



City of Racine Meeting Minutes Common Council

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

*Alderman Keith Fair, Alderman Robert Anderson, Alderman Tim Hermes,
Alderman Jim Kaplan, Alderman David L. Maack, Alderman Sandy Weidner,
Alderman Raymond DeHahn, Alderman Q.A. Shakoor, II, Alderman Pete Karas,
Alderman Thomas Friedel, Alderman Gregory Holding, Alderman Ronald D. Hart,
Alderman Thomas M. Sollman, Alderman James T. Spangenberg, Alderman Aron Wisneski*

Tuesday, March 20, 2007

7:00 PM

Room 205, City Hall

A. Call To Order

PRESENT: 15 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

B. Pledge of Allegiance To The Flag

The Mayor led the Council in the Pledge of Allegiance to the Flag.

C. Approval of Journal of Council Proceedings (Minutes)

Minutes of the previous meeting were approved as printed on motion of Alderman Weidner.

D. Public Comments

*Robert Westmoreland
Mercedes Dzindzeleta
Clara Grays
James Simonsen
Michael West
Steffanie West
Keith Deschler*

E. Communications

Refer to Finance and Personnel Committee, by Ald. Spangenberg

1. 07-0279 **Subject:** Communication from the City Attorney submitting the claim of Thomas Drury for consideration.

Staff recommendation to the Finance & Personnel Committee on 03-26-07: The claim of Thomas Drury, 1330 Deane Blvd, requesting a \$500 reimbursement caused by damage to his vehicle by a fallen tree branch be denied.

Fiscal Note: N/A

Referred to the Finance and Personnel Committee

2. **07-0280** **Subject:** Communication from the City Attorney submitting the claim of West Bend Mutual Insurance Company (Patriot Truck Services) for consideration.

Staff recommendation to the Finance & Personnel Committee on 03-26-07: The claim of West Bend Mutual Insurance Company requesting reimbursement of \$2,364 for repairs to a vehicle owned by Patriot Truck Services be denied.

Fiscal Note: N/A

Referred to the Finance and Personnel Committee

3. **07-0282** **Subject:** Communication from the City Attorney submitting the claim of Robert & Simone Fletcher for consideration.

Staff recommendation to the Finance & Personnel Committee on 03-26-07: The claim of Robert and Simone Fletcher requesting reimbursement for repair the to sewer main adjacent to 1725 Park Avenue be settled in the amount of \$7,221.80.

Fiscal Note: There are sufficient funds available in account 101.160.5910, Judgements and Claims.

Referred to the Finance and Personnel Committee

4. [07-0286](#) **Subject:** Communication from the Public Health Administrator requesting permission to accept funding and for the Mayor and City Clerk to sign a contract with the Wisconsin Department of Natural Resources.

Also refer to the Board of Health.

Staff recommendation to the Finance & Personnel Committee on 03-26-07: The Mayor and City Clerk be authorized and directed to enter into a \$40,000 agreement with the Wisconsin Department of Natural Resources (Grant Control No. 2007-009) to be utilized for Beach Sanitary surveys for Wisconsin's Great Lakes during the period of March 1, 2007 through November 30, 2007.

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

Referred to the Finance and Personnel Committee**Referred to the Board of Health**

5. [07-0287](#) **Subject:** Communication from the Public Health Administrator requesting permission to accept funding and for the Mayor and City Clerk to sign a contract with the University of Wisconsin-Oshkosh.

Also refer to the Board of Health.

Staff recommendation to the Finance & Personnel Committee on 03-26-07: The Mayor and City Clerk be authorized and directed to enter into an agreement with the University of Wisconsin - Oshkosh (Grant Control No. 2007-010). Funds, not to exceed \$6,500 per year, will be utilized for evaluation of the Algal Nuisance Cladophora and its effect on E. Coli and beach closures. Contract during the period of March 1, 2007 through February 28, 2010.

Fiscal Note: Soft match of \$1,800 per year will be fulfilled by approximately 48 hours of Dr. Kinzelman's time.

Referred to the Finance and Personnel Committee

Referred to the Board of Health

6. [07-0331](#) **Subject:** Communication from Police Chief Wahlen, requesting to apply for the Wisconsin Department of Transportation 2007 Alcohol Enforcement Mobilization grant (Grant Control Number 2007-011).

Staff recommendation to the Finance & Personnel Committee on 03-26-07: Permission granted for the Chief of Police to apply for a \$25,000 grant with the Wisconsin Department of Transportation 2007 Alcohol Enforcement Mobilization (Grant Control No. 2007-011) .

Fiscal Note: 25% soft mach required on the part of the City.

Referred to the Finance and Personnel Committee

Referred to the Public Safety and Licensing Committee

7. [07-0329](#) **Subject:** Communication from Police Chief Wahlen, requesting to seek approval to change the staffing structure of the Racine Police Department.

Staff recommendation to the Finance & Personnel Committee on 03-26-07: None at this time.

Fiscal Note: N/A

Referred to the Finance and Personnel Committee

Referred to the Public Safety and Licensing Committee

8. [07-0330](#) **Subject:** Communication from Police Chief Wahlen, requesting

authorization to accept a donation from Crime Stoppers of Racine County, Inc., of up to \$7,000, for the purchase of the 2007 COP cards for Racine Police Department officers.

Staff recommendation to the Finance & Personnel Committee on

03-26-07: Permission granted for the Chief of Police to accept \$7,000 from Crime Stoppers of Racine County, Inc. to be utilized for the purchase of 2007 COP cards and an appropriate letter of thanks be sent.

Fiscal Note: N/A

Referred to the Finance and Personnel Committee

Referred to the Public Safety and Licensing Committee

9. [07-0335](#) **Subject:** Communication from the Finance Director wishing to discuss the vacated payroll technician position.

Staff recommendation to the Finance & Personnel Committee on

03-26-07: None at this time.

Fiscal Note: N/A

Referred to the Finance and Personnel Committee

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

10. [07-0327](#) **Subject:** Communicaton from the Aldermen of the 5th District and 11th District wishing to discuss the possibility of installing and leasing of conduit to carry fiber optic cable for other companies.

Referred to the Public Works and Services Committee

11. [07-0333](#) **Subject:** Communication from Racine County Convention and Visitors Bureau requesting to use city right-of-way for The Racine.org Running Festival on Saturday, April 28, 2007.

Also refer to the Board of Parks, Recreation and Cultural Services.

Referred to the Public Works and Services Committee

Referred to the Board of Park, Recreation and Cultural Services

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

12. [07-0274](#) **Subject: (New)** Application of Midtown Market, Ranjit Kaur, Agent, for a Class "A" Retail Fermented Malt Beverage License for 1229 Eleventh Street. (1st District)

Referred to the Public Safety and Licensing Committee

Refer to Transit and Parking Commission, by Ald. DeHahn

13. [07-0315](#) **Subject:** Communication from the Transit Planner submitting the February 2007 operating and financial report for Wisconsin Coach Lines Kenosha-Racine-Wisconsin intercity bus service.
Referred to the Transit and Parking Commission

Refer to City Plan Commission, by Ald. Holding

14. [07-0337](#) **Subject:** Request that the Common Council adopt the public participation plan for Racine County Multi-Jurisdictional Comprehensive Plan by resolution.
Referred to the City Plan Commission

F. Committee Reports**Finance and Personnel Committee Report, by Ald. Spangenberg**

15. [07-0223](#) **Subject:** Communication from the City Attorney requesting authorization for settlement of Racine County Circuit Court Case No. 06-CV-1206, Kong Enterprises LLC v City of Racine.

Recommendation of the Finance & Personnel Committee on 3/12/07:

Recommend that Racine County Circuit Court Case No. 06-CV-1206, Kong Enterprises LLC v. City of Racine, be settled in the amount of \$13,515.00, which represents 50% of the cleanup and connection expenses.

Fiscal Note: Funding for this settlement is available in Account 101.990.5910

A motion was made that this Claim be Received and Filed as Reported. The motion was APPROVED.

16. [07-0137](#) **Subject:** Communication from ATM Financial regarding placing ATM machines in City Hall and the Safety Building.

Recommendation of the Pubic Works and Services Committee on 2/26/07: Approved.

Recommendation of the Finance & Personnel Committee on

3-12-07: That the City enter into a one-year contract with ATM Financial Company with a hold harmless agreement.

Fiscal Note: N/A

Alderman Wisneski requested that item 07-0137 be considered separately.

Motion made by Alderman Karas to amend the hold harmless agreement to include the following: To transfer the responsibility of property damage to ATM Financial and that the City Attorney negotiate a final contract.

Motion passed by the following vote:

Ayes: Wisneski, Anderson, DeHahn, Fair, Holding, Hermes, Kaplan, and Karas

Noes: Maack, Shakoor, Sollman, Spangenberg, Weidner, Friedel, and Hart

A motion was made by Alderman James T. Spangenberg that this be Adopted As Amended: . The motion PASSED by the following vote:

AYES: 11 - Fair, Anderson, Kaplan, Maack, DeHahn, Shakoor II, Friedel, Holding, Hart, Sollman and Spangenberg

NOES: 4 - Hermes, Weidner, Karas and Wisneski

17. [07-0344](#) **Subject:** Resolution 07-0064

Recommendation of the Finance & Personnel Committee on

02-26-07: To amend Resolution 07-0064 by deleting the reimbursed amount of \$6,876 and inserting \$6001 to be paid to the City Librarian for the costs of materials stolen resulting from a break-in at the Mobile Library parked at the DPW garage lot. Further recommends that Resolution No. 07-0064 be adopted as amended.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

18. [07-0237](#) **Subject:** Request from the Director of City Development that the City of Racine accept a brownfields grant from the Wisconsin Dept. of Commerce for the Thompson Building redevelopment.

Recommendation of the Finance & Personnel Committee on

3-12-07: That the City of Racine accept a brownfields grant from the Wisconsin Dept. of Commerce for the Thompson Building redevelopment in the amount of \$60,300.00, and that the Mayor & City Clerk be authorized to execute a grant agreement.

Fiscal Note: The required match will be provided from TID No. 12.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

19. [07-0238](#) **Subject:** Communication from the Public Health Administrator requesting a transfer of funds to pay for laboratory services to be provided by Wheaton

Franciscan Healthcare due to the closing of the laboratory.

Recommendation of the Finance & Personnel Committee on 3-12-07: Permission granted to transfer \$20,000 from Salaries (101.490.5010) to Professional Services (101.490.5610).

Fiscal Note: There are sufficient funds for this transfer.
Alderman Karas requested that item 07-0238 be considered separately.

A motion was made by Alderman James T. Spangenberg that this be Received and Filed as Reported. The motion PASSED by the following vote:

AYES: 11 - Anderson, Hermes, Maack, Weidner, DeHahn, Shakoor II, Friedel, Holding, Hart, Spangenberg and Wisneski

NOES: 3 - Fair, Karas and Sollman

ABSTENTIONS: 1 - Kaplan

20. [07-0251](#) **Subject:** Request of the Derby Director of Racine Area Soap Box Derby to waive the fee to close the road for the following dates: May 11, 12 & 13, June 15 & 16, and September 7, 8 & 9.

Recommendation of the Finance & Personnel Committee on 3-12-07: The Racine Area Soap Box Derby is to pay \$101 per event for a total of \$303.

Fiscal Note: N/A
Alderman Spangenberg requested that item 07-0251 be considered separately.

A motion was made by Alderman James T. Spangenberg that this be Received and Filed as Reported. The motion PASSED by the following vote:

AYES: 8 - Fair, Anderson, Hermes, Kaplan, Weidner, DeHahn, Karas and Wisneski

NOES: 7 - Maack, Shakoor II, Friedel, Holding, Hart, Sollman and Spangenberg

21. [07-0266](#) **Subject:** Request of Por La Gente Association, for the use of Chavez Community Center at a reduced rate for their basketball invitational tournament.

Recommendation of the Finance & Personnel Committee on 3-12-07: To reduce the fee to half of the standard hourly rate.

Fiscal Note:
Alderman Spangenberg requested that item 07-0266 be considered separately.

A motion was made by Alderman James T. Spangenberg that this be Received and Filed as Reported. The motion PASSED by the following vote:

AYES: 9 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Karas and Wisneski

NOES: 6 - Shakoor II, Friedel, Holding, Hart, Sollman and Spangenberg

22. [07-0269](#)

Subject: Communication from the Finance Director requesting to discuss transfers to cover operating shortfalls in the Building Complex Internal Service Fund.

Recommendation of the Finance & Personnel Committee on

3-12-07: Permission be granted to the Finance Director to transfer sufficient funds to cover operating shortfalls in the Building Complex Internal Service Fund in the amount of \$330,000.

Fiscal Note: Funding for these transfers is available in Account 101.990.5970.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

23. [07-0303](#)

Subject: (Direct Referral) Communication from the Chief of Police requesting to appear before the Finance & Personnel Committee wishing to discuss waiving formal bidding and purchase a Digital Voice Logging System and that the Purchasing Agent negotiate a price with Word Systems Inc.

Recommendation of the Finance & Personnel Committee on

3-12-07: That the Purchasing Agent be authorized and directed to negotiate with Word Systems Inc. for the purchase of a digital voice logging system and to waive formal bidding.

Fiscal Note: Funding for this item is available in the 2007 capital improvement budget.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

Council Action

A motion was made by Alderman James T. Spangenberg to Adopt the Report. Adopted by the following vote:

AYES: 15 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

Public Works and Services Committee Report, by Ald. Hart

24. [07-0208](#)

Subject: Communication from the Pastor of Wayman A.M.E. Church requesting permission to close the alleys behind 424 N. Memorial Drive for their annual Wayman Fest on July 28, 2007 and July 29, 2007.

Recommendation: Wayman African Methodist Episcopal Church be granted permission to close the north-south alley behind 424 N. Memorial Drive, for their annual festival on Saturday and Sunday, July 28 and 29, 2007, in accordance with their request.

Further recommends that permission be granted with the following stipulations:

- A. A hold harmless agreement be executed.
- B. A liability insurance certificate be filed prior to this event.
- C. Any overtime costs incurred by any City department be charged to the sponsor.
- 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 incurred on a regular shift basis to implement this event.

**A motion was made that this Communication be Received and Filed as Reported.
The motion was APPROVED.**

25. [07-0233](#)

Subject: Communication from the Pentecost Lutheran Church requesting permission to close Jerome Boulevard, between Coolidge Avenue and Case Avenue, on Saturday, August 18, 2007, from 7 a.m. until 10 p.m., for their 6th Annual Neighborhood Block Party.

Recommendation: Pentecost Lutheran Church be granted permission to close Jerome Boulevard, between Coolidge Avenue and Case Avenue, for an event on Saturday, August 18, 2007, from 7:00 a.m. to 10:00 p.m., in accordance with their request.

Further recommends that permission be granted with the following stipulations:

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

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

26. [07-0272](#)

Subject: Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 7-06 (K6-007), 2006 CCTV Services and Manhole Inspections, Green Bay Pipe & TV, contractor.

Recommendation: The work done by Green Bay Pipe & TV, under Contract 7-06 (K6-007), 2006 CCTV Services and Manhole Inspections, be accepted and final payment authorized for a total contract amount of \$369,698.09, from funds heretofore appropriated.

Fiscal Note: This contract was approved by Resolution 6918, dated March 7, 2006.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

27. [07-0273](#)

Subject: Direct Referral. Communication from the Assistant Commissioner of Public Works/Engineering submitting a request from K. Singh & Associates, Inc., to install a monitoring well at 620 Stannard Street.

Recommendation: Permission be granted to K. Singh & Associates, Inc. to install one (1) monitoring well within the Stannard Street right-of-way near 620 Stannard Street, provided that a permit is secured through the Engineering Department and an agreement executed in accordance with Sec. 66.0425, Wis. Stats., Privileges in Streets, and further provided that this construction will be performed so as not to create a hazard for pedestrian or vehicular traffic, and that any monitoring wells will be abandoned in accordance with Wisconsin Administrative Code NR 112 and NR 141.25.

Further recommends that K. Singh & Associates, Inc. be charged a \$50.00 fee to cover administrative costs and costs associated with filing this item with the Register of Deeds office.

Further recommends that the property owner provide the City Attorney's office with a legal description of the location of the monitoring well within

the street right-of-way.

Fiscal Note: In addition, the required Street Opening Permit will generate an additional \$125.00 in revenue.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

28. [07-0276](#)

Subject: Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting bid results on Contract 16-07 (K7-019), Curb and Gutter Repair, CDBG.

Recommendation: Contract 16-07 (K7-019), Curb and Gutter Repair, CDBG, be awarded to D.C. Burbach, Inc., at their bid price of \$99,925.40, they being the lowest responsible bidder.

Further recommends that funding to defray the cost of this public works project be appropriated from Account 897.030.5510, Replacement Curb & Gutter C.D.B.G.

Fiscal Note: Funds are available as herein delineated.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

29. [07-0284](#)

Subject: Direct Referral. Communication from the Assistant Commissioner of Public Works/Operations submitting a proposal from Industrial Roofing Services, Inc. to provide professional services for tuckpointing at the City Hall Annex.

Recommendation: The Mayor and City Clerk be authorized and directed to enter into an agreement with Industrial Roofing Services, Inc., Brookfield, WI, to provide professional services for tuckpointing at the City Hall Annex at a not-to-exceed cost of \$4,000.00.

Further recommends that funding to defray the cost of these professional services be appropriated from Account 987.200.5010, Annex - Tuckpointing.

Fiscal Note: Funds are available as herein delineated.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

30. [07-0285](#)

Subject: Direct Referral. Communication from the Assistant Commissioner of Public Works/Engineering submitting a proposal from Earth Tech, Inc. to provide professional services for the 2007 Illicit Discharge Detection and Elimination Program.

Recommendation: The Mayor and City Clerk be authorized and directed to enter into an agreement with Earth Tech, Inc., Sheboygan, WI, to provide professional services for the 2007 Illicit Discharge Detection and Elimination Program at a not-to-exceed cost of \$49,500.00.

Further recommends that funding to defray the cost of these professional services be appropriated from Account 104.000.5330, Monitoring Detection Enforcement.

Fiscal Note: Funds are available as herein delineated.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

31. [07-0289](#)

Subject: Direct Referral. Communication from the Assistant Commissioner of Public Works/Operations submitting a proposal from Earth Tech, Inc., to provide professional services for the design of a photovoltaic electrical generating system.

Recommendation: The Mayor and City Clerk be authorized and directed to enter into an agreement with Earth Tech, Inc., Sheboygan, WI, to provide professional services for the design of a photovoltaic electrical generating system for the City Hall Annex at a not-to-exceed cost of \$17,500.00.

Further recommends that funding to defray the cost of these professional services be appropriated from Account 987.200.5020, Annex - Solar Electric Generating System.

Fiscal Note: Funds are available as herein delineated.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

32. [07-0295](#)

Subject: Communication from the Commissioner of Public Works/City Engineer requesting to amend Resolution 07-0094.

Recommendation: Resolution 07-0094 be amended by deleting "18-04 (K4-024)" and inserting "9-06 (K6-010)" in its place.

Fiscal Note: Not applicable.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

33. [07-0316](#)

Subject: Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 61-05 (K5-070), Professional Services - 2006 Racine CCTV and Manhole Repairs, Earth Tech, Inc., consultant.

Recommendation: The professional services provided by Earth Tech, Inc. under Contract 61-05 (K5-070), Professional Services - 2006 Racine CCTV and Manhole Repairs, be accepted and final payment authorized for a total contract amount of \$126,575.00, from funds heretofore appropriated.

Fiscal Note: This contract was approved by Resolution 6717, dated October 18, 2005.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

34. [07-0328](#)

Subject: Communication from the Commissioner of Public Works/City Engineer regarding Resolution 06-7361.

Recommendation: That Resolution 06-7361 be received and filed.

Fiscal Note: Not applicable.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

Council Action

A motion was made by Alderman Ronald D. Hart to Adopt the Report. Adopted by the following vote:

AYES: 15 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

Public Safety and Licensing Committee Report, by Ald. Maack

35. [07-0074](#)

Subject: (New) Application of Magic Dollar Plus LLC., Hussein Asad, Agent, for a Class "A" Retail Fermented Malt Beverage License for 1007 Washington Avenue. (1st District)

Recommendation of the Public Safety & Licensing Committee of 02-12-07: That the item be deferred until the February 26, 2007 meeting.

Recommendation of the Public Safety & Licensing Committee of 02-26-07: That the license be granted.

Recommendation of the Public Safety & Licensing Committee of 03-12-07: That the license be denied, due to the fragility of the neighborhood and the high concentration of alcohol licenses in the area.

Fiscal Note: N/A

Alderman Maack requested that item 07-0074 be considered separately.

Motion made by Alderman Maack to grant the license with the following two conditions:

1. There will be no individual/single container sales of beer
2. There will be no signage in windows advertising beer

Motion passed by the following vote:

Ayes: Maack, Sollman, Spangenberg, Weidner, Wisneski, Anderson, Dehahn, Fair, Friedel, Hart, Holding, Kaplan, and Karas

Noes: Shakoor, Hermes

A motion was made by Alderman Q.A. Shakoor, II that this be Received and Filed as Reported. The motion FAILED by the following vote:

AYES: 5 - Hermes, Kaplan, Weidner, DeHahn and Shakoor II

NOES: 10 - Fair, Anderson, Maack, Karas, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

36. [07-0142](#)

Subject: (New) Application of Douglas Petro, LLC., Surinder Singh, Agent, for a Class "A" Retail Fermented Malt Beverage License, Gasoline Station Owner's and Manager's License for 3357 Douglas Avenue. (7th District)

Recommendation of the Public Safety & Licensing Committee of

02-26-07: That the Gasoline Station Owner's and Manager's License be granted, and the Class "A" Retail Fermented Malt Beverage License application be deferred until the March 12, 2007 meeting.

Recommendation of the Public Safety & Licensing Committee of

03-12-07: That the Class "A" Retail Fermented Malt Beverage License be granted.

Fiscal Note: N/A

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

37. [07-0175](#)

Subject: (Direct Referral) Application of Cruz Castro for a Public Passenger Driver's License.

Recommendation of the Public Safety & Licensing Committee of

02-26-07: That the Public Passenger Driver's License be denied.

Recommendation of the Public Safety & Licensing Committee of

03-12-07: That the Public Passenger Driver's License be granted.

Fiscal Note: N/A

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

38. [07-0236](#) **Subject:** Communication from Chief of Police Wahlen, requesting to waive formal bidding for the purchase of an interactive "Smart Board" for the Racine Police Department; further requesting that the Purchasing Agent be authorized and directed to negotiate with Smart Technologies for this purchase.

Recommendation of the Finance & Personnel Committee on

3-12-07: That the Purchasing Agent be authorized and directed to negotiate with Smart Technologies for the purchase of an interactive "Smart Board" for the Racine Police Department and that formal bidding be waived.

Recommendation of the Public Safety & Licensig Committee of

03-12-07: That formal bidding be waived and the Purchasing Agent be authorized and directed to negotiate with a local vendor that is under government contract for this purchase.

Fiscal Note: Funding for this project is estimated at \$9,999 and is available in Account 211.000.5950.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

39. [07-0253](#) **Subject: (Change of Agent)** Application of J & A, LLC (Bar 44), Kenneth R. Meyer, Agent, for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 1300 N. Main Street. (4th District)

Recommendation of the Public Safety & Licensing Committee of

03-12-07: That the Change of Agent be approved.

Fiscal Note: N/A

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

40. [07-0254](#) **Subject:** A communication from the Fire Chief Hansen requesting permission to accept the donation of stock certificates to be used in the purchase of four Thermo Imaging Cameras for the Racine Fire Department. It is also requested that the Finance Director be authorized to set up the necessary accounts to facilitate this donation.

Recommendation of the Finance & Personnel Committee on

3-12-07: Permission be granted to the Fire Chief to accept a donation of stock certificates which are valued at approximately \$25,000, and that the Finance Director be authorized to set up the necessary accounts to facilitate this donation.

Recommendation of the Public Safety & Licensing Committee of

03-12-07: That Fire Chief Hansen be granted permission to accept the donation of stock certificates to be used in the purchase of three Thermo Imaging Cameras for the Racine Fire Department.

Fiscal Note: Donation to be placed in Account 711.000.5950.

A motion was made that this Communication be Received and Filed as Reported.
The motion was APPROVED.

41. [07-0263](#)

Subject: (Direct Referral) Final payment on contract 27-05 (K5-034), Monument Square Site and Landscape Improvement.

Recommendation of the Public Safety & Licensing Committee of

03-12-07: That final payment on contract 27-05 (K5-034), Monument Square Site and Landscape Improvement, be approved.

Fiscal Note: \$5,000.00 be appropriated from account 985.700.5050.

A motion was made that this Communication be Received and Filed as Reported.
The motion was APPROVED.

42. [07-0275](#)

Subject: (Direct Referral) Communicaton from the Purchasing Agent submitting the monthly report for the sale of Abandoned Vehicles, March 5, 2007.

Recommendation of the Public Safety & Licensing Committee of

03-12-07: That the item be received and filed.

Fiscal Note: This will generate \$15,701.01 in revenues.

A motion was made that this Communication be Received and Filed as Reported.
The motion was APPROVED.

43. [07-0321](#)

Subject: Ordinance No. 2-07

To repeal and recreate Sec. 66-566 of the Municipal Code of the City of Racine, Wisconsin relating to Offenses - Issuance of Worthless Checks - Prohibition.

Recommendation of the Finance & Personnel Committee on

2-12-07: Refer to Public Safety and Licensing Committee as this is a law enforcement issue as opposed to a municipal finance issue.

Recommendation of the Finance & Personnel Committee on

02-26-07: The action taken of deferred on 02-12-07 meeting did not allow the item to Council. The recommendation remains the same to refer to

Public Safety and Licensing Committee with the action changed to recommended for further consideration.

Recommendation of the Public Safety & Licensing Committee on 02-26-07: That Ordinance No. 2-07 be adopted.

Fiscal Note: N/A

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

44. [07-0323](#)

Subject: Ordinance No. 5-07

To amend Secs. 6-9, 6-131, repeal and recreate Sec. 6-132, create Sec. 6-134 and amend Sec. 6-136 of the Municipal Code of the City of Racine, Wisconsin relating to Operator's - Provisional Operator's licenses.

Recommendation of the Public Safety & Licensing Committee on 02-26-07: That Ordinance No. 5-07 be adopted.

Fiscal Note: N/A

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

Council Action

A motion was made by Alderman David L. Maack to Adopt the Report. Adopted by the following vote:

AYES: 15 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

Mayor Becker called for a five minute recess @ 8:42 pm.

Meeting reconvened at 8:50 pm.

City Plan Commission Report, by Ald. Holding

45. [07-0160](#)

Subject: Communication from the Commissioner of Public Works/City Engineer submitting "A Regional Transportation System Plan for Southeastern Wisconsin: 2035" from the Southeastern Wisconsin Regional Planning Commission.

Recommendation of the Public Works and Services Committee (3-13-07): That "A Regional Transportation System Plan for Southeastern Wisconsin: 2035" from the Southeastern Wisconsin Regional Planning Commission be approved.

Further recommend that the item be referred to the City Plan Commission.

Fiscal Note: Not applicable.

Recommendation of the City Plan Commission on 3-14-07: That the Common Council endorse the Regional Transportation Plan 2035 by resolution.

Fiscal Note: N/A

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

46. [07-0168](#)

Subject: (Direct Referral) Request by Robert Westmoreland of Westmoreland Properites, LLC, seeking to rezone the property at 720-17th Street from B-1 Neighborhood Convenience District to R-4 General Residence District.

Recommendation of City Plan Commission on 2-14-07: Deferred.

Recommendation of City Plan Commission on 2-28-07: To deny.

Recommendation of City Plan Commission on 3-14-07: To deny.

Alderman Karas requested that item 07-0168 be considered separately.

A motion was made by Alderman Gregory Holding that this be Received and Filed as Reported. The motion PASSED by the following vote:

AYES: 8 - Kaplan, Maack, Weidner, Friedel, Holding, Sollman, Spangenberg and Wisneski

NOES: 7 - Fair, Anderson, Hermes, DeHahn, Shakoor II, Karas and Hart

47. [07-0220](#)

Subject: (Direct Referral) Request by Genesis Behavioral Services, Inc. seeking a conditional use permit for a community based residential facility at 3131 Taylor Avenue, Building #5.

Recommendation of City Plan Commission on 2-28-07: To defer.

Recommendation of City Plan Commission on 3-14-07: That the request by Genesis Behavioral Services, Inc. for a conditional use permit for a community based residential facility for women at 3131 Taylor Avenue be approved, subject to the following conditions:

a. That the plans stamped "Received January 10, 2007" and presented to the Plan Commission on February 28, 2007 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 this residential facility be confined to Building #5 of the campus, and that no more than twelve residents be permitted to occupy Building #5.
- d. That the facility be professionally staffed 24 hours per day, seven days per week.
- e. That all staff and visitor parking be contained on site.
- f. That no resident shall be allowed to have personal vehicles on site during their treatment stay.
- g. That all trash and recyclables be stored in closed containers and screened from view.
- h. That, if a sign is installed, it be professionally made, comply with zoning ordinance requirements and be approved by the Director of City Development.
- i. That all codes and ordinances be complied with and required permits acquired.
- j. 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.
- k. That this permit is subject to Plan Commission review for compliance with the listed conditions.
- l. That the conditional use be for a maximum of twelve female residents per the state contract.
- m. That Genesis Behavioral Services, Inc., be in full compliance with the provisions of its contract with the state.
- n. That compliance with these conditions be reviewed by the City Plan Commission every six months.
- o. That visitation for residents be limited to Saturdays and Sundays from 1:00 p.m. to 4:00 p.m.
- p. That residents not be allowed to access the grounds on the north side of the building.
- q. That a partition fence four feet in height and sixteen to twenty-four feet in length be installed extending from the east and west ends of the building. The specific design, location and length of the fence be submitted to the Director of City Development for review and approval prior to installation.

- r. That window privacy shields or other window treatments be installed on the first floor on the north side of the building.
- s. That the visitor screening policies for the facility be submitted to the Director of City Development for review and approval.
- t. That security cameras be installed on the outside of the building and inside the main entrance and that the cameras be maintained in good working order and operated 24 hours per day. Camera location and coverage areas shall be determined in consultation with and subject to the approval of the Chief of Police.
- u. That an advisory board of neighborhood residents be established for the facility by Genesis Behavioral Services, Inc. The composition of the board in number and form shall be as deemed appropriate by the Director of City Development.
- v. That a telephone number be established, disseminated, and maintained on a 24 hour basis so that municipal staff and neighborhood residents can contact the facility.
- w. That alarms be installed on all facility egress doors to monitor access to and from the building.
- x. That the minimum staffing of the facility be two persons on first shift, two persons on second shift, and one person on third shift, with the possibility of modifying or removing this condition after one year of compliance with the conditions of this permit and no evidence of problems with resident control or staff to resident ratios.

Fiscal Note: N/A

Alderman Holding requested that item 07-0220 be considered separately.

A motion was made by Alderman Gregory Holding that this be Received and Filed as Reported. The motion PASSED by the following vote:

AYES: 8 - Fair, Anderson, Kaplan, Maack, Shakoor II, Karas, Friedel and Spangenberg

NOES: 7 - Hermes, Weidner, DeHahn, Holding, Hart, Sollman and Wisneski

48. [07-0296](#)

Subject: (Direct Referral) Request by Kelly Richardson seeking a conditional use permit for the storage of two cargo vans at 3344 Douglas Avenue.

Recommendation of City Plan Commission on 3-14-07: That the request by Kelly Richardson, seeking a conditional use permit for the storage of two cargo vans at 3344 Douglas Avenue be approved, subject to the following conditions:

- a. That the plans stamped "Received February 28, 2007" and presented

to the Plan Commission on March 14, 2007 be approved, subject to the conditions contained herein.

- b. That all applicable building and occupancy permits be obtained from the Building Department.
- c. That the vehicles stored be limited to two (2) one-ton cargo vans, stored indoors when not in use.
- d. That this facility shall not operate as a freight storage warehouse.
- e. That all trash and recyclables be kept in closed containers and stored in the building until pick up.
- f. That if a sign is installed, that it be professionally made, comply with zoning ordinance requirements, and be approved by the Director of City Development.
- g. That all codes and ordinances be complied with and required permits acquired.
- h. 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.
- i. That this permit is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

A motion was made that this Conditional Use Permit be Received and Filed as Reported. The motion was APPROVED.

49. [07-0297](#)

Subject: (Direct Referral) Request by David Hendricks of Racine's Customs and Collisions, and Philip Kuehl of Phil's Auto Sales seeking to rezone 50 feet of the northern most portions of the property at 1202-1212 N. Main Street from R-3 Limited General Residence District to B-2 Community Shopping District.

Recommendation of City Plan Commission on 3-14-07: That an ordinance be created and a public hearing be scheduled.

A motion was made that this Zoning Item be Received and Filed as Reported. The motion was APPROVED.

Council Action

A motion was made by Alderman Gregory Holding to Adopt the Report. Adopted by the following vote:

AYES: 15 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

Committee of the Whole Report, by Ald. Weidner

50. [07-0241](#) **Subject:** Communication from the 7th & 9th District Alderman requesting to discuss concerns regarding the expired City contract with P.A.M., the firm which handles parking ticket collections.

Recommendation of the Finance & Personnel Committee on 3-12-07: The item be referred to the Committee of the Whole.

Recommendation of the Public Safety & Licensing Committee of 03-12-07: That the item be referred to the Committee of the Whole and returned to the Public Safety & Licensing Committee, with their recommendation.

Referred to the Committee of the Whole

Office of the Mayor Report, by Ald. Weidner

51. [07-0332](#) **Subject:** Communication from Mayor Becker nominating appointments to the following Boards:

Board of Health

Appoint Maria Morales, 952 N. Memorial Drive, to fill an unexpired term (Rosa Salinas-Hultman) ending in April 2008.

Stationary Engineers Examining Board

Appoint Tim Hogan, 821 Stuart Road (replacing Tom Vakos), to fill an unexpired term ending in April 2008.

A motion was made by Alderman Sandy Weidner that this be Received and Filed as Reported. The motion PASSED by the following vote:

Board of Health Report, by Ald. DeHahn

52. [07-0119](#) **Subject:** Communication from the Board of Health stating their opposition to the closure of the laboratory.

Recommendation: The Health Department be authorized to hire those Laboratory Technicians and Medical Technicians which are in the budget. It is the sense of the Board of Health that it would be ill-advised to attempt to run the laboratory with insufficient staff.

Recommendation of the Board of Health on 3/13/2007: To receive

and file the communication.

Fiscal Note: 0.5 FTE Medical Technician and 1.0 FTE Laboratory Technician are budgeted through the end of 2007.

Alderman requested that item 07-0119 be considered separately.

A motion was made by Alderman Raymond DeHahn that this be Received and Filed as Reported. The motion PASSED by the following vote:

AYES: 14 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

NOES: 1 - Karas

53. [07-0120](#)

Subject: A communication from the Public Health Administrator requesting permission to accept funds and to authorize the Mayor and City Clerk to sign an amended contract with the United Way of Racine County, Inc. for the Family Smart/Kid Friendly program in the amount of \$29,471.50. The original contract (resolution number 6806) covered the period January 1, 2006 through December 31, 2006. The amended contract covers the period through June 30, 2007.

Recommendation of the Finance & Personnel Committee on

2-12-07: To accept funds and to authorize the Mayor and City Clerk to sign an amended contract with the United Way of Racine County, Inc. for the Family Smart/Kid Friendly program (original City Grant Control Number 2005-052) in the amount of \$29,471.50 and extend the contract through June 30, 2007.

Recommendation of the Board of Health on 3/13/2007: To accept funds and to authorize the Mayor and City Clerk to sign an amended contract with the United Way of Racine County, Inc. for the Family Smart/Kid Friendly program (original City Grant Control Number 2005-052).

Fiscal Note: No match is required by the City.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

54. [07-0122](#)

Subject: Communication from the Public Health Administrator requesting permission to apply for funding from the United Way of Racine County, Inc. in the amount of \$68,000 for the Teen Parenting Support program. It is a joint application with the Mount Pleasant/Caledonia and Western Racine County Health Departments. The contract period is July 1, 2007 through June 30, 2008.

The Grant Control number is 2007-004.

Recommendation of the Finance & Personnel Committee on

2-12-07: The Public Health Administrator be authorized to apply for funding in the amount of \$68,000 from United Way of Racine County for the Teen Parenting Support Program (City Grant Control Number 2007-004).

Recommendation of the Board of Health on 3/13/2007: The Public Health Administrator be authorized to apply for funding from United Way of Racine County for the Teen Parenting Support Program.

Fiscal Note: There is no match required by the City.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

55. [07-0199](#)

Subject: A communication from the Public Health Administrator requesting permission to apply for funding from the Root-Pike Watershed Initiative Network.

Recommendation of the Finance & Personnel Committee on

02-26-07: Permission granted for the Public Health Administrator apply for a grant up to \$10,000 from the Root-Pike Watershed Initiative Network Grant (Grant Control No. 2007-005) to be utilized for research to determine the baseline water quality level of the Root River.

Recommendation of the Board of Health on 3/13/2007: Permission be granted for the Public Health Administrator to apply for a grant from the Root-Pike Watershed Initiative Network to be utilized for research to determine the baseline water quality level of the Root River.

Fiscal Note: \$5,045.20 soft match will be covered by the City.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

Council Action

A motion was made by Alderman Raymond DeHahn to Adopt the Report. Adopted by the following vote:

AYES: 15 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

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

56. [07-0111](#)

Subject: Communication from the Derby Director of the Racine Area Soap Box Derby requesting the closing of Hoffert Dr at North Beach on May 12-13, June 16-17 and September 8-9, 2007.

Recommendation: Permission be granted to the Racine Area Soap Box

Derby to use Hoffert Drive for rallies on Saturday and Sunday May 12-13, 2007, Saturday and Sunday, June 16-17, 2007 and Saturday and Sunday, September 8-9, 2007, with the following stipulations:

- A. A hold harmless agreement be executed;
- B. A liability insurance certificate be filed prior to this event;
- C. The set up and dismantling of barricades, snow fencing and placement of waste barrels will be the responsibility of the Soap Box Derby Association and must be erected no sooner than 24 hours prior to the event and must be removed no later than 24 hours after the event;
- D. Any overtime costs and/or equipment and material loss will be charged to the Soap Box Derby Association;
- E. The sponsor shall notify all residents on Michigan Boulevard and residents in the 200 blocks of Kewaunee Street, St. Patrick Street, High Street and English Street seventy-two (72) hours in advance of this event.

Further recommends that the Commissioner of Public Works/City Engineer, Chief of Police and Director of Parks, Recreation and Cultural Services 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, in implementing this event.

Recommendation of the Board of Parks, Recreation & Cultural

Services 2-14-07: that the request be deferred

Recommendation of the Board of Parks, Recreation & Cultural

Services 3-14-07: that the request be approved with conditions per Public Works Committee.

Fiscal note: Nominal costs to various City departments, on a regular shift basis to implent this event.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

57. [07-0127](#)

Subject: Communication from Adam Fuller requesting a hearing before the appropriate committee regarding the temporary erection of a prototype wind power machine.

Recommendation of the Board of Parks, Recreation & Cultural

Services 2-14-07: that the request be deferred.

Recommendation of the Board of Parks, Recreation & Cultural

Services 3-14-07: that the request be received and filed. Further it is

recommended to the Mayor and Common Council that the prototype be placed at Olson Industrial Park.

Fiscal note: N/A

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

58. [07-0256](#)

Subject: Communication from the President of 4th Fest of Greater Racine requesting permission to use city right-of-way for the 4th of July parade and permission to use North Beach for the fireworks.

(Also referred to Board of Parks, Recreation and Cultural Services)

Recommendation of the Public Works and Services Committee (3-13-07): Permission be granted to Fourth Fest of Greater Racine, Inc. to close certain city streets on Tuesday, July 4, 2007, from 7:00 a.m. to 12:30 p.m., to hold the 2007 Independence Day Parade.

Further recommends that the Commissioner of Public Works/City Engineer be authorized and directed to communicate with the U. S. Coast Guard requesting permission to close the Main Street Bridge to boat traffic on Tuesday, July 4, 2007, from 7:45 a.m. to 1:00 p.m., and both the Main Street and State Street Bridges on Tuesday, July 4, 2007, from 9:05 p.m. to 10:40 p.m., for the Fourth Fest activities.

Further recommends that in the interest of public safety, the Commissioner of Public Works/City Engineer and Chief of Police be authorized and directed to close Goold Street, Yout Street, English Street, High Street, St. Patrick Street, Kewaunee Street, and Barker Street, from Main Street to Michigan Boulevard; Michigan Boulevard, from Goold Street to Hamilton Street; Chatham Street, from north of Yout Street to Hamilton Street; and Hoffert Drive, on Tuesday, July 4, 2007, between the hours of 7:00 p.m. and 10:00 p.m., with a rain date of Saturday, July 7, 2007, to provide for a Municipal Band Concert, to be held at North Beach Gazebo, and the fireworks display, as part of the Independence Day festivities.

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

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

Recommendation of the Board of Parks, Recreation & Cultural Services 3-14-07: that the request be approved with conditions: hold

harmless be executed; liability insurance certificate on file prior to the event; set up and dismantling of barricades the responsibility of 4th Fest - erected no sooner than 24 hours prior to the event and removed no later than 24 hours after the event. Commissioner of Public Works/City Engineer, Chief of Police and Director of Parks, Recreation & Cultural Services provide limited assistance, in the interest of public safety to implement this event.

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

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

59. [07-0268](#)

Subject: Item 14 of March 7, 2006, communication from the YMCA requesting to use city right-of-way and Monument Square on June 16, 2007 for the 29th annual Lighthouse Run.

(Also referred to Board of Parks, Recreation and Cultural Services)

Recommendation of the Public Works and Services Committee (3-13-07): Permission be granted to the sponsor of the Lighthouse Run to use certain city streets for the period of 6:00 a.m. to 10:30 a.m. on Saturday, June 16, 2007, and to close the following streets:

Main Street from State Street to Sixth Street

Lake Avenue from 8th Street to State Street

State Street from Main Street to Lake Avenue

Main Street from State Street to 3 Mile Road (west side two traffic lanes will remain open for two-way traffic)

Dodge Street from Main Street to Michigan Boulevard

Michigan Boulevard from Dodge Street to Wolff Street

Wolff Street from Michigan Boulevard to North Main Street

Further recommends that the Commissioner of Public Works be authorized and directed to communicate with the U. S. Coast Guard requesting permission to close Main Street Bridge to boat traffic for the period of 7:40 a.m. to 10:40 a.m. on Saturday, June 16, 2007 to satisfy the needs of this run.

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

A. A hold harmless agreement be executed;

B. A liability insurance certificate be filed prior to this event;

C. Any overtime cost 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 all traffic control and detour signage during the event.

F. Sponsor shall pay a \$1,400.00 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 3-14-07: that the request be approved with conditions: hold harmless agreement be executed; liability insurance certificate filed prior to the event; set up and dismantling of barricades, booths, tents and placement of waste barrels will be the responsibility of the YMCA, erected no sooner than 24 hours prior to the event and removed no later than 24 hours after the event; overtime costs and/or equipment and material loss will be charged to the YMCA; Sponsor will notify all residents on Monument Square Dr. 72 hours in advance of this event; Further recommend the Commissioner of Public Works/City Engineer, Chief of Police and Director of Parks, Recreation & Cultural Services provide limited assistance in the interest of public safety to implement this event.

Fiscal note: There will be nominal costs to the various city departments, on a a regular shift basis to assist inimplementing this event.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

Council Action

A motion was made by Alderman Aron Wisneski to Adopt the Report. Adopted by the following vote:

AYES: 15 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

City Landmark's Preservation Commission Report, by Ald. Anderson

60. [07-0235](#) **Subject:** Group Re-Designation of Racine Landmarks.

Recommendation of the Landmarks Preservation on March 8, 2007:
That an ordinance be created to add to Chapter 58 of the Municipal Code

provisions for the re-designation of landmarks designated prior to January 1, 2006.

Fiscal Note: N/A

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

61. [07-0265](#)

Subject: Request to designate the 1100 block of Lake Avenue as a historic district.

Recommendation of Landmarks Preservation Commission on March 8, 2007: That the nomination process commence.

Fiscal Note: N/A

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

Council Action

A motion was made by Alderman Robert Anderson to Adopt the Report. Adopted by the following vote:

AYES: 15 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

G. Resolutions

62. [Res.07-0108](#) Final Payment Monument Square Site and Landscaping Improvement

Resolved, that final payment on Contract 27-05 (K5-034), Monument Square Site and Landscaping Improvement, be approved in the amount of \$5,000.00 for a total contract amount of \$1,230,070.25.

Fiscal Note: Funds in the amount of \$5,000.00 be appropriated from account 985.700.5050.

Sponsors: David L. Maack

Adopted

63. [Res.07-0109](#) Waive formal bidding for purchase of Smart Board

Resolved, that formal bidding procedures be waived and that the Purchasing Agent be authorized and directed to negotiate with Smart Technologies for the purchase of an interactive "Smart Board" for the Racine Police Department.

Fiscal Note: Funding for this project is estimated at \$9,999 and funds are available in Account 211.000.5950.

Sponsors: David L. Maack and James T. Spangenberg

Adopted

64. [Res.07-0110](#) Donation to Fire Department

Resolved, that the Fire Chief be authorized and directed to accept a donation of stock certificates which are valued at approximately \$25,000, to be used for the purchase of four Thermo Imaging Cameras for the Racine Fire Department, and that the Finance Director be authorized and directed to set up the necessary accounts to facilitate this donation.

Fiscal Note: The donation is to be placed in Account 711.000.5950.

Sponsors: David L. Maack and James T. Spangenberg

Adopted

65. [Res.07-0111](#) Wayman African Methodist Episcopal Church Annual Festival

Resolved, that Wayman African Methodist Episcopal Church be granted permission to close the north-south alley behind 424 N. Memorial Drive, for their annual festival on Saturday and Sunday, July 28 and 29, 2007, in accordance with their request.

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

- A. A hold harmless agreement be executed.
- B. Proof of liability insurance be filed prior to this event.
- C. Any overtime costs incurred by any City department be charged to the sponsor.
- 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 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 incurred on a regular shift basis to implement this event.

Sponsors: Ronald D. Hart

Adopted

66. [Res.07-0112](#) Pentecost Lutheran Church Event

Resolved, that Pentecost Lutheran Church be granted permission to close Jerome Boulevard, between Coolidge Avenue and Case Avenue, for an event on Saturday, August 18, 2007, from 7:00 a.m. to 10:00 p.m., in accordance with their request.

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

- A. A hold harmless agreement be executed.
- B. Proof of liability insurance be filed prior to this event.
- C. Any overtime costs incurred by any City department be charged to the sponsor.
- 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 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: Ronald D. Hart

Adopted

67. [Res.07-0113](#) Fourth Fest of Greater Racine 4th of July Parade

Resolved, that permission be granted to Fourth Fest of Greater Racine, Inc. to close certain city streets on Tuesday, July 4, 2007, from 7:00 a.m. to 12:30 p.m., to hold the 2007 Independence Day Parade.

Further resolved, that the Commissioner of Public Works/City Engineer be authorized and directed to communicate with the U. S. Coast Guard requesting permission to close the Main Street Bridge to boat traffic on Tuesday, July 4, 2007, from 7:45 a.m. to 1:00 p.m., and both the Main Street and State Street Bridges on Tuesday, July 4, 2007, from 9:05 p.m. to 10:40 p.m., for the Fourth Fest activities.

Further resolved, that in the interest of public safety, the Commissioner of Public Works/City Engineer and Chief of Police be authorized and directed to close Goold Street, Yout Street, English Street, High Street, St. Patrick Street, Kewaunee Street, and Barker Street, from Main Street to Michigan Boulevard; Michigan Boulevard, from Goold Street to Hamilton Street; Chatham Street, from north of Yout Street to Hamilton Street; and Hoffert Drive, on Tuesday, July 4, 2007, between the hours of 7:00 p.m. and 10:00 p.m., with a rain date of Saturday, July 7, 2007, to provide for a Municipal Band Concert, to be held at North Beach Gazebo, and the fireworks display, as part of the Independence

Day festivities.

Further resolved that permission be granted with the following conditions:

- A. A hold harmless agreement be executed.
- B. Proof of liability insurance be filed prior to the event.
- C. Set up and dismantling of barricades are the responsibility of 4th Fest.
- D. Set up of barricades be erected no sooner than 24 hours prior to the event and removed no later than 24 hours after the event.

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

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

Sponsors: Ronald D. Hart and Jim Kaplan

Adopted

68. [Res.07-0114](#) Lighthouse Run Event

Resolved, that permission be granted to the sponsor of the Lighthouse Run to use certain city streets for the period of 6:00 a.m. to 10:30 a.m. on Saturday, June 16, 2007, and to close the following streets:

Main Street from State Street to Sixth Street
Lake Avenue from 8th Street to State Street
State Street from Main Street to Lake Avenue
Main Street from State Street to 3 Mile Road (west side two traffic lanes will remain open for two-way traffic)
Dodge Street from Main Street to Michigan Boulevard
Michigan Boulevard from Dodge Street to Wolff Street
Wolff Street from Michigan Boulevard to North Main Street

Further resolved, that the Commissioner of Public Works be authorized and directed to communicate with the U. S. Coast Guard requesting permission to close Main Street Bridge to boat traffic for the period of 7:40 a.m. to 10:40 a.m. on Saturday, June 16, 2007 to satisfy the needs of this run.

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

- A. A hold harmless agreement be executed;
- B. Proof of liability insurance be filed prior to this event;
- C. Any overtime cost 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 all traffic control and detour signage during the event.

F. Sponsor shall pay a \$1,400.00 special event fee.

G. Sponsor will be responsible for the set up and dismantling of barricades, booths, tents and placement of waste barrels and shall not be erected no sooner than 24 hours prior to the event and removed no later than 24 hours after the 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 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.

Sponsors: Ronald D. Hart and Jim Kaplan

Adopted

69. [Res.07-0115](#) Contract for Curb and Gutter Repair

Resolved, that Contract 16-07 (K7-019), Curb and Gutter Repair, CDBG, be awarded to D.C. Burbach, Inc., at its bid price of \$99,925.40, it being the lowest responsible bidder.

Further resolved, that funding to defray the cost of this public works project be appropriated from Account 897.030.5510, Replacement Curb & Gutter C.D.B.G.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

A motion was made by Alderman Ronald D. Hart that this be Adopted. The motion PASSED by the following vote:

AYES: 15 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoore II, Karas, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

70. [Res.07-0116](#) Final Payment 2006 CCTV Services and Manhole Inspections

Resolved, that the work done by Green Bay Pipe & TV, under Contract 7-06 (K6-007), 2006 CCTV Services and Manhole Inspections, be accepted and final payment authorized for a total contract amount of \$369,698.09, from funds heretofore appropriated.

Fiscal Note: This contract was approved by Resolution 6918, dated March 7, 2006.

Sponsors: Ronald D. Hart

Adopted

71. [Res.07-0117](#) Agreement for professional services for tuckpointing City Hall Annex

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with Industrial Roofing Services, Inc., Brookfield, WI, to provide professional services for tuckpointing at the City Hall Annex at a not-to-exceed cost of \$4,000.00.

Further resolved, that funding to defray the cost of these professional services be appropriated from Account 987.200.5010, Annex - Tuckpointing.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

Adopted

72. [Res.07-0118](#) Professional services agreement with Earth Tech for design of photovoltaic electrical generating system

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with Earth Tech, Inc., Sheboygan, WI, to provide professional services for the design of a photovoltaic electrical generating system for the City Hall Annex at a not-to-exceed cost of \$17,500.00.

Further resolved, that funding to defray the cost of these professional services be appropriated from Account 987.200.5020, Annex - Solar Electric Generating System.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

A motion was made by Alderman Ronald D. Hart that this be Adopted. The motion PASSED by the following vote:

AYES: 15 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

73. [Res.07-0119](#) Professional services agreement with Earth Tech for 2007 Illicit Discharge Detection Program

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with Earth Tech, Inc., Sheboygan, WI, to provide professional services for the 2007 Illicit Discharge Detection and Elimination Program at a not-to-exceed cost of \$49,500.00.

Further resolved, that funding to defray the cost of these professional services be appropriated from Account 104.000.5330, Monitoring Detection Enforcement.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

A motion was made by Alderman Ronald D. Hart that this be Adopted. The motion PASSED by the following vote:

AYES: 15 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

74. [Res.07-0120](#) Permission to install monitoring well Stannard Street

Resolved, that permission be granted to K. Singh & Associates, Inc. to install one (1) monitoring well within the Stannard Street right-of-way near 620 Stannard Street, provided that a permit is secured through the Engineering Department and an agreement executed in accordance with Wis. Stat. sec. 66.0425, Privileges in Streets, and further provided that this construction will be performed so as not to create a hazard for pedestrian or vehicular traffic, and that any monitoring wells will be abandoned in accordance with Wisconsin Administrative Code NR 112 and NR 141.25.

Further resolved, that K. Singh & Associates, Inc. be charged a \$50.00 fee to cover administrative costs and costs associated with filing this item with the Register of Deeds office.

Further resolved, that the property owner provide the City Attorney's office with a legal description of the location of the monitoring well within the street right-of-way.

Fiscal Note: In addition, the required Street Opening Permit will generate an additional \$125.00 in revenue.

Sponsors: Ronald D. Hart

Adopted

75. [Res.07-0121](#) Final payment for 2006 Racine CCTV and Manhole Repairs Professional Services Agreement

Resolved, that the professional services provided by Earth Tech, Inc. under Contract 61-05 (K5-070), Professional Services - 2006 Racine CCTV and Manhole Repairs, be accepted and final payment authorized for a total contract amount of \$126,575.00, from funds heretofore appropriated.

Fiscal Note: This contract was approved by Resolution 6717, dated October 18, 2005.

Sponsors: Ronald D. Hart

Adopted

76. [Res.07-0122](#) Agreement with ATM Financial for ATM Machines

Resolved, that the Mayor and City Clerk be authorized and directed to enter into a one year agreement with ATM Financial to install one (1) ATM machine in City Hall and one (1) ATM machine in the Safety Building with the following stipulations:

1. A hold harmless agreement be executed.
2. That ATM Financial pay the initial cost for installation of the electrical lines and phone lines.
3. That ATM Financial pay to the City of Racine the greater value of the monthly phone charge and cost of electrical or a \$0.50 transaction fee applied to all transactions above 300 per month.
4. That the locations be acceptable to the Department of Public Works.
5. That anchors for the machine not be placed in any decorative floor.

Fiscal Note: N/A at this time.

Sponsors: James T. Spangenberg

A motion was made by Alderman James T. Spangenberg that this be Adopted.

The motion PASSED by the following vote:

AYES: 11 - Fair, Anderson, Kaplan, Maack, DeHahn, Shakoor II, Friedel, Holding, Hart, Sollman and Wisneski

NOES: 4 - Hermes, Weidner, Karas and Spangenberg

77. [Res.07-0123](#) Soap Box Derby Event

Resolved, that the Racine Soap Box Derby be charged \$101 per event for a total of \$303 for closing of streets during their event on May 11, 12 and 13, June 15 and 16, and September 7, 8 and 9, 2007.

Fiscal Note: N/A

Sponsors: James T. Spangenberg

A motion was made by Alderman James T. Spangenberg that this be Adopted.

The motion PASSED by the following vote:

AYES: 9 - Fair, Anderson, Hermes, Kaplan, Weidner, DeHahn, Karas, Spangenberg and Wisneski

NOES: 6 - Maack, Shakoor II, Friedel, Holding, Hart and Sollman

78. [Res.07-0124](#) Por La Gente Association Event at Chavez Community Center

Resolved, that Por La Gente Association be granted permission to use the Chavez Community Center at a reduced fee of half of the standard hourly rate for their basketball invitational tournament.

Fiscal Note: N/A

Sponsors: James T. Spangenberg

**A motion was made by Alderman James T. Spangenberg that this be Adopted.
The motion PASSED by the following vote:**

AYES: 10 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Karas, Spangenberg and Wisneski

NOES: 5 - Shakoor II, Friedel, Holding, Hart and Sollman

79. [Res.07-0125](#) Waive formal bidding procedures for purchase of digital voice logging system

Resolved, that formal bidding procedures be waived and that the Purchasing Agent be authorized and directed to negotiate with Word Systems, Inc., for the purchase of a digital voice logging system.

Fiscal Note: Funding for this item is available in 2007 Capital Improvement Budget.

Sponsors: James T. Spangenberg

Adopted

80. [Res.07-0126](#) Settlement in Kong Enterprises LLC v City of Racine Circuit Court Case

Resolved, that Racine County Circuit Court Case No. 06-CV-1206, Kong Enterprises LLC v. City of Racine, be settled in the amount of \$13,515.00, which represents 50% of the cleanup and connection expenses.

Fiscal Note: Funding for this settlement is available in Account 101.990.5910.

Sponsors: James T. Spangenberg

**A motion was made by Alderman James T. Spangenberg that this be Adopted.
The motion PASSED by the following vote:**

AYES: 15 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

81. [Res.07-0127](#) Brownfields Grant Agreement for Thompson Building

Resolved, that the City of Racine be authorized and directed to accept a Brownfields Grant from the Wisconsin Department of Commerce for the Thompson Building Redevelopment in the amount of \$60,300.00, and that the Mayor and City Clerk be authorized and directed to execute the grant

agreement.

Fiscal Note: The required match will be provided from TID No. 12.

Sponsors: James T. Spangenberg

Adopted

82. [Res.07-0128](#) Transfer of funds for laboratory services

Resolved, that the Public Health Administrator be granted permission to transfer \$20,000 from Salaries, Account 101.490.5010, to Professional Services, Account 101.490.5610.

Fiscal Note: There are sufficient funds for this transfer.

Sponsors: James T. Spangenberg

Adopted

83. [Res.07-0129](#) Transfer of funds in Building Complex Internal Service Fund

Resolved, that the Finance Director be granted permission to transfer sufficient funds to cover operating shortfalls in the Building Complex Internal Service Fund in the amount of \$330,000.

Fiscal Note: Funding for these transfers is available in Account No. 101.990.5970.

Sponsors: James T. Spangenberg

A motion was made by Alderman James T. Spangenberg that this be Adopted.

The motion PASSED by the following vote:

AYES: 15 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoore II, Karas, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

84. [Res.07-0130](#) Accept funding and sign amended contract with United Way of Racine

Resolved, that the Public Health Administrator be authorized and directed to accept funding and that the Mayor and City Clerk be authorized and directed to sign an amended contract with the United Way of Racine County, Inc. for the Family Smart/Kid Friendly program (original City Grant Control Number 2005-052) in the amount of \$29,471.50 and extend the contract through June 30, 2007.

Fiscal Note: No match is required by the City.

Sponsors: Raymond DeHahn and James T. Spangenberg

Adopted

85. [Res.07-0131](#) Permission to apply for Grant from Root-Pike Watershed Initiative Network

Resolved, that the Public Health Administrator be granted permission to apply for a grant up to \$10,000 from the Root-Pike Watershed Initiative Network Grant (Grant Control No. 2007-005) to be utilized for research for research to determine the baseline water quality level of the Root River.

Fiscal Note: \$5045.20 soft match will be covered by the City.

Sponsors: Raymond DeHahn and James T. Spangenberg

Adopted

86. [Res.07-0132](#)
Regional Transportation Plan 2035

Resolved, that Southeastern Wisconsin Regional Planning Commission Planning Report No. 49, titled "A Regional Transportation System Plan for Southeastern Wisconsin: 2035", be used as a reference document in the conduct of transportation system planning for the City Of Racine.

Further resolved, that the Common Council hereby endorses the Regional Transportation System Plan for Southeastern Wisconsin: 2035, as adopted by the Southeastern Wisconsin Regional Planning Commission and as set forth in Planning Report No. 49, as a guide for regional and community development.

Further resolved, that the City Clerk is authorized and directed to transmit a certified copy of this resolution to the Southeastern Wisconsin Regional Planning Commission.

Fiscal Note: N/A

Sponsors: Gregory Holding

Adopted

87. [Res.07-0133](#) Conditional Use Permit for 3344 Douglas Avenue

Resolved, that the request by Kelly Richardson seeking a conditional use permit for the storage of two cargo vans at 3344 Douglas Avenue be approved, subject to the following conditions:

- a. That the plans stamped "Received February 28, 2007" and presented to the

Plan Commission on March 14, 2007 be approved, subject to the conditions contained herein.

- b. That all applicable building and occupancy permits be obtained from the Building Department.
- c. That the vehicles stored be limited to two (2) one-ton cargo vans, stored indoors when not in use.
- d. That this facility shall not operate as a freight storage warehouse.
- e. That all trash and recyclables be kept in closed containers and stored in the building until pick up.
- f. That if a sign is installed, that it be professionally made, comply with zoning ordinance requirements, and be approved by the Director of City Development.
- g. That all codes and ordinances be complied with and required permits acquired.
- h. 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.
- i. That this permit is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

Sponsors: Gregory Holding

Adopted

88. [Res.07-0134](#) Conditional Use Permit for 3131 Taylor Avenue, Building #5

Resolved, that the request by Genesis Behavioral Services, Inc. for a conditional use permit for a community based residential facility for women at 3131 Taylor Avenue be approved, subject to the following conditions:

- a. That the plans stamped "Received January 10, 2007" and presented to the Plan Commission on February 28, 2007 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 this residential facility be confined to Building #5 of the campus, and that no more than twelve residents be permitted to occupy Building #5.
- d. That the facility be professionally staffed 24 hours per day, seven days per week.

- e. That all staff and visitor parking be contained on site.
- f. That no resident shall be allowed to have personal vehicles on site during their treatment stay.
- g. That all trash and recyclables be stored in closed containers and screened from view.
- h. That, if a sign is installed, it be professionally made, comply with zoning ordinance requirements and be approved by the Director of City Development.
- i. That all codes and ordinances be complied with and required permits acquired.
- j. 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.
- k. That this permit is subject to Plan Commission review for compliance with the listed conditions.
- l. That the conditional use be for a maximum of twelve female residents per the state contract.
- m. That Genesis Behavioral Services, Inc., be in full compliance with the provisions of its contract with the state.
- n. That compliance with these conditions be reviewed by the City Plan Commission every six months.
- o. That visitation for residents be limited to Saturdays and Sundays from 1:00 p.m. to 4:00 p.m.
- p. That residents not be allowed to access the grounds on the north side of the building.
- q. That a partition fence four feet in height and sixteen to twenty-four feet in length be installed extending from the east and west ends of the building. The specific design, location and length of the fence be submitted to the Director of City Development for review and approval prior to installation.
- r. That window privacy shields or other window treatments be installed on the first floor on the north side of the building.
- s. That the visitor screening policies for the facility be submitted to the Director of City Development for review and approval.
- t. That security cameras be installed on the outside of the building and inside the main entrance and that the cameras be maintained in good working order

and operated 24 hours per day. Camera location and coverage areas shall be determined in consultation with and subject to the approval of the Chief of Police.

u. That an advisory board of neighborhood residents be established for the facility by Genesis Behavioral Services, Inc. The composition of the board in number and form shall be as deemed appropriate by the Director of City Development.

v. That a telephone number be established, disseminated, and maintained on a 24 hour basis so that municipal staff and neighborhood residents can contact the facility.

w. That alarms be installed on all facility egress doors to monitor access to and from the building.

x. That the minimum staffing of the facility be two persons on first shift, two persons on second shift, and one person on third shift, with the possibility of modifying or removing this condition after one year of compliance with the conditions of this permit and no evidence of problems with resident control or staff to resident ratios.

Fiscal Note: N/A

Sponsors: Gregory Holding

A motion was made by Alderman Thomas Friedel that this be Adopted. The motion PASSED by the following vote:

AYES: 9 - Fair, Anderson, Kaplan, Maack, Shakoor II, Karas, Friedel, Hart and Spangenberg

NOES: 6 - Hermes, Weidner, DeHahn, Holding, Sollman and Wisneski

H. Ordinances

89. [ZOrd.0002-07](#) An Ordinance

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 parcel of property located at 1218 N. Main Street, and more particularly described as follows:

"Lot 5 and the North 3 feet of Lot 6 of Block 53 of the Original Plat of Racine, located in Section 9, Township 3 North, Range 23 East. Said land being in the City of Racine, Racine County, Wisconsin"

be rezoned to "B-2" Community Shopping District from "R-3" Limited General Residence Districts, and designated as Supplement No. _____, which

Supplement is hereby made a part of this ordinance.

Part 2:

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

Passed by the Common Council

Approved _____

Mayor

Attest:

City Clerk

Fiscal Note: N/A

Sponsors: Gregory Holding

Referred to the City Plan Commission

90. [Ord.07-07](#) Ordinance No. 7-07

To amend Secs. 58-63(a), 58-64(a) and create Sec. 58-66 of the Municipal Code of the City of Racine, Wisconsin relating to Historic Preservation.

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

Part 1:

Sec. 58-63(a) of the Municipal Code of the City of Racine is hereby amended by adding the following at the end of the paragraph: "unless the landmark or landmark site is re-designated in accordance with section 58-66."

Part 2:

Sec. 58-64(a) of the Municipal Code of the City of Racine is hereby amended by adding the following at the end of the paragraph: "unless the landmark or landmark site is re-designated in accordance with section 58-66."

Part 3:

Sec. 58-66 of the Municipal Code of the City of Racine is hereby created to read as follows:

"Sec. 58-66. Procedure for re-designation of landmarks designated prior to January 1, 2006.

(a) The designation of properties as landmarks or landmark sites prior to January 1, 2006, shall substitute for the procedure set forth in subsections 58-62 (a) - (d).

(b) Prior to recommending the re-designation of a landmark or landmark site, the commission shall give written notice of the proposed re-designation to the owner of the property. The notice shall describe the time, date and place of the meeting at which the commission is to consider the re-designation and identify the property under consideration for re-designation. Notice shall be sent by certified mail, return receipt requested, not less than ten days prior to the meeting. Included with the notice shall be a pre-addressed, postage paid reply on which the owner may indicate consent to or opposition to the proposed re-designation. The owner's consent or opposition or absence of response shall be noted in the minutes of the commission meeting and any subsequent report to the plan commission and common council.

(c) Within 30 days following the meeting noticed in accordance with subsection (b), the commission may recommend to the plan commission and the common council the re-designation of the landmark or landmark site. The document of re-designation shall set forth the criteria required in section 58-61 which apply to the property so affected. After such a recommendation of re-designation has been made, the commission shall provide written notice of its recommendation to the property owner by first-class mail.

(d) The commission shall comply with subsections 58-62(e) and (f) to complete the re-designation procedure."

Fiscal Note: N/A

Sponsors: Robert Anderson

Referred to the Landmark Preservation Commission

I. Adjourn

The meeting was adjourned at 10:00 pm by Alderman Shakoor. The next scheduled meeting of the Council is April 4, 2007.

ATTEST: JANICE M. JOHNSON-MARTIN
CITY CLERK