



City of Racine

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

Meeting Minutes - Final Common Council

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

Tuesday, December 7, 2010

7:00 PM

Room 205, City Hall

A. Call To Order

PRESENT: 14 - Shakoor, II, Coe, Marcus, Shields, Hart, Wisner, Maack, Weidner, Wisneski, McCarthy, DeHahn, Holding, Spangenberg and Mozol
EXCUSED: 1 - Kaplan

B. Pledge of Allegiance To The Flag

Mayor Dickert 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 Coe.

D. Public Comments

Bridget Robinson
Kyle Lawrence

E. Communications

Refer to Finance and Personnel Committee, by Ald. Spangenberg

[10-5843](#)

Subject: Communication from the Fire Chief requesting permission to accept a UASI, Department of Homeland Security grant for a fire fighting foam trailer.

Referred to Finance and Personnel Committee

[10-5844](#)

Subject: Communication from the Fire Chief requesting permission to accept a UASI, Department of Homeland Security grant for enhanced

Chemical Monitoring equipment.

Referred to Finance and Personnel Committee

[10-5845](#)

Subject: Communication from the Fire Chief requesting permission to accept the 2010 Port Security Grant for Water Rescue Training and Equipment.

Referred to Finance and Personnel Committee

[10-5846](#)

Subject: Communication from the Fire Chief requesting permission to apply for a 2011 Port Security grant for Water Rescue Equipment.

Referred to Finance and Personnel Committee

[10-5858](#)

Subject: Communication from Racine County Economic Development Corporation submitting for review and approval its 2011 Brownfields Contract with the City.

Referred to Finance and Personnel Committee

[10-5864](#)

Subject: Communication from Public Health Administrator requesting to accept funding in the amount of \$205,422 from UW-Oshkosh for the Comprehensive Sanitary Survey Project for high risk Southern Wisconsin beaches.

Referred to Finance and Personnel Committee

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

[10-5805](#)

Subject: Communication from Ben LaForest on behalf of Great Atlantic & Pacific Tea Company offering to donate 1936 Edgewood Avenue to the City of Racine.

Referred to Public Works and Services Committee

[10-5808](#)

Subject: Communication from the Assistant Commissioner of Public Works/Operations requesting to extend the existing Building Complex Janitorial Contract with MJJ, Inc.

Referred to Public Works and Services Committee

[10-5861](#)

Subject: Communication from the Assistant Commissioner of Public Works/Operations submitting the 2011 lease agreements for office space.

Referred to Public Works and Services Committee

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

[10-5812](#)

Subject: Communication from the Purchasing Agent and award

recommendation regarding Official Notice 17, EMS Supplies for the Racine Fire Department for calendar year 2011. Funding for this expense in FY2011 is \$96,000 in account 101.300.5690.

Referred to Public Safety and Licensing Committee

[10-5849](#)

Subject: The following renewal application for "CLASS B" PUBLIC FACILITY Retail Fermented Malt Beverage Licenses for two year period ending DECEMBER 31, 2012.

Venu Works of Racine, LLC
(Festival Hall and Park)
5 Fifth Street
Rik Edgar - Agent

Venu Works of Racine, LLC
(Memorial Hall)
72-7th Street
Rik Edgar - Agent.

Referred to Public Safety and Licensing Committee

[10-5853](#)

Subject: Communication from GURSIMR, LLC, Kuldip Ahuja, Agent, submitting a petition to exceed the Class A quota limit.

Referred to Public Safety and Licensing Committee

[10-5855](#)

Subject: Communication from the Director of Parks, Recreation and Cultural Services requesting final payment for Contract 43-10 (K0-052) Boiler Replacement at Bryant Community Center and Wustum Museum by Martin Peterson Co., Inc. of Kenosha, WI.

Referred to Public Safety and Licensing Committee

[10-5863](#)

Subject: Communication from the Alderman of the 12th District regarding the drafting of an ordinance for the regulation of Synthetic Cannabinoids in the City of Racine.

Referred to Public Safety and Licensing Committee

[10-5869](#)

Subject: (New) Application of Steel Rose, Abimael Gutierrez, for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 1518 Washington Avenue (3rd District).

Referred to the Public Safety and Licensing Committee

Refer to Traffic Commission, by Ald. Holding

[10-5857](#)

Subject: Communication from Joshua Pike (2431 Hayes Ave.) requesting a four-way stop sign at Blue River and Hayes Avenue.

Referred to Traffic Commission

[10-5867](#)

Subject: Communication from the Alderman of the 10th District requesting 4-way stop signs at the corner of Bate Street and Ashland Avenue.

Referred to Traffic Commission

Refer to Community Development Committee, by Ald. Coe,

[10-5859](#)

Subject: Request of Racine Vocational Ministry to revise their 2010 Community Development Block Grant (CDBG) program budget.

Referred to Community Development Committee

[10-5860](#)

Subject: Communication from the Root River Council requesting Local Option Funding for "Back to the Root" plan implementation,

Referred to Community Development Committee

Refer to Committee of the Whole, by Ald. Coe,

[10-5854](#)

Subject: Communication from the Grants Facilitator requesting permission to appear at the Committee of the Whole Meeting on December 21, 2010, to discuss Mayor's Office of Strategic Partnership updates and highlights.

Referred to Committee of the Whole

F. Committee Reports

Finance and Personnel Committee Report, by Ald. Spangenberg

[10-5763](#)

Subject: Communication from Carlos Mireles of Wisconsin Thunder wheelchair basketball team requesting to waive or reduce the fee for the use of a Community Center for four home basketball games. (Res.10-2292)

Recommendation of the Finance & Personnel Committee on

11-22-10: Recommend that fees for the Wisconsin Thunder wheelchair basketball games be reduced to \$105 for a 5 hour block of court time at the community centers.

Fiscal Note: The 2011 Non-Resident Civic Group weekend gymnasium fee would have been \$50 per hour.

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

[10-5791](#)

Subject: Communication from the Director of City Development requesting to retain Independent Inspections, Ltd., to perform home inspections for the Housing Department. (Res.10-2295)

Recommendation of the Finance & Personnel Committee on

11-22-10: Permission be granted for the Director of City Development to retain Independent Inspections, Ltd., to perform home inspections for the Housing Department. An acceptable proposal has been submitted for this work.

Fiscal Note: Grant funds are available for this contract.

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

[10-5794](#)

Subject: Communication from the Chief of Police requesting to accept the 2010 AAA Grant (Grant control #2010-37). (Res.10-2296)

Recommendation of the Finance & Personnel Committee on

11-22-10: Recommend that the Police Chief accept the 2010 AAA Grant (Grant Control #2010-37) in the amount of \$4,220 to upgrade the computers and software associated with the City's two speed trailers.

Fiscal Note: There is no city match required. There will be negligible staff time involved in the administration of this grant.

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

[10-5813](#)

Subject: (Direct Referral) Request from the Affirmative Action Human Rights Commission to increase the Racine First Provisions from 15% of work hours be conducted by residents of Census Tracts 1 through 5 in the City of Racine, to 30% of hours worked under qualifying programs with a minimum of 15% to be from Census Tracts 1 through 5, and that the affected contract amount be lowered from \$200,000.00 to \$150,000.00. Chapter 46 Finance, Article II, Section 46 - 41.

Recommendation of the Finance & Personnel Committee on

11-22-10: That this communication be referred to Public Works and Services Committee.

Fiscal Note: N/A

This Communication was Referred to the Public Works and Services Committee

[10-5814](#)

Subject: (Direct Referral) Communication from Terry Parker, Human Resources Manager, asking to allow our consultant from the Horton Group to appear before the Finance and Personnel Committee to

discuss the Stop Loss Insurance plan for 2011. (Res.10-2297)

Recommendation of the Finance & Personnel Committee on

11-22-10: Recommend that the City purchase 2011 health insurance stop loss coverage with SLG through the Horton Group at a stop loss level of \$200,000 with a discounted broker commission of 7% for a total annual premium of \$785,943.24.

Fiscal Note: There is sufficient funding in the Health Insurance Fund to cover the premium. All claims received will be deposited back into the Health Insurance Fund.

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

10-5823

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Engineering requesting the appropriation of \$22,300 of Intergovernmental Revenue Sharing Funds for Chicory Road pavement repairs. (Res.10-2293)

Recommendation of the Finance & Personnel Committee on

11-22-10: Recommend that \$22,300 of Intergovernmental Shared Revenue funds be appropriated for material costs to repair Chicory Road and be placed in Account 919.990.5020, Chicory Road Repairs.

Fiscal Note: Negotiated Chicory Road repairs were provided by Payne and Dolan for material costs only. The contractor picked up all costs for mobilization, labor and replacement pavement markings. There are sufficient funds available for the appropriation. There are sufficient funds available for the appropriation.

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

10-5824

Subject: (Direct Referral) Communication from the MIS Director requesting permission to discuss waiving formal bidding and authorizing and instructing the Purchasing agent to negotiate with the CDW-G for the purchase of a Cisco IP Phone System. (Res.10-2294)

Recommendation of the Finance and Personnel Committee on

11-22-2010: That formal bidding be waived and that the Purchasing agent be authorized and directed to negotiate with CDW-G for the purchase of a Cisco IP Phone system. Further recommend that an official letter of intent or purchase order be authorized to be issued prior to December 31, 2010 in order to take advantage of additional savings being offered by Cisco Systems.

Fiscal Note: This purchase is budgeted in 2011 in account 402.991.5010, Telephone Internal Service Fund - IP Telephone

System.

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

Council Action

A motion was made by James T. Spangenberg, seconded by Q.A. Shakoor, II, that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

AYES: 14 - Shakoor, II, Coe, Marcus, Shields, Hart, Wisner, Maack, Weidner, Wisneski, McCarthy, DeHahn, Holding, Spangenberg and Mozol

EXCUSED: 1 - Kaplan

10-5826

Subject: (Direct Referral) Communication from the Human Resources Manager and Deputy City Attorney submitting the Local 321, International Association of Firefighters, collective bargaining agreement for consideration. (Res.10-2298)

Recommendation of the Finance & Personnel Committee on 11-22-10: Recommend approval of the negotiated collective bargaining agreements with Local 321, International Association of Firefighters, for two two-year agreements for 2011-2012 and 2013-2014.

Fiscal Note: The agreements contain new language relating to consolidation, merger or other combination of fire and EMS services when and if such consolidation is ever considered. Fiscal impact to the City: 2011, \$3,000, 0% salary increase; 2012, \$122,000, 1% salary increase; 2013, \$124,000, 1% salary increase; 2014, \$244,000, 2% salary increase.

Alderman Spangenberg requested that item 10-5826 be considered separately.

Motion made by Alderman Marcus seconded by Alderman Shields that the item be deferred pending other contracts that will be coming before them.

Motion failed by the following vote:

AYES: Marcus

NOES: Wisneski, Coe, DeHahn, Hart, Holding, Maack, McCarthy, Mozol, Shakoor, Shields, Spangenberg, Weidner and Wisner

EXCUSED: Kaplan

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED by the following vote:

AYES: 14 - Shakoor, II, Coe, Marcus, Shields, Hart, Wisner, Maack, Weidner, Wisneski, McCarthy, DeHahn, Holding, Spangenberg and Mozol

EXCUSED: 1 - Kaplan

Public Works and Services Committee Report, by Ald. Holding**10-5757**

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Engineering submitting Amendment No. 2 to Contract 35-09 (K9-036), PS-Sanitary Sewer Lateral Fee On-Call Services, AECOM Technical Services, Inc., consultant. (Res.10-2312)

Recommendation of the Public Works and Services Committee on 11-30-10: That Amendment No. 2 to Contract 35-09 (K9-036), Professional Services - Sanitary Sewer Lateral Fee On-Call Services, AECOM Technical Services, Inc., consultant, as submitted, be approved in the not-to-exceed amount of \$25,000.00.

Further recommends that funding to defray the cost of these professional services be appropriated from Account 287.991.5310, Sanitary Sewer-Miscellaneous Locations.

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.

10-5768

Subject: Communication from R.A. Smith National requesting acceptance of a storm sewer in the public right-of-way at 5420 Twentyfirst Street for the Goodwill Industries Parking Lot Expansion. (Res.10-2303)

Recommendation of the Public Works and Services Committee on 11-30-10: That permission be granted to Goodwill Industries of Southeastern Wisconsin to install a storm sewer system in the public right-of-way adjacent to 5420 Twentyfirst Street, as requested, with the following stipulations:

A. A hold harmless agreement be executed in accordance with State Statute 66.0425, Privileges in Street.

B. The property owner be required to become a member of Digger's Hotline.

C. The property owner shall pay all costs associated with the relocation due to maintenance or construction.

D. The property owner be charged a \$50.00 fee to cover costs associated with filing this item with the Register of Deeds.

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.

10-5783

Subject: Communication from the Downtown Racine Corporation and Copacetic requesting to use city right-of-way in conjunction with the Racine Carves Its Niche Event to be held on January 8, 2011. (Res.10-2300)

Recommendation of the Public Works and Services Committee on 11-30-10: The Mayor and City Clerk be authorized and directed to enter into an agreement with the Downtown Racine Corporation granting permission to place ice sculptures on city sidewalks along Sixth Street and Main Street from State Street to 7th Street, from January 8, 2011 until they melt, with the following stipulations:

- A. That a clear area be established along the building line of a minimum of five feet in order to meet ADA requirements.
- B. That any ice sculptures be set back a minimum of two feet from the back of the curb in order to meet Wisconsin Department of Transportation requirements.
- C. That a hold harmless agreement be filed with the City Attorney's office.
- D. That a Certificate of Liability Insurance be filed with the City Attorney's office.

Fiscal Note: Not applicable.

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

10-5787

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting Change Order No. 1 on Contract 34-10 (K0-042), City Hall & Memorial Hall Restoration (R1), AZAR, LLC, contractor. (Res.10-2311)

Recommendation of the Public Works and Services Committee on 11-30-10: That Change Order No. 1 to Contract 34-10 (K0-042), City Hall and Memorial Hall Restoration (R1), AZAR LLC, contractor, as submitted, be approved that will provide a time extension until July 1, 2011 to complete this contract.

Fiscal Note: There will be no change in contract price as a result of this change order.

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

10-5792

Subject: Communication from Robert R. Mauer, Mauer's Charter Service, requesting to renew the lease agreement for use of river frontage at the terminus of Superior Street at the Root River. (Res.10-2301)

Recommendation of the Public Works and Services Committee

on 11-30-10: The Mayor and City Clerk be authorized and directed to enter into a lease agreement with Peter R. Mauer for use of 60 lineal feet of river frontage at the terminus of Superior Street at the Root River, including the right-of-way to the south line of Liberty Street excepting that portion which is utilized by CNH, Inc. as a driveway entrance, for a two-year period from January 1, 2011 to December 31, 2012 subject to the terms and conditions contained in the lease agreement dated April 14, 2000, except that the yearly annual rental shall be \$788.70 for both years.

Fiscal Note: This agreement will result in approximately \$1,577.40 in revenue to the City of Racine over the two-year period.

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

10-5809

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Engineering submitting a request from the Christmas Coalition of Churches to install a temporary banner on a street light pole. (Res.10-2304)

Recommendation of the Public Works and Services Committee

on 11-30-10: In accordance with City policy, the request of the Christmas Coalition of Churches to install a temporary banner on a street light pole in Monument Square, from November 30, 2010 to January 3, 2011, be approved.

Fiscal Note: The placement of this banner will result in \$15.00 in revenue to the City of Racine.

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

10-5817

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Engineering submitting a proposal from AECOM Technical Services, Inc. for the 2011 Pavement Inspections and Planning. (Res.10-2314)

Recommendation of the Public Works and Services Committee

on 11-30-10: That the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with AECOM Technical Services, Inc. for Construction Management Services for the

2011 Pavement Inspection and Planning, in the not-to-exceed amount of \$82,100.00.

Further recommends that funds to defray the cost of these professional services be appropriated from Account 101.130.5610, 2011 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.

[10-5820](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Engineering submitting Change Order No. 1 on Contract 36-09 (K9-037), Colonial Park Streambank Stabilization, Conservation Land Stewardship, Inc., contractor. (Res.10-2305)

Recommendation of the Public Works and Services Committee on 11-30-10: That Change Order No. 1 on Contract 36-09 (K9-037), Colonial Park Streambank Stabilization, Conservation Land Stewardship, Inc., contractor, as submitted, be approved in the deduct amount of \$2,820.80.

Further recommends that Account 104.989.5420, Storm Sewers-Miscellaneous Locations, be adjusted by deducting \$2,820.80.

Fiscal Note: Change Order No. 1 will result in a decrease in contract price.

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

[10-5821](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works/Engineering submitting a request for final payment on Contract 36-09 (K9-037), Colonial Park Streambank Stabilization, Conservation Land Stewardship, Inc., contractor. (Res.10-2310)

Recommendation of the Public Works and Services Committee on 11-30-10: That the work done by Conservation Land Stewardship, Inc. under Contract 36-09 (K9-037), Colonial Park Streambank Stabilization, be accepted and final payment authorized for a total contract amount of \$56,900.20.

Fiscal Note: Contract was authorized under Resolution No. 09-1405 dated May 19, 2009.

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

[10-5822](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Engineering submitting a revised project agreement for State Project ID: 2440-07-00/70, 7th Street (STH20), Marquette Street to Main Street. (Res.10-2315)

Recommendation of the Public Works and Services Committee

on 11-30-10: That Amendment No. 1 on State Project ID: 2440-07-00/70, 7th Street (STH20), Marquette Street to Main Street, be approved in the amount of \$61,300.00, with the City's share being \$21,600.00.

Further recommend that funding to defray the cost of the City's share of these professional services be appropriated from the 2011 Capital Improvement Project Storm Water Utility budget.

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.

[10-5831](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Engineering and submitting Change Order No. 1 on Contract 11-10 (K-011), Alley Paving, AZAR LLC, contractor. (Res.10-2306)

Recommendation of the Public Works and Services Committee

on 12-30-10: That Change Order No. 1 on Contract 11-10 (K0-011), Alley Paving, AZAR LLC, contractor, be approved in the amount of \$3,810.83.

Further recommends that funding to defray the cost of this change order be appropriated from the following accounts:

\$3,435.57 - Account 990.908.5030, Concrete Alley Paving

\$ 375.26 - Storm Sewers, Misc. Locations

\$3,810.83 - 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.

[10-5832](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works/City Engineer submitting request for final payment on Contract 11-10 (K0-011), Alley Paving, AZAR LLC, contractor. (Res.10-2307)

Recommendation of the Public Works and Services Committee

on 11-30-10: That the work done by AZAR LLC under Contract 11-10

(K0-011), Alley Paving, be accepted and final payment authorized for a total contract amount of \$286,538.44.

Fiscal Note: Contract was authorized under Resolution No. 10-1965, dated April 19, 2010.

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

[10-5836](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Engineering submitting Change Order No. 1 on Contract 18-10 (K0-018), 2010 Southside Street Paving (R1), Milwaukee General Contractors, Inc., contractor. (Res.10-2308)

Recommendation of the Public Works and Services Committee on 11-30-10: That Change Order No. 1 on Contract 18-10 (K0-018), South Side Street Paving (R1), Milwaukee General Contractors, Inc., contractor, be approved in the amount of \$27,815.06.

Further recommends that funding to defray the cost of this change order be appropriated from the following accounts:

\$24,332.06 - Account 990.908.5010, Conc. Street Paving-Misc. Loc.
\$ 9,250.00 - Account 287.990.5310, Sanitary Sewer-Var. Loc.
(\$ 5,767.00) - Storm Sewer-Misc. Loc.
\$27,815.06 - 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.

[10-5837](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 18-10 (K0-018), 2010 South Side Street Paving (R1), Milwaukee General Contractors, Inc, contractor. (Res.10-2309)

Recommendation of the Public Works and Services Committee on 11-30-10: That the work done by Milwaukee General Contractors, Inc. under Contract 18-10 (K0-018), 2010 South Side Street Paving (R1), be accepted and final payment authorized for a total contract amount of \$957,173.10.

Fiscal Note: Contract was authorized under Resolution No. 10-1966 dated April 19, 2010.

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

[10-5841](#)

Subject: Communication from Assistant Commissioner of Public

Works/Operations submitting Amendment No. 1 on Contract 9-10 (K0-009), PS-Exterior Restoration and Window Replacement at Various Facilities, Industrial Roofing Services, Inc., consultant. (Res.10-2313)

Recommendation of the Public Works and Services Committee on 11-30-10: That Amendment No. 1 to Contract 9-10 (K9-009), Professional Services - Exterior Restoration and Window Replacement at Various Facilities, Industrial Roofing Services, Inc., consultant, as submitted, be approved in the amount of \$5,125.00.

Further recommends that funding to defray the cost of these professional services be appropriated from Account 990.410.5010, Solid Waste Garage Tuckpointing.

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 Gregory Holding, seconded by Raymond DeHahn, that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

AYES: 14 - Shakoor, II, Coe, Marcus, Shields, Hart, Wiser, Maack, Weidner, Wisneski, McCarthy, DeHahn, Holding, Spangenberg and Mozol

EXCUSED: 1 - Kaplan

Public Safety and Licensing Committee Report, by Ald. Wisneski

10-5748

Subject: ORDINANCE NO. 17-10

To repeal Secs. 66-616, 66-617, 66-618 and 66-619 and to recreate Secs. 66-616 and 66-617 of the Municipal Code of the City of Racine, Wisconsin relating to Smoking - Prohibited.

Recommendation of the Public Safety & Licensing Committee of 10-25-2010: That Ordinance 17-10 be adopted.

Recommendation of the Public Safety & Licensing Committee on 11-8-2010: That the item be deferred.

Recommendation of the Public Safety and Licensing Committee on 11-22-10: That Ordinance 17-10 be adopted.

Fiscal Note: N/A

Alderman Wisneski requested that item 10-5748 be considered separately.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED by the following vote:

AYES: 14 - Shakoor, II, Coe, Marcus, Shields, Hart, Wiser, Maack, Weidner, Wisneski, McCarthy, DeHahn, Holding, Spangenberg and Mozol

EXCUSED: 1 - Kaplan

10-5786

Subject: (Direct Referral) Communication from the Purchasing Agent submitting the sale of abandoned vehicles for November 8, 2010.

Recommendation of the Public Safety and Licensing Committee on 11-22-10: That this item be received and filed.

Fiscal Note: This will generate \$9,416.01 in revenue.

Alderman Wisneski requested that item 10-5786 be considered separately.

This Communication was Received and Filed as Reported

AYES: 14 - Shakoor, II, Coe, Marcus, Shields, Hart, Wiser, Maack, Weidner, Wisneski, McCarthy, DeHahn, Holding, Spangenberg and Mozol

EXCUSED: 1 - Kaplan

10-5789

Subject: (New) Application of Sunshine Supermarket, Iyad Alabed, Agent, for a Class "A" Retail Fermented Malt Beverage License for 1559 Taylor Avenue. (3rd District)

Recommendation of the Public Safety and Licensing Committee on 11-22-10: That the Application of Sunshine Supermarket, Iyad Alabed, Agent, for a Class "A" Retail Fermented Malt Beverage License for 1559 Taylor Avenue be granted.

Fiscal Note: N/A

Alderman Wisneski requested that item 10-5789 be considered separately.

Alderman Wisneski made a motion seconded by Alderman Maack to amend the recommendation to include; with same stipulations, conditions and side agreement which was implemented with previous licensee.

A motion was made that this Communication be Adopted As Amended: . The motion was APPROVED by the following vote:

AYES: 14 - Shakoor, II, Coe, Marcus, Shields, Hart, Wiser, Maack, Weidner, Wisneski, McCarthy, DeHahn, Holding, Spangenberg and Mozol

EXCUSED: 1 - Kaplan

Traffic Commission Report, by Ald. Holding

10-5659

Subject: Communication from the Assistant Commissioner of Public Works/Engineering requesting parking restrictions on the Blaine Avenue median from December 1 to April 1.

Recommendation of the Traffic Commission on 10-18-10: Defer

Recommendation of the Traffic Commission on 11-15-10: Receive and file.

Fiscal Note: N/A

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

10-5705

Subject: Communication from Racine County Supervisor, 3rd District, Monte Osterman, requesting the placement of Children Playing signs on Melvin Avenue and William Street between Ruby Avenue and Erie Street.

Recommendation of the Traffic Commission on 11-15-10: Receive and file.

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 Gregory Holding, seconded by Raymond DeHahn, that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

AYES: 14 - Shakoor, II, Coe, Marcus, Shields, Hart, Wiser, Maack, Weidner, Wisneski, McCarthy, DeHahn, Holding, Spangenberg and Mozol

EXCUSED: 1 - Kaplan

Transit and Parking Commission Report, by Ald. DeHahn**10-5769**

Subject: Communication from the Assistant Commissioner of Public Works/Operations wishing to discuss the 2011 extension of the Juror Parking Agreement with Racine County Clerk of Courts.
(Res.10-2299)

Recommendation of the Transit and Parking Commission on 12-01-10: The 2011 extension of the Juror Parking Agreement with the Racine County Clerk of Courts be amended to increase the rate to \$580 per month. Parking to include any street parking meter south of

7th Street with a minimum 4 hour time limit or any lot/ramp parking meter in the Downtown area with a minimum 4 hour time limit.

Further recommends that the Mayor and City Clerk be authorized and directed to execute the agreement on behalf of the City of Racine.

Fiscal Note: The agreement will generate \$6,960 for the Parking System in 2011.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED by the following vote:

AYES: 14 - Shakoor, II, Coe, Marcus, Shields, Hart, Wiser, Maack, Weidner, Wisneski, McCarthy, DeHahn, Holding, Spangenberg and Mozol

EXCUSED: 1 - Kaplan

Economic Development Committee Report, by Ald. Spangenberg,

10-5816

Subject: Communication from the Executive Director of the Racine County Economic Development Corporation to request an opportunity to discuss the new Jobs for Racine County Initiative.

Recommendation from the Economic Development Committee on 11-30-10: That the item be received and filed.

Fiscal Note: N/A

Alderman Spangenberg requested that item 10-5816 be considered separately.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED by the following vote:

AYES: 14 - Shakoor, II, Coe, Marcus, Shields, Hart, Wiser, Maack, Weidner, Wisneski, McCarthy, DeHahn, Holding, Spangenberg and Mozol

EXCUSED: 1 - Kaplan

10-5818

Subject: Communication from the Executive Director of the Racine County Economic Development Corporation requesting that the City consider and approve the Industrial/Commercial Building Revolving Loan Fund Plan Certifications for the periods ending March 31, 2010 and September 30, 2010. (Res.10-2316)

Recommendation of the Economic Development Committee on 11-30-10: That the March 31, 2010 and September 30, 2010 Industrial/Commerical Building Revolving Loan Fund Plan Certifications be approved.

Fiscal Note: This fund was capitalized with \$600,000 grant from EDA and \$400,000 from the City of Racine to provide debt financing for redevelopment projects in the City.

Alderman Spangenberg requested that item 10-5818 be considered separately.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED by the following vote:

AYES: 14 - Shakoor, II, Coe, Marcus, Shields, Hart, Wisner, Maack, Weidner, Wisneski, McCarthy, DeHahn, Holding, Spangenberg and Mozol

EXCUSED: 1 - Kaplan

10-5819

Subject: Communication from the Director of City Development requesting that the City enter into an agreement with Racine County Economic Development Corporation for economic development services.

Recommendation of the Economic Development Committee on 11-30-10: That the agreement with RCEDC for economic development services be approved.

Further, the Mayor and City Clerk be authorized to enter into an agreement with RCEDC for economic development services.

Further, that this item be referred to the Finance and Personnel Committee for its recommendation and approval.

Fiscal Note: Contract amount is \$67,000, funding has been provided in the 2011 budget.

Alderman Spangenberg requested that item 10-5819 be considered separately.

A motion was made that this Communication be Referred to the Finance and Personnel Committee, . The motion was APPROVED by the following vote:

AYES: 13 - Shakoor, II, Coe, Shields, Hart, Wisner, Maack, Weidner, Wisneski, McCarthy, DeHahn, Holding, Spangenberg and Mozol

EXCUSED: 1 - Kaplan

ABSTENTIONS: 1 - Marcus

Water Works Committee Report, by Ald Hart

10-5591

Subject: Developers Agreement for Water Main Construction in the Village of Sturtevant

Recommendation of the Water Commission on 11/30/10: Approve and further recommends to refer this item to the Finance and Personnel Committee for approval

A motion was made that this Communication be Referred to the Finance and Personnel Committee, . The motion was APPROVED by the following vote:

AYES: 14 - Shakoor, II, Coe, Marcus, Shields, Hart, Wisner, Maack, Weidner, Wisneski, McCarthy, DeHahn, Holding, Spangenberg and Mozol

EXCUSED: 1 - Kaplan

Board of Parks, Recreation, and Cultural Services Report, by Ald. McCarthy

10-5258

Subject: Communication from Claudius A. Adebayo of OIC requesting the City donate or sell at a nominal fee, the parcel of land located at 2138 N. Wisconsin Street (parcel no. 04754000). (Res.10-2288)

Recommendation of the Board of Parks, Recreation & Cultural Services 7-14-10: To defer this item, and invite the Director of the Zoo to appear at the next meeting to express their interest in the parcel.

Fiscal note: N/A.

Recommendation of the Board of Parks, Recreation & Cultural Services 8-18-10: To defer to the next meeting.

Fiscal note: N/A.

Recommendation of the Board of Parks, Recreation & Cultural Services 9-8-10: To defer to the next meeting.

Fiscal note: N/A.

Recommendation of the Board of Parks, Recreation & Cultural Services 11-17-10: To approve the OIC's request that the City donate or sell at a nominal fee, the parcel of land located at 2138 N. Wisconsin Street (parcel no. 04754000), contingent upon the OIC receiving their grant to build homes on the property, and, further, receiving approval from the Zoological Society Board.

Fiscal note: To be determined

Alderman McCarthy requested that item 10-5258 be considered separately.

Alderman McCarthy explained that this item should have come under the Board of Parks Report and not the Cemetery Report and made a motion seconded by Alderman Wisneski to defer the item and return it back to Board of Parks, Recreation

& Cultural Services.

A motion was made that this Communication be Referred to the Board of Park, Recreation and Cultural Services, . The motion was APPROVED by the following vote:

AYES: 10 - Marcus, Shields, Hart, Wiser, Weidner, Wisneski, McCarthy, DeHahn, Spangenberg and Mozol

NOES: 4 - Shakoor, II, Coe, Maack and Holding

EXCUSED: 1 - Kaplan

10-5501

Subject: Communication from Ald. David L. Maack regarding Senior Center Parking only during designated times at Lakeview.

Recommendation of the Board of Parks, Recreation & Cultural Services 9-8-10: To defer to the next meeting.

Fiscal note: N/A.

Recommendation of the Board of Parks, Recreation & Cultural Services 11-17-10: To Receive and File the Communication.

Fiscal note: N/A.

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

10-5551

Subject: Communication from the President of the Racine Raiders Football Club requesting to exercise the Raider's option for a three year renewal of the Horlick Field concession stand contract. (Res.10-2289)

Recommendation of the Board of Parks, Recreation and Cultural Services 11-17-10: To approve the request of the Racine Raider's Football Club to exercise the Raider's option for a three year renewal of the Horlick Field Concession Stand Contract, with the addition of language allowing the carry in of one bottle.

Fiscal Note: Per contract, the Raiders will pay the sum of \$6,000.00 annually.

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

10-5618

Subject: Communication from the Co-Race Director of the Jingle Bell Run for Arthritis Racine 2010 requesting permission to use City

right-of-way on Saturday, December 4, 2010. (Res.10-2291)

Recommendation of the Public Works and Services Committee

on 10-12-10: Jingle Bell Run for Arthritis be granted permission to close Island Park Drive from Liberty Street to Rupert Boulevard, Horlick Park Drive from Rupert Boulevard to 12th Street, and Domanik Drive from Spring Street to Jefferson Street for the Jingle Bell Run/Walk for Arthritis, to be held on Saturday, December 4, 2010, from 9:00 a.m. to 10:30 a.m., with the following stipulations:

- A. A hold harmless agreement be executed.
- 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 special event fee of \$300.00.

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.

Recommendation of the Board of Parks, Recreation and Cultural

Services on 11-17-10: Jingle Bell Run for Arthritis be granted permission to close Island Park Drive from Liberty Street to Rupert Boulevard, Horlick Park Drive from Rupert Boulevard to 12th Street, and Domanik Drive from Spring Street to Jefferson Street for the Jingle Bell Run/Walk for Arthritis, to be held on Saturday, December 4, 2010, from 9:00 a.m. to 10:30 a.m., with the following stipulations:

- A. A hold harmless agreement be executed.
- 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 pay a special event fee of \$300.00.

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

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

[10-5673](#)

Subject: Communication from Julie Peterson requesting additional plantings in Lakeview Park.

Recommendation of the Board of Parks, Recreation and Cultural Services 11-17-10: That the request from Julie Peterson requesting additional plantings in Lakeview Park be Received and Filed.

Fiscal Note: N/A

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

[10-5707](#)

Subject: Communication from the President of the Racine Raiders Football Club requesting a formal agreement to create a new structure to replace the existing structure that the Raiders currently occupy at Horlick Athletic Field. (Res.10-2290)

Recommendation of the Board of Parks, Recreation and Cultural Services 11-17-10: To approve the request of the Racine Raiders Football Club requesting a formal agreement to create a new structure to replace the existing structure that the Raiders currently occupy at Horlick Athletic Field.

Fiscal note: N/A. The Raiders will be responsible for the cost of the proposed structure.

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

Council Action

A motion was made by Terry McCarthy, seconded by Aron Wisneski, that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

AYES: 14 - Shakoar, II, Coe, Marcus, Shields, Hart, Wiser, Maack, Weidner, Wisneski, McCarthy, DeHahn, Holding, Spangenberg and Mozol

EXCUSED: 1 - Kaplan

Cemetery Commission Report, by Ald Weidner

[10-5653](#)

Subject: Discussion of Fence Project at Graceland Cemetery

Recommendation of the Board of Cemetery Commissioners on October 18, 2010: Deferred

Fiscal Note: N/A

Recommendation of the Board of Cemetery Commissioners on November 15, 2010: Approve the Fence Project along Graceland Boulevard.

Fiscal Note: \$20,000 sufficient funds available in Land Improvements, account #207.000.5750.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED by the following vote:

AYES: 14 - Shakoor, II, Coe, Marcus, Shields, Hart, Wisner, Maack, Weidner, Wisneski, McCarthy, DeHahn, Holding, Spangenberg and Mozol

EXCUSED: 1 - Kaplan

G. Consent Agenda-Resolutions

Res.10-2288

Approval granted for City to donate or sell at a nominal fee to OIC parcel of land located at 2138 N. Wisconsin Street, contingent upon OIC receiving grant to build homes and Zoological Society Board's approval

Resolved, that OIC's request that the City donate or sell at a nominal fee, the parcel of land located at 2138 N. Wisconsin Street (parcel no. 04754000) be approved, contingent upon the OIC receiving their grant to build homes on the property, and receiving approval from the Zoological Society Board.

FISCAL NOTE: To be determined.

Sponsors: Terry McCarthy

A motion was made Referred to the Board of Park, Recreation and Cultural Services

Res.10-2289

Approval granted to Racine Raiders Football Club to renew the Horlick Field Concession Stand Agreement for an additional three years

Resolved, that approval be granted to the Racine Raider's Football Club to exercise the Raider's option for a three year renewal of the Horlick Field Concession Stand Agreement, with the addition of language allowing the carry in of one bottle.

FISCAL NOTE: Per contract, the Raiders will pay the sum of \$6,000.00 annually.

Sponsors: Terry McCarthy

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.10-2290

Mayor and City Clerk be authorized to enter into an agreement with the

Racine Raiders Football Club to create a new structure to replace existing structure at Horlick Athletic Field

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with the Racine Raiders Football Club for replacing the existing structure with a new structure at Horlick Athletic Field that would be built under the bleachers, with the stipulation that the Raiders maintain insurance on the new structure.

FISCAL NOTE: N/A. The Raiders will be responsible for the cost of the proposed structure.

Sponsors: Terry McCarthy

A motion was made that this Resolution be Adopted. The motion was APPROVED.

[Res.10-2291](#)

Permission granted to Jingle Bell Run for Arthritis Racine 2010, contingent upon stipulations, to close certain City streets on Saturday, December 4, 2010 for their Fourteenth Annual Jingle Bell Run for Arthritis

Resolved, that Jingle Bell Run for Arthritis be granted permission to close Island Park Drive from Liberty Street to Rupert Boulevard, Horlick Park Drive from Rupert Boulevard to 12th Street, and Domanik Drive from Spring Street to Jefferson Street for the Jingle Bell Run/Walk for Arthritis, to be held on Saturday, December 4, 2010, from 9:00 a.m. to 10:30 a.m., 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.
- D. The sponsor shall notify all abutting property owners seventy-two (72) hours in advance of this event.
- E. The sponsor shall pay a special event fee of \$300.00.

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

A motion was made that this Resolution be Adopted. The motion was APPROVED.

[Res.10-2292](#)

Fees for the use of the community centers for four home basketball games be reduced for the Wisconsin Thunder Wheelchair Basketball Team

Resolved, that the fees for the Wisconsin Thunder Wheelchair Basketball Games be reduced to \$105 for a 5 hour block of court time for four home basketball games at the community centers.

FISCAL NOTE: The 2011 Non-Resident Civic Group weekend gymnasium fee would have been \$50 per hour.

Sponsors: James T. Spangenberg

A motion was made that this Resolution be Adopted. The motion was APPROVED.

[Res.10-2293](#)

Appropriation of Intergovernmental Revenue Sharing Funds for Chicory Road Pavement Repairs be approved

Resolved, that \$22,300 of Intergovernmental Shared Revenue Funds be appropriated for material costs to repair Chicory Road and be placed in Account 919.990.5020, Chicory Road Repairs.

FISCAL NOTE: Negotiated Chicory Road repairs were provided by Payne and Dolan for material costs only. The contractor picked up all costs for mobilization, labor and replacement pavement markings. There are sufficient funds available for the appropriation.

Sponsors: James T. Spangenberg

A motion was made that this Resolution be Adopted. The motion was APPROVED.

[Res.10-2294](#)

Formal bidding procedures be waived and Purchasing Agent be authorized and directed to negotiate with CDW-G for the purchase of a Cisco IP Phone System

Resolved, that being in the best interest of the City, formal bidding be waived and that the Purchasing Agent be authorized and directed to negotiate with CDW-G for the purchase of a Cisco IP Phone system.

Further resolved, that an official Letter of Intent or Purchase Order be authorized prior to December 31, 2010 in order to take advantage of additional savings being offered by Cisco Systems.

FISCAL NOTE: This purchase is budgeted in 2011 in Account 402.991.5010, Telephone Internal Service Fund - IP Telephone System.

Sponsors: James T. Spangenberg

A motion was made that this Resolution be Adopted. The motion was APPROVED.

[Res.10-2295](#)

Permission granted to the Director of City Development to retain Independent Inspections, Ltd., to perform home inspections for the Housing Department

Resolved, that permission be granted for the Director of City Development to retain Independent Inspections, Ltd., to perform home inspections for the Housing Department for the period of November 1, 2010 through December 31, 2011. An acceptable proposal has been submitted for this work.

FISCAL NOTE: Grant funds are available for this contract.

Sponsors: James T. Spangenberg

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.10-2296

Police Chief be granted permission to accept the 2010 AAA Grant for upgrading computers and software for the City's two speed trailers (Grant Control No. 2010-37), and Mayor and City Clerk be authorized to enter into the grant agreement

Resolved, that the Police Chief be granted permission to accept the 2010 AAA Grant (Grant Control #2010-37) in the amount of \$4,220 to upgrade the computers and software associated with the City's two speed trailers, and the Mayor and City Clerk be authorized and directed to enter into the grant agreement.

FISCAL NOTE: There is no City match required. There will be negligible staff time involved in the administration of this grant.

Sponsors: James T. Spangenberg

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.10-2297

Approval granted for the City to purchase 2011 Health Insurance Stop Loss Coverage with SLG through the Horton Group

Resolved, that the City purchase 2011 Health Insurance Stop Loss Coverage with SLG through the Horton Group at a stop loss level of \$200,000 with a discounted broker commission of 7%, for a total annual premium of \$785,943.24.

FISCAL NOTE: There is sufficient funding in the Health Insurance Fund to cover the premium. All claims received will be deposited back into the Health Insurance Fund.

Sponsors: James T. Spangenberg

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.10-2299

Agreement with Racine County for Juror Parking be approved as amended for 2011, and Mayor and City Clerk be authorized to enter into the extension to the Agreement with Racine County for 2011 Juror Parking

Resolved, that the Agreement with the Racine County Clerk of Courts for 2011 Juror Parking be extended for the term January 1, 2011 through December 31, 2011.

Further resolved, that the 2011 Juror Parking Agreement be amended by increasing the rate to \$580 per month. Parking to include any street parking meter south of 7th Street with a minimum 4 hour time limit or any lot/ramp parking meter in the Downtown area with a minimum 4 hour time limit.

Further resolved, that the Mayor and City Clerk be authorized and directed to execute the agreement on behalf of the City of Racine.

FISCAL NOTE: The agreement will generate \$6,960 for the Parking System in 2011.

Sponsors: Raymond DeHahn

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.10-2300

Mayor and City Clerk be authorized to enter into an agreement with Downtown Racine Corporation granting permission, with stipulations, to place ice sculptures on City sidewalks along Sixth Street and Main Street from State Street to 7th Street in conjunction with Racine Carves Its Niche Event on January 8, 2011

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with the Downtown Racine Corporation granting permission to place ice sculptures on city sidewalks along Sixth Street and Main Street from State Street to 7th Street, from January 8, 2011 until they melt, with the following stipulations:

- A. That a clear area be established along the building line of a minimum of five feet in order to meet ADA requirements.
- B. That any ice sculptures be set back a minimum of two feet from the back of the curb in order to meet Wisconsin Department of Transportation requirements.
- C. That a hold harmless agreement be filed with the City Attorney's office.
- D. That a Certificate of Liability Insurance be filed with the City Attorney's office.

FISCAL NOTE: Not applicable.

Sponsors: Gregory Holding

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.10-2301

Mayor and City Clerk be authorized to enter into a lease agreement with Peter R. Mauer for use of river frontage at the terminus of Superior Street at the Root River

Resolved, that the Mayor and City Clerk be authorized and directed to enter into a lease agreement with Peter R. Mauer for use of 60 lineal feet of river frontage at the terminus of Superior Street at the Root River, including the right-of-way to the south line of Liberty Street excepting that portion which is utilized by CNH, Inc. as a driveway entrance, for a two-year period from January 1, 2011 to December 31, 2012 subject to the terms and conditions contained in the lease agreement dated April 14, 2000, except that the yearly annual rental shall be \$788.70 for both years.

FISCAL NOTE: This agreement will result in approximately \$1,577.40 in revenue to the City of Racine over the two-year period.

Sponsors: Gregory Holding

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.10-2302

Permission granted that the existing sanitary sewer easement agreement between the City of Racine and the Village of Caledonia East Sewer Utility District be amended and the Mayor and City Clerk be authorized and directed to enter into the amended easement agreement

Resolved, that the existing sanitary sewer easement agreement between the City of Racine and the Village of Caledonia East Sewer Utility District be amended to update the easement area and that the Temporary Construction Easement Agreement be approved as contained in Exhibit A (attached to the report).

Further resolved, that the Mayor and City Clerk be authorized and directed to enter into Temporary Easement Agreement.

FISCAL NOTE: Not applicable.

Sponsors: Gregory Holding

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.10-2303

Permission granted, with stipulations, to Goodwill Industries of Southeastern Wisconsin to install a storm sewer system in the public right-of-way adjacent to 5420 - 21st Street

Resolved, that permission be granted to Goodwill Industries of Southeastern Wisconsin to install a storm sewer system in the public right-of-way adjacent to 5420 Twentyfirst Street, as requested, with the

following stipulations:

- A. A hold harmless agreement be executed in accordance with Wis. stat. sec. 66.0425, Privileges in Street.
- B. The property owner be required to become a member of Digger's Hotline.
- C. The property owner shall pay all costs associated with the relocation due to maintenance or construction.
- D. The property owner be charged a \$50.00 fee to cover costs associated with filing this item with the Register of Deeds.

FISCAL NOTE: There will be no cost to the City of Racine.

Sponsors: Gregory Holding

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.10-2304

Permission granted to the Christmas Coalition of Churches to install a temporary banner on a street pole in Monument Square from November 30, 2010 to January 3, 2011

Resolved, that in accordance with City policy, the request of the Christmas Coalition of Churches to install a temporary banner on a street light pole in Monument Square, from November 30, 2010 to January 3, 2011, be approved.

FISCAL NOTE: The placement of this banner will result in \$15.00 in revenue to the City of Racine.

Sponsors: Gregory Holding

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.10-2305

Change Order No. 1 on Contract 36-09 (K9-037), Colonial Park Streambank Stabilization, Conservation Land Stewardship, Inc., contractor, be approved

Resolved, that Change Order No. 1 on Contract 36-09 (K9-037), Colonial Park Streambank Stabilization, Conservation Land Stewardship, Inc., contractor, as submitted, be approved in the deduct amount of \$2,820.80.

Further resolved, that Account 104.989.5420, Storm Sewers-Miscellaneous Locations, be adjusted by deducting \$2,820.80.

FISCAL NOTE: Change Order No. 1 will result in a decrease in contract price.

Sponsors: Gregory Holding

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.10-2306

Change Order No. 1 on Contract 11-10 (K0-011), Alley Paving, AZAR LLC., contractor, be approved

Resolved, that Change Order No. 1 on Contract 11-10 (K0-011), Alley Paving, AZAR LLC, contractor, be approved in the amount of \$3,810.83.

Further resolved, that funding to defray the cost of this change order be appropriated from the following accounts:

\$3,435.57 - Account 990.908.5030, Concrete Alley Paving
\$ 375.26 - Storm Sewers, Misc. Locations
\$3,810.83 - Total

FISCAL NOTE: Funds are available as herein delineated.

Sponsors: Gregory Holding

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.10-2307

Work done by AZAR LLC., under Contract 11-10 (K0-011), Alley Paving, be approved and final payment authorized

Resolved, that the work done by AZAR LLC., under Contract 11-10 (K0-011), Alley Paving, be accepted and final payment authorized for a total contract amount of \$286,538.44.

FISCAL NOTE: Contract was authorized under Resolution No. 10-1965, dated April 19, 2010.

Sponsors: Gregory Holding

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.10-2308

Change Order No. 1 on Contract 18-10 (K0-018), South Side Street Paving (R1), Milwaukee General Contractors, Inc., contractor, be approved

Resolved, that Change Order No. 1 on Contract 18-10 (K0-018), South Side Street Paving (R1), Milwaukee General Contractors, Inc., contractor, be approved in the amount of \$27,815.06.

Further resolved, that funding to defray the cost of this change order be appropriated from the following accounts:

\$24,332.06 - Account 990.908.5010, Conc. Street Paving-Misc. Loc.

\$ 9,250.00 - Account 287.990.5310, Sanitary Sewer-Var. Loc.
(\$ 5,767.00) - Storm Sewer-Misc. Loc.
\$27,815.06 - Total

FISCAL NOTE: Funds are available as herein delineated.

Sponsors: Gregory Holding

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.10-2309

Work done by Milwaukee General Contractors, Inc., under Contract 18-10 (K0-018), 2010 South Side Street Paving (R1), be approved and final payment authorized

Resolved, that work done by Milwaukee General Contractors, Inc., under Contract 18-10 (K0-018), 2010 South Side Street Paving (R1), be accepted and final payment authorized for a total contract amount of \$957,173.10.

FISCAL NOTE: Contract was authorized under Resolution No. 10-1966 dated April 19, 2010.

Sponsors: Gregory Holding

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.10-2310

Work done by Conservation Land Stewardship, Inc., under Contract 36-09 (K9-037), Colonial Park Streambank Stabilization, be approved and final payment authorized

Resolved, that the work done by Conservation Land Stewardship, Inc., under Contract 36-09 (K9-037), Colonial Park Streambank Stabilization, be accepted and final payment authorized for a total contract amount of \$56,900.20.

FISCAL NOTE: Contract was authorized under Resolution No. 09-1405 dated May 19, 2009.

Sponsors: Gregory Holding

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.10-2311

Change Order No. 1 to Contract 34-10 (K0-042), City Hall and Memorial Hall Restoration (R1), AZAR LLC., contractor, be approved

Resolved, that Change Order No. 1 to Contract 34-10 (K0-042), City Hall and Memorial Hall Restoration (R1), AZAR LLC, contractor, as submitted, be approved that will provide a time extension until July 1, 2011 to complete this contract.

FISCAL NOTE: There will be no change in contract price as a result of this change order.

Sponsors: Gregory Holding

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.10-2312

Amendment No. 2 to Contract 35-09 (K9-036), Professional Services - Sanitary Sewer Lateral Fee On-Call Services, AECOM Technical Services, Inc., consultant, be approved

Resolved, that Amendment No. 2 to Contract 35-09 (K9-036), Professional Services - Sanitary Sewer Lateral Fee On-Call Services, AECOM Technical Services, Inc., consultant, as submitted, be approved in the not-to-exceed amount of \$25,000.00.

Further resolved, that funding to defray the cost of these professional services be appropriated from Account 287.991.5310, Sanitary Sewer-Miscellaneous Locations.

FISCAL NOTE: Funds are available as herein delineated.

Sponsors: Gregory Holding

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.10-2313

Amendment No. 1 to Contract 9-10 (K9-009), Professional Services - Exterior Restoration and Window Replacement at Various Facilities, Industrial Roofing Services, Inc., consultant, be approved

Resolved, that Amendment No. 1 to Contract 9-10 (K9-009), Professional Services - Exterior Restoration and Window Replacement at Various Facilities, Industrial Roofing Services, Inc., consultant, as submitted, be approved in the amount of \$5,125.00.

Further resolved, that funding to defray the cost of these professional services be appropriated from Account 990.410.5010, Solid Waste Garage Tuckpointing.

FISCAL NOTE: Funds are available as herein delineated.

Sponsors: Gregory Holding

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.10-2314

Mayor and City Clerk be authorized to enter into a Professional Services Agreement with AECOM Technical Services, Inc., for Construction Management Services for 2011 Pavement Inspection and Planning

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

enter into a Professional Services Agreement with AECOM Technical Services, Inc., for Construction Management Services for 2011 Pavement Inspection and Planning, in the not-to-exceed amount of \$82,100.00.

Further resolved, that funds to defray the cost of these professional services be appropriated from Account 101.130.5610, 2011 Professional Services.

FISCAL NOTE: Funds are available as herein delineated.

Sponsors: Gregory Holding

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.10-2315

Amendment No. 1 to State Project ID: 2440-07-00/70, 7th Street (STH 20), Marquette Street to Main Street, be approved

Resolved, that Amendment No. 1 on State Project ID: 2440-07-00/70, 7th Street (STH 20), Marquette Street to Main Street, be approved in the amount of \$61,300.00, with the City's share being \$21,600.00.

Further resolved, that funding to defray the cost of the City's share of these professional services be appropriated from the 2011 Capital Improvement Project Storm Water Utility budget.

FISCAL NOTE: Funds are available as herein delineated.

Sponsors: Gregory Holding

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.10-2316

Approve March 31, 2010 and September 30, 2010 Building Revolving Loan Fund Plan Certifications

Resolved, that the March 31, 2010 and September 30, 2010 Industrial/Commercial Building Revolving Loan Fund Plan Certifications be approved.

FISCAL NOTE: This fund was capitalized with a \$600,000 grant from EDA and \$400,000 from the City of Racine to provide debt financing for redevelopment projects in the City.

Sponsors: James T. Spangenberg

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Council Action

A motion was made by Jeff Coe, seconded by Q.A. Shakoor, II, that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

AYES: 14 - Shakoor, II, Coe, Marcus, Shields, Hart, Wisner, Maack, Weidner, Wisneski, McCarthy, DeHahn, Holding, Spangenberg and Mozol

EXCUSED: 1 - Kaplan

H. Resolutions

Res.10-2298 Negotiated Collective Bargaining Agreement with Local 321, International Association of Firefighters, for two two-year agreements be approved

Resolved, that the negotiated Collective Bargaining Agreements with Local 321, International Association of Firefighters, for two two-year agreements for 2011-2012 and 2013-2014, be approved.

FISCAL NOTE: The agreements contain new language relating to consolidation, merger or other combination of fire and EMS services when and if such consolidation is ever considered. Fiscal impact to the City: 2011, \$3,000, 0% salary increase; 2012, \$122,000, 1% salary increase; 2013, \$124,000, 1% salary increase; 2014, \$244,000, 2% salary increase.

Sponsors: James T. Spangenberg

A motion was made by Coe, seconded by Shakoor, II, that this Resolution be Adopted. The motion was APPROVED by the following vote:

AYES: 14 - Shakoor, II, Coe, Marcus, Shields, Hart, Wisner, Maack, Weidner, Wisneski, McCarthy, DeHahn, Holding, Spangenberg and Mozol

EXCUSED: 1 - Kaplan

I. Adjourn

The meeting was adjourned at 8:30p.m. by Alderman Shakoor. The next scheduled meeting of the Council is December 21, 2010.

ATTEST: JANICE M. JOHNSON-MARTIN
CITY CLERK