



City of Racine

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

Meeting Minutes - Final Common Council

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

Tuesday, July 16, 2013

7:00 PM

Room 205, City Hall

A. Call To Order

PRESENT: 13 - Coe, Sarrazin, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor, II, Wisner, Holding, Perez, Morgenroth, Hart and Diehl
EXCUSED: 2 - Shields and McCarthy

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 Shakoor.

D. Public Comments

Karl Fuller

E. Communications

Refer to Finance and Personnel Committee, by Ald. Shakoor

[13-9158](#)

Subject: Communication from the Fire Chief requesting the Mayor and City Clerk be authorized to sign the Wisconsin Emergency Management/State Regional Hazardous Materials Response Team contract for the period of July 1, 2013, through June 30, 2015.

Referred to Finance and Personnel Committee

[13-9159](#)

Subject: Communication from the Fire Chief requesting permission to apply for and accept if awarded the 2013 Port Security grant for Water

Rescue Equipment and Water Rescue Training.

Referred to Finance and Personnel Committee

[13-9161](#)

Subject: Communication from the Racine County Economic Development Corporation requesting that the City provide a semi-annual certification to the U.S. Economic Development Administration for the City of Racine Revolving Loan Fund.

Referred to Finance and Personnel Committee

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

[13-9109](#)

Subject: Communication from Focus on Community requesting to use city right-of-way for a run/walk on September 7, 2013.

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

Referred to Public Works and Services Committee

Referred to Board of Park, Recreation and Cultural Services

[13-9131](#)

Subject: Communication from the Alderman of the 6th District requesting a Preliminary Resolution for pave the T-alley bounded by Glen St to Ehlert St; Luedtke Ave (W) to Lee Park (NS) and Glen St to Ehlert St; Luedtke Ave (W) to Lee Park (EW).

Referred to Public Works and Services Committee

[13-9149](#)

Subject: Communication from Forman Awnings & Construction, LLC requesting to place a stationary, projecting awning at Rudy's Bar, 2515 Douglas Avenue.

Referred to Public Works and Services Committee

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

[13-9151](#)

Subject: (New) Application of Ayra's Liquor, Akil Ajmeri, Agent for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 4700 Washington Avenue(12th District)

Referred to Public Safety and Licensing Committee

[13-9164](#)

Subject: (New) Application of Uptown Pub & Grill, Ronals J. Guarascio, Jr., Agent for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 1510 Junction Avenue(3rd District)

Referred to Public Safety and Licensing Committee

[13-9157](#)

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting permission to enter into a memorandum

of understanding with the County of Racine regarding small basin dredging and the Fifth Street boat launch replacement project.

Referred to Public Safety and Licensing Committee

Refer to Committee of the Whole, by Ald. Shakoor

[13-9128](#)

Subject: Communication from Alderman Holding to propose entering into an intergovernmental agreement with Kenosha pertaining to Ethics Board Hearing procedures and revising our Ethics Code to adhere with the terms of the intergovernmental agreement.

Referred to Committee of the Whole

F. Committee Reports

Finance and Personnel Committee Report, by Ald. Shakoor

[13-8830](#)

Subject: Communication from the City Attorney submitting the claim of Regency West Apartments LLC for an excessive real estate assessment and taxes of the property located at 2300 Loni Lane for the 2012 tax year for consideration.

Recommendation of the Finance & Personnel Committee on

4-22-13: Defer the item until the next scheduled Finance & Personnel Meeting.

Recommendation of the Finance & Personnel Committee on

5-28-13: Defer the item until the next scheduled Finance & Personnel Meeting to be held in closed session with legal consult.

Recommendation of the Finance & Personnel Committee on

6-10-13: The claim of Regency West Apartments LLC for an excessive real estate assessment and taxes of the property located at 2300 Loni Lane for the 2012 tax year be denied.

Recommendation of the Finance & Personnel Committee on

6-24-13: Defer the item.

Recommendation of the Finance & Personnel Committee on

7-8-13:Receive and File.

Fiscal Note: N/A

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

13-9090

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting permission to apply for and accept grant funds up to \$5,000.00 from the Walmart Corporate Facility Giving Program for Back to School Fest. (Res. No. 13-0290)

Recommendation of the Finance & Personnel Committee on

7-8-13: Permission be granted to the Director of Parks, Recreation & Cultural Services to apply for and accept grant funds up to \$5,000.00 from the Walmart Corporate Facility Giving Program for Back to School Fest.

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.

13-9100

Subject: Communication from the City Attorney submitting the claim of Bruce Ashford for consideration.

Recommendation of the Finance & Personnel Committee on

7-8-13: The claim of Bruce Ashford be denied.

Fiscal Note: N/A

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

13-9113

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting permission to apply for & accept grant funds in the amount of \$40,000.00 from SC Johnson Global Community Affairs for Back to School Fest. (Res. No. 13-0291)

Recommendation of the Finance & Personnel Committee on

7-8-13: Permission be granted to the Director of Parks, Recreation & Cultural Services to apply for & accept grant funds in the amount of \$40,000.00 from SC Johnson Global Community Affairs for Back to School Fest.

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.

Council Action

A motion was made by Q.A. Shakoor, II, seconded by Raymond DeHahn, that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

AYES: 13 - Coe, Sarrazin, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor, II, Wisner, Holding, Perez, Morgenroth, Hart and Diehl

EXCUSED: 2 - Shields and McCarthy

Public Works and Services Committee Report, by Ald. Weidner

13-9056

Subject: (Direct Referral) Communication from the Commissioner of Public Works submitting bid results on Contract 35-13 (K3-040), City Hall Renovations-Phase V (R1). (Res. No. 13-0295)

Recommendation of the Public Works and Services Committee on 7-9-13: That the bids be rejected and the project re-scoped and re-bid.

Fiscal Note: N/A

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

13-9083

Subject: (Direct Referral) Communication from the Commissioner of Public Works submitting a request for final payment on Contract 10-12 (K2-010), 2012 Pavement Inspection and Planning, AECOM Technical Services, Inc., consultant. (Res. No. 13-0296)

Recommendation of the Public Works and Services Committee on 7-9-13: That the professional services provided by AECOM Technical Services, Inc., under Contract 10-12 (K0-010), Professional Services - 2012 pavement Inspection and Planning, be accepted and final payment authorized for a total contract amount of \$81,100.00.

Fiscal Note: Contract was authorized under Resolution No. 12-2944, dated February 7, 2012.

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

13-9102

Subject: Communication from the Director of City Development requesting to vacate the most easterly 32.4 feet of the east-west alley abutting the Racine railroad depot west platform.

Recommendation of the Public Works and Services Committee on 7-9-13: Since public interest requires it, that the following parcel of land, more particularly described as follows, be and hereby is vacated and discontinued:

The most easterly 32.4 feet of the east-west alley bounded by State Street, Liberty Street, the Union Pacific Railroad right-of-way, and N. Memorial Drive.

Further recommends that a preliminary resolution be introduced to the

Common Council and referred to the City Plan Commission.

Fiscal Note: Not applicable.

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

13-9114

Subject: Communication from the Chief Building Inspector regarding revisions to Chapter 18 of the Racine Building Code in relation to discharge for sump pumps, downspouts or similar items which serve 1 or 2 family residences. (Ord. 12-13)

Recommendation of the Public Works and Services Committee on 7-9-13: That revisions to Chapter 18 of the Municipal Code relating to the placement of discharge for sump pumps, downspouts or similar items which serve a 1 or 2 family residence, be approved.

Fiscal Note: Not applicable.

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

13-9115

Subject: Communication from Real Racine requesting permission to use city right-of-way for the Ironman Racine 70.3 triathlon on Sunday, July 21, 2013. (Res. No. 13-0293)

Recommendation of the Public Works and Services Committee on 7-9-13: That That permission be granted to Real Racine and Ironman to use City right-of-way for the Ironman Racine 70.3 Triathlon on July 21, 2013.

Further recommends that Real Racine and Ironman be granted permission to close the following streets and to utilize certain other City streets, as indicated, on their race map, for the Ironman Racine 70.3 Triathlon to be held on Sunday, July 21, 2013:

Barker Street from Main Street to its terminus with Lake Michigan,
Goold Street from Main Street to Michigan Boulevard,
Augusta Street from Main Street to Michigan Boulevard,
Wolff Street from Main Street to Michigan Boulevard,
William Street from Main Street to Michigan Boulevard,
Lombard Avenue from Main Street to Michigan Boulevard,
Lakecrest Drive from Main Street to Michigan Boulevard;

with the following stipulations:

- A. A hold harmless agreement be executed and a \$75.00 processing fee paid.
- 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 \$700.00 special event fee.
- F. Sponsor shall be responsible for placement of all traffic control devices.

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.

[13-9116](#)

Subject: Communication from Real Racine requesting to use the Walker Site as a parking lot and storage facility for the Ironman 70.3 Racine event on Sunday, July 21, 2013. (Res. No. 13-0294)

Recommendation of the Public Works and Services Committee on 7-9-13: That permission be granted to Real Racine to use the city owned property commonly known as the Walker Site on July 15-22, 2013, for the storage of equipment and supplies and spectator parking for the Ironman race event, 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 pay the City \$1.50 for each car which is allowed to park on this public property.

Fiscal Note: The City of Racine will share a percentage of the proceeds which Real Racine obtains through charging for parking on this property.

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

[13-9127](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting Amendment No. 1 to Contract 30-13 (K3-033), Professional Services-Design Festival Hall and Parks Administration AC Replacement, Arnold & O'Sheridan, Inc., consultant. (Res. No. 13-0298)

Recommendation of the Public Works and Services Committee

on 7-9-13: That Amendment No. 1 to Contract 30-13 (K3-033), Professional Services-Design Festival Hall and Parks Administration AC Replacement, Arnold & O'Sheridan, Inc., consultant, as submitted, be approved in the not-to-exceed amount of \$8,400.00.

Fiscal Note: Funding to defray the cost of these professional services be appropriated from the following accounts:

\$ 6,000.00 - Account 108.992.5010, Festival Hall Air Handler
\$ 2,400.00 - Account 992.200.5020, Annex-AC Replacement Design
\$ 8,400.00 - Total

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

[13-9118](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer submitting a professional services agreement with AECOM Technical Services, Inc. for Contract 51-13 (K3-056), Professional Services-Spring Street/Washington Park Streambank Stabilization. (Res. No. 13-0297)

Recommendation of the Public Works and Services Committee

on 7-9-13: That the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with AECOM Technical Services, Inc. for Contract 51-13 (K3-056), Professional Services-Spring Street/Washington Park Streambank Stabilization, in the not-to-exceed amount of \$121,616.00.

Fiscal Note: Funds to defray the cost of these professional services be appropriated from the following accounts:

\$ 30,404.00 - Account 104.993.5420, Storm Water Utility
\$ 60,808.00 - Account 104.993.5430, Fund for Lake Michigan
\$ 30,404.00 - Account 104.993.5440, Urban Nonpoint Source,
Washington Park Streambank "B"
\$ 121,616.00 - Total

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

AYES: 13 - Coe, Sarrazin, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoore, II, Wisner, Holding, Perez, Morgenroth, Hart and Diehl

EXCUSED: 2 - Shields and McCarthy

Public Safety and Licensing Committee Report, by Ald. Holding[13-9108](#)

Subject: (Direct Referral) The application of Floyd & Sons, Inc. for a 2013-2014 Motor Vehicle Towing License. (**Renewal**)

Recommendation of the Public Safety and Licensing Committee

July 8, 2013: That the renewal application of Floyd & Sons, Inc. for a 2013-2014 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.

[13-9110](#)

Subject:(Direct Referral) The **renewal** application of Rejuvenations for a Massage Establishment Permit for 215 Sixth Street for 2013-2014. (1st District)

Recommendation of the Public Safety and Licensing Committee

July 8, 2013: That The **renewal** application of Rejuvenations for a Massage Establishment Permit for 215 Sixth Street for 2013-2014 be approved.

Fiscal Note: N/A

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

[13-9112](#)

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting permission to enter into a partnership agreement with the University of Wisconsin-Parkside to operate and maintain an Environmental Education Community Center along the Root River at 1301 6th Street. (Res. No. 13-0299)

Recommendation of the Public Safety and Licensing Committee

July 8, 2013: That the request of the Director of Parks, Recreation & Cultural Services requesting permission to enter into a partnership agreement with the University of Wisconsin-Parkside to operate and maintain an Environmental Education Community Center along the Root River at 1301 6th Street be approved.

Fiscal Note:

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

[13-9117](#)

Subject: (Direct Referral) Communication from Paul's Pub LLC - 2416 Lathrop Avenue, requesting to amend their Premise Description

to include the back parking lot for special events.

Recommendation of the Public Safety and Licensing Committee

July 8, 2013: That the Premise Description be amended to include the back parking lot for special events.

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

AYES: 13 - Coe, Sarrazin, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor, II, Wisner, Holding, Perez, Morgenroth, Hart and Diehl

EXCUSED: 2 - Shields and McCarthy

City Plan Commission Report, by Ald. Wisner

13-9005

Subject: (Direct Referral) Request from Brenda Torres representing R&B Latin Club Inc. seeking a conditional use permit for a tavern at 1600 Douglas Avenue. (PC-13) (Res. No. 13-0300)

Recommendation of the City Plan Commission on 7-10-13: 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.

Committee of the Whole Report, by Ald. Shakoor

13-8986

Subject: (Direct Referral) communication from the Council President requesting a review of the duties, responsibilities and obligations of the Parks, Recreation and Cultural Services Department.

Recommendation of the Committee of the Whole on 07/02/2013: 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.

Office of the Mayor Report, by Ald. Shakoor

13-9140

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

Reappoint Tom Ryan 1414 Michigan Blvd. Racine, 53402 to the Board of Harbor Commissioners for a 3 year term, expiring June 1, 2016

Reappoint Sherman Foertsch 2901 Ruby Ave. Racine, 53402 to the Board of Harbor Commissioners for a 3 year term, expiring June 1, 2016

Reappoint Luisa Morales 2020 Green St. Racine, 53402 to the Library Board for a 3 year term, expiring June 1, 2016

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

G. Consent Agenda - Resolutions**Res.13-0290**

2013 Back to School Fest

Resolved, that permission is granted to the Director of Parks, Recreation & Cultural Services to apply for and accept grant funds up to \$5,000.00 from the Walmart Corporate Facility Giving Program for Back to School Fest.

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.13-0291

2013 Back to School Fest

Resolved, that permission is granted to the Director of Parks, Recreation & Cultural Services to apply for & accept grant funds in the amount of \$40,000.00 from SC Johnson Global Community Affairs for Back to School Fest.

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.13-0293

2013 Ironman Racine 70.3 Triathlon

Resolved, that permission is granted to Real Racine and Ironman to use City right-of-way for the Ironman Racine 70.3 Triathlon on July 21, 2013.

Further resolved, that Real Racine and Ironman is granted permission to close the following streets and to utilize certain other City streets, as indicated, on their race map, for the Ironman Racine 70.3 Triathlon to be held on Sunday, July 21, 2013:

Barker Street from Main Street to its terminus with Lake Michigan,
Goold Street from Main Street to Michigan Boulevard,
Augusta Street from Main Street to Michigan Boulevard,
Wolff Street from Main Street to Michigan Boulevard,
William Street from Main Street to Michigan Boulevard,
Lombard Avenue from Main Street to Michigan Boulevard,
Lakecrest Drive from Main Street to Michigan Boulevard;

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 \$700.00 special event fee.
- F. Sponsor shall be responsible for placement of all traffic control devices.

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.13-0294

2013 Ironman 70.3 Triathlon Walker Site Use

Resolved, that permission is granted to Real Racine to use the City-owned property commonly known as the Walker Site on July 15-22, 2013, for the storage of equipment and supplies and spectator parking for the Ironman race event, 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 pay the City \$1.50 for each car which is allowed to park on this public property.

Fiscal Note: The City of Racine will share a percentage of the proceeds, which Real Racine obtains through charging for parking on this property.

Sponsors: Sandy Weidner

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

Res.13-0295

Contract 35-13 (K3-040), City Hall Renovations-Phase V (R1)

Resolved, that the bids are rejected and the project is to be re-scoped and re-bid.

Fiscal Note: N/A

Sponsors: Sandy Weidner

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

Res.13-0296

Final payment on Contract 10-12 (K2-010), 2012 Pavement Inspection and Planning

Resolved, that the professional services provided by AECOM Technical Services, Inc., under Contract 10-12 (K0-010), Professional Services - 2012 pavement Inspection and Planning, are accepted and final payment authorized for a total contract amount of \$81,100.00.

Fiscal Note: Contract was authorized under Resolution No. 12-2944, dated February 7, 2012.

Sponsors: Sandy Weidner

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

Res.13-0297

Contract 51-13 (K3-056), Professional Services-Spring Street / Washington Park Streambank Stabilization

Resolved, that the Mayor and City Clerk are authorized and directed to enter into a professional services agreement with AECOM Technical Services, Inc. for Contract 51-13 (K3-056), Professional Services-Spring Street / Washington Park Streambank Stabilization, in the not-to-exceed amount of \$121,616.00.

Fiscal Note: Funds to defray the cost of these professional services be appropriated from the following accounts:

\$ 30,404.00 - Account 104.993.5420, Storm Water Utility
\$ 60,808.00 - Account 104.993.5430, Fund for Lake Michigan
\$ 30,404.00 - Account 104.993.5440, Urban Nonpoint Source,
Washington Park Streambank "B"
\$121,616.00 - Total

Sponsors: Sandy Weidner

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

[Res.13-0298](#)

Amendment No. 1 to Contract 30-13 (K3-033), Professional Services-Design Festival Hall and Parks Administration AC Replacement

Resolved, that Amendment No. 1 to Contract 30-13 (K3-033), Professional Services-Design Festival Hall and Parks Administration AC Replacement, Arnold & O'Sheridan, Inc., consultant, as submitted, is approved in the not-to-exceed amount of \$8,400.00.

Fiscal Note: Funding to defray the cost of these professional services be appropriated from the following accounts:

\$6,000.00 - Account 108.992.5010, Festival Hall Air Handler
\$2,400.00 - Account 992.200.5020, Annex-AC Replacement Design
\$8,400.00 - Total

Sponsors: Sandy Weidner

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

[Res.13-0299](#)

Environmental Education Community Center

Resolved, that the request of the Director of Parks, Recreation & Cultural Services requesting permission to enter into a partnership agreement with the University of Wisconsin-Parkside to operate and maintain an Environmental Education Community Center along the Root River at 1301 6th Street is approved.

Fiscal Note: to be determined.

Sponsors: Gregory Holding

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

Res.13-0300

R&B Latin Club, Inc.

That the request from Brenda Torres representing R&B Latin Club, Inc., seeking a conditional use permit for a tavern at 1600 Douglas Avenue, is approved, subject to the following conditions:

a. That the plans presented to the Plan Commission on July 10, 2013, 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 the hours and days the facility is open to the general public for regular business be Monday through Thursday 4:00 p.m. - 12:00 a.m.; Friday and Saturday 4:00 p.m. - 2:00 a.m.; and Sunday 11:00 a.m. to 12:00 a.m.

d. That the events accommodated by this facility may include business meetings, private parties, fund raisers, senior citizen card games, and other similar activities.

e. That the following conditions shall apply to all events:

1. Events shall begin no earlier than 5:00 p.m. and run no later than 12:00 a.m.

2. Events shall only be accommodated on Friday and Saturday.

3. Live music and/or D.J. music shall begin no earlier than 5:00 p.m. and run no later than 12:00 a.m.

4. Live music and D.J. music shall be limited to the inside of the premises with doors and windows closed.

5. The facilities shall remain closed at the same time after an event and/or music ends.

f. That live music and/or D.J. music not associated with an event shall be limited to Friday and Saturday evenings, and shall be conducted in accordance with condition "e.4."

g. That the following shall be accomplished **prior to the establishment opening** for regular business:

1. Replace obsolete signage in accordance with a plan provided to the Director of City Development for review and approval.

2. Screening of trash and recycling containers in accordance with a plan provided to the Director of City Development for review and approval.

3. Submittal of an illustrated exterior color scheme for the painting of

the building.

4. Install decorative "cut-off" exterior light fixtures in accordance with plans or specifications provided to the Director of City Development for review and approval.

5. Install an operational security camera system in accordance with plans submitted on June 10, 2013 and as may be modified by condition "g.6."

6. Install an operational security camera at 1614 Douglas Avenue, linked to the system at 1600 Douglas Avenue, if it is determined from site analysis that cameras on the west side of the building at 1600 Douglas cannot adequately monitor the western / rear parking area at 1614 Douglas. Such site analysis shall be conducted by a security professional and submitted to the Director of City Development for review and approval.

h. That the following shall be accomplished **by October 1, 2013**:

1. Paving and striping of the on-site off-street parking area at 1600 Douglas Avenue, and striping of off-site parking spaces at 1614 Douglas Avenue in compliance with plans to be submitted to the Director of City Development for review and approval. Parking spaces shall not block the east facing overhead doors or their drive aisle.

2. Tuck pointing of the building.

3. Painting of the building in a color scheme to be approved by the Director of City Development.

i. That within 30 days of the establishment opening, four (4) additional off-street parking spaces shall be secured. Evidence of this additional off-street parking shall be submitted to the Director of City Development for review and approval.

j. That, if by October 1, 2013 the site improvements required and described in the conditions set forth in "h." are not completed, the establishment shall close for all general business and events until such time as a financial surety be provided to the City in an amount equal in value to the required improvements, 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 surety.

2. The City is authorized by the Conditional Use permit to enter the site, implement the plan(s) and draw on the financial security for the cost of implementation of work if required improvements are not completed by June 1, 2014, or by an earlier date as may be required. 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 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.

k. 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.

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

Fiscal Note: N/A

Sponsors: Dennis Wisner

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

Council Action

A motion was made by Q.A. Shakoor, II, seconded by Raymond DeHahn, that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

AYES: 13 - Coe, Sarrazin, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor, II, Wisner, Holding, Perez, Morgenroth, Hart and Diehl

EXCUSED: 2 - Shields and McCarthy

H. Ordinances

[Ord.12-13](#)

Ordinance 12-13

To amend Sec. 18-131. - Clear wastewater, flow restriction. of the Municipal Code of the City of Racine, Wisconsin relating to placement of discharge for sump pumps, downspouts or similar items, which serve a one or two family residence.

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

Part 1: Sec. 18-131 of the Municipal Code of the City of Racine is hereby amended by adding the following sentence at the end of the paragraph.

“Discharge shall be maintained onto a pervious surface and shall be placed at least 10 feet from a side or front lot line and 20 feet from a back lot line.”

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

Passed by the Common Council:

Approved:

Mayor

Attest:

City Clerk

Fiscal Note: N/A

Sponsors: Sandy Weidner

Referred to Public Works and Services Committee

I. Adjourn

The meeting was adjourned at 7:30p.m. by Alderman Shakoor. The next scheduled meeting of the Council is Monday, August 5, 2013.

ATTEST: JANICE M. JOHNSON-MARTIN
CITY CLERK