



City of Racine

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

Meeting Agenda - Final Common Council

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

Tuesday, July 5, 2016

7:00 PM

City Hall, Room 205

A. Call To Order

B. Pledge of Allegiance To The Flag

C. Approval of Journal of Council Proceedings (Minutes)

D. Public Hearings

[Res.0098-16](#)

Vacate a Portion of City's Right-of-Way on 15th Street Between the Railroad and Clark Street

Resolved, that the request from Kyle Peterson of Herman & Kittle Properties, Inc. representing Lutheran Social Services of Wisconsin and Upper Michigan to vacate a portion of the City's right-of-way on 15th Street between the railroad and Clark Street is approved.

Further resolved, since public interest requires it, that the following parcel of land, more particularly described as follows, be and hereby is vacated and discontinued:

That part of Block 52 in School Section, a recorded plat in the City of Racine, Racine County, Wisconsin that is part of the Southwest ¼ of Section 16 Township 3 North, Range 23 East described as follows:

Vacate that part of 15th Street from the east line of "Chicago and Northwestern Transportation Company" also known as "Union Pacific

Railroad;” to west line of Clark Street; Said described tract containing 14,449.80 square feet more-or-less., City of Racine retains unto itself a perpetual Easement and right-of-way to construct, reconstruct, maintain, operate, supplement, and/or remove any sewer and/or water mains, or conduit duct system for communications facilities, and other related fixtures, equipment, and appurtenances that may from time to time be required, including the right to preserve, protect, remove or plant thereon any vegetation that the City of Racine may deem necessary or desirable, with the right of ingress and egress for the purpose of this Easement, over the area. All improvements shall be located below grade. Non-use or limited use of the Easement rights shall not prevent the City of Racine from later use of the Easement rights to the fullest extent authorized.

Further resolved, that the vacation of 15th Street from Clark Street west to the east line of Chicago and Northwestern Transportation Company (aka Union Pacific Railroad) Row is consistent with City plans and programs, and that this resolution shall be adopted.

Fiscal Note: N/A

Sponsors: Dennis Wiser

E. Public Comments

F. Communications

Refer to Finance and Personnel Committee, by Ald. Shakoor

[0392-16](#) **Subject:** Communication from the Director of Parks, Recreation & Cultural Services requesting permission to accept a \$2,586.88 donation from S.C. Johnson & Son, Inc. for the 2016 Juneteenth Day celebration at the Dr. John Bryant Community Center.

[0558-16](#) **Subject:** communication from the City Attorney submitting the claim of Viola Ellis for consideration.

[0559-16](#) **Subject:** Communication from the Director of Parks, Recreation & Cultural Services requesting to apply & accept Wisconsin RPCs & DNR EAB Impact Mitigation grant funds in the amount of \$20,000 from the Bay-Lake Regional Planning Commission. Grant Control #00107.

[0563-16](#) **Subject:** Communication from the Assistant Finance Director requesting amendments to the 2016 budgets for Equipment Replacement Capital Projects Fund, the Sanitary Sewer Maintenance Fund, and the Transit Fund.

[0575-16](#) **Subject:** communication from the City Attorney submitting the claim of

Ciara Watkins for consideration.

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

[0573-16](#)

Subject: Amendment No 1 to Contract 20160006, PS - Main Street Lift Bridge Electrical Analysis, AECOM, consultant.

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

[0566-16](#)

Subject: The following renewal application(s) for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 2016-2017:

Hillside Lanes Inc. 1400 Thirteenth Street
(Tradenname) Hillside Lanes
Richard Wonders, Agent

[0577-16](#)

Subject: (New) Application of Winston Automotive LLC, Michael Winston, Agent, for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 345 Main Street (1st District).

G. Committee Reports

Finance and Personnel Committee Report, by Ald. Shakoor

[0400-16](#)

Subject: (Direct Referral) Communication from the Chief of Police requesting to appear before the Finance Committee on Monday, May 9th, 2016, to discuss the proposed RUSD/RPD School Safety partnership. (Res No. 0249-16)

Recommendation of the Finance & Personnel Committee on 5/9/2016: Defer until 5/23/16.

Recommendation of the Finance & Personnel Committee on 5/23/2016: Defer until 6/13/16.

Recommendation of the Finance & Personnel Committee on 6/13/2016: Defer until 6/27/16.

Recommendation of the Finance & Personnel Committee on 6/27/16: That the Mayor and City Clerk be authorized to enter into a contract with Racine Unified School District for implementing the RUSD/RPD School Safety partnership upon acceptance by the School District. It is further recommend that the Racine Police Department Table of Organization be modified by footnote during the duration of this agreement, reflecting the staffing changes implemented under the RPD/RUSD partnership, which increase the Deputy Chief positions by

one and reduce the Patrol Officer positions by one, keeping the previously authorized sworn strength unchanged.

Fiscal Note: Racine Unified School District funding will cover the additional costs associated with this agreement and will be invoiced on a quarterly basis.

[0552-16](#)

Subject: Communication from the Finance Director requesting to discuss an upgrade to the Assessor's software system. (Res No. 0248-16)

Recommendation of the Finance & Personnel Committee on 6/27/16: The City Assessor's Patriot Properties software system be upgraded from AssessPro Classic to AssessPro AP5 at the quoted price of \$32,400.

Fiscal Note: Funding for this upgrade has been provided for in account 70113-57800-13001; Information Systems, Computer Software Capital Outlay, ERP System.

Public Works and Services Committee Report, by Ald. McCarthy

[0160-16](#)

Subject: Final Payment on Contract 36-14 (K4-036), City Hall Annex - Replace Fire Alarm, Wil-Surge Electric, Inc., contractor. (Res No. 0253-16)

Recommendation of the Public Works and Services Committee on 06-28-16: That the work done by Wil-Surge Electric, Inc., under Contract 36-14 (K4-036), City Hall Annex - Replace Fire Alarm, be accepted and final payment authorized for a total contract amount of \$92,625.00. Final Payment to include retainage.

Fiscal Note: Contract was authorized under Resolution 14-0484, dated December 2, 2014.

[0161-16](#)

Subject: Final Payment on Contract 19-14 (K4-019), PS - City Hall Annex Fire Alarm, Strang, Inc., consultant. (Res No. 0254-16)

Recommendation of the Public Works and Services Committee on 06-28-16: That the work done by Strang, Inc., under Contract 19-14 (K4-019), PS - City Hall Annex Fire Alarm, be accepted and final payment authorized for a total contract amount of \$22,623.84.

Fiscal Note: Contract was authorized under Resolution 14-0106, dated March 18, 2014.

[0541-16](#)

Subject: Communication from the Assistant Commissioner of Public Works/City Engineer requesting approval of the Transportation Project

Plat and Relocation Order for State Project ID: 2703-00-71, Memorial Drive Bridge Project. (Res No. 0255-16)

Recommendation of the Public Works & Services Committee on 06-28-16: That the Transportation Project Plat and Relocation Order for State Project ID; 2703-00-71, Memorial Drive Bridge Project, be approved.

Fiscal Note: N/A

[0544-16](#)

Subject: Communication from the Greater St. Luke's Baptist Church (1326 State St.) requesting permission to close Silver Street from State Street to Liberty Street for a homecoming celebration on Saturday, August 20, 2016 and Sunday, August 21, 2016. (Res No. 0250-16)

Recommendation of the Public Works and Services Committee on 06-28-16: That Greater St. Luke's Baptist Church (1326 State St.) be granted permission to close Silver Street between State Street and Liberty Street, for an event on Saturday, August 20, 2016 and Sunday, August 21, 2016.

Further recommends that permission be granted 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 \$250.00 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 Engineers for approval.
- H. 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 various City departments, on a regular shift basis, to assist in implementing this event.

[0545-16](#)

Subject: Bid results on Contract 20160030, Samuel Myers Park Restorations - Phase III. (Res No. 0251-16)

Recommendation of the Public Works and Services Committee on 06-28-16: That Contract 20160030, Samuel Myers Park Restorations - Phase III be awarded to A.W. Oakes & Son, Inc., at their bid price of \$45,462.00, plus Alt. 1 in the amount of \$16,700.00, plus Alt. 2 in the amount of \$6,800.00, for a total bid of \$68,962.00, it being the lowest responsible bidder.

Further recommends that funds to defray the cost of this Health Department project be appropriated from the following Org-Objects:

\$45,649.50 - Org-Object 20201-52200-20011, FFLM 2015

\$23,312.50 - Org-Object 20104-57110, WCMP 2014

\$68,962.00 - Total

Fiscal Note: Funds are available as herein delineated.

[0551-16](#)

Subject: (Direct Referral) Amendment No. 1 to Contract 53-14 (K4-053), PS - City Hall Renovations, Phase VII, ARC Architectural Group, LLC., consultant. (Res No. 0252-16)

Recommendation of the Public Works and Services Committee on 06-28-16: That Amendment No. 1 to Contract 53-14 (K4-053), PS - City Hall Renovations, Phase VII, ARC Architectural Group, LLC., consultant, as submitted, be approved in the not-to-exceed amount of \$4,200.00. This will increase the cost of the agreement from \$24,322.00 to \$28,522.00.

Further recommends that funding to defray the cost of these professional services be appropriated from Org-Object 45040-57200, DPW - Building Improvements.

Fiscal Note: Funds are available as herein delineated.

[0557-16](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer requesting approval of the Transportation Project Plat and Relocation Order for the Roe Avenue-Riverside Drive Project. (Res No. 0256-16)

Recommendation of the Public Works and Services Committee on 06-28-16: That the Transportation Project Plat and Relocation Order for Roe Avenue-Riverside Drive Project, be approved.

Fiscal Note: N/A

Public Safety and Licensing Committee Report, by Ald. Coe

[0223-16](#)

Subject: (New) Application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for Winston LLC dba BJW's, 1900 Racine Street, Michael Winston, Agent. (2nd District)

Recommendation of the Public Safety and Licensing Committee on 03-22-16: That the Application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for Winston LLC dba BJW's, 1900 Racine Street, Michael Winston, Agent be deferred until our next meeting on April 12, 2016.

Recommendation of the Public Safety and Licensing Committee on 04-12-16: That the Application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for Winston LLC dba BJW's, 1900 Racine Street, Michael Winston, Agent be deferred.

Recommendation of the Public Safety and Licensing Committee on 05-24-16: That the Application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for Winston LLC dba BJW's, 1900 Racine Street, Michael Winston, Agent be deferred.

Recommendation of the Public Safety and Licensing Committee on 06-28-16: That the Application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for Winston LLC dba BJW's, 1900 Racine Street, Michael Winston, Agent be received and filed and that the applicant submit required documents of new location to City Clerk by noon on July 1, 2016.

Fiscal Note: N/A

[0476-16](#)

Subject: Communication from the Racine City Tavern League requesting to appear before the appropriate City committees to request to change overnight on street parking restrictions in the Downtown area so they begin at 3 AM instead of 2 AM for the safety of their staff and patrons.

Recommendation of the Public Works and Services Committee on 06-14-16: Recommend approval since modifying the Alternate Side Parking Restrictions in the Downtown parking meter area until 3 AM does not impact Public Works Operations.

Recommendation of the Public Safety and Licensing Committee on 06-28-16: That the Attorney's Office make the necessary amendment to the Ordinance in the area of State Street to Seventh Street, Main

Street to Villa Street until 3 AM.

Fiscal Note: N/A

[0493-16](#)

Subject: Petition to exceed quota for a "Class A" Fermented Malt Beverage and Intoxicating Liquor License for 930 Washington Ave. (1st District)

Recommendation of the Public Safety and Licensing Committee on 06-28-16: That the petition to exceed quota for a "Class A" Fermented Malt Beverage and Intoxicating Liquor License for 930 Washington Ave. be denied because it does not meet the geographical requirements due to the 1,000 feet from any other alcohol establishment and it exceeds the quota limit of the ordinance.

Fiscal Note: N/A

[0547-16](#)

Subject: (New) Application of R & V Night Club, LLC, Veronica Campos, Agent, for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 1224 16th Street (3rd District).

Recommendation of the Public Safety and Licensing Committee on 06-28-16: That the application of R & V Night Club, LLC, Veronica Campos, Agent, for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 1224 16th Street be approved.

Fiscal Note: N/A

Traffic Commission Report, by Ald. McCarthy

[0158-16](#)

Subject: Communication from Kevin & Wendy Coey requesting changes to the street parking limitations at the intersection of Douglas Avenue and Prospect Street.

Recommendation of the Traffic Commission on 03-21-16: Defer

Recommendation of the Traffic Commission on 05-16-16: Defer

Recommendation of the Traffic Commission on 06-20-16: Recommends that "One-hour Parking from 9:00 A.M. to 6:00 P.M., except Sundays and holidays" on "Douglas Avenue, east side, from Prospect Street south 80 feet" be removed.

Further recommends that "Two-hour Parking from 9:00 A.M. to 6:00 P.M., except Sundays and holidays" on "Douglas Avenue, east side, from 65 feet north of Prospect Street to Jackson Street" be removed.

Fiscal Note: The estimated cost of this signage will result in a removal cost of \$100.00.

[0536-16](#)

Subject: (Direct Referral) Communication from the Racine Police Department requesting the south curb on Romaine Avenue, from Anthony Lane to the first driveway east of Anthony Lane, be posted as Law Enforcement Only parking.

Recommendation of the Traffic Commission on 06-20-16:

Recommends that the request to add Law Enforcement Vehicle Parking Only on Romaine Avenue adjacent to the COP House be granted.

Fiscal Note: The estimated cost of this signage will result in an installation cost of \$100.00 and an annual maintenance cost of \$40.00.

[0562-16](#)

Subject: In accordance with Section 2-95 of the Municipal Code of the General Ordinances of the City of Racine, recommends that the following requests for changes in traffic code be granted:

A. Recommends that Section 94-143(8) of Schedule G relating to "One-hour Parking from 9:00 A.M. to 6:00 P.M., except Sundays and holidays", be amended:

By Deleting:

1. Douglas Avenue, west side, from Prospect Street south 80 feet.

B. Recommends that Section 94-143(15) of Schedule G relating to "Two-hour Parking from 9:00 A.M. to 6:00 P.M., except Sundays and holidays", be amended:

By Deleting:

1. Douglas Avenue, west side, from 65 feet north of Prospect Street to Jackson Street.

C. Recommends that Section 94-147(a) of Schedule H of the Municipal Code of the General Ordinances of the City of Racine relative to "Stopping, standing, or parking prohibited in places reserved for law enforcement vehicles; where permitted" be amended:

By Including:

1. Romaine Avenue, south side, from Anthony Lane east 80 feet.

City Plan Commission Report, by Ald. Wisner

[0414-16](#)

Subject: (Direct Referral) An application from Phesal CKadan seeking a conditional use permit to install a gas canopy and refueling islands as part of a redevelopment plan for the property at 930 Washington Avenue. (PC-16) (Res No. 0257-16)

Recommendation of the City Plan Commission on 6-29-16: That the item be approved subject to conditions.

Fiscal Note: N/A

[0560-16](#)

Subject: (Direct Referral) A Certified Survey Map for the consolidation of properties at 1520 Clark Street. (PC-16) (Res No. 0258-16)

Recommendation of the City Plan Commission on 6-29-16: That the item be approved subject to conditions.

Fiscal Note: N/A

[0561-16](#)

Subject: (Direct Referral) An application from Tammy Ward of MC Sign Company seeking a conditional use permit to deviate from the adopted Regency Mall Signage standards for signage proposed at 2648 S. Green Bay Road for JoAnn Fabrics and Crafts store. (PC-16) (Res No. 0259-16)

Recommendation of the City Plan Commission on 6-29-16: That the request be approved subject to conditions.

Fiscal Note: N/A

Water Works Committee Report, by Ald Morgenroth

[0531-16](#)

Subject: Communication from the General Manager Presenting a Refinancing Opportunity for a 2007 Bond Issue - Brad Viegut from R. W. Baird Invited to the Meeting

Recommendation of the Racine Waterworks Commission on 6/28/16: To approve

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

Fiscal Note: Refinancing of this bond issue has the potential of saving \$363,720.00 over the remaining five years of the loan

H. Consent Resolutions

[Res.0246-16](#)

Settlement of *Veguilla v. Rasmussen, et al*

Resolved, that the mediated settlement agreement in the case of *Veguilla v. Rasmussen, et al*, US District Court for the Eastern District of Wisconsin Case No. 15-C-861 is approved.

Fiscal Note: \$100,000.00 settlement to Miguel Veguilla.

Sponsors:

Q.A. Shakoor II

Res.0247-16

Settlement of Property Assessments for Racine Joint Venture II, LLC for the 2012 and 2013 Tax Years

Resolved, that the property assessments for Racine Joint Venture II, LLC for the 2012 and 2013 tax years are approved to be settled as presented by the City Attorney and City Assessor.

Fiscal Note: \$475,535.69, plus interest in the approximate amount of \$5,000.00, to be refunded to Racine Joint Venture II, LLC.

Sponsors:

Q.A. Shakoor II

Res.0248-16

Upgrade to Assessor Office Software System

Resolved, that the Assessor Office Patriot Properties software system shall be upgraded from AssessPro Classic to AssessPro AP5 at the quoted price of \$32,400.00.

Fiscal Note: Funding for this upgrade has been provided for in account 70113-57800-13001; Information Systems, Computer Software Capital Outlay, ERP System.

Sponsors:

Q.A. Shakoor II

Res.0249-16

RUSD/RPD School Safety Partnership

Resolved, that the Mayor and City Clerk are authorized to enter into a contract with Racine Unified School District (RUSD) for implementing the RUSD/RPD School Safety partnership upon acceptance by RUSD.

Further resolved, that the Racine Police Department Table of Organization shall be modified by footnote during the duration of this agreement, reflecting the staffing changes implemented under the RPD/RUSD partnership, which increases the Deputy Chief positions by one and reduces the Patrol Officer positions by one, keeping the previously authorized sworn strength unchanged.

Fiscal Note: RUSD funding will cover the additional costs associated with this agreement and will be invoiced on a quarterly basis.

Sponsors:

Q.A. Shakoor II

[Res.0250-16](#) Greater St. Luke's Baptist Church Homecoming Celebration

Resolved, that Greater St. Luke's Baptist Church (1326 State St.) is granted permission to close Silver Street between State Street and Liberty Street, for an event on Saturday, August 20, 2016 and Sunday, August 21, 2016.

Further resolved, that permission is granted 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 \$250.00 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 Engineers for approval.
- H. 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 resolved, that the Commissioner of Public Works, City Engineer and Chief of Police provide limited assistance, in the interest of public safety, to implement this event.

Fiscal Note: There will be nominal costs to various City departments, on a regular shift basis, to assist in implementing this event.

Sponsors: Terry McCarthy

[Res.0251-16](#) Contract 20160030, Samuel Myers Park Restorations - Phase III

Resolved, that Contract 20160030, Samuel Myers Park Restorations - Phase III is awarded to A.W. Oakes & Son, Inc., at its bid price of \$45,462.00, plus Alt. 1 in the amount of \$16,700.00, plus Alt. 2 in the amount of \$6,800.00, for a total bid of \$68,962.00, it being the lowest responsible bidder.

Fiscal Note: Funds to defray the cost of this Health Department project be appropriated from the following Org-Objects:

\$45,649.50 - Org-Object 20201-52200-20011, FFLM 2015

\$23,312.50 - Org-Object 20104-57110, WCMP 2014

\$68,962.00 - Total

Sponsors:

Terry McCarthy

[Res.0252-16](#) Amendment No. 1 to Contract 53-14 (K4-053), PS - City Hall Renovations, Phase VII

Resolved, that Amendment No. 1 to Contract 53-14 (K4-053), PS - City Hall Renovations, Phase VII, ARC Architectural Group, LLC., consultant, as submitted, is approved in the not-to-exceed amount of \$4,200.00.

This will increase the cost of the agreement from \$24,322.00 to \$28,522.00.

Fiscal Note: Funding to defray the cost of these professional services be appropriated from Org-Object 45040-57200, DPW - Building Improvements.

Sponsors:

Terry McCarthy

[Res.0253-16](#) Final Payment on Contract 36-14 (K4-036), City Hall Annex - Replace Fire Alarm

Resolved, that the work done by Wil-Surge Electric, Inc., under Contract 36-14 (K4-036), City Hall Annex - Replace Fire Alarm, is accepted and final payment authorized for a total contract amount of \$92,625.00. Final Payment to include retainage.

Fiscal Note: Contract was authorized under Res No. 14-0484, dated December 2, 2014.

Sponsors:

Terry McCarthy

[Res.0254-16](#) Final Payment on Contract 19-14 (K4-019), PS - City Hall Annex Fire Alarm

Resolved, that the work done by Strang, Inc., under Contract 19-14

(K4-019), PS - City Hall Annex Fire Alarm, is accepted and final payment authorized for a total contract amount of \$22,623.84.

Fiscal Note: Contract was authorized under Res No. 14-0106, dated March 18, 2014.

Sponsors: Terry McCarthy

Res.0255-16 Transportation Project Plat and Relocation Order for State Project ID: 2703-00-71, Memorial Drive Bridge Project

Resolved, that the Transportation Project Plat and Relocation Order for State Project ID; 2703-00-71, Memorial Drive Bridge Project, is approved.

Fiscal Note: N/A

Sponsors: Terry McCarthy

Res.0256-16 Transportation Project Plat and Relocation Order for the Roe Avenue-Riverside Drive Project

Resolved, that the Transportation Project Plat and Relocation Order for Roe Avenue-Riverside Drive Project, is approved.

Fiscal Note: N/A

Sponsors: Terry McCarthy

Res.0257-16 930 Washington Avenue Redevelopment Plan

Resolved, that the request by Phesal Ckadan seeking a conditional use permit to install a gas canopy and refueling islands as part of a redevelopment plan for 930 Washington Avenue is approved, subject to the following conditions:

- a. That the plans presented to the Plan Commission on June 7, 2016 be approved, subject to the conditions contained herein.
- b. That approval of this conditional use is contingent upon the approval compliance with recommendations and approvals of the Downtown Area Design Review Commission on June 2, 2016.
- c. That signage is not approved with this review, and all proposed signage shall be submitted for review and approval by the Downtown Area Design Review Commission and other appropriate authorities.
- d. That unless otherwise excepted herein, all applicable codes and ordinances shall be complied with and required permits acquired.

e. That the following exceptions to Chapter 114 of the Municipal Code (Zoning) are authorized:

1. Allow 15 on-site parking spaces where 17 are required to help facilitate on-site traffic circulation (Sec. 114-1188).
2. Allow the a continuation of a minimum 3.29 western transition yard, subject to installation architectural details, fencing and landscaping details approved by the Downtown Area design review Commission (Sec. 114-490).
3. Allow a gas canopy setback of 3.6 feet, as reflected on the site plan.

f. That no vehicle repair or service business be conducted at this location.

g. That the store hours of operation shall be from 5:00 a.m. - 12:00 midnight daily; however "24 hour" pay-at-the-pump fuel service is allowed.

h. That there shall be no outside display, sales or service other than the dispensing of fuel at the fuel islands. This prohibition includes but is not limited to ice machines, public telephones, propane, fire wood, window wash, vacuums, air station, ATM cash machines, and automobiles.

i. That prior to the issuance of a building permit the following shall be accomplished:

1. Submit final site, architectural, lighting, signage and landscaping plans and materials samples to the Director of City Development for review and approval.
2. Provide for review and approval a document providing for implementation of general cross access privileges to and from the adjoining property to the north, and pedestrian access privileges from the adjoining property to the south.
3. Proper demolition of existing structures and removal of all associated debris, materials and equipment within 30 days of the start of demolition.
4. Removal of encroaching structures and parking/drive areas along the west property line.
5. Submit a security plan to be placed on file with this approval.
6. Execute a hold harmless agreement, and pay all associated fees related to site improvements encroaching into the public right of way (fencing, landscaping, lighting, pavement, etc).

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

1. Installation of all site improvements as depicted by the approved site, architectural, lighting, signage and landscaping plans and materials sample.
2. That all trash and recyclables be stored in closed containers and

screened from view.

3. Parking areas shall be paved, sealed and striped, and wheel stops and curbing installed, according to approved plans.

4. Provide evidence of recordation at the Racine County Register of Deeds of the cross access privileges document.

5. Provide evidence of recordation at the Racine County Register of Deeds of the hold harmless document.

k. That no banners, flags, inflatables, pennants, string-lights, or other attraction devices are allowed at any time.

l. That the owner is responsible for all site maintenance, including but not limited to removal of weeds, building and landscaping upkeep, and snow and trash removal.

m. That if, prior to the issuance of an occupancy permit, landscaping and other site improvements are not completed, a financial surety shall be provided to the City in an amount equal in value to the required improvements, subject to the following terms:

1. Financial surety documents shall be submitted for the review and approval of the Director of City Development, shall be issued in the City's favor, shall be in effect for one year from the date of issuance, shall be extended beyond the expiration date if deemed necessary by the City of Racine, and shall require

that the issuer give a 90 day notice to the Department of City Development prior to the expiration of said financial security.

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

n. That by operating under this Conditional Use, the owner gives permission to the City to enter upon the property for the purposes described herein.

o. That no minor changes be made to the conditions of this permit without the approval of the Plan Commission, and no major changes be made without the approval of the Common Council.

p. That this conditional use permit is subject to review by the Plan Commission for compliance to the listed conditions.

Fiscal Note: N/A

Sponsors: Dennis Wiser

Res.0258-16 Certified Survey Map for 1520 Clark Street

Resolved, that the certified survey map for the consolidation of properties at 1520 Clark Street is approved subject to the following conditions:

- a. That the certified survey map as prepared by Donald J. Puza, registered Wisconsin Land Surveyor, dated June 13, 2016 and presented to the Plan Commission on June 29, 2016 be approved subject to the conditions contained herein.
- b. That all back taxes be paid prior to Common Council approval.
- c. That the map comply with all applicable Wisconsin State Statutory requirements (Ch. 236.34) and Racine Municipal Code requirements (Ch. 86) in its final preparation.
- d. That all technical modifications as identified by Staff shall be rectified on the documents prior to recording.
- e. That within thirty (30) days of recording, a certified recorded copy of the CSM shall be provided to the Department of City Development.

Fiscal Note: N/A

Sponsors: Dennis Wiser

Res.0259-16 Joann Fabrics Sign at Regency Mall

Resolved, that the request by Tammy Ward, representing MC Sign Company, for approval of exceptions to the Regency Mall sign standards to permit signage for Joann Fabrics and Crafts at 2648 S. Green Bay Road is approved, subject to the following conditions:

- a. That the plans presented to the Plan Commission at the June 29, 2016 meeting, with the last revision date of May 13, 2016, be approved subject to the conditions contained herein.
- b. That all codes and ordinances be complied with and required permits acquired, unless otherwise excepted herein.
- c. That signage shall be installed based on the placement, sizes, and configuration presented in the aforementioned plans only after issuance of a sign permit.

d. That no additional permanent signage shall be approved for this tenant.

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

Fiscal Note: N/A

Sponsors: Dennis Wiser

I. Consent Agenda

J. 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.

K. Adjourn

Office of The City Clerk

If you are disabled and have accessibility needs or need information interpreted for you, please call the City Clerk's Office at 636-9171 at least 48 hours prior to this meeting.