



City of Racine

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

Meeting Agenda - Final Common Council

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

Wednesday, July 5, 2017

7:00 PM

City Hall, Room 205

Wednesday due to holiday

A. Call To Order

B. Pledge of Allegiance To The Flag

C. Approval of Journal of Council Proceedings (Minutes) June 20, 2017 and June 29, 2017

D. Public Hearings

[ZOrd.0005-17](#) ZOrd. 005-17

An Ordinance Rezoning 3449 Douglas Avenue and 3457 Douglas Avenue.

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

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

Part 1: That the property located at 3449 Douglas Avenue and more particularly described as follows: Lots 10 and 11, and the West ½ of the vacated alley (Document #2424187) in Block 1 of the North Racine (Caledonia) subdivision, being part of the Northwest ¼ of the Northeast ¼ of the Southeast ¼ of Section 32, Township 4 North, Range 23 East, in the City of Racine, County of Racine and State of Wisconsin (7,600 +/-

- square feet or 0.17 acres), and

Part 2: That the property located at 3457 Douglas Avenue and more particularly described as follows: Lots 8 and 9, and the West ½ of the vacated alley (Document #2424187), excepting those lands for street purposes (Document 2307525), Block 1 of the North Racine (Caledonia) subdivision, being part of the Northwest ¼ of the Northeast ¼ of the Southeast ¼ of Section 32, Township 4 North, Range 23 East, in the City of Racine, County of Racine and State of Wisconsin (7,100 +/- square feet or 0.16 acres),

be rezoned from B-1 Neighborhood Convenience District to B-1 Neighborhood Convenience District with a FD Flex Development Overlay District, and

Part 3: This ordinance shall take effect upon passage by a majority vote of the members-elect of the City Common Council and publication or posting as required by law.

Passed by the Common Council:

Approved:

Mayor

Attest:

City Clerk

Fiscal Note: N/A

Sponsors: Dennis Wiser

E. Public Comments

F. Communications

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

[644-17](#)

Subject: Communication from the Director of City Development requesting to discuss accepting the following property donations from Racine County for transfer to nonprofit organizations Racine Habitat for Humanity, Inc and Great Lakes Community Conservation Corp for rehabilitation: 3518 Kinzie Avenue, 1124 David Street, and 1432 Illinois Street. Transfer will include a written agreement with the city detailing

Fiscal Note: N/A

[638-17](#) **Subject: (New)** Application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for CBI of Racine Inc dba Tropical's Paradise, located at 1600 Douglas Avenue, Dorothy Lee, Agent (4th District).

[641-17](#) **Subject:** Application for a Class "A" Fermented Malt Beverage License for Lathrop Food Mart Inc dba Lathrop Food Mart, located at 1347 Lathrop Avenue, Aziz Abdul, Agent. (13th District)

[642-17](#) **Subject:** Communication from Target Corporation, Target, 5300 Durand Ave, submitting a petition to exceed "Class A" quota limit and apply for a license at 5300 Durand Ave (14th District).

Refer to Traffic Commission, by Ald. Weidner

[633-17](#) **Subject:** Communication from the Alderwoman of the 15th District requesting to discuss the placing of traffic calming measures on Erie Street between Melvin Avenue and Three Mile Road.

Refer to Committee of the Whole, by Ald. Wisner

[640-17](#) **Subject:** Communication from the Mayor of the City of Waukesha requesting to make a presentation regarding Waukesha's plans to borrow Lake Michigan water and return to it via the Root River.

[646-17](#) **Subject:** Communication from the Alderman of the 8th District requesting to have slide presentations submitted to responsible committee(s) 48 to 72 hours prior to presentation, unless item has sensitive legal ramifications.

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

[620-17](#) **Subject:** Communication from the Root River Council requesting permission to hold the Root River Festival on Sunday, August 27, 2017 at Lincoln Park. Further requests permission to allow a horse drawn carriage to shuttle participants to the festival.

[621-17](#) **Subject:** Communication from Real Racine requesting to hold the 2017 Color Run at Pershing Park on Saturday, September 16, 2017. Further requests permission to allow staff/volunteers at the park during closed hours on an as need basis for setup purposes.

[622-17](#) **Subject:** Communication from Wolverine Fireworks Display, Inc. to utilize the Pershing Boat Launch walkout as the fireworks launch site for the Roma Lodge Italian festival from 4:00 p.m. until midnight on Friday, July 28, 2017 and Saturday, July 29, 2017 with the possible rain date of Sunday, July 30, 2017.

G. Committee Reports

Finance and Personnel Committee Report, by Ald. Shakoor II

[298-17](#)

Subject: Communication from the Purchasing Agent requesting to appear before the Finance and Personnel committee and discuss the results of Official Notice #25-2016, Request for Proposal for Municipal Court Software. (Res No. 0193-17)

Recommendation of the Finance & Personnel Committee on 6/26/17: The Purchasing Agent be authorized to negotiate and contract with TIPSS for the provision of Municipal Court Software.

Fiscal Note: Funds for this expenditure are available in account 70113-57800 (\$75,000) and in the Municipal Court reserves. The software is expected to cost \$77,229 with annual system support costs of \$16,437.

[544-17](#)

Subject: Communication from Director of PRCS requesting permission to accept a \$2,442.88 donation from SC Johnson to support the 2017 Juneteenth Day Celebration at the Dr. John Bryant Community Center.

Recommendation of the Finance & Personnel Committee on 6/26/2017: To accept a \$2,442.88 donation from SC Johnson to support the 2017 Juneteenth Day Celebration at the Dr. John Bryant Community Center.

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

[563-17](#)

Subject: Communication from the Fire Chief requesting that the Mayor and City Clerk be authorized to sign the Wisconsin Emergency Management/State Regional Hazardous Materials Response Team contract for the period of July 1, 2017, through June 30, 2019. (Res No. 0224-17)

Recommendation of the Finance & Personnel Committee on 6/26/2017: To approve that the Mayor and City Clerk be authorized to sign the Wisconsin Emergency Management/State Regional Hazardous Materials Response Team contract for the period of July 1, 2017, through June 30, 2019.

Fiscal Note: The City will receive \$98,000 for the services rendered and there is no local levy dollars needed to support the team.

[564-17](#)

Subject: Communication from the Fire Chief requesting a change to the Fire Department 2017 CIP regarding the Port Security Grant Match.

(Res No. 0225-17)

Recommendation of the Finance & Personnel Committee on

6/26/2017: To approve the Fire Department to reallocate the \$12,000 from the Port Security Grant Match to Interspiro Dive Equipment repairs and upgrades.

Fiscal Note: No additional funds are required.

[575-17](#)

Subject: Communication from the City Attorney submitting the claim of Susan Marshoff for consideration.

Recommendation of the Finance & Personnel Committee on

6/26/2017: That the claim of Susan Marshoff be denied.

Fiscal Note: N/A

[576-17](#)

Subject: Communication from the City Attorney submitting the claim of David Keller for consideration.

Recommendation of the Finance & Personnel Committee on

6/26/2017: That the claim of David Keller be denied.

Fiscal Note: N/A

[586-17](#)

Subject: Communication from the Parks Director to appear before the Finance and Personnel Committee to request the reclassification of the Park Community Center Supervisor I to Supervisor II.

Recommendation of the Finance & Personnel Committee on

6/26/2017: To receive and file.

Fiscal Note: N/A

[590-17](#)

Subject: Communication from the Purchasing Agent requesting to discuss the results of Official Notice #2-2017, Request for Proposals for Lease and Management services for City of Racine golf courses. (Res No. 0210-17)

Recommendation of the Finance & Personnel Committee on

6/26/2017: To approve that the Purchasing Agent be authorized to negotiate and contract with Green Golf Partners for the provision of Lease and Management Services for the Golf Courses.

Fiscal Note: N/A

[596-17](#)

Subject: Communication from the Finance Director requesting to appear before the Finance and Personnel Committee to discuss the 2016 to 2017 budget carry overs. (Res No. 0226-17)

Recommendation of the Finance & Personnel Committee on

6/26/2017: 2016 to 2017 budget carry overs be approved.

Fiscal Note: N/A

[629-17](#)

Subject: (Direct Referral) Communication from the City Attorney requesting to meet with the Finance and Personnel Committee in Closed Session pursuant to Wisconsin Statutes section 19.85(1)(g), regarding litigation strategy in with respect to litigation in which the City of Racine is or is likely to become involved, to wit: an action involving the State of Wisconsin Department of Natural Resources. (Res No. 0227-17)

Recommendation of the Finance & Personnel Committee on

6/26/2017: To approve the City Attorney to settle the case with the State of Wisconsin Department of Natural Resources.

Fiscal Note: The settlement will be in the amount of \$15,000. Funds are available for this payment in the Judgement and Claims account #11202 53500.

Public Works and Services Committee Report, by Ald. McCarthy

[581-17](#)

Subject: Communication from Pentecost Lutheran Church requesting permission to close Jerome Boulevard, from Coolidge Avenue to Case Avenue, from 7:00 A.M. to 7:00 P.M. on Saturday, July 29, 2017, for their annual church block party. (Res No. 0229-17)

Recommendation of the Public Works and Services Committee on

06-27-17: That permission be granted to the Pentecost Lutheran Church to close Jerome Boulevard, from Coolidge Avenue to Case Avenue, from 7:00 A.M. to 7:00 P.M. on Saturday, July 29, 2017, for their annual church block party, with the following stipulations:

- A. A hold harmless agreement be executed and a \$75.00 processing fee paid.
- B. A liability insurance certificate be filed prior to this event.
- C. Any overtime costs incurred by any City department be charged to

the sponsor.

D. The sponsor shall notify all abutting property owners seventy-two (72) hours in advance of this event.

E. The sponsor shall pay a \$250.00 special event fee.

F. If required, sponsor shall be responsible for submitting a Temporary Traffic Control Plan to the Engineering Department for approval, and providing and removing all temporary traffic control devices and detour signs.

G. If required, sponsor shall provide a detour plan for the closure of all State connecting highways, arterial and collector streets to the City Engineer for approval.

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

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

Further recommends that the Commissioner of Public Works, City Engineer and Chief of Police provide limited assistance, in the interest of public safety, to implement this event.

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

[584-17](#)

Subject: Communication from the Alderman of the 9th District requesting a preliminary resolution for paving the alley bounded by Flett Avenue to Holmes Avenue; Nineteenth Street to Eighteenth Street. (Res No. 0232-17)

Recommendation of the Public Works and Services Committee on 06-27-17: That a preliminary resolution be introduced for the paving of the alley bounded by Flett Avenue to Holmes Avenue; Nineteenth Street to Eighteenth Street.

Fiscal Note: This is an assessable alley project and, therefore, all costs will be paid by the abutting property owners.

[591-17](#)

Subject: Communication from the Alderman of the 12th District requesting that an "Alternate Route" sign be placed at 14th Street and Washington Avenue (STH 20) that would direct traffic down (East) on 14th Street towards Downtown and to the Marina, and another sign at the end of 14th Street pointing towards Downtown and the Marina.

Recommendation of the Public Works and Services Committee on 06-27-17: Receive and file.

Fiscal Note: N/A

[592-17](#)

Subject: Communication from Real Racine, on behalf of World Triathlon Corporation, requesting to use City right-of-way for the Ironman 70.3 Racine Triathlon on Sunday, July 16, 2017. (Res No. 0230-17)

Recommendation of the Public Works and Services Committee on 06-27-17: That permission be granted to Real Racine and World Triathlon Corporation to close the below streets for the Ironman 70.3 Racine Triathlon to be held on Sunday, July 16, 2017.

Main Street from Three Mile Road to Barker Street (east side two traffic lanes will remain open for two-way traffic)

Barker Street from Main Street to its terminus with Lake Michigan

Goold Street from Main Street to Michigan Boulevard

Augusta Street from Main Street to Michigan Boulevard

Wolff Street from Main Street to Michigan Boulevard

William Street from Main Street to Michigan Boulevard

Lombard Avenue from Main Street to Michigan Boulevard

Lakecrest Drive from Main Street to Michigan Boulevard

with the following stipulations:

- A. A hold harmless agreement be executed and a \$100.00 processing fee paid.
- 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.
- D. The sponsor shall notify all abutting property owners seventy-two (72) hours in advance of this event.
- E. The sponsor shall pay a \$700.00 special event fee.
- F. If required, sponsor shall be responsible for submitting a Temporary Traffic Control Plan to the Engineering Department for approval, and providing and removing all temporary traffic control devices and detour signs.
- G. If required, sponsor shall provide a detour plan for the closure of all State Connecting Highways, arterial and collector streets to the City Engineer for approval.
- H. Sponsor is responsible for cleaning the streets.
- I. If required, sponsor shall install parking meter hoods or temporary parking signs at least twenty-four (24) hours in advance of the event and if this is not done, sponsor is responsible for vehicle towing and parking violation expenses of the violators.

Further recommends that the Commissioner of Public Works, City Engineer and Chief of Police provide limited assistance, in the interest of public safety, to implement this event.

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

[616-17](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations requesting permission to waive formal bidding for the purchase of a replacement feed water tank for the Central Heating Plant. (Res No. 0231-17)

Recommendation of the Public Works and Services Committee on 06-27-17: The request of the Purchasing Agent to waive formal bidding procedures be approved in accordance with Racine Municipal Code Section 46-28 that allows for the waiving of formal public bids for purchases over \$25,000 for the purpose of maintaining uniformity of equipment and services.

Further recommends that the Purchasing Agent be authorized and directed to purchase one replacement boiler feed package for the Central Heating Plant for the approximate price of \$35,000.00, obtain quotes from 3 potential suppliers and to award the contract to the lowest responsive bidder.

Fiscal Note: Funding to defray the cost of these materials is available in Org-Object 45040-57200, DPW Building Improvements.

[630-17](#)

Subject: (Direct Referral) Communication from the Public Health Administrator requesting permission to close 5th Street, from Main Street to Wisconsin Avenue, from 3:00 P.M. to 9:00 P.M. on Friday, July 7, 2017, for initiation and display of the Kenosha/Racine Mobile Medical Unit. (Res No. 0228-17)

Recommendation of the Public Works and Services Committee on 06-27-17: That permission be granted to the City of Racine Health Department to close 5th Street, from Main Street to Wisconsin Avenue, from 3:00 P.M. to 9:00 P. M. on Friday, July 7, 2017, for initiation and display of the Kenosha/Racine Mobile Medical Unit, with the following stipulations:

- A. The sponsor shall notify all abutting property owners seventy-two (72) hours in advance of this event.
- B. Sponsor shall install parking meter hoods or temporary parking signs at least twenty-four (24) hours in advance of the event and if this is not done, sponsor is responsible for vehicle towing and parking violation expenses of the violators.

Further recommends that the Commissioner of Public Works, City Engineer and Chief of Police provide limited assistance, in the interest of public safety, to implement this event.

Fiscal Note: N/A

[602-17](#)

Subject: (Direct Referral) Request of the Committee for the appearance of Tad Muth, applicant for an Operator's License.

Recommendation of the Public Safety and Licensing Committee on 06-27-17: That the application of Tad Muth, be received and filed. The applicant stated he wanted to withdraw his application for an Operator's License. The applicant must go to the City Clerk's office and submit in writing a letter to withdraw his Operator's License application.

Fiscal Note: N/A

[609-17](#)

Subject: Communication from the Purchasing Agent submitting the report on the bids received for the sale of Abandoned Vehicles, June 19, 2017.

Recommendation of the Public Safety and Licensing Committee on 06-27-17: That the item be Received and Filed as the highest responsible bidder from the two bids was Sturtevant Auto Salvage.

Fiscal Note: This will generate \$11,968.00 in revenue for account 13101 48301.

[619-17](#)

Subject: (Direct Referral)(New) Application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for CBI of Racine Inc dba Tropical's Paradise, located at 1600 Douglas Avenue, Dorothy Lee, Agent (4th District).

Recommendation of the Public Safety and Licensing Committee on 06-27-17: That the application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for CBI of Racine Inc dba Tropical's Paradise, located at 1600 Douglas Avenue, Dorothy Lee, Agent be received and filed. The applicant stated they wanted to withdraw their application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License.

Fiscal Note: N/A

Traffic Commission Report, by Ald. Weidner

[369-17](#)

Subject: Communication from the Alderwoman of the 6th District, on behalf of Michael Maxwell, requesting a yield sign be installed on Graham Street at the intersection of Mohr Avenue and Graham Avenue.

Recommendation of the Traffic Commission on 05-15-17: Defer

Recommendation of the Traffic Commission on 06-19-17: Receive

and file.

Fiscal Note: N/A

[501-17](#)

Subject: Communication from Lawrence Heyman requesting the removal of the 2-hour parking restriction at 315 Kewaunee Street. (Res No. 0233-17)

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

Recommends removal of 2-hour parking restrictions in front of 315 Kewaunee Street.

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

[505-17](#)

Subject: Communication from Margaret Brockman requesting to discuss parking issues at 1948 Saturn Avenue.

Recommendation of the Traffic Commission on 06-19-17: Receive and file.

Fiscal Note: N/A

[623-17](#)

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

A. Recommends that Section 94-143 (21) of Schedule G relating to "Two-hour parking from 7:00 a.m. to 6:00 p.m., except on Saturdays, Sundays and holidays", be amended:

By Deleting:

1. Kewaunee Street, south side, from North Main Street east 100 feet.

By Including:

1. Kewaunee Street, south side, from North Main Street east 60 feet.

City Plan Commission Report, by Ald. Wisner

[569-17](#)

Subject: (Direct Referral) A request from John Conner of John Conner Co. seeking a conditional use permit to operate a plumbing office/showroom at 3457 Douglas Avenue. (PC-17) (Res No. 0236-17)

Recommendation of the City Plan Commission on 6-28-17: That the

request by John Conner of John Conner Co. for a conditional use permit to operate a plumbing office/showroom at 3457 Douglas Avenue be approved subject to conditions.

Fiscal Note: N/A

[624-17](#)

Subject: (Direct Referral) A request by Alexander Erising of Mt. Sinai Gym seeking a conditional use permit for a fitness center at 2045 Lathrop Avenue. (PC-17) (Res No. 0234-17)

Recommendation of the City Plan Commission on 6-28-17: That the request by Alexander Erising of Mt. Sinai Gym for a conditional use permit for a fitness center at 2045 Lathrop Avenue be approved, subject to conditions.

Fiscal Note: N/A

[625-17](#)

Subject: (Direct Referral) A use supplement to accompany a FD Flex Development Overlay District at 3449 and 3457 Douglas Avenue. (PC-17) (Res No. 0235-17)

Recommendation of the City Plan Commission on 6-28-17: That the use supplement for 3449 and 3457 Douglas Avenue be approved, subject to conditions.

Fiscal Note: N/A

[639-17](#)

Subject: (ZOrd.0005-17) An Ordinance rezoning 3449 Douglas Avenue and 3457 Douglas Avenue from B-1 Neighborhood Convenience District to B-1 Neighborhood Convenience District with a FD Flex Development Overlay District.

Recommendation of the City Plan Commission on 6-28-17: That the ordinance rezoning 3449 Douglas Avenue and 3457 Douglas Avenue from B-1 Neighborhood Convenience District to B-1 with a FD Flex Development Overlay be adopted.

Fiscal Note: N/A

Community Development Committee, by Ald. Wisner

[634-17](#)

Subject: (Direct Referral) Communication from the Department of City Development on behalf of Racine Revitalization Partnership requesting HOME Community Housing Development Organization operating funds. (Res No. 0239-17)

Recommendation of the Community Development Committee on 6-29-17: That the request from the Department of City Development on

behalf of Racine Revitalization Partnership for HOME Community Housing Development Organization operating funds be approved. Further, that the Mayor and City Clerk be authorized to execute a written agreement with Racine Revitalization Partnership consistent with their application and federal regulations for \$50,210 of HOME Community Housing Development Organization operating funds.

Fiscal Note: There are sufficient HOME funds available for this request. Funds must be committed before July 31, 2017.

[635-17](#)

Subject: (Direct Referral) Request by the Department of City Development on behalf of Racine Revitalization Partnership requesting HOME Community Housing Development Organization reserve funds for rehabilitation of two rental units at 1418 Washington Avenue. (Res No. 0240-17)

Recommendation of the Community Development Committee on 6-29-17: That the request by the Department of City Development on behalf of Racine Revitalization Partnership for HOME Community Housing Development Organization reserve funds for the rehabilitation of two rental units at 1418 Washington Avenue be approved. Further that the Mayor and City Clerk be authorized to execute a written agreement with Racine Revitalization Partnership consistent with their application and federal regulation for \$185,957 of HOME funds.

Fiscal Note: There are sufficient HOME funds available for this request. Funds must be committed before July 31, 2017.

Housing Loan Board Report, by Ald. Land

[628-17](#)

Subject: (Direct Referral) Request of the Director of City Development to accept the offer of Ms. Samita Slack to purchase 1922 Slauson Avenue. (Res No. 0237-17)

Recommendation of the Loan Board of Review on June 29, 2017: To approve the request of Ms. Samita Slack to purchase 1922 Slauson Avenue, with contingencies.

Fiscal Note: The City will receive \$129,500 in proceeds minus commissions and closing costs.

Committee of the Whole Report, by Ald. Wisner

[593-17](#)

Subject: (Direct Referral) Request by the City Administrator and the Executive Director of the Redevelopment Authority to present an update of the Multi-Purpose Events Center/Hotel development.

Recommendation of the Committee of the Whole on 06-27-2017:
the Item be Received and Filed.

Fiscal Note: N/A

[626-17](#)

Subject: (Direct Referral) Communication from the City Attorney and the Human Resources Manager presenting Patrick Glynn and Carlson Dettmann Consulting's City of Racine compensation study report and seeking further direction from the Committee of the Whole.

Recommendation of the Committee of the Whole on 06-29-2017:
that staff provide a recommendation as to implementation.

Fiscal Note: N/A

Office of the Mayor Report, by Ald. Wiser

[643-17](#)

Subject: Communication from Mayor Dickert Appointing Tina Nielsen, 4019 LaSalle St Racine, 53402 to the Board of Health for a 2 year term, expiring July 1, 2019.

H. Consent Resolutions

[Res.0193-17](#)

Official Notice #25-2016, Request for Proposal for Municipal Court Software

Resolved that the Purchasing Agent is authorized to negotiate and contract with Titan Public Safety Solutions LLC for the provision of Municipal Court Software.

Fiscal Note: Funds for this expenditure are available in account 70113-57800 (\$75,000) and in the Municipal Court reserves. The software is expected to cost \$77,229 with annual system support costs of \$16,437.

Sponsors:

Q.A. Shakoor II

[Res.0210-17](#)

Official Notice #2-2017, Lease and Management Services for City of Racine Golf Courses

Resolved, that the Purchasing Agent is authorized to negotiate and contract with Green Golf Partners, LLC for the provision of Lease and Management Services for the Golf Courses.

Fiscal Note: N/A

Sponsors:

Q.A. Shakoor II

[Res.0224-17](#)

Wisconsin Emergency Management/State Regional Hazardous Materials Response Team Contract

Resolved, that the Mayor and City Clerk are authorized to sign the Wisconsin Emergency Management/State Regional Hazardous Materials Response Team contract for the period of July 1, 2017, through June 30, 2019.

Fiscal Note: The City will receive \$98,000 for the services rendered and there is no local levy dollars needed to support the team.

Sponsors: Q.A. Shakoor II

Res.0225-17 Port Security Grant Match

Resolved, that the Fire Department is approved to reallocate \$12,000 from the Port Security Grant Match to Interspiro Dive Equipment repairs and upgrades.

Fiscal Note: No additional funds are required.

Sponsors: Q.A. Shakoor II

Res.0226-17 2016-2017 Budget Carry Overs

Resolved, that the 2016-2017 budget carry overs are approved.

Fiscal Note: N/A

Sponsors: Q.A. Shakoor II

Res.0227-17 State of Wisconsin Department of Natural Resources Case

Resolved, that the City Attorney is approved to settle the case with the State of Wisconsin Department of Natural Resources.

Fiscal Note: The settlement will be in the amount of \$15,000.00. Funds are available for this payment in the Judgment and Claims Org-Object 11202 53500.

Sponsors: Q.A. Shakoor II

Res.0228-17 Initiation and Display of the Kenosha/Racine Mobile Medical Unit

Resolved, that permission is granted to the City of Racine Health Department to close 5th Street, from Main Street to Wisconsin Avenue, from 3:00 P.M. to 9:00 P.M. on Friday, July 7, 2017, for initiation and display of the Kenosha/Racine Mobile Medical Unit, with the following stipulations:

A. The sponsor shall notify all abutting property owners seventy-two (72) hours in advance of this event.

B. Sponsor shall install parking meter hoods or temporary parking signs at least twenty-four (24) hours in advance of the event and if this is not done, sponsor is responsible for vehicle towing and parking violation expenses of the violators.

Further resolved, that the Commissioner of Public Works, City Engineer and Chief of Police provide limited assistance, in the interest of public safety, to implement this event.

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

Sponsors:

Terry McCarthy

Res.0229-17

2017 Pentecost Lutheran Church Annual Block Party.

Resolved, that permission is granted to the Pentecost Lutheran Church to close Jerome Boulevard, from Coolidge Avenue to Case Avenue, from 7:00 A.M. to 7:00 P.M. on Saturday, July 29, 2017, for their annual church block party, with the following stipulations:

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

B. A liability insurance certificate be filed prior to this event.

C. Any overtime costs incurred by any City department be charged to the sponsor.

D. The sponsor shall notify all abutting property owners seventy-two (72) hours in advance of this event.

E. The sponsor shall pay a \$250.00 special event fee.

F. If required, sponsor shall be responsible for submitting a Temporary Traffic Control Plan to the Engineering Department for approval, and providing and removing all temporary traffic control devices and detour signs.

G. If required, sponsor shall provide a detour plan for the closure of all State connecting highways, arterial and collector streets to the City Engineer for approval.

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

I. If required, sponsor shall install parking meter hoods or temporary parking signs at least twenty-four (24) hours in advance of the event and

if this is not done, sponsor is responsible for vehicle towing and parking violation expenses of the violators.

Further resolved, that the Commissioner of Public Works, City Engineer and Chief of Police provide limited assistance, in the interest of public safety, to implement this event.

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

Sponsors:

Terry McCarthy

[Res.0230-17](#)

Ironman 70.3 Racine Triathlon

Resolved, that permission is granted to Real Racine and World Triathlon Corporation to close the below streets for the Ironman 70.3 Racine Triathlon to be held on Sunday, July 16, 2017. Main Street from Three Mile Road to Barker Street (east side two traffic lanes will remain open for two-way traffic) Barker Street from Main Street to its terminus with Lake Michigan Goold Street from Main Street to Michigan Boulevard Augusta Street from Main Street to Michigan Boulevard Wolff Street from Main Street to Michigan Boulevard William Street from Main Street to Michigan Boulevard Lombard Avenue from Main Street to Michigan Boulevard Lakecrest Drive from Main Street to Michigan Boulevard with the following stipulations:

- A. A hold harmless agreement be executed and a \$100.00 processing fee paid.
- 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.
- D. The sponsor shall notify all abutting property owners seventy-two (72) hours in advance of this event.
- E. The sponsor shall pay a \$700.00 special event fee.
- F. If required, sponsor shall be responsible for submitting a Temporary Traffic Control Plan to the Engineering Department for approval, and providing and removing all temporary traffic control devices and detour signs.
- G. If required, sponsor shall provide a detour plan for the closure of all State Connecting Highways, arterial and collector streets to the City Engineer for approval.

H. Sponsor is responsible for cleaning the streets.

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

Further resolved, that the Commissioner of Public Works, City Engineer and Chief of Police provide limited assistance, in the interest of public safety, to implement this event.

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

Sponsors:

Terry McCarthy

Res.0231-17

Feed Water Tank for Central Heating Plant

Resolved, that the Purchasing Agent is granted permission to waive formal bidding procedures in accordance with Racine Municipal Code Section 46-28 that allows for the waiving of formal public bids for purchases over \$25,000.00 for the purpose of maintaining uniformity of equipment and services.

Further resolved, that the Purchasing Agent is authorized and directed to purchase one replacement boiler feed package for the Central Heating Plant for the approximate price of \$35,000.00, obtain quotes from 3 potential suppliers and to award the contract to the lowest responsive bidder.

Fiscal Note: Funding to defray the cost of these materials is available in Org-Object 45040-57200, DPW Building Improvements.

Sponsors:

Terry McCarthy

Res.0232-17

Preliminary - Ten (10) Year
Benefits and Damage

RESOLVED, by the Common Council of the City of Racine, Wisconsin:

1. The Common Council hereby declares its intention to exercise its power under s. 66.0703, Wisconsin Statutes, to levy special assessments upon property within the following described area for benefits conferred upon such property by improvement of the following street(s):

All property fronting upon both sides:

PORTLAND CEMENT CONCRETE PAVING**Alley - bounded by Flett Avenue to Holmes Avenue; Nineteenth Street to Eighteenth Street**

2. Said public improvement shall consist of **PORTLAND CEMENT CONCRETE PAVING**.
3. The total amount assessed against such district shall not exceed the total cost of the improvements and the amount assessed against any parcel shall not be greater than the benefits accruing thereto from said improvements.
4. The assessments against any parcel may be paid in cash or in ten (10) annual installments.
5. The Commissioner of Public Works is directed to prepare a report consisting of:
 - a. Preliminary or final plans and specifications for said improvement.
 - b. An estimate of the entire cost of the proposed work or improvement.
 - c. An estimate, as to each parcel of property within the assessment district, of:
 - (1) The assessment of benefits to be levied.
 - (2) The damages to be awarded for property taken or damaged.
 - (3) The net amount of such benefits over damages or the net amount of such damages over benefits.

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

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

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

Fiscal Note: This is an assessable alley project and, therefore, all costs will be paid by the abutting property owners.

Sponsors:

Terry McCarthy

[Res.0233-17](#)

Removal of 2-hour Parking Restriction at 315 Kewaunee Street

Resolved, that removal of 2-hour parking restrictions in front of 315 Kewaunee Street is approved.

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

Sponsors: Sandy Weidner

[Res.0234-17](#) Fitness Facility at 2045 Lathrop Avenue

Resolved, that Alexander Ersing from Mt. Sinai Gym is approved for a conditional use permit to operate a fitness facility at 2045 Lathrop Avenue, subject to the following conditions:

- a. That the plans presented to the Plan Commission on June 28, 2017 be approved subject to the conditions contained herein.
- b. That all license requirements from the State of Wisconsin and City of Racine be obtained, complied with, and kept current at all times.
- c. That the hours be 5 a.m. - 9 p.m. Monday through Friday, 7 a.m. - 9 p.m. Saturday and 9 a.m. - 6 p.m. Sunday.
- d. That all signs shall be professionally made comply with zoning ordinance requirements, and be approved by the Director of City Development prior to issuance of a sign permit.
- e. That all trash be stored inside in space not visible to or readily accessible to clients or in a screened dumpster enclosure outside.
- f. That all codes and ordinances be complied with and required permits acquired.
- g. That no major changes be made from the conditions of this permit without approval of the Plan Commission, and no major changes be made from the conditions of this permit without the approval of the Common Council.
- h. That this conditional use permit is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

Sponsors: Dennis Wiser

[Res.0235-17](#) Flex Development Overlay District at 3457 & 3449 Douglas Avenue

Resolved, that a use supplement be adopted in association with a Flex Development Overlay District at 3457 & 3449 Douglas Avenue, subject

to the following conditions:

- a. That all uses listed in the underlying B-1 Neighborhood Convenience 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 use(s) are permitted as permitted use(s) by right by Ordinance No. ZOrd 005-17 in addition to those permitted by right in the B1 Neighborhood Convenience District: None
- d. That the following flex use(s) are permitted as conditional use permit(s) by Ordinance No. ZOrd 005-17 in addition to those conditional use permits permitted in the B1 Neighborhood Convenience District: Contractor Facilities that include Offices and Showroom.
- e. That the following uses shall be prohibited:
 1. Boardinghouses, lodging houses and rooming houses.
 2. Community living arrangements.
- f. That all aspects of the flex uses and all other uses shall be contained on site.
- 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

Sponsors:

Dennis Wiser

[Res.0236-17](#)

Office and Showroom at 3457 Douglas Avenue

Resolved, that the request of John Conner Co., LLC Plumbing seeking a conditional use permit to operate a plumbing contractors office and showroom at 3457 Douglas Avenue is approved, subject to the following conditions:

- a. That the plans presented to the Plan Commission on June 14, 2017 be approved subject to the conditions contained herein.
- b. That all license requirements from the State of Wisconsin and City of Racine be obtained, complied with, and kept current at all times.
- c. That the hours of operation be Monday-Friday 8 a.m. to 5 p.m. and Saturday from 8 a.m. to 12 p.m. with no hours on Sunday.
- d. That an exception be granted to allow the business to use the parcel zoned R-3 to the east for access lining up with the exiting access drive.
- e. That the pavement for the parking lot as shown on the approved plan be installed prior to issuance of an occupancy permit.
- f. That the parking lot has signs that clearly show entrances and exits as well as painted arrows to clearly define the flow of traffic prior to the issuance of an occupancy permit.
- g. That approved screening be put in place to screen the residential properties to the East and South East from the building prior to the issuance of an occupancy permit.
- h. That a landscaping plan shall be submitted to and approved by the director of City Development prior to issuance of an occupancy permit.
- i. That all landscaping be professionally installed before the end of the growing season following the issuance of an occupancy permit.
- j. That all signage from previous businesses be removed from all around the building prior to the issuance of an occupancy permit.
- k. That all signs shall be professionally made comply with zoning ordinance requirements, and be approved by the director of City Development prior to issuance of a sign permit.
- l. That the Northern most drive onto Douglas Avenue be removed prior to the issuance of an occupancy permit.

m. That a façade plan shall be submitted to and approved by the director of City Development for the entrance to the showroom prior to issuance of a building permit and installed prior to the issuance of an occupancy permit.

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

o. That no major changes be made from the conditions of this permit without 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 conditional use permit is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

Sponsors:

Dennis Wisner

Res.0237-17

Purchase of 1922 Slauson Avenue

Resolved, that the request by the Director of City Development to accept the offer to purchase 1922 Slauson Avenue by Ms. Samita Slack is approved.

Fiscal Note: The City will receive \$129,500.00 in proceeds minus commissions and closing costs.

Sponsors:

Mary Land

Res.0238-17

Resolution in Support of 2017 Wisconsin Joint Assembly Resolution 22 Regarding Employment Services for Individuals with Developmental Disabilities

WHEREAS, the State of Wisconsin Legislature at present is considering a Joint Resolution, specifically 2017 Joint Assembly Resolution 22, urging the Centers for Medicare and Medicaid Services of the United States Department of Health and Human Services to reconsider its changes concerning participation in programs offered by facility-based day programs, training centers, and sheltered workshops and to permit individuals with developmental disabilities to freely choose the settings in which they wish to receive employment services;

Further resolved, that the City of Racine supports 2017 Joint Assembly Resolution 22 and recommends the State of Wisconsin Legislature adopt such Joint Resolution;

Further resolved, that this Resolution shall be distributed to Governor Scott Walker, Senator Van Wanggaard, Senator Robert Wirch, Representative Peter Barca, Representative Cory Mason, Representative Thomas Weatherston, and Representative Robin Vos.

Fiscal Note: N/A

Sponsors: Dennis Wiser

Res.0239-17 HOME Community Housing Development Organization Operating Funds

Resolved that the request from the Department of City Development on behalf of Racine Revitalization Partnership for HOME Community Housing Development Organization operating funds is approved.

Further resolved, that the Mayor and City Clerk are authorized to execute a written agreement with Racine Revitalization Partnership consistent with their application and federal regulations for \$50,210 of HOME Community Housing Development Organization operating funds.

Fiscal Note: There are sufficient HOME funds available for this request. Funds must be committed before July 31, 2017.

Res.0240-17 Rehabilitation of Two Rental Units at 1418 Washington Avenue

Recommendation of the Community Development Committee on 6-29-17: That the request by the Department of City Development on behalf of Racine Revitalization Partnership for HOME Community Housing Development Organization reserve funds for the rehabilitation of two rental units at 1418 Washington Avenue be approved. Further that the Mayor and City Clerk be authorized to execute a written agreement with Racine Revitalization Partnership consistent with their application and federal regulation for \$185,957 of HOME funds.

Fiscal Note: There are sufficient HOME funds available for this request. Funds must be committed before July 31, 2017.

I. Consent Agenda

J. Ordinances

Refer to the Public Safety and Licensing Committee

Ord.0010-17 Ordinance 0010-17

An Ordinance to repeal and recreate Chapter 3 of the Code of Ordinances - SEXUAL OFFENDERS RESIDENCY RESTRICTIONS.

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

Part 1: To repeal and recreate subsection (a)(1) of Sec. 3-1. - Sexual offender residency restrictions as follows:

“The Common Council finds that repeat sexual offenders, sexual offenders who use physical violence and sexual offenders who prey on children are sexual predators who present an extreme threat to public safety. It is further believed that such persons present an unacceptably high risk of re-offending once released. As such, the Council hereby establishes regulations which restrict certain offenders from residing or congregating in areas that are at or near where there is a high concentration of children in order to provide better protection for children in the City by minimizing immediate access and proximity to children and thereby reducing opportunity and temptation for recidivism.”

Part 2: To amend subsection (a)(2) of Sec. 3-1. - Sexual offender residency restrictions by repealing the words “not to impose a criminal penalty, but instead.” Repeal the word “entering” in the last line and replace it with the word “loitering.” Amend this subsection after the last sentence with “It is not the intent of the Common Council to impose additional punishment on sex offenders.”

Part 3: To repeal and recreate subsection (a)(4) of Sec. 3-2. - Prohibited location of residence for designated sex offenders as follows:

“A “park” that includes a playground means any area held open for use by the public for active or passive leisure purposes, such as any park, recreation area or beach that includes a recreation and play area intended for children.”

Part 4: To repeal subsection (a)(5) of Sec. 3-2. - Prohibited location of residence for designated sex offenders.

Part 5: To repeal subsection (a)(6) of Sec. 3-2. - Prohibited location of residence for designated sex offenders.

Part 6: To renumber subsection (a)(7) of Sec. 3-2. - Prohibited location of residence for designated sex offenders to (a)(5) and add the words “and intended or used by children.” at the end of the sentence.

Part 7: To repeal Sec. 3-2(b).

Part 8: To renumber subsection (c) of Sec. 3-2. - Prohibited location of residence for designated sex offenders to subsection (b).

Part 9: To renumber subsection (d) of Sec. 3-2. - Prohibited location of residence for designated sex offenders to subsection (c).

Part 10: To repeal and recreate the new Sec. 3-2(c)(2) to read as follows:

“The person had not attained the age of 19 at the time of the offense, was determined by the court to meet the criteria under Wis. Stat. § 301.45(1m)(a) and is not required to register pursuant to Wis. Stats. § 301.45 or § 301.46.”

Part 11: To amend the new Sec. 3-2(c) by adding subsection (5) to read as follows:

“(5) The person has been released from sex offender registration requirements pursuant to Wis. Stat. §§ 301.45(5) or (5m).”

Part 12: To renumber the current Sec. 3-2(e) to Sec. 3-2(d).

Part 13: To repeal and recreate Sec. 3-3. - Child safety zones to read as follows:

“No designated sex offender shall loiter upon any real property designated as a child safety zone, unless otherwise permitted under sec. 3-4. For purposes of this section, “loiter” means to stand idly around or remain in the area without a legitimate purpose as defined in Section 3-4(e), or to remain in the area in a manner not usual for law abiding individuals and under circumstances that warrant alarm for the safety of persons or property in the vicinity.”

Part 14: To repeal subsection (1) of Sec. 3-4. - Child safety zone exceptions.

Part 15: To renumber the current Sec. 3-4(2) to “Sec. 3-4(a)”.

Part 16: To renumber the current Sec. 3-4(3) to “Sec. 3-4(b)”.

Part 17: To renumber the current Sec. 3-4(4) to “Sec. 3-4(c)”.

Part 18: To amend the current Sec. 3-4(4) to add the word “or probation” after the word “parole”.

Part 19: To amend Sec. 3-4. - Child safety zones exceptions by adding the following subsection:

“(d) The person is on the property for a legitimate purpose, including but not limited to visits for employment, education, or health purposes, and the property owner has given prior written permission for the offender to be present on the property during such times and dates.”

Part 20: To amend Sec. 3-9. - Property owners prohibited from renting

real property to sexual offenders by removing the second instance of the words "by any person prohibited from establishing such permanent residence".

Part 21: To repeal and recreate subsection (c) of Sec. 3-11. - Appeal for an exemption as follows:

"(c) The board shall approve an official appeal form. An offender shall fill in the official form and submit it to the city clerk, who shall forward it to the board. Notice in the form of an agenda shall be provided to the aldermen of each district and published on the City's website at least seven days prior to the hearing date."

Part 22: To repeal and recreate the current subsection (d) of Sec. 3-11. - Appeal for an exemption to read as follows:

"(d) The city elects not to be bound by Wis. Stats. ch. 68 with respect to administrative procedure in the appeals process. The board shall hold a hearing on each appeal to conduct an individual risk assessment in each case, during which the board may review any pertinent information and may accept oral and written statements from any person. The board shall consider the public interest as well as the affected party's presentation and concerns, giving the applicant a reasonable opportunity to be heard. The board shall consider the specific facts and circumstances of each applicant and determine whether the applicant presents a threat to public safety if he or she resides at that proposed location. The board shall consider factors which may include but are not limited to:

1. Circumstances surrounding the offense.
2. Relationship of offender and victim.
3. Presence of use of force.
4. Presence of enticement.
5. Need to protect victim or similarly situated individuals.
6. Current dangerousness of the offender.
7. Proximity in time from original offense.
8. Any criminal offenses or rule violations committed since original offense.
9. Time out of incarceration.
10. Current supervision status by the Department of Corrections.
11. Counseling and treatment history.
12. Credibility of offender.
13. Remorse.
14. Proximity of proposed residence to a child safety zone.
15. Support network of offender near proposed residence.
16. Alternative options for housing."

Part 23: To renumber the old subsection (d) of Sec. 3-11 to subsection (e) and recreate and repeal it to read as follows:

“(e) The board shall decide by majority vote whether to grant or deny an exemption. An exemption may be unconditional or to a certain address or time. In the case of a denial, the board shall provide a written copy of the decision containing the reasons therein for its decision to the police department for their information and to the affected party. Any decision of the board may be appealed to circuit court.”

Part 24: To amend the table in subsection (b) of Sec. 3-12. - Forfeitures paid in lieu of court appearance by repealing the lines for section number 3-2(b) and 3-3; and recreating it as follows:

Section number	Violation	Forfeiture
3-2(a)	Residency in child safety zone	\$200.00
3-3	Loiter in child safety zones	500.00
3-5	Participation in holiday events	600.00
3-9	Renting to sex offenders	400.00

Part 25: This ordinance shall take effect upon passage by a majority vote of the members-elect of the City Common Council and publication or posting as required by law.

Fiscal Note: N/A

Sponsors:

Jeff Coe

K. Common Council Announcements

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

L. 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.