



# City of Racine

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

## Meeting Agenda - Final Common Council

*Mayor John T. Dickert*  
*Alderman Jeff Coe, Alderman 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*

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Tuesday, January 18, 2011

7:00 PM

Room 205, City Hall

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

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

[11-5958](#)      **Subject:** Communication from the Director of Parks, Recreation and Cultural Services requesting permission to accept a donation from New Concept Self Development Center Inc. in the amount of \$3,000.00 for Dr. M. L. King Community Center Youth Special Events.

[11-5966](#)      **Subject:** Communication from the City Attorney requesting authorization for the continuation of the self-insured worker's compensation program, in compliance with Wisconsin Administrative Code DWD 80.60(3).

[11-5980](#)      **Subject:** Communication from the Public Health Administrator requesting to accept \$26,871 from the Department of Health Services for Cities Readiness Initiative. (Grant Control #2011-001)

[11-5981](#)      **Subject:** Communication from the Public Health Administrator requesting to accept \$225,896 from the Department of Health Services for the Local Public Health Departments Performance Consolidated Programs. (Grant Control #2011-002)

[11-5982](#)      **Subject:** Communication from the Public Health Administrator requesting to accept \$35,396 from the Wisconsin Department of Health Services for Public Health Emergency Preparedness. (Grant Control #2011-003)

[11-5983](#)      **Subject:** Communication from the Public Health Administrator requesting to accept \$7,500 from the Wisconsin Department of Agriculture Trade and Consumer Protection (DATCP) for DATCP Unwanted Prescription Drug Grant. (Grant Control #2011-004)

[11-5988](#)      **Subject:** Communication from the President of Friends of Seniors requesting to appear before the Finance & Personnel Committee to discuss reduction of rental fee at 920 Goid Street from \$20,000 to \$10,000 per year.

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

[11-5964](#)      **Subject:** Communication from Real Racine requesting permission to use city right-of-way for the IronGirl triathlon on Sunday, July 31, 2011.

(Also refer to the Board of Parks, Recreation and Cultural Services)

[11-5978](#)      **Subject:** Communication from Doris Jacobson, 1631 C.A. Becker Drive, regarding a water drainage problem.

[11-5979](#)      **Subject:** (Direct Referral) Communication from Assistant Commissioner of Public Works/Engineering requesting to purchase rain barrels from the Greater Milwaukee Committee for the Storm Water Utility in conjunction with the Sierra Club.

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

[11-5968](#)      **Subject:** Communication from the Director of Parks, Recreation and Cultural Services requesting permission to meet with the Public Safety and Licensing Committee to request change order #1 for Contract 47-10 (K0-058) PRCS Asphalt Pavement Improvements (R1) by Parking Lot Maintenance, Inc.

[11-5969](#)      **Subject:** Communication from the Director of Parks, Recreation and Cultural Services requesting permission to meet with the Public Safety & Licensing Committee to request final payment for Contract 47-10 (K0-058) PRCS Asphalt Pavement Improvements (R1) by Parking Lot Maintenance Inc.

[11-5970](#)      **Subject:** Communication from the Director of Parks, Recreation and Cultural Services requesting permission to meet with the Public Safety and Licensing Committee to request permission to enter in an agreement with Lakefront Engineering to prepare plans and specifications for Boiler Replacement at Humble Park Community Center.

[11-5967](#)      **Subject:** Communication from Baldwinder Singh, Max Magic Supermarket LLC, 1007 Washington Avenue, submitting a petition to exceed the "Class A" quota limit.

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

[11-5977](#)      **Subject:** Communication from the Alderman of the 14th District, on behalf of Tiniesha Griffin (1229 Terrace Ave.), requesting a traffic study be done on Green Bay Road and Byrd Avenue.

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

[11-5951](#)      **Subject:** Communication from the BUS Operations Manager requesting to discuss waiving formal bidding and instructing the Purchasing Agent to negotiate with Trapeze ITS U.S.A., LLC., for the provision of four (4) on-street signs and licenses with associated installation labor of the purchased equipment.

**F. Committee Reports**

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

[10-5933](#)      **Subject:** Communication from the Public Health Administrator requesting the Mayor and City Clerk enter into the Women, Infants and Children Contract Agreement and permission to accept the initial budget allocation of \$332,955 from the State of Wisconsin represented by its Division of Public Health of the Department of Health Services. (Grant Control #2010-046) (Res. 11-2355)

**Recommendation of the Finance & Personnel Committee on 01-10-11:** That the Mayor and City Clerk be authorized and directed to enter into the Women, Infants and Children Contract Agreement and permission be granted to accept the initial budget allocation of \$332,955 from the State of Wisconsin represented by its Division of Public Health of the Department of Health Services. (Grant Control #2010-046)

**Fiscal Note:** There is no City match required.

[10-5936](#)      **Subject:** Request from the Public Health Administrator for permission to

accept \$10,000 from the State of Wisconsin, represented by the Department of Health Services for the AIDS/HIV Program. (Grant Control #2010-047)(Res .11-2356)

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

**01-10-11:** Permission be granted to accept \$10,000 from the State of Wisconsin, represented by the Department of Health Services for the AIDS/HIV Program. (Grant Control #2010-047)

**Fiscal Note:** There is no City match required.

**10-5937**

**Subject:** Request from the Director of City Development to apply for Neighborhood Stabilization Program-3 (NSP-3) funds. (Grand Control #2010-040) (Res. 11-2357)

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

**01-10-11:** Permission be granted for the Director of City Development to apply for the Neighborhood Stabilization Program-3 (NSP-3) funds with the understanding that the Committee will have more input in the process. (Grant Control #2010-040)

**Fiscal Note:** There is no City match required.

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

**10-5338**

**Subject:** Communication from the 15th District Alderman requesting to change the yearly system of repaving non-critical streets.

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

**1-11-11:** That the communication be received and filed.

**Fiscal Note:** N/A

**10-5892**

**Subject:** (Direct Referral) Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 1-10 (K0-001), Racine Public Library - 2nd Floor Remodeling, Absolute Construction Enterprises, Inc., contractor.(Res. 11-2363)

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

**1-11-11:** That the work done by Absolute Construction Enterprises, Inc. under Contract 1-10 (K0-001), Racine Public Library - 2nd Floor Remodeling, be accepted and final payment authorized for a total contract amount of \$252,167.72.

**Fiscal Note:** Contract was authorized under Resolution No. 10-2005, dated May 4, 2010.

[10-5911](#)

**Subject:** (Direct Referral) Communication from the Director of City Development submitting a request for final payment on Contract 31-10 (K0-039), Roof Replacement at 1511 Washington Avenue, Carlson Racine Roofing & Sheet Metal, Inc., contractor.(Res. 11-2361)

**Recommendation of the Public Works and Services Committee on 1-11-11:** That the work done by Carlson Racine Roofing & Sheet Metal, Inc. under Contract 31-10 (K0-039), Roof Replacement at 1511 Washington Avenue, be accepted and final payment authorized for a total contract amount of \$89,415.00.

**Fiscal Note:** Contract was authorized under Resolution No. 10-2017, dated May 18, 2010.

[10-5919](#)

**Subject:** (Direct Referral) Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 12-08 (K0-013), Professional Services - Roof Replacement at Various Facilities, Industrial Roofing Services, Inc., consultant.(Res. 11-2362)

**Recommendation of the Public Works and Services Committee on 1-11-11:** That the professional services provided by Industrial Roofing Services, Inc., under Contract 12-08 (K8-013), Professional Services - Roof Replacement at Various Facilities, be accepted and final payment authorized for a total contract amount of \$39,400.00.

**Fiscal Note:** Contract was authorized under Resolution No. 08-0644, dated February 20, 2008.

[10-5923](#)

**Subject:** (Direct Referral) Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 14-09, (K9-014) 2009 PS- Design of Parks Paving Projects, Nielsen Madsen & Barber S.C., consultant.(Res. 11-2364)

**Recommendation of the Public Works and Services Committee on 1-11-11:** That the professional services provided by Nielsen Madsen & Barber S.C., under Contract 14-09 (K9-014), Professional Services - Design of Parks Paving Projects, be accepted and final payment authorized for a total contract amount of \$65,309.47.

**Fiscal Note:** Contract was authorized under Resolution No. 09-1225, dated February 3, 2009.

[10-5924](#)

**Subject:** Communication from Key Engineering Group, Ltd. informing the City of contamination in the public right-of-way at 1339 Fourteenth Street.

**Recommendation of the Public Works and Services Committee on 1-11-11:** That the communication be received and filed.

Further recommend that the information regarding the contamination within the street right-of-way be placed in the City's Geographical Information System.

**Fiscal Note:** N/A

[10-5925](#)

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting a proposal for professional services from Arnold & O'Sheridan, Inc. for parking ramp repair design services.(Res. 11-2370)

**Recommendation of the Public Works and Services Committee on 1-11-11:** That the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with Arnold & O'Sheridan, Inc. for Parking Ramp Repair Design Services, in the not-to-exceed amount of \$39,000.00.

Further recommends that funds to defray the cost of these professional services be appropriated from the Account 106.991.5760, Ramp Improvements-Engineering.

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

[10-5927](#)

**Subject:**(Direct Referral) Communication from the Assistant Commissioner of Public Works/Engineering submitting a professional services agreement with AECOM for the 2011 Sewer Management Services.(Res. 11-2373)

**Recommendation of the Public Works and Services Committee on 1-11-11:** That the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with AECOM Technical Services, Inc. for 2011 Sewer Management Services, in the not-to-exceed amount of \$59,500.00.

Further recommends that funds to defray the cost of these professional services be appropriated from the following accounts:

\$29,750.00 - Account 104.991.5420, Storm Sewer, Misc. Loc.

\$29,750.00 - Account 287.991.5310, Sanitary Sewer, Var. Loc.  
\$59,500.00 - Total

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

10-5928

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/Engineering submitting a professional services agreement with AECOM for the 2011 Racine Illicit Discharge Detection and Elimination Program Support.(Res. 11-2374)

**Recommendation of the Public Works and Services Committee on 1-11-11:** That the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with AECOM Technical Services, Inc. for 2011 Racine Illicit Discharge Detection and Elimination Support Program, in the not-to-exceed amount of \$20,000.00.

Further recommends that funds to defray the cost of these professional services be appropriated from Account 104.000.5330, Monitoring Detection Enforcement.

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

10-5938

**Subject:** Communication from Real Racine requesting permission to use city right-of-way for the Ironman Racine 70.3 triathlon on Sunday, July 17, 2011. (Res. 11-2358)

**Recommendation of the Public Works and Services Committee on 1-11-11:** That permission be granted to Real Racine and Ironman to use City right-of-way for the Ironman Racine 70.3 Triathlon on July 17, 2011.

Further recommends that Real Racine and Ironman be granted permission to close the following streets and to utilize certain other City streets, as indicated, on their race map, for the Ironman Racine 70.3 Triathlon to be held on Sunday, July 17, 2011:

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.
- 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. Sponsor shall be responsible for placement of all traffic control devices.

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.

[10-5939](#)

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting a proposal for professional services for the design of roof specifications for the Street Maintenance Garage.(Res. 11-2371)

**Recommendation of the Public Works and Services Committee on 1-11-11:** That the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with Industrial Roofing Services, Inc. to design roof specifications for the Street Maintenance Garage, in the not-to-exceed amount of \$7,500.00.

Further recommends that funds to defray the cost of these professional services be appropriated from Account 991.630.5010, St Maint Garage-Roofs 1-4.

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

[10-5943](#)

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting Change Order No. 2 to Contract 50-10 (K0-064), Generator Replacement - Racine Radio Tower, Great Lakes Electric, contractor.(Res. 11-2375)

**Recommendation of the Public Works and Services Committee on 1-11-11:** That Change Order No. 2 on Contract 50-10 (K0-064), Generator Replacement - Racine Radio Tower, Great Lakes Electric, contractor, be approved in the amount of \$776.73.

Further recommends that funding to defray the cost of this change order



be appropriated from Account 266.991.5010, Radio Communications Generator.

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

10-5945

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations requesting to accept a donation of a network control engine device from Johnson Controls, Inc.

**Recommendation of the Public Works and Services Committee on 1-11-11:** That the communication be received and filed.

**Fiscal Note:** N/A

10-5948

**Subject:** Communication from the Assistant Commissioner of Public Works/Engineering reporting bid results for the Stewart-McBride Pond Retrofit Project.

**Recommendation of the Public Works and Services Committee on 1-11-11:** That the communication be received and filed.

**Fiscal Note:** N/A

11-5952

**Subject:** (Direct Referral) Communication from the Assistant Commissioner Public Works/Engineering submitting Change Order No. 1 on Contract 25-10 (K0-030), 2010 CCTV Services and Manhole Inspection, Green Bay Pipe and TV, contractor.(Res. 11-2365)

**Recommendation of the Public Works and Services Committee on 1-11-11:** That Change Order No. 1 on Contract 25-10 (K0-030), 2010 CCTV Services and Manhole Inspection, Green Bay Pipe & TV, contractor, be approved in the amount of \$18,163.42.

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

\$ 4,240.23 - Account 104.990.5420, Storm Sewer, Misc. Loc.  
\$13,923.19 - Account 287.990.5310, Sanitary Sewers, Var. Loc.  
\$18,163.42 - Total

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

11-5953

**Subject:** (Direct Referral) Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 25-10 (K0-030), 2010 CCTV Services and Manhole Inspection, Green Bay Pipe and TV, contractor.(Res. 11-2366)

**Recommendation of the Public Works and Services Committee on 1-11-11:** That the work done by Green Bay Pipe & TV under Contract 25-10 (K0-030), 2010 CCTV Services and Manhole Inspection, be accepted and final payment authorized for a total contract amount of \$280,571.38.

**Fiscal Note:** Contract was authorized under Resolution No. 10-2016, dated May 18, 2010.

[11-5954](#)

**Subject:** (Direct Referral) Communication from the Assistant Public Works/Engineer submitting Change Order No. 1 on Contract 32-10 (K0-040), Storm and Sanitary CIPP Lining, Mussen Brothers, Inc., contractor.

**Recommendation of the Public Works and Services Committee on 1-11-11:** That the communication be received and filed.

**Fiscal Note:** N/A

[11-5955](#)

**Subject:** (Direct Referral) Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 32-10 (K0-040), Storm and Sanitary CIPP Lining, Mussen Brothers, Inc., contractor.(Res. 11-2367)

**Recommendation of the Public Works and Services Committee on 1-11-11:** That the work done by Mussen Brothers, Inc. under Contract 32-10 (K0-040), Storm and Sanitary CIPP Lining, be accepted and final payment authorized for a total contract amount of \$346,891.10.

**Fiscal Note:** Contract was authorized under Resolution No. 10-2074, dated June 15, 2010.

[11-5956](#)

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting Amendment No. 2 to Contract 22-10 (K0-025), Professional Services - Design Services for City Hall Facilities Plan Implementation-Phase III, Butterfield, Rudie & Seitz, consultant.(Res. 11-2368)

**Recommendation of the Public Works and Services Committee on 1-11-11:** That Amendment No. 2 to Contract 22-10 (K0-025), Professional Services - Design Services for City Hall Facilities Plan Implementation-Phase III, Butterfield, Rudie & Seitz, consultant, as submitted, be approved in the amount of \$5,600.00.

Further recommends that funding to defray the cost of these professional services be appropriated from Account 990.210.5010, Safety Building-Update 911 Lighting.

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

[11-5957](#)

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting Change Order No. 3 to Contract 17-10 (K0-017), State Street Bridge Repairs, Zenith Tech, Inc., contractor.(Res. 11-2369)

**Recommendation of the Public Works and Services Committee on 1-11-11:** That Change Order No. 3 on Contract 17-10 (K0-017), State Street Bridge Repairs, Zenith Tech, Inc., contractor, be approved in the amount of \$39,508.00.

Further recommends that funding to defray the cost of this change order be appropriated from Account 930.077.5810, State Street Lift Bridge Repairs.

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

[11-5963](#)

**Subject:** (Direct Referral) Communication from the Village of Caledonia asking for a revision to the Memorandum of Understanding for the scope of the work for the Three Mile Road project.(Res. 11-2360)

**Recommendation of the Public Works and Services Committee on 1-11-11:** That the Memorandum of Understanding for the scope of the work for the Three Mile Road project with the Village of Caledonia be amended to reconstruct Three Mile Road from 331' west of LaSalle Street to North Main Street.

Further recommends that the City Attorney's Office prepares a municipal agreement for the joint project between the City of Racine and Village of Caledonia.

Further recommends that the City Attorney and Commissioner of Public Works/City Engineer be authorized and directed to take the necessary steps for the acquisition of land for this project.

**Fiscal Note:** Funds to defray the cost of land acquisition will be provided by Intergovernmental Revenue Sharing Fund.

[11-5965](#)

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/Engineering requesting approval of the relocation order and plat and authorization to proceed with acquisition of fees and temporary limited easements for the Douglas Avenue (STH32)

3 Mile Road to Goold Project, State ID: 2350-13-00.(Res. 11-2372)

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

**1-11-11:** That the right-of-way plat for the acquisition of land necessary for the Douglas Avenue (STH32) 3 Mile Road to Goold Project, State ID: 2350-13-00, be approved.

Further recommends that the City Attorney be authorized and directed to take the necessary steps for the acquisition of land for this project.

**Fiscal Note:** Funds to defray the cost of land acquisition are available in Account 989.908.5110, Douglas-Goold to Three Mile.

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

[10-5912](#)

**Subject:** (New) Application of GURSIMR, LLC, Kuldip S. Ahuja, Agent, (Washington Avenue Citgo), for a Class "A" Retail Fermented Malt Beverage License for 5302 Washington Avenue. (12th District)

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

**1-10-11:** The Class "A" Retail Fermented Malt Beverage License for 5302 Washington Avenue be granted with the following conditions:

- 1 - There will be no single/individual container sales
- 2 - Pending complete record check

Fiscal Note: N/A

[10-5921](#)

**Subject: (New)** Application of E&K Durand, LLC (Open Pantry), James Schutz, Agent for a Class "A" Fermented Malt Beverage License for 2731 Durand Avenue. (10th District)

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

**1-10-11:** The Class "A" Fermented Malt Beverage License for 2731 Durand Avenue be granted with the following condition:

- 1 - There will be no single/individual container sales

Fiscal Note: N/A

[10-5926](#)

**Subject:** Application of GMRI, Inc., Olive Garden, David G. Good, for a Change of Agent for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 6000 Durand Avenue (14th)

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

**1-10-11:** The Application of GMRI, Inc., Olive Garden, David G. Good, for a Change of Agent for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 6000 Durand Avenue be approved

pending submission of the Responsible Beverage Certificate.

Fiscal Note: N/A

[11-5971](#)

**Subject:** Ordinance No. 18-10

To create Section 66-262, of the Municipal Code of the City of Racine Wisconsin relating to Chapter 66, Offenses, Article X, Marijuana and Drug Paraphernalia, Division 2: Marijuana.

**Recommendation of the Public Safety & Licensing Committee on 1-10-11:** That Ordinance 18-10 be adopted.

Fiscal Note: N/A

**Community Development Committee Report, by Ald. Wisneski**

[10-5859](#)

**Subject:** Request of Racine Vocational Ministry to revise their 2010 Community Development Block Grant (CDBG) program budget.(Res. 11-2376)

**Recommendation of the Community Development Committee on 1-13-11:** That the Racine Vocational Ministry's request to revise their 2010 Community Development Block Grant (CDBG) program budget be approved.

**Fiscal Note:** N/A

[10-5860](#)

**Subject:** Communication from the Root River Council requesting Local Option Funding for "Back to the Root" plan implementation.(Res. 11-2377)

**Recommendation of the Community Development Committee on 1-13-11:** That \$34,000 be allocated from the Local Option Fund to the Root River Council for the "Back to the Root" plan implementation.

**Fiscal Note:** There are sufficient funds in the Local Option Fund for this request.

[11-5959](#)

**Subject:** (Direct Referral) Approval of the 2011 Annual Housing and Community Development Plan.(Res. 11-2378)

**Recommendation of the Community Development Committee on**

**1-13-11:** That the 2011 Annual Housing and Community Development Plan, as amended, be adopted, and that the Plan be submitted to the U.S. Department of Housing and Urban Development.

Further recommends that the attached 2011 Housing and Community Development Outcomes and Objectives table be adopted as a framework for funding activities under the Plan.

Further recommends that the following guidelines for applications and awards be adopted:

- a) The minimum award amount be \$25,000.
- b) No more than 40 percent of an organization's budget be provided by the funding through the Plan.
- c) All applications be typed.

**Fiscal Note:** An award of \$2,100,000 in Community Development Block Grant (CDBG), \$635,000 in HOME Housing Investment Partnerships, and \$88,100 in Emergency Shelter Grant (ESG) funding is anticipated. In addition \$649,500 in CDBG program income and \$96,000 in HOME program income is projected.

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

**10-5485**

**Subject:** Communication from Annmarie G. Klyzub requesting a ban on smoking in City parks.  
(Ord.1-11)

**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 and Cultural Services 11-17-10:** To defer to the next meeting, and further requests that Staff work with the City Attorney to bring ideas back to the Board at the next meeting.

**Fiscal Note:** N/A.

**Recommendation of the Board of Parks, Recreation and Cultural Services 12-8-10:** To defer to the next meeting.

**Fiscal Note:** N/A.

**Recommendation of the Board of Parks, Recreation & Cultural**

**Services 1-12-11:** To adopt the language as proposed.

**Fiscal note:** Cost of signage to be determined

10-5611

**Subject:** Communication from Richard Christensen, 1831 Neptune Avenue requesting to meet with the appropriate committee to discuss some issues involving Johnson Park Golf Course.

**Recommendation of the Board of Parks, Recreation & Cultural Services 11-17-10:** To defer to the next meeting.

**Fiscal Note:** N/A.

**Recommendation of the Board of Parks, Recreation & Cultural Services 12-8-10:** To receive and file the communication.

**Fiscal Note:** N/A.

**Recommendation of the Board of Parks, Recreation & Cultural Services 1-12-11:** To request the Mayor and Common Council reinstate the golf liaison committee.

**Fiscal note:** N/A

10-5942

**Subject:** Communication from Focus on Community requesting to use city right-of-way for a run/walk on September 10, 2011.(Res. 11-2359)

**Recommendation of the Public Works and Services Committee on 1-11-11:** That Focus on Community be granted permission to use city right-of-way for a run/walk on Saturday, September 10, 2011, from 8:30 a.m. to 10:00 a.m.

Further recommends that permission be granted 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 any costs associated with bagging of parking

meters.

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 & Cultural Services 1-12-11:** To approve the request, contingent upon EVP Volleyball Championship scheduling.

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

## G. Consent Agenda-Resolutions

[Res.11-2355](#) Permission granted to accept the Women, Infants and Children (WIC) Contract Agreement from the State of Wisconsin, Division of Public Health, and that the Mayor and City Clerk be authorized and directed to enter into the grant agreement with the State of Wisconsin

Resolved, that permission be granted to accept the Women, Infants and Children (WIC) Contract Agreement for the period January 1, 2011 through December 31, 2015, and that the Mayor and City Clerk be authorized and directed to enter into the Women, Infants and Children (WIC) Contract Agreement and permission be granted to accept the initial budget allocation of \$332,955 from the State of Wisconsin represented by its Division of Public Health of the Department of Health Services (Grant Control #2010-046).

Fiscal Note: There is no City match required.

Sponsors: James T. Spangenberg

[Res.11-2356](#) Permission granted to the Public Health Administrator to accept a grant from the State of Wisconsin, Department of Health Services, for the AIDS/HIV Program for the 2011 HIV Partner Services Intervention Plan, and that the Mayor and City Clerk be authorized and directed to enter into the grant agreement with the State of Wisconsin

Resolved, that permission be granted to the Public Health Administrator to accept \$10,000 from the State of Wisconsin, Department of Health Services, for the AIDS/HIV Program for the 2011 HIV Partner Services Intervention Plan for the period of January 1, 2011 through December 31, 2011 (Grant Control #2010-047), and that the Mayor and City Clerk be authorized and directed to



enter into the grant agreement with the State of Wisconsin, Department of Health Services.

Fiscal Note: There is no City match required.

Sponsors: James T. Spangenberg

Res.11-2357 Permission granted to the Director of City Development to apply for the Neighborhood Stabilization Program-3 (NSP-3) Funds for acquisition and rehabilitation or redevelopment of 13 dwelling units in Census Tracts Two and Three

Resolved, that permission be granted for the Director of City Development to apply for the Neighborhood Stabilization Program-3 (NSP-3) funds for acquisition and rehabilitation or redevelopment of 13 dwelling units in Census Tracts Two and Three, with the understanding that the Committee will have more input in the process (Grant Control #2010-040).

Fiscal Note: There is no City match required.

Sponsors: James T. Spangenberg

Res.11-2358 Permission granted, with stipulations, to Real Racine and Ironman to use City right-of-way for the Ironman Racine 70.3 Triathlon on Sunday, July 17, 2011

Resolved, that permission be granted to Real Racine and Ironman to use City right-of-way for the Ironman Racine 70.3 Triathlon on July 17, 2011.

Further resolved, that Real Racine and Ironman be granted permission to close the following streets and to utilize certain other City streets, as indicated, on their race map, for the Ironman Racine 70.3 Triathlon to be held on Sunday, July 17, 2011:

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. Processing fee of \$50.00 be charged.
- 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. Sponsor shall be responsible for placement of all traffic control devices.

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: Gregory Holding

**Res.11-2359** Permission be granted, with stipulations, to Focus on Community to use City right-of-way for a run/walk on September 10, 2011

Resolved, that Focus on Community be granted permission to use city right-of-way for a run/walk on Saturday, September 10, 2011, from 8:30 a.m. to 10:00 a.m.

Further recommends that permission be granted with the following stipulations:

- A. A hold harmless agreement be executed. Processing fee of \$50.00 be charged.
- 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 any costs associated with bagging of parking meters.
- F. The request be granted contingent upon EVP Volleyball Championship scheduling which has occurred on this weekend in the past.

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: Gregory Holding and Terry McCarthy

**Res.11-2360** Memorandum of Understanding for the Three Mile Road Project with the Village of Caledonia be amended, the Mayor and City Clerk be authorized and directed to enter into a municipal agreement with the Village of Caledonia for the joint project, and the City Attorney and Commissioner of Public Works/City Engineer be authorized to take necessary steps for acquisition of this land for the project

Resolved, that the Memorandum of Understanding for the scope of the work for the Three Mile Road project with the Village of Caledonia be amended to reconstruct Three Mile Road from 331' west of LaSalle Street to North Main Street.

Further resolved, that the City Attorney's Office prepares a municipal agreement for the joint project between the City of Racine and Village of Caledonia, and the Mayor and City Clerk be authorized and directed to enter into this municipal agreement with the Village of Caledonia for the joint project.

Further resolved, that the City Attorney and Commissioner of Public Works/City Engineer be authorized and directed to take the necessary steps for the acquisition of land for this project.

Fiscal Note: Funds to defray the cost of land acquisition will be provided by Intergovernmental Revenue Sharing Fund.

Sponsors: Gregory Holding

**Res.11-2361** Work done by Carlson Racine Roofing & Sheet Metal, Inc., under Contract 31-10 (K0-39), Roof Replacement at 1511 Washington Avenue, be accepted and final payment authorized

Resolved, that the work work done by Carlson Racine Roofing & Sheet Metal, Inc., under Contract 31-10 (K0-039), Roof Replacement at 1511 Washington Avenue, be accepted and final payment authorized for a total contract amount of \$89,415.00.

Fiscal Note: Contract was authorized under Resolution No. 10-2017, dated May 18, 2010.

Sponsors: Gregory Holding

**Res.11-2362** Professional services provided by Industrial Roofing Services, Inc., under Contract 12-08 (K8-013), Roof Replacement at Various Facilities, be accepted and final payment authorized

Resolved, that the professional services provided by Industrial Roofing Services, Inc., under Contract 12-08 (K8-013), Professional Services - Roof Replacement at Various Facilities, be accepted and final payment authorized for a total contract amount of \$39,400.00.

Fiscal Note: Contract was authorized under Resolution No. 08-0644, dated February 20, 2008.

Sponsors: Gregory Holding

**Res.11-2363** Work done by Absolute Construction Enterprises, Inc., under Contract 1-10 (K0-001), Racine Public Library - 2nd Floor Remodeling, be accepted and final payment authorized

Resolved, that the work done by Absolute Construction Enterprises, Inc. under Contract 1-10 (K0-001), Racine Public Library - 2nd Floor Remodeling, be accepted and final payment authorized for a total contract amount of \$252,167.72.

Fiscal Note: Contract was authorized under Resolution No. 10-2005, dated

May 4, 2010.

**Sponsors:** Gregory Holding

**Res.11-2364** Professional Services provided by Nielsen Madsen & Barber S.C., under Contract 14-09 (K9-014), Design of Parks Paving Projects, be accepted and final payment authorized

Resolved, that the professional services provided by Nielsen Madsen & Barber S.C., under Contract 14-09 (K9-014), Professional Services - Design of Parks Paving Projects, be accepted and final payment authorized for a total contract amount of \$65,309.47.

**Fiscal Note:** Contract was authorized under Resolution No. 09-1225, dated February 3, 2009.

**Sponsors:** Gregory Holding

**Res.11-2365** Change Order No. 1 on Contract 25-10 (K0-030), 2010 CCTV Services and Manhole Inspection, Green Bay Pipe & TV, contractor, be approved

Resolved, that Change Order No. 1 on Contract 25-10 (K0-030), 2010 CCTV Services and Manhole Inspection, Green Bay Pipe & TV, contractor, be approved in the amount of \$18,163.42.

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

\$ 4,240.23 - Account 104.990.5420, Storm Sewer, Misc. Loc.  
\$13,923.19 - Account 287.990.5310, Sanitary Sewers, Var. Loc.  
\$18,163.42 - Total

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

**Sponsors:** Gregory Holding

**Res.11-2366** Work done by Green Bay Pipe & TV under Contract 25-10 (K0-030), 2010 CCTV Services and Manhole Inspection, be accepted and final payment authorized

Resolved, that the work done by Green Bay Pipe & TV under Contract 25-10 (K0-030), 2010 CCTV Services and Manhole Inspection, be accepted and final payment authorized for a total contract amount of \$280,571.38.

**Fiscal Note:** Contract was authorized under Resolution No. 10-2016, dated May 18, 2010.

**Sponsors:** Gregory Holding

**Res.11-2367** Work done by Mussen Brothers, Inc., under Contract 32-10 (K0-040), Storm and Sanitary CIPP Lining, be accepted and final payment authorized

Resolved, that the work done by Mussen Brothers, Inc., under Contract

32-10 (K0-040), Storm and Sanitary CIPP Lining, be accepted and final payment authorized for a total contract amount of \$346,891.10.

Fiscal Note: Contract was authorized under Resolution No. 10-2074, dated June 15, 2010.

Sponsors: Gregory Holding

**Res.11-2368** Amendment No. 2 to Contract 22-10 (K0-025), Professional Services - Design Services for City Hall Facilities Plan Implementation-Phase III, Butterfield, Rudie & Seitz, consultant, be approved

Resolved, that Amendment No. 2 to Contract 22-10 (K0-025), Professional Services - Design Services for City Hall Facilities Plan Implementation-Phase III, Butterfield, Rudie & Seitz, consultant, be approved as submitted, in the amount of \$5,600.00.

Further resolved, that funding to defray the cost of these professional services be appropriated from Account 990.210.5010, Safety Building-Update 911 Lighting.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Gregory Holding

**Res.11-2369** Change Order No. 3 on Contract 17-10 (K0-017), State Street Bridge Repairs, Zenith Tech, Inc., contractor, be approved

Resolved that Change Order No. 3 on Contract 17-10 (K0-017), State Street Bridge Repairs, Zenith Tech, Inc., contractor, be approved in the amount of \$39,508.00.

Further resolved, that funding to defray the cost of this change order be appropriated from Account 930.077.5810, State Street Lift Bridge Repairs.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Gregory Holding

**Res.11-2370** Mayor and City Clerk be authorized and directed to enter into a Professional Services Agreement with Arnold & O'Sheridan, Inc., for Parking Ramp Repair Design Services

Resolved, that the Mayor and City Clerk be authorized and directed to enter into a Professional Services Agreement with Arnold & O'Sheridan, Inc., for Parking Ramp Repair Design Services, in the not-to-exceed amount of \$39,000.00.

Further resolved, that funds to defray the cost of these professional services be appropriated from the Account 106.991.5760, Ramp Improvements-Engineering.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Gregory Holding

**Res.11-2371** Mayor and City Clerk be authorized and directed to enter into a Professional Services Agreement with Industrial Roofing Services, Inc., for Design of Roof Specifications for Street Maintenance Garage

Resolved, that the Mayor and City Clerk be authorized and directed to enter into a Professional Services Agreement with Industrial Roofing Services, Inc., for Design of Roof Specifications for the Street Maintenance Garage, in the not-to-exceed amount of \$7,500.00.

Further resolved, that funds to defray the cost of these professional services be appropriated from Account 991.630.5010, Street Maintenance Garage-Roofs 1-4.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Gregory Holding

**Res.11-2372** Relocation Order, Right-of-way Plat, and Authorization to proceed with the Acquisition of Land necessary for Douglas Avenue, be approved

Resolved, that the Relocation Order and Right-of-Way Plat for the acquisition of land necessary for the Douglas Avenue (STH32) 3 Mile Road to Goold Project, State ID: 2350-13-00, be approved.

Further resolved, that the City Attorney be authorized and directed to take the necessary steps for the acquisition of land for this project.

Fiscal Note: Funds to defray the cost of land acquisition are available in Account 989.908.5110, Douglas-Goold to Three Mile Road.

Sponsors: Gregory Holding

**Res.11-2373** Mayor and City Clerk be authorized and directed to enter into a Professional Services Agreement with AECOM Technical Services, Inc., for 2011 Sewer Management Services

Resolved, that the Mayor and City Clerk be authorized and directed to enter into a Professional Services Agreement with AECOM Technical Services, Inc., for 2011 Sewer Management Services, in the not-to-exceed amount of \$59,500.00.

Further resolved, that funds to defray the cost of these professional services be appropriated from the following accounts:

\$29,750.00 - Account 104.991.5420, Storm Sewer, Misc. Loc.  
\$29,750.00 - Account 287.991.5310, Sanitary Sewer, Var. Loc.  
\$59,500.00 - Total

Fiscal Note: Funds are available as herein delineated.

Sponsors: Gregory Holding

**Res.11-2374** Mayor and City Clerk be authorized and directed to enter into a Professional Services Agreement with AECOM Technical Services, Inc., for 2011 Racine Illicit Discharge Detection and Elimination Support Program

Resolved, that the Mayor and City Clerk be authorized and directed to enter into a Professional Services Agreement with AECOM Technical Services, Inc., for 2011 Racine Illicit Discharge Detection and Elimination Support Program, in the not-to-exceed amount of \$20,000.00.

Further resolved, that funds to defray the cost of these professional services be appropriated from Account 104.000.5330, Monitoring Detection Enforcement.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Gregory Holding

**Res.11-2375** Change Order No. 2 on Contract 50-10 (K0-064), Generator Replacement - Racine Radio Tower, Great Lakes Electric, contractor, be approved

Resolved, that Change Order No. 2 on Contract 50-10 (K0-064), Generator Replacement - Racine Radio Tower, Great Lakes Electric, contractor, be approved in the amount of \$776.73.

Further resolved, that funding to defray the cost of this change order be appropriated from Account 266.991.5010, Radio Communications Generator.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Gregory Holding

**Res.11-2376** Permission granted to Racine Vocational Ministry to revise their 2010 Community Development Block Grant (CDBG) Program Budget

Resolved, that the Racine Vocational Ministry's request to revise their 2010 Community Development Block Grant (CDBG) Program Budget be approved as submitted.

Fiscal Note: N/A

Sponsors: Jeff Coe

**Res.11-2377** Permission granted to Root River Council for allocation of funds from the Local Option Funding for "Back to the Root" Plan Implementation

Resolved, that \$34,000 be allocated from the Local Option Fund to the Root River Council for the "Back to the Root" Plan Implementation.

Fiscal Note: There are sufficient funds in the Local Option Fund for this request.

Sponsors: Jeff Coe

Res.11-2378 2011 Annual Housing and Community Development Plan be adopted as amended and submitted to the U.S. Department of Housing and Urban Development

Resolved, that the 2011 Annual Housing and Community Development Plan, as amended, be adopted, and that the Plan be submitted to the U.S. Department of Housing and Urban Development.

Further resolved, that the attached 2011 Housing and Community Development Outcomes and Objectives table be adopted as a framework for funding activities under the Plan.

Further resolved, that the following guidelines for applications and awards be adopted:

- a) The minimum award amount be \$25,000.
- b) No more than 40 percent of an organization's budget be provided by the funding through the Plan.
- c) All applications be typed.

Fiscal Note: An award of \$2,100,000 in Community Development Block Grant (CDBG), \$635,000 in HOME Housing Investment Partnerships, and \$88,100 in Emergency Shelter Grant (ESG) funding is anticipated. In addition \$649,500 in CDBG program income and \$96,000 in HOME program income is projected.

Sponsors: Jeff Coe

## L. Ordinances

Ord.1-11 ORDINANCE NO. 1-11

To amend Sec. 66-616 of the Municipal Code of the City of Racine, Wisconsin relating to Smoking-Prohibited; Prohibition of Smoking in Outdoor Areas.

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

Part 1:

Sec. 66-616 of the Municipal Code of the City of Racine is hereby amended by adding the following at the end of the section:

"2. Prohibition of Smoking in Outdoor Areas.

It shall be unlawful for any person to smoke or use tobacco products in the following areas:



City parks and beaches as posted and so designated by the Board of Parks, Recreation and Cultural Services. Signs prohibiting, prohibiting except in designated areas, or permitting smoking, as the case may be, shall be posted conspicuously at every building, structure, or public place entrance and in prominent locations throughout the premises by the proprietor, employer or other person in charge of each building, structure or public place. Signs in outdoor areas designated as nonsmoking shall be placed so that the public has reasonable notice of the prohibition.”.

Part 2:

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

Passed by the Common Council:

\_\_\_\_\_

Approved: \_\_\_\_\_

\_\_\_\_\_

Mayor

Attest:

\_\_\_\_\_

City Clerk

Fiscal Note: N/A

Sponsors: Aron Wisneski

**N. 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.