



City of Racine

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

Meeting Minutes - Final

Common Council

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

Tuesday, October 18, 2016

7:00 PM

City Hall, Room 205

A. Call To Order

PRESENT: 14 - Coe, Jones, Shields, Larrin, Smetana, DeHahn, Shakoor II, McCarthy, Wisner, Land, Perez, Morgenroth, Meekma and Lemke

EXCUSED: 1 - Weidner

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) October 4, 2016

A motion was made by Alderman Wisner, seconded by Alderman Shakoor II, that this be Adopted. The motion PASSED by the following vote:

AYES: 14 - Coe, Jones, Shields, Larrin, Smetana, DeHahn, Shakoor II, McCarthy, Wisner, Land, Perez, Morgenroth, Meekma and Lemke

EXCUSED: 1 - Weidner

D. Recognition of Domestic Violence Awareness Month

Cherie Griffin, Executive Director of the Women's Resource Center, spoke to the Common Council about Domestic Violence Awareness Month.

E. Public Comments

*The following people appeared to speak before the Common Council:
George Meyers*

F. Communications

Refer to Finance and Personnel Committee, by Ald. Shakoor

[0866-16](#)

Subject: Communication from the Human Resources Manager and the City Attorney submitting the Racine Professional Employees Association 2017 collective bargaining agreement for consideration. (Res No. 0366-16)

Recommendation of the Finance & Personnel Committee on 10/24/16: The Racine Professional Employees Association 2017 collective bargaining agreement be approved as submitted.

Fiscal Note: Approximately \$15,850 expenditure increase over 2016 as included in the proposed City of Racine 2017 Budget.

Referred to the Finance and Personnel Committee.

[0874-16](#)

Subject: Communication from the Public Health Administrator requesting permission to enter into a Contract Agreement and accept funding in the amount of \$84,109 from the Department of Health Services for Bioterrorism Focus A Planning and Cities Readiness Initiative. (Grant Control #: BIOT-00110 & CRI-00111) (Res No. 0363-16)

Recommendation of the Finance & Personnel Committee on 10/24/16: Permission be granted for the Mayor and City Clerk to enter into a Contract Agreement and to accept funding in the amount of \$84,109 from the Department of Health Services, Division of Public Health for two of the Local Public Health Departments Performance Consolidated Programs. This covers allocations of \$59,754 for Bio Terrorism A Planning and \$24,355 for Cities Readiness Initiative. The funds will be used for the continuation of programs.

Fiscal Note: There is no City match required. The grant control numbers are BIOT - #00110 & CRI - #00111.

Referred to the Finance and Personnel Committee.

[0875-16](#)

Subject: Communication from the Public Health Administrator requesting permission to sign a Contract Agreement with the Wisconsin Department of Agriculture, Trade, and Consumer Protection, authorizing the City of Racine Health Department to administer the retail food and recreational establishment program. (Res No. 0364-16)

Recommendation of the Finance & Personnel Committee on

10/24/16: Permission be granted for the Mayor and City Clerk to sign a contract agreement with the Wisconsin Department of Agriculture, Trade, and Consumer Protection authorizing the City of Racine Health Department to continue to act as an Agent as authorized by Section 97.41 and 97.615 and Wis. Admin. Code ch. ATCP 74 of the Wisconsin State statutes. This agreement would authorize the City to continue administering the retail food and recreational establishment program.

Fiscal Note: There is no City match required.

Referred to the Finance and Personnel Committee.

[0876-16](#)

Subject: Communication from the Public Health Administrator requesting permission to accept funds in the amount of \$5,000 from the Department of Health Services for the Racine County Medical Reserve Corps Unit. The funds will be used to prepare for emergency and non-emergency response. (Res No. 0365-16)

Recommendation of the Finance & Personnel Committee on

10/24/16: Permission be granted for the Mayor and City Clerk to accept funds in the amount of \$5,000 from the Department of Health Services for the Racine County Medical Reserve Corps Unit via the Public Health Emergency Preparedness Program funds from the Centers for Disease Control and Prevention Cooperative Agreement. The funds will be used to assist the Unit to recruit, train and deploy Health Professional volunteers for emergency and non-emergency response. The contract period is July 1, 2016 through June 30, 2017.

Fiscal Note: There is no City match required.

Referred to the Finance and Personnel Committee.

[0879-16](#)

Subject: Communication from the Public Health Administrator requesting permission to enter into a grant agreement and accept funding from Wisconsin Coastal Management Program (WCMP) in the amount of \$35,025 for the Samuel Myers Park restoration project. (Res No. 0362-16)

Recommendation of the Finance & Personnel Committee on

10/24/16: Permission be granted for the Mayor and City Clerk to enter into a grant agreement (AD169127-017.32) and accept funding from the Wisconsin Coastal Management Program (WCMP) in the amount of \$35,025. The funds will be used for installation of the remaining section of core walk trail and completion of dune restoration (by planting ~23,000 native dune grasses for stabilization, habitat creation and aesthetic value) at Samuel Myers Park. The contract period is July 1, 2016 - June 30, 2017

Fiscal Note: There is a City (soft) match required of \$56,067. (Grant Control #00070)

Referred to the Finance and Personnel Committee.

[0877-16](#)

Subject: Communication from the Director of City Development requesting permission to apply for a 2017 Subgrant from the Wisconsin Historical Society for a Citywide Preservation Plan. (Res No. 0360-16)

Recommendation of the Finance & Personnel Committee on 10/24/16: Permission be granted to the Director of City Development to apply for a 2017 Subgrant from the Wisconsin Historical Society to prepare a Citywide Preservation Plan. (Grant Control #00113)

Fiscal Note: There is no local match required for this grant.

Referred to the Finance and Personnel Committee.

[0878-16](#)

Subject: Communication from the Director of City Development requesting permission to apply for a 2017 Subgrant from the Wisconsin Historical Society to prepare National Register Nominations for up to four properties in the vicinity of the Orchard Street Historic District. (Res No. 0361-16)

Recommendation of the Finance & Personnel Committee on 10/24/16: Permission be granted to the Director of City Development to apply for a 2017 Subgrant from the Wisconsin Historical Society to prepare National Register Nominations for up to four properties in the vicinity of the Orchard Street Historic District. (Grant Control #00112)

Fiscal Note: There is no local match required for this grant.

Referred to the Finance and Personnel Committee.

[0886-16](#)

Subject: Communication from the Finance Director requesting to have Bradley Viegut from Robert W. Baird & Co. appear before the Finance and Personnel Committee at their next scheduled meeting on Monday, October 24, 2016 to discuss refunding the City's 2016 Note Anticipation Notes and other prior issues.

Recommendation of the Finance & Personnel Committee on 10/24/16:The refunding plan for the City's 2016 Capital Projects and other previous issues be approved as presented with an award resolution to be presented at the November 15, 2016 Common Council Meeting.

Fiscal Note: This refunding provides the long term bonding for the

City's 2016 Capital Projects and provides an estimated present value saving of \$198,786 on refunded portions of 2006, 2007, 2008 and 2011 long term debt.

Referred to the Finance and Personnel Committee.

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

[0863-16](#)

Subject: Communication from Thomas Rudey, Arthritis Foundation-Midwest Region, requesting the use of City right-of-way for the 20th Annual Jingle Bell Run For Arthritis from 6:00 A.M. to 12:00 Noon on December 3, 2016. (Res No. 0367-16)

Recommendation of the Public Works and Services Committee on 10-25-16: Permission be granted to the Arthritis Foundation-Midwest Region to close Pershing Park Drive from 6th Street to 11th Street and 6th Street from Lake Avenue to Pershing Drive for the 20th Annual Jingle Bell Run For Arthritis on December 3, 2016 from 6:00 A.M. to 12 Noon with the following stipulations:

- A. A hold harmless agreement be executed and a \$75.00 processing fee paid.
- B. A liability insurance certificate be filed prior to this event.
- C. Any overtime costs incurred by any City department be charged to the sponsor.
- D. The sponsor shall notify all abutting property owners seventy-two (72) hours in advance of this event.
- E. The sponsor shall pay a \$300.00 special event fee.
- F. If required, sponsor shall be responsible for submitting a Temporary Traffic Control Plan to the Engineering Department for approval, and providing and removing all temporary traffic control devices and detour signs.
- G. If required, sponsor shall provide a detour plan for the closure of all State connecting Highways, arterial and collector streets to the City Engineer for approval.
- H. If required, sponsor is responsible for cleaning the streets.
- I. If required, sponsor shall install parking meter hoods or temporary parking signs at least twenty-four (24) hours in advance of the event and if this is not done, sponsor is responsible for vehicle towing and parking violation expenses of the violators.

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

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

Referred to Public Works and Services Committee.

[0869-16](#)

Subject: Communication from the Assistant Commissioner of Public Works/Operations wishing to amend Municipal Code Section 82-32, Depositing Rubbish.

Recommendation of the Public Works and Services Committee on 10-25-16: Approve and recommend the City Attorney draft an ordinance to amend Section 82-32 of the Municipal Code, Depositing Rubbish, to change the period during which leaves may be placed along the curblin from September 15 through November 30, to October 1 through November 30.

Fiscal Note: N/A

Referred to Public Works and Services Committee.

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

[0852-16](#)

Subject: Application of Blazin Wings Inc., Michael T. Nape, Agent, for a **Change of Agent** for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 5880 Durand Ave. (14th District)

Recommendation of the Public Safety and Licensing Committee on 10-25-16: That the Change of Agent for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 5880 Durand Ave Blazin Wings Inc., Michael T. Nape, Agent be approved.

Fiscal Note: N/A

Referred to the Public Safety and Licensing Committee.

[0873-16](#)

Subject: Application of Easy Street 101 LLC dba Wharf 209, Keith Randolph, Agent, for a **Change of Agent** for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License at 209 Dodge Street. (4th District)

Recommendation of the Public Safety and Licensing Committee on 10-25-16: That the Change of Agent for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License at 209 Dodge Street, Keith Randolph, Agent, be approved.

Fiscal Note: N/A

Referred to the Public Safety and Licensing Committee.

G. Committee Reports

Finance and Personnel Committee Report, by Ald. Shakoor[0825-16](#)

Subject: Communication from the City Attorney requesting permission to represent officer(s) named in the lawsuit, Gerry Wilson v. Jacob Smetana (Eastern District of Wisconsin Case No. 16-C-0913). (Res No. 0345-16)

Recommendation of the Finance & Personnel Committee on 10/10/16: The City represent employees named in the lawsuit, Gerry Wilson v. Jacob Smetana (Eastern District of Wisconsin Case No. 16-C-0913).

Fiscal Note: N/A

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[0827-16](#)

Subject: Communication from the City Attorney submitting the claim of Christine Polzin for consideration.

Recommendation of the Finance & Personnel Committee on 10/10/16: That the claim of Christine Polzin be denied.

Fiscal Note: N/A

A motion was made that this Claim be Denied. The motion was APPROVED on a Voice Vote in Consent

[0834-16](#)

Subject: Communication from the City Attorney submitting the claim of Heather Krause for consideration.

Recommendation of the Finance & Personnel Committee on 10/10/16: That the claim of Heather Krause be denied.

Fiscal Note: N/A

A motion was made that this Claim be Denied. The motion was APPROVED on a Voice Vote in Consent

[0836-16](#)

Subject: Communication from the Purchasing Agent submitting bid results on Official Notice #15-2016, Four (4) Heavy Duty, Low Entry, Dual Steer Cab Truck Chassis, with 25 cubic yard high compaction rear loading refuse packer with dual refuse cart lifters. (Res No. 0345-16)

Recommendation of the Finance & Personnel Committee on 10/10/16: It is recommended that this bid be awarded to R.N.O.W. at their bid price of \$847,502.00 for four (4) Mack LR 613 with Loadmaster Excel-S 25 packers they being the low responsive,

responsible bidder. It is further recommended that we accept their offer of \$24,000.00 for our trade-ins. The net outlay for this purchase will be \$823,502.00.

Fiscal Note: Funds for this purchase are available in account 45140-57310, Solid Waste - Refuse Trucks.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[0837-16](#)

Subject: Communication from the Purchasing Agent submitting bid results on Official Notice #14-2016, Janitorial Services for Building Complex Division. (Res No. 0346-16)

Recommendation of the Finance & Personnel Committee on 10/10/16: To award this contract to Cleanco, Kristiansen Enterprise, Inc. at their bid price of \$124,930.20 for the 1st year term and the 2nd year term at their price of \$128,850.04 with the option to renew three times for additional one year terms.

Fiscal Note: Funds for these services are available in the Building Complex contracted services account 70240 52200.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

Public Works and Services Committee Report, by Ald. McCarthy

[0828-16](#)

Subject: Communication from Michael LaBelle, Racine Main Properties, LLC., requesting a Revocable Occupancy Permit, under Wis. Stat. Sec. 66.0425 for an existing stairwell, retaining walls and guardrails located in the City right-of-way at 337 S. Main Street. (Res No. 0348-16)

Recommendation of the Public Works and Services Committee on 10-11-16: That the property owner of 337 S. Main Street, Racine Main Properties, LLC., be granted permission for a Revocable Occupancy Permit, for a stairwell, retaining walls and guardrails, and a \$150.00 fee paid, in accordance with the State Statute 66.0425, Privileges in Streets.

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

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[0846-16](#)

Subject: (Direct Referral) Change Order No. 1 on Contract 20150012, 2015 Street Lighting Replacement, Vinii Solar Engineering & Electric, contractor. (Res No. 0350-16)

Recommendation of the Public Works and Services Committee on 10-11-16: That Change Order No. 1 on Contract 20150012, 2015 Street Lighting Replacement, Vinii Solar Engineering & Electric, contractor, as submitted, be approved in the amount of \$7,501.91.

Further recommends that funding to defray the cost of the change order be appropriated from Org-Object 45040-57520, Replace City Circuits.

Fiscal Note: Funds are available as herein delineated.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[0847-16](#)

Subject: Final Payment on Contract 20150012, 2015 Street Lighting Replacement, Vinii Solar Engineering & Electric, contractor. (Res No. 0351-16)

Recommendation of the Public Works and Services Committee on 10-11-16: That the work done by Vinii Solar Engineering & Electric, be accepted and final payment authorized for a total contract amount of \$134,925.91. Final Payment to include retainage.

Fiscal Note: Contract was authorized under Resolution 15-0186, dated May 5, 2015.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[0848-16](#)

Subject: Final Payment on Contract 20150060, PS - Shoring & Retaining Wall System Construction Inspection-Lake Michigan Pathway III, AECOM, consultant. (Res No. 0352-16)

Recommendation of the Public Works and Services Committee on 10-11-16: That the work done by AECOM, be accepted and final payment authorized for a total contract amount of \$10,591.24.

Fiscal Note: Contract was authorized under Resolution 15-0377, dated October 6, 2015.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[0849-16](#)

Subject: Final Payment on Contract 201400004, 3rd Party Agreement with AECOM, Lake Michigan Pathway Phase 3. (Res No. 0353-16)

Recommendation of the Public Works and Services Committee on 10-11-16: That the work done by AECOM, be accepted and final payment authorized for a total contract amount of \$262,643.48.

Fiscal Note: Contract was authorized under Resolution 12-2943, dated February 7, 2012.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[0854-16](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works wishing to discuss the annual Recycling Flyer Program. (Res No. 0349-16)

Recommendation of the Public Works and Services Committee on 10-11-16: Recommends the recycle calendar magnets be removed from the annual flyer in 2017.

Fiscal Note: Reduction of \$4,900 in 2017.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

Public Safety and Licensing Committee Report, by Ald. DeHahn

[0771-16](#)

Subject: Application of Applebee's Store No.161, Troy Clark, Agent, for a **Change of Agent** for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 2521 S. Green Bay Rd. (14th District)

Recommendation of the Public Safety and Licensing Committee on 10-11-16: That the **Change of Agent** for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 2521 S. Green Bay, Troy Clark, Agent be approved.

Fiscal Note: N/A

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[0838-16](#)

Subject: (Direct Referral) Communication from the Purchasing Agent submitting the report on the bids received for the sale of Abandoned Vehicles, September 30, 2016.

Recommendation of the Public Safety and Licensing Committee on 10-11-16: That the item be Received and Filed as the highest responsible bidder was Auto Parts City.

Fiscal Note: This will generate \$7,020.00 in revenue for account 13101 48301.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[0839-16](#)

Subject: (New) Application for a "Class B" Fermented Malt Beverage

and Intoxicating Liquor License for TGM Enterprises LLC dba Tony's Restaurant, located at 1743 State Street, Antonio Martinez, Agent. (8th District)

Recommendation of the Public Safety and Licensing Committee on 10-11-16: Application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for TGM Enterprises LLC dba Tony's Restaurant, located at 1743 State Street, Antonio Martinez, Agent be approved.

Fiscal Note: N/A

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

City Plan Commission Report, by Ald. Wiser

[0855-16](#)

Subject: (Direct Referral) Review of a request from Tedra Clark, represented by LaDonna Hadley, seeking a conditional use permit to allow for a daycare facility at 1313 High Street. (PC-16) (Res No. 0354-16)

Recommendation of the City Plan Commission 10-12-16: That the request be approved subject to conditions.

Fiscal Note: N/A

A motion was made that this Conditional Use Permit be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[0856-16](#)

Subject: (Direct Referral) Review of a request from Joe Waldow, representing Sinful Saints Studios, seeking a conditional use permit to allow for an accessory tattoo establishment at the future Espress Yourself Café to be located at 2501 Douglas Avenue. (PC-16) (Res No. 0355-16)

Recommendation of the City Plan Commission on 10-12-16: That the request be approved subject to conditions.

Fiscal Note: N/A

A motion was made that this Conditional Use Permit be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

Community Development Committee Report, by Ald. Wiser

[0850-16](#)

Subject: (Direct Referral) A request from the Department of Housing for the substitution of Neighborhood Stabilization Program 3 (NSP-3) funds for HOME funds to build a single-family house at 1920 and 1924

Slauson Avenue. (Res No. 0357-16)

Recommendation of the Community Development Committee on 10-6-16: That the request for substitution of Neighborhood Stabilization Program (NSP-3) funds for HOME funds to build a house at 1920 and 1924 Slauson Avenue be approved and that the Mayor, City Clerk, and Director of City Development, or their designee, be authorized to amend the written agreement with the Housing Department consistent with its application and federal regulations for \$235,000.00 of NSP-3 funds for the purpose of building a single-family house for sale to an eligible homeowner.

Fiscal Note: There are sufficient NSP-3 funds available to meet this request.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[0851-16](#)

Subject: (Direct Referral) A request from the Department of City Development for the re-allocation of 2016 Community Development Block Grant (CDBG) funding for Public Services-Job Skills/Training. (Res No. 0356-16)

Recommendation of the Community Development Committee on 10-6-16: To allocate the funds to organizations and city departments as follows:

\$8,000.00 to Racine Literacy Council
\$6,000.00 to Racine Vocational Ministry
\$3,450.00 to Great Lakes Community Conservation Corps

Further, that the Mayor and City Clerk be authorized to enter into contracts with the sub-recipients pursuant to the allocation and federal regulations.

Fiscal Note: This action re-allocates \$17,450.00 in 2016 Community Development Block Grant funds.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

Loan Board of Review, by Ald. Land

[0867-16](#)

Subject: (Direct Referral) Request of the Director of City Development to accept the offer of Daisy B. Young to purchase 1923 Mead St., an NSP-1 property for \$85,000. (Res No. 0358-16)

Recommendation of the Loan Board of Review on October 13, 2016: To approve the request of the Director of City Development to

accept the offer of Daisy B. Young to purchase 1923 Mead Street, an NSP-1 property for \$85,000.

Fiscal Note: The City will receive \$85,000 in proceeds minus commissions and closing costs.

A motion was made that this Application be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

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

0817-16

Subject: Communication from the Racine Rotary Club and Foundation offering the City of Racine a contribution of \$100,000 to support the construction of a permanent outdoor performance structure at Festival Park. (Res No. 0359-16)

Recommendation of the Finance & Personnel Committee on 9/26/16: To accept a \$100,000 donation from Racine Rotary Club and Foundation to support the construction of a permanent outdoor performance structure at Festival Park, and direct staff to proceed with the preparation of plans and specifications to build an outdoor stage.

Further Recommend that an official and permanent name change of "Festival Park" to "Paul. P. Harris Rotary Park" be referred to the Board of Parks Recreation & Cultural Services for their approval.

Fiscal Note: The estimated cost of construction is \$150,000.00 and will require a \$50,000.00 match from the city. Those funds will be allocated in the 2017 CIP.

Recommendation of the Board of Parks, Recreation & Cultural Services on 10/13/16: To approve Racine Rotary Club and Foundation's request to rename "Festival Park" to "Paul P. Harris Rotary Park".

Fiscal Note: N/A

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

H. Consent Resolutions

Res.0345-16

Official Notice #15-2016 - Four Heavy Duty, Low Entry, Dual Steer Cab Truck Chassis

Resolved, that Official Notice #15-2016 is awarded to R.N.O.W. at its bid price of \$847,502.00 for four (4) Mack LR 613 with Loadmaster Excel-S 25 packers, it being the low responsive, responsible bidder.

Further resolved, that the City accept its offer of \$24,000.00 for trade-ins. The net outlay for this purchase will be \$823,502.00.

Fiscal Note: Funds for this purchase are available in account 45140-57310, Solid Waste - Refuse Trucks.

Sponsors: Q.A. Shakoor II

A motion was made that this Resolution be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[Res.0346-16](#)

Official Notice #14-2016 - Janitorial Services for Building Complex Division

Resolved, that Official Notice #14-2016 for janitorial services for building complex division is awarded to Cleanco, Kristiansen Enterprise, Inc. at its bid price of \$124,930.20 for the 1st year term and the 2nd year term at its price of \$128,850.04 with the option to renew three times for additional one year terms.

Fiscal Note: Funds for these services are available in the Building Complex contracted services account 70240 52200.

Sponsors: Q.A. Shakoor II

A motion was made that this Resolution be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[Res.0347-16](#)

Gerry Wilson v. Jacob Smetana (Case No. 16-C-0913)

Resolved, that the request of the City Attorney to represent employees named in the lawsuit, *Gerry Wilson v. Jacob Smetana* (Eastern District of Wisconsin Case No. 16-C-0913) is approved.

Fiscal Note: N/A

Sponsors: Q.A. Shakoor II

A motion was made that this Resolution be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[Res.0348-16](#)

Revocable Occupancy Permit at 337 S. Main Street

Resolved, that the property owner of 337 S. Main Street, Racine Main Properties, LLC., is granted permission for a Revocable Occupancy Permit, for an existing stairwell, retaining walls and guardrails, and a \$150.00 fee paid, in accordance with the State Statute 66.0425, Privileges in Streets.

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

Sponsors: Q.A. Shakoor II

A motion was made that this Resolution be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[Res.0349-16](#)

Annual Recycling Flyer Program

Resolved, that the recycle calendar magnets are to be removed from the annual flyer in 2017.

Fiscal Note: This will result in a reduction of \$4,900.00 in 2017.

Sponsors: Terry McCarthy

A motion was made that this Resolution be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[Res.0350-16](#)

Change Order No. 1 on Contract 20150012, 2015 Street Lighting Replacement

Resolved, that Change Order No. 1 on Contract 20150012, 2015 Street Lighting Replacement, Vinii Solar Engineering & Electric, contractor, as submitted, is approved in the amount of \$7,501.91.

Fiscal Note: Funding to defray the cost of the change order be appropriated from Org-Object 45040-57520, Replace City Circuits.

Sponsors: Terry McCarthy

A motion was made that this Resolution be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent.

[Res.0351-16](#)

Final Payment on Contract 20150012, 2015 Street Lighting Replacement

Resolved, that the work done by Vinii Solar Engineering & Electric, is accepted and final payment authorized for a total contract amount of \$134,925.91. Final Payment to include retainage.

Fiscal Note: Contract was authorized under Resolution 15-0186, dated May 5, 2015.

Sponsors: Terry McCarthy

A motion was made that this Resolution be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent.

[Res.0352-16](#)

Final Payment on Contract 20150060, PS - Shoring & Retaining Wall System Construction Inspection-Lake Michigan Pathway III

Resolved, that the work done by AECOM Technical Services, Inc., is accepted and final payment authorized for a total contract amount of \$10,591.24.

Fiscal Note: Contract was authorized under Resolution 15-0377, dated October 6, 2015.

Sponsors: Terry McCarthy

A motion was made that this Resolution be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[Res.0353-16](#)

Final Payment on Contract 201400004, 3rd Party Agreement for Lake Michigan Pathway Phase 3

Resolved, that the work done by AECOM Technical Services, Inc., is accepted and final payment authorized for a total contract amount of \$262,643.48.

Fiscal Note: Contract was authorized under Resolution 12-2943, dated February 7, 2012.

Sponsors: Terry McCarthy

A motion was made that this Resolution be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[Res.0354-16](#)

Child Care Facility at 1313 High Street

Resolved, that the request by Tedra Clark to operate a 24/7 child care facility at 1313 High Street is approved, subject to the following conditions:

- a. That the plans presented at the October 12, 2016 Plan Commission meeting be approved, subject to the conditions contained herein.
- b. That all codes and ordinances be complied with and all required permits be obtained.
- c. That within 30 days of final approval, the applicant shall provide copies of State permits authorizing the facility to operate at this location for the hours requested to the Department of City Development.
- d. That the Commission authorizes this facility to operate 24 hours a

day, 7 days per week.

e. That the applicant shall provide details related to property security and surveillance to the Department of City Development for review prior to issuance of an occupancy permit.

f. That the parking lot shall be treated for weeds and striped according to the site plan, with any missing wheel stops, striping and markings, handicapped signage, etc., shall be completed prior to issuance of an occupancy permit.

g. That the area presented for storage for trash and recyclables will be further reviewed. If the area proposed is inadequate, the applicants agree to work with Staff on an alternative location and to provide proper screening to meet the screening development standards. This issue shall be addressed and rectified prior to issuance of an occupancy permit.

h. That further review of all fencing and screening areas installed shall take place for legality concerning permits as well as appropriateness and appearance. The applicants agree to work with Staff on this issue, and agree to make modifications determined to be necessary by code and for enhanced appearance for the site.

i. That the curb-cut off Charles Street be designated as "Entry Only," and the curb cut along High Street be designated as "Exit Only," prior to issuance of an Occupancy certificate.

j. That Staff shall further review the lighting information provided for completeness, and the amount of lighting within the site for appropriateness. The applicant agrees to work with Staff on the issue of lighting, and will provide additional information if needed. Further, the applicants agree to remove and/or fully shield fixtures if it is determined the lighting is excessive for the use and intrusive to neighboring process. This shall commence and be completed prior to issuance of an occupancy permit.

k. That landscaped areas shall be cleaned out and maintained, and a landscaping plan shall be presented to the Department of City Development for review and approval for those areas identified as needing new or additional plantings, prior to issuance of an occupancy permit.

l. The teller islands under the canopy shall be removed prior to issuance of an occupancy permit.

m. That if, prior to the issuance of an Occupancy Permit, required site improvements have not been or cannot be completed due to weather, a financial surety shall be provided to the City. The surety shall be in a format as approved by the City Attorney's office, and subject to all stipulations as identified for financial sureties in the City of Racine. The dollar amount shall be determined at the time of application based upon estimates provided by the applicants for any incomplete work, and shall be valid for no less than one year from the date of issuance.

n. That no major changes be made from the conditions of this permit without the approval of the Plan Commission and no major changes be made from the conditions of this permit without the approval of the Common Council.

o. That this permit is subject to review by the Plan Commission for compliance with the listed conditions.

Fiscal Note: N/A

Sponsors: Dennis Wisner

A motion was made that this Resolution be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[Res.0355-16](#)

Accessory Tattoo Establishment at 2501 Douglas Avenue

Resolved, that the request from Joe Waldow, representing Sinful Saints Studios, seeking a conditional use permit to allow for an accessory tattoo establishment at the future Express Yourself Café to be located at 2501 Douglas Avenue is approved, subject to the following conditions:

a. That the plans presented at the October 12, 2016 Plan Commission meeting be approved, subject to the conditions contained herein.

b. That all codes and ordinances be complied with and all required permits be obtained.

c. That the conditional use permit for an accessory use tattoo establishment at this location shall be revoked on May 31, 2017 if the principal use café establishment is not implemented at this location by May 31, 2017.

d. That the hours of operation of the principal use café establishment shall be from 6:00 a.m. to 6:00 p.m. daily.

e. That the hours of operation of the accessory use tattoo establishment shall be from 12:00 noon to 10:00 p.m., Sunday through Thursday, and from 12:00 noon to 11:00 p.m. Friday and Saturday. All customers shall leave the premises within ½ hour of the closing time.

f. That all tattoo applications shall be conducted outside of the general public's view from the street or sidewalk.

g. That prior to the issuance of an occupancy permit for the accessory use tattoo establishment, or the principal use café establishment, the following shall be provide to the Director of City Development for review and approval:

1. A written agreement demonstrating the provision of adequate off-street parking for all employees of each component to occupy this property (café establishment and tattoo establishment),

2. A façade repair and painting plan that illustrates repair of soffit lighting, repair of damage faced components (wood trim, stucco surfaces, other) and proposed colors,

3. A signage plan for both businesses that shall include the execution of a hold harmless agreement for any signage projecting into the City public right-of-way,

4. A landscaping plan indicating design location of decorative planters and types and sizes of anticipated plantings,

5. A trash and recyclables handling plan and, if applicable, screening plan.

h. That if, prior to the issuance of an Occupancy Permit, the requirements of condition "d" above have not been or cannot be completed, a financial surety shall be provided to the City. The surety shall be in a format as approved by the City Attorney's office, and subject to all stipulations as identified for financial sureties in the City of Racine. The dollar amount shall be determined at the time of application based upon estimates provided by the applicants for any incomplete work, and shall be valid for no less than one year from the date of issuance.

i. That parking and operational hours shall be monitored and reviewed on a yearly basis, or sooner if warranted, for conflicts or complaints.

j. That regardless of a time period provided for by the financial surety described in condition "e" above, all requirements of conditions "d" above shall be provided and/or completed by May 31, 2017.

k. That no minor changes be made from the conditions of this permit without the approval of the Plan Commission and no major changes be made from the conditions of this permit without the approval of the Common Council.

l. That this permit is subject to review by the Plan Commission for compliance with the listed conditions.

Fiscal Note: N/A

Sponsors: Dennis Wiser

A motion was made that this Resolution be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[Res.0356-16](#)

Re-allocation of 2016 Community Development Block Grant (CDBG) funding for Public Services-Job Skills/Training

Resolved, that the request to allocate 2016 Community Development Block Grant funding to organizations and city departments is approved as follows:

\$8,000.00 to Racine Literacy Council
\$6,000.00 to Racine Vocational Ministry
\$3,450.00 to Great Lakes Community Conservation Corps

Further resolved, that the Mayor and City Clerk are authorized to enter into contracts with the sub-recipients pursuant to the allocation and federal regulations.

Fiscal Note: This action re-allocates \$17,450.00 in 2016 Community Development Block Grant funds.

Sponsors: Dennis Wiser

A motion was made that this Resolution be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[Res.0357-16](#)

Build House at 1920 and 1924 Slauson Avenue

Resolved, that the request for substitution of Neighborhood Stabilization Program (NSP-3) funds for HOME funds to build a house at 1920 and 1924 Slauson Avenue is approved.

Further resolved, that the Mayor, City Clerk, and Director of City Development, or their designee, be authorized to amend the written agreement with the Housing Department consistent with its application and federal regulations for \$235,000.00 of NSP-3 funds for the purpose of building a single-family house for sale to an eligible homeowner.

Fiscal Note: There are sufficient NSP-3 funds available to meet this request.

Sponsors: Dennis Wiser

A motion was made that this Resolution be Approved as Presented. The

motion was **APPROVED** on a Voice Vote in Consent

[Res.0358-16](#)

Purchase of 1923 Mead Street

Resolved, that the request of the Director of City Development to accept the offer of Daisy B. Young to purchase 1923 Mead Street, NSP-1 property is approved.

Further resolved, that the Mayor, the City Clerk, and the Director of City Development are authorized to execute any documents necessary to complete the sale.

Fiscal Note: The City will receive \$85,000.00 in proceeds minus commissions and closing costs.

Sponsors: Mary Land

A motion was made that this Resolution be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[Res.0359-16](#)

Racine Rotary Club and Foundation Contribution for Permanent Outdoor Performance Structure at Festival Park

Resolved, that the City accept a \$100,000.00 donation from the Racine Rotary Club and Foundation to support the construction of a permanent outdoor performance structure at Festival Park.

Further resolved, that staff proceed with the preparation of plans and specifications to build an outdoor stage.

Further resolved, that the request of the Racine Rotary Club and Foundation for an official and permanent name change of "Festival Park" to "Paul. P. Harris Rotary Park" is approved.

Further resolved, that the City will consider the Racine Rotary Club and Foundation's request to develop and install at their expense, outdoor signage, sculpture, and indoor interpretive exhibits that share the history of the Rotary in Racine when details of those proposals are presented.

Fiscal Note: The estimated cost of construction is \$150,000.00 and will require a \$50,000.00 match from the City. Those funds will be allocated in the 2017 CIP.

Sponsors: Mary Land

A motion was made that this Resolution be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

I. Common Council Vote on Consent Agenda (Communications, Committee Reports, Resolutions)

Council Action on Consent Agenda Items

A motion was made by Alderman Dennis Wiser, seconded by Alderman Q.A. Shakoor II, that this be Adopted by the following vote

AYES: 14 - Coe, Jones, Shields, Larrin, Smetana, DeHahn, Shakoor II, McCarthy, Wiser, Land, Perez, Morgenroth, Meekma and Lemke

EXCUSED: 1 - Weidner

J. Ordinances

[Ord.0005-16](#)

Ordinance 05-16 - Created; Composition

To revise and amend Sec. 2-276. - Created; Composition in Chapter 2 - Administration, Article III - Boards, Committees, Commissions, Division 9. - Traffic Commission of the Municipal Code of the City of Racine, Wisconsin.

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

Part 1: Revise Sec. 2-276. - Created; Composition of the Municipal Code of the City of Racine, Wisconsin, by repealing the words “the chairman” in the first sentence and replacing it with “a member.”

Part 2: Amend Sec. 2-276. - Created; Composition of the Municipal Code of the City of Racine, Wisconsin, by adding the following after the last sentence:

“The public works and services committee shall select an alderman from among its membership, to serve on the traffic commission, at its first meeting following the common council’s annual organizational meeting.”

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

Passed by the Common Council:

Approved:

Mayor

Attest:

City Clerk

Fiscal Note: N/A

Sponsors: Terry McCarthy

Referred to Committee of the Whole

K. Common Council Announcements

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

L. Adjourn

Mayor Dickert adjourned the meeting at 7:32 pm. The next scheduled meeting of the Council is Tuesday, November 1, 2016.

ATTEST: JANICE M. JOHNSON-MARTIN
CITY CLERK