



# City of Racine

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

## Meeting Minutes - Final Common Council

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

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Monday, July 2, 2012

7:00 PM

Room 205, City Hall

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### A. Call To Order

**PRESENT:** 12 - Fair, Shields, Kaprelian-Becker, DeHahn, McCarthy, Holding, Morgenroth, Mozol, Wisneski, Wiser, Shakoor, II and Weidner  
**EXCUSED:** 3 - Kaplan, Hart and Sarrazin

### B. Pledge of Allegiance To The Flag

*Mayor Dickert 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 Holding.*

### D. Public Comments

*Norb DeKeuster  
Debra Karp  
Sue DeKeuster  
Florence Boyer  
Bob Beezat  
Terynce Guthrie  
David Williams*

### E. Communications

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

[12-7850](#)

**Subject:** Communication from the Interim Director of Parks, Recreation and Cultural Services requesting permission to accept donations for the Juneteenth Day Celebration. The received \$10,000.00 from Caron Butler and \$2,000.00 from S C Johnson will be

used for entertainment on the main stage and the children's corner.

**Referred to Finance and Personnel Committee**

[12-7868](#)

**Subject:** Communication from the Interim Director of Parks, Recreation and Cultural Services requesting permission to apply for the 2012 Great Lakes Restoration Initiative Grant Program in the amount of \$215,000.00 for mitigating Emerald Ash Borer (EAB) impacts.

**Referred to Finance and Personnel Committee**

[12-7889](#)

**Subject:** Communication from the Director of City Development requesting to apply for a grant from the Wisconsin Housing and Economic Development Authority's Strategic Blight Elimination Program.

**Referred to Finance and Personnel Committee**

[12-7894](#)

**Subject:** Communication from the Purchasing Agent submitting bid results and recommendation on Official Notice #9, One (1) Brush Chipper with 15" Capacity.

**Referred to Finance and Personnel Committee**

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

[12-7895](#)

**Subject:** Communication from Real Racine requesting permission to use city right-of-way on Sunday, September 16, 2012, for "The Biggest Loser Run/Walk".

**Referred to the Public Works and Services Committee**

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

[12-7843](#)

**Subject:** Communication from the Interim Director of Parks, Recreation and Cultural Services, requesting authorization of final payment for Industrial Roof Service for Engineering and Project Administration Services for Masonry Restoration at Tyler-Domer Community Center.

**Referred to Public Safety and Licensing Committee**

[12-7863](#)

**Subject:** Application of Jose E. Sanchez., Mi Jacalito Restaurant, Eriberto Malacara, for a Change of Agent for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 1318 Douglas Avenue (4th)

**Referred to Public Safety and Licensing Committee**

**Refer to Traffic Commission, by Ald. Weidner**[12-7870](#)

**Subject:** Communication from the Alderman of the 4th District, on behalf of Tom Ryan (1414 Michigan Blvd.) and James Rooney (1500 Michigan Blvd.), requesting an All-Way stop at Barker Street and Michigan Blvd.

**Referred to Traffic Commission**

**Refer to City Plan Commission, by Ald. Wiser**[12-7890](#)

**Subject:** Communication from the Director of City Development requesting to amend the project plan of Tax Incremental District No. 8.

**Referred to City Plan Commission**

[12-7891](#)

**Subject:** Communication from the Director of City Development requesting to amend the project plan of Tax Incremental District No. 9.

**Referred to City Plan Commission**

[12-7892](#)

**Subject:** Communication from the Director of City Development request to amend the project plan of Tax Incremental District No. 10.

**Referred to City Plan Commission**

[12-7893](#)

**Subject:** Communication from the Director of City Development requesting to designate Tax Incremental District No. 10 as a distressed TID.

**Referred to City Plan Commission**

**Refer to Redevelopment Authority of the City of Racine, by Ald Shakoor**[12-7869](#)

**Subject:** Communication from the Alderman of the 11th District requesting that the façade grant program be amended to eliminate from consideration businesses that were part of a Business Improvement District for 6 years from the date on which the district was dissolved.

**Referred to Redevelopment Authority of the City of Racine**

**F. Committee Reports****Finance and Personnel Committee Report, by Ald. Shakoor**[12-7731](#)

**Subject:** Presentation of the 2011 Audit from Clifton Larson Allen LLP

- Renee Messing Invited to the Meeting

**Recommendation of the Waterworks Commission on 5/29/12:** To adopt.

**Recommendation of the Finance & Personnel Committee on 06/11/12:** Defer the item until the next scheduled Finance & Personnel Committee meeting.

**Recommendation of the Finance & Personnel Committee on 6-25-12:** Receive, file and forward to the Finance Department for inclusion in the City wide financial statements.

**Fiscal Note:** N/A

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

[12-7741](#)

**Subject:** Presentation of the 2011 Audit from Clifton Larson Allen LLP  
- Renee Messing Invited to the Meeting

**Recommendation of the Wastewater Commission on 5/29/12:** To adopt.

**Recommendation of the Finance & Personnel Committee on 06/11/12:** Defer the item until the next scheduled Finance & Personnel Committee meeting.

**Recommendation of the Finance & Personnel Committee on 6-25-12:** Receive, file and forward to the Finance Department for inclusion in the City wide financial statements.

**Fiscal Note:** N/A

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

[12-7780](#)

**Subject:** (Direct Referral) Communication from the Executive Director requesting authorization to enter into a contract for small business development services with the Community Economic Development Corporation (CEDCO) and to fund the contract with intergovernmental revenue sharing funds (Res. No. 12-3204)

**Recommendation of the Redevelopment Authority on 6-4-12:** That the Authority supports the use of \$55,000.00 from the intergovernmental sewer revenue sharing fund for minority business development services through CEDCO.

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

**6-25-12:** Authorization be granted for the Executive Director to enter into a contract for small business development services with the Community Economic Development Corporation (CEDCO) and to fund the contract with intergovernmental revenue sharing funds.

**Fiscal Note:** In the past, CEDCO has provided advising and training services to small start-up minority business enterprises, including operation of a micro-loan fund. CEDCO has been operating with volunteers and without paid staff. The \$55,000 is funding principally for a staff person to provide counseling for minority entrepreneurs. The funding would also help with restructuring CEDCO operations regarding the loan fund. Funds are available in the Intergovernmental Revenue Sharing (919) Account.

*Alderman Shakoor requested that item 12-7780 be considered separately.*

**A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED by the following vote:**

**AYES:** 7 - Fair, DeHahn, Morgenroth, Mozol, Wisneski, Shakoor, II and Weidner

**NOES:** 3 - Kaprelian-Becker, McCarthy and Holding

**EXCUSED:** 4 - Wiser, Kaplan, Hart and Sarrazin

**ABSTENTIONS:** 1 - Shields

[12-7781](#)

**Subject:** (Direct Referral) Communication from the Executive Director requesting authorization to provide matching funds for a VISTA volunteer for the Launch Box initiative from intergovernmental revenue sharing funds. (Res. No. 12-3205)

**Recommendation of the Redevelopment Authority on 6-4-12:** That the Authority supports the use of \$22,000.00 from the intergovernmental sewer revenue sharing fund for matching funds for VISTA volunteers for business development programs.

**Recommendation of the Finance & Personnel Committee on 6-25-12:** Authorization be granted for the Executive Director to provide matching funds for a VISTA volunteer for the Launch Box initiative from intergovernmental revenue sharing funds.

**Fiscal Note:** The Grant Facilitator has identified an opportunity for the city to obtain VISTA volunteers for two initiatives, the Launch Box business development initiative and Sustainable Edible Economic Development (SEED) (<http://www.rkcaa.org/RKCAA/SEED.htm>). The VISTA program requires a local match/stipend of \$11,000.00 per volunteer. Funds are available in the Intergovernmental Revenue Sharing (919) Account.

**A motion was made that this Communication be Received and Filed as**

Reported. The motion was APPROVED.

[12-7817](#)

**Subject:** Communication from the Grants Facilitator requesting permission to apply for and accept a grant award from the Wisconsin Office of Justice Assistance to support initiatives provided by Racine Vocational Ministry, Racine Unified School District, Racine County Human Services and Why Gangs. (Grant Control #2012-020) (Res. No. 12-3203)

**Recommendation of the Finance & Personnel Committee on 6-25-12:** Permission be granted for the Grants Facilitator to apply for and accept a grant award from the Wisconsin Office of Justice Assistance to support initiatives provided by Racine Vocational Ministry, Racine Unified School District, Racine County Human Services and Why Gangs.

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

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

[12-7849](#)

**Subject:** (Direct Referral) Communication from the Assistant Finance Director requesting to discuss an amendment to the Belle Urban System's operating budget for 2012. (Res. No. 12-3206)

**Recommendation of the Finance & Personnel Committee on 6-25-12:** To approve the amendment as proposed.

**Fiscal Note:** N/A

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

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

[12-7794](#)

**Subject:** Communication from Pentecost Lutheran Church requesting permission to close Jerome Boulevard, from Coolidge Avenue to Case Avenue, on Saturday, July 28, 2012, for a church block party. (Res. No. 12-3207)

**Recommendation of the Public Works and Services Committee on 6-26-12:** That the Pentecost Lutheran Church be granted permission to close Jerome Boulevard, between Coolidge Avenue and Case Avenue, for an event on Saturday, July 28, 2012, from 7:00 a.m. to 7:00 p.m., in accordance with their request.

Further recommends that permission be granted with the following stipulations:

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

[12-7815](#)

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer submitting Change Order No. 1 on Contract 02-12 (K2-002) - 2012 Sidewalk Replacement, Phase I, AZAR LLC, Contractor. (Res. No. 12-3210)

**Recommendation of the Public Works and Services Committee on 6-26-12:** That Change Order No. 1 on Contract 2-12 (K2-002), 2012 Sidewalk Replacement, Phase I (R1), AZAR LLC, contractor, be approved in the amount of \$5,788.75.

**Fiscal Note:** Funding to defray the cost of this change order be appropriated from Account 906.000.5520, Sidewalk Replacement.

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

[12-7828](#)

**Subject:** Communication from George Stergiadis requesting permission to buy and sell 1920 and 2020 William Street in Young Industrial Park. (Res. No. 12-3208)

**Recommendation of the Public Works and Services Committee on 6-26-12:** That permission be granted to George Stergiadis to sell the property at 1920 and 2020 William Street in Young Industrial Park.

**FISCAL NOTE:** N/A

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

[12-7832](#)

**Subject:** Communication from the Chief Building Inspector, on behalf

of the Alderman of the 15th District, requesting the creation of an ordinance to allow green houses, known as Hoop Houses, for the purpose of growing food.

**Recommendation of the Public Works and Services Committee on 6-26-12:** That an ordinance amending Chapter 18 of the Racine Building Code concerning the regulation of hoop houses be, be adopted.

**Fiscal Note:** N/A

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

[12-7833](#)

**Subject:** (Direct Referral) Communication from the Commissioner of Public Works submitting bid results on Contract 44-12 (K2-054), Sam Johnson Parkway-Masonry Restoration (R1). (Res. No. 12-3209)

**Recommendation of the Public Works and Services Committee on 6-26-12:** That Contract 44-12 (K2-054), Sam Johnson Parkway-Masonry Restoration (R1), be awarded to R.D. Woods Co., Inc., Oak Creek, WI, at their bid price of \$96,500.00, plus Alternate 1 in the amount of \$12,500.00, for a total contract of \$109,000.00, they being the lowest responsible bidder.

**Fiscal Note:** Funding to defray the cost of this public works project be appropriated from Account 992.700.5190, Tuckpoint Johnson Parkway Wall.

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

[12-7847](#)

**Subject:** Resolution 12-3197, created June 19, 2012, relating to street and alley improvements at the following locations:

**PORTLAND CEMENT CONCRETE PAVING**

Emstan Hills Road - Duchess Drive to Oakwood Drive  
Cleveland Avenue - Durand Avenue to Pierce Boulevard  
Kentucky Street - Shadow Lane to the Cul-de-sac (South)  
Spring Valley Drive - Spring Street to Harrington Drive  
Victorian Drive - Emstan Hills Road to Maryland Avenue  
Vista Drive - Spring Valley Drive to Harrington Drive  
Alley - Kinzie Avenue to Haven Avenue; Arthur Avenue to Blaine Avenue

**CURB & GUTTER**

Emstan Hills Road - Duchess Drive to Oakwood Drive  
Victorian Drive - Emstan Hills Road to Maryland Avenue



**SEWER AND WATER**

Cleveland Avenue - Durand Avenue to Pierce Boulevard  
Spring Valley Drive - Spring Street to Harrington Drive

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

**on 6-26-12:** That Resolution No. 12-3197, created June 19, 2012, be amended to delete:

**PORTLAND CEMENT CONCRETE PAVING**

Emstan Hills Road - Duchess Drive to Oakwood Drive  
Cleveland Avenue - Durand Avenue to Pierce Boulevard  
Kentucky Street - Shadow Lane to the Cul-de-sac (South)  
Spring Valley Drive - Spring Street to Harrington Drive  
Victorian Drive - Emstan Hills Road to Maryland Avenue

**CURB & GUTTER**

Emstan Hills Road - Duchess Drive to Oakwood Drive  
Victorian Drive - Emstan Hills Road to Maryland Avenue

**SEWER AND WATER**

Cleveland Avenue - Durand Avenue to Pierce Boulevard  
Spring Valley Drive - Spring Street to Harrington Drive

and, as amended, Resolution No. 12-3197, created June 19, 2012 be adopted.

**Fiscal Note:** Funds will be appropriated in the 2013 C.I.P. for these street improvements, and special assessments will be paid by the abutting property owners for the street improvements.

**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 Sandy Weidner, seconded by Alderman Raymond DeHahn, that this be Considered as Reported to Adopt the Report. Adopted by the following vote:**

**AYES:** 11 - Fair, Shields, Kaprelian-Becker, DeHahn, McCarthy, Holding, Morgenroth, Mozol, Wisneski, Shakoor, II and Weidner

**EXCUSED:** 4 - Wiser, Kaplan, Hart and Sarrazin

Alderman Wiser arrived @ 7:50p.m. and took his seat.

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

[12-7666](#)

**Subject:** The following renewal application(s) for a Wholesale License

for 2012-2013:

Timer's 3800 Northwestern Avenue  
(Tradename) Timer's  
Shawn Voss, Agent

**Recommendation of the Public Safety and Licensing Committee on 5-21-12:** That the item be deferred.

**Recommendation of the Public Safety and Licensing Committee on 6-12-12:** That the item be deferred.

**Recommendation of the Public Safety and Licensing Committee on 6-26-12:** That the item be received and filed.

Fiscal Note: N/A

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

[12-7807](#)

**Subject:** (Direct Referral) The application of Floyd & Sons, Inc. for a 2012-2013 Motor Vehicle Towing License. (**Renewal**)

**Recommendation of the Public Safety and Licensing Committee on 6-26-12:** The application of Floyd & Sons, Inc. for a 2012-2013 Motor Vehicle Towing License be approved.

Fiscal Note: N/A

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

[12-7808](#)

**Subject:** (Direct Referral) The renewal application of Northside Spa for a Massage Establishment Permit for 1401 Douglas Avenue. (4th District).

**Recommendation of the Public Safety and Licensing Committee on 6-26-12:** The renewal application of Northside Spa for a Massage Establishment Permit for 1401 Douglas Avenue be approved.

Fiscal Note: N/A

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

[12-7844](#)

**Subject:** (Direct Referral) The application of Beres Towing and Repairs LLC. for a 2012-2013 Motor Vehicle Towing License. (**Renewal**)

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

**on 6-26-12:** The application of Beres Towing and Repairs LLC. for a 2012-2013 Motor Vehicle Towing License be approved.

Fiscal Note: N/A

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

[12-7845](#)

**Subject:** [Direct Referral] Request for the appearance of the owner, Kimberely F. Garcia, of Racine Thrift Store, 2500 Lathrop at the Public Safety and Licensing Meeting on June 26, 2012 before the second hand article license can be issued to them.

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

**on 6-26-12:** That the license for Kimberely F. Garcia, Racine Thrift Store, 2500 Lathrop Avenue be approved.

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 Gregory Holding, seconded by Alderman Aron Wisneski, that this be Considered as Reported to Adopt the Report. Adopted by the following vote:**

**AYES:** 12 - Fair, Shields, Kaprelian-Becker, DeHahn, McCarthy, Holding, Morgenroth, Mozol, Wisneski, Wiser, Shakoor, II and Weidner

**EXCUSED:** 3 - Kaplan, Hart and Sarrazin

**Traffic Commission Report, by Ald. Weidner**

[12-7774](#)

**Subject:** Communication from the Alderman of the 4th District, on behalf of Robert Michiels (1632 Michigan Blvd), requesting a 3-way stop at the intersection of High Street and Michigan Blvd.

**Recommendation of the Traffic Commission on 06-18-12:** Receive and file.

**Fiscal Note:** N/A

**A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED by the following vote:**

**AYES:** 12 - Fair, Shields, Kaprelian-Becker, DeHahn, McCarthy, Holding, Morgenroth, Mozol, Wisneski, Wiser, Shakoor, II and Weidner

**EXCUSED:** 3 - Kaplan, Hart and Sarrazin

**Transit and Parking Commission Report, by Ald. DeHahn**[12-7696](#)

**Subject:** (Direct Referral) Communication from the Transit and Parking System Manager submitting the BUS General Manager's monthly operations report.

**Recommendation of the Transit and Parking Commission on 05-16-12:** Defer

**Recommendation of the Transit and Parking Commission on 06-20-12:** Receive and file.

**Fiscal Note:** N/A

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

[12-7821](#)

**Subject:** (Direct Referral) Communication from the Transit and Parking System Manager submitting for review the WisDOT mandated outside consultant's Management Performance Review and comparison with similar national and state transit systems.

**Recommendation of the Transit and Parking Commission on 06-20-12:** Receive and file.

**Fiscal Note:** N/A

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

[12-7822](#)

**Subject:** (Direct Referral) Communication from the Transit and Parking System Manager requesting authorization to enter into preliminary discussions with the Regency Mall to establish a dedicated transfer area for the many BUS routes that provide service in that vicinity. A minimum 12 to 24 month agreement calling for a nominal monthly lease fee would be a component and a potential for a more permanent facility would be the ultimate goal. (Res. No. 12-3215)

**Recommendation of the Transit and Parking Commission on 06-20-12:** Approve and authorize staff to enter into negotiations with Regency Mall to develop a dedicated bus connection with the potential for a small monthly lease fee.

**Fiscal Note:** No fiscal impact at this time.

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

[12-7823](#)

**Subject:** (Direct Referral) Communication from the Transit and Parking System Manager submitting a proposal to revise the routing and schedule timing for BUS Route No. 27 to allow access to the new YMCA and other Sturtevant and Mount Pleasant destinations and to improve transfer options for passengers by connecting with Routes 1, 4, 7 and 86 in the Regency Mall area as opposed to just connecting with Route 3 at Case High School. (Res. No. 12-3214)

**Recommendation of the Transit and Parking Commission on 06-20-12:** Approve and instruct staff to prepare a plan to provide service to the new YMCA by September and improve transfer connections between Racine, Mount Pleasant and Sturtevant.

**Fiscal Note:** N/A

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

[12-7824](#)

**Subject:** (Direct Referral) Communication from the Transit and Parking System Manager giving an update on the downtown parking ramp improvement program for July.

**Recommendation of the Transit and Parking Commission on 06-20-12:** Receive and file.

**Fiscal Note:** N/A

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

[12-7825](#)

**Subject:** (Direct Referral) Communication from the Transit and Parking System Manager submitting a review of strategic options for maintaining the financial independence of the Racine Parking Utility as recommended by the recent consultant's report.

**Recommendation of the Transit and Parking Commission on 06-20-12:** To receive and file the communication and instruct staff to prepare a menu of parking rate and forfeiture increases that will allow the Parking Utility to operate independently of taxpayer support while accommodating for inflation and putting aside funding to partially fund the cost of ramp depreciation through 2021.

**Fiscal Note:** Fiscal impact to be determined at next meeting.

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

[12-7826](#)

**Subject:** (Direct Referral) Communication from the Transit and Parking System Manager submitting a proposal to remove selected non-productive parking meters from Uptown Lots #1 and #2 (1422

Ann Street) and along portions of Junction Street. (Res. No. 12-3212)

**Recommendation of the Transit and Parking Commission on**

**06-20-12:** The meters in the SE section of Uptown Lot No. 1 along Ann Street be removed and the area be posted as "Two-Hour Limited Parking".

**Fiscal Note:** The 36 meters were not generating any income and will be used as replacements. No negative fiscal impact.

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

[12-7827](#)

**Subject:** (Direct Referral) Communication from the Transit and Parking System Manager submitting Change Order No. 1 in the not-to-exceed amount of \$1,000 on Contract 46-10 (K0-057) PS-Design for Lake Avenue Parking Ramp, Hartmann Design, Contractor. (Res. No. 12-3213)

**Recommendation of the Transit and Parking Commission on**

**06-20-12:** That Amendment No. 1 to Contract 46-10 (K0-057), Professional Services - Design for Lake Avenue Parking Ramp, Hartmann Design, Inc., consultant, as submitted, be approved in the not-to-exceed amount of \$1000.00.

**Fiscal Note:** The additional work totals \$1,000 and funding is available in Account 106.992.5760, Parking System Ramp Improvements.

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

[12-7829](#)

**Subject:** (Direct Referral) Communication from the Transit and Parking System Manager submitting for review additions to future Federally funded capital Transportation Improvement Program (TIP) projects replacement of aging paratransit fleet with compressed natural gas (CNG) vans (delivery in 2015) and permanent Mall area designated transfer facility (2014 construction).

**Recommendation of the Transit and Parking Commission on**

**06-20-12:** Receive and file.

**Fiscal Note:** None - any financial commitment comes in the Capital Improvements Project (CIP) process.

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

[12-7830](#)

**Subject:** (Direct Referral) Communication from the Transit and Parking System Manager submitting an update on the status of the

Federal bus shelter and bus shelter information project and authorization to issue Request for Proposals for already funded passenger information component.

**Recommendation of the Transit and Parking Commission on 06-20-12:** Receive and file.

**Fiscal Note:** Funding already approved in CIP.

**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, seconded by Alderman Q.A. Shakoor, II, that this be Considered as Reported to Adopt the Report. Adopted by the following vote:**

**AYES:** 12 - Fair, Shields, Kaprelian-Becker, DeHahn, McCarthy, Holding, Morgenroth, Mozol, Wisneski, Wiser, Shakoor, II and Weidner

**EXCUSED:** 3 - Kaplan, Hart and Sarrazin

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

##### 12-7684

**Subject:** (Direct Referral) Request by Sheila Sheets representing "2 Sheets to the Wind" seeking a conditional use permit to operate a pub and grill at 3316 Douglas Avenue. (PC-12) (Res. No. 12-3216)

**Recommendation of the City Plan Commission on 6-27-12:** That the item be approved subject to conditions.

**Fiscal Note:** N/A

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

##### 12-7812

**Subject:** (Direct Referral) Request by Mark Madsen, representing Vivian and Anthony Merlo, for approval of a two-lot Certified Survey Map for the property located at 2504, 2514, 2518, and 2522 Douglas Avenue. (PC-12) (Res. No. 12-3217)

**Recommendation of the City Plan Commission on 6-27-12:** That the item be approved subject to conditions.

**Fiscal Note:** N/A

*Alderman Wiser requested that item 12-7812 be considered separately.*

**A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED by the following vote:**

**AYES:** 11 - Fair, Shields, Kaprelian-Becker, DeHahn, McCarthy, Morgenroth, Mozol, Wisneski, Wiser, Shakoor, II and Weidner

**NOES:** 1 - Holding

**EXCUSED:** 3 - Kaplan, Hart and Sarrazin

**12-7813**

**Subject:** (Direct Referral) Request by Vivian and Anthony Merlo to re-zone the property located at 2514 & 2518 Douglas Avenue from R-3 Limited General Residence to B-2 Community Shopping District, as well as amend the 2035 Land Use Plan for the City of Racine to reflect a change in land use from High Density Residential to Commercial Use for the aforementioned properties. (PC-12)

**Recommendation of the City Plan Commission on 6-27-12:** That an ordinance be prepared and a public hearing scheduled.

**Fiscal Note:** N/A

*Alderman Wiser requested that item 12-7813 be considered separately.*

**A motion was made that this Zoning Item be Received and Filed as Reported. The motion was APPROVED by the following vote:**

**AYES:** 9 - Fair, Kaprelian-Becker, DeHahn, Morgenroth, Mozol, Wisneski, Wiser, Shakoor, II and Weidner

**NOES:** 3 - Shields, McCarthy and Holding

**EXCUSED:** 3 - Kaplan, Hart and Sarrazin

**12-7814**

**Subject:** (Direct Referral) Request by Terynce Guthrie representing The Hawks Motorcycle Club - Wisconsin Chapter, for a Conditional Use permit to operate a meeting hall/clubhouse at 2051 Mead Street. (PC-12)

**Recommendation of the City Plan Commission on 6-27-12:** That the item be denied.

**Fiscal Note:** N/A

*Alderman Wiser requested that item 12-7814 be considered separately.*

**A motion was made that this Conditional Use Permit be Received and Filed as Reported. The motion was DEFEATED by the following vote:**

**AYES:** 3 - McCarthy, Holding and Wisneski

**NOES:** 9 - Fair, Shields, Kaprelian-Becker, DeHahn, Morgenroth, Mozol, Wiser, Shakoor, II and Weidner

**EXCUSED:** 3 - Kaplan, Hart and Sarrazin

**12-7855**

**Subject:** (Direct Referral) Request by Maurice and Kimberly Horton of



Kimberland Daycare seeking a conditional use permit for a daycare facility at 3417 Douglas Avenue. (PC-12) (Res. No. 12-3218)

**Recommendation of the City Plan Commission on 6-27-12:** That the item be approved subject to conditions.

**Fiscal Note:** N/A

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

[12-7860](#)

**Subject:** (Direct Referral) Request by John Dunk of John's Dock seeking an amendment to a conditional use permit to expand an outdoor entertainment area at 303 Dodge Street. (PC-12) (Res. No. 12-3219)

**Recommendation of the City Plan Commission on 6-27-12:** That item be approved subject to conditions.

**Fiscal Note:** N/A

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

[12-7861](#)

**Subject:** (Direct Referral) Request by Rev. Daryn Crenshaw seeking a conditional use permit for a health and wellness center, and a church at 1034 West Boulevard. (PC-12) (Res. No. 12-3220)

**Recommendation of the City Plan Commission on 6-27-12:** That the item be approved subject to conditions.

**Fiscal Note:** N/A

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

[12-7888](#)

**Subject:** (Zord. 0001-12) An Ordinance adopting the document "Rootworks - Revitalizing Racine's Urban River Corridor: Root River Corridor Redevelopment Plan". (PC-12)

**Recommendation of the City Plan Commission on 6-27-12:** That the ordinance be adopted.

**Fiscal Note:** N/A

**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 Dennis Wisner , seconded by Alderman Terry**

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**McCarthy, that this be Considered as Reported to Adopt the Report. Adopted by the following vote:**

**AYES:** 12 - Fair, Shields, Kaprelian-Becker, DeHahn, McCarthy, Holding, Morgenroth, Mozol, Wisneski, Wiser, Shakoor, II and Weidner

**EXCUSED:** 3 - Kaplan, Hart and Sarrazin

### **Housing Loan Board Report, by Ald. Wiser**

[12-7872](#)

**Subject: (Direct Referral)** Request of the Director of City Development to accept Ms. Laura Valeriano's offer to purchase 944 Villa Street. (Res. No. 12-3221)

**Recommendation of the Loan Board on June 27, 2012:**

That the offer of Laura Valeriano to purchase 944 Villa Street, as set forth in her offer dated June 14, 2012 and the counter-offer dated June 22, 2012, be approved.

Further recommends that the Mayor, the City Clerk and the Director of City Development be authorized to execute any documents necessary to complete the sale.

**Fiscal Note:** The property was acquired and rehabilitated through the NSP-1 program. The city will receive \$45,000 in proceeds, minus commissions and closing costs.

**A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED by the following vote:**

**AYES:** 12 - Fair, Shields, Kaprelian-Becker, DeHahn, McCarthy, Holding, Morgenroth, Mozol, Wisneski, Wiser, Shakoor, II and Weidner

**EXCUSED:** 3 - Kaplan, Hart and Sarrazin

### **Office of the Mayor Report, by Ald. Holding**

[12-7867](#)

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

Appoint Thomas Bunker 804 Lathrop Ave Racine, 53405 to the Racine Waterworks Commission, filling the current vacancy, expiring October 1, 2014

Appoint Thomas Bunker 804 Lathrop Ave Racine, 53405 to the Racine Wastewater Commission, filling the current vacancy, expiring October 1, 2014

**A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED by the following vote:**

**AYES:** 12 - Fair, Shields, Kaprelian-Becker, DeHahn, McCarthy, Holding, Morgenroth, Mozol, Wisneski, Wiser, Shakoor, II and Weidner

**EXCUSED:** 3 - Kaplan, Hart and Sarrazin

## G. Consent Agenda Resolutions

**Res.12-3203** Grant Award from the Wisconsin Office of Justice Assistance

Resolved, that permission is granted for the Grants Facilitator to apply for and accept a grant award from the Wisconsin Office of Justice Assistance to support initiatives provided by Racine Vocational Ministry, Racine Unified School District, Racine County Human Services and Why Gangs.

Fiscal Note: There is no City match required.

Sponsors: Q.A. Shakoor, II

**A motion was made that this Resolution be Adopted. The motion was APPROVED.**

**Res.12-3205** VISTA volunteer for the Launch Box Initiative

Resolved, that authorization is granted for the Executive Director to provide matching funds for a VISTA volunteer for the Launch Box initiative from intergovernmental revenue sharing funds.

Fiscal Note: The Grant Facilitator has identified an opportunity for the city to obtain VISTA volunteers for two initiatives, the Launch Box business development initiative and Sustainable Edible Economic Development (SEED)(<http://www.rkcaa.org/RKCAA/SEED.htm>). The VISTA program requires a local match/stipend of \$11,000.00 per volunteer. Funds are available in the Intergovernmental Revenue Sharing (919) Account.

Sponsors: Q.A. Shakoor, II

**A motion was made that this Resolution be Adopted. The motion was APPROVED.**

**Res.12-3206** Amendment to the Belle Urban System's Operating Budget for 2012

Resolved, to approve the amendment as proposed.

Fiscal Note: N/A

Sponsors: Q.A. Shakoor, II

**A motion was made that this Resolution be Adopted. The motion was APPROVED.**

**Res.12-3207**

Pentecost Lutheran Church church block party

Resolved, that the Pentecost Lutheran Church is granted permission to close Jerome Boulevard, between Coolidge Avenue and Case Avenue, for an event on Saturday, July 28, 2012, from 7:00 a.m. to 7:00 p.m., in accordance with their request.

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

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

**A motion was made that this Resolution be Adopted. The motion was APPROVED.**

**Res.12-3208**

George Stergiadis requesting permission to buy and sell 1920 and 2020 William Street in Young Industrial Park

Resolved, that permission is granted to George Stergiadis to sell the property at 1920 and 2020 William Street in Young Industrial Park.

**FISCAL NOTE:** N/A

**Sponsors:** Sandy Weidner

**A motion was made that this Resolution be Adopted. The motion was APPROVED.**

**Res.12-3209**

Contract 44-12 (K2-054), Sam Johnson Parkway-Masonry Restoration (R1)

Resolved, that contract 44-12 (K2-054), Sam Johnson

Parkway-Masonry Restoration (R1), is awarded to R.D. Woods Co., Inc., Oak Creek, WI, at its bid price of \$96,500.00, plus Alternate 1 in the amount of \$12,500.00, for a total contract of \$109,000.00, it being the lowest responsible bidder.

Fiscal Note: Funding to defray the cost of this public works project be appropriated from Account 992.700.5190, Tuckpoint Johnson Parkway Wall.

Sponsors: Sandy Weidner

**A motion was made that this Resolution be Adopted. The motion was APPROVED.**

**Res.12-3210**

Change Order No. 1 on Contract 02-12 (K2-002) - 2012 Sidewalk Replacement, Phase I, AZAR LLC, Contractor

Resolved, that Change Order No. 1 on Contract 2-12 (K2-002), 2012 Sidewalk Replacement, Phase I (R1), AZAR LLC, contractor, is approved in the amount of \$5,788.75.

Fiscal Note: Funding to defray the cost of this change order be appropriated from Account 906.000.5520, Sidewalk Replacement.

Sponsors: Sandy Weidner

**A motion was made that this Resolution be Adopted. The motion was APPROVED.**

**Res.12-3212**

Remove selected non-productive parking meters from Uptown Lots #1 and #2 (1422 Ann Street) and along portions of Junction Street

Resolved, that the meters in the SE section of Uptown Lot No. 1 along Ann Street be removed and the area be posted as "Two-Hour Limited Parking."

Fiscal Note: The 36 meters were not generating any income and will be used as replacements. No negative fiscal impact.

Sponsors: Raymond DeHahn

**A motion was made that this Resolution be Adopted. The motion was APPROVED.**

**Res.12-3213**

Change Order No. 1 in the not-to-exceed amount of \$1,000 on Contract 46-10 (K0-057)

Resolved, that Amendment No. 1 to Contract 46-10 (K0-057), Professional Services - Design for Lake Avenue Parking Ramp, Hartmann Design, Inc., consultant, as submitted, be approved in the not-to-exceed amount of \$1000.00.

Fiscal Note: The additional work totals \$1,000 and funding is available in Account 106.992.5760, Parking System Ramp Improvements.

Sponsors: Raymond DeHahn

**A motion was made that this Resolution be Adopted. The motion was APPROVED.**

**Res.12-3214**

BUS Route No. 27

Resolved to approve and instruct staff to prepare a plan to provide service to the new YMCA by September and improve transfer connections between Racine, Mount Pleasant and Sturtevant

Fiscal Note: N/A

Sponsors: Raymond DeHahn

**A motion was made that this Resolution be Adopted. The motion was APPROVED.**

**Res.12-3215**

Preliminary Discussions with Regency Mall to establish a dedicated transfer area for the many BUS routes that provide service in that vicinity

Resolved, to approve and authorize staff to enter into negotiations with Regency Mall to develop a dedicated bus connection with the potential for a small monthly lease fee.

Fiscal Note: No fiscal impact at this time.

Sponsors: Raymond DeHahn

**A motion was made that this Resolution be Adopted. The motion was APPROVED.**

**Res.12-3216**

3316 Douglas Avenue

Resolved, that the request by Sheila Sheets representing "2 Sheets to the Wind" seeking a conditional use permit to operate a pub and grill at 3316 Douglas Avenue is approved, subject to the following conditions:

- a. That the plans presented to the Plan Commission on June 13, 2012 be approved subject to the conditions contained herein.
- b. That building and occupancy permits and all other applicable permits be requested from the Building and Health Departments.

c. Prior to the issuance of an occupancy permit, the following shall be accomplished:

1. Implement the landscaping plan, dumpster placement and exterior paint scheme as presented to the Plan Commission on June 27, 2012.

d. That the maximum hours that the pub & grill is to be open be from 12:00 p.m. to 2:00 a.m. daily.

e. That the building and grounds be maintained in a professional manner and on a daily basis.

f. That all trash and recyclables be stored in closed containers and screened from view.

g. That all codes and ordinances be complied with and required permits acquired.

h. That all signage comply with zoning ordinance requirements and Douglas Avenue design standards, and final design be presented to the Director of City Development for review and approval.

i. 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.

j. That this Conditional Use Permit is subject to review by the Plan Commission for Compliance with the listed conditions.

k. That all snow removal from parking areas be contained on site or removed from site. Snow shall not be stored on neighboring properties.

Fiscal Note: N/A

Sponsors: Aron Wisneski

**A motion was made that this Resolution be Adopted. The motion was APPROVED.**

**Res.12-3217**

2504 Douglas Ave. and 2522 Douglas Ave.

Resolved, that the request by Mark Madsen, representing Vivian and Anthony Merlo for a two lot certified survey map for 2504 Douglas Avenue and 2522 Douglas Avenue is approved, subject to the following conditions:

a. That the Certified Survey Map as prepared by Architect Mark

Madsen of Nielsen, Madsen & Barber S.C., dated June 5, 2012, and presented to the Plan Commission on June 27, 2012 be approved.

b. That a final, **recorded** copy of the Certified Survey Map shall be provided to the Department of City Development within thirty (30) days of the date of Common Council approval. Failure to provide a recorded copy shall nullify the approval.

Fiscal Note: N/A

Sponsors: Aron Wisneski

**A motion was made that this Resolution be Adopted. The motion was APPROVED.**

**Res.12-3219**

John's Dock - Conditional Use Permit

Resolved, that the request by John Dunk of John's Dock seeking an amendment to a conditional use permit to expand an outdoor entertainment area at 303 Dodge St. is approved, subject to the following conditions:

- a. That the plans presented to the Plan Commission on June 27, 2012 is approved, subject to the conditions contained herein.
- b. That all applicable permits and licenses be obtained.
- c. That this activity shall take place only in the areas identified on the site plan.
- d. That activity in the expanded area be confined to Thursday through Sunday.
- e. That use of the expanded outdoor entertainment area is permitted between the dates of May 1 and September 30. Music in the outdoor entertainment area shall begin no earlier than 11:30 a.m. cease no later than 11:00 p.m. to be consistent with the 1997 approval by the Plan Commission for outdoor music at 303 Dodge Street.
- f. That appropriate signage be utilized to direct patrons to the off-site parking at 200 Dodge Street. Proposed signage shall be presented to the Director Of City development for review and approval.
- g. That the overflow lot shall be paved if used on a year-round basis.
- h. That a copy of the lease or a letter of consent shall be provided to the Director of City Development for review and approval for the



parking are at 200 Dodge Street.

i. 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 without the approval of the Common Council.

j. That this permit is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

Sponsors: Aron Wisneski

**A motion was made that this Resolution be Adopted. The motion was APPROVED.**

[Res.12-3220](#)

Church at 1034 West Blvd.

Resolved, that the request by Rev. Daryn Crenshaw seeking a conditional use permit for a health and wellness center, and a church at 1034 West Boulevard is approved, subject to the following conditions:

- 
- a. That the plans presented to the Plan Commission on June 27, 2012 are approved subject to the conditions contained herein.
  - b. That all applicable building and occupancy permits be obtained from the Building Inspection Department.
  - c. That flex space will be utilized for wellness center exercise space and church purposes in accordance with approved plans and the conditions contained herein.
  - d. That in association with the wellness center there shall be a wellness store stocked with the latest books, magazines and other material on health and wellness, and computers with internet access for searching for health and wellness related information.
  - e. That the wellness center shall be operated Monday through Wednesday, 11:00 a.m. to 8:00 p.m. and Friday and Saturday from 9:00 a.m. to 6:00 p.m.
  - f. That church related activities shall be conducted on Thursdays from 6:30 p.m. to 7:30 p.m., and on Sundays from 9:30 a.m. to 11:00 a.m.
  - g. That all signs be professionally made, comply with zoning ordinance and design standards requirements, and be submitted to the Director of City Development for review and approval prior to installation.

h. That the following shall be accomplished prior to the issuance of an occupancy permit:

1. Power-wash the building exterior.
2. Paint the canopies above the main entrance and West Boulevard windows in a color that has been submitted for the review and approval of the Director of City Development.
3. Install landscaping in accordance with plans submitted for the review and approval of the Director of City Development.
4. Seal and stripe the parking lot.
5. Install dumpster screening in accordance with plans submitted for the review and approval of the Director of City Development.

i. That if prior to occupancy the requirements in condition h. are not completed than a financial surety shall be provided to the City in an amount equal in value to the required improvements described in condition h. above, subject to the following terms:

1. Financial surety documents shall be submitted for the review and approval of the Director of City Development, shall be issued in the City's favor, shall be in effect for one year from the date of issuance, shall be extended beyond the expiration date if deemed necessary by the City of Racine, and shall require that the issuer give a 90 day notice to the Department of City Development prior to the expiration of said financial security.

2. The City is authorized by this Conditional Use permit to enter the site, implement the plan(s) and draw on the financial security for the cost of implementation if required improvements are not completed by time of the issuance of an occupancy permit, or by an earlier date as may be required herein. Any costs incurred in excess of the value of the financial security shall be paid by the applicant or owner or shall be imposed as a special charge against the real property in accordance with the applicable statute.

3. By operating under this Conditional Use, the applicant and owner give permission to the City to enter upon the property for the purposes described herein.

j. That the applicant shall provide written agreement with a neighboring property owner illustrating that there will be at least an additional 11 off-street parking spaces provided.

k. That failure to maintain operational and activities standards establish by this permit may result in the initiation of enforcement and/or revocation proceedings, the issuance of fines, or both.

l. 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.

m. That this permit is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

Sponsors: Aron Wisneski

**A motion was made that this Resolution be Adopted. The motion was APPROVED.**

[Res.12-3221](#)

944 Villa Street.

Resolved, that the offer of Laura Valeriano to purchase 944 Villa Street, as set forth in her offer dated June 14, 2012 and the counter-offer dated June 22, 2012, is approved. Further recommends that the Mayor, the City Clerk and the Director of City Development be authorized to execute any documents necessary to complete the sale.

Fiscal Note: The property was acquired and rehabilitated through the NSP-1 program. The city will receive \$45,000 in proceeds, minus commissions and closing costs.

Sponsors: Dennis Wiser

**A motion was made that this Resolution be Adopted. The motion was APPROVED.**

Council Action

**A motion was made by Alderman Gregory Holding, seconded by Alderman Aron Wisneski, that this be Considered as Reported to Adopt the Report. Adopted by the following vote:**

**AYES:** 12 - Fair, Shields, Kaprelian-Becker, DeHahn, McCarthy, Holding, Morgenroth, Mozol, Wisneski, Wiser, Shakoor, II and Weidner

**EXCUSED:** 3 - Kaplan, Hart and Sarrazin

## H. Resolutions

[Res.12-3204](#)

Community Economic Development Corporation (CEDCO)

Resolved, that authorization is granted for the Executive Director to enter into a contract for small business development services with the Community Economic Development Corporation (CEDCO) and to fund

the contract with intergovernmental revenue sharing funds.

**Fiscal Note:** In the past, CEDCO has provided advising and training services to small start-up minority business enterprises, including operation of a micro-loan fund. CEDCO has been operating with volunteers and without paid staff. The \$55,000 is funding principally for a staff person to provide counseling for minority entrepreneurs. The funding would also help with restructuring CEDCO operations regarding the loan fund. Funds are available in the Intergovernmental Revenue Sharing (919) Account.

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

**A motion was made by Alderman Holding, seconded by Alderman Shakoor, II, that this Resolution be Adopted. The motion was APPROVED by the following vote:**

**AYES:** 9 - Fair, DeHahn, Holding, Morgenroth, Mozol, Wisneski, Wiser, Shakoor, II and Weidner

**NOES:** 2 - Kaprelian-Becker and McCarthy

**EXCUSED:** 3 - Kaplan, Hart and Sarrazin

**ABSTENTIONS:** 1 - Shields

**Res.12-3218** Kimberland Daycare Facility - 3417 Douglas Ave.

Resolved, that the request by Maurice and Kimberly Horton of Kimberland Daycare seeking a conditional use permit for a daycare facility at 3417 Douglas Avenue is approved, subject to the following conditions:

a. That the plans presented to the Plan Commission on June 27, 2012 is 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 activity shall take place only in the areas identified on the floor plan and site plan.

d. That the hours of operation be from 4:00 a.m. to 12:00 a.m., seven days a week.

e. The outdoor play area shall be kept in a neat and orderly appearance.

f. That all trash and recyclables be stored in closed containers and screened from view.

g. That all child drop off and pick up shall not be conducted on Douglas Avenue, Short Street or the alleyway and "no right turn" signs be installed at the Short Street parking lot exit.

h. That the parking of transport vans be confined to the rear of the building or the parking lots eastern most parking spaces.

i. That all sign designs shall be presented to the Director of City Development for review and approval, and be professionally made.

j. That prior to the issuance of an occupancy permit, the following shall be accomplished:

1. All weeds shall be removed from sidewalk, parking and landscape areas, planting and long the building's foundation and Short Street retaining wall.
2. The retaining wall along Short Street sidewalk shall be repaired.
3. That the damaged tree in the Short Street parkway shall be removed and replaced.
4. Placement of the front entrance planters, and plantings installed therein.

k. That if prior to occupancy the requirements in condition j. are not completed than a financial surety shall be provided to the City in an amount equal in value to the required improvements described in condition j. above, subject to the following terms:

1. Financial surety documents shall be submitted for the review and approval of the Director of City Development, shall be issued in the City's favor, shall be in effect for one year from the date of issuance, shall be extended beyond the expiration date if deemed necessary by the City of Racine, and shall require that the issuer give a 90 day notice to the Department of City Development prior to the expiration of said financial security.

2. The City is authorized by this Conditional Use permit to enter the site, implement the plan(s) and draw on the financial security for the cost of implementation if required improvements are not completed by time of the issuance of an occupancy permit, or by an earlier date as may be required herein. Any costs incurred in excess of the value of the financial security shall be paid by the applicant or owner or shall be imposed as a special charge against the real property in accordance with the applicable statute.

3. By operating under this Conditional Use, the applicant and owner give permission to the City to enter upon the property for the purposes

described herein.

l. That all codes and ordinances be complied with and required permits acquired.

m. That the site shall be kept clean, free of weeds and debris, and any needed repair to the building or sidewalk area shall be accomplished immediately, including but not limited to graffiti, broken windows, burnt out light bulbs, peeling paint, out-of-place or damaged retaining wall blocks, etc.

n. 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 without the approval of the Common Council.]

o. That this permit is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

Sponsors: Aron Wisneski

**Adopted as Amended**

**AYES:** 12 - Fair, Shields, Kaprelian-Becker, DeHahn, McCarthy, Holding, Morgenroth, Mozol, Wisneski, Wiser, Shakoor, II and Weidner

**EXCUSED:** 3 - Kaplan, Hart and Sarrazin

**Res.12-3211**

**FINAL RESOLUTION - STREET PAVING**

Final - Ten (10) Year  
Benefits & Damages

WHEREAS, the Public Works & Services Committee of the Common Council of the City of Racine, Wisconsin, held a public hearing at the Council Chambers in the City Hall at 5:30 P.M. on the 26th day of June, 2012 for the purpose of hearing all interested persons concerning the preliminary resolution and report of the Commissioner of Public Works on the proposed improvement of:

**PORTLAND CEMENT CONCRETE PAVING**

**Alley** - Third St to State St; Wisconsin Ave to Main St

**Alley** - Sixteenth St to Washington Ave; Packard Ave to Memorial Dr

**Alley** - Seventeenth St to Sixteenth St; Morton Ave to Austin Ave

**Alley** - Seventeenth St to Sixteenth St; Murray Ave to Phillips Ave

**Alley** - DeKoven to Eighteenth St; Franklin St to Center St

**Alley** - DeKoven to Eighteenth St; Villa St to Park Ave

**Alley** - Jerome Blvd to Twentieth St; Taylor Ave to Kearney Ave (W)

**Alley** - Charles St to Sixth Ave; North St to Shoreland Ave)

**Alley** - Jones Ave to Walton Ave; Charles St to Geneva St (N-S)

**Alley** - Jones Ave to Walton Ave; Charles St to Geneva St (E-W)

**Alley** - LaSalle St to Superior St; Walton Ave to Goold St

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Racine as follows:

1. That the report of the Commissioner of Public Works pertaining to the construction of the above described public improvements, including plans and specifications therefore, as modified, is hereby adopted and approved.
2. That the Commissioner of Public Works is directed to advertise for bids and to carry out the work of such improvement in accordance with the report of the Commissioner of Public Works.
3. That payment for said improvements be made by assessing the cost to the property benefited as indicated in said report.
4. That benefits and damages shown on the report, as modified, are true and correct, have been determined on a reasonable basis; do not exceed the value accruing to the property therefrom; and are hereby confirmed.
5. That the assessments for all projects included in said report are hereby combined as a single assessment, but any interested property owner shall be entitled to object to each assessment separately or both assessments jointly for any purpose or purposes.
6. That the assessments may be paid in cash or if any assessments are over \$200.00 it may be paid in ten (10) annual installments to the City Treasurer, deferred payments to bear interest at the rate of 8% per annum on the unpaid balance. Installments or assessments not paid when due shall bear additional interest on the amount due at the rate of 9.6% per annum.
7. The City Clerk is directed to publish this resolution in the official newspaper of the City of Racine as a Class I notice in the assessment district.
8. The Clerk is further directed to mail a copy of this resolution and a statement of the final assessment against his property, to every property owner whose name appears on the assessment roll, whose post office address is known or can with reasonable diligence be

ascertained.

Dated

Signed

Mayor

Published

Attest

City Clerk

Sponsors: Sandy Weidner

**A motion was made Referred to the Public Works and Services Committee**

## I. Ordinances

### Ord.7-12

Ordinance 7-12

An ordinance amending Chapter 18 of Racine's building code concerning the regulations of hoop houses

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

SECTION 1: Article II. Building Code Division 1. Generally Sec. 18-26 Definitions: Hoop House means a structure with a poly-film roof and wall covering not exceeding six (6) millimeters in thickness, installed over rounded structural members. This structure is used to grow vegetables and other plants. There shall be no storage of solvents, fertilizers, gases or other chemicals or flammable materials and/or liquids. The storage of any type of vehicle is strictly prohibited.

SECTION 2: Division 5. CONSTRUCTION STANDARDS Subdivision XV. Hoop Houses (aka Greenhouses) Sec. 18-386 Definitions: Hoop House means a structure with a poly-film roof and wall covering not exceeding six (6) millimeters in thickness, installed over rounded structural members. This structure is used to grow vegetables and other plants. There shall be no storage of solvents, fertilizers, gases or other chemicals or flammable materials and/or liquids. The storage of any type of vehicle is strictly prohibited.

SECTION 3: Sec. 18-387 Location of Hoop House  
(1) Hoop Houses shall be located at least five (5) feet from any other structure on a zoning lot.



(2) Hoop Houses shall be located at least three (3) feet from all property lines on a zoning lot.

(3) Per City of Racine Zoning Code Sec. 114-692, Hoop Houses in Zoning Districts R1 to R6 shall be designated as accessory structures and all applicable requirements per zoning district shall be enforced.

(4) Hoop Houses located in Zoning Districts other than R1 to R6 are considered to be Conditional Uses for that Zoning District and will require a Conditional Use Permit be issued before the Hoop House may be erected.

SECTION 4: Sec. 18-388 Maximum area of a Hoop House. Hoop Houses shall be limited in area and height as provided in the following regulations:

(1) In R1 to R6 Residential Zoning Districts, Hoop Houses shall be limited to 500 square feet in area. The maximum height shall be 15 feet.

(2) In all other Zoning Districts Hoop Houses shall be limited to 1000 square feet in area. The maximum height shall be 15 feet.

(3) Hoop Houses larger than those listed above will require a variance from the Building Board of Appeals.

(4) Hoop Houses larger than 1000 square feet in area are classified as Greenhouses in the International Building Code (IBC) and may be required to come into compliance with other sections of the IBC.

SECTION 5: Sec. 18-389 Roof Loads. For Hoop Houses as defined, the minimum Live Load for roofs shall be 5 psf for coverings and 20 psf for structural components.

SECTION 6: Sec. 18-390 Wind Loads. For Hoop Houses as defined, the structure shall be designed to provide resistance to a minimum wind speed of 70 miles per hour.

SECTION 7: Sec. 18-391 Type of Construction. Hoop Houses as defined in section 3102.2 of the International Building Code shall be classified as Type V construction.

SECTION 8: Sec. 18-392 Building permits required for Hoop Houses. In order to obtain the necessary Building Permit to erect a Hoop House, the applicant shall submit to the Building Department two (2) copies of building plans and specifications. Also, a dimensioned plot plan shall be submitted showing the placement of the Hoop House and any other structure on the zoning lot. The plot plan shall show dimensions between buildings and property lines.

SECTION 9: Sec. 18-393 Plumbing, Electrical and/or HVAC Permits. Any applicant wishing to install any plumbing system, electric service

and/or HVAC system must apply for the required permits. These systems must be installed per the Wisconsin Plumbing Code, National Electric Code and IBC Mechanical Code.

SECTION 10: 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

**Referred to Public Works and Services Committee**

[ZOrd.002-12](#)

Zoning Ordinance - Zord.002-12

Ordinance adopting an amendment to the document "A Comprehensive Plan for the City of Racine: 2035" for the City of Racine, Wisconsin.

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

SECTION 1: Pursuant to Section 62.23 of the Wisconsin Statutes, the City of Racine is authorized to prepare and adopt the document amendments to the City's comprehensive plan as defined in Sections 66.1001(1)(a) and 66.1001(2) of the Wisconsin Statutes; and

SECTION 2: The Plan Commission held a public hearing on June 13, 2012, and at the Plan Commission meeting of June 27, 2012 recommended approval of a rezoning of properties at 2514 Douglas Avenue and the southern 30 feet of 2518 Douglas Avenue from R-3 Limited General Residence District to B-2 Community Shopping District and the associated amendment to the City's comprehensive plan; and

SECTION 3: The Plan Commission of the City of Racine, by a majority vote of the entire commission recorded in its official minutes, recommended on July 25 to the City Common Council the approval of a resolution and ordinance adopting the rezoning and amendment to

the comprehensive plan; and

SECTION 4: The Common Council has duly noticed and conducted a public hearing on August 7, 2012 for the rezoning and amendment to the comprehensive plan, in compliance with the requirements of Section 66.1001(4)(d) of the Wisconsin Statutes; and

SECTION 5: The Common Council of the City of Racine, Wisconsin, does, by the enactment of this ordinance, formally adopt the amendment to the document "A Comprehensive Plan for the City of Racine: 2035" for the City of Racine, Wisconsin, for the properties at 2514 Douglas Avenue and the southern 30 feet of 2518 Douglas Avenue, pursuant to Section 62.23 and Section 66.1001(4)(c) of the Wisconsin Statutes.

SECTION 6: 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: Aron Wisneski

**Referred to City Plan Commission**

[ZOrd.003-12](#)

Zoning Ordinance - Zord.003-12

AN ORDINANCE REZONING 2514 AND 2518 DOUGLAS AVENUE

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

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

Part 1:

That the property located at 2514 and 2518 Douglas Avenue and more particularly described as follows:

“Block 5, Wolff’s Third Addition: Lot 14, and the southern 30 feet of Lot 13, except the west 40 feet. Part of the NE ¼ and the SE ¼ of the NE ¼ of Section 5, Township 3 North, Range 23 East, in the City of Racine, Racine County, Wisconsin.”

be rezoned from R-3 Limited General Residence to B-2 Community Shopping District.

Part 2:

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

Passed by the Common Council:

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Approved:

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Mayor

Attest:

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City Clerk

Fiscal Note: N/A

Sponsors: Aron Wisneski

**Referred to the City Plan Commission**

Mayor Dickert presented Alderman Wisneski with a plaque and thanked him for his six years of dedication and service to the City of Racine and wished he and his family well.

**J. Adjourn**

The meeting was adjourned at 9:10p.m. by Alderman Shakoor. The next scheduled meeting of the Council is July 17, 2012.

ATTEST: JANICE M. JOHNSON-MARTIN  
CITY CLERK