



City of Racine

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

Meeting Minutes - Final Common Council

Mayor John T. Dickert
Alderman Jeff Coe, Alderman Gregory Holding
Alderman Michael Shields, Alderman Jim Kaplan, Alderman
David L. Maack
Alderman Sandy Weidner, Alderman Terry McCarthy,
Alderman Raymond DeHahn
Alderman Q.A. Shakoor, II, Alderman Aron Wisneski,
Alderman Robert Mozol
Alderman James T. Spangenberg, Alderman Ronald D. Hart,
Alderman Eric Marcus, Alderman Dennis Wisner

Tuesday, November 16, 2010

7:00 PM

Room 205, City Hall

A. Call To Order

PRESENT: 15 - Shakoor, II, Coe, Marcus, Shields, Hart, Kaplan, Wisner, Maack, Weidner, Wisneski, McCarthy, DeHahn, Holding, Spangenberg and Mozol

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 Coe.

D. Public Hearings

[ZOrd.4-10](#)

AN ORDINANCE REZONING 716 AND 720 - 17th Street

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

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

Part 1

That the property located at 716 and 720 17th Street and more particularly described as follows:

“Those lands located in Township 3 North, Range 23 East, in the Northwest $\frac{1}{4}$ of Section 21, in Block 6 of Holborn’s Partition Plat, being the Eastern 31.3 feet of the Western $\frac{1}{2}$ of the Southern 80 feet, and the Western 93.22 feet of the Western $\frac{1}{2}$ of the Southern 80 feet. Said land being in the City of Racine, Racine County, Wisconsin”

be rezoned from B-1 Neighborhood Convenience District to R-3 Limited General Residence District.

Part 2

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

Passed by the Common Council:

Approved:

Mayor

Attest:

City Clerk

FISCAL NOTE: N/A

Sponsors: Gregory Holding

No one appeared for this item.

His Honor, the Mayor, declared the public hearing closed

Alderman Shakoor arrived at 7:04p.m. and took his seat.

E. Public Comments

- Sue DeKeuster*
- Mike Frontier*
- Lou Larsen*
- Kate Remington*
- Keith Deschler*
- Norb DeKeuster*
- George Meyers*
- Roy Ramquist*
- Anthony DeCubellis*
- Ken Brown*
- Gail Boydston*
- Sharon Ramquist*

F. Communications

Refer to Finance and Personnel Committee, by Ald. Spangenberg

[10-5791](#)

Subject: Communication from the Director of City Development requesting to retain Independent Inspections, Ltd., to perform home inspections for the Housing Department.

Referred to Finance and Personnel Committee

[10-5794](#)

Subject: Communication from the Chief of Police requesting to accept the 2010 AAA Grant (grant control #2010-37).

Referred to Finance and Personnel Committee

[10-5763](#)

Subject: Communication from Carlos Mireles of Wisconsin Thunder wheelchair basketball team requesting to waive or reduce the fee for the use of a Community Center for four home basketball games.

Referred to Finance and Personnel Committee

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

[10-5768](#)

Subject: Communication from R.A. Smith National requesting acceptance of a storm sewer in the public right-of-way at 5420 Twentyfirst Street for the Goodwill Industries Parking Lot Expansion.

Referred to Public Works and Services Committee

[10-5783](#)

Subject: Communication from the Downtown Racine Corporation and Copacetic requesting to use city right-of-way in conjunction with the Racine Carves Its Niche Event to be held on January 8, 2011.

Referred to Public Works and Services Committee

[10-5792](#)

Subject: Communication from Robert R. Mauer, Mauer's Charter Service, requesting to renew the lease agreement for use of river frontage at the terminus of Superior Street at the Root River.

Referred to Public Works and Services Committee

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

[10-5788](#)

Subject: Communication from the Alderman of the 15h District requesting the City Attorney to draft an ordinance for repetitive unnecessary driving of motor vehicles known as "cruising."

Referred to Public Safety and Licensing Committee

[10-5789](#)

Subject: (New) Application of Sunshine Supermarket, Iyad Alabed, Agent, for a Class "A" Retail Fermented Malt Beverage License for 1559 Taylor Avenue. (3rd District)

Referred to Public Safety and Licensing Committee

Refer to Traffic Commission, by Ald. Holding

[10-5785](#)

Subject: Communication from the Alderman of the 2nd District requesting a traffic signal at the intersection of 11th Street and S. Main Street or relocating further south the existing No Parking sign on the east side of Main Street.

Referred to Traffic Commission

Refer to Transit and Parking Commission, by Ald. DeHahn

[10-5769](#)

Subject: Communication from the Assistant Commissioner of Public Works/Operations wishing to discuss the 2011 extension of the Juror Parking Agreement with Racine County Clerk of Courts.

Referred to Transit and Parking Commission

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

[10-5765](#)

Subject: Communication from Village of Caledonia East Sewer Utility District submitting an easement contract for installation of facilities through the Racine Zoological property, 2131 North Main Street.

Also refer to City Attorney's Office for contract review, and to the Public Works & Services Committee for facility placement approval.

Referred to Board of Park, Recreation and Cultural Services

Referred to Public Works and Services Committee

G. Committee Reports

Finance and Personnel Committee Report, by Ald. Spangenberg

[10-5746](#)

Subject: Communication from the City Attorney requesting additional funding for account 101.160.5610, Professional Services, for the remainder of the 2010 budget year. (Res.10-2268)

Recommendation of the Finance & Personnel Committee on 11-08-10: Recommend that \$80,000 be transferred from account

101.990.5970, Contingency, to account 101.160.5610, Attorney-Professional Services to cover anticipated legal fees through the remainder of 2010.

Fiscal Note: There are sufficient funds available to cover the transfer.

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

10-5679

Subject: Relocation Agreement with the Wisconsin Department of Transportation for Relocation of Hydrants on Highway 20 (Res.10-2267)

Recommendation of the Racine Waterworks Commission on 10-26-10: To approve. Refer to the Finance and Personnel Committee for approval.

Recommendation of the Finance & Personnel Committee on 11-08-10: The Mayor and City Clerk be authorized and directed to enter into an agreement with the Wisconsin Department of Transportation for Relocation of Hydrants on Highway 20.

Fiscal Note: The estimated cost of the relocation is \$7,100. The Wisconsin DOT will reimburse for 90% of the cost and the Racine Water Utility will pay the remaining 10%.

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

10-5751

Subject: Communication from the Public Health Administrator requesting permission to accept \$8,700.00 from the Division of Public Health of the Department of Health Services for HIV Partner Services. (Res.10-2265)

There is no City match required. The grant control number is 2010-038.

Recommendation of the Finance & Personnel Committee on 11-08-10: Permission be granted for the Public Health Administrator to accept the \$8,700 grant from the Department of Health Services for HIV Partner Services. (Grant Control No. 2010-038)

Fiscal Note: No City match required.

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

10-5752

Subject: Communication from the Public Health Administrator requesting permission to accept \$36,845.00 from the Wisconsin Division of Public Health, Department of Health Services for the budget period of January 1, 2010 through December 31, 2010 for the Women, Infants and

Children (WIC) program.

There is no City match required. The grant control number is 2006-049. (Res.10-2266)

Recommendation of the Finance & Personnel Committee on 11-08-10:

Permission be granted for the Public Health Administrator to accept \$36,845.00 from the Wisconsin Division of Public Health, Department of Health Services for the budget period of January 1, 2010 through December 31, 2010 for the Women, Infants and Children (WIC) program. (Grant Control No. 2--6-049)

Fiscal Note: No City match required

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

[10-5773](#)

Subject: (Direct Referral) Communication from the Grants Facilitator requesting permission to apply for the Project Safe Neighborhood 2010 Grant Announcement through the Wisconsin Office of Justice Assistance. (Grant Control #2010-039) (Res.10-2263)

Recommendation of the Finance & Personnel Committee on

11-08-10: Permission be granted for the Grant Facilitator to apply for the Project Safe Neighborhood 2010 Grant Announcement through the Wisconsin Office of Justice Assistance. (Grant Control #2010-039)

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

AYES: 15 - Shakoor, II, Coe, Marcus, Shields, Hart, Kaplan, Wisner, Maack, Weidner, Wisneski, McCarthy, DeHahn, Holding, Spangenberg and Mozol

Public Works and Services Committee Report, by Ald. Holding

[10-5772](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 39-10 (K0-048), Festival Hall Retaining Wall Repairs, Ricchio, Inc., contractor. (Res.10-2275)

Recommendation of the Public Works and Services Committee

on 11-9-10: That the work done by Ricchio, Inc. under Contract 39-10

(K0-048), Festival Hall Retaining Wall Repairs, be accepted and final payment authorized for a total contract amount of \$36,450.00.

Fiscal Note: Contract was authorized under Resolution No. 10-2151, dated August 17, 2010.

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

10-5739

Subject: Communication from David K. Popoff, George's Tavern, requesting permission to close the 300 block of Hamilton Street on Saturday, March 5, 2011, for the 19th annual Thoughts for Food fundraiser. (Res.10-2269)

Recommendation of the Public Works and Services Committee

on 11-9-10: The owner of George's Tavern be granted permission to close Hamilton Street from Main Street to Chatham Street, from 6:00 p.m., Saturday, March 5, 2011 to 2:00 a.m., Sunday, March 6, 2011, in conjunction with the Thoughts for Food Fundraiser, with the following stipulations:

- A. A hold harmless agreement be executed;
- B. A liability insurance certificate be filed prior to this event;
- C. Any overtime costs incurred by any City department be charged to the sponsor;
- D. The sponsor shall notify all abutting property owners seventy-two (72) hours in advance of this event;
- E. No alcoholic beverages will be sold and/or dispensed within the street right-of-way;
- F. In the event of snow, the sponsor shall remove all barricades from the street.
- G. Sponsor shall be responsible for all detour signage during the event.
- H. 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.

10-5749

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Engineering submitting a proposal from Ayres Associates for professional services for the Spring Street Bridge Repair (B-51-52) Racine, WI. (Res.10-2278)

Recommendation of the Public Works and Services Committee

on 11-9-10: That the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with Ayres Associates for preparing plans, specifications and estimates to repair the Spring Street Bridge, in the not-to-exceed amount of \$9,100.00.

Further recommends that funds to defray the cost of these professional services be appropriated from Account 991.520.5010, Mill/Cast Overlay Spring Street Bridge.

Fiscal Note: Funds are available as herein delineated.

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

10-5750

Subject: Communication from Dr. Ann Yehle, McKinley Middle School Directing Principal, requesting to close off the south sidewalk of Rupert Boulevard from Chicago Street west to the cemetery during the winter. (Res.10-2270)

Recommendation of the Public Works and Services Committee

on 11-9-10: That Racine Unified School District be granted permission to close the sidewalk on Rupert Boulevard fronting McKinley Middle School from December 1, 2010 to April 1, 2011 with the requirement that Racine Unified School District holds the City of Racine harmless from any and all injuries caused by conditions of the sidewalk related to this closure.

Fiscal Note: There will be no cost to the City of Racine in granting this permission.

Alderman Holding requested that item 10-5750 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: 14 - Shakoor, II, Coe, Marcus, Shields, Hart, Kaplan, Wisner, Maack, Weidner, Wisneski, DeHahn, Holding, Spangenberg and Mozol

NOES: 1 - McCarthy

10-5753

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Engineering submitting Change Order No. 1 on Contract 7-10 (K0-007), 2010 Street Reconstruction (R1), A.W. Oakes & Son, Inc., contractor. (Res.10-2273)

Recommendation of the Public Works and Services Committee

on 11-9-10: That Change Order No. 1 on Contract 7-10 (K0-007), 2010 Street Reconstruction (R1), A.W. Oakes & Son, Inc., contractor, be approved in the amount of \$76,908.70.

Further recommends that funding to defray the cost of this change order be appropriated from the following accounts:

\$32,223.70 - Account 919.987.5010, Oakes Road, 16th to 21st (IG)
\$43,223.00 - Account 104.990.5420, Storm Sewers, Misc. Locations
\$ 1,462.00 - Account 990.908.5220, Asphalt Resurfacing
\$76,908.70 - Total

Fiscal Note: Funds are available as herein delineated.

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

[10-5754](#)

Subject:(Direct Referral) Communication from the Commissioner of Public Works/City Engineer Submitting a request for final payment on Contract 7-10 (K0-007) 2010 Street Reconstruction (R1), A.W. Oakes & Sons, Inc., contractor. (Res.10-2274)

Recommendation of the Public Works and Services Committee on 11-9-10: That the work done by A. W. Oakes & Son, Inc. under Contract 7-10 (K0-007), 2010 Street Reconstruction (R1), be accepted and final payment authorized for a total contract amount of \$1,090,728.62.

Fiscal Note: Contract was authorized under Resolution No. 10-1944, dated April 7, 2010.

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

[10-5764](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Engineering submitting for review the Professional Services Agreement-(WinSLAMM), AECOM Technical Services, Inc., consultant. (Res.10-2279)

Recommendation of the Public Works and Services Committee on 11-9-10: That the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with AECOM Technical Services, Inc. for Source Load and Management Modeling, in the not-to-exceed amount of \$45,000.00.

Further recommends that funds to defray the cost of these professional services be appropriated from Account 104.991.5450, SLAMM Model.

Fiscal Note: Funds are available as herein delineated.

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

[10-5766](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Engineering submitting a list of streets to be included in the 2011 public hearings for 2012 construction. (Res.10-2280)

Recommendation of the Public Works and Services Committee on 11-9-10: The following list of streets, as submitted by the City Engineer, be considered for reconstruction with portland cement concrete paving for the 2012 construction season (2011 hearings) and that a preliminary resolution be introduced.

Portland Cement Concrete Paving

Apple Tree Circle from cul-de-sac to North Illinois Street
Barbara Drive from cul-de-sac to Golf Avenue
Blue River Avenue from Illinois Street to Oregon Street
Chatham Street from Melvin Avenue to Lombard Avenue
DeKoven Avenue from Clark Street to Racine Street
Erie Street from Prospect Street to Colbert Street
Kentucky Street from Kinzie Avenue to Haven Avenue
Kewaunee Street from North Main Street to Chatham Street
Kinzie Avenue from West Sixth Street to Rupert Boulevard
Lighthouse Drive from Sheffield Drive to Queens Court
Lombard Avenue from North Main Street to Chatham Street
North Bay Drive from Saxony Drive to Steeplechase Drive
North Osborne Boulevard from Fairway Drive to Ravine Drive
Railroad Street from Prospect Street to Hamilton Street
Rickeman Street from +/- 390' south of Liberty Street to Liberty Street
Spring Valley Drive from Harrington Drive to Vista Drive
Summit Avenue from Hubbard Street to Albert Street
Superior Street from Liberty Street to State Street - 60' north of Liberty to State
Westway Avenue from Echo Lane to Crab Tree Lane
Westway Avenue from Perry Avenue to Echo Lane

Sewer and Water Laterals

DeKoven Avenue from Clark Street to Racine Street
Kewaunee Street from North Main Street to Chatham Street
Railroad Street from Prospect Street to Hamilton Street

Sanitary Sewer

Kewaunee Street from North Main Street to Chatham Street

Water Main

Kewaunee Street from North Main Street to Chatham Street

Fiscal Note: Unknown at this time.

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

[10-5771](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 6-10 (K0-006), Professional Services - Review & Design Festival Hall Retaining Wall, Arnold & O'Sheridan, Inc., consultant. (Res.10-2272)

Recommendation of the Public Works and Services Committee on 11-9-10: That the professional services provided by Arnold & O'Sheridan, Inc., under Contract 6-10 (K0-006), Professional Services - Review & Design of Festival Hall Retaining Wall, be accepted and final payment authorized for a total contract amount of \$15,402.75.

Fiscal Note: Contract was authorized under Resolution No. 10-1816, dated January 19, 2010.

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

[10-5774](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting Change Order No. 1 to Contract 41-10 (K0-050), Festival Hall AC Replacement, Grunau Co., Inc., contractor. (Res.10-2277)

Recommendation of the Public Works and Services Committee on 11-9-10: That Change Order No. 1 on Contract 41-10 (K0-050), Festival Hall AC Replacement, Grunau Company, Inc., contractor, be approved that will provide a time extension until December 23, 2010 to complete this contract.

Fiscal Note: There will be no change in contract price as a result of this change order.

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

[10-5776](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works/City Engineer submitting bid results on Contract 52-10 (K0-066), Transit Center West Canopy Platform Repair & Restoration. (Res.10-2271)

Recommendation of the Public Works and Services Committee on 11-9-10: That Contract 52-10 (K0-066), Transit Center West

Canopy Platform Repair & Restoration, be awarded to Ricchio, Inc., Gurnee, IL, at their base bid price of \$400,000.00 plus Alternate No. 7 in the amount of \$3,000.00, for a total contract of \$403,000.00, they being the lowest responsible bidder.

Further recommends that funding to defray the cost of this public works project be appropriated from the following Accounts:

\$375,841.47 - Account 719.100.5510, HUD EDI West Platform Rehab
\$ 27,158.53 - Account 990.913.5040, Railroad Depot Building
Repairs
\$403,000.00 - Total

Fiscal Note: Funds are available as herein delineated.

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

[10-5779](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting Change Order No. 1 to Contract 17-10 (K0-017), State Street Bridge Repairs, Zenith Tech, Inc., contractor. (Res.10-2276)

Recommendation of the Public Works and Services Committee on 11-9-10: That Change Order No. 1 on Contract 17-10 (K0-017), State Street Bridge Repairs, Zenith Tech, Inc., contractor, be approved in the amount of \$19,000.00.

Further recommends that funding to defray the cost of this change order be appropriated from Account 930.077.5810, State Street Lift Bridge Repairs.

Fiscal Note: Funds are available as herein delineated.

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

Council Action

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

AYES: 15 - Shakoar, II, Coe, Marcus, Shields, Hart, Kaplan, Wisner, Maack, Weidner, Wisneski, McCarthy, DeHahn, Holding, Spangenberg and Mozol

Public Safety and Licensing Committee Report, by Ald. Wisneski

[10-5718](#)

Subject: Communication from the Director of Parks, Recreation and Cultural Services requesting permission to enter into an agreement with a consulting firm for the purpose of an operations audit of the

Mound and Graceland Cemeteries.

Recommendation of the Public Safety & Licensing Committee on 10-25-2010: That the item be deferred until the next meeting.

Recommendation of the Public Safety & Licensing Committee on 11-8-2010: That the item be received and filed as action has already been taken.

Fiscal Note: N/A

Alderman Wisneski requested that item 10-5718 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: 15 - Shakoor, II, Coe, Marcus, Shields, Hart, Kaplan, Wisner, Maack, Weidner, Wisneski, McCarthy, DeHahn, Holding, Spangenberg and Mozol

10-5730

Subject: (New) Application of Steel Rose, Abimael Gutierrez, for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 1518 Washington Avenue (3rd District)

Recommendation of the Public Safety & Licensing Committee on 11-8-2010: The application be denied based on concentration of other liquor establishments in the area.

Fiscal Note: N/A

Alderman Wisneski requested that item 10-5730 be considered separately.

Alderman Wisneski made a motion notwithstanding the committee report that the item be received and filed.

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

AYES: 15 - Shakoor, II, Coe, Marcus, Shields, Hart, Kaplan, Wisner, Maack, Weidner, Wisneski, McCarthy, DeHahn, Holding, Spangenberg and Mozol

City Plan Commission Report, by Ald. Holding

10-5780

Subject: (Direct Referral) Review of conditional use at 1333 Douglas Avenue, High Rollers Motorcycle Club; and request to amend the conditional use to extend the hours of operation. (Res.10-2281)

Recommendation of the City Plan Commission on 11-10-10: That the item be approved subject to conditions.

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: 15 - Shakoor, II, Coe, Marcus, Shields, Hart, Kaplan, Wiser, Maack, Weidner, Wisneski, McCarthy, DeHahn, Holding, Spangenberg and Mozol

10-5781

Subject: (Direct Referral) Request by Steven Sharpe, representing Saleh Bazzar, seeking consideration of a request for a conditional use permit to change the existing auto repair garage into a convenience mart, replace the gas pumps, add a gas canopy, and other site improvements at 2501 Lathrop Avenue. (Res.10-2282)

Recommendation of the City Plan Commission on 11-10-10: That the item be approved subject to conditions.

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: 15 - Shakoor, II, Coe, Marcus, Shields, Hart, Kaplan, Wiser, Maack, Weidner, Wisneski, McCarthy, DeHahn, Holding, Spangenberg and Mozol

10-5790

Subject: (ZOrd.4-10) An ordinance rezoning 716 and 720 - 17th Street from B-1 Neighborhood Convenience District to R-3 Limited General Residence District.

Recommendation of the City Plan Commission on 11-10-10: That the ordinance be adopted.

Fiscal Note: N/A

Alderman Holding requested that item 10-5790 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: 12 - Shakoor, II, Hart, Kaplan, Wiser, Maack, Weidner, Wisneski, McCarthy, DeHahn, Holding, Spangenberg and Mozol

NOES: 3 - Coe, Marcus and Shields

Redevelopment Authority of the City of Racine Report, by Ald. Spangenberg

10-5745

Subject: Communication from the Director of City Development requesting that the City provide financial assistance to Summit Packaging Systems, Inc. for the expansion of its operations in the City of Racine. (Res.10-2264)

Recommendation of the Redevelopment Authority on 11-08-10:

that the Authority supports the use of funds from the Intergovernmental Revenue Sharing account for financial assistance for Summit Packaging Systems, Inc., and that the financial assistance be conditioned upon Summit Packaging Systems, Inc., agreeing to give preference to City of Racine residents when filling open positions, and that the Mayor and City Clerk be authorized and directed to execute a financial assistance agreement with Summit Packaging Systems, Inc.

Fiscal Note: The proposed financial assistance is consistent with the provisions of sec. 46-268 of the Racine Municipal Code regarding the Intergovernmental Revenue Sharing (919) Account. Sufficient funds are available in the account.

Recommendation of the Finance & Personnel Committee on

11-08-10: That the Mayor and City Clerk be authorized to execute an agreement with Summit Packaging, Inc. to provide financial assistance for its relocation to and expansion at 3441 S. Memorial Drive.

Further recommends that the agreement include a requirement that Summit Packaging give preference to city residents when filling open positions.

Further recommends that the Mayor and City Clerk be authorized to execute amendment, assignment and assumption agreements concerning the use and maintenance of the railroad spur at 3441 S. Memorial Drive that was constructed by the city.

Fiscal Note: The proposed agreement would provide an annual payment to Summit Packaging over a ten year period if the residents hiring preference is complied with. The payment is calculated as 75% of the city real estate tax payment. The payment for 2011 is estimated to be \$53,444. Payments would be made from the Intergovernmental Sewer Revenue Sharing (919) Account. Sufficient funds are available in that account.

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

AYES: 14 - Shakoor, II, Coe, Shields, Hart, Kaplan, Wisner, Maack, Weidner, Wisneski, McCarthy, DeHahn, Holding, Spangenberg and Mozol

NOES: 1 - Marcus

Committee of the Whole Report, by Ald. Coe**10-5589**

Subject: Submittal of the Report of the Finance Committee of the Racine Waterworks Commission Regarding Year 2011 Water Utility Operation and Maintenance Budget and the 2011-2015 Capital Improvements Budget Recommending Adoption (Res.10-2283)

Recommendation of the Racine Waterworks Commission of 9-28-10: To adopt. Refer to the Committee of the Whole.

Recommendation of the Committee of the Whole on 11-10-2010: The Item be approved.

Fiscal Note: copies of the 2011 Water Utility Operation and Maintenance Budget and the 2011-2015 Capital Improvements Budget, along with their supporting exhibits, are in file in the Office of the Water Utility General Manager.

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

AYES: 15 - Shakoor, II, Coe, Marcus, Shields, Hart, Kaplan, Wisner, Maack, Weidner, Wisneski, McCarthy, DeHahn, Holding, Spangenberg and Mozol

10-5596

Subject: Submittal of the Report of the Finance Committee of the Racine Wastewater Commission Regarding Year 2011 Wastewater Utility Operation and Maintenance Budget and the 2011-2015 Capital Improvements Budget Recommending Adoption (Res.10-2284)

Recommendation of the Racine Wastewater Commission of 9-28-10: To adopt. Refer to the Committee of the Whole.

Recommendation of the Committee of the Whole on 11-10-2010: The Item be approved.

Fiscal Note: copies of the 2011 Wastewater Utility Operation and Maintenance Budget and the 2011-2015 Capital Improvements Budget, along with their supporting exhibits, are on file in the Office of the Wastewater Utility General Manager.

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

AYES: 15 - Shakoor, II, Coe, Marcus, Shields, Hart, Kaplan, Wisner, Maack, Weidner, Wisneski, McCarthy, DeHahn, Holding, Spangenberg and Mozol

10-5635

Subject: Submittal of 2011 Sewer Service Rates (Res.10-2285)

Recommendation of the Racine Wastewater Commission of

9-28-10: To adopt. Refer to the Committee of the Whole.

Recommendation of the Committee of the Whole on 11-10-2010:

The Item be approved.

Fiscal Note: Sewer rates for 2011 have been prepared in accordance with the Racine Area Intergovernmental Sanitary Sewer Service, Revenue-Sharing, Cooperation and Settlement Agreement dated April 25, 2002.

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

AYES: 15 - Shakoor, II, Coe, Marcus, Shields, Hart, Kaplan, Wisner, Maack, Weidner, Wisneski, McCarthy, DeHahn, Holding, Spangenberg and Mozol

10-5688

Subject: Communication from Mayor Dickert submitting the 2011 proposed budgets for the General Fund, Special Revenue Funds, Debt Service, Enterprise Funds, Utilities, and Internal Service Funds. (Res.10-2286)

Recommended: that the Item be approved.

Fiscal Note: The adopted operating budget results in a tax levy of \$45,876,314 and a tax rate of \$11.4551 based on a total assessed value of taxable general property of \$4,004,891,800. The 2011 General Obligation Debt will provide \$8,325,500 in funding for budgeted Capital Projects. Copies of these budgets and supporting documentation are on file in the Office of the Finance Director.

Motion made by Alderman Wisneski seconded by Alderman Maack to adopt amendment #14-Park and Recreation Assistant (2) as follows:

Proposed Budget Book changes to eliminate equipment and add back the Parks Assistant Director Position.

Budget Book Director of Parks and Recreation page 68, Parks page 74 and CIP page 25

Reduce expense account 101-700-5780, Licensed Vehicles -2yd Dump Truck, \$58,000 from 151,000 to \$93,000

Reduce expense account 101-700-5770, Machinery and Equipment; Brush Chipper \$35,000 and Portable Hot Water Power Washer \$11,000 from \$159,500, to 113,500

Increase expense account 101-170-5010, Salaries \$82,056 from \$211,124 to \$293,180

Increase expense account 101-170-5110, WI Retirement \$9,994, from \$25,042 to \$35,036

Increase expense account 101-170-5120, FICA \$6,591 from \$16,514 to \$23,105

Increase expense account 101-170-5130, Health Ins. \$15,003, from \$41,532 to \$56,535

Increase expense account 101-170-5180, Longevity \$4,103, from \$4,748 to \$8,851

Reduce expense account 101-850-5160, Unemployment Comp. \$18,876

Reduce expense account 101-990-6010, Tax Levy by \$5,129

The amendment passed by the following vote:

Ayes: Wisner, Wisneski, Coe, DeHahn, Hart, Holding, Kaplan, Maack, Marcus, McCarthy, Mozol, Shakoor, Shields, Spangenberg and Weidner

Noes: None

Motion made by Alderman Weidner seconded by Alderman Maack to adopt amendment #15- PIO Mayor (2)

Proposed Budget Book changes to reduce professional services in the Mayor's Office.

Original Amendment removed \$20,000 of \$26,200 Professional Services Budget. As this account was all for a PIO Officer, this removes the balance of the budget.

Budget Book Mayor's Office page 83:

Reduce expense account 101-020-5610, Professional Services, \$6,200, from \$6,200 to \$0

Reduce revenue account 101-990-6010, Tax Levy by \$6,200.

The amendment passed by the following vote:

Ayes: Wisner, Wisneski, Coe, DeHahn, Hart, Holding, Kaplan, Maack, Marcus, McCarthy, Mozol, Shakoor, Shields, Spangenberg and Weidner

Noes: None

Motion made by Alderman Wisneski seconded by Alderman Maack to amend contingency fund from \$300,000.00 to \$200,000.00.

The amendment passed by the following vote:

Ayes: Wisner, Wisneski, Coe, DeHahn, Hart, Holding, Kaplan, Maack, Marcus, McCarthy, Mozol, Shakoor, Shields, Spangenberg and Weidner

Noes: None

A motion was made that this Communication be Adopted As Amended: . The motion was APPROVED by the following vote:

AYES: 11 - Shakoor, II, Coe, Hart, Kaplan, Wisner, Maack, Weidner, Wisneski, DeHahn, Holding and Spangenberg

NOES: 4 - Marcus, Shields, McCarthy and Mozol

10-5689

Subject: Communication from Mayor Dickert submitting the 2011-2015 proposed Capital Improvement Plan. (Res.10-2287)

Recommended: that the Item be accepted.

Fiscal Note: The Capital Improvement Plan does not commit the City to any actual projects or funding sources. Current year projects amount to \$36,043,425 and call for \$8,325,000 from General Obligation Debt and \$3,435,000 from Utility Revenue Bonds.

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

AYES: 11 - Shakoor, II, Coe, Hart, Kaplan, Wisner, Maack, Weidner, Wisneski, DeHahn, Holding and Spangenberg

NOES: 4 - Marcus, Shields, McCarthy and Mozol

Office of the Mayor Report, by Ald. Coe**10-5795**

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

Michael Iselin 1244 West Blvd. Racine 53405 to the West Racine Business Improvement District Board in order to fill the current vacancy set to expire on December 1, 2011.

A motion was made by Jeff Coe, seconded by Q.A. Shakoor, II, that this be Received and Filed as Reported. The motion PASSED by the following vote:

AYES: 15 - Shakoor, II, Coe, Marcus, Shields, Hart, Kaplan, Wisner, Maack, Weidner, Wisneski, McCarthy, DeHahn, Holding, Spangenberg and Mozol

H. Consent Agenda - Resolutions**Res.10-2263**

Permission granted to Grants Facilitator to apply for the Project Safe Neighborhood 2010 Grant Announcement through the Wisconsin Office of Justice Assistance

Resolved, that permission be granted for the Grants Facilitator to apply for the Project Safe Neighborhood 2010 Grant Announcement through the Wisconsin Office of Justice Assistance (Grant Control #2010-039). The grant is in the amount of \$25,000 and will support the Community Re-Entry Program.

Fiscal Note: There is no City match required.

Sponsors: James T. Spangenberg

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

Res.10-2265

Permission granted to Public Health Administrator to accept the \$8,700 Grant from the Department of Health Services for HIV Partner Services, and Mayor and City Clerk be authorized to execute the Grant Agreement

Resolved, that permission be granted to the Public Health Administrator to accept the \$8,700 grant from the Department of Health Services for HIV Partner Services (Grant Control No. 2010-038). The contract period is May 1, 2010 through December 31, 2010.

Further resolved, that the Mayor and City Clerk be authorized and directed to enter into the grant agreement with the Department of Health Services.

Fiscal Note: No City match required.

Sponsors: James T. Spangenberg

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

Res.10-2266

Permission granted to the Public Health Administrator to accept the \$36,845 Grant from the Wisconsin Division of Public Health for the WIC Program, and that the Mayor and City Clerk be authorized to enter into the Grant Agreement

Resolved, that permission be granted for the Public Health Administrator to accept the \$36,845.00 Grant from the Wisconsin Division of Public Health, Department of Health Services for the budget period of January 1, 2010 through December 31, 2010 for the Women, Infants and Children (WIC) Program (Grant Control No. 2--6-049).

Further resolved, that the Mayor and City be authorized and directed to enter into the Grant Agreement with the Wisconsin Division of Public Health for the WIC Program.

Fiscal Note: No City match required.

Sponsors: James T. Spangenberg

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

Res.10-2267

Mayor and City Clerk be authorized and directed to enter into an agreement with the Wisconsin Department of Transportation for Relocation of Hydrants on Highway 20

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with the Wisconsin Department of Transportation for Relocation of Hydrants on Highway 20.

Fiscal Note: The estimated cost of the relocation is \$7,100. The Wisconsin DOT will reimburse for 90% of the cost and the Racine Water Utility will pay the remaining 10%.

Sponsors: James T. Spangenberg

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

Res.10-2268

Permission granted to the City Attorney to transfer funds to the Professional Services Account for the remainder of the 2010 budget year

Resolved, that \$80,000 be transferred from Account 101.990.5970, Contingency, to Account 101.160.5610, Attorney-Professional Services, to cover anticipated legal fees through the remainder of 2010.

Fiscal Note: There are sufficient funds available to cover the transfer.

Sponsors: James T. Spangenberg

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

Res.10-2269

Permission granted with certain stipulations to close the 300 block of Hamilton Street on Saturday, March 5, 2011, for the 19th Annual Thoughts for Food Fundraiser

Resolved, that the owner of George's Tavern be granted permission to close Hamilton Street from Main Street to Chatham Street, from 6:00 p.m., Saturday, March 5, 2011 to 2:00 a.m., Sunday, March 6, 2011, in conjunction with the Thoughts for Food Fundraiser, 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. No alcoholic beverages will be sold and/or dispensed within the street right-of-way;
- F. In the event of snow, the sponsor shall remove all barricades from the street;
- G. Sponsor shall be responsible for all detour signage during the event;
- H. 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: Gregory Holding

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

Res.10-2270

Racine Unified School District be granted permission to close the sidewalk on Rupert Boulevard fronting McKinley School from December 1, 2010 to April 1, 2011, contingent upon entering into a Hold Harmless Agreement with the City

Resolved, that the Racine Unified School District be granted permission to close the sidewalk on Rupert Boulevard fronting McKinley Middle School from December 1, 2010 to April 1, 2011 with the requirement that Racine Unified School District sign a Hold Harmless Agreement with the City and holds the City of Racine harmless from any and all injuries caused by conditions of the sidewalk related to this closure.

Fiscal Note: There will be no cost to the City of Racine in granting this permission.

Sponsors: Gregory Holding

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

Res.10-2271

Contract 52-10 (K0-066), Transit Center West Canopy Platform Repair & Restoration, be awarded to Ricchio, Inc., Gurnee, Illinois

Resolved, that Contract 52-10 (K0-066), Transit Center West Canopy Platform Repair & Restoration, be awarded to Ricchio, Inc., Gurnee, IL, at its base bid price of \$400,000.00 plus Alternate No. 7 in the amount of \$3,000.00, for a total contract of \$403,000.00, it being the lowest responsible bidder.

Further resolved, that funding to defray the cost of this public works project be appropriated from the following accounts:

\$ 375,841.47 - Account 719.100.5510, HUD EDI West Platform Rehab
\$ 27,158.53 - Account 990.913.5040, Railroad Depot Building Repairs
\$ 403,000.00 - Total

Fiscal Note: Funds are available as herein delineated.

Sponsors: Gregory Holding

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

Res.10-2272

Professional services provided by Arnold & O'Sheridan, Inc., under Contract 6-10 (K0-006), Review and Design of Festival Hall Retaining Wall, be accepted and final payment authorized

Resolved, that the professional services provided by Arnold & O'Sheridan, Inc., under Contract 6-10 (K0-006), Professional Services - Review & Design of Festival Hall Retaining Wall, be accepted and final payment authorized for a total contract amount of \$15,402.75.

Fiscal Note: Contract was authorized under Resolution No. 10-1816, dated January 19, 2010.

Sponsors: Gregory Holding

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

Res.10-2273

Change Order No. 1 on Contract 7-10 (K0-007), 2010 Street Reconstruction (R1), A.W. Oakes & Son, Inc., contractor, be approved

Resolved, that Change Order No. 1 on Contract 7-10 (K0-007), 2010 Street Reconstruction (R1), A.W. Oakes & Son, Inc., contractor, be

approved in the amount of \$76,908.70.

Further resolved, that funding to defray the cost of this change order be appropriated from the following accounts:

\$ 32,223.70 - Account 919.987.5010, Oakes Road, 16th to 21st (IG)
\$ 43,223.00 - Account 104.990.5420, Storm Sewers, Misc. Locations
\$ 1,462.00 - Account 990.908.5220, Asphalt Resurfacing
\$ 76,908.70 - Total

Fiscal Note: Funds are available as herein delineated.

Sponsors: Gregory Holding

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

Res.10-2274

Work done by A.W. Oakes & Son, Inc., under Contract 7-10 (K0-007), 2010 Street Reconstruction (R1), be accepted and final payment authorized

Resolved, that the work done by A. W. Oakes & Son, Inc. under Contract 7-10 (K0-007), 2010 Street Reconstruction (R1), be accepted and final payment authorized for a total contract amount of \$1,090,728.62.

Fiscal Note: Contract was authorized under Resolution No. 10-1944, dated April 7, 2010.

Sponsors: Gregory Holding

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

Res.10-2275

Work done by Ricchio, Inc., under Contract 39-10 (K0-048), Festival Hall Retaining Wall Repairs, be accepted and final payment authorized

Resolved, that the work done by Ricchio, Inc., under Contract 39-10 (K0-048), Festival Hall Retaining Wall Repairs, be accepted and final payment authorized for a total contract amount of \$36,450.00.

Fiscal Note: Contract was authorized under Resolution No. 10-2151, dated August 17, 2010.

Sponsors: Gregory Holding

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

Res.10-2276

Change Order No. 1 on Contract 17-10 (K0-017), State Street Bridge Repairs, Zenith Tech, Inc., contractor, be approved

Resolved, that Change Order No. 1 on Contract 17-10 (K0-017), State Street Bridge Repairs, Zenith Tech, Inc., contractor, be approved in the

amount of \$19,000.00.

Further resolved, that funding to defray the cost of this change order be appropriated from Account 930.077.5810, State Street Lift Bridge Repairs.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Gregory Holding

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

Res.10-2277

Change Order No. 1 to Contract 41-10 (K0-050), Festival Hall AC Replacement, Grunau Company, Inc., contractor, be approved

Resolved, that Change Order No. 1 on Contract 41-10 (K0-050), Festival Hall AC Replacement, Grunau Company, Inc., contractor, be approved that will provide a time extension until December 23, 2010 to complete this contract.

Fiscal Note: There will be no change in contract price as a result of this change order.

Sponsors: Gregory Holding

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

Res.10-2278

Mayor and City Clerk be authorized and directed to enter into a Professional Services Agreement with Ayres Associates for repairs to the Spring Street Bridge

Resolved, that the Mayor and City Clerk be authorized and directed to enter into a Professional Services Agreement with Ayres Associates for preparing plans, specifications and estimates to repair the Spring Street Bridge, in the not-to-exceed amount of \$9,100.00.

Further resolved, that funds to defray the cost of these professional services be appropriated from Account 991.520.5010, Mill/Cast Overlay Spring Street Bridge.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Gregory Holding

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

Res.10-2279

Mayor and City Clerk be authorized and directed to enter into a Professional Services Agreement with AECOM Technical Services, Inc., for Source Load and Management Modeling

Resolved, that the Mayor and City Clerk be authorized and directed to enter into a Professional Services Agreement with AECOM Technical Services, Inc., for Source Load and Management Modeling, in the not-to-exceed amount of \$45,000.00.

Further resolved, that funds to defray the cost of these professional services be appropriated from Account 104.991.5450, SLAMM Model.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Gregory Holding

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

Res.10-2280

Preliminary - Ten (10) Year
Benefits and Damages

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

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

All property fronting upon both sides:

Portland Concrete Paving

Apple Tree Circle from cul-de-sac to North Illinois Street
Barbara Drive from cul-de-sac to Golf Avenue
Blue River Avenue from Illinois Street to Oregon Street
Chatham Street from Melvin Avenue to Lombard Avenue
DeKoven Avenue from Clark Street to Racine Street
Erie Street from Prospect Street to Colbert Street
Kentucky Street from Kinzie Avenue to Haven Avenue
Kewaunee Street from North Main Street to Chatham Street
Kinzie Avenue from West Sixth Street to Rupert Boulevard
Lighthouse Drive from Sheffield Drive to Queens Court
Lombard Avenue from North Main Street to Chatham Street
North Bay Drive from Saxony Drive to Steeplechase Drive
North Osborne Boulevard from Fairway Drive to Ravine Drive
Railroad Street from Prospect Street to Hamilton Street
Rickeman Street from +/- 390' south of Liberty Street to Liberty Street
Spring Valley Drive from Harrington Drive to Vista Drive
Summit Avenue from Hubbard Street to Albert Street
Superior Street from Liberty Street to State Street - 60' north of Liberty to State
Westway Avenue from Echo Lane to Crab Tree Lane
Westway Avenue from Perry Avenue to Echo Lane

Sewer and Water Laterals

DeKoven Avenue from Clark Street to Racine Street
Kewaunee Street from North Main Street to Chatham Street
Railroad Street from Prospect Street to Hamilton Street

Sanitary Sewer

Kewaunee Street from North Main Street to Chatham Street

Water Main

Kewaunee Street from North Main Street to Chatham Street

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

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

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

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

Sponsors: Gregory Holding

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

Res.10-2281

High Rollers Motorcycle Club Conditional Use Permit for a meeting hall at 1333 Douglas Avenue be continued, subject to conditions

Resolved, that the High Rollers Motorcycle Club Conditional Use Permit for a meeting hall at 1333 Douglas Avenue be continued subject to the following conditions:

- a. That the plans presented to the Plan Commission on May 27, 2009, be the approved plans of record for this conditional use.
- b. That the parking lot be striped as outlined on the site plan as presented May 27, 2009 no later than May 1, 2011. If this is not done, a Letter of Credit of \$500.00 shall be submitted to the Department of City Development within 15 days of inspection.
- c. That the applicant shall submit a landscaping plan to the Department of City Development for review and approval by the Director of City Development. Landscaping shall be planted no later than May 1, 2011. If this is not done, a Letter of Credit of \$1,500.00 shall be submitted to the Department of City Development within 15 days of inspection.
- d. That alcohol sales and consumption be subject to all state and local regulations.
- e. That the hours of operation shall be 9:00 a.m. - 2:30 a.m.
- f. That no storage of vehicles or recreational vehicles (including boats, trailers, etc.) shall be permitted on the property.
- g. That trash shall be stored in covered containers within the fenced in trash area to the rear of the building. Trash shall be placed at the curb on pick-up days in appropriate containers.
- h. That all activities permitted by this conditional use permit amendment be confined to the indoor spaces after 8:00 p.m.
- i. That all codes and ordinances be complied with and required permits acquired.

Fiscal Note: N/A

Sponsors: Gregory Holding

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

Res.10-2282

That the request from Steven Sharpe, representing Saleh Bazzar, seeking a Conditional Use Permit for 2501 Lathrop Avenue, for conversion of an auto repair garage into a convenience store, with the addition of new gas pumps, a canopy, and other site improvements, be approved subject to conditions

Resolved, that the request from Steven Sharpe, representing Saleh Bazzar, seeking a Conditional Use Permit for 2501 Lathrop Avenue, for conversion of an auto repair garage into a convenience store, with the addition of new gas pumps, a canopy, and other site improvements, be approved subject to the following conditions:

- a. That the plans presented to the Plan Commission on November 10, 2010 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 of the convenience store be from 6:00 a.m. - 11:00 p.m., seven days a week; and that the pumps may be available for gasoline purchase at all times utilizing the "pay at the pump" system.
- d. That there be no outside storage allowed, with the exception of the propane exchange as located and screened on the site development plan along the south side of the building.
- e. There shall be no parking, automobile repair, automobile storage, or similar uses allowed in the areas marked as 'grass' on the site plan.
- f. That the owner shall be responsible for all site maintenance, including trimming, pruning, grass cutting, removal of debris, and overall maintenance of the site.
- g. The all remaining light poles shall be painted to match the building, and no light fixtures may be taller than 15 feet in height.
- h. That the parking lot shall be re-surfaced and striped, with curb stops installed, prior to issuance of a certificate of occupancy.
- i. That the perimeter fencing as indicated on the site plan be in place prior to issuance of a certificate of occupancy.
- j. That, with the authorization of the Director of Public Works, the two curb cuts proposed to be removed be eliminated and new curbing installed prior to issuance of an occupancy permit.
- k. Signage is not approved with this plan. All signage shall be reviewed and

permitted separately from this approval.

l. That all lighting meet the emission standards of the photometric plan as submitted by the applicant.

m. 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.

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

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

Fiscal Note: N/A

Sponsors: Gregory Holding

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

Council Action

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

AYES: 15 - Shakoor, II, Coe, Marcus, Shields, Hart, Kaplan, Wisner, Maack, Weidner, Wisneski, McCarthy, DeHahn, Holding, Spangenberg and Mozol

I. Resolutions

Res.10-2264

Mayor and City Clerk be authorized to execute an agreement with Summit Packaging, Inc., to provide financial assistance for its relocation and expansion at 3441 S. Memorial Drive

Resolved, that the Mayor and City Clerk be authorized and directed to execute an agreement with Summit Packaging, Inc., to provide financial assistance for its relocation to and expansion at 3441 S. Memorial Drive.

Further resolved, that the agreement include a requirement that Summit Packaging give preference to City residents when filling open positions.

Further resolved, that the Mayor and City Clerk be authorized to execute amendment, assignment and assumption agreements concerning the use and maintenance of the railroad spur at 3441 S. Memorial Drive that was constructed by the City.

Fiscal Note: The proposed agreement would provide an annual payment to Summit Packaging over a ten year period if the residents hiring preference is complied with. The payment is calculated as 75% of the City real estate tax

payment. The payment for 2011 is estimated to be \$53,444. Payments would be made from the Intergovernmental Sewer Revenue Sharing (919) Account. Sufficient funds are available in that account.

Sponsors: James T. Spangenberg

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

AYES: 13 - Shakoor, II, Coe, Hart, Kaplan, Wisner, Maack, Weidner, Wisneski, McCarthy, DeHahn, Holding, Spangenberg and Mozol

NOES: 2 - Marcus and Shields

Res.10-2283

2011 Water Utility Operation and Maintenance Budget and the 2011-2015 Capital Improvements Budget be approved

Resolved, that the 2011 Water Utility Operation and Maintenance Budget and the 2011-2015 Capital Improvements Budget be adopted.

Fiscal Note: Copies of the 2011 Water Utility Operation and Maintenance Budget and the 2011-2015 Capital Improvements Budget, along with their supporting exhibits, are on file in the Office of the Water Utility General Manager.

Sponsors: Jeff Coe

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

AYES: 15 - Shakoor, II, Coe, Marcus, Shields, Hart, Kaplan, Wisner, Maack, Weidner, Wisneski, McCarthy, DeHahn, Holding, Spangenberg and Mozol

Res.10-2284

2011 Wastewater Utility Operation and Maintenance Budget and the 2011-2015 Capital Improvements Budget be adopted

Resolved, that the 2011 Wastewater Utility Operation and Maintenance Budget and the 2011-2015 Capital Improvements Budget be adopted.

Fiscal Note: Copies of the 2011 Wastewater Utility Operation and Maintenance Budget and the 2011-2015 Capital Improvements Budget, along with their supporting exhibits, are on file in the Office of the Wastewater Utility General Manager.

Sponsors: Jeff Coe

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

AYES: 15 - Shakoor, II, Coe, Marcus, Shields, Hart, Kaplan, Wisner, Maack, Weidner, Wisneski, McCarthy, DeHahn, Holding, Spangenberg and Mozol

Res.10-2285

2011 Sewer Service Rates be approved

Resolved, that the 2011 Sewer Service Rates be adopted as presented by the Commission.

Fiscal Note: Sewer rates for 2011 have been prepared in accordance with the Racine Area Intergovernmental Sanitary Sewer Service, Revenue-Sharing, Cooperation and Settlement Agreement dated April 25, 2002.

Sponsors: Jeff Coe

A motion was made Adopted

Res.10-2286

2011 Proposed Budgets for the General Fund, Special Revenue Funds, Debt Service, Enterprise Funds, Utilities, and Internal Service Funds be adopted

Resolved, that the 2011 Proposed Budgets for the General Fund, Special Revenue Funds, Debt Service, Enterprise Funds, Utilities, and Internal Service Funds be adopted.

Fiscal Note: The adopted operating budget results in a tax levy of \$45,876,314 and a tax rate of \$11.4551 based on a total assessed value of taxable general property of \$4,004,891,800. The 2011 General Obligation Debt will provide \$8,325,500 in funding for budgeted Capital Projects. Copies of these budgets and supporting documentation are on file in the Office of the Finance Director.

Sponsors: Jeff Coe

A motion was made by Coe, seconded by Shakoor, II, that this Resolution be Adopted as Amended. The motion was APPROVED by the following vote:

AYES: 11 - Shakoor, II, Coe, Hart, Kaplan, Wisner, Maack, Weidner, Wisneski, DeHahn, Holding and Spangenberg

NOES: 4 - Marcus, Shields, McCarthy and Mozol

Res.10-2287

2011-2015 Proposed Capital Improvement Plan be adopted

Resolved, that the 2011-2015 Proposed Capital Improvement Plan be adopted.

Fiscal Note: The Capital Improvement Plan does not commit the City to any actual projects or funding sources. Current year projects amount to \$36,043,425 and call for \$8,325,000 from General Obligation Debt and \$3,435,000 from Utility Revenue Bonds.

Sponsors: Jeff Coe

A motion was made by Coe, seconded by Shakoor, II, that this Resolution be Adopted as Amended. The motion was APPROVED by the following vote:

AYES: 11 - Shakoor, II, Coe, Hart, Kaplan, Wisner, Maack, Weidner, Wisneski, DeHahn, Holding and Spangenberg

NOES: 4 - Marcus, Shields, McCarthy and Mozol

J. Miscellaneous Business**Cemetery Board Appointment**

Alderman Weidner moved that nominations be opened for a citizen member of the Cemetery Commission.

There were no objections.

Alderman Weidner nominated Kristine Reisdorf, for a four-year term ending March 2014.

Alderman Weidner moved that nominations be closed.

Alderman Weidner moved that the City Clerk cast the unanimous ballot of the Council for Kristine Reisdorf.

K. Adjourn

The meeting was adjourned at 9:30p.m. by Alderman Shakoor. The next scheduled meeting of the Council is December 7, 2010.

**ATTEST: JANICE M. JOHNSON-MARTIN
CITY CLERK**