapter and such additional conditions deemed necessary by the Common Council to safeguard public health, safety, and welfare."

Part 8: Add to Sec. 114-1080 (4) - Signs permitted in the B4 district. Prohibitions, the following: "h. Advertising Signs."

Part 9: Add to Sec. 114-1081 (4) - Signs permitted in the B5 district. Prohibitions, the following: "h. Advertising Signs."

Part 10: Repeal and recreate Sec. 114-1091 (3) a. - Signs prohibited in the I-1 district. Advertising signs. Area, to read as follows: "Advertising signs shall not exceed 300 square feet in area."

Part 11: Repeal and recreate Sec. 114-1092 - Signs permitted in the I-2 district, (Par. 1, first sentence) to read as follows: "In the I-2 general industrial district, advertising signs are allowed as conditional use."

Part 12: Repeal and recreate Sec. 114-1092 - Signs permitted in the I-2 district. Area, to read as follows: "Advertising signs may be no larger than 300 square feet in area."

Part 13: Repeal and recreate Sec. 114-1106 (a) - Size, to read as follows: "(a) No advertising sign shall have a length greater than 60 feet or a height greater than 25 feet, inclusive of any border and trim, but excluding the base or apron, supports, and other structural members.;

Part 14: Repeal and recreate Sec. 114-1107 (a) - Spacing; setback, to read as follows: “(a) No advertising signs shall be spaced less than 1,500 linear feet apart. Existing advertising signs not meeting this requirement at the date of this amendment shall be considered legal non-conforming structures.”

Part 15: This ordinance shall take effect upon passage by a majority vote of the members-elect of the City Common Council and publication or posting as required by law.

Passed by the Common Council:

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

\_\_\_\_\_  
Mayor  
Attest:

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

Fiscal Note: N/A

Sponsors: Dennis Wiser

Ord.11-12

Ordinance 11-12

To amend Sec. 114-448 of the Municipal Code of the City of Racine, Wisconsin.

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

Part 1: That Section 114-448. - “Conditional uses” be amended by adding the following use:

“(18) Takeout-carryout restaurant as defined in 114-1(b).”

Part 2: This ordinance shall take effect upon passage by a majority vote of the members-elect of the City Common Council and publication or posting as required by law.

Passed by the Common Council:

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

\_\_\_\_\_  
Mayor  
Attest:

\_\_\_\_\_

City Clerk

Fiscal Note: N/A

Sponsors: Dennis Wiser

## E. Public Comments

## F. Communications

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

#### 12-8351

**Subject:** Communication submitting the claim of Racine Country Club, LLC, based on the alleged excessive 2012 taxes for property located at 2801 Northwestern Ave. and 2801 A Northwestern Ave., for consideration.

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

**11-26-12:** The Claim of Racine Country Club, LLC, based on the alleged excessive 2012 taxes for property located at 2801 Northwestern Ave. and 2801 A Northwestern Ave., be denied.

**Fiscal Note:** N/A

#### 12-8358

**Subject:** Communication from the Purchasing Agent requesting to negotiate a new three year contract with Melrose Pyrotechnics for the Fourth of July fireworks at the lakefront for the years 2013, 2014, and 2015. (Res. 12-3450)

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

**11-26-12:** That the Purchasing Agent be instructed to negotiate a new three year contract with Melrose Pyrotechnics for the years 2013, 2014, and 2015.

**Fiscal Note:** Funds for this expense are available in account 101.990.5310, offsetting donations are budgeted and receipted in account 101.990.9020 Donations-Fireworks.

### **RCEDC General Contract 2013**

#### 12-8371

**Subject:** Communication from the City Administrator requesting to present the proposed operating agreement between the City of Racine and the Zoological Society. (Res. 12-3449)

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

**11-26-12:** The Mayor and City Clerk be authorized and directed to enter into a four year contract with the Racine Zoological Society as presented.

**Fiscal Note:** The City shall contribute to the Society the sum of \$607,097 per year in operating years 2013 and 2014. In subsequent contract years, the city shall budget an amount not less than 90% of the 2013 amount.

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

12-8324

**Subject:** Communication from the Real Racine, in conjunction with The Promotion Company of Indianapolis, IN, requesting to use city right-of-way on Wednesday, August 28, 2013, for the Hot Bike Power Tour. (Res. 12-3453)

**Recommendation of the Public Works and Services Committee on 11-27-12:** Permission be granted to The Promotion Company of Indianapolis, IN to close Pershing Park Drive from 6th Street to 11th Street on Wednesday, August 28, 2013, from 6:00 a.m. to 9:00 p.m., and Thursday, August 29, 2013, from 8:00 a.m. to 12:00 p.m., for the Hot Bike Power Tour:

Further recommend that they be granted permission to use the Gateway Parking Lot.

Further recommend that permission be granted with the following stipulations:

- A. A hold harmless agreement be executed and a \$62.50 processing fee paid;
- B. A liability insurance certificate be filed prior to this event;
- C. Any overtime costs incurred by any City department be charged to the sponsor;
- D. Sponsor shall notify all abutting property occupants 72 hours in advance of the event.
- E. The sponsor shall be responsible for the signing of the necessary detours for the State Highway route.
- F. The sponsor shall pay a \$250.00 special event fee.

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

**Fiscal Note:** There will be nominal costs incurred on a regular shift basis to provide limited assistance to implement this event.

12-8338

**Subject:** Communication from the Downtown Racine Corporation for the use right of way for The "Big Chill" snow and ice carving event on January 11-13, 2013. (Res. 12-3454)

**Recommendation of the Public Works and Services Committee on 11-27-12:** That the Mayor and City Clerk be authorized and directed to enter into an agreement with the Downtown Racine Corporation granting permission to place ice sculptures on city sidewalks along Sixth Street and Main Street from State Street to 7th Street, from January 11, 2013 until they melt, with the following stipulations:

- A. That a clear area be established along the building line of a minimum of five feet in order to meet ADA requirements.
- B. That any ice sculptures be set back a minimum of two feet from the back of the curb in order to meet Wisconsin Department of Transportation requirements.
- C. That a hold harmless agreement be filed with the City Attorney's office and a \$62.50 processing fee paid.
- D. That a Certificate of Liability Insurance be filed with the City Attorney's office.

**Fiscal Note:** N/A

[12-8383](#)

**Subject:** Communication from Karl J. Fuller requesting to present and discuss Streetlight Sponsorship Plan with the Public Works and Services Committee. (Res. 12-3457)

**Recommendation of the Public Works and Services Committee on 11-27-12:** That the Commissioner of Public Works draft an "Adopt-a-Streetlight" program and implementation plan by January 30, 2013 for submission to the Public Works and Services Committee for consideration.

**Fiscal Note:** Implementation and operation of an "Adopt-A-Streetlight" program will incur undetermined costs and additional administrative workload for the Public Works and Finance Departments.

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

[12-8337](#)

**Subject:** Communication from Purchasing Agent submitting bid results for Official Notice #17, One (1) 19,500 GVW Diesel Cab & Chassis with 10 Cubic Yard Forestry Chip Box. (Res. 12-3459)

**Recommendation of the Public Safety and Licensing Committee on 11-27-12:** That the bid results for Official Notice #17, One (1) 19,500 GVW Diesel Cab & Chassis with 10 Cubic Yard Forestry Chip Box be approved with Ewald's Hartford Ford with Monroe equipment being the lowest responsible bidder.

**Fiscal Note:** Funds are available from the 2012 budget account

101.700.5780 Licensed Vehicles Parks.

[12-8352](#)

**Subject:** Communication from the President of Public Golf Associates requesting to exercise the option to renew the Golf Course Lease/Management Agreement set to expire December 31, 2012 for an additional five years commencing January 1, 2013. (Res. 12-3460)

**Recommendation of the Public Safety and Licensing Committee on 11-27-12:** That the Agreement from the Public Golf Associates requesting to exercise the option to renew the Golf Course Lease/Management Agreement set to expire December 31, 2012 for an additional five years commencing January 1, 2013 be approved.

**Fiscal Note:** N/A

[12-8368](#)

**Subject: (New)** Application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for JFitz627, LLC., located at 1307 Douglas Avenue, Jeff Fitzgerald, Agent. (4th District)

**Recommendation of the Public Safety and Licensing Committee on 11-27-12:** That the Application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for JFitz627, LLC., located at 1307 Douglas Avenue, Jeff Fitzgerald, Agent be approved.

**Fiscal Note:** N/A

[12-8370](#)

**Subject: (New)** Application of Javier's Restaurant, Yecenia Ortega, Agent for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 2011 Lathrop Avenue. (13th District)

**Recommendation of the Public Safety and Licensing Committee on 11-27-12:** That the Application of Javier's Restaurant, Yecenia Ortega, Agent for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 2011 Lathrop Avenue be approved.

**Fiscal Note:** N/A

[12-8370](#)

**Subject: (New)** Application of Javier's Restaurant, Yecenia Ortega, Agent for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 2011 Lathrop Avenue. (13th District)

**Recommendation of the Public Safety and Licensing Committee on 11-27-12:** That the Application of Javier's Restaurant, Yecenia Ortega, Agent for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 2011 Lathrop Avenue be approved.

**Fiscal Note:** N/A

**Refer to Community Development Committee, by Ald. Holding**[12-8369](#)

**Subject:** Communication from St. Paul Community & Economic Development Corporation requesting an extension and amendment to its 2011 CDBG agreement for the Faith Builds Community initiative.

**G. Committee Reports****Finance and Personnel Committee Report, by Ald. Shakoor**[12-8278](#)

**Subject:** communication from the City Attorney submitting the claim of Shelly Haga for consideration.

**Recommendation of the Finance & Personnel Committee on November 12, 2012:** The claim of Shelly Haga, 1610 Sunset Ave #120, Waukegan, IL 60087, requesting \$350,000.00 for damages arising from an alleged trip and fall incident at the Racine Zoological Gardens on May 22, 2012 be denied.

**Fiscal Note:** N/A

[12-8297](#)

**Subject:** Communication from the City Attorney submitting the claim of Rita Lutes for consideration.

**Recommendation of the Finance & Personnel Committee on November 12, 2012:** The claim of Rita Lutes, 9349 Greenslope Ct. Fishers, IN 46038, damages in the amount of 37,500.00 for damages arising from an alleged trip and fall incident on the public sidewalk on Hayes Ave adjacent to 3301 Washington Ave on August 25, 2011 be denied.

**Fiscal Note:** N/A

[12-8111](#)

**Subject:** Submittal of the Report of the Finance Committee of the Racine Waterworks Commission Regarding Year 2013 Water Utility Operations and Maintenance Budget and the 2013-2017 Capital Improvements Budget Recommending Adoption (Res. No. 12-3441)

**Recommendation of the Racine Waterworks Commission on 9/25/12:** To adopt

**Recommendation of the Committee of the Whole on 10-29-2012:** the Item be Deferred.

**Recommendation of the Committee of the Whole on 11-12-2012:**

the Item be Deferred.

**Recommendation of the Committee of the Whole on 11-14-2012:**

the Item be approved.

**Fiscal Note:** Copies of the 2013 Water Utility Operations and Maintenance Budget and the 2013-2017 Capital Improvements Budget are on file in the Office of the Finance Director.

**12-8300**

**Subject:** Communication from the Public Health Administrator requesting permission to enter into an agreement with the University of Wisconsin Oshkosh for the Health Department Laboratory to provide contracted services not to exceed \$167,196.00 over a 2-year period for Implementation of Beach Redesigns to Make Southern Wisconsin Beaches Safer. (Grant Control #2012-037) (Res. No. 12-3422)

**Recommendation of the Finance & Personnel Committee on November 12, 2012:** Permission be granted to the Public Health Administrator to enter into an agreement with the University of Wisconsin Oshkosh for the Health Department Laboratory to provide contracted services not to exceed \$167,196.00 over a 2-year period for Implementation of Beach Redesigns to Make Southern Wisconsin Beaches Safer. (Grant Control #2012-037)

**Fiscal Note:** There is no City match.

**12-8305**

**Subject:** Communication from the Racine County Economic Development Corporation (RCEDC) requesting to present the semi-annual plan certifications for periods ending May 31, 2012 and September 30, 2012 for the City Revolving Loan Fund (City-RLF). (Res. No. 12-3419)

**Recommendation of the Finance & Personnel Committee on November 12, 2012:** That the City certify for the reporting periods ending March 31, 2012 and September 30, 2012 that the City of Racine Revolving Loan Fund (City-RLF) Plan is consistent with and supportive of the area's current economic development strategy, and the City-RLF is being operated in accordance with the policies and procedures contained in the City-RLF Plan, and the City-RLF loan portfolio meets the standards contained therein;

Further recommends that Executive Director of RCEDC be authorized and directed to submit the semi-annual certification to the US Economic Development Administration .

**Fiscal Note:** N/A

[12-8317](#)

**Subject:** Communication from the Police Chief, requesting to appear to discuss the general plan for animal control and the fiscal impact of implementing that plan. (Res. No. 12-3421)

**Recommendation of the Finance & Personnel Committee on November 12, 2012:** \$150,000.00 be appropriated from the 2012 note anticipation notes and placed in account 992.490.501, Animal Control, for start-up equipment needs.

**Fiscal Note:** Funding of \$150,000.00 is available in the 2012 Capital Projects for start up equipment.

[12-8323](#)

**Subject:** Communication from the Finance Director requesting to have Brad Viegut, Director from Robert W. Baird and Company, address the Committee at their next scheduled meeting to discuss refunding the outstanding 2012 note anticipation note. (Res. No. 12-3423)

**Recommendation of the Finance & Personnel Committee on November 12, 2012:** Approve the refunding of the 2012 note anticipation notes.

**Fiscal Note:** The amount being refunded is \$10,760,000.00

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

[12-8248](#)

**Subject:** Communication from Raymond Biddle, Jr., Summit Industrial Park LLC, requesting to remove the sidewalk at 1520 Clark Street. (Res. No. 12-3393)

**Recommendation of the Public Works and Services Committee on 10-30-12:** The property owner of 1520 Clark Street be granted permission to remove the sidewalk abutting their property along Clark Street in accordance with the City's policy regarding sidewalks and their removal.

**Fiscal Note:** The cost of removing the sidewalk will be borne by the property owner.

[12-8292](#)

**Subject:** Communication from the Assistant Commissioner of Public Works/Operations submitting the 2013 lease agreements for office space. (Res. No. 12-3429)

**Recommendation of the Public Works and Services Committee on 11-13-12:** The Mayor and City Clerk be authorized and directed to enter into lease agreements for 2013 for rental of office space in the City Hall,

City Hall Annex and Safety Building at the rental rates as submitted.

**Fiscal Note:** Rental rates will increase in 2013 due to the 2012 Consumer Price Index increasing by 1.6%. These leases will generate a total annual revenue of approximately \$118,232.74 in 2013.

12-8293

**Subject:** Communication from Envi ultra lounge, 316 Main Street, requesting permission to hang a flag mounted sign over city right-of-way. (Res. No. 12-3426)

**Recommendation of the Public Works and Services Committee on 11-13-12:** The property owner of 316 Main Street be granted permission to install a flag mounted sign, as requested, with the stipulation that a hold harmless agreement be executed, in accordance with State Statute 66.0425, Privileges in Streets, and a \$62.50 processing fee paid.

Further recommends that the property owner be charged a \$125.00 fee to cover administrative costs associated with filing this item with the Register of Deeds office.

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

12-8303

**Subject:** Communication from Patrick Flynn requesting the use of the Lake Michigan Pathway and temporary closure of Christopher Columbus Causeway & Sam Johnson Parkway on Saturday, December 8, 2012 for Stuff the Sleigh 5k Run in support of the Racine County Food Bank. (Res. No. 12-3424)

**Recommendation of the Public Works and Services Committee on 11-13-12:** That Plan Ahead Events be granted permission to use the Sam Johnson Parkway from Festival Park Drive to the east end for the Stuff the Sleigh 5K Run in support of the Racine County Food Bank, to be held on Saturday, December 8, 2012, from 10:00 a.m. to 12:00 p.m., with the following stipulations:

- A. A hold harmless agreement be executed and a \$62.50 processing fee paid.
- B. A liability insurance certificate be filed prior to this event.
- C. Any overtime costs incurred by any City department be charged to the sponsor.
- D. The sponsor shall notify all abutting property owners seventy-two (72) hours in advance of this event.

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.

**Recommendation of the Board of Parks, Recreation & Cultural Services on 11-14-12:** To approve the communication from Patrick Flynn requesting the use of the Lake Michigan Pathway on Saturday, December 8, 2012 for Stuff the Sleigh 5k Run in support of the Racine County Food Bank.

Further recommends the following stipulations:

- A. A hold harmless agreement be executed and processing fee paid.
- B. A liability insurance certificate be filed prior to this event.

**Fiscal Note:** Park rental fees & deposits if applicable.

[12-8316](#)

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer submitting an inter-governmental agreement with the Village of Mt. Pleasant, the Village of Mt. Pleasant acting as fiscal agent for Southeast Wisconsin Clean Water Network for stormwater information and education programs for 2013 and 2014. (Res. No. 12-3428)

**Recommendation of the Public Works and Services Committee on 11-13-12:** That the Mayor and City Clerk be authorized and directed to enter into an intergovernmental agreement with the Village of Mt. Pleasant and the Root-Pike Watershed Initiative Network to allow the Village of Mt. Pleasant to act as fiscal agent for the S.E. WI Clean Water Network.

**Fiscal Note:** N/A

[12-8325](#)

**Subject:** Communication from the Assistant Commissioner of Public Works submitting a lease amendment from the Wisconsin Department of Administration covering office space at 800 Center Street occupied by the Department of Corrections. (Res. No. 12-3430)

**Recommendation of the Public Works and Services Committee on 11-13-12:** The Mayor and City Clerk be authorized and directed to renew the lease agreement with the Wisconsin Department of Administration for the Department of Corrections for 5,894 square feet at the City Hall Annex, for the time period of January 1, 2013 to December 31, 2017. The rental rate for 2013 will be \$87,454.92 and will increase 2% annually.

**Fiscal Note:** This lease will generate a total revenue of \$87,454.92 in 2013.

[12-8329](#)

**Subject:** (Direct Referral) Communication from Chris Sklba, Art Metals Studio, submitting a request to use Monument Square and to close 5th Street on Saturday and Sunday, June 1-2, 2013, for the Monument Square Art Fair.

**Recommendation of the Public Works and Services Committee on 11-13-12:** That Art Metals Studio be granted permission to close 5th Street for the Monument Square Art Fair, to be held on Saturday and Sunday, June 1-2, 2013, with the following stipulations:

- A. A hold harmless agreement be executed and a \$62.50 processing fee paid.
- B. A liability insurance certificate be filed prior to this event.
- C. Any overtime costs incurred by any City department be charged to the sponsor.
- D. The sponsor shall notify all abutting property owners seventy-two (72) hours in advance of this event.
- E. The sponsor shall pay a special event fee of \$250.00.

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.

**Further recommend that this item be referred to the Board of Parks, Recreation and Cultural Services.**

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

[12-8330](#)

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer submitting the 2012 Pavement Management System Summary Report.

**Recommendation of the Public Works and Services Committee on 11-13-12:** That the communication be received and filed.

**Fiscal Note:** N/A

[12-8331](#)

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer submitting the 2012 Sanitary and Storm Sewer Assessment Management Report.

**Recommendation of the Public Works and Services Committee on 11-13-12:** That the communication be received and filed.

**Fiscal Note:** N/A

12-8335

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting Change Order No. 1 to Contract 36-12 (K2-041), Salt Brine Facility, Absolute Construction Enterprises, Inc., contractor. Res. No. 12-3431)

**Recommendation of the Public Works and Services Committee on 11-13-12:** That Change Order No. 1 on Contract 36-12 (K2-041), Salt Brine Facility (R1), Absolute Construction Enterprises, Inc., contractor, be approved in the amount of \$7,240.00.

**Fiscal Note:** Funding to defray the cost of this change order be appropriated from Account 991.540.5010, Brine System.

12-8336

**Subject:** (Direct Referral) Communication from the Commissioner of Public Works submitting a request for final payment on Contract 36-12 (K2-041), Salt Brine Facility, Absolute Construction Enterprises, Inc., contractor. Res. No. 12-3432)

**Recommendation of the Public Works and Services Committee on 11-13-12:** That the work done by Absolute Construction Enterprises, Inc. under Contract 36-12 (K2-041), Salt Brine Facility (R1), be accepted and final payment authorized for a total contract amount of \$221,240.00.

**Fiscal Note:** Contract was authorized under Resolution No. 12-3167, dated June 4, 2012.

12-8342

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer submitting Change Order No. 1 for Contract 39-12 (K2-044) Sanitary Sewer Relay, A.W. Oakes, contractor. Res. No. 12-3433)

**Recommendation of the Public Works and Services Committee on 11-13-12:** That Change Order No. 1 on Contract 39-12 (K2-044), Sanitary Sewer Relay, A.W. Oakes & Sons, Inc., contractor, be approved in the amount of \$15,567.50.

**Fiscal Note:** Funding to defray the cost of this change order be appropriated from Account 287.992.5310, Sanitary Sewers, Misc. Loc.

12-8343

**Subject:** (Direct Referral) Communication from the Commissioner of Public Works submitting final payment on Contract 39-12 (K2-044) Sanitary Sewer Relay, A.W. Oakes, contractor. (Res. No. 12-3434)

**Recommendation of the Public Works and Services Committee on 11-13-12:** That the work done by A.W. Oakes & Sons, Inc. under Contract 39-12 (K2-044), Sanitary Sewer Relay, be accepted and final

payment authorized for a total contract amount of \$391,084.50.

**Fiscal Note:** Contract was authorized under Resolution No. 12-3183, dated June 4, 2012.

[12-8344](#)

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting Amendment No. 1 to Contract 26-12 (K2-028), Professional Services - Main Street Bridge Painting, Ayres Associates, consultant. (Res. No. 12-3435)

**Recommendation of the Public Works and Services Committee on 11-13-12:** That Amendment No. 1 to Contract 26-12 (K2-028), Professional Services - Main Street Bridge Painting, Ayres Associates, Inc., consultant, as submitted, be approved in the not-to-exceed amount of \$109,100.00.

**Fiscal Note:** Funding to defray the cost of these professional services be appropriated from Account 930.992.5010, Painting Main Street Bridge. This will be reimbursed 100% by the State of Wisconsin.

[12-8345](#)

**Subject:** (Direct Referral) Communication from the Chief Building Inspector regarding Building Code Revisions to Chapter 18 of the Municipal Code. (Res. No. 12-3427)

**Recommendation of the Public Works and Services Committee on 11-13-12:** That revisions to Chapter 18 of the Municipal Code relating to Building, Electrical and Plumbing Codes be approved that will allow the City of Racine to follow the most current Building Codes of the State of Wisconsin.

**Fiscal Note:** N/A

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

[12-7928](#)

**Subject:** Communication from the Chief of Police requesting to discuss the revision of Municipal Code Chapter 22-Businesses, Professions and Occupations, Article XXV - Pawnbrokers and Secondhand Article and Jewelry Dealers. (Ord. 12-12)

**Recommendation of the Public Safety and Licensing Committee on 09-25-12:** That the Chief of Police work with the City Attorneys Office in the revision of Municipal Code Chapter 22-Businesses, Professions and Occupations, Article XXV - Pawnbrokers and Secondhand Article and Jewelry Dealers.

**Recommendation of the Public Safety and Licensing Committee on 10-09-12:** That the item be deferred.

**Recommendation of the Public Safety and Licensing Committee on 10-23-12:** That the item be deferred.

**Recommendation of the Public Safety and Licensing Committee on 11-13-12:** That Ordinance 12-12 be approved as amended.

**Fiscal Note:** N/A

[12-8189](#)

**Subject: (New)** Application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for R & B Latin Club, located at 1600 Douglas Avenue., Brenda Torres, Agent. (**4th District**)

**Recommendation of the Public Safety and Licensing Committee on 10-09-12:** That the item be deferred until the next meeting and the applicant puts together a list of items that the members addressed as concerns and presents them at the next meeting.

**1st - Recommendation of the Public Safety and Licensing Committee on 10-23-12:** That the license application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for R & B Latin Club, located at 1600 Douglas Avenue., Brenda Torres, Agent be denied due to concerns of security, and too many other alcohol licenses in the area.

**Motion failed by the following vote:**

**AYES: Mozol and Kaprelian-Becker**

**NOES: Holding and Sarrazin**

**EXCUSED: Hall**

**2nd - Recommendation of the Public Safety and Licensing Committee on 10-23-12:** That the application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for R & B Latin Club, located at 1600 Douglas Avenue., Brenda Torres, Agent be approved subject to an agreement with the City Attorney to include: 25 and older; a signed letter from Mr. William (car wash owner) and proprietor that he has authorization to lease the spaced and number of spaces; digital security camera system with 30 days storage, covering all interior and exterior spaces; security as promised in the business plan; paving and striping the existing parking lot by June 30, 2013.

**Motion failed by the following vote:**

**AYES: Holding and Sarrazin**

**NOES: Mozol and Kaprelian-Becker**

**EXCUSED: Hall**

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

**11-13-12:** That the application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for R & B Latin Club, located at 1600 Douglas Avenue., Brenda Torres, Agent be approved subject to a voluntary agreement with the City Attorney to include: 25 and older; a signed letter from Mr. William (car wash owner) and proprietor that he has authorization to lease the space and number of spaces available; digital security camera system with 30 days storage, covering all interior and exterior spaces; security as promised in the business plan; paving and striping the existing parking lot by June 30, 2013.

**Motion passed by the following vote:**

**AYES: Sarrazin, Hall and Holding**

**NOES: Mozol and Kaprelian-Becker**

Fiscal Note: N/A

[12-8287](#)

**Subject:** (Direct Referral) Sale of Abandoned Vehicles 10-23-2012

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

**11-13-12:** That the item be received and filed.

**Fiscal Note:** This will generate \$23,329.02 in revenue

[12-8346](#)

**Subject:** (Direct Referral) Communication from the Commissioner of Public Works submitting bid results on Contract 60-12 (K2-071), Replace Softball Lights at Douglas Park. (Res. No. 12-3436)

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

**11-13-12:** That the bid received by Triple E of Burlington, Inc. be approved as they were the lowest responsible bidder.

**Fiscal Note:** Funds are available in account 991.710.5010 Replace Douglas Ball lights.

[12-8347](#)

**Subject:** (Direct Referral) Communication from the Commissioner of Public Works submitting bid results on Contract 61-12 (K2-072), Chavez Center - Roof Replacement. (Res. No. 12-3437)

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

**11-13-12:** That the bid received by CJ Contracting, LLC be approved as they were the lowest responsible bidder.

**Fiscal Note:** Funds are available in account 992.640.5010 Chavez-Roof Replacement.

[12-8348](#)

**Subject:** (Direct Referral) Communication from the Commissioner of Public Works submitting bid results on Contract 62-12 (K2-073), Bryant Center - Replace Lighting. (Res. No. 12-3438)

**Recommendation of the Public Safety and Licensing Committee on 11-13-12:** That the bid received by Triple E of Burlington, Inc. be approved as they were the lowest responsible bidder.

**Fiscal Note:** Funds are available in account 992.680.5010 Bryant LED Light Replacement.

### City Plan Commission Report, by Ald.Wiser

[12-8349](#)

**Subject:** (Direct Referral) Request by James L. Dickert seeking a rezoning of the property at 915 (aka 917) Wisconsin Avenue from O-Restricted Office District to R-4 General Residence District. (PC-12) (Zord. 004-12)

**Recommendation of the City Plan Commission on 11-14-12:** That an ordinance be prepared and a public hearing scheduled.

**Fiscal Note:** N/A

[12-8350](#)

**Subject:** (Direct Referral) Request by Curt Pruitt, agent for CBL & Associates (Regency Mall) seeking an amendment to a conditional use permit for the installation of a bus stop pad with two shelters at 5538 Durand Avenue. (Res. No. 12-3439)

**Recommendation of the City Plan Commission on 11-14-12:** That the item be approved subject to conditions.

**Fiscal Note:** N/A

[12-8359](#)

**Subject:** (Ord. 10-12) An Ordinance to repeal and recreate the following sections of Chapter 114 - Zoning, of the Municipal Code of the City of Racine, Wisconsin relating to Article V: District Regulations and Article X: Sign Regulations of the Municipal Code.

**Recommendation of the City Plan Commission on 11-14-12:** That the ordinance be adopted.

**Fiscal Note:** N/A

[12-8360](#)

**Subject:** (Ord. 11-12) An ordinance amending Sec. 114-448 of the Municipal Code of the City of Racine, Wisconsin, relating to

takeout-carryout restaurants.

**Recommendation of the City Plan Commission on 11-14-12:** That the Ordinance be adopted.

**Fiscal Note:** N/A

**Committee of the Whole Report, by Ald. Kaplan.**

**12-8111**

**Subject:** Submittal of the Report of the Finance Committee of the Racine Waterworks Commission Regarding Year 2013 Water Utility Operations and Maintenance Budget and the 2013-2017 Capital Improvements Budget Recommending Adoption (Res. No. 12-3441)

**Recommendation of the Racine Waterworks Commission on 9/25/12:** To adopt

**Recommendation of the Committee of the Whole on 10-29-2012:** the Item be Deferred.

**Recommendation of the Committee of the Whole on 11-12-2012:** the Item be Deferred.

**Recommendation of the Committee of the Whole on 11-14-2012:** the Item be approved.

**Fiscal Note:** Copies of the 2013 Water Utility Operations and Maintenance Budget and the 2013-2017 Capital Improvements Budget are on file in the Office of the Finance Director.

**12-8117**

**Subject:** Submittal of 2013 Sewer Service Rates (Res. No. 12-3443)

**Recommendation of the Wastewater Commission on 9/25/12:** To adopt

**Recommendation of the Committee of the Whole on 10-29-2012:** the Item be deferred.

**Recommendation of the Committee of the Whole on 11-12-2012:** the Item be deferred.

**Recommendation of the Committee of the Whole on 11-14-2012:** the Item be approved.

**Fiscal Note:** Copies of the 2013 Sewer Service Rates are on file in the Office of the Finance Director.

[12-8119](#)

**Subject:** Submittal of the Report of the Finance Committee of the Racine Wastewater Commission Regarding Year 2013 Wastewater Utility Operations and Maintenance Budget and the 2013-2017 Capital Improvements Budget Recommending Adoption (Res. No. 12-3442)

**Recommendation of the Racine Wastewater Commission on 9/25/12:** To adopt

**Recommendation of the Committee of the Whole on 10-29-2012:** the Item be deferred.

**Recommendation of the Committee of the Whole on 11-12-2012:** the Item be deferred.

**Recommendation of the Committee of the Whole on 11-14-2012:** the Item be approved.

**Fiscal Note:** Copies of the 2013 Wastewater Utility Operations and Maintenance Budget and the 2013-2017 Capital Improvements Budget are on file in the Office of the Finance Director.

[12-8277](#)

**Subject:** Communication from Mayor Dickert submitting the 2013 proposed budgets for the General Fund, Special Revenue Funds, Debt Service Fund, Enterprise Funds and Internal Service Funds; Capital Projects and Capital Improvement Plan. (Res. No. 12-3440)

**Recommendation of the Committee of the Whole on 10-25-2012:** the Item be Deferred.

**Recommendation of the Committee of the Whole on 10-29-2012:** the Item be Deferred.

**Recommendation of the Committee of the Whole on 11-12-2012:** the Item be Deferred.

**Recommendation of the Committee of the Whole on 11-14-2012:** the Item be approved as amended.

**Fiscal Note:** Copies of the 2013 budgets for the General Fund, Special Revenue Funds, Debt Service Fund, Enterprise Funds and Internal Services Funds; Capital Projects and Capital Improvement Plan are on file in the Office of the Finance Director.

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

[12-8208](#)

**Subject:** Communication from the Race Director of the Ragnar Relay

Chicago 2013 race requesting permission to use city right-of-way on Saturday, June 8, 2013. (Res. No. 12-3445)

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

**10-30-12:** Permission be granted to the sponsor of the Ragnar Relay Chicago 2012 Race to use certain city streets for the period of 12:00 a.m. to 9:00 a.m. on Saturday, June 8, 2013, and to use city right-of-way (sidewalks and parking lanes) along the following streets:

Start at Erie Street and Three Mile Road (city limits)

South on Main St. to Carlton Dr.  
West on Carlton Dr. to Erie St.  
South on Erie St. to Melvin Ave.  
East on Melvin Ave. to Main St.  
South on Main St. to Goold St.  
East on Goold St. to Michigan Blvd.  
South on Michigan Blvd. to Dodge St.  
West on Dodge St. to Main St.  
South on Main St. to State St.  
East on State St. to Pershing Park Dr.  
South on Pershing Park Dr. to 11th St.  
West on 11th St. to Main St.  
South on Main St. to 16th St.  
West on 16th St. to Wisconsin Ave.  
South on Wisconsin Ave. to 21st St.  
West on 21st St. to Roosevelt Park Dr.  
South on Roosevelt Park Dr. to 24th St.  
West on 24th St. to Sheridan Rd. (city limits)

Further recommends that this permission be granted with the following stipulations:

- A. A hold harmless agreement be executed and a \$62.50 processing fee paid;
- B. A liability insurance certificate be filed prior to this event;
- C. Any overtime costs and equipment and material loss incurred by any department in the assistance of this event shall be charged to the sponsor;
- D. Sponsor shall comply with the approved policy on parking restrictions for special events, and the sponsor shall distribute to all abutting property occupants on those streets where parking is being prohibited written notices of the ban approximately 48 hours in advance of this event.
- E. Sponsor shall be responsible for submitting a Temporary Traffic Control Plan to the Engineering Department for approval; and providing

and removing all temporary traffic control devices and detour signs.  
F. Sponsor shall pay a \$250.00 special event fee.

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 in accordance with these stipulations.

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

**Recommendation of the Board of Parks, Recreation & Cultural Services on 11/14/12:** To approve the communication from the Race Director of the Ragnar Relay Chicago 2013 and to allow the use Pershing Park overnight for parking, staging and lodging.

**Further recommends that this permission be granted with the following stipulations:**

- A. A hold harmless agreement be executed and processing fee paid;
- B. A liability insurance certificate be filed prior to this event;
- C. Sponsor shall pay all rental fees and deposits associated with the rental of this park

**Fiscal Note:** 2013 Park Special Event Reservation Fee & Deposit.

[12-8291](#)

**Subject:** Communication from Alderman Melissa Kaprelian-Becker on behalf of Donald Sura, 1014 Yout St. requesting benches to be considered along Pershing Drive bike path. (Res. No. 12-3446)

**Recommendation of the Board of Parks, Recreation and Cultural Services on 11-14-12:** To approve the communication from Alderman Melissa Kaprelian-Becker on behalf of Donald Sura, requesting benches be considered along Pershing Drive bike path.

**Fiscal Note:** N/A

[12-8307](#)

**Subject:** Communication from Kara Kading requesting to use City right-of-way for the St. John's Lutheran School Bunny Hop on Saturday, April 27, 2013 from 10:00 A.M. until 12 noon. (Res. No. 12-3425)

**Recommendation of the Public Works and Services Committee on 11-13-12:** That St. John's Lutheran School be granted permission to use city right-of-way for a run/walk on Saturday, April 27, 2013, from 10:00 a.m. to 12:00 p.m.

Further recommends that permission be granted with the following stipulations:

- A. A hold harmless agreement be executed and a \$62.50 processing fee paid.
- B. A liability insurance certificate be filed prior to this event.
- C. Any overtime costs incurred by any City department be charged to the sponsor.
- D. The sponsor shall notify all abutting property owners seventy-two (72) hours in advance of this event.

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.

**Recommendation of the Board of Parks, Recreation & Cultural Services on 11-14-12:** To approve the communication from Kara Kading requesting the use of North Beach and Lake Michigan Pathway on Saturday, April 27, 2013 for the 3rd Annual St. John's Lutheran 5K Bunny Hop.

Further recommends that permission be granted with the following stipulations:

- A. A hold harmless agreement be executed and processing fee paid.
- B. A liability insurance certificate be filed prior to this event.
- C. Park Special Event fees & deposit paid.

**Fiscal Note:** 2013 Park Special Event fees & deposit.

[12-8326](#)

**Subject:** Communication from Robert Wortock, Representative of Christmas Coalition of Churches, requesting to relocate the Nativity Scene from the north side of Monument Square to the south side of Monument Square. (Res. No. 12-3447)

**Recommendation of the Board of Parks, Recreation & Cultural Services on 11-14-12:** To approve the communication from Robert Wotock requesting to relocate the Nativity Scene from the north side of Monument Square to the south side of Monument Square.

**Fiscal Cost:** N/A

## H. Consent Agenda - Resolutions

**Res.12-3419** Racine County Economic Development Corporation (RCEDC) Request to Present the Semi-Annual Plan Certifications for the City Revolving Loan Fund (City-RLF)

Resolved, that the City certify for the reporting periods ending March 31, 2012 and September 30, 2012 that the City of Racine Revolving Loan Fund (City-RLF) Plan is consistent with and supportive of the area's current economic development strategy, and the City-RLF is being operated in accordance with the policies and procedures contained in the City-RLF Plan, and the City-RLF loan portfolio meets the standards contained therein.

Further resolved, that the Executive Director of RCEDC is authorized and directed to submit the semi-annual certification to the US Economic Development Administration.

Fiscal Note: N/A

Sponsors: Q.A. Shakoor, II

**Res.12-3420** Design of a new ADA Restroom at the Mound Cemetery Chapel

Resolved, that permission is granted to the Director of Parks, Recreation and Cultural Services to enter into a professional agreement with Rudie Butterfield & Seitz Architectural Services for design of a new ADA restroom at the Mound Cemetery Chapel.

Fiscal Note: The price quote is \$4,500.00 and funds will be withdrawn from account 207.000.5750-Cemetery Land Improvements, Road and Walk Repairs.

Sponsors: Q.A. Shakoor, II

**Res.12-3421** General Plan for Animal Control and the Fiscal Impact of Implementing that Plan

Resolved, that \$150,000.00 is appropriated from the 2012 note anticipation notes and placed in account 992.490.501, Animal Control, for start-up equipment needs.

Fiscal Note: Funding of \$150,000.00 is available in the 2012 Capital Projects for start-up equipment.

Sponsors: Q.A. Shakoor, II

**Res.12-3422** Agreement with the University of Wisconsin Oshkosh

Resolved, that permission is granted to the Public Health Administrator to enter into an agreement with the University of Wisconsin Oshkosh for the Health Department Laboratory to provide contracted services not to

exceed \$167,196.00 over a 2-year period for implementation of Beach Redesigns to Make Southern Wisconsin Beaches Safer. (Grant Control #2012-037)

Fiscal Note: There is no City match.

Sponsors: Q.A. Shakoor, II

[Res.12-3423](#) Brad Viegut, Director from Robert W. Baird and Company, address the Committee to Discuss Refunding the Outstanding 2012 Notes Anticipation Note

Resolved, that the refunding of the 2012 note anticipation notes is approved.

Fiscal Note: The amount being refunded is \$10,760,000.00.

Sponsors: Q.A. Shakoor, II

[Res.12-3424](#) Stuff the Sleigh 5K Run

Resolved, that Plan Ahead Events is granted permission to use the Sam Johnson Parkway from Festival Park Drive to the east end for the Stuff the Sleigh 5K Run in support of the Racine County Food Bank, to be held on Saturday, December 8, 2012, from 10:00 a.m. to 12:00 p.m., with the following stipulations:

- A. A hold harmless agreement be executed and a \$62.50 processing fee paid.
- B. A liability insurance certificate be filed prior to this event.
- C. Any overtime costs incurred by any City department be charged to the sponsor.
- D. The sponsor shall notify all abutting property owners seventy-two (72) hours in advance of this event.

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. Park rental fees & deposits if applicable.

Sponsors: Sandy Weidner, Terry McCarthy and Melissa Kaprelian-Becker

[Res.12-3425](#) St. John's Lutheran School Bunny Hop

Resolved, that St. John's Lutheran School is granted permission to use city right-of-way for a run/walk on Saturday, April 27, 2013, from 10:00 a.m. to 12:00 p.m.

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

- A. A hold harmless agreement be executed and a \$62.50 processing fee paid.
- B. A liability insurance certificate be filed prior to this event.
- C. Any overtime costs incurred by any City department be charged to the sponsor.
- D. The sponsor shall notify all abutting property owners seventy-two (72) hours in advance of this event.
- E. Park Special Event fees & deposit paid.

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. 2013 Park Special Event fees & deposit.

Sponsors: Sandy Weidner, Terry McCarthy and Melissa Kaprelian-Becker

**Res.12-3426** Hang a Flag Mounted Sign Over City Right-of-Way - 316 Main Street

Resolved, that Envi Ultra Lounge, the property owner of 316 Main Street is granted permission to install a flag mounted sign, as requested, with the stipulation that a hold harmless agreement be executed, in accordance with State Statute 66.0425, Privileges in Streets, and a \$62.50 processing fee paid.

Further resolved, that the property owner be charged a \$125.00 fee to cover administrative costs associated with filing this item with the Register of Deeds office.

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

Sponsors: Sandy Weidner

**Res.12-3427** Building Code Revisions to Chapter 18 of the Municipal Code

Resolved, that revisions to Chapter 18 of the Municipal Code relating to Building, Electrical and Plumbing Codes are approved that will allow the City of Racine to follow the most current Building Codes of the State of Wisconsin.

Fiscal Note: N/A

Sponsors: Sandy Weidner

**Res.12-3428** Inter-Governmental Agreement for Stormwater Information and Education

Resolved, that the Mayor and City Clerk are authorized and directed to enter into an intergovernmental agreement with the Village of Mt. Pleasant (the Village of Mt. Pleasant acting as fiscal agent for Southeast Wisconsin Clean Water Network for stormwater information and education programs for 2013 and 2014) and the Root-Pike Watershed Initiative Network to allow the Village of Mt. Pleasant to act as fiscal agent for the S.E. WI Clean Water Network.

Fiscal Note: N/A

Sponsors: Sandy Weidner

**Res.12-3429** 2013 Lease Agreements for Office Space

Resolved, that the Mayor and City Clerk are authorized and directed to enter into lease agreements for 2013 for rental of office space in the City Hall, City Hall Annex and Safety Building at the rental rates as submitted.

Fiscal Note: Rental rates will increase in 2013 due to the 2012 Consumer Price Index increasing by 1.6%. These leases will generate a total annual revenue of approximately \$118,232.74 in 2013.

Sponsors: Sandy Weidner

**Res.12-3430** Lease Amendment at 800 Center Street

Resolved, that the Mayor and City Clerk are authorized and directed to renew the lease agreement with the Wisconsin Department of Administration for the Department of Corrections for 5,894 square feet at the City Hall Annex, for the time period of January 1, 2013 to December 31, 2017. The rental rate for 2013 will be \$87,454.92 and will increase 2% annually.

Fiscal Note: This lease will generate a total revenue of \$87,454.92 in 2013.

Sponsors: Sandy Weidner

**Res.12-3431** Change Order No. 1 to Contract 36-12 (K2-041), Salt Brine Facility

Resolved, that Change Order No. 1 on Contract 36-12 (K2-041), Salt Brine Facility (R1), Absolute Construction Enterprises, Inc., contractor, is approved in the amount of \$7,240.00.

Fiscal Note: Funding to defray the cost of this change order be appropriated from Account 991.540.5010, Brine System.

Sponsors: Sandy Weidner

**Res.12-3432** Final Payment on Contract 36-12 (K2-041), Salt Brine Facility, Absolute Construction Enterprises, Inc.

Resolved, that the work done by Absolute Construction Enterprises, Inc. under Contract 36-12 (K2-041), Salt Brine Facility (R1), is accepted and final payment authorized for a total contract amount of \$221,240.00.

Fiscal Note: Contract was authorized under Resolution No. 12-3167, dated June 4, 2012.

Sponsors: Sandy Weidner

**Res.12-3433** Change Order No. 1 for Contract 39-12 (K2-044) Sanitary Sewer Relay

Resolved, that Change Order No. 1 on Contract 39-12 (K2-044), Sanitary Sewer Relay, A.W. Oakes & Sons, Inc., contractor, is approved in the amount of \$15,567.50.

Fiscal Note: Funding to defray the cost of this change order is appropriated from Account 287.992.5310, Sanitary Sewers, Misc. Loc.

Sponsors: Sandy Weidner

**Res.12-3434** Final Payment on Contract 39-12 (K2-044) Sanitary Sewer Relay

Resolved, that the work done by A.W. Oakes & Sons, Inc. under Contract 39-12 (K2-044), Sanitary Sewer Relay, is accepted and final payment authorized for a total contract amount of \$391,084.50.

Fiscal Note: Contract was authorized under Resolution No. 12-3183, dated June 4, 2012.

Sponsors: Sandy Weidner

**Res.12-3435** Amendment No. 1 to Contract 26-12 (K2-028), Professional Services - Main Street Bridge Painting

Resolved, that Amendment No. 1 to Contract 26-12 (K2-028), Professional Services - Main Street Bridge Painting, Ayres Associates, Inc., consultant, as submitted, is approved in the not-to-exceed amount

of \$109,100.00.

Fiscal Note: Funding to defray the cost of these professional services is appropriated from Account 930.992.5010, Painting Main Street Bridge. This will be reimbursed 100% by the State of Wisconsin.

Sponsors: Sandy Weidner

[Res.12-3436](#) Bid results on Contract 60-12 (K2-071), Replace Softball Lights at Douglas Park

Resolved, that the bid received by Triple E of Burlington, Inc. is approved as they were the lowest responsible bidder.

Fiscal Note: Funds are available in account 991.710.5010 Replace Douglas Ball lights.

Sponsors: Gregory Holding

[Res.12-3437](#) Bid Results on Contract 61-12 (K2-072), Chavez Center - Roof Replacement

Resolved, that the bid received by CJ Contracting, LLC is approved as they were the lowest responsible bidder.

Fiscal Note: Funds are available in account 992.640.5010 Chavez-Roof Replacement.

Sponsors: Gregory Holding

[Res.12-3438](#) Bid Results on Contract 62-12 (K2-073), Bryant Center - Replace Lighting

Resolved, that the bid received by Triple E of Burlington, Inc. is approved as they were the lowest responsible bidder.

Fiscal Note: Funds are available in account 992.680.5010 Bryant LED Light Replacement.

Sponsors: Gregory Holding

[Res.12-3439](#) Bus Stop Pad at 5538 Durand Avenue

Resolved, that the request by Curt Pruitt, agent for CBL & Associates (Regency Mall) seeking an amendment to a conditional use permit for the installation of a bus stop pad with two shelters at 5538 Durand Avenue is approved, subject to the following conditions:

a. That the plans presented to the Plan Commission on November 14, 2012 be approved subject to the conditions contained herein.

- b. That all applicable building and occupancy permits be obtained from the Building Inspection Department.
- c. That all signs be professionally made, comply with zoning ordinance and design standards requirements, and be submitted to the Director of City Development for review and approval prior to installation.
- d. That a final site plan be submitted to the Director of City Development that illustrates the realigned traffic flows and parking, restriping of parking lanes and parking spaces, and landscape treatments for raised islands.
- e. That a bus stop safety monitoring plan be submitted to the Director of City Development.
- f. That failure to maintain operational and activities standards established by this permit may result in the initiation of enforcement and/or revocation proceedings, the issuance of fines, or both.
- g. That no minor changes be made from the conditions of this permit without the approval of the Plan Commission, and no major changes be made from the conditions of this permit without the approval of the Common Council.
- h. That this permit is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

Sponsors: Dennis Wisner

[Res.12-3443](#) 2013 Sewer Service Rates

Resolved, that the 2013 Sewer Service Rates are approved.

Fiscal Note: Copies of the 2013 Sewer Service Rates are on file in the Office of the Finance Director.

Sponsors: Jim Kaplan

[Res.12-3445](#) Ragnar Relay Chicago 2013 Race

Resolved, that permission is granted to the sponsor of the Ragnar Relay Chicago 2012 Race to use certain city streets for the period of 12:00 a.m. to 9:00 a.m. on Saturday, June 8, 2013, and to use City right-of-way (sidewalks and parking lanes) along the following streets:

Start at Erie Street and Three Mile Road (city limits)  
South on Main St. to Carlton Dr.

West on Carlton Dr. to Erie St.  
South on Erie St. to Melvin Ave.  
East on Melvin Ave. to Main St.  
South on Main St. to Goold St.  
East on Goold St. to Michigan Blvd.  
South on Michigan Blvd. to Dodge St.  
West on Dodge St. to Main St.  
South on Main St. to State St.  
East on State St. to Pershing Park Dr.  
South on Pershing Park Dr. to 11th St.  
West on 11th St. to Main St.  
South on Main St. to 16th St.  
West on 16th St. to Wisconsin Ave.  
South on Wisconsin Ave. to 21st St.  
West on 21st St. to Roosevelt Park Dr.  
South on Roosevelt Park Dr. to 24th St.  
West on 24th St. to Sheridan Rd. (city limits)

Further resolved, that this permission is granted with the following stipulations:

- A. A hold harmless agreement be executed and a \$62.50 processing fee paid;
- B. A liability insurance certificate be filed prior to this event;
- C. Any overtime costs and equipment and material loss incurred by any department in the assistance of this event shall be charged to the sponsor;
- D. Sponsor shall comply with the approved policy on parking restrictions for special events, and the sponsor shall distribute to all abutting property occupants on those streets where parking is being prohibited written notices of the ban approximately 48 hours in advance of this event.
- E. Sponsor shall be responsible for submitting a Temporary Traffic Control Plan to the Engineering Department for approval; and providing and removing all temporary traffic control devices and detour signs.
- F. Sponsor shall pay a \$250.00 special event fee.
- G. Sponsor shall pay all rental fees and deposits associated with the rental of this park.

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 in accordance with these stipulations.

Fiscal Note: There will be nominal costs to the various City departments, on a regular shift basis, to assist in implementing this event. 2013 Park Special Event Reservation Fee & Deposit.

Sponsors: Terry McCarthy and Melissa Kaprelian-Becker

[Res.12-3446](#) Benches Along Pershing Drive Bike Path

Resolved, that the communication from Alderman Melissa Kaprelian-Becker on behalf of Donald Sura, 1014 Yout Street, requesting benches is considered along Pershing Drive bike path.

Fiscal Note: N/A

Sponsors: Terry McCarthy and Melissa Kaprelian-Becker

[Res.12-3447](#) Relocate Nativity Scene

Resolved, that the communication from Robert Wotock, Representative of Christmas Coalition of Churches, requesting to relocate the Nativity Scene from the north side of Monument Square to the south side of Monument Square is approved.

Fiscal Cost: N/A

Sponsors: Terry McCarthy and Melissa Kaprelian-Becker

## I. Resolutions

[Res.12-3440](#) 2013 Proposed Budgets for the General Fund, Special Revenue Funds, Debt Service Fund, Enterprise Funds, and Internal Service Funds; Capital Projects and Capital Improvement Plan

Resolved, that the 2013 Proposed Budgets for the General Fund, Special Revenue Funds, Debt Service Fund, Enterprise Funds, and Internal Service Funds; Capital Projects and Capital Improvement Plan are adopted.

Fiscal Note: Copies of the 2013 budgets for the General Fund, Special Revenue Funds, Debt Service Fund, Enterprise Funds, and Internal Services Funds; Capital Improvement Plan are on file in the Office of the Finance Director.

Sponsors: Jim Kaplan

[Res.12-3441](#) Report of the Finance Committee of the Racine Waterworks Commission Regarding Year 2013 Water Utility Operations and Maintenance Budget and the 2013-2017 Capital Improvements Budget

Resolved, that the Racine Waterworks Commission Regarding Year 2013 Water Utility Operations and Maintenance Budget and the 2013-2017 Capital Improvements Budget are approved.

Fiscal Note: Copies of the 2013 Water Utility Operations and Maintenance Budget and the 2013-2017 Capital Improvements Budget are on file in the Office of the Finance Director.

Sponsors: Jim Kaplan

**Res.12-3442** 2013 Wastewater Utility Operations and Maintenance Budget and the 2013-2017 Capital Improvements Budget

Resolved, that the year 2013 Wastewater Utility Operations and Maintenance Budget and the 2013-2017 Capital Improvements Budget are approved.

Fiscal Note: Copies of the 2013 Wastewater Utility Operations and Maintenance Budget and the 2013-2017 Capital Improvements Budget are on file in the Office of the Finance Director.

Sponsors: Jim Kaplan

**Res.12-3444** Civil Discourse Resolution

WHEREAS, the concept “of the people, by the people and for the people” suggests that elected officials at all levels of government have a responsibility to try to build community; and

WHEREAS, the United States Constitution stresses the importance of insuring domestic tranquility and promoting the general welfare of the people; and

WHEREAS, the Wisconsin Constitution proclaims that governments are instituted for the purpose of securing the inherent rights of citizenry to life, liberty and the pursuit of happiness; and

WHEREAS, in recent years we have been witness to an increasing challenge in general society and our own community including greater political and socio-economic polarization, the deterioration of civil interaction, and decreased sense of common ground among individuals with divergent perspectives.

NOW, THEREFORE, be it resolved that the Racine City Council encourages elected officials at all levels of government, at any time the public’s business is being conducted, maintain the following standards of civility:

1. Maintain an atmosphere of tolerance that fosters thoughtful deliberations of the measures under consideration and encourages citizen participation.

2. Exercise responsibility both in the exercise of the speaker's rights and in protecting the rights of others, including those who disagree.
3. Advance programmatic and process oriented solutions for difficult communal issues that afford opportunities for disparate voices to be heard, respected, considered and valued.

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

## J. Ordinances

### Ord.13-12 Ordinance 13-12

To recreate Section 42-203(b), of the Municipal Code of the City of Racine, Wisconsin relating to application of fertilizers.

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

follows:

Part 1: Recreate Sec. 42-203 - Application, to add the following sentence to section (b):

"In no case shall fertilizer be washed, swept or blown off impervious surfaces into stormwater drains, ditches, conveyances or other water bodies."

Part 2: This ordinance shall take effect upon passage by a majority vote of the members-elect of the City Common Council and publication or posting as required by law.

Passed by the Common Council:

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

\_\_\_\_\_  
Mayor

Attest:

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

Fiscal Note: N/A

**Sponsors:** Melissa Kaprelian-Becker and Terry McCarthy

### ZOrd.004-12 ZOrd.004-12

An Ordinance Rezoning 915 (aka 917) Wisconsin Avenue

To amend the map of the Zoning Ordinance of the City of Racine.

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

Part 1:

That the property located at 915 (aka 917) Wisconsin Avenue and more particularly described as follows:

“Those lands located in the South 20 feet of the West 95 feet of Lot 3 and the North 32 feet of the West 95 feet of Lot 6. Together with a right-of-way to and from the above described premises over the South 8 feet of the North 40 feet of the West 95 feet of Lot 6. All in Block 17. Section 16. Township 3 North. Range 23 East. Said land being in the City of Racine, Racine County, Wisconsin” be rezoned from O - Restricted Office District to R-4 General Residence District.”

Part 2: This ordinance shall take effect upon passage by a majority vote of the members-elect of the City Common Council and publication or posting as required by law.

Passed by the Common Council:

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

\_\_\_\_\_  
Mayor  
Attest:

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

Fiscal Note: N/A

Sponsors: Dennis Wisner

## N. 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.