



# City of Racine Meeting Minutes Common Council

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

*Alderman Keith Fair, Alderman Robert Anderson, Alderman Tim Hermes,  
Alderman Jim Kaplan, Alderman David L. Maack, Alderman Sandy Weidner,  
Alderman Raymond DeHahn, Alderman Q.A. Shakoor, II, Alderman Pete Karas,  
Alderman Thomas Friedel, Alderman Gregory Holding, Alderman Ronald D. Hart,  
Alderman Thomas M. Sollman, Alderman James T. Spangenberg, Alderman Aron Wisneski*

---

Monday, April 16, 2007

7:00 PM

Room 205, City Hall

---

## Old Council

### A. Call To Order

**PRESENT:** 14 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II,  
Karas, Friedel, Holding, Sollman, Spangenberg and Wisneski

**EXCUSED:** 1 - Hart

### B. Pledge of Allegiance To The Flag

*Mayor Becker led the Council in the Pledge of Allegiance to the Flag.*

### C. Approval of Journal of Council Proceedings (Minutes)

*Minutes of the previous meeting were approved as printed on motion of Alderman Weidner.*

### D. Public Comments

*Jim Spodick  
Kate Remington  
Becky Marston*

### E. Public Hearings

1. [ZOrd.0003-07](#) An Ordinance rezoning 2711- 19th Street

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

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

Part 1:

That the property located at 2711 - 19th Street, and more particularly described as follows:

"Those properties known as 2711 Nineteenth Street and 2910 Grange Avenue

and more particularly described as follows: Lots 21, 24, & 25 of Block 9, Guenther, Palmer and Fidlers Subdivision. Said land being in the City of Racine, Racine County, Wisconsin" be rezoned from "R-3" Limited General Residence District, to "R-3" Limited General Residence District with an FD Flex Development Overlay District, and designated as Supplement No. \_\_\_\_\_, which Supplement is hereby made a part of this ordinance.

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

*No one appeared.*

**His Honor, the Mayor, declared the public hearing closed**

**F. Communications**

- 2. [07-0437](#) **Subject:** Building Report for the month of March, 2007  
**Received and Filed as Reported**

**Refer to Finance and Personnel Committee, by Ald. Spangenberg**

- 3. [07-0412](#) **Subject:** Communication from the Alderman of the 9th District requesting to discuss the newly imposed inspection fees by the Building Department.  
**Referred to the Finance and Personnel Committee**

- 4. [07-0449](#) **Subject:** Communication from Chief Wahlen, requesting to apply for the Metlife Community Partnership Grant (Grant Control # 2007-019), in the amount of \$25,000, with no match.  
**Referred to the Finance and Personnel Committee**  
**Referred to the Public Safety and Licensing Committee**

- 5. [07-0457](#) **Subject:** Communication from the Alderman of the 6th District requesting clarification of the fees for the use of Horlick Field for Kiwanis Baseball

team.

**Referred to the Finance and Personnel Committee**

6. [07-0459](#) **Subject:** Communication from Chief Wahlen, requesting to apply for the 2007 Bulletproof Vest Partnership Grant (Grant Control # 2007-020). Grant amount is dependent upon the number of eligible departments that apply, with no required match.

**Referred to the Finance and Personnel Committee**

**Referred to the Public Safety and Licensing Committee**

7. [07-0460](#) **Subject:** Communication from Lorna Hennig, Executive Director of Racine Arts Council, requesting hotel tax money to pay for rent of the Racine Arts Council office located at 505 Sixth Street.

**Referred to the Finance and Personnel Committee**

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

8. [07-0404](#) **Subject:** Communication from the Alderman of the 2nd District wishing to discuss the rehabilitation of the brick pavement on College Avenue from DeKoven Avenue to 14th Street.

**Referred to the Public Works and Services Committee**

9. [07-0414](#) **Subject:** Communication from Victor and Tammy Mateo, 1654 Morton Avenue, regarding trucks and crime in their neighborhood.

Also referred to Committee on Housing and Neighborhoods.

**Referred to the Public Works and Services Committee**

**Referred to the Committee on Housing & Neighborhoods**

10. [07-0439](#) **Subject:** Communication from the Commissioner of Public Works/City Engineer requesting to appropriate funds to repair the Solid Waste Garage which was damaged in a traffic accident.

**Referred to the Public Works and Services Committee**

11. [07-0465](#) **Subject:** Communication from the Program Director of Pre-Apprenticeship Program requesting to apply for and accept a CMAQ grant for a share ride shuttle program.

**Referred to the Public Works and Services Committee**

**Refer to Traffic Commission, by Ald. Hart**

12. [07-0451](#) **Subject:** Communication from the Alderman of the 5th District requesting the City of Racine work with both DRC and HSSA to install Pedestrian

Right of Way signs at crosswalks throughout the Downtown area.

Referred to the Traffic Commission

**Refer to Transit and Parking Commission, by Ald. DeHahn**

13. [07-0448](#) **Subject:** Communication from the Transit Planner submitting the March 2007 operating and financial report for Wisconsin Coach Lines Kenosha-Racine-Milwaukee intercity bus service.

Referred to the Transit and Parking Commission

**Refer to Committee on Housing & Neighborhoods, by Ald. Karas**

14. [07-0438](#) **Subject:** Communication from Wayne Clingman, Annie Chew, and Nicala Aiello regarding ongoing and unresolved problems at the Neighborhood Pantry, 1511 W. Sixth Street.

Referred to the Committee on Housing & Neighborhoods

15. [07-0450](#) **Subject:** Request from the 5th District Alderman that citizen members be appointed to the Neighborhood and Housing Committee.

Referred to the Committee on Housing & Neighborhoods

**Refer to Mayor's Office, by Ald. Weidner**

16. [07-0458](#) **Subject:** Communication from the Aldermen of the 5th District and the 6th District requesting that a City Council Retreat/Visioning session be scheduled to allow the Aldermen and Mayor to discuss goals and priorities for the upcoming year.

Referred to the Mayor's Office

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

17. [07-0462](#) **Subject:** Request of the Spirit of Racine Triathlon for the use of North Beach from July 18 - 22, 2007 for their annual race.

Referred to the Board of Park, Recreation and Cultural Services

18. [07-0464](#) **Subject:** Request of Racine County Convention and Visitors Bureau to use North Beach on July 14 & 15, 2007 for the 2nd Annual Corona Light EVP Professional Beach Volleyball Tour.

Referred to the Board of Park, Recreation and Cultural Services

19. [07-0468](#) **Subject:** Request of Trinity Lutheran Church to use Lakeview Park and the use of bathroom facilities in the Lakeview Center on July 18, 2007 for their Vacation Bible School.

Referred to the Board of Park, Recreation and Cultural Services

20. [07-0469](#) **Subject:** Request of the Director of Parks, Recreation & Cultural Services to establish a Parks Foundation in Racine.

Referred to the Board of Park, Recreation and Cultural Services

## G. Committee Reports

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

21. [07-0351](#) **Subject:** Communication from the City Attorney submitting the claims of William Welter and Kelly Welter, and of James Shea and Patricia Shea for consideration.

**Recommendation of the Finance & Personnel Committee on 4-9-07:**  
Recommended for denial.

**Fiscal Note:** NA

*Alderman Wisneski requested that item 07-0351 be considered separately.*

*Chairman Becker voted "ayes" to break the tie vote.*

**A motion was made by Alderman James T. Spangenberg that this be Received and Filed as Reported. The motion PASSED**

**AYES:** 7 - Anderson, Maack, Weidner, Shakoor II, Friedel, Sollman and Spangenberg

**NOES:** 7 - Fair, Hermes, Kaplan, DeHahn, Karas, Holding and Wisneski

**EXCUSED:** 1 - Hart

22. [Ord.09-07](#) Ordinance No. 9-07

To create Section 86-194 of the Municipal Code of the City of Racine, Wisconsin relating to Subdivision of Land - Fees.

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

Part 1:

Section 86-194 of the Municipal Code of the City of Racine is hereby created to read as follows:

"Sec. 86-194. Fees.

The following review fees shall be charged by the city:

(1) Preliminary Plat per Sec. 86-51-52; \$300 application fee plus \$15 per

parcel.

(2) Final Plat per Sec. 86-66-68; \$200 application fee plus \$15 per parcel.

(3) Certified Survey Map per Sec. 86-191-193; \$50 application fee plus \$50 per parcel."

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

**Staff Recommendation to the Finance & Personnel Committee on 4-9-07:**  
Item be approved.

*Alderman Karas requested that Ordinance #9-07 be considered separately.*

**A motion was made by Alderman James T. Spangenberg that this be Adopted.  
The motion PASSED**

**AYES:** 9 - Anderson, Kaplan, Maack, Weidner, Shakoor II, Friedel, Holding, Sollman and Spangenberg

**NOES:** 5 - Fair, Hermes, DeHahn, Karas and Wisneski

**EXCUSED:** 1 - Hart

23. [07-0392](#)

**Subject:** Communication from the Assistant Commissioner of Public Works/Engineering seeking permission to apply for the Urban Nonpoint Source & Storm Water Program Construction Grant.

**Recommendation of the Finance & Personnel Committee on 4-9-07:**  
The Assistant Commissioner of Public Works/Engineering be authorized to apply for the Urban Nonpoint Source & Storm Water Program Construction Grant. Grant Control #2007-016.

**Fiscal Note:** Grant \$41,000; Match \$62,500.

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

24. [07-0393](#) **Subject:** Communication from the Assistant Commissioner of Public Works/Engineering seeking permission to apply for the Great Lakes Basin Program for Soil Erosion and Sediment Control grant.

**Recommendation of the Finance & Personnel Committee on 4-9-07:**

The Assistant Commissioner of Public Works/Engineering be authorized to apply for the Great Lakes Basin Program for Soil Erosion and Sediment Control grant. Grant Control #2007-018.

**Fiscal Note:** Grant \$30,000; Match \$39,400.

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

25. [07-0394](#) **Subject:** Communication from the Assistant Commissioner of Public Works/Engineering seeking permission to apply for the Root-Pike Watershed Initiative Network grant.

**Recommendation of the Finance & Personnel Committee on 4-9-07:**

The Assistant Commissioner of Public Works/Engineering be authorized to apply for the Root-Pike Watershed Initiative Network grant. Grant Control #2007-017.

**Fiscal Note:** Grant \$5,000; Match \$64,400.

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

Council Action

**A motion was made by Alderman James T. Spangenberg to Adopt the Report.**

**AYES:** 14 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Sollman, Spangenberg and Wisneski

**EXCUSED:** 1 - Hart

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

26. [3045](#) **Subject:** Communication from the Alderman of the 15th District requesting a policy be implemented relating to requests for street name changes.

**Recommendation of the Committee of the Whole:** the Item be referred to Public Works & Services with the recommendation that the Item be received and filed.

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

**(4-10-07):** That requests to change city street names be considered on a case-by-case basis.

Further recommends that the following factors be considered in reviewing proposals to change the name of a street:

1. Historical context of existing street and street name.
2. Similarity to existing street names.
3. Continuity of street names.
4. Number of properties involved.
5. Number of property owners. A minimum of 90% of property owners must be in agreement.
6. Number of residents involved. A minimum of 75% of all residents must be in agreement.
7. If the street is to be named in honor of a person, that individual should be someone of national importance who had a profound, positive impact on the country.
8. If the street is part of a redevelopment, the impact of the development on the city shall be considered.
9. If the street is part of a redevelopment, the impact of exterior improvements shall be considered.
10. If the street is part of a redevelopment, the impact of streetscape improvements shall be considered.

Further recommend that any request to change the name of a city street shall require a non-refundable fee of \$500.00 to cover the costs to research the issue and to conduct any public hearings including the publishing of a Class 1 Notice.

Further recommend that the petitioner pay all costs incurred by the City to change its records and any street name sign changes which are necessary, which are estimated at \$1,500.00 but could be significantly higher depending upon the exact nature of the street name change.

**Fiscal Note:** The proposed fees will cover the actual costs which the City will incur to research and to administer the request for any proposed changes.

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

27.     [07-0283](#)

**Subject:** Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting a proposal from HNTB Corporation for an engineering feasibility study including cost estimates for the heating of sidewalks for the Sixth Street project.



**Recommendation:** The communication be received and filed.

Further recommend that the proposal to provide heated sidewalks be eliminated from the Sixth Street Reconstruction project.

**Fiscal Note:** Current state law prohibits the heating of sidewalks for the purpose of clearing snow. Although there are efforts to change this state statute, the Committee was not willing to expend property taxpayer dollars toward this item.

*Alderman Fair requested that item 07-0283 be considered separately.*

*Alderman Fair made a motion to defer the item until funding sources could be found to complete the project.*

*Motion failed by the following vote:*

*AYES: Wisneski, Anderson, Fair, Hermes, Karas*

*NOES: Sollman, Spangenberg, Weidner, DeHahn, Friedel, Holding, Kaplan, Maack, Shakoor*

**A motion was made by Alderman Thomas M. Sollman that this be Received and Filed as Reported. The motion PASSED**

**AYES:** 13 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Friedel, Holding, Sollman, Spangenberg and Wisneski

**NOES:** 1 - Karas

**EXCUSED:** 1 - Hart

28. [07-0327](#)

**Subject:** Communication from the Aldermen of the 5th District and 11th District wishing to discuss the possibility of installing and leasing of conduit to carry fiber optic cable for other companies.

**Recommendation:** The item be referred to the Water and Wastewater Utility for their consideration to install duct work along with their projects both within and outside the City of Racine.

Further recommend that the item be referred to the City Attorney's office for review of the City of Milwaukee's ordinance pertaining to the installation of ducts and its adaptability to the City of Racine. The City Attorney's office is to report their findings back to the Public Works and Services Committee.

**Fiscal Note:** Not applicable at this time.

*Alderman Maack requested that item 07-0327 be considered separately.*

**Referred to the Waterworks Commission**

**AYES:** 13 - Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Sollman, Spangenberg and Wisneski

**EXCUSED:** 1 - Hart

**NON VOTING:** 1 - Fair

**Referred to the Wastewater Commission**

**Referred to the City Attorney's Office**

29. [07-0386](#) **Subject:** Communication from Michael Signs requesting permission to place a projecting sign at 1200 S. Memorial Drive.

**Recommendation:** The property owner of 1200 S. Memorial Drive be granted permission to install a stationary, projecting sign, as requested, with the stipulation that a hold harmless agreement be executed, in accordance with State Statute 66.0425, Privileges in Streets.

Further recommends that the property owner be charged a \$50.00 fee to cover administrative costs associated with filing this item with the Register of Deeds office.

**Fiscal Note:** There will be no cost to the City of Racine.

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

30. [07-0416](#) **Subject:** Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting bid results on Contract 11-07 (K7-011), Traffic Signal Renovations HES (HISP).

**Recommendation:** Contract 11-07 (K7-011), Traffic Signal Renovations HES (HISP), be awarded to Traffic & Parking Control Co., Inc., Elm Grove, WI, at their bid price of \$110,213.00, they being the lowest responsible bidder.

Further recommends that funding to defray the cost of this public works project be appropriated from Account 930.047.5810, WisDOT Hazard Elimination Safety Grant.

**Fiscal Note:** 90% of the cost of this project will be reimbursed by the State of Wisconsin.

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

31. [07-0417](#) **Subject:** Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting bid results on Contract 12-07 (K7-012), Asphalt Paving (C.D.B.G.).

**Recommendation:** Contract 12-07 (K7-012), Asphalt Paving (C.D.B.G.),

be awarded to Payne & Dolan, Inc., Kenosha, WI, at their bid price of \$184,493.20, they being the lowest responsible bidder.

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

\$147,000.00 - Account 919.000.5910, CDBG Asphalt Resurfacing.  
\$ 15,400.00 - Account 986.908.5130, Asphalt Resurfacing  
\$ 22,093.20 - Account 104.984.5400, Maiden Lane Detention  
\$184,493.20 - Total

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

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

32. [07-0418](#)

**Subject:** Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting bid results on Contract 17-07 (K7-020), Sidewalk Replacement - Phase I (R1).

**Recommendation:** Contract 17-07 (K7-020), Sidewalk Replacement - Phase I (R1), be awarded to D.C. Burbach, Inc., Waukesha, WI, at their bid price of \$236,608.00, they being the lowest responsible bidder.

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

\$231,608.00 - Account 906.000.5520, Sidewalk Replacement  
\$ 5,000.00 - Account 987.908.5520, Sidewalk Replacement  
\$236,608.00 - Total

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

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

33. [07-0419](#)

**Subject:** Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting bid results on Contract 18-07 (K7-021), Marino Park Storm Sewer Replacement and Manhole Repair (R1).

**Recommendation:** Contract 18-07 (K7-021), Marino Park Storm Sewer Replacement and Manhole Repair (R1), be awarded to Mann Brothers, Inc., Elkhorn, WI, at their bid price of \$228,918.00, they being the lowest responsible bidder.

Further recommends that funding to defray the cost of this public works project be appropriated from Account 104.984.5400, Maiden Lane Detention Pond.

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

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

34. [07-0420](#)

**Subject:** Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting bid results on Contract 28-07 (K7-032), Street Paving - Assessed.

**Recommendation:** Contract 28-07 (K7-032), Street Paving - Assessed, be awarded to Mann Brothers, Inc., Elkhorn, WI, at their bid price of \$181,936.25, they being the lowest responsible bidder.

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

\$ 7,425.00 - Account 104.984.5400, Maiden Lane Retention Pond  
\$ 9,000.00 - Account 986.987.5310, Sanitary Sewers - Various Locations  
\$ 1,800.00 - Account 987.907.5310, Sanitary Sewers - Various Locations  
\$135,711.25 - Account 986.000.5010, Concrete Street Paving - Assessed  
\$ 28,000.00 - Water Department  
\$181,936.25 - Total

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

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

35. [07-0428](#)

**Subject:** Direct Referral. Communication from the Assistant Commissioner of Public Works/Operations submitting a proposal for professional services on Contract 36-07 (K7-042), City Hall Renovations - Phase II.

**Recommendation:** The Mayor and City Clerk be authorized and directed to enter into an agreement with ARC Architectural Group, LLC to provide professional services for City Hall Renovations - Phase II at a price not-to-exceed \$72,460.00.

Further recommends that funds to defray the cost of these professional services are available in Account 987.100.5010, City Hall - Facilities Plan Implementation.

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

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

36. [07-0435](#) **Subject:** Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting a proposal for migration of infra/pave to SQL.

**Recommendation:** The Mayor and City Clerk be authorized and directed to enter into an agreement with Earth Tech, Inc. for the migration of the Infra/Pave Pavement Management Software from Oracle to Microsoft SQL at a price not-to-exceed \$78,518.00.

Further recommends that funds to defray the cost of these professional services are available in the following accounts:

\$24,636.00 - Account 101.130.5610, Professional Services  
\$25,000.00 - Account 104.000.5610, Professional Services  
\$28,882.00 - Account 987.908.5130, Asphalt Resurfacing  
\$78,518.00 - Total

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

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

37. [07-0440](#) **Subject:** Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting Amendment No. 1 to Contract 22-07 (K7-026), Professional Services for Digital Color Orthophotographs, Aero-Metric, Inc., consultant.

**Recommendation:** Amendment No. 1 on Contract 22-07 (K7-026), Professional Services for Digital Color Orthophotographs, Aero-Metric, Inc., consultant, as submitted, be approved in the not-to-exceed amount of \$5,000.00.

Further recommends that funding to defray the cost of these professional services be appropriated from Account 987.908.5130, Asphalt Resurfacing.

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

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

38. [07-0441](#) **Subject:** Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting a proposal from Earth Tech, Inc. for Stormwater Utility Professional Services.

**Recommendation:** The Mayor and City Clerk be authorized and directed to enter into an agreement with Earth Tech, Inc. for Stormwater Utility Professional Services at a price not-to-exceed \$25,000.00.

Further recommends that funds to defray the cost of these professional services are available in Account 104.000.5610, Professional Services.

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

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

Council Action

**A motion was made by Alderman Thomas M. Sollman to Adopt the Report.**

**AYES:** 14 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Sollman, Spangenberg and Wisneski

**EXCUSED:** 1 - Hart

**Public Safety and Licensing Committee Report, by Ald. Maack**

39. [07-0329](#) **Subject:** Communication from Police Chief Wahlen, requesting to seek approval to change the staffing structure of the Racine Police Department.

**Recommendation of the Finance & Personnel Committee on 03-26-07:** That the item be deferred.

**Recommendation of the Public Safety & Licensing Committee of 03-26-07:** That the Police Chief's request to change the staffing structure of the Racine Police Department, be approved.

**Fiscal Note:** N/A

**Recommendation of the Finance & Personnel Committee on 4-9-07:**  
The item be approved.

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

40. [07-0349](#) **Subject: (New)** Application of Veto Associates, LLC, John A. Garner, Agent, for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License, for 3620 Northwestern Avenue. (6th District)

**Recommendation of the Public Safety & Licensing Committee of 04-09-07:** That the license be granted, pending the records check and the former license holder surrendering their license.

**Fiscal Note:** N/A

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

41. [07-0353](#)

**Subject:** Communication from the Fire Chief requesting permission to apply for the 2007 FEMA Fire Act Grant to fund the purchase of a Heavy Rescue/Haz Mat Vehicle, Self-Contained Breathing Apparatus and Radio Equipment.

**Recommendation of the Finance & Personnel Committee on 4-9-07:**  
That the Fire Chief apply for the 2007 FEMA Fire Act Grant to fund the purchase of a Heavy Rescue/Haz Mat Vehicle, Self-Contained Breathing Apparatus and Radio Equipment. Grant Control #2007-008.

**Recommendation of the Public Safety & Licensing Committee of 04-09-07:** That the Fire Chief be given permission to apply for the 2007 FEMA Fire Act Grant to fund the purchase of a Heavy Rescue/Haz Mat Vehicle, Self-Contained Breathing Apparatus and Radio Equipment.

**Fiscal Note:** \$650,000 Grant; hard match of 20% from 268 fund.

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

42. [07-0368](#)

**Subject:** Request of the Director of Parks, Recreation & Cultural Services to meet with Public Safety and Licensing for permission to enter in an agreement with Nielsen Madsen & Barber SC to prepare a topographic survey of Mound Cemetery Crypt area.

**Recommendation of the Public Safety & Licensing Committee of 04-09-07:** That the Director of Parks, Recreation & Cultural Services be given permission to enter in an agreement with Nielsen Madsen & Barber SC to prepare a topographic survey of Mound Cemetery Crypt area.

**Fiscal Note:** \$6,520.00 be appropriated from account 207.000.5760.

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

43. [07-0369](#)

**Subject:** Request of the Director of Parks, Recreation & Cultural Services to meet with Public Safety & Licensing to present Official Notice #5 bids received by the Purchasing Agent for supplying trees for the City's spring planting program.

**Recommendation of the Public Safety & Licensing Committee of 04-09-07:** That the Director of Parks, Recreation & Cultural Services

accept the lowest bid from Wayside Nurseries for supplying trees for the City's spring planting program.

**Fiscal Note:** N/A

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

44. [07-0372](#)

**Subject: (New) (Direct Referral)** Application of Sugar Shack/Sweet Shoppe, Natalie Gautsch, Owner for a Sidewalk Cafe Permit w/o alcohol for 530 Monument Square (1st District)

**Recommendation to the Public Safety & Licensing Committee of**

**04-09-07:** That the Sidewalk Cafe Permit w/o alcohol for 530 Monument Square be approved, pending departmental approval.

**Fiscal Note:** N/A

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

45. [07-0373](#)

**Subject:** Request to meet with Public Safety and Licensing for permission to enter in an agreement with Industrial Roofing Services, Inc. to prepare plans and specifications and project administration for Masonry Restoration at Graceland Cemetery War Memorial and Mound Cemetery Crypts and roof replacement at the War Memorial.

**Recommendation of the Public Safety & Licensing Committee of**

**04-09-07:** That the Director of Parks, Recreation & Cultural Services be given permission to enter in an agreement with Industrial Roofing Services, Inc. to prepare plans and specifications and project administration for Masonry Restoration at Graceland Cemetery War Memorial and Mound Cemetery Crypts and roof replacement at the War Memorial.

**Fiscal Note:** \$7,550.00 be appropriated from account 207.000.5760, Building Improvements, War Memorial Repairs, and \$5,250.00 be appropriated from account 207.000.5760, Building Improvements, Mound Crypt Repairs. The cost not to exceed \$12,800.00

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

46. [07-0399](#)

**Subject: (New)** Application of SDJJ, LLC, John P. McAuliffe, Agent for a "Class B" Retail Fermented Malt beverage and Intoxicating liquor for 213 Sixth Street. (1st District)

**Recommendation of the Public Safety & Licensing Committee of**

**04-09-07:** That the license be granted, pending the records check and the



outcome of the court proceedings of the previous license holder.

**Fiscal Note:** N/A

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

47. [07-0410](#) **Subject: (Direct Referral)** Communicaton from the Purchasing Agent submitting the monthly report for the sale of abandoned vehicles for April 2, 2007.

**Recommendation of the Public Safety & Licensing Committee of  
04-09-07:** That the item be received and filed.

**Fiscal Note:** This will generate \$12,555.01 in revenues.

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

48. [07-0415](#) **Subject: (Direct Referral) (Change of Agent)** Application of Applebee's Neighborhood Grill and Bar, Tim Geniesse, Agent, for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 2521 S. Green Bay Road. (14th District)

**Recommendation of the Public Safety & Licensing Committee of  
04-09-07:** That the Change of Agent be approved.

**Fiscal Note:** N/A

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

Council Action

**A motion was made by Alderman David L. Maack to Adopt the Report.**

**AYES:** 14 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoore II, Karas, Friedel, Holding, Sollman, Spangenberg and Wisneski

**EXCUSED:** 1 - Hart

**City Plan Commission Report, by Ald. Holding**

49. [07-0358](#) **Subject:** (Direct Referral) Request by Latoya Robbins seeking a conditional use permit, for a childcare center at 2711-19th Street.

**Recommendation of City Plan Commission on 3-28-07:** That the request by Latoya Robbins seeking a conditional use permit to locate a childcare center at 2711 - 19th Street be approved, subject to the following

conditions:

- a. That the plans stamped "Received March 6, 2007" and presented to the Plan Commission on March 28, 2007 be approved, subject to the conditions contained herein.
- b. That an occupancy permit and all other applicable permits be requested from the Building Department.
- c. That the maximum hours that the facility be open to the general public be from 6:00 a.m. to 11:00 p.m. Monday through Friday with no hours on Saturday or Sunday. Staff may remain at the site until 12:00 p.m., Monday through Friday.
- d. That all children shall be unloaded from vehicles, and loaded into vehicles, directly to and from the sidewalk adjacent to the building on Grange Avenue and on 19th Street. Double parking of vehicles shall not be permitted. Parents or a guardian shall escort their child to and from the door of the day care center.
- e. That sufficient off street parking be provided to adequately accommodate all employees.
- f. That all buildings and grounds be maintain in a professional manner and on a daily basis.
- g. That all obsolete signs be removed and that all new signs be professionally made and comply with the zoning ordinance requirements and be submitted to the Director of City Development for review and approval.
- h. That all codes and ordinances be complied with and required permits acquired, including a State of Wisconsin daycare license.
- i. That all trash and recyclables be stored in stored closed containers and screened from view.
- j. 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.
- k. That this permit is subject to review by the Plan Commission for compliance with the listed conditions.

I. That a review of this permit be conducted six months from the date of approval, unless an earlier date is deemed necessary.

**Fiscal Note:** N/A

**A motion was made that this Conditional Use Permit be Received and Filed as Reported. The motion was APPROVED**

50. [07-0422](#)

**Subject:** Consideration of a use supplement for a Flex Development Overlay District at 2711-19th Street.

**Recommendation of City Plan Commission on 4-11-07:** That a use supplement be adopted by a resolution of the Common Council in association with a Flex Development Overlay District at 2711 - 19th Street, subject to the following conditions:

- a. That all uses listed in the underlying R-3 Limited General Residence District are permissible by right or by conditional use permit unless otherwise specified herein.
- b. That all applicable permits are obtained from the Building Inspection Department.
- c. That the following flex uses are permitted as conditional use permit in addition to those permitted in the R-3 Limited General Residence District: group daycare center.
- d. That the following uses shall be prohibited: community living arrangements, educational institutions providing boarding.
- e. That all aspects of the flex uses and all other uses shall be contained on site.
- f. That all trash and recyclables be stored in closed containers and screened from view.
- g. That the Chief Building Inspector or Director of City Development may impose additional conditions on a single or a group of flex uses to mitigate potential negative impacts on the subject or surrounding properties. Decisions in this regard may be appealed by the affected operator(s) to the Plan Commission who will forward a recommendation to the Common Council.
- h. That upon consultation between the Chief Building Inspector and Director of City Development, additional uses not listed in this resolution may be permitted if found to comply with the spirit and intent of this flex development and the Flex Development Overlay District.

- i. That all applicable codes and ordinances be complied with and required permits acquired.
- j. That no minor changes be made from the conditions of this flex development without the approval of the Plan Commission, and no major changes be made without the approval of the Common Council.
- k. That this flex development is subject to Plan Commission review for compliance with the listed conditions.

**Fiscal Note:** N/A

**A motion was made that this Zoning Item be Received and Filed as Reported.  
The motion was APPROVED**

51. [07-0423](#)

**Subject:** Request by Scott Fergus of KeyBridge Development Group for a minor amendment to the Pointe Blue planned development in the 1100 block of Michigan Blvd. seeking the extension of the final plan submittal deadline to allow for project phasing.

**Recommendation of City Plan Commission on 4-11-07:** That the request of Key Bridge Development Group, dated March 25, 2007 and presented to the City Plan Commission on April 11, 2007, for a minor amendment to the planned development for Pointe Blue to address filing deadlines for the submittal of final plans, be approved subject to the following:

- a. That all aspects of this planned development proceed in compliance with Common Council Resolution 06-7121 of September 5, 2006, unless otherwise varied herein.
- b. That the Final Plan for Infrastructure (with accompanying construction schedule) be submitted to the City Plan Commission no later than July 25, 2007.
- c. That the Final Plan for High Rise Tower 3 (eastern most tower) be submitted to the City Plan Commission no later than October 31, 2007.
- d. That the Final Plan for Mid Rise Tower 2 (just west of the High Rise Tower) be submitted to the City Plan Commission no later than October 31, 2008.
- e. That the Final Plan for Mid Rise Tower 1 (just west of Mid Rise Tower 2) be submitted to the City Plan Commission no later than October 31, 2009.
- f. That the Final Plan for the low-rise units bounded on the east by William

Lewis Lane and on the west by Lindsay Lane be submitted to the City Plan Commission no later than November 30, 2007.

g. That the Final Plan for the low-rise construction bounded on the east by Lindsay Lane and on the west by Maggie Lane be submitted to the City Plan Commission by July 31, 2008.

h. That the Final Plan for the low-rise construction bounded on the east by Maggie Lane and on the west Michigan Blvd. be submitted to the City Plan Commission no later than November 30, 2008.

i. That the Final Plan for the Coast Guard buildings be submitted to the City Plan Commission no later than October 31, 2008.

j. That the Final Plan for the retail and apartment construction bounded on the east by Michigan Blvd., and on the west by Chatham Street be submitted to the City Plan Commission no later than October 31, 2008.

k. That nothing in this amendment shall prohibit the submittal of final plans in advance of the deadlines contained herein.

**Fiscal Note:** N/A

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

52. [07-0427](#)

**Subject:** Request by Lorri Kammiem seeking a conditional use permit for an orthodontic appliance laboratory at 3343 Douglas Avenue.

**Recommendation of City Plan Commission on 4-11-07:** That the request by Lorri Kammiem seeking a conditional use permit for the operation of an orthodontic appliance laboratory at 3343 Douglas Avenue be approved, subject to the following conditions:

a. That the plans stamped "Received March 21, 2007" and presented to the Plan Commission on April 11, 2007 be approved subject to the following conditions.

b. That all applicable permits be obtained from the Building Inspection Department.

c. That a landscape plan be submitted for the review and approval of the Director of City Development.

d. That this and associated facilities be maintained in an appropriate and professional manner.

- e. That all trash and recyclables be stored in closed containers and screened from view.
- f. That all applicable codes and ordinances be complied with and required permits acquired.
- g. 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 without the approval of the Common Council.
- h. That this permit is subject to Plan Commission review for compliance with the listed conditions.

**Fiscal Note:** N/A

**A motion was made that this Conditional Use Permit be Received and Filed as Reported. The motion was APPROVED**

53. [07-0429](#) **Subject:** Request by Courtney Thompson of Thompson Inc. seeking a conditional use permit for the Thompson Group Home at 2008-12th Street.

**Recommendation of City Plan Commission on 4-11-07:** To deny.

**A motion was made that this Conditional Use Permit be Received and Filed as Reported. The motion was APPROVED**

54. [07-0456](#) **Subject:** ZOrd.0003-07 - Ordinance to rezone 2711-19th Street for Flex Overlay.

**Recommendation of City Plan Commission on 4-11-07:** To adopt.

**A motion was made that this Zoning Item be Received and Filed as Reported. The motion was APPROVED**

Council Action

**A motion was made by Alderman Gregory Holding to Adopt the Report.**

**AYES:** 14 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Sollman, Spangenberg and Wisneski

**EXCUSED:** 1 - Hart

#### **Community Development Committee Report, by Ald. Weidner**

55. [07-0258](#) **Subject:** Executive Director of OIC of Racine County, requesting extension and amendment of the scope of services of their 2004 Community Development Block Grant agreement to improve the OIC

facility at 1020 Washington Avenue.

**Recommendation of the Community Development Committee on 3-21-07:** To deny the request for extension and amendment; return the balance of the funds to the Local Option Fund.

**Fiscal Note:** N/A

**A motion was made by Alderman Sandy Weidner that this be Received and Filed as Reported. The motion PASSED**

**AYES:** 14 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Sollman, Spangenberg and Wisneski

**EXCUSED:** 1 - Hart

### **Committee on Housing & Neighborhoods Report, by Ald. Karas**

56. [07-0196](#) **Subject:** Communication from Alderman of the 8th District requesting to change the name of committee to "Sustainable Neighborhood Listening Committee".

**Recommendation of the Committee on Housing & Neighborhoods 3-29-07:** To approve.

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

57. [07-0250](#) **Subject:** With the purpose of: To meet throughout Greater Racine, on an as needed basis, to hear issues and concerns regarding neighborhoods. To work in collaboration with other groups and/or organizations to problem solve when possible, within the scope of City government.

**Recommendation of the Committee on Housing & Neighborhoods March 29, 2007:** To adopt.

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

Council Action

**A motion was made by Alderman Pete Karas to Adopt the Report.**

**AYES:** 11 - Fair, Anderson, Hermes, Kaplan, DeHahn, Shakoor II, Karas, Friedel, Sollman, Spangenberg and Wisneski

**NOES:** 3 - Maack, Weidner and Holding

**EXCUSED:** 1 - Hart

### **Wastewater Commission Report, by Ald Hart**

58. [07-0310](#) **Subject:** Request to appoint a new Wastewater authorized representative for the Clean Water Fund Loan Program

**Recommendation:** Refer to the Finance and Personnel Committee for approval

Referred to the Finance and Personnel Committee

#### **Board of Health Report, by Ald. DeHahn**

59. [07-0286](#) **Subject:** Communication from the Public Health Administrator requesting permission to accept funding and for the Mayor and City Clerk to sign a contract with the Wisconsin Department of Natural Resources.

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

**03-26-07:** The Mayor and City Clerk be authorized and directed to enter into a \$40,000 agreement with the Wisconsin Department of Natural Resources (Grant Control No. 2007-009) to be utilized for beach sanitary surveys for Wisconsin's Great Lakes during the period of March 1, 2007 through November 30, 2007.

**Recommendation of the Board of Health on 04-10-07:** The Mayor and City Clerk be authorized and directed to enter into a \$40,000 agreement with the Wisconsin Department of Natural Resources to be utilized for beach sanitary surveys for Wisconsin's Great Lakes from March 1, 2007 through November 30, 2007.

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

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

60. [07-0287](#) **Subject:** Communication from the Public Health Administrator requesting permission to accept funding and for the Mayor and City Clerk to sign a contract with the University of Wisconsin-Oshkosh.

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

**03-26-07:** The Mayor and City Clerk be authorized and directed to enter into an agreement with the University of Wisconsin - Oshkosh (Grant Control No. 2007-010). Funds, not to exceed \$6,500 per year, will be utilized for evaluation of the Algal Nuisance Cladophora and its effect on E. Coli and beach closures. Contract period will be from March 1, 2007 through February 28, 2010.

**Recommendation of the Board of Health on 04-10-07:** The Mayor and



City Clerk be authorized and directed to enter into an agreement with the University of Wisconsin - Oshkosh. Funds, not to exceed \$6,500 per year, will be utilized for evaluation of the Algal Nuisance Cladophora and its effect on E. Coli and beach closures. Contract period will be from March 1, 2007 through February 28, 2010.

**Fiscal Note:** A soft match of \$1,800 per year will be fulfilled by approximately 48 total hours of Dr. Kinzelman's time.

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

61. [07-0352](#)

**Subject:** Communication from the Public Health Administrator requesting permission to accept and have the Mayor and City Clerk sign an amended contract from the Department of Health and Family Services for the Women, Infants and Children Program.

**Recommendation of the Finance & Personnel Committee on 4-9-07:**

To accept and have the Mayor and City Clerk sign an amended contract from the Department of Health and Family Services for the Women, Infants and Children Program.

**Recommendation of the Board of Health on 04-10-07:** To accept and have the Mayor and City Clerk sign an amended contract from the Department of Health and Family Services for the Women, Infants and Children Program.

**Fiscal Note:** NA

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

62. [07-0382](#)

**Subject:** Communication from the Public Health Administrator requesting permission to apply for a grant from the National Oceanic Atmospheric Administration for the development of a risk-based beach classification system for the Great Lakes.

**Recommendation of the Finance & Personnel Committee on 4-9-07:**

The Public Health Administrator be authorized to apply for a grant from the National Oceanic Atmospheric Administration for the development of a risk-based beach classification system for the Great Lakes.

The Grant Control number is 2007-012.

**Recommendation of the Board of Health on 04-10-07:** The Public Health Administrator be authorized to apply for a grant from the National Oceanic Atmospheric Administration for the development of a risk-based

beach classification system for the Great Lakes.

**Fiscal Note:** Grant Amount \$597,544.

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

63. [07-0383](#)

**Subject:** Communication from the Public Health Administrator requesting permission to accept a donation from the United Way of Racine County for the Teen Parenting Program.

**Recommendation of the Finance & Personnel Committee on 4-9-07:**

The Public Health Administrator be authorized to accept a donation from the United Way of Racine County for the Teen Parenting Program.

**Recommendation of the Board of Health on 04-10-07:** The Public Health Administrator be authorized to accept a donation from the United Way of Racine County for the Teen Parenting Program.

**Fiscal Note:** \$2,225.60. Donation in 752 fund.

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

64. [07-0384](#)

**Subject:** Communication from the Public Health Administrator requesting permission to accept a donation from the United Way of Greater Milwaukee for the Teen Parenting Program.

**Recommendation of the Finance & Personnel Committee on 4-9-07:**

The Public Health Administrator be authorized to accept a donation from the United Way of Greater Milwaukee for the Teen Parenting Program.

**Recommendation of the Board of Health on 04-10-07:** The Public Health Administrator be authorized to accept a donation from the United Way of Greater Milwaukee for the Teen Parenting Program.

**Fiscal Note:** \$65.52. Donation in 752 fund.

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

65. [07-0389](#)

**Subject:** Communication from the Public Health Administrator requesting permission for the Mayor and City Clerk to sign a contract with United Healthcare.

**Recommendation of the Finance & Personnel Committee on 4-9-07:**

The Mayor and City Clerk be authorized to sign a contract with United Healthcare.

**Recommendation of the Board of Health on 04-10-07:** The Mayor and City Clerk be authorized to sign a contract with United Healthcare.

**Fiscal Note:** N/A

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

66. [07-0390](#)

**Subject:** Communication from the Public Health Administrator requesting permission for the Mayor and City Clerk to sign a contract and enter into an agreement with the University of Wisconsin-Madison, Master of Public Health Program.

**Recommendation of the Finance & Personnel Committee on 4-9-07:** The Mayor and City Clerk be authorized to sign a contract and enter into an agreement with the University of Wisconsin-Madison, Master of Public Health Program.

**Recommendation of the Board of Health on 04-10-07:** The Mayor and City Clerk be authorized to sign a contract and enter into an agreement with the University of Wisconsin-Madison, Master of Public Health Program.

**Fiscal Note:** N/A

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

Council Action

**A motion was made by Alderman Raymond DeHahn to Adopt the Report.**

**AYES:** 14 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Sollman, Spangenberg and Wisneski

**EXCUSED:** 1 - Hart

## H. Resolutions

67. [Res.07-0159](#) Committee Name Change and Purpose of Committee

Resolved, that the name of the Committee on Housing & Neighborhoods as created by Resolution No. 5793 of May 19, 1992, be changed to Sustainable Neighborhood Listening Committee.

Further resolved, that the purpose of the Sustainable Neighborhood Listening Committee be to meet throughout Greater Racine, on an as needed basis, to

hear issues and concerns regarding neighborhoods and to work in collaboration with other groups or organizations to problem solve when possible, within the scope of city government.

Fiscal Note: N/A

**A motion was made by Alderman Pete Karas that this be Adopted. The motion PASSED**

**AYES:** 11 - Fair, Anderson, Hermes, Kaplan, DeHahn, Shakoor II, Karas, Friedel, Sollman, Spangenberg and Wisneski

**NOES:** 3 - Maack, Weidner and Holding

**EXCUSED:** 1 - Hart

68. [Res.07-0160](#) Final - Ten (10) Year Resolution  
Benefits & 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 10th day of April, 2007, 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

Kentucky Street from Shadow Lane to cul-de-sac  
English Street from N. Main Street to Michigan Boulevard.  
Echo Lane from Byrd Avenue to Sixteenth Street.  
Freeland Circle from cul-de-sac to Virginia Street.  
Indiana Street from Olive Street to the dead end.

Sewer and Water

English Street from N. Main Street to Michigan Boulevard.

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

**Referred to the Public Works and Services Committee**

**69. [Res.07-0161](#) Use of city right-of-way for Running Festival**

Resolved, that the Racine County Convention and Visitors Bureau be granted permission to use city right-of-way on Saturday, April 28, 2007, from 8:00 a.m. to 12:00 noon, with the following stipulations:

- A. A hold harmless agreement be executed.
- B. Proof of liability insurance be filed prior to this event.
- C. Any overtime costs incurred by any City department be charged to the sponsor.

Further resolved, that the Commissioner of Public Works be authorized and directed to communicate with the U. S. Coast Guard requesting permission to close the Main Street Bridge to boat traffic from 8:00 a.m. to 9:30 a.m. on that date.

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.

**Adopted**

70. [Res.07-0162](#) Hold Harmless Agreement for stationary sign at 1200 S. Memorial Drive

Resolved that, the property owner of 1200 S. Memorial Drive be granted permission to install a stationary, projecting sign, as requested, with the stipulation that a hold harmless agreement be executed, in accordance with Wis. Stat. sec. 66.0425, Privileges in Streets.

Further resolved, that the property owner be charged a \$50.00 fee to cover administrative costs associated with filing this item with the Register of Deeds office.

Fiscal Note: There will be no cost to the City of Racine.

**Adopted**

71. [Res.07-0163](#) Agreement for Infra/Pave Pavement Management Software

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with Earth Tech, Inc. for the migration of the Infra/Pave Pavement Management Software from Oracle to Microsoft SQL at a price not-to-exceed \$78,518.00.

Further resolved, that funds to defray the cost of these professional services are available in the following accounts:

\$24,636.00 - Account 101.130.5610, Professional Services  
\$25,000.00 - Account 104.000.5610, Professional Services  
\$28,882.00 - Account 987.908.5130, Asphalt Resurfacing  
\$78,518.00 - Total

Fiscal Note: Funds are available as herein delineated.

**Adopted**

72. [Res.07-0164](#) Contract for Traffic Signal Renovations

Resolved, that Contract 11-07 (K7-011), Traffic Signal Renovations HES (HISP), be awarded to Traffic & Parking Control Co., Inc., Elm Grove, WI, at its bid price of \$110,213.00, it being the lowest responsible bidder.

Further resolved, that funding to defray the cost of this public works project be appropriated from Account 930.047.5810, WisDOT Hazard Elimination Safety Grant.

Fiscal Note: 90% of the cost of this project will be reimbursed by the State of Wisconsin.

**Adopted**

73. [Res.07-0165](#) Contract for Asphalt Paving

Resolved, that Contract 12-07 (K7-012), Asphalt Paving (C.D.B.G.), be awarded to Payne & Dolan, Inc., Kenosha, WI, at its bid price of \$184,493.20, it being the lowest responsible bidder.

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

\$147,000.00 - Account 919.000.5910, CDBG Asphalt Resurfacing.  
\$ 15,400.00 - Account 986.908.5130, Asphalt Resurfacing  
\$ 22,093.20 - Account 104.984.5400, Maiden Lane Detention  
\$184,493.20 - Total

Fiscal Note: Funds are available as herein delineated.

**Adopted**

74. [Res.07-0166](#) Contract for Sidewalk Replacement - Phase 1

Resolved, that Contract 17-07 (K7-020), Sidewalk Replacement - Phase I (R1), be awarded to D.C. Burbach, Inc., Waukesha, WI, at its bid price of \$236,608.00, it being the lowest responsible bidder.

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

\$231,608.00 - Account 906.000.5520, Sidewalk Replacement  
\$ 5,000.00 - Account 987.908.5520, Sidewalk Replacement  
\$236,608.00 - Total

Fiscal Note: Funds are available as herein delineated.

**Adopted**

75.     [Res.07-0167](#)     Contract for Marino Park Storm Sewer Replacement

Resolved that, Contract 18-07 (K7-021), Marino Park Storm Sewer Replacement and Manhole Repair (R1), be awarded to Mann Brothers, Inc., Elkhorn, WI, at its bid price of \$228,918.00, it being the lowest responsible bidder.

Further resolved, that funding to defray the cost of this public works project be appropriated from Account 104.984.5400, Maiden Lane Detention Pond.

Fiscal Note: Funds are available as herein delineated.

**Adopted**

76.     [Res.07-0168](#)     Contract for Street Paving

Resolved that, Contract 28-07 (K7-032), Street Paving - Assessed, be awarded to Mann Brothers, Inc., Elkhorn, WI, at its bid price of \$181,936.25, it being the lowest responsible bidder.

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

\$ 7,425.00 - Account 104.984.5400, Maiden Lane Retention Pond  
\$ 9,000.00 - Account 986.987.5310, Sanitary Sewers - Various Locations  
\$ 1,800.00 - Account 987.907.5310, Sanitary Sewers - Various Locations  
\$135,711.25 - Account 986.000.5010, Concrete Street Paving - Assessed  
\$ 28,000.00 - Water Department  
\$181,936.25 - Total

Fiscal Note: Funds are available as herein delineated.

**Adopted**

77.     [Res.07-0169](#)     Contract for City Hall Renovations - Phase II

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with ARC Architectural Group, LLC to provide professional services for City Hall Renovations - Phase II at a price not-to-exceed \$72,460.00.

Further resolved, that funds to defray the cost of these professional services are available in Account 987.100.5010, City Hall - Facilities Plan Implementation.



Fiscal Note: Funds are available as herein delineated.

**Adopted**

78. [Res.07-0170](#) Policy for street name changes

Resolved, that requests to change city street names be considered on a case-by-case basis.

Further resolved, that the following factors be considered in reviewing proposals to change the name of a street:

1. Historical context of existing street and street name.
2. Similarity to existing street names.
3. Continuity of street names.
4. Number of properties involved.
5. A minimum of 90% of property owners on said street must be in agreement.
6. A minimum of 75% of all residents on said street must be in agreement.
7. If the street is to be named in honor of a person, that individual should be someone of national importance who had a profound, positive impact on the country.
8. If the street is part of a redevelopment, the impact of the development on the city shall be considered.
9. If the street is part of a redevelopment, the impact of exterior improvements shall be considered.
10. If the street is part of a redevelopment, the impact of streetscape improvements shall be considered.

Further resolved, that any request to change the name of a city street shall require a non-refundable fee of \$500.00 to cover the costs to research the issue and to conduct any public hearings including the publishing of a Class 1 Notice.

Further resolved, that the petitioner pay all costs incurred by the City to change its records and any street name sign changes which are necessary, which are estimated at \$1,500.00 but could be significantly higher depending upon the exact nature of the street name change.

Fiscal Note: The proposed fees will cover the actual costs which the City will incur to research and to administer the request for any proposed changes.

**Adopted**

79. [Res.07-0171](#) Contract for Digital Color Orthophotographs

Resolved, that Amendment No. 1 on Contract 22-07 (K7-026), Professional Services for Digital Color Orthophotographs, Aero-Metric, Inc., consultant, as submitted, be approved in the not-to-exceed amount of \$5,000.00.

Further resolved, that funding to defray the cost of these professional services be appropriated from Account 987.908.5130, Asphalt Resurfacing.

Fiscal Note: Funds are available as herein delineated.

**Adopted**

80.     [Res.07-0172](#)     Agreement for Stormwater Utility Professional Services

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with Earth Tech, Inc. for Stormwater Utility Professional Services at a price not-to-exceed \$25,000.00.

Further resolved, that funds to defray the cost of these professional services are available in Account 104.000.5610, Professional Services.

Fiscal Note: Funds are available as herein delineated.

**Adopted**

81.     [Res.07-0173](#)     Contract for beach sanitary surveys

Resolved, that the Mayor and City Clerk be authorized and directed to enter into a \$40,000 agreement with the Wisconsin Department of Natural Resources (Grant Control No. 2007-009) to be utilized for beach sanitary surveys for Wisconsin's Great Lakes during the period of March 1, 2007 through November 30, 2007.

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

**Adopted**

82.     [Res.07-0174](#)     Contract with University of Wisconsin-Oshkosh for Evaluation of Algal Nuisance Cladophora

Resolved, that the Mayor and City Clerk be authorized and directed to sign an agreement with the University of Wisconsin-Oshkosh (Grant Control No. 2007-010). Funds, not to exceed \$6,500 per year, will be utilized for evaluation of the Algal Nuisance Cladophora and its effect on E. Coli and beach closures. Contract period will be from March 1, 2007 through February 28, 2010.

Fiscal Note: A soft match of \$1,800 per year will be fulfilled by approximately 48 total hours of Dr. Kinzelman's time.

**Adopted**

83. [Res.07-0175](#) Amended Contract for WIC Program

Resolved, that the Mayor and City Clerk be authorized and directed to sign an amended contract with the Department of Health and Family Services for the Women, Infants and Children Program.

Fiscal Note: N/A

**Adopted**

84. [Res.07-0176](#) Apply for Grant from National Oceanic Atmospheric Administration

Resolved, that the Public Health Administrator be authorized to apply for a grant from the National Oceanic Atmospheric Administration for the development of a risk-based beach classification system for the Great Lakes.

The Grant Control number is 2007-012.

Fiscal Note: Grant is in the amount of \$597,544.

**Adopted**

85. [Res.07-0177](#) Agreement with United Healthcare

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with United Healthcare, HMO Provider to Medicaid Recipients.

Fiscal Note: N/A

**Adopted**

86. [Res.07-0178](#) Agreement for Placement of Interns from UW Madison, Master of Public Health Program

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with the University of Wisconsin-Madison, Master of Public Health Program for the placement of interns on an ongoing basis.

Fiscal Note: N/A

**Adopted**

87. [Res.07-0179](#) 2007 FEMA Fire Act Grant

Resolved, that the Fire Chief be authorized to apply for the 2007 FEMA Fire Act Grant to fund the purchase of a Heavy Rescue/Haz Mat Vehicle, Self-Contained Breathing Apparatus and Radio Equipment. Grant Control #2007-008.

Fiscal Note: Grant is in the amount of \$650,000 with a hard match of 20% from 268 fund.

**Adopted**

88. [Res.07-0180](#) Apply for Urban Nonpoint Source & Storm Water Program Construction Grant

Resolved, that the Assistant Commissioner of Public Works be authorized and directed to apply for the Urban Nonpoint Source & Storm Water Program Construction Grant. Grant Control #2007-016.

Fiscal Note: Grant is in the amount of \$41,000 with a City match of \$62,500.

**Adopted**

89. [Res.07-0181](#) Apply for Great Lakes Basin Program for Soil Erosion and Sediment Control Grant

Resolved, that the Assistant Commissioner of Public Works/Engineering be authorized and directed to apply for the Great Lakes Basin Program for Soil Erosion and Sediment Control Grant. Grant Control #2007-018.

Fiscal Note: Grant is in the amount of \$30,000 with a City match of \$39,400.

**Adopted**

90. [Res.07-0182](#) Apply for Root-Pike Watershed Initiative Network Grant

Resolved, that the Assistant Commissioner of Public Works/Engineering be authorized and directed to apply for the Root-Pike Watershed Initiative Network Grant. Grant Control #2007-017.

Fiscal Note: Grant is in the amount of \$5,000 with a City match of \$64,400.

**Adopted**

91. [Res.07-0183](#) Agreement for Survey of Mound Cemetery Crypt Area

Resolved, that the Mayor and City Clerk be authorized and directed to enter into

an agreement with Nielsen Madsen & Barber SC to prepare a topographic survey of Mound Cemetery Crypt Area.

Fiscal Note: \$6,520.00 be appropriated from Account 207.000.5760.

**Adopted**

92. [Res.07-0184](#) Accept bid for supplying trees for City's spring planting program

Resolved, that the Purchasing Agent be authorized and directed to accept the bid on Official Notice #5 from Wayside Nurseries for supplying trees for the City's spring planting program, said nursery being the low responsible bidder.

Fiscal Note: N/A

**Adopted**

93. [Res.07-0185](#) Agreement for plans and specifications for Masonry Restoration at Graceland and Mound Cemetery

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with Industrial Roofing Services, Inc., to prepare plans and specifications and project administration for Masonry Restoration at Graceland Cemetery War Memorial and Mound Cemetery Crypts and roof replacement at the War Memorial.

Fiscal Note: \$7,550.00 be appropriated from Account 207.000.5760, Building Improvements, War Memorial Repairs, and \$5,250.00 be appropriated from Account 207.000.5760, Building Improvements, Mound Crypt Repairs. The cost not to exceed \$12,800.00.

**Adopted**

94. [Res.07-0186](#) Use Supplement for a Flex Development Overlay District at 2711 - 19th Street  
Resolved, that a Use Supplement in association with a Flex Development Overlay District at 2711 - 19th Street be adopted subject to the following conditions:

a. That all uses listed in the underlying R-3 Limited General Residence District are permissible by right or by conditional use permit unless otherwise specified herein.

b. That all applicable permits are obtained from the Building Inspection Department.

c. That the following flex uses are permitted as conditional uses in addition to those permitted in the R-3 Limited General Residence District: group daycare

center.

d. That the following uses shall be prohibited: community living arrangements, educational institutions providing boarding.

e. That all aspects of the flex uses and all other uses shall be contained on site.

f. That all trash and recyclables be stored in closed containers and screened from view.

g. That the Chief Building Inspector or Director of City Development may impose additional conditions on a single or a group of flex uses to mitigate potential negative impacts on the subject or surrounding properties. Decisions in this regard may be appealed by the affected operator(s) to the Plan Commission who will forward a recommendation to the Common Council.

h. That upon consultation between the Chief Building Inspector and Director of City Development, additional uses not listed in this resolution may be permitted if found to comply with the spirit and intent of this flex development and the Flex Development Overlay District.

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

j. That no minor changes be made from the conditions of this flex development without the approval of the Plan Commission, and no major changes be made without the approval of the Common Council.

k. That this flex development is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

**Adopted**

95. [Res.07-0187](#) Conditional Use Permit for 2711 - 19th Street

Resolved, that the request of Latoya Robbins seeking a conditional use permit to locate a childcare center at 2711 - 19th Street, be approved subject to the following conditions:

a. That the plans stamped "Received March 6, 2007" and presented to the Plan Commission on March 28, 2007 be approved, subject to the conditions contained herein.

b. That an occupancy permit and all other applicable permits be requested from the Building Department.

- c. That the maximum hours that the facility be open to the general public be from 6:00 a.m. to 11:00 p.m., Monday through Friday, with no hours on Saturday or Sunday. Staff may remain at the site until 12:00 p.m., Monday through Friday.
- d. That all children shall be unloaded from vehicles, and loaded into vehicles, directly to and from the sidewalk adjacent to the building on Grange Avenue and on 19th Street. Double parking of vehicles shall not be permitted. Parents or a guardian shall escort their child to and from the door of the day care center.
- e. That sufficient off street parking be provided to adequately accommodate all employees.
- f. That all buildings and grounds be maintain in a professional manner and on a daily basis.
- g. That all obsolete signs be removed and that all new signs be professionally made and comply with the zoning ordinance requirements and be submitted to the Director of City Development for review and approval.
- h. That all codes and ordinances be complied with and required permits acquired, including a State of Wisconsin daycare license.
- i. That all trash and recyclables be stored in stored closed containers and screened from view.
- j. 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.
- k. That this permit is subject to review by the Plan Commission for compliance with the listed conditions.
- l. That a review of this permit be conducted six months from the date of approval, unless an earlier date is deemed necessary.

Fiscal Note: N/A

**Adopted**

96. [Res.07-0188](#) Amendment to Planned Development for Pointe Blue for filing of final plans

Resolved, that the request of Key Bridge Development Group, dated March 25, 2007 and presented to the City Plan Commission on April 11, 2007, for a minor amendment to the planned development for Pointe Blue to address filing deadlines for the submittal of final plans, be approved subject to the following:

- a. That all aspects of this planned development proceed in compliance with Common Council Resolution 06-7121 of September 5, 2006, unless otherwise

varied herein.

b. That the Final Plan for Infrastructure (with accompanying construction schedule) be submitted to the City Plan Commission no later than July 25, 2007.

c. That the Final Plan for High Rise Tower 3 (eastern most tower) be submitted to the City Plan Commission no later than October 31, 2007.

d. That the Final Plan for Mid Rise Tower 2 (just west of the High Rise Tower) be submitted to the City Plan Commission no later than October 31, 2008.

e. That the Final Plan for Mid Rise Tower 1 (just west of Mid Rise Tower 2) be submitted to the City Plan Commission no later than October 31, 2009.

f. That the Final Plan for the low-rise units bounded on the east by William Lewis Lane and on the west by Lindsay Lane be submitted to the City Plan Commission no later than November 30, 2007.

g. That the Final Plan for the low-rise construction bounded on the east by Lindsay Lane and on the west by Maggie Lane be submitted to the City Plan Commission by July 31, 2008.

h. That the Final Plan for the low-rise construction bounded on the east by Maggie Lane and on the west Michigan Blvd. be submitted to the City Plan Commission no later than November 30, 2008.

i. That the Final Plan for the Coast Guard buildings be submitted to the City Plan Commission no later than October 31, 2008.

j. That the Final Plan for the retail and apartment construction bounded on the east by Michigan Blvd., and on the west by Chatham Street be submitted to the City Plan Commission no later than October 31, 2008.

k. That nothing in this amendment shall prohibit the submittal of final plans in advance of the deadlines contained herein.

Fiscal Note: N/A

**Adopted**

97. [Res.07-0189](#) Conditional Use Permit for 3343 Douglas Avenue

Resolved, that the request by Lorri Kammiem seeking a conditional use permit for the operation of an orthodontic appliance laboratory at 3343 Douglas Avenue be approved, subject to the following:

a. That the plans stamped "Received March 21, 2007" and presented to the Plan Commission on April 11, 2007 be approved subject to the following



conditions:

- b. That all applicable permits be obtained from the Building Inspection Department.
- c. That a landscape plan be submitted for the review and approval of the Director of City Development.
- d. That this and associated facilities be maintained in an appropriate and professional manner.
- e. That all trash and recyclables be stored in closed containers and screened from view.
- f. That all applicable codes and ordinances be complied with and required permits acquired.
- g. 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 without the approval of the Common Council.
- h. That this permit is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

**Adopted**

98. [Res.07-0190](#) Video Franchising Resolution

Whereas, on March 27, two legislative committees held a hearing on AB 207 and SB 107, bills aimed at bringing video competition to Wisconsin consumers - at the cost to Wisconsin citizens of local consumer protections, local public access channels and local regulation; and

Whereas, video competition will be coming to Milwaukee without AB 207 or SB 107, thanks to an interim agreement in a lawsuit against AT&T; and

Whereas, the communities of Amherst, Abrams, Cochrane, Coon Valley, Cameron, Cable, Hillsboro, La Valle, Camp Douglas, Oxford, Blue River, Union, Westby, La Crosse, Mount Horeb and Strum already enjoy video competition without AB 207 and SB 107; and

Whereas, Verizon has easily obtained local franchises covering nearly 8 million U.S. households but only offers video service to 30 percent of them, and AT&T has franchises covering 60 percent of its national footprint yet only offers video service in a tiny fraction of selected markets; and

Whereas, the resources at risk under AB 207 and SB 107 include public

access from the video subscriber's living room to the actions of local government, community schools, area youth groups and religious services; and

Whereas, AB 207 and SB 107 would eliminate or undermine in-kind support from cable and video providers, reduce franchise fee revenue, eliminate dedicated public, educational and governmental (PEG) channel fees, institute impossible content requirements and eliminate cablecast technical requirements; and

Whereas, none of these community resources need be sacrificed in the name of a goal that everyone in Wisconsin seeks: video competition on a fair and level playing field; and

Whereas, federal law requires cable companies to provide PEG channel support according to community needs, and there is no reason state law cannot hold all video providers to the same standard;

Now therefore be it resolved, that the Common Council of the City of Racine urges the Wisconsin Legislature to enact legislation preserving local control and providing for fair and balanced video franchising legislation along the lines of the interim agreement between the City of Milwaukee and AT&T; and

Further be it resolved, that the Common Council of the City of Racine urges the Wisconsin Legislature in the alternative to support and adopt the amendments to proposed AB 207 and SB 107 as recommended in the March 26, 2007 memorandum from the League of Wisconsin Municipalities, the Wisconsin Alliance of Cities and the Wisconsin Association of PEG Channels. Further resolved, that the City Clerk be authorized and directed to send a certified copy of this resolution to State legislators who represent the City of Racine, the Governor of the State of Wisconsin, and the Congressmen and Senators who represent the City of Racine.

Fiscal Note: N/A

**A motion was made by Alderman Sandy Weidner that this be Adopted. The motion PASSED**

**AYES:** 14 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Sollman, Spangenberg and Wisneski

**EXCUSED:** 1 - Hart

## I. Ordinances

99. [Ord.10-07](#) Ordinance No. 10-07

To create Secs. 82-44, 82-45, 82-46 and 82-47 of the Municipal Code of the City of Racine, Wisconsin relating to Streets.

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

Part 1:

Sections 82-44 through 82-47 of the Municipal Code of the City of Racine are hereby created to read as follows:

“Sec. 82-44. Definitions.

*Lateral clearance area* is defined as an obstruction free area as measured from the edge of a shoulder for roadways without a curb and as measured from the face of curb for roadways with a curb.

Sec. 82-45. Purpose.

The purpose of this article is to enhance the safety of pedestrian crosswalks and city streets by creating an obstruction free area adjacent to all arterial and collector streets. The setback of obstructions from the city streets will improve visibility for pedestrians crossing the streets as well as for bicyclists and drivers who traverse the street system.

Sec. 82-46. Requirements.

Lateral clearance requirements pertain to all arterial and collector streets within the City of Racine. Within the lateral clearance area, no fixed objects are allowed including, but not limited to, light poles, sign posts, sign faces, trees, or shielded objects.

The desired lateral clearance distance shall be 2.0 feet measured from the face of the curb.

The desired lateral clearance distance shall be 6.0 feet measured from the finished shoulder width.

The minimum lateral clearance distance shall be 1.5 feet as measured from the face of the curb.

The minimum lateral clearance distance shall be 2.0 feet as measured from the finished shoulder width.

Above ground utility features such as poles, guy wires, pedestals, hydrants, etc., shall be relocated outside the minimum lateral clearance area.

Trees in urban areas shall only be removed from the lateral clearance area for identified safety concerns.

Sec. 82-47. Sign and light supports.

Break away supports shall be used for signs and lights located within the lateral clearance area.

In addition to lateral clearance requirements, there may be other required minimum offsets from the edge of shoulder or face of curb, including, but not

restricted to, the following:

- Manual on Uniform Traffic Control Devices (MUTCD) requirements for sign placement.
- Wisconsin Manual on Uniform Traffic Control Devices - supplement to the Manual on Uniform Traffic Control Devices (WMUTCD) requirements for sign placement.
- Traffic Guidelines Manual (TGM), Chapter 11 requirements for the placement of light poles.
- Traffic Signal Design Manual (TSDM), Chapter 5-1-3 guidance on offsets for traffic signal supports.

To the extent the required lateral clearance exceeds any other required offset, the lateral clearance distance shall govern.”

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

**Referred to the Public Works and Services Committee**

**J. Miscellaneous Business**

*Mayor Becker presented plaques to the three outgoing alderman.*

*Outgoing Aldermen Keith Fair (1st District), Tim Hermes (3rd District) and Thomas Sollman (15th District) presented their remarks and were recognized by the members of the Common Council.*

**K. Adjourn**

*The meeting was adjourned at 8:40 p.m. by Alderman Shakoor. The next scheduled meeting of the Council is April 17, 2007.*

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