



# City of Racine

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

## Meeting Minutes - Final

### Common Council

*Alderman Jeff Coe*  
*Alderman Mollie Jones*  
*Alderman John Tate II*  
*Alderman Tracey Larrin*  
*Alderman Steve Smetana*  
*Alderman Sandy Weidner*  
*Alderman Raymond DeHahn*  
*Alderman Q.A. Shakoor II*  
*Alderman Terry McCarthy*  
*Alderman Dennis Wisner*  
*Alderman Mary Land*  
*Alderman Henry Perez*  
*Alderman James Morgenroth*  
*Alderman Jason Meekma*  
*Alderman Melissa Lemke*

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Tuesday, November 7, 2017

7:00 PM

City Hall, Room 205

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#### A. Call To Order

**PRESENT:** 14 - Coe, Jones, Tate II, Larrin, Smetana, Weidner, DeHahn, McCarthy, Land, Perez, Morgenroth, Meekma, Lemke and Wisner  
**EXCUSED:** 1 - Shakoor II

#### B. Swearing in of Mayor Elect Mason

#### C. Invocation

#### D. Oath

#### E. Opening Remarks from Mayor Mason

#### F. Pledge of Allegiance To The Flag

*Maria Morales led the Council in the Pledge of Allegiance to the flag.*

#### G. Reappointment of Aldermanic Seats

[1033-17](#)

**Subject: (Direct Referral)** Communication from the Alderman of the Eighth District requesting the Common Council appoint Dennis Wisner as Alderman of the Tenth District for the residue of the present term.

**A motion was made by Alderman Morgenroth, seconded by Alderman Coe, that this Communication be approved as presented. The motion PASSED by**

the following vote:

**AYES:** 13 - Coe, Jones, Tate II, Larrin, Smetana, Weidner, DeHahn, McCarthy, Land, Perez, Morgenroth, Meekma and Lemke

**EXCUSED:** 1 - Shakoor II

**ABSTENTIONS:** 1 - Wisner

[1042-17](#)

**Subject: (Direct Referral)** Communication from the Alderman of the Eighth District requesting that Alderman Wisner be reinstated as President of the Common Council for the residue of the present term.

**A motion was made by Alderman McCarthy, seconded by Alderman Lemke, that this Communication approved as presented. The motion PASSED by the following vote:**

**AYES:** 13 - Coe, Jones, Tate II, Larrin, Smetana, Weidner, DeHahn, McCarthy, Land, Perez, Morgenroth, Meekma and Lemke

**EXCUSED:** 1 - Shakoor II

**ABSTENTIONS:** 1 - Wisner

**H. Approval of Journal of Council Proceedings (Minutes)  
October 17, 2017**

**A motion was made by Alderman Lemke, seconded by Alderman Meekma, that this be approved. The motion passed by the following vote:**

**AYES:** 14 - Coe, Jones, Tate II, Larrin, Smetana, Weidner, DeHahn, McCarthy, Land, Perez, Morgenroth, Meekma, Lemke and Wisner

**EXCUSED:** 1 - Shakoor II

**I. Public Comments**

*The following people appeared to speak before the Common Council:*

*Mercedes Dzindzeleta*

**J. Communications**

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

[1054-17](#)

**Subject:** Communication from Kelly Kruse, representing Business Improvement District No. 1, Downtown, for approval of its proposed 2018 Operating Plan. (Res. 0382-17)

**Recommendation of the Finance & Personnel Committee on 11.13.2017:** The proposed 2018 Operating Plan for Business Improvement District No. 1, Downtown Racine, be approved and that the Finance Director be authorized to place special charges amounting to

\$192,000 on the 2017 property tax bills of the affected properties as delineated by the Business Improvement District.

**Fiscal Note:** It is estimated \$192,000.00 will be raised through bid assessments, \$4,000.00 will be raised through Tree Sponsorship, \$10,000.00 will be raised through uncategorized income to be placed into the Downtown Bid's revenue account.

**Referred to Finance and Personnel Committee.**

[1055-17](#)

**Subject:** Communication from Devin Sutherland, representing Business Improvement District No. 3, Uptown, for approval of its proposed 2018 Operating Plan. (Res. 0383-17)

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

**11.13.2017:** The 2018 Operating Plan for the Uptown Business Improvement District No. 3 be approved and that the Finance Director be authorized to place special charges amounting to \$35,000 on the 2017 property tax bills of the affected properties as delineated by the Business Improvement District.

**Fiscal Note:** It is estimated that \$35,000.00 will be raised through bid assessments to be placed into the Uptown Business revenue account.

**Referred to Finance and Personnel Committee.**

[1056-17](#)

**Subject:** Communication from Devin Sutherland, representing Business Improvement District No. 4, Douglas Avenue, for approval of its proposed 2018 Operating Plan. (Res. 0384-17)

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

**11.13.2017:** That the 2018 Operating Plan for the Douglas Avenue Business Improvement District No. 4, Douglas Avenue, be approved and that the Finance Director be authorized to place special charges amounting to \$48,252 on the 2017 property tax bills of the affected properties as delineated by the Business Improvement District.

**Fiscal Note:** It is estimated that \$48,525.00 will be raised through bid assessments to be placed into the Douglas Avenue Bid's revenue account.

**Referred to Finance and Personnel Committee.**

[1078-17](#)

**Subject:** Communication from the Finance Director submitting the request that the City provide a \$10,000 donation to "Visioning a Greater Racine". (Res. 0385-17)

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

**11.13.2017:** Authorize the City to provide a \$10,000.00 donation to "Visioning a Greater Racine" and to transfer 2017 General Fund Budget from account 11202-56200, Contingency, to account 11202-53460, Miscellaneous Expenses, and that authorization be made to make the payment.

**Fiscal Note:** There are sufficient funds available to fund the transfer and payment.

Referred to Finance and Personnel Committee.

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

[1032-17](#)

**Subject:** Communication from Al Goodman, Fifth Street Yacht Club, requesting to vacate Superior Street between Liberty Street and the Root River.

**Recommendation of the Public Works and Services Committee on 11-14-17:** Defer

Referred to Public and Works and Services Committee.

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

[778-17](#)

**Subject:** Communication from the Alderpersons of the Fourth and Fourteenth Districts requesting that the City of Racine enact an anti-bullying ordinance. (This Item was previously referred to the Committee of the Whole but the requestors have now requested that it be referred to the Public Safety and Licensing Committee.)

**Recommendation of the Public Safety and Licensing Committee on 11-14-17:** That the Attorney's office be authorized to draft a anti-bullying ordinance.

**Fiscal Note:** N/A

Referred to Public Safety and Licensing Committee.

[1077-17](#)

**Subject:** Communication from Deputy Chief Mark Schulz requesting permission to nominate 2 CSO's to be appointed to Humane Officers.

**Recommendation of the Public Safety and Licensing Committee on 11-14-17:** That the nominations of 2 CSO's to be appointed to Humane Officers be approved.

**Fiscal Note:** N/A

Referred to Public Safety and Licensing Committee.

## K. Committee Reports

### Finance and Personnel Committee Report, by Ald. Morgenroth

#### [973-17](#)

**Subject:** Communication from the Purchasing Agent submitting bid results for Official Notice #21-2017, building board up services. (Res. 0355-17)

**Recommendation of the Finance & Personnel Committee on 10/23/2017:** To award Official Notice #21-2017, Building Board Up Services to Vassh Excavating & Grading, they being the low responsive, responsible bidder. This is a two (2) year contract commencing November 1, 2018 and ending on October 31, 2019.

**Fiscal Note:** Funds for this contract are available in the private property maintenance fund, account number 22540-52390, raze/board/remove buildings.

**A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent**

#### [1034-17](#)

**Subject:** (Direct Referral) Communication from the City Attorney and Human Resources Manager submitting the negotiated Racine Police Association 2018 - 2020 collective bargaining agreement for consideration. (Res. 0357-17)

**Recommendation of the Finance & Personnel Committee on 10/23/2017:** Recommend approval of the negotiated Racine Police Association 2018 - 2020 collective bargaining agreement.

**Fiscal Note:** The 2018 increases of 1% on January 1, 2018, and 1% plus \$0.14 per hour on July 1, 2018 amount to approximately \$189,000 in wages plus \$37,700 in benefits (FICA, Medicare and WRS) for a total of \$226,700 over 2017. The 2019 increases of 1% on January 1, 2019, and 1% plus \$0.08 per hour on July 1, 2019 amount to approximately \$182,900 in wages plus \$36,500 in benefits for a total of \$219,400 over 2018. The 2020 increases of 1.25% on January 1, 2020 and 1.25% on July 1, 2020 amount to approximately \$216,800 in wages plus \$43,200 in

benefits for a total of \$260,000 over 2019. The cumulative costs of the contractual increases over the three year period amount to approximately \$1,378,200 in wages and \$275,100 in benefits for a total cost of \$1,653,300. Base wages will increase by 7.38% and \$0.22 per hour over the term of the contract.

**A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent**

[1035-17](#)

**Subject:** (Direct Referral) Communication from the Director of City Development requesting permission to apply for a Community Wide Assessment Grant through the United State Environmental Protection Agency (USEPA). The grant would provide funding to the City's brownfield initiative to update the current inventory of brownfield sites, prioritize clean-up, complete environmental assessment activities & reuse and clean up planning, and conduct public meetings to receive feedback from the community on brownfield projects. (Res. 0356-17)

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

**10/23/2017:** To authorize the Director of City Development to apply for a Community Wide Assessment Grant through the United State Environmental Protection Agency (USEPA).

**Fiscal Note:** The Grant application will be for \$300,000 with a grant term of three years. There are no matching funds required. The grant application has been issued grant control number #00155.

**A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent**

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

[758-17](#)

**Subject:** Communication from the Alderwoman of the 6th District, on behalf of Melissa and Jeff Peterson, requesting street lights be installed on Westwood Circle and/or Maria Street, whichever is most suitable. (Res. 0359-17)

**Recommendation of the Public Works and Services Committee on 09-12-17:** Defer

**Recommendation of the Public Works and Services Committee on 10-31-17:** Approve the installation of a street light.

**Fiscal Note:** The cost to install the street light will be between \$1,600 to \$1,800 and funding is available in Org-Object 14012-53300, Street Light

Utilities.

**A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent**

[997-17](#)

**Subject:** Communication from the Assistant Commissioner of Public Works/City Engineer submitting Amendment No. 2 to an existing agreement with Precise Underground Marking Corporation, Milwaukee, WI, for the provision of underground facility locating services for the City-owned fiber optic and electrical systems - Contract 20170096 - PS-Underground Facility Locating Services. (Res. 0366-17)

**Recommendation of the Public Works and Services Committee on 10-31-17:** That Amendment No. 2 (Contract 20170096 - PS-Underground Facility Locating Services) with Precise Underground Marking Corporation to provide underground facility locating services for the City-owned fiber optic and electrical systems be approved for a one-year extension (January 1, 2018 through December 31, 2018) with a per ticket price of:

Prescreens - \$10.75

Locates - \$13.75

Site Visit/No Conflict - \$13.75

Emergency During Business Hours (Clear/No Conflict/Site Visit/Locate) - \$20.00

Emergency After Business Hours (Clear/No Conflict/Site Visit/Locate) - \$47.77

Projects - \$29.00 per hour

**Fiscal Note:** Funding to defray the cost of these services is available in Org-Object 14012-52100, Street Lighting-Professional Services.

**A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent**

[1011-17](#)

**Subject:** Communication from the Downtown Racine Corporation requesting to use City right-of-way for the annual Holiday Parade on Saturday, November 11, 2017. (Res. 0358-17)

**Recommendation of the Public Works and Services Committee on 10-31-17:** That permission be granted to the Downtown Racine Corporation to close Ontario Street, State Street between Ontario Street and Main Street, Main Street between State Street and Sixth Street, Sixth Street between Main Street and City Hall, on Saturday, November 11, 2017, for the Holiday Parade with the following stipulations:

A. A hold harmless agreement be executed and a \$75.00 processing fee paid.

- B. A liability insurance certificate be filed prior to this event.
- C. Any overtime costs incurred by any City department be charged to the sponsor.
- D. The sponsor shall notify all abutting property owners seventy-two (72) hours in advance of this event.
- E. The sponsor shall pay a \$750.00 special event fee.
- F. If required, sponsor shall be responsible for submitting a Temporary Traffic Control Plan to the Engineering Department for approval, and providing and removing all temporary traffic control devices and detour signs.
- G. If required, sponsor shall provide a detour plan for the closure of all State connecting highways, arterial and collector streets to the City Engineer for approval.
- H. If required, sponsor is responsible for cleaning the streets.
- I. If required, sponsor shall install parking meter hoods or temporary parking signs at least twenty-four (24) hours in advance of the event and if this is not done, sponsor is responsible for vehicle towing and parking violation expenses of the violators.

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 the various City departments, on a regular shift basis, to assist in implementing this event.

**A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent**

[1014-17](#)

**Subject:** Bid results on Contract 20170034, 2017 CCTV and Manhole Inspections. (Res. 0360-17)

**Recommendation of the Public Works and Services Committee on 10-31-17:** That bids for Contract 20170034, 2017 CCTV and Manhole Inspections, be awarded to Northern Pipe, Inc., at their bid price of \$243,824.50, it being the lowest responsible bidder.

Further recommends that funds to defray the cost of this Public Works Department project be appropriated from the below Org-Objects:

\$ 71,392.96 - Org-Object 40102-57560, RWW Interceptor CCTV  
\$109,605.12 - Org-Object 60484-57570, Storm Sewers, Misc. Loc.  
\$ 62,826.42 - Org-Object 22640-57560, Sanitary Sewer-Variou Loc.  
\$243,824.50 - Total

**Fiscal Note:** Funds are available as herein delineated.



**A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent**

[1030-17](#)

**Subject:** Final Payment on Contract 20160064, Construct Home - 1437 Owen Avenue, Double D Construction, Inc., contractor. (Res. 0361-17)

**Recommendation of the Public Works and Services Committee on 10-31-17:** That the work done by Double D Construction, Inc., under Contract 20160064, Construct Home - 1437 Owen Avenue, be accepted and final payment authorized for a total contract amount of \$226,700.00.

**Fiscal Note:** Contract was authorized under Resolution 0403-16, dated December 6, 2016.

**A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent**

[1040-17](#)

**Subject:** Final Payment on Contract 20160031, Retaining Wall Replacement-Riverside Drive & Roe Avenue, A.W. Oakes & Son, contractor. (Res. 0364-17)

**Recommendation of the Public Works and Services Committee on 10-31-17:** That the work done by A.W. Oakes & Son, Inc., under Contract 20160031, Retaining Wall Replacement-Riverside Drive & Roe Avenue, be accepted and final payment authorized for a total contract amount of \$570,545.00.

**Fiscal Note:** Contract was authorized under Resolution 0273-16, dated August 1, 2016.

**A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent**

[1041-17](#)

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer submitting a list of streets to be included in the 2018 Public Hearings for 2019 Construction. (Res. 0365-17)

**Recommendation of the Public Works and Services Committee on 10-31-17:** That the following list of streets, as submitted by the Assistant Commissioner of Public Works/City Engineer, be considered for reconstruction with Portland Cement Concrete Paving or Bituminous Concrete Paving for the 2019 construction season (2018 public hearings) and that a preliminary resolution be introduced.

**Portland Cement Concrete Paving**

**DeKoven Avenue** - Holborn Street to Clark Street  
**Echo Lane** - Westway Avenue to Ridgeway Avenue  
**Elisa Drive** - Dead End to Ostergaard Avenue  
**Foxwood Road** - City Limits to Walden Way  
**Foxwood Road** - Walden Way to City Limits  
**Great Elms Lane** - Wheelock Drive to Taylor Avenue  
**Jonathon Drive** - Cul-De-Sac to North Main Street  
**Kentucky Street** - Taylor Avenue to Cul-De-Sac  
**Michigan Boulevard** - Melvin Avenue to Lombard Avenue  
**Monarch Drive** - Regal Court to Maryland Avenue  
**North Bay Drive** - Cul-De-Sac to Sheffield Drive  
**Olive Street** - Ohio Street to Virginia Street  
**Princess Place** - Biscayne Avenue to Admiralty Avenue  
**Ruby Avenue** - Melvin Avenue to Lombard Avenue  
**Seventeenth Street** - Indiana Street to Kentucky Street  
**Seventeenth Street** - Kentucky Street to Orchard Street  
**Sheffield Drive** - North Bay Drive to Lighthouse Drive  
**Steeplechase Drive** - North Bay Drive to Westminister Square (W)  
**Steeplechase Drive** - Westminister Square (E) to Lighthouse Drive  
**Steeplechase Drive** - Westminister Square (W) to Westminister Square (E)  
**Sycamore Avenue** - Dead End to Byrd Avenue  
**Three Mile Road** - Douglas Avenue to LaSalle Street - 480 Ft. E. of Douglas to 2568 Ft. E. of Douglas  
**West Lawn Avenue** - Republic Avenue to Victory Avenue

#### **Bituminous Concrete Paving**

**DeKoven Avenue** - Holborn Street to Clark Street  
**Echo Lane** - Westway Avenue to Ridgeway Avenue  
**Elisa Drive** - Dead End to Ostergaard Avenue  
**Foxwood Road** - City Limits to Walden Way  
**Foxwood Road** - Walden Way to City Limits  
**Great Elms Lane** - Wheelock Drive to Taylor Avenue  
**Jonathon Drive** - Cul-De-Sac to North Main Street  
**Kentucky Street** - Taylor Avenue to Cul-De-Sac  
**Michigan Boulevard** - Melvin Avenue to Lombard Avenue  
**Monarch Drive** - Regal Court to Maryland Avenue  
**North Bay Drive** - Cul-De-Sac to Sheffield Drive  
**Olive Street** - Ohio Street to Virginia Street  
**Princess Place** - Biscayne Avenue to Admiralty Avenue  
**Ruby Avenue** - Melvin Avenue to Lombard Avenue

**Seventeenth Street** - Indiana Street to Kentucky Street  
**Seventeenth Street** - Kentucky Street to Orchard Street  
**Sheffield Drive** - North Bay Drive to Lighthouse Drive  
**Steeplechase Drive** - North Bay Drive to Westminister Square (W)  
**Steeplechase Drive** - Westminister Square (E) to Lighthouse Drive  
**Steeplechase Drive** - Westminister Square (W) to Westminister Square (E)  
**Sycamore Avenue** - Dead End to Byrd Avenue  
**West Lawn Avenue** - Republic Avenue to Victory Avenue

### Curb & Gutter

**Three Mile Road** - Douglas Avenue to LaSalle Street - 480 Ft. E. of Douglas to 2568 Ft. E. of Douglas

**Fiscal Note:** Unknown at this time.

**A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent**

### 1050-17

**Subject:** (Direct Referral) Change Order No. 2 on Contract 20160025, 2016 CCTV and Manhole Inspections, Visu-Sewer, Inc., contractor. (Res. 0362-17)

**Recommendation of the Public Works and Services Committee on 10-31-17:** That Change Order No. 2 on Contract 20160025, 2016 CCTV and Manhole Inspections, Visu-Sewer, Inc., contractor, as submitted, be approved in the deduct amount of (\$50,179.59).

Further recommends that the funding accounts be adjusted by the following amounts:

\$ 7,185.14 - Org-Object 40102-57560, RWW Interceptor CCTV  
(\$15,026.35) - Org-Object 22640-57560, Sanitary Sewer, Misc. Loc.  
(\$42,338.38) - Org-Object 60484-57570, Storm Sewer, Misc. Loc.  
(\$50,179.59) - Total

**Fiscal Note:** Funds are available as herein delineated.

**A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent**

### 1051-17

**Subject:** Final Payment on Contract 20160025, 2016 CCTV and Manhole Inspections, Visu-Sewer, Inc., contractor. (Res. 0363-17)

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

**10-31-17:** That the work done by Visu-Sewer, Inc., under Contract 20160025, 2016 CCTV and Manhole Inspections, be accepted and final payment authorized for a total contract amount of \$157,884.09.

**Fiscal Note:** Contract was authorized under Resolution 0180-16, dated May 17, 2016.

**A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent**

### **Public Safety and Licensing Committee Report, by Ald. Coe**

#### **Comment from the Applicant and/or their Representative in Relation to the Due Process Hearing**

*No one appeared to speak on behalf of Item #637-17.*

#### **637-17**

**Subject:** The following renewal application for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 2017-2018:

SAM'S RIVERBANK, LLC                      3700 NORTHWESTERN AVENUE  
(TRADENAME) RIVERSIDE INN  
SAM NAIMI, AGENT

**Recommendation of the Public Safety and Licensing Committee on 06-13-17:** That the renewal application for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 2017-2018, be deferred.

**Recommendation of the Common Council on 06-20-17:** That the renewal application for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 2017-2018 be referred back to the Public Safety and Licensing Committee.

**Recommendation of the Public Safety and Licensing Committee on 07-11-17:** That the renewal application for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 2017-2018, be deferred until Mr. Naimi is compliant with the building and health department inspections. Assistant Attorney Tran stated she would meet with Mr. Naimi, his attorney, and the department heads for building and health again to clarify the requirements needed to be compliant with city code.

**Recommendation of the Public Safety and Licensing Committee on 09-12-2017:** That the renewal application for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for

2017-2018, be deferred until the September 26, 2017 meeting in order to allow for Mr. Naimi to be able to comply with the agreement that he has three operator's with a current license and that the information be sent to the City Clerk's office. The City Clerk will then update the committee via email after processing the two applications which were applied for on 09-12-2017.

**Recommendation of the Public Safety and Licensing Committee on 09-26-2017:** That the renewal application for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 2017-2018, be denied.

**Recommendation of the Public Safety and Licensing Committee on 10-24-17 (Due Process Hearing):** That the renewal application for a "Class B" Retail Fermented Malt Beverage and and Intoxicating Liquor License for 2017-2018, for Sam's Riverbank LLC, 3700 Northwestern Avenue, Racine, WI be denied due to reasons listed in the Findings and Facts document.

**Fiscal Note:** N/A

**A motion was made by Alderman Coe, seconded by Alderman DeHahn, that this Communication be Approved. The motion PASSED by the following vote:**

**AYES:** 14 - Coe, Jones, Tate II, Larrin, Smetana, Weidner, DeHahn, McCarthy, Land, Perez, Morgenroth, Meekma, Lemke and Wisner

**EXCUSED:** 1 - Shakoor II

### **Traffic Commission Report, by Ald. Jones**

[491-17](#)

**Subject:** Communication from the Alderman of the 3rd District, on behalf of Jeff Ventura - 1652 Phillips Avenue, requesting a stop or yield sign be placed at the southbound intersection of Phillips Avenue and 17th Street.

**Recommendation of the Traffic Commission on 06-19-17:** Defer

**Recommendation of the Traffic Commission on 07-17-17:** Defer

**Recommendation of the Traffic Commission on 10-16-17:** Receive and file.

**A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent**

[633-17](#)

**Subject:** Communication from the Alderwoman of the 15th District requesting to discuss the placing of traffic calming measures on Erie

Street between Melvin Avenue and Three Mile Road. (Res. 0368-17)

**Recommendation of the Traffic Commission on 07-17-17:** Defer

**Recommendation of the Traffic Commission on 09-18-17:** Defer

**Recommendation of the Traffic Commission on 10-16-17:**

Recommends that designated bicycle lanes and associated signage for northbound and southbound directions be installed on Erie Street, from Melvin Avenue to Three Mile Road.

**Fiscal Note:** The estimated cost of this pavement marking will result in an installation cost of \$1,500.00 and an annual maintenance cost of \$300.00.

**A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent**

[734-17](#)

**Subject:** Communication from the Alderwoman of the 6th District, on behalf of Michael Wright, requesting a stop sign be installed at the intersection of Carmel, Columbia and Clarence Streets. (Res. 0367-17)

**Recommendation of the Traffic Commission on 08-21-17:** Defer

**Recommendation of the Traffic Commission on 10-16-17:**

Recommends that stop control be added to the north approach of Carmel Avenue, where it intersects with Columbia Street.

Further recommends supplemental signs be added to all stop control approaches that indicate traffic from Columbia Street does not stop.

**Fiscal Note:** The estimated cost of this signage will result in an installation cost of \$300.00 and an annual maintenance cost of \$120.00.

**A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent**

[757-17](#)

**Subject:** Communication from the Alderwoman of the 6th District, on behalf of Melissa and Jeff Peterson, requesting either a yield or stop sign be installed at the intersection of Westwood Drive and Maria Street.

**Recommendation of the Traffic Commission on 08-21-17:** Defer

**Recommendation of the Traffic Commission on 10-16-17:**

Recommends that the item be received and filed.

Further recommends that warning signs indicating curve ahead on

Westwood Drive and supplementary reduced speed limit sign be installed for westbound traffic.

**Fiscal Note:** The estimated cost of this signage will result in an installation cost of \$200.00 and an annual maintenance cost of \$80.00.

**A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent**

### **Transit and Parking Commission Report, by Ald. DeHahn**

[995-17](#)

**Subject:** Communication from the City Attorney wishing to discuss the changes involving mobile payment for parking - Chapter 2, Article II, Division 10 and Chapter 94, Article V, of the Municipal Code of the City of Racine, WI.

**Recommendation of the Transit and Parking Commission on 10-18-17:** Approve amending the ordinance to provide for mobile payment for parking.

**Fiscal Note:** N/A

**A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent**

[1026-17](#)

**Subject:** (Direct Referral) Parking passes to promote mobile payment for parking. (Res. 0369-17)

**Recommendation of the Transit and Parking Commission on 10-18-17:** Approve up to 500 mobile payment for parking passes for use on Saturdays in December.

**Fiscal Note:** \$325 in lost revenue.

**A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent**

[1027-17](#)

**Subject:** (Direct Referral) Communication from the Transit & Parking System Manager requesting review of the 2018 Transit Utility Budget, Belle Urban System, or RYDE. (Res. 0370-17)

**Recommendation of the Transit and Parking Commission on 10-18-17:** Approve an 8.33% increase in local contribution as part of the City of Racine's overall budget increase.

**Fiscal Note:** City's local share will increase \$100,000.00 over the 2016 contribution.

**A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent**

[1028-17](#)

**Subject:** (Direct Referral) Communication from the Transit and Parking System Manager requesting review of the 2018 Parking Utility Budget. (Res. 0371-17)

**Recommendation of the Transit and Parking Commission on 10-18-17:** Approve.

**Fiscal Note:** N/A

**A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent**

[1029-17](#)

**Subject:** (Direct Referral) Communication from the Transit and Parking System Manager requesting authorization for the Mayor and City Clerk to sign an agreement with First Transit, Inc., for Transit Management Services for the Belle Urban System, The BUS, RYDE, contingent on City Attorney review. (Res. 0372-17)

**Recommendation of the Transit and Parking Commission on 10-18-17:** Authorize and direct the Mayor and City Clerk to sign the agreement with First Transit, Inc. subject to City Attorney review.

**Recommendation of the Finance & Personnel Committee on 11.13.2017:** Authorize and direct the Mayor and City Clerk to sign the agreement with First Transit, Inc. subject to City Attorney review.

**Fiscal Note:** New contract continues past practice of annual increases.

**Referred to Finance and Personnel Committee.**

### **City Plan Commission Report, by Ald. Wisner**

[1039-17](#)

**Subject:** (Direct Referral) A request from Joshua Jeffers of Jeffers & Co. seeking to rezone the property at 1701 Packard Avenue (including portions of 1700 Packard Avenue) to include a FD Flex Development Overlay District designation. (PC-17) (ZOrd. 007-17)

**Recommendation of the City Plan Commission on 10-25-17:** That an ordinance be created, a public hearing before the Common Council be scheduled, and that staff prepare a use supplement for consideration.

**Fiscal Note:** N/A

**A motion was made that this Conditional Use Permit be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent**



**Committee of the Whole Report, by Ald. Wisner**[913-17](#)

**Subject:** (Direct Referral) Request by the City Administrator and the Executive Director of the Redevelopment Authority to present an update on the Machinery Row project and the development agreement between the City of Racine and FDP MR, LLC., and to seek approval for actions including but not limited to actions leading to future development. (Res. 0373-17)

**Recommendation of the Committee of the Whole on September 13, 2017:** That the item be deferred for 60 days in anticipation of staff returning with additional financial and legal information to assist the formulation of Committee of the Whole action.

**Recommendation of the Committee of the Whole on October 31, 2017:** to adopt the proposed resolution.

**Fiscal Note:** Funding is set forth in the 2018 General Operating Budget and/or the 2018-2028 Capital Improvement Plan on file in the Office of the Finance Director.

*Alderman Weidner requested Item 913-17 be considered separately.*

**A motion was made by Wisner, seconded by Alderman Coe, that this Communication be Approved. The motion PASSED by the following vote:**

**AYES:** 13 - Coe, Jones, Tate II, Larrin, Smetana, DeHahn, McCarthy, Land, Perez, Morgenroth, Meekma, Lemke and Wisner

**NOES:** 1 - Weidner

**EXCUSED:** 1 - Shakoor II

[941-17](#)

**Subject:** Submittal of the Report of the Finance Committee of the Racine Waterworks Commission regarding Year 2018 Water Utility Operations and Maintenance Budget and the 2018-2022 Capital Improvements Budget Recommending Adoption (Res. 0376-17)

**Recommendation of the Racine Waterworks Commission on 9/26/17:** To adopt

**Recommendation of the Committee of the Whole on 11-01-2017:** That the 2018 Water Utility Operations and Maintenance Budget and the 2018-2022 Capital Improvements Budget be adopted.

**Fiscal Note:** A copy of the 2018 Water Utility Operations and Maintenance Budget and the 2018-2022 Capital Improvements Budget is

on file in the Office of the Finance Director.

**A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent**

[947-17](#)

**Subject:** Submittal of the 2018 Sewer Service Rates (Res. 0377-17)

**Recommendation of the Racine Wastewater Commission on 9/26/17:** To adopt

**Recommendation of the Committee of the Whole on 11-01-2017:** that the 2018 Sewer Service Rates be adopted.

**Fiscal Note:** A copy of the 2018 Sewer Service Rates is on file in the Office of the Finance Director.

**A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent**

[948-17](#)

**Subject:** Submittal of the Report of the Finance Committee of the Racine Wastewater Commission regarding Year 2018 Wastewater Utility Operations and Maintenance Budget and the 2018-2022 Capital Improvements Budget Recommending Adoption (Res. 0378-17)

**Recommendation of the Racine Wastewater Commission on 9/26/17:** To adopt

**Recommendation of the Committee of the Whole on 11-01-2017:** That the 2018 Wastewater Utility Operations and Maintenance Budget and the 2018-2022 Capital Improvements Budget plan be adopted.

**Fiscal Note:** A copy of the 2018 Wastewater Utility Operations and Maintenance Budget and the 2018-2022 Capital Improvements Budget plan is on file in the Office of the Finance Director.

**A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent**

[991-17](#)

**Subject:** Communication submitting the proposed 2018 City of Racine Budget consisting of the General Fund, Special Revenue Funds, Debt Service Fund, Capital Project Funds, Enterprise Funds and Internal Service Funds. (Res. 0374-17)

**Recommendation of the Committee of the Whole on 11-01-2017:** That the 2018 General Fund, Special Revenue Funds, Debt Service Fund, Capital Project Funds, Enterprise Funds and Internal Services Funds be adopted as amended.

**Fiscal Note:** A copy of the 2018 General Fund, Special Revenue Funds, Debt Service Fund, Capital Project Funds, Enterprise Funds and Internal Services Funds are on file in the Office of the Finance Director.

*Alderman Weidner requested Item 991-17 be considered separately.*

**A motion was made by Wisner, seconded by Alderman Coe, that this Communication be Approved. The motion PASSED by the following vote:**

**AYES:** 12 - Coe, Jones, Tate II, Larrin, DeHahn, McCarthy, Land, Perez, Morgenroth, Meekma, Lemke and Wisner

**NOES:** 2 - Smetana and Weidner

**EXCUSED:** 1 - Shakoor II

[992-17](#)

**Subject:** Communication submitting the proposed 2018-2027 10-Year Capital Improvement Plan. (Res. 0375-17)

**Recommendation of the Committee of the Whole on 11-01-2017:**

That the 2018-2027 10-Year Capital Improvement Plan be approved, as amended.

**Fiscal Note:** A copy of the 2018-2027 10-Year Capital Improvement Plant is on file in the Office of the Finance Director.

*Alderman Weidner requested Item 992-17 be considered separately.*

**A motion was made by Wisner, seconded by Alderman Coe, that this Communication be Approved. The motion PASSED by the following vote:**

**AYES:** 11 - Coe, Jones, Tate II, Larrin, DeHahn, McCarthy, Land, Perez, Morgenroth, Meekma and Wisner

**NOES:** 3 - Smetana, Weidner and Lemke

**EXCUSED:** 1 - Shakoor II

[1010-17](#)

**Subject:** (Direct Referral) Presentation of the long-term Capital Improvement Plan for the City's Intergovernmental Revenue Sharing Fund for its remaining 16-year life. (Res. 0379-17)

**Recommendation of the Committee of the Whole on 11-01-2017:**

That the long-term plan for the Intergovernmental Revenue Sharing Fund be approved.

**Fiscal Note:** A copy of the long-term plan for the Intergovernmental Revenue Sharing Fund is on file in the Office of the Finance Director.

*Alderman Weidner requested Item 1010-17 be considered separately.*

**A motion was made by Wisner, seconded by Alderman Coe, that this**

**Communication be Approved. The motion PASSED by the following vote:**

**AYES:** 11 - Coe, Jones, Tate II, Larrin, DeHahn, McCarthy, Land, Perez, Morgenroth, Meekma and Wisner

**NOES:** 3 - Smetana, Weidner and Lemke

**EXCUSED:** 1 - Shakoor II

**Office of the Mayor Report, by Ald. Wisner**[1031-17](#)

**Subject:** Communication from Mayor Wisner nominating appointment and reappointments to the following Boards, Committees and/or Commissions:

David Brown, 1719 Count Turf Lane, Racine, 53402 to a 5 year term on the Joint Review Board, expiring 5/1/2022.

Neil Staeck, 601 South Street, Racine, 53402 to a 5 year term on the Joint Review Board, expiring 5/1/2022.

Reappoint Ralph Schwarz, 1525 Howe St MS 160, Racine WI 53403 to the Waterworks Commission for a 4 year term, expiring Oct. 1,2021.

Reappoint Kathleen DeMatthew, 2908 Chatham St, Racine WI 53402 to the Waterworks Commission for a 4 year term, expiring Oct. 1,2021.

Reappoint Ald. Terry McCarthy, 317 West Blvd, Racine WI 53405 to the Waterworks Commission for a 1 year term, expiring Oct. 1,2018.

Reappoint Ald. James Morgenroth, 1500 Monroe St, Racine WI 53405 to the Waterworks Commission for a 1 year term, expiring Oct. 1,2018.

Reappoint Thomas Bunker, 804 Lathrop Ave, Racine WI 53405 to the Waterworks Commission for a 4 year term, expiring Oct. 1,2021.

Reappoint James Palenick, 730 Washington Ave, Racine WI 53403 to the Waterworks Commission as Alternate for a 1 year term, expiring Oct. 1,2018.

Reappoint Ald. Terry McCarthy, 317 West Blvd, Racine WI 53405 to the Wastewater Commission for a 1 year term, expiring Oct. 1,2018.

Reappoint Ald. James Morgenroth, 1500 Monroe St, Racine WI 53405 to the Wastewater Commission for a 1 year term, expiring Oct. 1,2018.

Reappoint Ralph Schwarz, 1525 Howe St MS 160, Racine WI 53403 to the Wastewater Commission for a 4 year term, expiring Oct. 1,2021.

Reappoint Kathleen DeMatthew, 2908 Chatham St, Racine WI 53402 to the Wastewater Commission for a 4 year term, expiring Oct. 1,2021.

Reappoint James Palenick, 730 Washington Ave, Racine WI 53403 to the Wastewater Commission as Alternate 1 for a 1 year term, expiring Oct. 1,2018.

Reappoint Thomas Bunker, 804 Lathrop Ave, Racine WI 53405 to the Wastewater Commission for a 4 year term, expiring Oct. 1,2021.

Reappoint Thomas Friedel, 1904 Dwight St, Racine WI 53403 to the Wastewater Commission as Alternate 2 for a 1 year term, expiring Oct. 1,2018.

**A motion was made by Alderman Wiser, seconded by Alderman Coe, that this Communication be Approved. The motion FAILED by the following vote:**

**AYES:** 6 - Coe, DeHahn, McCarthy, Land, Morgenroth and Wiser

**NOES:** 8 - Jones, Tate II, Larrin, Smetana, Weidner, Perez, Meekma and Lemke

**EXCUSED:** 1 - Shakoor II

**A motion was made by Alderman McCarthy, seconded by Alderman Coe, that this Communication be Amended to extend the appointments to a 3 month interim term until new appointments can be appointed by the Mayor Mason. The motion PASSED by the following vote:**

**AYES:** 14 - Coe, Jones, Tate II, Larrin, Smetana, Weidner, DeHahn, McCarthy, Land, Perez, Morgenroth, Meekma, Lemke and Wiser

**EXCUSED:** 1 - Shakoor II

### **Wastewater Commission Report, by Ald. Morgenroth**

#### [1048-17](#)

**Subject:** Authorize the General Manager to take necessary steps toward property acquisition and relocation orders and assistance related to 1901 West Sixth Street for the purpose of relocating a sanitary sewer (Res. 0380-17)

#### **Recommendation of the Wastewater Commission on 10/31/17:**

Approve the appraisal and submission of the offer to purchase to the property owner and Relocation Oder and any relocation assistance that may be necessary as a result of the acquisition of 1901 West Sixth Street by the Racine Wastewater Utility

FURTHER RECOMMENDS THAT THIS ITEM BE REFERRED TO THE FINANCE AND PERSONNEL COMMITTEE

**Fiscal Note:** All costs associated with acquisition and relocation shall be provided for by the Wastewater Utility.

*Alderman Morgenroth requested item 1048-17 be considered separately.*

**A motion was made by Alderman Morgenroth, seconded by Alderman McCarthy, to suspend the Rules of Council to amend the item 1048-17 to remove the referral to the Finance and Personnel Committee due to time constaints.**

**AYES:** 14 - Coe, Jones, Tate II, Larrin, Smetana, Weidner, DeHahn, McCarthy, Land, Perez, Morgenroth, Meekma, Lemke and Wiser

**EXCUSED:** 1 - Shakoor II

**A motion was made that this Communication be Approved as Presented. The motion was APPROVED by the following vote:**

**AYES:** 14 - Coe, Jones, Tate II, Larrin, Smetana, Weidner, DeHahn, McCarthy, Land, Perez, Morgenroth, Meekma, Lemke and Wisner

**EXCUSED:** 1 - Shakoor II

## L. Consent Resolutions

### [Res.0355-17](#)

Bid Results for Official Notice #21-2017, Building Board Up Services

Resolved that Official Notice #21-2017, Building Board Up Services is awarded to Vassh Excavating & Grading, it being the low responsive, responsible bidder. This is a two year contract commencing November 1, 2018, and ending on October 31, 2019.

**Fiscal Note:** Funds for this contract are available in the private property maintenance fund, account number 22540-52390, raze/board/remove buildings.

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

**A motion was made that this Resolution be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent**

### [Res.0356-17](#)

Community Wide Assessment Grant through the United States Environmental Protection Agency

Resolved, that the Director of City Development is authorized to apply for a Community Wide Assessment Grant through the United State Environmental Protection Agency. The grant would provide funding to the City's brownfield initiative to update the current inventory of brownfield sites, prioritize clean-up, complete environmental assessment activities, reuse and clean up planning, and conduct public meetings to receive feedback from the community on brownfield projects.

**Fiscal Note:** The Grant application will be for \$300,000.00 with a grant term of three years. There are no matching funds required. The grant application has been issued grant control number #00155.

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

**A motion was made that this Resolution be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent**

### [Res.0357-17](#)

Racine Police Association 2018 - 2020 Collective Bargaining Agreement

Resolved, that the negotiated Racine Police Association 2018 - 2020 collective bargaining agreement is approved.

Fiscal Note: The 2018 increases of 1% on January 1, 2018, and 1% plus \$0.14 per hour on July 1, 2018 amount to approximately \$189,000.00 in wages plus \$37,700.00 in benefits (FICA, Medicare and WRS) for a total of \$226,700.00 over 2017. The 2019 increases of 1% on January 1, 2019, and 1% plus \$0.08 per hour on July 1, 2019 amount to approximately \$182,900.00 in wages plus \$36,500.00 in benefits for a total of \$219,400.00 over 2018. The 2020 increases of 1.25% on January 1, 2020 and 1.25% on July 1, 2020 amount to approximately \$216,800.00 in wages plus \$43,200.00 in benefits for a total of \$260,000.00 over 2019. The cumulative costs of the contractual increases over the three year period amount to approximately \$1,378,200.00 in wages and \$275,100.00 in benefits for a total cost of \$1,653,300.00. Base wages will increase by 7.38% and \$0.22 per hour over the term of the contract.

Sponsors: Q.A. Shakoor II

**A motion was made that this Resolution be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent**

[Res.0358-17](#)

Holiday Parade on Saturday, November 11, 2017

Resolved, that permission is granted to the Downtown Racine Corporation to close Ontario Street, State Street between Ontario Street and Main Street, Main Street between State Street and Sixth Street, Sixth Street between Main Street and City Hall, on Saturday, November 11, 2017, for the Holiday Parade with the following stipulations:

- A. A hold harmless agreement be executed and a \$75.00 processing fee paid.
- B. A liability insurance certificate be filed prior to this event.
- C. Any overtime costs incurred by any City department be charged to the sponsor.
- D. The sponsor shall notify all abutting property owners 72 hours in advance of this event.
- E. The sponsor shall pay a \$750.00 special event fee.
- F. If required, sponsor shall be responsible for submitting a Temporary Traffic Control Plan to the Engineering Department for approval and for providing and removing all temporary traffic control devices and detour signs.
- G. If required, sponsor shall provide a detour plan for the closure of all

State connecting highways, arterial streets, and collector streets to the City Engineer for approval.

H. If required, sponsor is responsible for cleaning the streets.

I. If required, sponsor shall install parking meter hoods or temporary parking signs at least 24 hours in advance of the event and, if this is not done, sponsor is responsible for vehicle towing and parking violation expenses of the violators.

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 the various City departments, on a regular shift basis, to assist in implementing this event.

Sponsors: Terry McCarthy

**A motion was made that this Resolution be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent**

[Res.0359-17](#)

Street Lights on Westwood Circle and/or Maria Street

Resolved, that the installation of a street light is approved on Westwood Circle and/or Maria Street.

Fiscal Note: The cost to install the street light will be between \$1,600.00 to \$1,800.00 and funding is available in Org-Object 14012-53300, Street Light Utilities.

Sponsors: Terry McCarthy

**A motion was made that this Resolution be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent**

[Res.0360-17](#)

Contract 20170034, 2017 CCTV and Manhole Inspections

Resolved, that bids for Contract 20170034, 2017 CCTV and Manhole Inspections, is awarded to Northern Pipe, Inc., at its bid price of \$243,824.50, it being the lowest responsible bidder.

Fiscal Note: Funds to defray the cost of this Public Works Department project be appropriated from the below Org-Objects:

\$ 71,392.96 - Org-Object 40102-57560, RWW Interceptor CCTV  
\$109,605.12 - Org-Object 60484-57570, Storm Sewers, Misc. Loc.  
\$ 62,826.42 - Org-Object 22640-57560, Sanitary Sewer-Variou Loc.  
\$243,824.50 - Total



**Sponsors:** Terry McCarthy

**A motion was made that this Resolution be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent**

[Res.0361-17](#)

Final Payment on Contract 20160064, Construct Home - 1437 Owen Avenue

Resolved, that the work done by Double D Construction, Inc., under Contract 20160064, Construct Home - 1437 Owen Avenue, is accepted and final payment authorized for a total contract amount of \$226,700.00.

**Fiscal Note:** Contract was authorized under Resolution 0403-16, dated December 6, 2016.

**Sponsors:** Terry McCarthy

**A motion was made that this Resolution be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent**

[Res.0362-17](#)

Change Order No. 2 on Contract 20160025, 2016 CCTV and Manhole Inspections

Resolved, that Change Order No. 2 with Visu-Sewer, Inc. for Contract 20160025, 2016 CCTV and Manhole Inspections, is approved as submitted to the deduct amount of (\$50,179.59).

**Fiscal Note:** Funds recommends that the funding accounts be adjusted by the following amounts:

\$ 7,185.14 - Org-Object 40102-57560, RWW Interceptor CCTV  
(\$15,026.35) - Org-Object 22640-57560, Sanitary Sewer, Misc. Loc.  
(\$42,338.38) - Org-Object 60484-57570, Storm Sewer, Misc. Loc.  
(\$50,179.59) - Total

**Sponsors:** Terry McCarthy

**A motion was made that this Resolution be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent**

[Res.0363-17](#)

Final Payment on Contract 20160025, 2016 CCTV and Manhole Inspections

Resolved, that the work done by Visu-Sewer, Inc., under Contract 20160025, 2016 CCTV and Manhole Inspections, is accepted and final payment authorized for a total contract amount of \$157,884.09.

**Fiscal Note:** Contract was authorized under Resolution 0180-16, dated May 17, 2016.

**Sponsors:** Terry McCarthy

**A motion was made that this Resolution be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent**

[Res.0364-17](#)

Final Payment on Contract 20160031, Retaining Wall Replacement-Riverside Drive & Roe Avenue

Resolved, that the work done by A.W. Oakes & Son, Inc., under Contract 20160031, Retaining Wall Replacement-Riverside Drive & Roe Avenue, is accepted and final payment authorized for a total contract amount of \$570,545.00.

**Fiscal Note:** Contract was authorized under Resolution 0273-16, dated August 1, 2016.

**Sponsors:** Terry McCarthy

**A motion was made that this Resolution be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent**

[Res.0365-17](#)

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 s. 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**

**DeKoven Avenue** - Holborn Street to Clark Street  
**Echo Lane** - Westway Avenue to Ridgeway Avenue  
**Elisa Drive** - Dead End to Ostergaard Avenue  
**Foxwood Road** - City Limits to Walden Way  
**Foxwood Road** - Walden Way to City Limits  
**Great Elms Lane** - Wheelock Drive to Taylor Avenue  
**Jonathon Drive** - Cul-De-Sac to North Main Street  
**Kentucky Street** - Taylor Avenue to Cul-De-Sac  
**Michigan Boulevard** - Melvin Avenue to Lombard Avenue  
**Monarch Drive** - Regal Court to Maryland Avenue  
**North Bay Drive** - Cul-De-Sac to Sheffield Drive  
**Olive Street** - Ohio Street to Virginia Street

**Princess Place** - Biscayne Avenue to Admiralty Avenue  
**Ruby Avenue** - Melvin Avenue to Lombard Avenue  
**Seventeenth Street** - Indiana Street to Kentucky Street  
**Seventeenth Street** - Kentucky Street to Orchard Street  
**Sheffield Drive** - North Bay Drive to Lighthouse Drive  
**Steeplechase Drive** - North Bay Drive to Westminister Square (W)  
**Steeplechase Drive** - Westminister Square (E) to Lighthouse Drive  
**Steeplechase Drive** - Westminister Square (W) to Westminister Square (E)  
**Sycamore Avenue** - Dead End to Byrd Avenue  
**Three Mile Road** - Douglas Avenue to LaSalle Street - 480 Ft. E. of Douglas to 2568 Ft. E. of Douglas  
**West Lawn Avenue** - Republic Avenue to Victory Avenue

#### **Bituminous Concrete Paving**

**DeKoven Avenue** - Holborn Street to Clark Street  
**Echo Lane** - Westway Avenue to Ridgeway Avenue  
**Elisa Drive** - Dead End to Ostergaard Avenue  
**Foxwood Road** - City Limits to Walden Way  
**Foxwood Road** - Walden Way to City Limits  
**Great Elms Lane** - Wheelock Drive to Taylor Avenue  
**Jonathon Drive** - Cul-De-Sac to North Main Street  
**Kentucky Street** - Taylor Avenue to Cul-De-Sac  
**Michigan Boulevard** - Melvin Avenue to Lombard Avenue  
**Monarch Drive** - Regal Court to Maryland Avenue  
**North Bay Drive** - Cul-De-Sac to Sheffield Drive  
**Olive Street** - Ohio Street to Virginia Street  
**Princess Place** - Biscayne Avenue to Admiralty Avenue  
**Ruby Avenue** - Melvin Avenue to Lombard Avenue  
**Seventeenth Street** - Indiana Street to Kentucky Street  
**Seventeenth Street** - Kentucky Street to Orchard Street  
**Sheffield Drive** - North Bay Drive to Lighthouse Drive  
**Steeplechase Drive** - North Bay Drive to Westminister Square (W)  
**Steeplechase Drive** - Westminister Square (E) to Lighthouse Drive  
**Steeplechase Drive** - Westminister Square (W) to Westminister Square (E)  
**Sycamore Avenue** - Dead End to Byrd Avenue  
**West Lawn Avenue** - Republic Avenue to Victory Avenue

#### **Curb & Gutter**

**Three Mile Road** - Douglas Avenue to LaSalle Street - 480 Ft. E. of

Douglas to 2568 Ft. E. of Douglas

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

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

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

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

Fiscal Note: Unknown at this time.

Sponsors: Terry McCarthy

**A motion was made that this Resolution be Approved as Presented. The**

motion was APPROVED on a Voice Vote in Consent

[Res.0366-17](#)

Amendment No. 2 to Contract 20170096 - PS-Underground Facility Locating Services

Resolved, that Amendment No. 2 (Contract 20170096 - PS-Underground Facility Locating Services) with Precise Underground Marking Corporation to provide underground facility locating services for the City-owned fiber optic and electrical systems is approved for a one-year extension (January 1, 2018 through December 31, 2018) with a per ticket price of:

Prescreens - \$10.75

Locates - \$13.75

Site Visit/No Conflict - \$13.75

Emergency During Business Hours (Clear/No Conflict/Site Visit/Locate) - \$20.00

Emergency After Business Hours (Clear/No Conflict/Site Visit/Locate) - \$47.77

Projects - \$29.00 per hour

Fiscal Note: Funding to defray the cost of these services is available in Org-Object 14012-52100, Street Lighting-Professional Services.

Sponsors: Terry McCarthy

**A motion was made that this Resolution be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent**

[Res.0367-17](#)

Stop Sign at the intersection of Carmel, Columbia, and Clarence Streets

Resolved, that stop control is added to the north approach of Carmel Avenue where it intersects with Columbia Street.

Further resolved, that supplemental signs are approved and added to all stop control approaches that indicate traffic from Columbia Street does not stop.

Fiscal Note: The estimated cost of this signage will result in an installation cost of \$300.00 and an annual maintenance cost of \$120.00.

Sponsors: Sandy Weidner

**A motion was made that this Resolution be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent**

[Res.0368-17](#)

Traffic Calming Measures on Erie Street between Melvin Avenue and Three Mile Road

Resolved, that designated bicycle lanes and associated signage for northbound and southbound directions be installed on Erie Street, from Melvin Avenue to Three Mile Road.

Fiscal Note: The estimated cost of this pavement marking will result in an installation cost of \$1,500.00 and an annual maintenance cost of \$300.00.

Sponsors: Sandy Weidner

**A motion was made that this Resolution be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent**

[Res.0369-17](#)

Parking Passes to Promote Mobile Payment for Parking

Resolved, that up to 500 mobile payment for parking passes for use on Saturdays in December is approved.

Fiscal Note: \$325.00 in lost revenue.

Sponsors: Raymond DeHahn

**A motion was made that this Resolution be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent**

[Res.0372-17](#)

Belle Urban System, The BUS, RYDE

Resolved, that the Mayor and City Clerk are approved to sign the agreement with First Transit, Inc. for Transit Management Services for the Belle Urban System, The BUS, RYDE, subject to City Attorney review.

Fiscal Note: New contract continues past practice of annual increases.

Sponsors: Raymond DeHahn

**A motion was made that this Resolution be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent**

## M. Resolutions

[Res.0354-17](#)

RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF \$19,145,000 GENERAL OBLIGATION REFUNDING BONDS

WHEREAS, the Common Council hereby finds and determines that it is necessary, desirable and in the best interest of the City of Racine, Racine County, Wisconsin (the "City") to raise funds for the public purpose of refunding obligations of the City, including interest on them, specifically, the Note Anticipation Notes, dated September 26, 2017 (the "2017 Notes"), the portion of the General Obligation Refunding Bonds, dated December 9, 2008, maturing on December 1, 2019 (the "Refunded 2008

Bonds"), and the General Obligation Refunding Bonds, dated October 25, 2011 (the "2011 Bonds") (collectively, the "Refunded Obligations") (hereinafter the refinancing of the Refunded Obligations shall be referred to as the "Refunding");

WHEREAS, the Common Council deems it to be necessary, desirable and in the best interest of the City to refund the Refunded Obligations for the purpose of providing permanent financing for the projects financed by the 2017 Notes and achieving debt service savings with respect to the Refunded 2008 Bonds and the 2011 Bonds;

WHEREAS, the City is authorized by the provisions of Section 67.04, Wisconsin Statutes, to borrow money and issue general obligation bonds to refinance its outstanding obligations; and

WHEREAS, it is the finding of the Common Council that it is necessary, desirable and in the best interest of the City to authorize the issuance of and to sell its general obligation refunding bonds (the "Bonds") to Robert W. Baird & Co. Incorporated (the "Purchaser"), pursuant to the terms and conditions of its bond purchase proposal attached hereto as Exhibit A and incorporated herein by this reference (the "Proposal").

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City that:

Section 1. Authorization and Sale of the Bonds. For the purpose of paying the cost of the Refunding, there shall be borrowed pursuant to Section 67.04, Wisconsin Statutes, the principal sum of NINETEEN MILLION ONE HUNDRED FORTY-FIVE THOUSAND DOLLARS (\$19,145,000) from the Purchaser in accordance with the terms and conditions of the Proposal. To evidence the obligation of the City, the Mayor and City Clerk are hereby authorized, empowered and directed to make, execute, issue and sell to the Purchaser for, on behalf of and in the name of the City, the Bonds aggregating the principal amount of NINETEEN MILLION ONE HUNDRED FORTY-FIVE THOUSAND DOLLARS (\$19,145,000) for the sum set forth on the Proposal, plus accrued interest to the date of delivery.

Section 2. Terms of the Bonds. The Bonds shall be designated "General Obligation Refunding Bonds"; shall be issued in the aggregate principal amount of \$19,145,000; shall be dated December 5, 2017; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and shall bear interest at the rates per annum and mature on the dates and in the principal amounts as set forth on the Pricing Summary attached hereto as Exhibit B-1 and incorporated herein

by this reference. Interest shall be payable semi-annually on June 1 and December 1 of each year commencing on June 1, 2018. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board. The schedule of principal and interest payments due on the Bonds is set forth on the Debt Service Schedule attached hereto as Exhibit B-2 and incorporated herein by this reference (the "Schedule").

Section 2A. Designation of Maturities. For purposes of State law, the Bonds are designated as being issued to pay and discharge the debts incurred by the City through the issuance of the Refunded Obligations (and any obligations refunded by the Refunded Obligations) in the order in which those debts were incurred, so that the Bonds of the earliest maturities are considered to be issued to discharge the debts which were incurred first.

Section 3. Redemption Provisions. The Bonds maturing on December 1, 2028 and thereafter are subject to redemption prior to maturity, at the option of the City, on December 1, 2027 or on any date thereafter. Said Bonds are redeemable as a whole or in part, and if in part, from maturities selected by the City, and within each maturity by lot, at the principal amount thereof, plus accrued interest to the date of redemption.

Section 4. Form of the Bonds. The Bonds shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit C and incorporated herein by this reference.

Section 5. Tax Provisions.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Bonds as the same becomes due, the full faith, credit and resources of the City are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the City a direct annual irrepealable tax in the years 2017 through 2030 for payments due in the years 2018 through 2031 in the amounts set forth on the Schedule.

(B) Tax Collection. So long as any part of the principal of or interest on the Bonds remains unpaid, the City shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Bonds, said tax shall be, from year to year, carried onto the tax roll of the City and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the City for said years are collected, except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus money in the Debt



Service Fund Account created below.

(C) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said Bonds when due, the requisite amounts shall be paid from other funds of the City then available, which sums shall be replaced upon the collection of the taxes herein levied.

Section 6. Segregated Debt Service Fund Account.

(A) Creation and Deposits. There be and there hereby is established in the treasury of the City, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established for obligations previously issued by the City may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for General Obligation Refunding Bonds, dated December 5, 2017" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Bonds is fully paid or otherwise extinguished. There shall be deposited into the Debt Service Fund Account (i) all accrued interest received by the City at the time of delivery of and payment for the Bonds; (ii) any premium not used for the Refunding which may be received by the City above the par value of the Bonds and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Bonds when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Bonds when due; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Bonds until all such principal and interest has been paid in full and the Bonds canceled; provided (i) the funds to provide for each payment of principal of and interest on the Bonds prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Bonds may be

used to reduce the next succeeding tax levy, or may, at the option of the City, be invested by purchasing the Bonds as permitted by and subject to Section 67.11(2)(a), Wisconsin Statutes, or in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"), which investments shall continue to be a part of the Debt Service Fund Account. Any investment of the Debt Service Fund Account shall at all times conform with the provisions of the Internal Revenue Code of 1986, as amended (the "Code") and any applicable Treasury Regulations (the "Regulations").

(C) Remaining Monies. When all of the Bonds have been paid in full and canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account shall be transferred and deposited in the general fund of the City, unless the Common Council directs otherwise.

Section 7. Proceeds of the Bonds; Segregated Borrowed Money Fund. The proceeds of the Bonds (the "Bond Proceeds") (other than any premium not used for the Refunding and accrued interest which must be paid at the time of the delivery of the Bonds into the Debt Service Fund Account created above) shall be deposited into a special fund separate and distinct from all other funds of the City and disbursed solely for the purpose or purposes for which borrowed or for the payment of the principal of and the interest on the Bonds. In order to accomplish the purpose for which the Bonds are issued, a portion of the proceeds of the Bonds shall be transferred to the Escrow Account, as provided below. Monies in the Borrowed Money Fund may be temporarily invested in Permitted Investments. Any monies, including any income from Permitted Investments, remaining in the Borrowed Money Fund after the purpose or purposes for which the Bonds have been issued have been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purpose(s) shall be deposited in the Debt Service Fund Account.

Section 8. No Arbitrage. All investments made pursuant to this Resolution shall be Permitted Investments, but no such investment shall be made in such a manner as would cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations and an officer of the City, charged with the responsibility for issuing the Bonds, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Bonds to the Purchaser which will permit the conclusion that the Bonds are not "arbitrage bonds," within the meaning of the Code or Regulations.

Section 9. Compliance with Federal Tax Laws. (a) The City represents

and covenants that the projects financed by the Bonds and by the Refunded Obligations and the ownership, management and use of the projects will not cause the Bonds and the Refunded Obligations to be "private activity bonds" within the meaning of Section 141 of the Code. The City further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of the interest on the Bonds including, if applicable, the rebate requirements of Section 148(f) of the Code. The City further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Bonds) if taking, permitting or omitting to take such action would cause any of the Bonds to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Bonds to be included in the gross income of the recipients thereof for federal income tax purposes. The City Clerk or other officer of the City charged with the responsibility of issuing the Bonds shall provide an appropriate certificate of the City certifying that the City can and covenanting that it will comply with the provisions of the Code and Regulations.

(b) The City also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Bonds provided that in meeting such requirements the City will do so only to the extent consistent with the proceedings authorizing the Bonds and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

Section 10. Execution of the Bonds; Closing; Professional Services.

The Bonds shall be issued in printed form, executed on behalf of the City by the manual or facsimile signatures of the Mayor and City Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the City of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Bonds may be imprinted on the Bonds in lieu of the manual signature of the officer but, unless the City has contracted with a fiscal agent to authenticate the Bonds, at least one of the signatures appearing on each Bond shall be a manual signature. In the event that either of the officers whose signatures appear on the Bonds shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Bonds and all such documents,

certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The City hereby authorizes the officers and agents of the City to enter into, on its behalf, agreements and contracts in conjunction with the Bonds, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Bonds is hereby ratified and approved in all respects.

Section 11. Payment of the Bonds; Fiscal Agent. The principal of and interest on the Bonds shall be paid by the City Clerk or City Treasurer (the "Fiscal Agent").

Section 12. Persons Treated as Owners; Transfer of Bonds. The City shall cause books for the registration and for the transfer of the Bonds to be kept by the Fiscal Agent. The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Bond shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

Any Bond may be transferred by the registered owner thereof by surrender of the Bond at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Mayor and City Clerk shall execute and deliver in the name of the transferee or transferees a new Bond or Bonds of a like aggregate principal amount, series and maturity and the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Bond surrendered for transfer.

The City shall cooperate in any such transfer, and the Mayor and City Clerk are authorized to execute any new Bond or Bonds necessary to effect any such transfer.

Section 13. Record Date. The 15th day of the calendar month next preceding each interest payment date shall be the record date for the Bonds (the "Record Date"). Payment of interest on the Bonds on any interest payment date shall be made to the registered owners of the Bonds as they appear on the registration book of the City at the close of business on the Record Date.

Section 14. Utilization of The Depository Trust Company

Book-Entry-Only System. In order to make the Bonds eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the City agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations, which the City Clerk or other authorized representative of the City is authorized and directed to execute and deliver to DTC on behalf of the City to the extent an effective Blanket Issuer Letter of Representations is not presently on file in the City Clerk's office.

Section 15. Official Statement. The Common Council hereby approves the Preliminary Official Statement with respect to the Bonds and deems the Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the City in connection with the preparation of such Preliminary Official Statement and any addenda to it or final Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate City official shall certify the Preliminary Official Statement and any addenda or final Official Statement. The City Clerk shall cause copies of the Preliminary Official Statement and any addenda or final Official Statement to be distributed to the Purchaser.

Section 16. Undertaking to Provide Continuing Disclosure. The City hereby covenants and agrees, for the benefit of the owners of the Bonds, to enter into a written undertaking (the "Undertaking") if required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Bonds or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the City to comply with the provisions of the Undertaking shall not be an event of default with respect to the Bonds).

To the extent required under the Rule, the Mayor and City Clerk, or other officer of the City charged with the responsibility for issuing the Bonds, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the City's Undertaking.

Section 17. Escrow Agent; Escrow Agreement; Escrow Account. Associated Trust Company, National Association, Green Bay, Wisconsin, is hereby appointed escrow agent for the City (the "Escrow

Agent"), for the purpose of ensuring the payment of the principal of and interest on the Refunded 2008 Bonds and the 2011 Bonds (collectively, the "Advance Refunded Obligations").

The Mayor and City Clerk, or other appropriate officers of the City, are hereby authorized and directed to execute an escrow agreement (the "Escrow Agreement") with the Escrow Agent, for the purpose of effectuating the provisions of this Resolution.

The Bond Proceeds allocable to refunding the Advance Refunded Obligations shall be deposited in a refunding escrow account which is hereby created with the Escrow Agent, pursuant to the Escrow Agreement, for the purpose of retaining the required amount of cash, if any, and acquiring the United States obligations provided for in the Escrow Agreement.

Upon transfer of the Bond Proceeds and any other necessary funds allocable to refunding the Advance Refunded Obligations to the Escrow Account, the taxes heretofore levied to pay debt service on the Advance Refunded Obligations shall be abated to the extent such transfer together with investment earnings thereon is sufficient to pay the principal of and interest on the Advance Refunded Obligations, but such abatement shall not affect the City's pledge of its full faith, credit and resources to make such payments. The refunding escrow account created by the Escrow Agreement shall hereinafter serve as the debt service (or sinking) fund account for the Advance Refunded Obligations. The Escrow Agent shall serve as custodian of said debt service (or sinking) funds.

Section 18. Escrow Securities. The Escrow Agent and appropriate officers and agents of the City are authorized to submit subscriptions for United States Treasury Securities - State and Local Government Series and/or to purchase other U.S. government securities on behalf of the City, in such amount as is necessary in order to carry out the refunding of the Advance Refunding Obligations.

Section 19. Redemption of the 2017 Notes. The 2017 Notes hereby called for prior payment and redemption on December 20, 2017 at a price of par plus accrued interest to the date of redemption.

The City hereby directs the City Clerk to work with the Purchaser to cause timely notice of redemption, in substantially the form attached hereto as Exhibit D and incorporated herein by this reference (the "Notice"), to be provided at the times, to the parties and in the manner set forth on the Notice. Any and all actions heretofore taken by the officers and agents of the City to effectuate the redemption of the 2017 Notes are hereby

ratified and approved.

Section 20. Redemption of the Advance Refunded Obligations. The Refunded 2008 Bonds are hereby called for prior payment and redemption on December 1, 2018, and the 2011 Bonds are hereby called for prior payment and redemption on December 1, 2020, all at a price of par plus accrued interest to the date of redemption.

The City hereby directs the Escrow Agent appointed above to cause timely notice of redemption of the Advance Refunded Obligations, in substantially the forms attached to the Escrow Agreement, to be provided at the times, to the parties and in the manner set forth on such notices.

Section 21. Record Book. The City Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Bonds in the Record Book.

Section 22. Bond Insurance. If the Purchaser determines to obtain municipal bond insurance with respect to the Bonds, the officers of the City are authorized to take all actions necessary to obtain such municipal bond insurance. The Mayor and City Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Mayor and City Clerk including provisions regarding restrictions on investment of Bond proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Bonds by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Bond provided herein.

Section 23. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the Common Council or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Adopted, approved and recorded November 7, 2017.

Sponsors: Q.A. Shakoor II

*Alderman Morgenroth informed the Council members that he was requesting a motion to consider the bond resolution that is listed towards the end of the agenda packet.*

*Alderman Morgenroth made a motion, seconded by Alderman McCarthy to suspend the rules to take up Resolution 0354-17 so the representative of Robert W. Baird & Co. would not have to attend the whole meeting.*

**A motion was made by Alderman Morgenroth, seconded by Alderman McCarthy, to suspend the Rules of Council and take up Resolution 0354-17. The motion PASSED by the following vote:**

**AYES:** 13 - Coe, Jones, Tate II, Larrin, Smetana, Weidner, DeHahn, McCarthy, Land, Perez, Morgenroth, Meekma and Wisner

**EXCUSED:** 1 - Shakoor II

**ABSTENTIONS:** 1 - Lemke

**A motion was made by Alderman Morgenroth, seconded by Alderman McCarthy, that this Resolution be Approved. The motion PASSED by the following vote:**

**AYES:** 14 - Coe, Jones, Tate II, Larrin, Smetana, Weidner, DeHahn, McCarthy, Land, Perez, Morgenroth, Meekma, Lemke and Wisner

**EXCUSED:** 1 - Shakoor II

[Res.0370-17](#) 2018 Transit Utility Budget, Belle Urban System, or RYDE

Resolved, that an 8.33% increase in local contribution as part of the City of Racine's overall budget increase is approved.

Fiscal Note: City's local share will increase \$100,000.00 over the 2016 contribution.

Sponsors: Raymond DeHahn

**A motion was made by Alderman Lemke, seconded by Alderman Meekma, that this Resolution be Approved. The motion PASSED by the following vote:**

**AYES:** 14 - Coe, Jones, Tate II, Larrin, Smetana, Weidner, DeHahn, McCarthy, Land, Perez, Morgenroth, Meekma, Lemke and Wisner

**EXCUSED:** 1 - Shakoor II

[Res.0371-17](#) 2018 Parking Utility Budget

Resolved, that review of the 2018 Parking Utility Budget is approved.

Fiscal Note: N/A

Sponsors: Raymond DeHahn

**A motion was made by Alderman Lemke, seconded by Alderman DeHahn, that this Resolution be Approved. The motion PASSED by the following vote:**

**AYES:** 14 - Coe, Jones, Tate II, Larrin, Smetana, Weidner, DeHahn, McCarthy, Land, Perez, Morgenroth, Meekma, Lemke and Wisner



**EXCUSED:** 1 - Shakoor II

[Res.0373-17](#)

Large-scale Redevelopment of Lands Along the Root River in Downtown Racine, to Include Property Previously Referred to as 'Machinery Row'

A RESOLUTION AUTHORIZING CERTAIN ACTIONS IN SUPPORT OF A PLANNED, LARGE-SCALE REDEVELOPMENT OF LANDS ALONG THE ROOT RIVER IN DOWNTOWN RACINE, TO INCLUDE THOSE PROPERTIES PREVIOUSLY REFERRED TO AS "MACHINERY ROW"

WHEREAS, The City of Racine (City), as represented by its elected board of Aldermen serving as the Committee of The Whole, were presented with a series of detailed updates and reports on aspects of property disposition and ownership rights, relocation obligations and process, environmental and structural conditions of lands and buildings, demolition requirements and estimated costs, and other financial and planning considerations associated with the acquisition, demolition, remediation and preparation of lands and buildings along the Root River previously referred to collectively as "Machinery Row" (Water Street Redevelopment Properties); and,

WHEREAS, in recognition of, and consistent with the updates and reports received, it is determined to be in the best interests of the City to now pursue certain actions that, given current conditions, might best serve the long-term redevelopment of the Water Street Redevelopment Properties and that might further assure the greatest level of private sector investment therein; and,

WHEREAS, to assure the timely and effective implementation of the actions contemplated, it is necessary to provide clear authorization and direction to City staff on how to proceed with the implementation of the redevelopment of the Water Street Redevelopment Properties;

NOW THEREFORE, BE IT RESOLVED, That the Common Council adopt the following specific actions related to achieving the successful, long-term redevelopment of the Water Street Redevelopment Properties:

That City staff are directed and authorized to:

Take any necessary actions to enforce the Development Agreement and Mortgage in effect with FDP MR, LLC, including acquiring fee simple title to the sum total of the Machinery Row parcels owned by FDP MR, LLC, whether that be by deed in lieu of foreclosure or foreclosure. Further, that a deed in lieu of foreclosure action be taken, if pursued, as expeditiously as possible with the goal of acquiring title to such parcels prior to

December 31, 2017, in order to avoid the possible imposition of another year's property taxes for which the City would become liable.

Draft and submit relocation plans on behalf of the Redevelopment Authority of the City (RDA) for 526 Marquette Street and 615 Marquette Street and on behalf of the City for the remaining properties to the Wisconsin Department of Administration, for its review and approval.

Subject to the final relocation plans and in response to any claims submitted, pay out any and all relocation claims determined to be a responsibility of the RDA and City, not to exceed a cumulative total of \$350,000. In so doing, to further prepare and adopt an appeal procedure for the processing and resolution of internal relocation appeals and complaints.

Following the complete acquisition of ownership rights detailed herein, prepare a detailed, publicly-advertised solicitation for, and bid-out, the complete demolition of all buildings and structures contained within and upon the properties acquired.

Develop a detailed solicitation for proposals to provide professional consulting services consisting of the preparation of a conceptual redevelopment plan for the comprehensive redevelopment of the Water Street Redevelopment properties to include public access riverwalk throughout along with other elements consistent with both the established RootWorks Plan as well as any grant requirements previously established.

Develop and pursue a detailed solicitation for proposals to provide professional consulting services consisting of environmental engineering, remediation, capping, and/or closure activities, as well as separate geotechnical review and consulting, and engineering and design associated with seawall stabilization, all of which will be necessary to fully prepare the collective site for sale to, and development by, private sector developers.

Develop and pursue independent financial consulting and market analyses designed to quantify and effectively market the property to assure the maximum investment and viability of the selected mix, density, and configuration of uses, as well as to minimize the requirement for or magnitude of further public investment(s) or incentive(s).

Fiscal Note: Funding is set forth in the 2018 General Operating Budget and/or the 2018-2028 Capital Improvement Plan on file in the Office of the Finance Director.

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

**A motion was made by Wisner, seconded by Alderman Coe, that this Resolution be Approved. The motion PASSED by the following vote:**

**AYES:** 13 - Coe, Jones, Tate II, Larrin, Smetana, DeHahn, McCarthy, Land, Perez, Morgenroth, Meekma, Lemke and Wisner

**NOES:** 1 - Weidner

**EXCUSED:** 1 - Shakoor II

[Res.0374-17](#) 2018 City of Racine Budget

Resolved, that the 2018 General Fund, Special Revenue Funds, Debt Service Fund, Capital Project Funds, Enterprise Funds and Internal Services Funds is adopted as amended.

**Fiscal Note:** A copy of the 2018 General Fund, Special Revenue Funds, Debt Service Fund, Capital Project Funds, Enterprise Funds and Internal Services Funds are on file in the Office of the Finance Director.

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

**A motion was made by Wisner, seconded by Alderman McCarthy, that this Resolution be Approved. The motion PASSED by the following vote:**

**AYES:** 12 - Coe, Jones, Tate II, Larrin, DeHahn, McCarthy, Land, Perez, Morgenroth, Meekma, Lemke and Wisner

**NOES:** 2 - Smetana and Weidner

**EXCUSED:** 1 - Shakoor II

[Res.0375-17](#) 2018-2027 10-Year Capital Improvement Plan

Resolved, that the 2018-2027 10-Year Capital Improvement Plan is approved, as amended.

**Fiscal Note:** A copy of the 2018-2027 10-Year Capital Improvement Plant is on file in the Office of the Finance Director.

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

**A motion was made by Wisner, seconded by Alderman Tate II, that this Resolution be Approved. The motion PASSED by the following vote:**

**AYES:** 10 - Coe, Tate II, Larrin, DeHahn, McCarthy, Land, Perez, Morgenroth, Meekma and Wisner

**NOES:** 4 - Jones, Smetana, Weidner and Lemke

**EXCUSED:** 1 - Shakoor II

[Res.0376-17](#) Year 2018 Water Utility Operations and Maintenance Budget &

## 2018-2022 Capital Improvements Budget

Resolved, that the 2018 Water Utility Operations and Maintenance Budget and the 2018-2022 Capital Improvements Budget are adopted.

Fiscal Note: A copy of the 2018 Water Utility Operations and Maintenance Budget and the 2018-2022 Capital Improvements Budget is on file in the Office of the Finance Director.

Sponsors: Q.A. Shakoor II

**A motion was made by Wisner, seconded by Alderman McCarthy, that this Resolution be Approved. The motion PASSED by the following vote:**

**AYES:** 14 - Coe, Jones, Tate II, Larrin, Smetana, Weidner, DeHahn, McCarthy, Land, Perez, Morgenroth, Meekma, Lemke and Wisner

**EXCUSED:** 1 - Shakoor II

[Res.0377-17](#)

## 2018 Sewer Service Rates

Resolved, that the 2018 Sewer Service Rates be adopted.

Fiscal Note: A copy of the 2018 Sewer Service Rates is on file in the Office of the Finance Director.

Sponsors: Q.A. Shakoor II

**A motion was made by Alderman McCarthy, seconded by Alderman Tate II, that this Resolution be Approved. The motion PASSED by the following vote:**

**AYES:** 14 - Coe, Jones, Tate II, Larrin, Smetana, Weidner, DeHahn, McCarthy, Land, Perez, Morgenroth, Meekma, Lemke and Wisner

**EXCUSED:** 1 - Shakoor II

[Res.0378-17](#)

## Year 2018 Wastewater Utility Operations and Maintenance Budget and the 2018-2022 Capital Improvements Budget

Resolved, that the 2018 Wastewater Utility Operations and Maintenance Budget and the 2018-2022 Capital Improvements Budget plan is adopted.

Fiscal Note: A copy of the 2018 Wastewater Utility Operations and Maintenance Budget and the 2018-2022 Capital Improvements Budget plan is on file in the Office of the Finance Director.

Sponsors: Q.A. Shakoor II

**A motion was made by Wisner, seconded by Alderman DeHahn, that this Resolution be Approved. The motion PASSED by the following vote:**

**AYES:** 14 - Coe, Jones, Tate II, Larrin, Smetana, Weidner, DeHahn, McCarthy, Land, Perez, Morgenroth, Meekma, Lemke and Wisner

**EXCUSED:** 1 - Shakoor II

[Res.0379-17](#) Presentation of the long-term Capital Improvement Plan for the City's Intergovernmental Revenue Sharing Fund

Resolved, that the long-term plan for the Intergovernmental Revenue Sharing Fund is approved.

Fiscal Note: A copy of the long-term plan for the Intergovernmental Revenue Sharing Fund is on file in the Office of the Finance Director.

Sponsors: Q.A. Shakoor II

**A motion was made by Wisner, seconded by Alderman DeHahn, that this Resolution be Approved. The motion PASSED by the following vote:**

**AYES:** 11 - Coe, Jones, Tate II, Larrin, DeHahn, McCarthy, Land, Perez, Morgenroth, Meekma and Wisner

**NOES:** 3 - Smetana, Weidner and Lemke

**EXCUSED:** 1 - Shakoor II

[Res.0380-17](#) 1901 West Sixth Street

Resolved, that the appraisal, submission of the offer to purchase to the property owner, Relocation Order, and any relocation assistance that may be necessary as a result of the acquisition of 1901 West Sixth Street by the Racine Wastewater Utility are approved.

Further resolved, that this item be referred to the Finance and Personnel Committee.

Fiscal Note: All costs associated with acquisition and relocation shall be provided for by the Wastewater Utility.

Sponsors: James Morgenroth

**A motion was made by Alderman McCarthy, seconded by Alderman Tate II, that this Resolution be Adopted As Amended: . The motion PASSED by the following vote:**

**AYES:** 14 - Coe, Jones, Tate II, Larrin, Smetana, Weidner, DeHahn, McCarthy, Land, Perez, Morgenroth, Meekma, Lemke and Wisner

**EXCUSED:** 1 - Shakoor II

## **N. Common Council Vote on Consent Agenda (Communications, Committee Reports, Resolutions)**

*Council Action on Consent Agenda Items*

**A motion was made by Dennis Wiser, seconded by Alderman Tracey Larrin, that this be Approved by the following vote:**

**AYES:** 14 - Coe, Jones, Tate II, Larrin, Smetana, Weidner, DeHahn, McCarthy, Land, Perez, Morgenroth, Meekma, Lemke and Wiser

**ABSENT:** 1 - Shakoor II

## O. Ordinances

### Refer to City Plan Commission

[ZOrd.0007-17](#) ZOrd. 07-17 - An Ordinance Rezoning Property at 1701 and 1700

Packard Avenue

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 1701 Packard Avenue, more particularly described as follows:

Block 5 of the Morey and Packard's Addition, Lots 14 through 17 and the adjacent alley lying East and South of the subdivided Block 5, plus block 2 of the Hamilton's Addition, Lots 14, 16 and Part of the Western ½ of the Vacated Seventeenth Street lying West of the Westerly line of South Memorial Drive, plus part of the Northern ½ of the former Chicago, Milwaukee, St. Paul and Pacific Rail Road R.O.W. lying East of the East line of Packard Avenue to the West line of South Memorial Drive further described in Vol 1711 RECS Page 641, Excepting the Racine rail spur No. 2., being in the Northwest ¼ of the Northeast ¼ of the Northeast ¼ of Section 20, Township 3 North, Range 23 East in the City of Racine, County of Racine and State of Wisconsin, and

Part 2: That 1700 Packard Avenue, more particularly described as follows:

Block 4 of Dodges' Addition, Lots 14 through 18, and Block 6 of the Morey and Packard's Addition Lots 14 through 17, including the vacated alley lying South and West of the subdivided Block 6, excluding the North 20 feet of the West 16 feet of the subdivided alley, and the adjacent Northerly ½ of the former Chicago, Milwaukee, St. Paul and Pacific Rail Road R.O.W. lying East of the Eastline of Phillips Avenue to the West line of Packard Avenue, Excepting the Racine Rail Spur No. 2, being in the Northeast ¼ of the Northwest ¼, and the NW ¼ of the NE ¼ of Section 20, Township 3 North, Range 23 East in the City of Racine, County of

Racine and State of Wisconsin, be rezoned from I-2 general Industrial District to I-2 with a Flex Development Overlay District.

Part 3: 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.

Fiscal Note: N/A

Sponsors: Q.A. Shakoor II

Referred to City Plan Commission

**P. Common Council Announcements**

**Announcements are limited to recognition of City residents and employees, memorials, and non-political community events. Discussion of matters related to governmental business is prohibited.**

**Q. Adjourn**

*Mayor Mason adjourned the meeting at 9:15pm. The next scheduled meeting of the Council is November 21, 2017.*

ATTEST: JANICE JOHNSON-MARTIN

CITY CLERK