



City of Racine

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

Meeting Minutes - Final Committee of the Whole

*Council President Alderman Dennis Wiser,
Alderman Jeff Coe, Alderman Mollie Jones, Alderman Michael
Shields, Alderman Jim Kaplan, Alderman Steve Smetana,
Alderman Sandy Weidner, Alderman Raymond DeHahn,
Alderman QA Shakoor II, Alderman Terry McCarthy, Alderman
Mary Land, Alderman Henry Perez, Alderman James
Morgenroth, Alderman Ron Hart, Alderman Melissa Lemke*

Wednesday, September 23, 2015

6:00 PM

City Hall, Room 205

Call To Order

PRESENT: 11 - Jeff Coe, Jim Kaplan, Sandy Weidner, Alderman Raymond DeHahn, Q.A. Shakoor II, Terry McCarthy, President Dennis Wiser, Henry Perez, Steve Smetana, Melissa Lemke and Mollie Jones

ABSENT: 1 - Michael Shields

EXCUSED: 3 - James Morgenroth, Ronald Hart and Mary Land

Approval of Minutes for the September 15, 2015 Meeting.

A motion was made to Approve the Minutes

[15-00544](#)

Subject: Communication from the Commissioner of Public Works submitting a proposal to establish a special revenue fund for Pedestrian Facilities Maintenance.

Recommendation of the Public Works and Services Committee on 06-30-15: Recommend this item be referred to the Committee of the Whole.

Recommendation of the Committee of the Whole on 08-18-2015: the Item be Deferred.

Recommendation of the Committee of the Whole on 09-01-2015: the Item be Deferred.

Recommendation of the Committee of the Whole on 09-23-2015: That a comprehensive Pedestrian Facilities Management Program be established, to include the maintenance of sidewalks in the right-of-way, sidewalks in city parks and on levy supported City properties, curb ramps, and the City's Pathway System, funded through an annual fee charged to all non-municipal property owners, per authority granted by §66.0907(6) and §66.028(2) of Wisconsin

State Statutes. This program shall replace the current system of maintaining or replacing sidewalks in the right-of-way via Repair Orders issued to abutting property owners, and General Obligation Bond funding of the maintenance or replacement of sidewalks on and abutting municipally-owned property, curb ramps and the Pathway System. Program provisions include:

The program shall be funded through a \$27.00 annual Pedestrian Facilities Maintenance Fee charged to all property owners, with the exception of levy supported municipally-owned properties. The fee shall be based on the direct and indirect use of, or benefit derived from, the City's pedestrian facilities. The Parking System, Library, Redevelopment Authority, Neighborhood Stabilization Program, and Water and Waste Water Utilities shall pay the annual fee for the properties under their control.

All funds collected from the Pedestrian Facilities Maintenance Fee shall be deposited in a dedicated account, and the funds collected in a given year, and funds carried over from prior years, if any, shall be used to administer the City's Pedestrian Facilities Management Program, which includes, but is not limited to, pedestrian facilities system inspection, design, repair, replacement, contract management activities and 50% of new sidewalk installation costs at locations abutting 1 to 4-family residential properties, and up to 60 feet at locations abutting properties with classifications other than 1 to 4-family residential.

Monies collected from the Pedestrian Facilities Maintenance Fee shall not be used for general or other governmental purposes of the City, except to pay for activities related to the operation and administration of the Pedestrian Facilities Management Program.

Fee increases, if required, shall be included in the Annual Budget, and shall not exceed the increase in the Consumer Price Index for All Urban Users (CPI-U) for the Milwaukee/Racine area as published by the U.S. Department of Labor, Bureau of Labor Statistics.

Owners of properties that received Sidewalk Repair Orders, or independently completed sidewalk permits, from 2011 to 2015 shall be exempted from paying the annual fee for a period of 5 years from the year the order or permit was issued.

Nothing contained herein shall be construed as limiting the city's authority to levy special assessments in connection with public improvements, or issue Sidewalk Repair Orders in cases of damage attributable to abutting property owners, pursuant to applicable law.

Fiscal Note: The program is expected to generate \$500,000 annually at inception and \$715,000 annually after the five-year look-back exemptions have expired. All fee collected will be dedicated to Pedestrian Facilities Assets. No proceeds can be used for purposes or supplant other activities.

A presentation was made by Commissioner of Public Works Mark Yehlen, and discussion followed.

Ald. Coe moved to approve the All Property Owners Pay option, seconded by Ald. Kaplan. Discussion/debate followed, and Ald. Shakoor moved to Close Debate, seconded by Ald. Coe. The motion failed by a tie vote, with Ald. Smetana, Weidner, McCarthy, Perez and Lemke voting against.

Discussion/debate followed, and Ald. McCarthy made a motion to amend the motion to move forward in concept only, seconded by Ald. Weidner. The motion failed by a tie vote, with Ald. Coe, Kaplan, DeHahn, Shakoor and Lemke voting against.

Discussion/debate followed, and Ald. Lemke offered a friendly amendment to the main motion that any annual fee increase will not exceed the CPI-U for the Milwaukee/Racine area.

The motion was approved 6 to 5, with Ald. Jones, Weidner, DeHahn, McCarthy and Perez voting against.

A motion was made by Alderman Coe, seconded by Alderman Kaplan, that this Communication be Recommended For Approval. The motion was APPROVED by the following vote:

AYES: 6 - Jeff Coe, Jim Kaplan, Q.A. Shakoor II, President Dennis Wiser, Steve Smetana and Melissa Lemke

NOES: 5 - Sandy Weidner, Alderman Raymond DeHahn, Terry McCarthy, Henry Perez and Mollie Jones

ABSENT: 1 - Michael Shields

EXCUSED: 3 - James Morgenroth, Ronald Hart and Mary Land

Adjournment