



City of Racine

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

Meeting Agenda - Final Common Council

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

Monday, August 3, 2009

7:00 PM

Room 205, City Hall

Due to National Night Out on Tuesday, 8-4-09

- A. Call To Order**
- B. Pledge of Allegiance To The Flag**
- C. Approval of Journal of Council Proceedings (Minutes)**
- D. Public Comments**
- E. Communications**

Refer to Finance and Personnel Committee, by Ald. Spangenberg

09-3960 **Subject:** Communication from the Police Chief, requesting to apply for and accept the Wisconsin DOT Badger Tracks Grant (grant control # 2009-033).

(Also refer to Public Safety & Licensing Committee.)

09-3965 **Subject:** Communication from the Police Chief, requesting the transfer of \$35,190.00 from the City's Contingency Fund Account.

(Also refer to the Public Safety & Licensing Committee.)

09-3933 **Subject:** communication submitting the claim of Dorothy Miller for consideration.

09-3958 **Subject:** communication from the City Attorney submitting the claim of Sharina Walker for consideration.

[09-3975](#) **Subject:** Communication from the Finance Director wishing to discuss the 2008 Financial Statements of the City of Racine.

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

[09-3934](#) **Subject:** Communication from the Commissioner of Public Works/City Engineer regarding Neighborhood Watch's offer to perform public education as required by the City's recycling program.

[09-3935](#) **Subject:** Communication from Preservation Racine requesting permission to close the 1700 block of College Avenue on Sunday, September 27, 2009, from 12:00 noon to 5:30 p.m. in conjunction with the annual tour of Historic Homes.

[09-3951](#) **Subject:** Communication from the Downtown Racine Corporation requesting to close portions of Main Street and Sixth Street for the 7th Annual Party on the Pavement on Saturday, October 3, 2009, from 12:00 p.m. to 7:00 p.m.

[09-3959](#) **Subject:** Communication from Jerry Norphlet-Brantley, 2029 Case Avenue, submitting a petition to vacate the alley bounded by Jay Eye See Avenue, Twentieth Street, Case Avenue and Twentyfirst Avenue.

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

[09-3946](#) **Subject:** Communication from Caroline and James Chun submitting a petition to exceed the Class A quota limit.

[09-3952](#) **Subject:** Communication from the Director of Parks, Recreation & Cultural Services requesting to present the bids for Contract 54-09 (K9-055) Replace Softball Lights - Island Park South.

[09-3970](#) **Subject:** Application of Tango Bar LLC., O. Keith Fair, for a Change of Agent for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 509 Sixth Street. (1st District)

[09-3973](#) **Subject:** (New) Application John's Dock, John Durk, Agent for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 303 Dodge Street. (4th District)

Refer to Traffic Commission, by Ald. Holding

[09-3953](#) **Subject:** Communication from Patrick Starcken, Racine Unified Transportation Supervisor, requesting additional crossing guards at South Memorial and DeKoven Avenue (Bull Fine Arts & Mitchell Elementary Schools) and State Street (Julian Thomas Elementary).

Refer to Transit and Parking Commission, by Ald. DeHahn

[09-3974](#) **Subject:** Communication from the Finance Director wishing to discuss the 2007 and 2008 Financial Statements of the City of Racine Transit System.

Refer to Community Development Committee, by Ald. Q. A. Shakoor, II

[09-3961](#) **Subject:** Request of SAFE Haven, Inc. to transfer Community Development Block Grant (CDBG) funds from the Gang Crime Diversion Task Force to re-roofing the Safe Passage house, 1600 West Street.

[09-3964](#) **Subject:** Request of Project New Life Community Development Corporation for additional HOME Housing Investment Partnerships funds.

F. Committee Reports**Finance and Personnel Committee Report, by Ald. Spangenberg**

[09-3894](#) **Subject:** Communication from the Fire Chief requesting permission to waive formal bidding in order to purchase an AreaRAE Rapid Deployment Chemical Detection and Monitoring system. (Res.09-1551)

Recommendation of the Finance & Personnel Committee on

07-27-09: Formal bidding procedures be waived and that the Purchasing Agent be authorized and directed to purchase an AreaRAE Rapid Deployment Chemical Detection and Monitoring system from Clarey's Safety Equipment in Wisconsin with the stipulation that the equipment be competitively priced.

Fiscal Note: Funds are available in Account 268-030-5820 Equipment OJA 2009 Grant. No match required on the part of the City.

[09-3875](#) **Subject:** Communication from the City Attorney submitting the claim of Kathy Bergquist for consideration.

Recommendation of the Finance & Personnel Committee on

07-27-09: The claim of Kathy Bergquist, 3360 S. Elmwood Dr., requesting reimbursement of \$866.86 for repair expenses to her vehicle allegedly arising from driving under a low hanging tree branch in the 1900 block of Deane Blvd on August 15, 2008 be denied.

Fiscal Note: N/A

[09-3879](#)

Subject: Communication from the City Attorney submitting the claim of Anthony & Nicole Tempesta for consideration.

Recommendation of the Finance & Personnel Committee on

07-27-09: The claim of Anthony & Nicole Tempesta requesting reimbursement of \$2,800 for repair expenses allegedly arising from the failure of the water service line for their home on January 16, 2009 be denied.

Fiscal Note: N/A

[09-3901](#)

Subject: Communication from the City Attorney submitting the claim of Al & Cynthia Noehl for consideration.

Recommendation of the Finance & Personnel Committee on

07-27-09: The claim of Al & Cynthia Noehl, 4617 Westway Ave., requesting reimbursement of \$357.34 for car repair allegedly arising from driving over a pothole in the southbound lanes of Ohio Street near Olive Street on December 24, 2008 be denied.

Fiscal Note: N/A

[09-3902](#)

Subject: Communication from the City Attorney submitting the claim of Joel Thierfelder for consideration.

Recommendation of the Finance & Personnel Committee on

07-27-09: The claim of Joel Thierfelder, 510 Yout Street, requesting reimbursement of \$3,425 for repair expense to his vehicle allegedly arising from a tree branch falling on his parked car on June 19, 2009 be denied.

Fiscal Note: N/A

[09-3896](#)

Subject: Communication from the Grant Facilitator requesting permission to submit a proposal and accept JAG Recovery Act - Youthful Offender Prevention Initiative 2009 Grant from the Wisconsin Office of Justice Assistance (Grant Control No. 2009-030) in the amount of \$450,000 over a three year period. (Res.09-1549)

Recommendation of the Finance & Personnel Committee on

07-27-09: Permission be granted for the Grant Facilitator to submit a proposal for a \$450,000 agreement with the JAG Recovery Act - Youthful Offender Prevention Initiative 2009 Grant from the Wisconsin Office of Justice Assistance (City Grant Control No. 2009-030) to be sub-granted to an outside agency to hire a juvenile justice coordinator and create and maintain an appropriate database as recommended by

the Wisconsin Office of Justice Assistance.

Fiscal Note: No match required on the part of the City.

09-3898

Subject: Communication from the Grant Facilitator requesting permission to apply for the CPS/International Public Management Association for Human Resources Grant for Government Agencies (Grant Control No. 2009-031) in the amount of \$25,000. (Res.09-1550)

Recommendation of the Finance & Personnel Committee on

07-27-09: Permission be granted for the Grant Facilitator to apply for the CPS/International Public Management Association for Human Resources Grant for Government Agencies in the amount of \$25,000 (City Grant Control No. 2009-031) to be utilized for internal staff expenses relating primarily to Hispanic recruitment.

Fiscal Note: No match required on the part of the City.

09-3899

Subject: Communication from the Grant Facilitator requesting permission to apply and accept pass through funding from University of Wisconsin, 2010 VITA Grant through IRS, Grant Control No. 2009-032. If funded, Racine will receive \$5,000 to support VITA sites at City of Racine Community Centers. (Res.09-1553)

Recommendation of the Finance & Personnel Committee on

07-27-09: Permission be granted for the Grant Facilitator to apply for the 2010 VITA Grant through IRS, (City Grant Control No. 2009-032) in the amount of \$5,000 to be utilized for the VITA sites at City of Racine Community Centers.

Fiscal Note: A \$5,000 in kind match is required on the part of the City.

09-3900

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting to accept a donation of \$360.75 from the Kiwanis Club of West Racine for the Zero-G Chair for the Lockwood Park playground project.

Recommendation of the Finance & Personnel Committee on

07-27-09: Permission be granted for the Director of Parks, Recreation & Cultural Services accept a \$360.75 donation from the Kiwanis Club of West Racine for the purchase of a Zero-G Chair for the Lockwood Park playground project and an appropriate letter of thanks be sent.

Fiscal Note: N/A

09-3949

Subject (Direct Referral) The City Administrator is requesting the Mayor

and the City Clerk be authorized to enter into a five-year Support Agreement under terms and conditions negotiated by the Mayor and City Attorney and that the Racine Common Council pass a resolution that the Racine Concert Band be the official band of the City of Racine. (Res.09-1547 and Res.09-1548)

Recommendation of the Finance & Personnel Committee on

07-27-09: Permission be granted for the Mayor and the City Clerk be authorized to enter into a five-year Support Agreement under terms and conditions negotiated by the Mayor and City Attorney and that the Racine Common Council pass a resolution that the Racine Concert Band be the official band of the City of Racine. Further recommends that \$10,000 be transferred from account 101.020.5010, Administration Salaries, to account 101.990.5570, Grant for Municipal Band.

Fiscal Note: Changes in funding under the new agreement will increase the annual contribution to the Racine Concert Band over the existing 2009 funding level by \$10,000 in 2009 and 2010 and \$10,350 in 2011, 2012, and 2013. The band will be separated from the City so that the City will have no financial or administrative responsibility for the operations of the Band. There are sufficient funds available for the transfer.

Public Works and Services Committee Report, by Ald. Holding

[09-3748](#)

Subject: Communication from Racine Habitat for Humanity requesting extension of sanitary sewer to serve 1501 West Street.

Recommendation of the Public Works and Services Committee on 6-30-09 and 7-14-09: Defer

Recommendation of the Public Works and Services Committee on 7-28-09: The communication be received and filed.

Fiscal Note: N/A

[09-3757](#)

Subject: Communication from Racine Habitat for Humanity requesting the extension of the storm drain one block east on 10th Street from Lockwood Avenue to accommodate four houses that will be completed by the end of 2010.

Recommendation of the Public Works and Services Committee on 6-30-09 and 7-14-09: Defer

Recommendation of the Public Works and Services Committee on 7-28-09: That Racine Habitat for Humanity be granted permission to extend the storm drain one block east on 10th Street from Lockwood

Avenue to accommodate four houses being built by Racine Habitat for Humanity.

Further recommend that this item be referred to the Community Development Committee for funding.

Fiscal Note: All costs associated with the extension of the storm sewer are the responsibility of Racine Habitat for Humanity.

[09-3809](#)

Subject: Communication from the Alderman of the 7th District requesting to expand the low and moderate income loan program to include property owners receiving sidewalk replacement orders. (Res.09-1534)

Recommendation of the Public Works and Services Committee on 7-14-09: Defer

Recommendation of the Public Works and Services Committee on 7-28-09: That the low and moderate income loan program be amended to include property owners receiving sidewalk replacement orders with an estimated cost of \$500.00 or more.

Fiscal Note: The minimum sidewalk replacement cost under this program is \$500.00 with a maximum repayment term of 10 years.

[09-3852](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting Change Order No. 6 on Contract 53-08 (K8-061), City Hall Renovations, Phase II (R1), Absolute Construction Enterprises, Inc. (Res.09-1539)

Recommendation of the Public Works and Services Committee on 7-28-09: That Change Order No. 6 on Contract 53-08 (K8-061), City Hall Renovations, Phase II (R1), Absolute Construction Enterprises, Inc., contractor, be approved in the amount of \$30,943.00.

Further recommends that funding to defray the cost of this change order be appropriated from Account 988.100.5010, City Hall-Facilities Plan Implementation.

Fiscal Note: Funds are available as herein delineated.

[09-3861](#)

Subject: (Direct Referral) Communication from Alderman Wisneski of the 12th District submitting a petition from the neighbors of the 700, 800 and 900 blocks of Lathrop Avenue regarding the lighting.

Recommendation of the Public Works and Services Committee on

7-14-09: Defer

Recommendation of the Public Works and Services Committee on 7-28-09: That the replacement of the six city-owned street lights with decorative lighting units be approved.

Further recommends that the item be referred to the Finance and Personnel Committee for funding.

Fiscal Note: The additional cost to convert these to decorative lighting units is \$16,000.00 with funding to be determined by the Finance and Personnel Committee.

[09-3890](#)

Subject: Communication from Vulcan Lands, Inc. proposing to donate 3.59 acres of real property to the City of Racine.

Recommendation of the Public Works and Services Committee on 7-28-09: The communication be received and filed.

Fiscal Note: N/A

[09-3923](#)

Subject: Communication from the Assistant Commissioner of Public Works/Engineering submitting the State/Municipal Agreement for Stage 2 Local ARRA 2010, State ID: 2703-02-03/73, Spring Street. (Res.09-1541)

Recommendation of the Public Works and Services Committee on 7-28-09: That the Mayor and City Clerk be authorized and directed to enter into a State/Municipal Agreement for Stage 2 Local ARRA 2010, State ID: 2703-02-03/73, Spring Street, from Fairway Drive to Blaine Avenue, for the not-to-exceed cost of \$384,633.00, which is funded \$382,633.00 through the State Highway Improvement Project and \$2,000.00 by the City of Racine.

Further recommends that funding for the City's portion be included in the 2010 Capital Improvement Program.

Fiscal Note: Funds are available as herein delineated.

[09-3924](#)

Subject: Communication from the Assistant Commissioner of Public Works/Engineering submitting the State/Municipal Agreement for Stage 2 Local ARRA 2010, State ID: 2703-02-02/72, N. Main Street. (Res.09-1542)

Recommendation of the Public Works and Services Committee on 7-28-09: That the Mayor and City Clerk be authorized and directed to

enter into a State/Municipal Agreement for Stage 2 Local ARRA 2010, State ID: 2703-02-02/72, N. Main Street, from Gould Street to Melvin Avenue, for the not-to-exceed cost of \$602,490.00, which is funded \$600,490.00 through the State Highway Improvement Project and \$2,000.00 by the City of Racine.

Further recommends that funding for the City's portion be included in the 2010 Capital Improvement Program.

Fiscal Note: Funds are available as herein delineated.

09-3925

Subject: Communication from the Director of City Development requesting to establish a home weatherization and energy efficiency loan pilot program. (Res.09-1552 and Ord.17-09)

Recommendation of the Public Works and Services Committee on 7-28-09: That an ordinance be introduced to establish a home weatherization and energy efficiency loan pilot program.

Fiscal Note: Loans established under this program shall be repaid through a special charge against the property.

09-3928

Subject: (Direct Referral) Communication from the Commissioner of Public Works/City Engineer wishing to discuss performance contracting as allowed by State Statute 66.0133, Energy Saving Performance Contracting. (Res.09-1535)

Recommendation of the Public Works and Services Committee on 7-28-09: That the Commissioner of Public Works/City Engineer be authorized and directed to publish a "Notice of Intent to Award a Performance Contract" for the installation of Phase II of the solar energy project at the City Hall Annex, in accordance with Wisconsin State Statute 66.0133, Energy Saving Performance Contracting.

Fiscal Note: N/A

09-3938

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting Amendment No. 2 to Contract 36-07 (K7-042), Professional Services - City Hall Renovations - Phase II, ARC Architectural Group LLC, consultant. (Res.09-1538)

Recommendation of the Public Works and Services Committee on 7-28-09: That Amendment No. 2 to Contract 36-07 (K7-042), Professional Services-City Hall Renovations, Phase II, ARC

Architectural Group, LLC, consultant, as submitted, be approved in the not-to-exceed amount of \$3,100.00.

Further recommends that funding to defray the cost of these professional services be appropriated from Account 988.100.5010, City Hall-Facility Plan Implementation.

Fiscal Note: Funds are available as herein delineated.

09-3939

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting Change Order No. 1 on Contract 32-09 (K9-033), Police Impound Lot Renovations (R1), Rasch Construction & Engineering, Inc., contractor. (Res.09-1540)

Recommendation of the Public Works and Services Committee on 7-28-09: That Change Order No. 1 on Contract 32-09 (K9-033), Police Impound Lot Renovations (R1), Rasch Construction & Engineering, Inc. contractor, be approved in the amount of \$35,298.70.

Further recommends that funding to defray the cost of this change order be appropriated from Account 988.310.5060, Impound Lot.

Fiscal Note: Funds are available as herein delineated.

09-3940

Subject: (Direct Referral) Communication from the Commissioner of Public Works/City Engineer submitting bid results on Contract 52-09 (K9-053), Window Replacement at City Hall Annex. (Res.09-1536)

Recommendation of the Public Works and Services Committee on 7-28-09: That Contract 52-09 (K9-053), Window Replacement at City Hall Annex, be awarded to Softer Lite Window Company, Waukesha, WI, at their Base Bid price of \$28,980.00, plus Alternate Bid #2 in the amount of \$24,470.00 and Alternate Bid #3 in the amount of \$9,295.00, for a total contract amount of \$62,745.00, they being the lowest responsible bidder.

Further recommends that funding to defray the cost of this public works project be appropriated from Account 989.200.5020, Annex-Stairwell Windows.

Fiscal Note: Funds are available as herein delineated.

09-3941

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations requesting permission to apply for Focus on Energy Grants for insulating the Solid Waste Garage and installing LED lighting at 7 facilities. (Res.09-1537)

Recommendation of the Public Works and Services Committee on 7-28-09: That the Assistant Commissioner of Public Works/Operations be authorized and directed to submit and accept Focus on Energy Grants for LED Lighting at McMynn Parking Ramp, Grant Control #2009-33, Equipment Maintenance Garage, Grant Control #2009-34; Street Maintenance Garage, Grant Control #2009-35; Traffic Field Office, Grant Control #2009-36; Fire Station 1, Grant Control #2009-37; City Hall Exterior, Grant Control #2009-38; and City Hall Annex Exterior, Grant Control #2009-39; and Building Insulation at the Solid Waste Garage, Grant Control #2009-40. The total cost of these grants is \$19,067.00 and are being funded through the 2009 Capital Improvement Program and Federal Stimulus Program.

Fiscal Note: These projects are being funded through the 2009 Capital Improvement Program and Federal Stimulus Program.

Public Safety and Licensing Committee Report, by Ald. Wisneski

[09-3835](#)

Subject: Communication from the Alderman of the 15th District requesting to outsource the change-over of the police cars by bidding with outside businesses.

Recommendation of the Public Safety and Licensing Committee on 7-27-09: That this item be received and Filed.

Fiscal Note: N/A

[09-3871](#)

Subject: (New) Application of Dynamite 1 Enterprise (Gerald's), Gerald Bester, Agent for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 1501 Washington Avenue. (3rd District)

Recommendation of the Public Safety and Licensing Committee on 7-27-09: That the application of Dynamite 1 Enterprise (Gerald's), Gerald Bester, Agent for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 1501 Washington Avenue be recommended for approval.

Fiscal Note: N/A

[09-3872](#)

Subject: (New) Application of Grumpy's Grub, LLC (Grumpy's Grub), Karlessa Barcalow, Agent for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 2011 Lathrop Avenue. (11th District)

Recommendation of the Public Safety and Licensing Committee on 7-27-09: That the application of Grumpy's Grub, LLC (Grumpy's Grub), Karlessa Barcalow, Agent for a "Class B" Fermented Malt Beverage and

Intoxicating Liquor License for 2011 Lathrop Avenue be recommended for approval.

Fiscal Note: N/A

[09-3897](#)

Subject: (New) Application of Rosalies LLC, (Dino's), Rosalie Ferderer, Agent "Class B" Fermented Malt Beverage & Intoxicating Liquor License for 1816 16th Street. (3rd District)

Recommendation of the Public Safety and Licensing Committee on 7-27-09: That the Application of Rosalies LLC, (Dino's), Rosalie Ferderer, Agent "Class B" Fermented Malt Beverage & Intoxicating Liquor License for 1816 16th Street be recommended for approval.

Fiscal Note: N/A

Traffic Commission Report, by Ald. Holding

[09-3839](#)

Subject: Communication from Amanda Lawrence, Chairperson for the Starving Artists Outdoor Fair, requesting the use of "Temporary No Parking" signs to be used on the east side of S. Main Street, between 10th St. and 11th St. with restriction for the hours of 9:00 A.M. - 4:00 P.M. for Sunday, August 2, 2009; also requesting the "No Parking at Any Time" restrictions on 10th St. and 11th St. east of S. Main Street be waived for daylight hours prior to 9:00 A.M. and for a period not to exceed one (1) hour from 4:00 P.M. - 5:00 P.M. on Sunday, August 2, 2009. (Res.09-1533)

Recommendation: Approve the request.

Fiscal Note: N/A

[09-3873](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Engineering submitting the study results and recommendation to remove the traffic signals at N. Main Street and Walton Avenue.

Recommendation: Approval of the removal of the traffic signal at the intersection of Walton Avenue and N. Main Street.

Fiscal Note: N/A

Transit and Parking Commission Report, by Ald. DeHahn

[09-3950](#)

Subject: (Direct Referral) Communication from Belle Harbor Lofts, 134 Main Street, requesting a change from 2-Hour Meters to 4-Hour Meters on the north side of 2nd Street adjacent to their building.

Recommendation: To approve the change of Two-Hour parking meters on Second Street, north side, from Main Street to its terminus to Four-Hour parking meters.

Fiscal Note: N/A

09-3957

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 change in traffic code be granted:

A. Recommends that Section 94-242(2) of Schedule J of the Municipal Code of the General Ordinances of the City of Racine relative to "Two-hour Parking Meter Zone" be amended:

By Deleting:

1. **Second Street, both sides, from Main Street west to its terminus.**

By Including:

1. **Second Street, south side, from Main Street west to its terminus.**

B. Recommends that Section 94-242(3) of Schedule J of the Municipal Code of the General Ordinances of the City of Racine relative to "Four-hour Parking Meter Zone" be amended:

By Including:

1. **Second Street, north side, from Main Street west to its terminus.**

City Plan Commission Report, by Ald. Holding

09-3903

Subject: Communication from the Director of the Racine County Planning and Development Department and the Principal Planner for the Southeastern Wisconsin Regional Planning Commission for formal consideration of the Draft Multi-Jurisdictional Comprehensive Plan for Racine County. (Res.09-1544)

Recommendation of the City Plan Commission on 7-29-09: That a resolution be prepared, a public informational meeting be held before the Plan Commission and a public hearing be scheduled before the Common Council.

Fiscal Note: N/A

[09-3930](#)

Subject: (Direct Referral) Request from Audiel Arriaga and Alejandra Avila of Tortilleria La Morenita seeking a conditional use permit for a carry-out restaurant at 1644 Washington Avenue. (Res.09-1545)

Recommendation of City Plan Commission on 7-29-09: That this item be approved subject to staff recommendations.

Fiscal Note: N/A

[09-3931](#)

Subject: (Direct Referral) Request from Frederick L. Tilsner of Tilsner Collision and Autocare Center seeking a conditional use permit for an automobile repair facility at 1524 Layard Avenue. (Res.09-1546)

Recommendation of the City Plan Commission on 7-29-09: That this item be approved subject to staff recommendations.

Fiscal Note: N/A

Office of the Mayor Report, by Ald. Q. A. Shakoor, II

[09-3943](#)

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

Mr. Jeff Raffini 2616 Green St. Racine, WI 53402 to Board of Harbor Commissioners for a 3 year term expiring May 31, 2012

Appoint Alderman Q.A. Shakoor, II Vice Chair to Finance & Personnel Committee for a term ending in April 1, 2010

Appoint Alderman Terrence McCarthy to Finance & Personnel Committee for a term ending in April 1, 2010

Appoint Alderman James Spangenberg to Waterworks Commission (Replacing former Alderman Tom Friedel) for the remainder of the term ending in October 1, 2009

Appoint Alderman James Spangenberg to Wastewater Commission (Replacing former Alderman Tom Friedel) for the remainder of the term ending in October 1, 2009

Wastewater Commission Report, by Ald Hart

[09-3919](#)

Subject: Household Hazardous Waste Agreement with the Village of Wind Point (Res.09-1554)

Recommendation of the Wastewater Commission on 7/28/09:

Wastewater Commission approved and further recommends that the Mayor and City Clerk be authorized to enter into a Household Hazardous Waste agreement with the Village of Wind Point

G. Consent Agenda-Resolutions

Res.09-1533 Starving Artists Outdoor Fair request for parking signs be approved

Resolved, that the use of "Temporary No Parking" signs to be used on the east side of S. Main Street, between 10th St. and 11th St. with restriction for the hours of 9:00 A.M. - 4:00 P.M. for Sunday, August 2, 2009, be approved for the Starving Artists Fair.

Further resolved, that the request to waive the "No Parking at Any Time" restrictions on 10th St. and 11th St. east of S. Main Street for daylight hours prior to 9:00 A.M. and for a period not to exceed one (1) hour from 4:00 P.M. - 5:00 P.M. on Sunday, August 2, 2009, be approved for the Starving Artists Outdoor Fair.

Fiscal Note: N/A

Sponsors: Gregory Holding

Res.09-1534 Low and moderate income loan program be amended to include sidewalk replacement orders of \$500.00 or more

Resolved, that the low and moderate income loan program be amended to include property owners receiving sidewalk replacement orders with an estimated cost of \$500.00 or more.

Fiscal Note: The minimum sidewalk replacement cost under this program is \$500.00 with a maximum repayment term of 10 years.

Sponsors: Gregory Holding

Res.09-1535 Commissioner of Public Works granted permission to publish Notice of Intent to Award Performance Contract

Resolved, that the Commissioner of Public Works/City Engineer be authorized and directed to publish a "Notice of Intent to Award a Performance Contract" for the installation of Phase II of the solar energy project at the City Hall Annex, in accordance with Wis. Stat. sec. 66.0133, Energy Saving Performance Contracting.

Fiscal Note: N/A

Sponsors: Gregory Holding

Res.09-1536 Contract 52-09 (K9-053), Window Replacement at City Hall Annex, be awarded to Softer Lite Window Company

Resolved, that Contract 52-09 (K9-053), Window Replacement at City Hall Annex, be awarded to Softer Lite Window Company, Waukesha, WI, at their Base Bid price of \$28,980.00, plus Alternate Bid #2 in the amount of \$24,470.00 and Alternate Bid #3 in the amount of \$9,295.00, for a total contract amount of \$62,745.00, they being the lowest responsible bidder.

Further resolved, that funding to defray the cost of this public works project be appropriated from Account 989.200.5020, Annex-Stairwell Windows.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Gregory Holding

Res.09-1537 Permission to apply for and accept Focus on Energy Grants

Resolved, that the Assistant Commissioner of Public Works/Operations be authorized and directed to submit and accept Focus on Energy Grants for LED Lighting at McMynn Parking Ramp, Grant Control #2009-33, Equipment Maintenance Garage, Grant Control #2009-34; Street Maintenance Garage, Grant Control #2009-35; Traffic Field Office, Grant Control #2009-36; Fire Station 1, Grant Control #2009-37; City Hall Exterior, Grant Control #2009-38; and City Hall Annex Exterior, Grant Control #2009-39; and Building Insulation at the Solid Waste Garage, Grant Control #2009-40. The total cost of these grants is \$19,067.00 and are being funded through the 2009 Capital Improvement Program and Federal Stimulus Program.

Fiscal Note: These projects are being funded through the 2009 Capital Improvement Program and Federal Stimulus Program.

Sponsors: Gregory Holding

Res.09-1538 Amendment No. 2 to Contract 36-07 (K7-042), Professional Services - City Hall Renovations, Phase II, ARC Architectural Group, LLC

Resolved, that Amendment No. 2 to Contract 36-07 (K7-042), Professional Services-City Hall Renovations, Phase II, ARC Architectural Group, LLC, consultant, as submitted, be approved in the not-to-exceed amount of \$3,100.00.

Further resolved, that funding to defray the cost of these professional services be appropriated from Account 988.100.5010, City Hall-Facility Plan Implementation.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Gregory Holding

Res.09-1539 Change Order No. 6, Contract 53-08 (K8-061), City Hall Renovations, Phase II (R1), Absolute Construction Enterprises, Inc., be approved

Resolved, that Change Order No. 6 on Contract 53-08 (K8-061), City Hall Renovations, Phase II (R1), Absolute Construction Enterprises, Inc., contractor, be approved in the amount of \$30,943.00.

Further resolved, that funding to defray the cost of this change order be appropriated from Account 988.100.5010, City Hall-Facilities Plan Implementation.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Gregory Holding

Res.09-1540 Change Order No. 1, Contract 32-09 (K9-033), Police Impound Lot Renovations (R1), Rasch Construction, be approved

Resolved, that Change Order No. 1 on Contract 32-09 (K9-033), Police Impound Lot Renovations (R1), Rasch Construction & Engineering, Inc. contractor, be approved in the amount of \$35,298.70.

Further resolved, that funding to defray the cost of this change order be appropriated from Account 988.310.5060, Impound Lot.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Gregory Holding

Res.09-1541 Mayor and City Clerk be authorized to enter into State/Municipal Agreement for Stage 2, Spring Street Improvement Project

Resolved, that the Mayor and City Clerk be authorized and directed to enter into a State/Municipal Agreement for Stage 2 Local ARRA 2010, State ID: 2703-02-03/73, Spring Street, from Fairway Drive to Blaine Avenue, for the not-to-exceed cost of \$384,633.00, which is funded \$382,633.00 through the State Highway Improvement Project and \$2,000.00 by the City of Racine.

Further resolved, that funding for the City's portion be included in the 2010 Capital Improvement Program.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Gregory Holding

Res.09-1542 Mayor and City Clerk enter into State/Municipal Agreement for Stage 2, North Main Street Improvement Project

Resolved, that the Mayor and City Clerk be authorized and directed to enter into a State/Municipal Agreement for Stage 2 Local ARRA 2010, State ID: 2703-02-02/72, N. Main Street, from Goold Street to Melvin Avenue, for the not-to-exceed cost of \$602,490.00, which is funded \$600,490.00 through the State Highway Improvement Project and \$2,000.00 by the City of Racine.

Further resolved, that funding for the City's portion be included in the 2010 Capital Improvement Program.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Gregory Holding

Res.09-1545 Conditional Use Permit for a carry-out restaurant at 1644 Washington Avenue be approved subject to conditions

Resolved, that a Conditional Use Permit for a carry-out restaurant at 1644 Washington Avenue be approved subject to the following conditions:

- a. That the plans presented to the Access Corridor Development Review Committee (ACDRC) on July 23, 2009 and the Plan Commission on July 29, 2009 be approved subject to the conditions contained herein.
- b. That all codes and ordinances be complied with and all applicable permits be obtained from the Building Inspection Department.
- c. That, if needed, the property owner execute a hold harmless agreement with the City for signage overhanging the public right-of-way.
- d. That the east and west concrete block walls be repainted in color to be approved by the Director of City Development. Said painting shall be completed by October 1, 2009.
- e. That no minor changes be made from the conditions of this permit without the approval of the Director of City Development and no major changes be made from the conditions of this permit without the approval of the ACDRC, the Plan Commission and/or Common Council.
- f. That this permit is subject to Plan Commission and or ACDRC review for compliance with the listed conditions.

Fiscal Note: N/A

Sponsors: Gregory Holding

Res.09-1546 Conditional Use Permit for an automobile repair facility at 1524 Layard Avenue be approved subject to conditions

Resolved, that a Conditional Use Permit for an automobile repair facility at 1524 Layard Avenue be approved subject to the following conditions:

- a. That the plans presented to the Access Corridor Committee July 23, 2009 and the City Plan Commission on July 29, 2009 be approved subject to the conditions contained herein.
- b. That upon the purchase of the property by the applicant, Frederick Tilsner and/or Tilsner Collision and Auto Repair, new signage shall be installed in compliance with materials and construction standards as set forth by the Building Inspection Department, and shall all be in compliance with the Douglas Avenue corridor design guidelines. All new signs are subject to review and approval by the Access Corridor Development Review Committee.

Signage shall be reviewed by the Access Corridor Development Review Committee in 12 months from the date of this approval.

- c. That there be no pennants, banners, streamers, advertising flags, antenna sleeves, string lights, spot lights or other forms of attraction devices utilized.
- d. All lighting shall be shielded downward onto the property and not spill onto other properties.
- e. That vehicles awaiting service may be stored in the impound area no longer than twenty (20) days during a calendar year. Once repair begins, those vehicles being repaired may be stored in the building for no longer than twenty (20) days in a calendar year.
- f. Vehicles may not be stored on the site if they are unlicensed. Only vehicles may be stored in the towing area - no junk, tires, car parts, or other debris may be stored in this area.
- g. There shall be no tow truck on site unless there is an amendment of the conditional use.
- h. A landscape plan shall be submitted within 30 days of approval.
- i. That all junk and junk vehicles currently stored on site be removed and may not be replaced with any junk or junk vehicles, trailers, or general buildup of trash in the future.
- j. That no vehicles for sale be allowed to be parked on the property.
- k. That the parking lot at the entrance to the building shall be patched and sealed and striped no later than September 1, 2009, and maintained thereafter.
- l. Location of the dumpster and enclosures shall be provided on a revised site plan within 30 days of approval. The dumpster must be screened from the public view. See through chain link is not an acceptable screen.
- m. The applicant shall provide a revised site plan addressing all of the above issues within thirty (30) days of approval.
- n. That all codes and ordinances be complied with and required permits acquired.
- o. That no minor changes be made from the conditions of this permit without the approval of the Plan Commission and no major changes be made from the conditions of this permit without the approval of the Common Council.
- p. That this permit is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

Sponsors: Gregory Holding

Res.09-1547 Mayor and City Clerk enter into a five-year Support Agreement with Racine Concert Band

Resolved, that the Mayor and the City Clerk be authorized and directed to enter into a five-year Support Agreement with the Racine Concert Band under terms and conditions negotiated by the Mayor and City Attorney.

Further resolved, that \$10,000 be transferred from Account 101.020.5010, Administration Salaries, to Account 101.990.5570, Grant for Municipal Band.

Fiscal Note: Changes in funding under the new agreement will increase the annual contribution to the Racine Concert Band over the existing 2009 funding level by \$10,000 in 2009 and 2010 and \$10,350 in 2011, 2012, and 2013. The band will be separated from the City so that the City will have no financial or administrative responsibility for the operations of the Band. There are sufficient funds available for the transfer.

Sponsors: James T. Spangenberg

Res.09-1548 Racine Concert Band declared the Official Band of the City of Racine

Whereas the Racine Concert Band has operated as an entity of the City for many years; and

Whereas it is important that a quality band continue to be maintained and operated in the City for the recreational enjoyment of the general public; and

Whereas, although it is appropriate that the Racine Concert Band be separated from the City's management, it is nevertheless appropriate that the Band continue to receive support and assistance from the City.

Now therefore, the Racine Concert Band is hereby declared to be the Official Band of the City of Racine, Wisconsin.

Fiscal Note: N/A

Sponsors: James T. Spangenberg

Res.09-1549 Permission for Grant Facilitator to submit a proposal and accept JAG Recovery Act - Youthful Offender Prevention Initiative 2009 Grant

Resolved, that the Grant Facilitator be granted permission to submit a proposal for a \$450,000 agreement with the JAG Recovery Act - Youthful Offender Prevention Initiative 2009 Grant from the Wisconsin Office of Justice Assistance (City Grant Control No. 2009-030) to be sub-granted to an outside agency to hire a juvenile justice coordinator and create and maintain an appropriate database as recommended by the Wisconsin Office of Justice Assistance. The grant is over a three-year period.

Fiscal Note: No match required on the part of the City.

Sponsors: James T. Spangenberg

Res.09-1550 Permission for Grant Facilitator to apply for CPS/International Public Management Association for Human Resources Grant

Resolved, that permission be granted to the Grant Facilitator to apply for the CPS/International Public Management Association for Human Resources Grant for Government Agencies in the amount of \$25,000 (City Grant Control No. 2009-031) to be utilized for internal staff expenses relating primarily to Hispanic recruitment.

Fiscal Note: No match required on the part of the City.

Sponsors: James T. Spangenberg

Res.09-1551 Formal bidding procedures be waived and Purchasing Agent be authorized to purchase an AreaRAE Rapid Deployment Chemical Detection and Monitoring System

Resolved, that formal bidding procedures be waived and that the Purchasing Agent be authorized and directed to purchase an AreaRAE Rapid Deployment Chemical Detection and Monitoring system from Clarey's Safety Equipment in Wisconsin with the stipulation that the equipment be competitively priced.

Fiscal Note: Funds are available in Account 268-030-5820, Equipment OJA 2009 Grant. No match required on the part of the City.

Sponsors: James T. Spangenberg

Res.09-1553 Permission for Grant Facilitator to apply and accept pass through funding from University of Wisconsin, 2010 VITA Grant through IRS

Resolved, that permission be granted for the Grant Facilitator to apply for and accept the 2010 VITA Grant through IRS, (City Grant Control No. 2009-032) in the amount of \$5,000 to be utilized for the VITA sites at City of Racine Community Centers.

Fiscal Note: A \$5,000 in kind match is required on the part of the City.

Sponsors: James T. Spangenberg

H. Resolutions

Res.09-1543 Final - Ten (10) Year Benefits and Damages

WHEREAS, the Public Works & Services Committee of the Common Council of the City of Racine, Wisconsin, held a public hearing at the Council Chambers in the City Hall at 5:30 P.M. on the 28th day of July, 2009, for the purpose of hearing all interested persons concerning the preliminary resolution and report of the Commissioner of Public Works on the proposed improvement of:

PORTLAND CEMENT CONCRETE PAVING

Gilson Street from Kearney Avenue to Coolidge Avenue
Fleetwood Drive from Spruce Street to Knoll Place
Kentucky Street from Seventeenth Street to Victory Avenue
Monroe Avenue from Republic Avenue to +/- 350 ft. North
Alley from Victory Avenue, Sixteenth Street; Hayes Avenue, Grove Avenue
Oregon Street from Washington Avenue to Lindermann Avenue
Alley from Fourth Street, Fifth Street; Main Street, Wisconsin Avenue

SEWER AND WATER

Kentucky Street from Seventeenth Street to Victory Avenue

SIDEWALK

Chicory Road from North side fronting Dr. Jones Elementary School

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Racine as follows:

1. That the report of the Commissioner of Public Works pertaining to the construction of the above described public improvements, including plans and specifications therefore, as modified, is hereby adopted and approved.
2. That the Commissioner of Public Works is directed to advertise for bids and to carry out the work of such improvement in accordance with the report of the Commissioner of Public Works.
3. That payment for said improvements be made by assessing the cost to the property benefited as indicated in said report.
4. That benefits and damages shown on the report, as modified, are true and correct, have been determined on a reasonable basis; do not exceed the value accruing to the property therefrom; and are hereby confirmed.
5. That the assessments for all projects included in said report are hereby combined as a single assessment, but any interested property owner shall be entitled to object to each assessment separately or both assessments jointly for any purpose or purposes.
6. That the assessments may be paid in cash or if any assessments are over \$200.00 it may be paid in ten (10) annual installments to the City Treasurer, deferred payments to bear interest at the rate of 8% per annum on the unpaid balance. Installments or assessments not paid when due shall bear additional interest on the amount due at the rate of 9.6% per annum.
7. The City Clerk is directed to publish this resolution in the official newspaper of the City of Racine as a Class I notice in the assessment district.
8. The Clerk is further directed to mail a copy of this resolution and a

statement of the final assessment against his property, to every property owner whose name appears on the assessment roll, whose post office address is known or can with reasonable diligence be ascertained.

Dated _____

Signed _____

Mayor

Published _____

Attest: _____

City Clerk

Sponsors: Gregory Holding

Res.09-1544 A RESOLUTION ENDORSING THE REPORT TITLED "A MULTI-JURISDICTIONAL COMPREHENSIVE PLAN FOR RACINE COUNTY: 2035".

WHEREAS, the City has cooperated with Racine County and SEWRPC to prepare a multi-jurisdictional comprehensive plan for the County that will serve as the comprehensive plan for Racine County, and a resource for the development of a comprehensive plan for the City of Racine, which is documented in the report titled "A Multi-Jurisdictional Comprehensive Plan for Racine County: 2035," (the comprehensive plan) containing maps, references and other descriptive materials and information applicable and specific to the City; and

WHEREAS, in accordance with Section 66.1001(2) of the Wisconsin Statutes, the comprehensive plan includes the following nine elements: Issues and Opportunities; Land Use; Housing; Transportation; Utilities and Community Facilities; Agricultural, Natural and Cultural Resources; Economic Development; Intergovernmental Cooperation; and Implementation; and

WHEREAS, the City Common Council adopted a Public Participation Plan for the comprehensive planning process as required by Section 66.1001(4)(d) of the Wisconsin Statutes on September 18, 2007, and the City has conducted meetings and other public participation activities during the course of development of the comprehensive plan; and

WHEREAS, the City has duly noticed an August 12, 2009 Plan Commission open house/public informational meeting, and an August 18, 2009 Common Council public hearing following the procedures in Section 66.1001(4)(d) of the Wisconsin Statutes.

NOW, THEREFORE, BE IT RESOLVED, the Common Council of the City of Racine hereby endorses the comprehensive plan embodied in the report titled "A Multi-Jurisdictional Comprehensive Plan for Racine County: 2035" as a guide for county development, and as a resource for the development of a report titled "A Comprehensive Plan for the City of Racine: 2035."

BE IT FURTHER RESOLVED that the City Clerk is authorized and directed to transmit a certified copy of this resolution to the Racine County Board and the

Southeastern Wisconsin Regional Planning Commission.

Fiscal Note: N/A

Sponsors: Gregory Holding

Res.09-1552 Resolution establishing a home weatherization and energy efficiency loan pilot program

Whereas, the Wisconsin Legislature by 2009 Wisconsin Act 11 provided authority for cities to make loans to residents for improvements to residents' residential property for energy efficiency or renewable energy projects and for the loans to be repaid through special charges upon the property; and

Whereas, such a program can improve the quality of housing in Racine and make housing more affordable by reducing energy expense.

Now, therefore, be it resolved, that there is hereby established a loan program for loans to residents for improvements to residents' residential property for energy efficiency or renewable energy projects.

Further resolved, that the program shall have the following characteristics and eligibility criteria:

- a. The program is limited to improvements which increase the energy efficiency and/or reduce consumption of non-renewable energy in homes. Only improvements with efficacy demonstrated by an energy audit are eligible.
- b. Owner-occupied single-family and duplex homes constructed from 1946 through 1975 are eligible for participation in the program.
- c. The program is not restricted on the basis of owner or household income. The owner shall agree to the collection of loan repayment through a special charge upon the property; monthly repayments in lieu of the special charge are allowed.
- d. Loans shall be made at three percent interest; loan term should match the payback period of the energy savings resulting from the improvement as nearly as possible.
- e. Participation in this program shall not disqualify the property from participation in any other home improvement or energy efficiency program for which it may qualify.

Further resolved, that Housing Department shall administer the program, subject to standards and procedures adopted by the Loan Board of Review. The Loan Board of Review shall approve or disapprove applications for loans under the program.

Further resolved, that the Finance Director is authorized and directed to establish accounts within the revolving loan fund for the program. Initial funding for the program is provided by the transfer of \$200,000 from the 812 account in the housing program revolving loan fund and \$159,000 in Energy Efficiency and Conservation Block Grant funds when received from the U.S. Department of Energy. Any additional grants received for the program or program income shall be deposited in the accounts established pursuant to

this resolution.

Fiscal Note: Funding is available as proposed in the resolution.

Sponsors: Gregory Holding

Res.09-1554 Mayor and City Clerk enter into a Household Hazardous Waste Agreement with the Village of Wind Point

Resolved, that the Mayor and City Clerk be authorized and directed to enter into a Household Hazardous Waste Agreement with the Village of Wind Point.

Fiscal Note: N/A

Sponsors: Ronald D. Hart

I. Ordinances

Ord.17-09 Ordinance No. 17-09

To create Section 90-33 of the Municipal Code of the City of Racine, Wisconsin, relating to Special charges for repayment of energy efficiency improvement loans.

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

Part 1:

Section 90-33 of the Municipal Code of the City of Racine is hereby created to read as follows:

"Sec. 90-33. Special charges for repayment of energy efficiency improvement loans.

(a) The Common Council may establish by resolution a program for making loans for improvements to resident's residential property for energy efficiency or renewable energy projects pursuant to section 66.0627 (8), Wisconsin Statutes.

(b) Loans made under this program shall be repaid through a special charge against the residential real property. The special charge shall equal the principal and interest due on the loan for the period specified in the loan agreement between the property owner and the city. The loan agreement may specify more frequent payments than the time established by the city for the billing and collection of special charges; in which case, the loan payment shall not be billed as a special charge unless the property owner becomes delinquent in payments. A penalty charge shall be added to delinquent payments."

Part 2:

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

Passed by the Common Council:

Approved: _____

Mayor

Attest:

City Clerk

Fiscal Note: N/A

Sponsors: Gregory Holding

J. Miscellaneous Business

J. 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.