



# City of Racine

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

## Meeting Agenda - Final Common Council

*Mayor John T. Dickert, President, Alderman Terry McCarthy  
Alderman Dennis Wiser, Alderman Jim Kaplan  
Alderman Q.A. Shakoor, II, Alderman Ronald D. Hart, Alderman  
Sandy Weidner  
Alderman Krystyna Sarrazin, Alderman Jeff Coe, Alderman  
Michael Shields  
Alderman Melissa Kaprelian-Becker, Alderman Raymond  
DeHahn,  
Alderman Gregory Holding, Alderman James Morgenroth  
Alderman Edward E. Diehl, Alderman Henry Perez*

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Tuesday, September 3, 2013

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 Comments
- E. Communications

Refer to Finance and Personnel Committee, by Ald. Shakoor

[13-9290](#)      **Subject:** Communication from the Public Health Administrator requesting permission to accept \$445,400 from the State of Wisconsin Department of Health Services for the Racine Healthy Babies Program. (Grant Control #2013-026)

[13-9291](#)      **Subject:** Communication from the Public Health Administrator requesting permission for the Mayor and City Clerk to enter into a contract agreement to apply for and accept funds of \$91,739 from the Wisconsin Department of Health Services for Public Health Emergency Preparedness and Response. (Grant Control #2013-025)

[13-9304](#)      **Subject:** communication from the City Attorney submitting the claim of Racine Properties Group, LLC for consideration.

[13-9306](#)      **Subject:** Communication from the Police Chief, requesting to apply for and accept the 2014 DOJ Youth Gang Diversion Grant.

- [13-9308](#)      **Subject:** Communication from the Police Chief, requesting authority to enter into Intergovernmental Agreement-Firing Range Services between the Village of Mt. Pleasant and the City of Racine.
- [13-9309](#)      **Subject:** Communication from the Police Chief, requesting to accept the Colonel Christensen Foundation Gift Funding.
- [13-9310](#)      **Subject:** Communication from the Police Chief, requesting to accept the Racine Community Foundation Gift Funding.
- [13-9316](#)      **Subject:** Communication from Police Chief, requesting to apply for and accept the Wisconsin DOT 2014 Alcohol Enforcement Mobilization Grant (grant control # 2013-028).
- [13-9317](#)      **Subject:** Communication from the Public Health Administrator requesting permission to accept an amendment to the agreement with the Wisconsin Department of Natural Resources for the purpose of implementing the Wisconsin Beach Monitoring Program. This amendment adds \$27,234, bringing the total funding to \$34,034 and extends the time period to cover both the 2013 and 2014 beach seasons. (Orig. Grant Control #2013-012, File #13-8871, Resolution #13-0246)
- [13-9318](#)      **Subject:** communication from the City Attorney submitting the claim of Marcos Chavez for consideration.

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

- [13-9292](#)      **Subject:** Communication from Downtown Racine Corporation requesting permission to close Main Street from State Street to 7th Street and 6th Street from Main Street to Grand Avenue for Party on the Pavement on Saturday, September 28, 2013 from 12:00 p.m. - 7:00 p.m.

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

- [13-9314](#)      **Subject:** (New) Application of Nasir Hanif, (RZQ Oil, Inc., DBA Washington Petro Mart) for a Class "A" Fermented Malt Beverage License for 4301 Washington Avenue (12th District).
- [13-9315](#)      **Subject:** Application of PH Hospitality Group, LLC, (Pizza Hut) Arnold P. Craft, Agent, for a Change of Agent for a Class "B" Restaurant License for 5000 Washington Avenue (12th District).
- [13-9319](#)      **Subject:** Communication from Reefpoint Brew House requesting

permission to have their liquor license amended to include their parking lot for some special events.

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

[13-9307](#)

**Subject:** Communication from Sandy Christensen regarding the allowance of a dog at Johnson Park Golf Course.

**F. Committee Reports**

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

[13-9237](#)

**Subject:** Communication from the Police Chief requesting to discuss review and authorization for the Suburban Mutual Response Team (S.M.A.R.T.) mutual aid initiative agreement. (Res. No. 13-0342)

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

**8-26-13:** Permission be granted to Police Chief to enter into the Suburban Mutual Response Team (S.M.A.R.T.) mutual aid agreement.

**Fiscal Note:** There is a one-time membership fee of \$100.00.

[13-9239](#)

**Subject:** Communication from the City Attorney submitting the claim of Isaiah Robinson for consideration.

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

**8-26-13:** The claim of Isaiah Robinson for alleged damages for repair to his car after driving over alleged potholes at or near the intersection of Three Mile Mile Road and LaSalle Street on or about May 3, 2013 be denied.

**Fiscal Note:** N/A

[13-9246](#)

**Subject:** Communication from the City Attorney submitting the claim of Jimmie Nelson, Jr. for consideration.

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

**8-26-13:** The claim of Jimmie Nelson Jr. for alleged damages for repair to his car after it was allegedly struck by a a street sweeper while the car was parked in the 1800 block of Rapids Drive on or about July 19, 2013 be denied.

**Fiscal Note:** N/A

[13-9254](#)

**Subject:** Communication from the City Attorney submitting the claim of Sari Bogosian for consideration.

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

**8-26-13:** The claim of Sari Bogosian for alleged damages arising from sewer backup into her basement on or about May 9, 2000 be denied.

**Fiscal Note:** N/A

**13-9265**

**Subject:** Communication from the City Attorney submitting the claim of Regency West Apartments LLC for an excessive real estate assessment and taxes of the property located at 2300 Loni Lane for the 2013 tax year for consideration.

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

**8-26-13:** The claim of Regency West Apartments LLC for an excessive real estate assessment and taxes of the property located at 2300 Loni Lane for the 2013 be denied.

**Fiscal Note:** N/A

**13-9273**

**Subject:** Communication from the Director of Parks, Recreation & Cultural Services requesting permission to apply for & accept grant funds up to \$250,000.00 from the Great Lakes Shoreline Cities Green Infrastructure Grants. (Grant Control No. 2013-022) (Res. No. 13-0343)

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

**8-26-13:** Permission be granted to the Director of Parks, Recreation & Cultural Services to apply for & accept grant funds of up to \$250,000.00 from the Great Lakes Shoreline Cities Green Infrastructure Grants with the stipulation that all details be brought back to the Finance & Personnel committee as they develop. (Grant Control No. 2013-022)

**Fiscal Note:** There is a 100% City match required. Funds to meet City match will be appropriated from CIP Parks, Recreation & Cultural Services and grant funds from the Health Department.

**13-9288**

**Subject:** (Direct Referral) Communication from the Public Health Administrator requesting permission to apply and accept funds for *Monitoring of Point and Non-Point Source Pollutants in the Oak Creek Watershed* in the amount of \$100,071.00 from the Fund for Lake Michigan. (Grant Control #2013-024) (Res. No. 13-0344)

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

**8-26-13:** Permission be granted to the the Public Health Administrator to apply for funds to *Monitoring of Point and Non-Point Source Pollutants in the Oak Creek Watershed* in the amended amount of \$106,075.00 from the Fund for Lake Michigan. (Grant Control #2013-024)

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

[13-9289](#)

**Subject:** (Direct Referral) Communication from the Public Health Administrator requesting permission to apply and accept funds for *Multijurisdictional Implementation of Beach Redesigns to Improve Water Quality and Restore Habitat* in the amount of \$354,869.00 from the Fund for Lake Michigan. (Grant Control #2013-023) (Res. No. 13-0345)

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

**8-26-13:** Permission be granted to the the Public Health Administrator to apply for funds for *Multijurisdictional Implementation of Beach Redesigns to Improve Water Quality and Restore Habitat* in the amended amount of \$332,869.00 from the Fund for Lake Michigan. (Grant Control #2013-023)

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

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

[13-9212](#)

**Subject:** (Direct Referral) Communication from the Commissioner of Public Works submitting bid results on Contract 46-13 (K3-051), LED Lighting-Dr. ML King Community Center. (Res. No. 13-0355)

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

**8-27-13:** That Contract 46-13 (K3-051), LED Light Replacement-Dr. ML King Jr. Community Center, be awarded to Pieper Electric, Inc., Milwaukee, WI, at their bid price of \$13,342.00, they being the lowest responsible bidder.

**Fiscal Note:** Funding to defray the cost of this public works project be appropriated from Account 993.660.5010, King LED Lighting Upgrades.

[13-9213](#)

**Subject:** (Direct Referral) Communication from the Commissioner of Public Works submitting bid results on Contract 44-13 (K3-049), 2013 PRCS Asphalt Improvements. (Res. No. 13-0354)

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

**8-27-13:** That the bids for Contract 44-13 (K3-049), 2013 PRCS Asphalt Improvements, be rejected and the project be redesigned and rebid.

**Fiscal Note:** N/A

[13-9214](#)

**Subject:** (Direct Referral) Communication from the Commissioner of Public Works submitting bid results on Contract 47-13 (K3-052), Replace Softball Lights-Island Park North Diamond. (Res. No. 13-0356)

**Recommendation of the Public Works and Services Committee on 8-27-13:** That Contract 47-13 (K3-052), Replace Softball Lights-Island Park North Diamond, be awarded to Wil-Surge Electric, Inc., Butler, WI, at their bid price of \$144,888.00, they being the lowest responsible bidder.

**Fiscal Note:** Funding to defray the cost of this public works project be appropriated from Account 993.710.5010, Island Park Ball Diamond Light Replacements.

[13-9227](#)

**Subject:** Communication from the Assistant Commissioner of Public Works/City Engineer submitting a new ordinance relating to prohibiting long-term docking at the Rooney/Pugh Recreational Areas so as to protect general public access. (Ord. 14-13)

**Recommendation of the Public Works and Services Committee on 8-27-13:** That the modifications to Ordinance 106-64, relating to long-term docking at the Rooney-Pugh Recreational Areas, and Ordinance 106-65, relating to the county sheriff's water safety enforcement patrol, be approved.

Further recommends that the City Attorney be authorized and directed to create the proposed ordinance change, as approved.

**Fiscal Note:** N/A

[13-9258](#)

**Subject:** Communication from St. Edward Parish requesting to close 15th Street and the alley between West Blvd. and Grove Avenue for their annual parish festival from September 20, 2013 to September 21, 2013. (Res. No. 13-0346)

**Recommendation of the Public Works and Services Committee on 8-27-13:** That St. Edward's Parish be granted permission to close 15th Street and the alley from West Boulevard to Grove Avenue, from 3:00 p.m. Thursday, September 19, 2013, to 2:00 p.m. Sunday, September 22, 2013, for a church festival.

Further recommends that permission be granted with the following stipulations:

- A. A hold harmless agreement be executed and a \$75.00 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 \$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.

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

[13-9261](#)

**Subject:** Communication, on the behalf of constituents, from Alderman Kaprelian-Becker, requesting a public hearing for paving of the alley bounded by Romayne Ave. to Walton Ave; Green St. to St. Clair St. (Res. No. 13-0348)

**Recommendation of the Public Works and Services Committee on 8-27-13:** That the prayer of the petitioners be granted and that a preliminary resolution be introduced for the paving of the alley bounded by Romayne Avenue, Walton Avenue, Green Street and St. Clair Street.

**Fiscal Note:** This is an assessable alley project and, therefore, all costs will be paid for by the abutting property owners.

[13-9262](#)

**Subject:** Communication, on the behalf of constituents, from Alderman Kaprelian-Becker, requesting a public hearing for paving of the East-West portion of the alley bounded by Jones Ave. to Walton Ave.; Charles St. to Geneva St. (EW) (Res. No. 13-0349)

**Recommendation of the Public Works and Services Committee on 8-27-13:** That the prayer of the petitioners be granted and that a preliminary resolution be introduced for the paving of the east-west alley bounded by Jones Avenue, Walton Avenue, Charles Street and Geneva Street.

**Fiscal Note:** This is an assessable alley project and, therefore, all costs will be paid for by the abutting property owners.

[13-9263](#)

**Subject:** Communication, on the behalf of constituents, from Alderman Kaprelian-Becker, requesting a public hearing for paving of the alleys bounded by Jones Ave. to Goold St.; La Salle St. to Geneva St. (N-S) W. Alley bounded by Jones Ave. to Goold St.; La Salle St. to Geneva St. (E-W). Alley bounded by Jones Ave. to Goold St.; La Salle St. to Geneva St. (N-S) E. (Res. No. 13-0350)

**Recommendation of the Public Works and Services Committee on 8-27-13:** That the prayer of the petitioners be granted and that a preliminary resolution be introduced for the paving of the north-south

alleys (2) and the east-west alley (1) bounded by Jones Avenue, Goold Street, LaSalle Street and Geneva Street.

**Fiscal Note:** This is an assessable alley project and, therefore, all costs will be paid for by the abutting property owners.

[13-9286](#)

**Subject:** (Direct Referral) Communication from the Commissioner of Public Works submitting final payment on Contract 5-12 (K2-005), Three Mile Road Reconstruction (R1), La Londe Contractors, Inc., contractor. (Res. No. 13-0361)

**Recommendation of the Public Works and Services Committee on 8-27-13:** That the work done by LaLonde Contractors, Inc. under Contract 5-12 (K2-005), Three Mile Road Reconstruction (R1), be accepted and final payment authorized for a total contract amount of \$1,877,309.24.

**Fiscal Note:** Contract was authorized under Resolution No. 12-3024, dated March 20, 2012.

[13-9287](#)

**Subject:** (Direct Referral) Communication from Edward Gleason (4510 Wright Ave.) requesting permission to remove sidewalk at his property located at 3211 20th St. (Res. No. 13-0347)

**Recommendation of the Public Works and Services Committee on 8-27-13:** The property owner of 3211 20th Street be granted permission to remove the sidewalk abutting their property along 20th 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.

[13-9293](#)

**Subject:** Communication from Downtown Racine Corporation requesting permission to place artistically decorated wooden blocks on the public sidewalks along Main Street from State Street to 6th Street and on 6th Street from Main Street to Grand Avenue for the 12th Annual Public Art Project. (Res. No. 13-0351)

**Recommendation of the Public Works and Services Committee on 8-27-13:** That an agreement be executed, in accordance with Wisconsin State Statute 66.0425, Privileges in Streets, to grant permission to Downtown Racine Corporation, to place decorated wooden blocks on the sidewalks of Main Street from State Street to 7th Street, 6th Street from Main Street to Grand Avenue, from May 1, 2013 to October 1, 2013, with the stipulation that a minimum of a 5' sidewalk must be maintained at all times and that any damage to the sidewalk be repaired so as to not present a hazard to pedestrians.



**Fiscal Note:** N/A

[13-9294](#)

**Subject:** (Direct Referral) Communication from the Commissioner of Public Works submitting bid results on Contract 43-13 (K3-048), Safety Building-Parking Area Repairs. (Res. No. 13-0353)

**Recommendation of the Public Works and Services Committee on 8-27-13:** That Contract 43-13 (K3-048), Safety Building Parking Area Repairs, be awarded to CWS Source, Inc., dba Structurewerks, Brookfield, WI, at their bid price of \$79,350.00, they being the only responsible bidder.

**Fiscal Note:** Funding to defray the cost of this public works project be appropriated from Account 993.210.5010, Safety Building-Structural Leak Repairs.

[13-9295](#)

**Subject:** (Direct Referral) Communication from the Commissioner of Public Works submitting bid results on Contract 49-13 (K3-054), HVAC Upgrade-Fire Station No. 5. (Res. No. 13-0357)

**Recommendation of the Public Works and Services Committee on 8-27-13:** That Contract 49-13 (K3-054), HVAC Upgrade-Fire Station No. 5, be awarded to DMJ Services, Inc., dba Action Heating, Plumbing & Cooling, Milwaukee, WI, at their bid price of \$28,380.00, they being the lowest responsible bidder.

**Fiscal Note:** Funding to defray the cost of this public works project be appropriated from Account 993.300.5010, Fire Station 5 HVAC.

[13-9296](#)

**Subject:** (Direct Referral) Communication from the Commissioner of Public Works submitting bid results on Contract 52-13 (K3-057), HVAC Upgrade-Equipment Garage. (Res. No. 13-0358)

**Recommendation of the Public Works and Services Committee on 8-27-13:** That Contract 52-13 (K3-057), HVAC Upgrade-Equipment Maintenance Garage, be awarded to DMJ Services, Inc., dba Action Heating, Plumbing & Cooling, Milwaukee, WI, at their bid price of \$67,306.00, they being the lowest responsible bidder.

**Fiscal Note:** Funding to defray the cost of this public works project be appropriated from Account 401.992.5760, Equipment Garage Make-Up Air Handler.

[13-9297](#)

**Subject:** (Direct Referral) Communication from the Commissioner of Public Works submitting bid results on Contract 53-13 (K3-058), HVAC

Upgrade-IS Server Room. (Res. No. 13-0359)

**Recommendation of the Public Works and Services Committee on 8-27-13:** As there were not any bids submitted for Contract 53-13 (K3-058), HVAC Upgrade-IS Server Room, it is recommended that this project be redesigned and rebid.

**Fiscal Note:** N/A

[13-9298](#)

**Subject:** (Direct Referral) Communication from the Commissioner of Public Works submitting bid results on Contract 54-13 (K3-059), HVAC Upgrade-Festival Hall and City Hall Annex. (Res. No. 13-0360)

**Recommendation of the Public Works and Services Committee on 8-27-13:** That Contract 54-13 (K3-059), HVAC Upgrade-Festival Hall and City Hall Annex, be awarded to Martin Petersen Co., Inc., Kenosha, WI, at their bid price of \$56,000.00, plus all 5 alternate bids, for a total contract amount of \$153,000.00, they being the only responsible bidder.

**Fiscal Note:** Funding to defray the cost of this public works project be appropriated from the following accounts:

\$ 21,000.00 - Account 108.993.5020, Festival Hall-Green Room HVAC  
\$ 35,000.00 - Account 993.200.5020, Parks AC Design & Replacement  
\$ 35,000.00 - Account 992.200.5020, Annex-AC Design & Replacement  
\$ 62,000.00 - Account 108.992.5010, Festival Hall-Air Handlers  
\$153,000.00 - Total

[13-9299](#)

**Subject:** (Direct Referral) Communication from the Commissioner of Public Works submitting bid results on Contract 33-13 (K3-038), English Street Stormwater BMP Maintenance. (Res. No. 13-0352)

**Recommendation of the Public Works and Services Committee on 8-27-13:** That Contract 33-13 (K3-038), English Street Stormwater BMP Maintenance, be awarded to Native Construction & Landscaping, Kansasville, WI, at their bid price of \$75,415.00, they being the lowest responsible bidder.

**Fiscal Note:** Funding to defray the cost of this public works project be appropriated from Account 104.993.5480, English Street Outfall.

[13-9301](#)

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting Amendment No. 2 to Contract 32-13 (K3-035), Professional Services - Design City Hall Chiller Replacement, Angus Young Associates, consultant. (Res. No. 13-0362)

**Recommendation of the Public Works and Services Committee on 8-278-13:** That Amendment No. 2 to Contract 32-13 (K3-035), Professional Services - Design City Hall Chiller Replacement, Angus Young Associates, consultant, as submitted, be approved in the not-to-exceed amount of \$4,800.00.

**Fiscal Note:** Funding to defray the cost of these professional services be appropriated from Account 993.100.5040, City Hall Chiller Replacement.

[13-9302](#)

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer submitting Change Order No. 1 to Contract 7-13 (K3-007), Johnson Park Streambank Stabilization Project, Native Construction, contractor. (Res. No. 13-0363)

**Recommendation of the Public Works and Services Committee on 8-27-13:** That Change Order No. 1 on Contract 7-13 (K3-007), Johnson Park Streambank Stabilization Project, Native Construction & Landscaping, contractor, be approved in the amount of \$22,608.00.

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

\$20,778.00 - Account 104.992.5470, Lincoln Park Streambank Stabilization

\$ 1,830.00 - Account 107.000.5750, Land Improvement

\$22,608.00 - Total

[13-9303](#)

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer requesting approval of the Transportation Project Plat and Relocation Order and authorization to proceed with acquisition of temporary limited easements for State Project ID: 2704-00-03, Ohio Street - 16th Street to Washington Avenue (STH 20). (Res. No. 13-0364)

**Recommendation of the Public Works and Services Committee on 8-27-13:** That approval be granted for the Transportation Project Plat and Relocation Order and authorization to proceed with acquisition of temporary limited easements for State Project ID: 2704-00-03, Ohio Street to Washington Avenue (STH 20).

**Fiscal Note:** Funding for acquisition of the temporary limited easements is available in the 2013 budget.

**Traffic Commission Report, by Ald. Weidner**[13-9133](#)

**Subject:** Communication from Michael Grayson (816 Ostergaard Ave) requesting a stop sign at the intersection of Ostergaard Avenue and Elisa Drive.

**Recommendation of the Traffic Commission on 08-19-13:** Receive and file.

**Fiscal Note:** N/A

[13-9183](#)

**Subject:** (Direct Referral) Communication from Deputy Chief Mark Schulz requesting the review of mid-session crossing guards. (Res. No. 13-0365)

**Recommendation of the Traffic Commission on 08-19-13:** Recommends that the mid-session crossing guards be eliminated at the following actions for then 2013-2014 school year:

16th Street & Ohio Street  
16th Street & Roosevelt Avenue  
Graceland Boulevard & Ohio Street  
17th Street & Grange Avenue  
17th Street & Taylor Avenue  
Dr. Martin Luther King Jr. Drive & West Street

**Fiscal Note:** This will reduce the Police Administration 101.311.5010 - Other Salaries budget by \$18,447.50.

[13-9238](#)

**Subject:** (Direct Referral) Communication from the Alderman of the 15th District requesting stop signs on Erie Street between Melvin Avenue and Three Mile Road.

**Recommendation of the Traffic Commission on 08-19-13:** Receive and file.

**Fiscal Note:** N/A

**Redevelopment Authority of the City of Racine Report, by Ald. Holding.**[13-9283](#)

**Subject:** (Direct Referral) Designation of 1248 Washington Avenue as a blighted property and authorizing acquisition of the property. (Res. No. 13-0366)

**Recommendation of the Redevelopment Authority on 8-26-13:** That

the property at 1248 Washington Avenue is blighted property based on the condition of the property, environmental contamination levels found at the site and the cleanup efforts that need to be completed to remediate the contamination.

Further that the City Attorney is authorized and directed to to take all necessary steps to acquire 1248 Washington Avenue in accord with the applicable federal, state, and local laws and regulations.

**Fiscal Note:** Funding for the acquisition is available in Fund 976 (TIF District #16). Environmental assessment of the property was funded through the City's EPA site assessment grant. Cleanup will be funded through a WEDC site cleanup grant and a grant from the City's EPA Brownfield Cleanup-Revolving Loan Fund.

[13-9285](#)

**Subject:** (Direct Referral) Review of Development Agreement for the Porters residential and commercial redevelopment project at 301 Sixth Street and 608 Wisconsin Avenue. (Res. No. 13-0367)

**Recommendation of the Redevelopment Authority on 8-26-13:** that the Mayor and City Clerk be authorized to execute a development agreement with the developer of the Porters of Racine redevelopment, subject to the terms of the revised term sheet approved by the Authority.

**Fiscal Note:** The amount, type and source of the city's financial assistance for the redevelopment are unchanged.

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

[13-9139](#)

**Subject:** (Direct Referral) communication from the Council President requesting a review of the duties, responsibilities and obligations of the Police Department.

**Recommendation of the Committee of the Whole on 08-20-2013:** the Item be Received and Filed.

**Fiscal Note:** N/A

**G. Resolutions**

[Res.13-0342](#)

Suburban Mutual Response Team (S.M.A.R.T.)

Resolved, that permission is granted to Police Chief to enter into the Suburban Mutual Response Team (S.M.A.R.T.) mutual aid agreement.

**Fiscal Note:** There is a one-time membership fee of \$100.00.

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

**Res.13-0343**

Great Lakes Shoreline Cities Green Infrastructure Grants

Resolved, that permission is granted to the Director of Parks, Recreation & Cultural Services to apply for & accept grant funds of up to \$250,000.00 from the Great Lakes Shoreline Cities Green Infrastructure Grants with the stipulation that all details be brought back to the Finance & Personnel committee as they develop. (Grant Control No. 2013-022)

**Fiscal Note:** There is a 100% City match required.

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

**Res.13-0344**

Monitoring of Point and Non-Point Source Pollutants in the Oak Creek Watershed

Resolved, that permission is granted to the the Public Health Administrator to apply for funds to Monitoring of Point and Non-Point Source Pollutants in the Oak Creek Watershed in the amended amount of \$106,075.00 from the Fund for Lake Michigan. (Grant Control #2013-024)

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

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

**Res.13-0345**

Multijurisdictional Implementation of Beach Redesigns to Improve Water Quality and Restore Habitat

Resolved, that permission is granted to the the Public Health Administrator to apply for funds for Multijurisdictional Implementation of Beach Redesigns to Improve Water Quality and Restore Habitat in the amended amount of \$332,869.00 from the Fund for Lake Michigan. (Grant Control #2013-023)

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

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

**Res.13-0346**

2013 St. Edward Parish Annual Parish Festival

Resolved, that St. Edward's Parish is granted permission to close 15th Street and the alley from West Boulevard to Grove Avenue, from 3:00 p.m. Thursday, September 19, 2013, to 2:00 p.m. Sunday, September 22, 2013, for a church festival.

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

- A. A hold harmless agreement be executed and a \$75.00 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; and
- E. The sponsor shall pay a \$250.00 special event fee.

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.

Sponsors: Sandy Weidner

**Res.13-0347** Remove Sidewalk at 3211 20th Street

Resolved, that Edward Gleason (4510 Wright Ave.), the property owner of 3211 20th Street is granted permission to remove the sidewalk abutting his property along 20th 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.

Sponsors: Sandy Weidner

**Res.13-0348** Preliminary - Ten (10) Year Benefits and Damages

RESOLVED, by the Common Council of the City of Racine, Wisconsin:

1. The Common Council hereby declares its intention to exercise its power under § 66.0703, Wisconsin Statutes, to levy special assessments upon property within the following described area for benefits conferred upon such property by improvement of the following street(s):

All property fronting upon both sides:

**PORTLAND CEMENT CONCRETE PAVING**

**Alley bounded by Romaine Ave. to Walton Ave.; Green St. to St. Clair St.**

2. Said public improvement shall consist of **PORTLAND CEMENT CONCRETE PAVING**.
3. The total amount assessed against such district shall not exceed the total cost of the improvements and the amount assessed against any parcel shall not be greater than the benefits accruing thereto from said improvements.
4. The assessments against any parcel may be paid in cash or in ten (10) annual installments.
5. The Commissioner of Public Works is directed to prepare a report consisting of:
  - a. Preliminary or final plans and specifications for said improvement.
  - b. An estimate of the entire cost of the proposed work or improvement.
  - c. An estimate, as to each parcel of property within the assessment district, of:
    - (1) The assessment of benefits to be levied.
    - (2) The damages to be awarded for property taken or damaged.
    - (3) The net amount of such benefits over damages or the net amount of such damages over benefits.

Upon completing such report, the Commissioner of Public Works is directed to file a copy thereof on the City Clerk's Office for public inspection.

6. Upon receiving the report of the Commissioner of Public Works, the City Clerk is directed to give a Class 1 notice of a public hearing on such report as specified in §. 66.60(7), Wisconsin Statutes.

The hearing shall be held at the Council Chambers in the City Hall at a time set by the Clerk in accordance with § 66.0703 (7)(a), Wisconsin Statutes.

**Fiscal Note:** This is an assessable alley project and, therefore, all costs



will be paid for by the abutting property owners.

Dated \_\_\_\_\_

Signed \_\_\_\_\_

Mayor

Published \_\_\_\_\_

Attest \_\_\_\_\_

City Clerk

**Sponsors:** Sandy Weidner

**Res.13-0349** Preliminary - Ten (10) Year  
Benefits and Damages

RESOLVED, by the Common Council of the City of Racine,  
Wisconsin:

1. The Common Council hereby declares its intention to exercise its power under § 66.0703, Wisconsin Statutes, to levy special assessments upon property within the following described area for benefits conferred upon such property by improvement of the following street(s):

All property fronting upon both sides:

**PORTLAND CEMENT CONCRETE PAVING**

**Alley bounded by Jones Ave. to Walton Ave.; Charles St. to Geneva St. (EW)**

2. Said public improvement shall consist of **PORTLAND CEMENT CONCRETE PAVING**.
3. The total amount assessed against such district shall not exceed the total cost of the improvements and the amount assessed against any parcel shall not be greater than the benefits accruing thereto from said improvements.
4. The assessments against any parcel may be paid in cash or in ten (10) annual installments.
5. The Commissioner of Public Works is directed to prepare a report consisting of:
  - a. Preliminary or final plans and specifications for said improvement.

- b. An estimate of the entire cost of the proposed work or improvement.
- c. An estimate, as to each parcel of property within the assessment district, of:
  - (1) The assessment of benefits to be levied.
  - (2) The damages to be awarded for property taken or damaged.
  - (3) The net amount of such benefits over damages or the net amount of such damages over benefits.

Upon completing such report, the Commissioner of Public Works is directed to file a copy thereof on the City Clerk's Office for public inspection.

- 6. Upon receiving the report of the Commissioner of Public Works, the City Clerk is directed to give a Class 1 notice of a public hearing on such report as specified in §. 66.60(7), Wisconsin Statutes.

The hearing shall be held at the Council Chambers in the City Hall at a time set by the Clerk in accordance with § 66.0703 (7)(a), Wisconsin Statutes.

Fiscal Note: This is an assessable alley project and, therefore, all costs will be paid for by the abutting property owners.

Dated \_\_\_\_\_

Signed \_\_\_\_\_  
Mayor

Published \_\_\_\_\_

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

Sponsors: Sandy Weidner

Res.13-0350 Preliminary - Ten (10) Year Benefits and Damages

RESOLVED, by the Common Council of the City of Racine, Wisconsin:

- 1. The Common Council hereby declares its intention to exercise its

power under § 66.0703, Wisconsin Statutes, to levy special assessments upon property within the following described area for benefits conferred upon such property by improvement of the following street(s):

All property fronting upon both sides:

**PORTLAND CEMENT CONCRETE PAVING**

**Alley bounded by Jones Ave. to Goold St.; La Salle St. to Geneva St. (N-S) W**

**Alley bounded by Jones Ave. to Goold St.; La Salle St. to Geneva St. (E-W)**

**Alley bounded by Jones Ave. to Goold St.; La Salle St. to Geneva St. (N-S) E**

2. Said public improvement shall consist of **PORTLAND CEMENT CONCRETE PAVING**.
3. The total amount assessed against such district shall not exceed the total cost of the improvements and the amount assessed against any parcel shall not be greater than the benefits accruing thereto from said improvements.
4. The assessments against any parcel may be paid in cash or in ten (10) annual installments.
5. The Commissioner of Public Works is directed to prepare a report consisting of:
  - a. Preliminary or final plans and specifications for said improvement.
  - b. An estimate of the entire cost of the proposed work or improvement.
  - c. An estimate, as to each parcel of property within the assessment district, of:
    - (1) The assessment of benefits to be levied.
    - (2) The damages to be awarded for property taken or damaged.
    - (3) The net amount of such benefits over damages or the net amount of such damages over benefits.

Upon completing such report, the Commissioner of Public Works is directed to file a copy thereof on the City Clerk's Office for public

inspection.

6. Upon receiving the report of the Commissioner of Public Works, the City Clerk is directed to give a Class 1 notice of a public hearing on such report as specified in § 66.60(7), Wisconsin Statutes.

The hearing shall be held at the Council Chambers in the City Hall at a time set by the Clerk in accordance with § 66.0703 (7)(a), Wisconsin Statutes.

Fiscal Note: This is an assessable alley project and, therefore, all costs will be paid for by the abutting property owners.

Dated \_\_\_\_\_

Signed \_\_\_\_\_  
Mayor

Published \_\_\_\_\_

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

Sponsors: Sandy Weidner

**Res.13-0351** Artistically Decorated Wooden Blocks for the 12th Annual Public Art Project

Resolved, that an agreement be executed, in accordance with Wisconsin State Statute § 66.0425, Privileges in Streets, to grant permission to Downtown Racine Corporation, to place wooden blocks on the sidewalks of Main Street from State Street to 7th Street, 6th Street from Main Street to Grand Avenue, from May 1, 2013 to October 1, 2013, with the stipulation that a minimum of a 5' sidewalk must be maintained at all times and that any damage to the sidewalk be repaired so as to not present a hazard to pedestrians.

Fiscal Note: N/A

Sponsors: Sandy Weidner

**Res.13-0352** Contract 33-13 (K3-038), English Street Stormwater BMP Maintenance

Resolved, that Contract 33-13 (K3-038), English Street Stormwater BMP Maintenance, is awarded to Native Construction & Landscaping, Kansasville, WI, at their bid price of \$75,415.00, they being the lowest responsible bidder.

Fiscal Note: Funding to defray the cost of this public works project be

appropriated from Account 104.993.5480, English Street Outfall.

**Sponsors:** Sandy Weidner

**Res.13-0353** Contract 43-13 (K3-048), Safety Building-Parking Area Repairs

Resolved, that Contract 43-13 (K3-048), Safety Building Parking Area Repairs, is awarded to CWS Source, Inc., dba Structurewerks, Brookfield, WI, at their bid price of \$79,350.00, they being the only responsible bidder.

**Fiscal Note:** Funding to defray the cost of this public works project be appropriated from Account 993.210.5010, Safety Building-Structural Leak Repairs.

**Sponsors:** Sandy Weidner

**Res.13-0354** Contract 44-13 (K3-049), 2013 PRCS Asphalt Improvements

Resolved, that the bids for Contract 44-13 (K3-049), 2013 PRCS Asphalt Improvements, is rejected and the project is to be redesigned and rebid.

**Fiscal Note:** N/A

**Sponsors:** Sandy Weidner

**Res.13-0355** Contract 46-13 (K3-051), LED Lighting-Dr. ML King Community Center

Resolved, that Contract 46-13 (K3-051), LED Light Replacement-Dr. ML King Jr. Community Center, is awarded to Pieper Electric, Inc., Milwaukee, WI, at their bid price of \$13,342.00, they being the lowest responsible bidder.

**Fiscal Note:** Funding to defray the cost of this public works project be appropriated from Account 993.660.5010, King LED Lighting Upgrades.

**Sponsors:** Sandy Weidner

**Res.13-0356** Contract 47-13 (K3-052), Replace Softball Lights-Island Park North Diamond

Resolved, that Contract 47-13 (K3-052), Replace Softball Lights-Island Park North Diamond, be awarded to Wil-Surge Electric, Inc., Butler, WI, at their bid price of \$144,888.00, they being the lowest responsible bidder.

**Fiscal Note:** Funding to defray the cost of this public works project be appropriated from Account 993.710.5010, Island Park Ball Diamond Light Replacements.

**Sponsors:** Sandy Weidner

**Res.13-0357** Contract 49-13 (K3-054), HVAC Upgrade-Fire Station No. 5

Resolved, that Contract 49-13 (K3-054), HVAC Upgrade-Fire Station No. 5, is awarded to DMJ Services, Inc., dba Action Heating, Plumbing & Cooling, Milwaukee, WI, at their bid price of \$28,380.00, they being the lowest responsible bidder.

Fiscal Note: Funding to defray the cost of this public works project be appropriated from Account 993.300.5010, Fire Station 5 HVAC.

Sponsors: Sandy Weidner

**Res.13-0358** Contract 52-13 (K3-057), HVAC Upgrade-Equipment Garage

Resolved, that Contract 52-13 (K3-057), HVAC Upgrade-Equipment Maintenance Garage, is awarded to DMJ Services, Inc., dba Action Heating, Plumbing & Cooling, Milwaukee, WI, at their bid price of \$67,306.00, they being the lowest responsible bidder.

Fiscal Note: Funding to defray the cost of this public works project be appropriated from Account 401.992.5760, Equipment Garage Make-Up Air Handler.

Sponsors: Sandy Weidner

**Res.13-0359** Contract 53-13 (K3-058), HVAC Upgrade-IS Server Room

Resolved, that as there were not any bids submitted for Contract 53-13 (K3-058), HVAC Upgrade-IS Server Room, it is recommended that this project be redesigned and rebid.

Fiscal Note: N/A

Sponsors: Sandy Weidner

**Res.13-0360** Contract 54-13 (K3-059), HVAC Upgrade-Festival Hall and City Hall Annex

Resolved, that Contract 54-13 (K3-059), HVAC Upgrade-Festival Hall and City Hall Annex, is awarded to Martin Petersen Co., Inc., Kenosha, WI, at their bid price of \$56,000.00, plus all 5 alternate bids, for a total contract amount of \$153,000.00, they being the only responsible bidder.

Fiscal Note: Funding to defray the cost of this public works project be appropriated from the following accounts:

\$ 21,000.00 - Account 108.993.5020, Festival Hall-Green Room HVAC  
\$ 35,000.00 - Account 993.200.5020, Parks AC Design & Replacement  
\$ 35,000.00 - Account 992.200.5020, Annex-AC Design & Replacement

\$ 62,000.00 - Account 108.992.5010, Festival Hall-Air Handlers  
\$153,000.00 - Total

**Sponsors:** Sandy Weidner

**Res.13-0361** Final Payment on Contract 5-12 (K2-005), Three Mile Road Reconstruction (R1)

Resolved, that the work done by LaLonde Contractors, Inc. under Contract 5-12 (K2-005), Three Mile Road Reconstruction (R1), is accepted and final payment authorized for a total contract amount of \$1,877,309.24.

**Fiscal Note:** Contract was authorized under Resolution No. 12-3024, dated March 20, 2012.

**Sponsors:** Sandy Weidner

**Res.13-0362** Amendment No. 2 to Contract 32-13 (K3-035), Professional Services - Design City Hall Chiller Replacement

Resolved, that Amendment No. 2 to Contract 32-13 (K3-035), Professional Services - Design City Hall Chiller Replacement, Angus Young Associates, consultant, as submitted, is approved in the not-to-exceed amount of \$4,800.00.

**Fiscal Note:** Funding to defray the cost of these professional services be appropriated from Account 993.100.5040, City Hall Chiller Replacement.

**Sponsors:** Sandy Weidner

**Res.13-0363** Change Order No. 1 to Contract 7-13 (K3-007), Johnson Park Streambank Stabilization Project

Resolved, that Change Order No. 1 on Contract 7-13 (K3-007), Johnson Park Streambank Stabilization Project, Native Construction & Landscaping, contractor, is approved in the amount of \$22,608.00.

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

\$20,778.00 - Account 104.992.5470, Lincoln Park Streambank Stabilization

\$ 1,830.00 - Account 107.000.5750, Land Improvement

\$22,608.00 - Total

**Sponsors:** Sandy Weidner

**Res.13-0364** Transportation Project Plat and Relocation Order and Authorization to Proceed with Acquisition of Temporary Limited Easements for State Project ID: 2704-00-03, Ohio Street - 16th Street to Washington Avenue

(STH 20)

Resolved, that approval is granted for the Transportation Project Plat and Relocation Order and authorization to proceed with acquisition of temporary limited easements for State Project ID: 2704-00-03, Ohio Street to Washington Avenue (STH 20).

Fiscal Note: Funding for acquisition of the temporary limited easements is available in the 2013 budget.

Sponsors: Sandy Weidner

Res.13-0365 Mid-Session Crossing Guards

Resolved, that the mid-session crossing guards be eliminated at the following locations for the 2013-2014 school year:

16th Street & Ohio Street  
16th Street & Roosevelt Avenue  
Graceland Boulevard & Ohio Street  
17th Street & Grange Avenue  
17th Street & Taylor Avenue  
Dr. Martin Luther King Jr. Drive & West Street

Fiscal Note: This will reduce the Police Administration 101.311.5010 - Other Salaries budget by \$18,447.50.

Sponsors: Sandy Weidner

Res.13-0366 1248 Washington Avenue

Resolved, that the property at 1248 Washington Avenue is blighted property based on the condition of the property, environmental contamination levels found at the site and the clean-up efforts that need to be completed to remediate the contamination.

Further resolved, that the City Attorney is authorized and directed to take all necessary steps to acquire 1248 Washington Avenue in accord with the applicable federal, state, and local laws and regulations.

Fiscal Note: Funding for the acquisition is available in Fund 976 (TIF District #16). Environmental assessment of the property was funded through the City's EPA site assessment grant. Clean-up will be funded through a WEDC site cleanup grant and a grant from the City's EPA Brownfield Cleanup-Revolving Loan Fund.

Sponsors: Gregory Holding

Res.13-0367 Development Agreement for Porters Residential and Commercial Redevelopment Project at 301 Sixth Street and 608 Wisconsin Avenue



Resolved, that the Mayor and City Clerk are authorized to execute a development agreement with the developer of the Porters of Racine redevelopment, subject to the terms of the revised term sheet approved by the Authority.

Fiscal Note: The amount, type and source of the City's financial assistance for the redevelopment are unchanged.

Sponsors: Gregory Holding

## H. Ordinances

### Ord.14-13

Ordinance 14-13

To recreate Sec. 106-64. - Docking restriction and Sec. 106-65. - Enforcement of the Municipal Code of Racine, Wisconsin to prohibit long-term docking at the Rooney / Pugh Recreational Areas as to protect general public access.

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

Part 1: Sec. 106-64. - Docking restriction of the Municipal Code of Racine, Wisconsin is hereby recreated as follows:

“Sec. 106-64 - Docking restriction. No person shall dock a boat for any period of time longer than two hours on the north shoreline of Root River within 305 feet west of the Main Street Bridge, along the north side of the Root River, east from the east edge of the Main Street Bridge for a distance of 122 feet, and along the south side of the Root River, east from the east edge of the Main Street Bridge for a distance of 138 feet, and along the east shoreline of Rooney / Pugh Recreational Area located at the east terminus of Reichert Court for a distance of 750 feet north.”

Part 2: Sec. 106-65. - Enforcement of the Municipal Code of Racine, Wisconsin is recreated as follows:

“The county sheriff’s water safety enforcement patrol shall be given authority to enforce section 106-64.”

Part 3: Sec. 106-10(b) of the Municipal Code of Racine, Wisconsin is hereby amended to raise the forfeiture for a violation of Sec. 106-64 (“Docking”) from \$20.00 to \$30.00.

Part 4: This ordinance shall take effect upon passage by a majority vote of the members-elect of the City Common Council and publication or

posting as required by law.

Passed by the Common Council:

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

\_\_\_\_\_  
Mayor

Attest:

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

Fiscal Note: N/A

Sponsors: Sandy Weidner

## I. 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.