



City of Racine

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

Meeting Minutes - Final Common Council

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

Tuesday, July 20, 2010

7:00 PM

Room 205, City Hall

A. Call To Order

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

B. Pledge of Allegiance To The Flag

Mayor Dickert led the Council in the Pledge of Allegiance to the Flag.

C. Approval of Journal of Council Proceedings (Minutes)

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

D. Public Comments

Sue DeKeuster
Virginia Miller
Dick Chester

E. Communications

Refer to Finance and Personnel Committee, by Ald. Spangenberg

[10-5306](#)

Subject: Communication from the City Attorney submitting the claim of Debra Larson for consideration.

Recommendation of the Finance & Personnel Committee on 7-26-10: The claim of Debra Larson, 1405 Warwick Way, 53406, requesting reimbursement in the amount of \$81.42 for tire replacement after she allegedly drove over road tar in the 4900 block

of Washington Avenue on May 26, 2010 be denied.

Fiscal Note: N/A

Referred to Finance and Personnel Committee

[10-5307](#)

Subject: Communication from the City Attorney submitting the claim of James Wenzell for consideration.

Recommendation of the Finance & Personnel Committee on

7-26-10: The claim of James Wenzell, 1347 West Blvd., 53405, requesting reimbursement in the amount of \$1,720.20 for vehicle repairs after he allegedly crested the top of the hill on Chicago Street and broke a window on June 7, 2008 be denied.

Fiscal Note: N/A

Referred to Finance and Personnel Committee

[10-5361](#)

Subject: Communication from the City Attorney submitting the claim of Gary Haas and Sharon Haas for consideration.

Recommendation of the Finance & Personnel Committee on

7-26-10: The claim of Gary & Sharon Haas, 1316 Cleveland Ave., 53405, requesting reimbursement in the amount of \$229.11 for a door that was allegedly broken during the execution of a search warrant on June 29, 2010 be denied.

Fiscal Note: N/A

Referred to Finance and Personnel Committee

[10-5367](#)

Subject: Communication from the Director of Parks, Recreation and Cultural Services requesting permission to accept a donation of \$5,000.00 from Caron Butler for the 2010 Juneteenth Celebration that was held on June 19, 2010 at the Dr. John Bryant Community Center.

Recommendation of the Finance & Personnel Committee on

7-26-10: Permission be granted for the Department of Parks, Recreation and Cultural Services to accept a donation of \$5,000.00 from Caron Butler for the 2010 Juneteenth Celebration that was held on June 19, 2010 at the Dr. John Bryant Community Center and that an appropriate letter of thanks be sent.

Fiscal Note: N/A

Referred to Finance and Personnel Committee

[10-5381](#)

Subject: Communication from the Public Health Administrator

requesting permission to accept \$71,541 from the Department of Health Services for Centers for Disease Control (CDC) Preparedness. (Grant Control #2010-027) (Res.10-2135)

Recommendation of the Finance & Personnel Committee on

7-26-10: Permission be granted for the Public Health Administrator to accept \$71,541 from the Department of Health Services for Centers for Disease (CDC) Preparedness. (Grant Control #2010-027)

Fiscal Note: No City match required.

Referred to Finance and Personnel Committee

10-5382

Subject: Communication from the Purchasing Agent wanting to discuss Official Notice #8 Razing and Removal of Residential Buildings located at 716 - 17th Street and 720 - 17th Street. (Res.10-2133)

Recommendation of the Finance & Personnel Committee on

7-26-10: That the bid be awarded to Azar, LLC. at their bid price of \$27,334.00

Fiscal Note: The cost would be \$27,334.00. Funds for this project are available in accounts 895.020.5510 and 804.011.5310.

Referred to Finance and Personnel Committee

10-5383

Subject: Communication from the Alderman of the First District requesting to transfer funds within Car 25 budget from Professional Services Account 203-000-5610 into Furniture and Equipment under \$5,000 account 203-000-5430. (Res.10-2132)

Recommendation of the Finance & Personnel Committee on

7-26-10: To approve the transfer of \$40,000 within the CAR25 budget from Professional Services Account 203-000-5610 into Furniture and Equipment under \$5,000 account 203-000-5430.

Fiscal Note: Funds are available for the transfer.

Referred to Finance and Personnel Committee

10-5387

Subject: Communication from the Alderman of the 2nd District requesting that the Common Council waive the fees charged to him for access to records relating to Countryside Humane Society from 11/2004-7/13/2010 provided to Marcia Fernholz in her capacity as a member of the Countryside Humane Society Board of Directors by the Mayor of the City of Racine.

Recommendation of the Finance & Personnel Committee on

7-26-10: To deny the request.

Fiscal Note: N/A

Referred to the Finance and Personnel Committee

10-5388

Subject: Communication from the Public Health Administrator requesting the reclassification of an existing Health Department Laboratory Limited Term Employee (LTE) position to a full time position due to a change in responsibilities.

Recommendation of the Finance & Personnel Committee on

7-26-10: Permission be granted to reclassify an existing Health Department Laboratory Limited Term Employee (LTE) position to a full time position.

Fiscal Note: Increasing the position from 32 to 40 hours per week will result in additional annual salary and fringe benefits of approximately \$8,900 and health insurance of approximately \$14,300. Funding to cover these additional costs will be provided from grant funds, the Storm Water Utility and direct revenue generation. There will be no additional cost to the City for tax levy purposes.

Referred to the Finance and Personnel Committee

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

10-5355

Subject: Communication from the Assistant Commissioner of Public Works/Engineering requesting a relocation order for 3215 Douglas Avenue for the Douglas "STH32" Goold Street to 3 Mile Road project, WISDOT ID: 2350-13-70. (Res.10-2125)

Recommendation of the Public Works and Services Committee

on 7-27-10: That the City Attorney be authorized and directed to file a relocation order for 3215 Douglas Avenue and to proceed with acquisition of the property needed for the State Highway 32 Reconstruction Project.

Further recommends that funding for this acquisition is available in Account 989.908.5110, Douglas-Goold to 3 Mile.

Fiscal Note: Funds are available as herein delineated.

Referred to Public Works and Services Committee

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

10-5296

Subject: Communication from the Director of Parks, Recreation and

Cultural Services to meet with the Public Safety and Licensing Committee to request final payment for preparing plans and specifications and project administration for window and door replacement at the Tyler-Domer and Dr. King Community Centers and Park Service Center. (Res.10-2131)

Recommendation of the Public Safety and Licensing Committee on 7-26-10: To approve the request for final payment for preparing plans and specifications and project administration for window and door replacement at the Tyler-Domer and Dr. King Community Centers and Park Service Center.

Fiscal Note: \$10,000 from account 989.670.5010.

Referred to Public Safety and Licensing Committee

[10-5386](#)

Subject: Communication from Joey Legath, Agent for Joey's on Taylor, 1863 Taylor Avenue wishing to amend his Premise Description to include the adjacent parking lot.

Recommendation of the Public Safety and Licensing Committee on 07-26-10: That the request for Joey Legath, Agent for Joey's on Taylor, 1863 Taylor Avenue wishing to amend his Premise Description to include the adjacent parking lot be approved.

Fiscal Note: N/A

Referred to the Public Safety and Licensing Committee

Refer to Committee of the Whole, by Ald. Coe

[10-5385](#)

Subject: Communication from the Alderman of the 2nd District requesting to discuss NSP funded housing.

Referred to Committee of the Whole

F. Committee Reports

Finance and Personnel Committee Report, by Ald. Spangenberg

[10-5302](#)

Subject: Communication from Greater St. Luke's Baptist Church requesting waiver of fees for North Beach Park for their Belle City Backyard BBQ event on August 14 & 15, 2010.

Recommendation of the Finance & Personnel Committee on 7-12-10: Item to be received and file because there is an existing

policy for charities and nonprofit organizations to have lower rates.

Fiscal Note: N/A

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

10-5318

Subject: Communication from the Public Health Administrator requesting to accept funding in the amount of \$7,948 from the State of Wisconsin, Department of Natural Resources for beach monitoring. (Grant Control No. 2010-026) (Res.10-2119)

Recommendation of the Finance & Personnel Committee on

7-12-10: The Mayor and City Clerk be authorized and directed to enter into a \$7,948 grant agreement with the State of Wisconsin, Department of Natural Resources (Grant Control No. 2010-026) to be utilized for beach monitoring.

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

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

10-5335

Subject: Communication from the Director of City Development requesting the City provide financial assistance to Human Capital Development Corporation/First Choice Pre-Apprenticeship Training for the purchase of property.

Recommendation of the Finance & Personnel Committee on

7-12-10: Item to be received and filed.

Fiscal Note: N/A

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

10-5347

Subject: Ordinance No. 11-10 to amend Sec. 46-28 of the Municipal Code of the City of Racine, Wisconsin relating to purchases over \$25,000; advertising for bids, and to create Sec. 46-39 of the Municipal Code of the City of Racine, Wisconsin relating to procurement of professional services.

Recommendation of the Finance & Personnel Committee on

7-12-10: To adopt Ordinance No. 11-10.

Fiscal Note: N/A

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

Council Action

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

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

EXCUSED: 1 - Hart

Public Works and Services Committee Report, by Ald. Holding10-5266

Subject: Communication from Emmaus Evangelical Lutheran Church requesting to close the 1900 block of Summit Avenue on July 24-25, 2010 for a festival. (Res.10-2104)

Recommendation of the Public Works and Services Committee on 7-13-10: That Emmaus Lutheran Church be granted permission to close Summit Avenue from English Street to Yout Street, and English Street from Summit Avenue to Carlisle Avenue, on Saturday, July 24, 2010, from 2:00 p.m. to 9:00 p.m., and Sunday, July 25, 2010, from 10:00 a.m. to 7:00 p.m., for their Kermes International festival.

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 a \$300.00 special event fee.

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.

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

10-5316

Subject: (Direct Referral) Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 17-09 (K9-017), Design Osborne Ravine Sanitary Sewer Abatement & Structural Repair, AECOM. (Res.10-2108)

Recommendation of the Public Works and Services Committee

on 7-13-10: That the professional services provided by AECOM Technical Services, Inc., under Contract 17-09 (K9-017), Design Osborne Ravine Sanitary Sewer Abatement & Structural Repair, be accepted and final payment authorized for a total contract amount of \$75,157.17.

Fiscal Note: Contract was authorized under Resolution No. 09-1228, dated February 3, 2009.

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

10-5326

Subject: Communication from Kenny's on Main requesting to close Hubbard Street from Main to Wisconsin on July 31, 2010 for a bike show/bike wash to benefit the Wounded Warriors Project.
(Res.10-2105)

Recommendation of the Public Works and Services Committee

on 7-13-10: Permission be granted to Kenny's on Main, 1300 N. Main Street, to close Hubbard Street from Main Street to Wisconsin Avenue, on Saturday, July 31, 2010, from 8:00 a.m. to 8:00 p.m., for their 2nd Annual Bike Show/Bike Wash to benefit the Wounded Warriors Project, 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. No alcoholic beverages will be sold and/or dispensed within the street right-of-way.
- F. Any tents placed on the public right-of-way shall not be anchored by any means to the roadway surface.
- G. The sponsor shall pay a \$250.00 special event fee.

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, in implementing this event.

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

10-5342

Subject: (Direct Referral) Communication from the Public Health

Director requesting permission to allow a farmer's market to be held in the parking lot directly behind City Hall. (Res.10-2110)

Recommendation of the Public Works and Services Committee

on 7-13-10: That a Farmer's Market be allowed to be held by City Hall, as needed, through December 31, 2010 with the following stipulations:

- A. A maximum of 2 vendors be allowed to occupy a maximum of 4 public parking spaces in the City Hall parking lot.
- B. A Hold Harmless Agreement be executed.
- C. That vendors only be allowed to sell fruits and vegetables.
- D. That vendors acquire all necessary licenses required by Municipal Code and compliance be verified by the Health Department.

Fiscal Note: N/A

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

[10-5348](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 55-09 (K9-056), Professional Services-Safety Building Precast Panel Repairs, Industrial Roofing Services, Inc., consultant. (Res.10-2109)

Recommendation of the Public Works and Services Committee

on 7-13-10: That the professional services provided by Industrial Roofing Services, Inc., under Contract 55-09 (K9-056), Professional Services - Safety Building Precast Panel Repairs, be accepted and final payment authorized for a total contract amount of \$4,900.00.

Fiscal Note: Contract was authorized under Resolution No. 09-1528, dated July 21, 2009.

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

[10-5357](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works/City Engineer requesting that Res. 06-7236, dated September 19, 2006, be amended to authorize the Commissioner of Public Works/City Engineer, or his designee, to submit grant applications to the State of Wisconsin Department of Natural Resources as required for the recycling program. (Res.10-2107)

Recommendation of the Public Works and Services Committee

on 7-13-10: That Resolution 06-7236, dated September 19, 2006, be

amended to authorize Thomas M. Eeg, Assistant Commissioner of Public Works/Operations, to act on the city's behalf to submit a grant application to the State of Wisconsin Department of Natural Resources for financial assistance for the recycling program.

FISCAL NOTE: N/A

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

10-5358

Subject: (Direct Referral) Communication from Spectrum Engineering, Inc. submitting an update to the proposed storm sewer catchbasin system at the InSinkEerator's east loading dock. (Res.10-2106)

Recommendation of the Public Works and Services Committee on 7-13-10: That permission be granted to InSinkEerator to install a storm sewer system in the public right-of-way of Ohio Street near 21st Street, as requested, with the following stipulations:

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

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

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

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

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

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

Council Action

A motion was made by Gregory Holding that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

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

EXCUSED: 1 - Hart

Public Safety and Licensing Committee Report, by Ald. Wisneski

10-4800

Subject: Communication from the Alderman of the 15th District

requesting video cameras to monitor crime at 6th Street from Main to Grand Avenue and Main Street from State to 6th Street.

Recommendation of the Public Safety & Licensing Committee on 3-8-10: That the item be deferred and the alderman work with the police department on a solid proposal and bring the item back to committee at that time.

Recommendation of the Public Safety & Licensing Committee on 7-12-10: That the item be received and filed.

Fiscal Note: N/A

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

[10-5243](#)

Subject: Ordinance No. 10-10

To amend Sec. 18-369(c) and create 18-369(e), (f) and (g) of the Municipal Code of the City of Racine, Wisconsin relating to Building Code - Chimneys and Fireplaces; Outdoor fireplaces and outdoor cooking facilities.

Recommendation of the Public Safety and Licensing Committee on 6-7-10: That the ordinance be deferred.

Recommendation of the Public Safety and Licensing Committee on 6-21-10: That the ordinance be received and filed.

Fiscal Note: N/A

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

[10-5252](#)

Subject: (New) Application of Ali Fade for a "Class A" Retail Fermented Malt Beverage and Intoxicating Liquor License for 1949 Racine Street. (2nd District)

Recommendation of the Public Safety and Licensing Committee on 6-21-10: To defer consideration of this matter pending completion of the requested paperwork.

Recommendation to the Public Safety and Licensing Committee on 7-12-10: That the application of Ali Fade for a "Class A" Retail Fermented Malt Beverage and Intoxicating Liquor License for 1949 Racine be approved.

Fiscal Note: N/A

Alderman Maack requested that item 10-5252 be considered separately.

Alderman Maack made a motion to amend the recommendation to include no single sell of bottles and cans of malt beverage. The motion was seconded by Alderman Holding and the amendment passed by the following vote:

AYES: Maack, McCarthy, Spangenberg, Weidner, Wiser, Wisneski, Coe and Holding

NOES: Marcus, Mozol, Shakoor, Shields, DeHahn and Kaplan

EXCUSED: Hart

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

AYES: 8 - Coe, Wiser, Maack, Weidner, Wisneski, McCarthy, Holding and Spangenberg

NOES: 6 - Shakoor, II, Marcus, Shields, Kaplan, DeHahn and Mozol

EXCUSED: 1 - Hart

10-5295

Subject: Communication from the Director of Parks, Recreation and Cultural Services to meet with the Public Safety & Licensing Committee to request final payment for Contract 50-09 (K9-051) Parks and Parking System Improvements Project (R1), by O&M Excavation and Grading, Inc. of Union Grove. (Res.10-2114)

Recommendation to the Public Safety and Licensing Committee on 7-12-10: That final payment for Contract 50-09 (K9-051) Parks and Parking System Improvements Project (R1), by O&M Excavation and Grading, Inc. of Union Grove be approved.

Fiscal Note: Funds should be delineated from the following accounts: 988.700.5020, Lincoln Parking Lot Asphalt, \$12,163.90; 988.700.5030, Lockwood Parking Lot Asphalt, \$158,394.50; 988.740.5020, Blacktop Paths through Zoo, \$14,919.00; 106.989.5750, Land Improvements, Parking Lot Repairs, \$15,519.70; 107.000.5750, Golf Land Improvements-Johnson Parking Lot, \$102,093.41; 207.000.5750,(2008) Cemetery Land Improvement-Roads and Walks 2008, \$24,399.00; 207.000.5750,(2009) Cemetery Land Improvement-Roads and Walks 2008, \$28,322.34; 989.690.5010, Lakeview Basketball Court, \$19,055.40; 989.740.5010, Blacktop Paths through Zoo, \$15,000.00; 786.000.5900, Lockwood Basketball Court, \$17,911.65.

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

10-5297

Subject: Communication from Police Chief requesting to apply for 2010 SPA-NTOA Trijicon Grant (Grant Control No. 2010-025). (Res.10-2113)

Recommendation of the Finance & Personnel Committee on 7-12-10: Permission be granted for the Chief of Police to apply for the

2010 SPA-NTOA Trijicon Grant (Grant Control No. 2010-025) to be utilized for five (5) gun sights and mounts for SWAT weapons.

Recommendation to the Public Safety and Licensing Committee on 7-12-10: That permission be granted for the Chief of Police to apply for the 2010 SPA-NTOA Trijicon Grant (Grant Control No. 2010-025) to be utilized for five (5) gun sights and mounts for SWAT weapons.

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

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

10-5328

Subject: (Direct Referral) Communication from the Purchasing Agent submitting the report of bids received on the sale of abandoned vehicles 06-28-2010.

Recommendation of the Public Safety & Licensing Committee on 7-12-2010: That the item be Received and Filed.

Fiscal Note: This will generate \$3,551.01 in Revenue.

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

10-5356

Subject: Communication from Joey LeGath wishing to amend the premise description at Joey's On Lathrop, 2054 Lathrop Avenue.

Recommendation to the Public Safety and Licensing Committee on 7-12-10: That the request of Joey's On Lathrop, 2054 Lathrop Avenue to amend his premise description to include the stamped concrete area be approved.

Fiscal Note: N/A

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

Council Action

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

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

EXCUSED: 1 - Hart

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

10-5259

Subject: Communication from the Director of Parks, Recreation & Cultural Services to amend Ordinance 70-90, Animals Prohibited, to allow for dogs on leash on the Lake Michigan and Root River pathways. (Ord.14-10)

Recommendation of the Board of Parks, Recreation & Cultural Services 7-14-10 : To approve to amend Ordinance 70-90, Animals Prohibited, to allow for dogs on leash on the Lake Michigan and Root River pathways.

Fiscal note: N/A

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

10-5253

Subject: Communication from Focus on Community requesting to use city right-of-way for a run/walk on October 2, 2010, from 8:30 a.m. to 10:00 a.m., in conjunction with Party on the Pavement. (Res.10-2093)

Recommendation of the Public Works and Services Committee on 6-29-10: That Focus on Community be granted permission to use city right-of-way for a run/walk on Saturday, October 2, 2010, from 8:30 a.m. to 10:00 a.m., in conjunction with Party on the Pavement.

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 and Cultural Services 7-14-10: To receive and file the Communication from Focus

on Community requesting to use city right-of-way for a run/walk on October 2, 2010, from 8:30 a.m. to 10:00 a.m.

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

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

[10-5256](#)

Subject: Communication from the Director of Parks, Recreation and Cultural Services to discuss the State of Wisconsin's acquisition of 7 square feet of land from Douglas Park for sidewalk improvements as part of the reconstruction of Douglas Avenue. (Res.10-2115)

Recommendation of the Board of Parks, Recreation & Cultural Services 7-14-10: To allow the State of Wisconsin's acquisition of 7 square feet of land from Douglas Park for sidewalk improvements as part of the reconstruction of Douglas Avenue.

Fiscal note: To be determined

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

[10-5257](#)

Subject: Communication from Alderman Kaplan requesting sufficient No Parking signage along Hoffert Drive from Barker Street to English Street be installed and the municipal codes updated if necessary.

Recommendation of the Board of Parks, Recreation & Cultural Services 7-14-10: To refer street vacation to the Public Works and Services Committee, as well as instructing Parks, Recreation, and Cultural Services' staff to add appropriate signage along Hoffert Drive.

Fiscal note: There will be nominal costs for signage.

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

[10-5300](#)

Subject: Communication from the Director of Parks, Recreation and Cultural Services requesting permission to accept a \$3,000.00 grant from the DNR (City Grant Control # 2010-011) for Aquatic Invasive Species Removal. (Res.10-2116)

Recommendation of the Board of Parks, Recreation & Cultural Services 7-14-10: To accept the \$3,000.00 grant from the DNR (City Grant Control # 2010-011) for Aquatic Invasive Species Removal.

Fiscal Note: \$3,000.00 grant received from the DNR. The City will have approximately \$1,000.00 in kind per terms of the grant.

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

[10-5321](#)

Subject: Communication from the Director of Parks, Recreation and Cultural Services requesting permission to enter into an agreement with the Downtown Racine Corporation to provide supervision and related services of the Laurel Clark Memorial Fountain/Splash Pad. (Res.10-2117)

Recommendation of the Board of Parks, Recreation & Cultural Services 7-14-10: To approve the request to enter into an agreement with the BID Board to provide supervision and related services of the Laurel Clark Memorial Fountain/Splash Pad.

Fiscal note: No fiscal impact on City Budget

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

[10-5339](#)

Subject: Communication from Kailey Husby, Milwaukee Wave requesting to use North Beach and the auxiliary parking lot, located on the south end of the beach for a Beach Soccer Match on August 7, 2010. (Res.10-2118)

Recommendation of the Public Works and Services Committee on 7-13-10: That the communication be received and filed.

Fiscal Note: N/A

Recommendation of the Board of Parks, Recreation & Cultural Services 7-14-10: That the request be approved to allow the Milwaukee Wave use North Beach and the North auxiliary parking lot of the beach for a Beach Soccer Match on August 7 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;

Further recommends that the Parks, Recreation and Cultural Services Department 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. In addition, there will be \$318.00 in rental revenue.

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

Council Action

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

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

EXCUSED: 1 - Hart

G. Consent Agenda - Resolutions

Res.10-2104

Permission granted, with stipulations, for Emmaus Evangelical Lutheran Church to close the 1900 block of Summit Avenue on July 24-25, 2010 for a festival

Resolved, that Emmaus Lutheran Church be granted permission to close Summit Avenue from English Street to Yout Street, and English Street from Summit Avenue to Carlisle Avenue, on Saturday, July 24, 2010, from 2:00 p.m. to 9:00 p.m., and Sunday, July 25, 2010, from 10:00 a.m. to 7:00 p.m., for their Kermes International festival.

Further resolved, that permission be granted 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 \$300.00 special event fee.

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

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

Res.10-2105

Permission granted, with stipulations, for Kenny's on Main to close Hubbard Street from Main to Wisconsin on July 31, 2010 for their 2nd Annual Bike Show/Bike Wash to benefit the Wounded Warriors Project

Resolved, that permission be granted to Kenny's on Main, 1300 N. Main Street, to close Hubbard Street from Main Street to Wisconsin Avenue, on Saturday, July 31, 2010, from 8:00 a.m. to 8:00 p.m., for their 2nd Annual Bike Show/Bike Wash to benefit the Wounded Warriors Project, 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. No alcoholic beverages will be sold and/or dispensed within the street right-of-way;
- F. Any tents placed on the public right-of-way shall not be anchored by any means to the roadway surface;
- G. The sponsor shall pay a \$250.00 special event fee.

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, in implementing this event.

Sponsors: Gregory Holding

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

Res.10-2106

Permission granted, with stipulations, for InSinkErator to install a storm sewer system in public right-of-way on Ohio Street near 21st Street

Resolved, that permission be granted to InSinkErator to install a storm sewer system in the public right-of-way of Ohio Street near 21st Street, as requested, with the following stipulations:

- A. A hold harmless agreement be executed in accordance with Wis. Stat. sec. 66.0425, Privileges in Street.
- B. The property owner be required to become a member of Digger's Hotline.
- C. The property owner shall pay all costs associated with the relocation due to maintenance or construction.

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

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

Sponsors: Gregory Holding

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

Res.10-2107

Resolution No. 06-7236 of September 19, 2006, be amended to authorize the Assistant Commissioner of Public Works to submit grant applications to the State of Wisconsin DNR as required for the recycling program

Resolved, that Resolution 06-7236, dated September 19, 2006, be amended to authorize Thomas M. Eeg, Assistant Commissioner of Public Works/Operations, to act on the City's behalf to submit a grant application to the State of Wisconsin Department of Natural Resources for financial assistance for the recycling program.

Fiscal Note: N/A

Sponsors: Gregory Holding

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

Res.10-2108

Professional services provided by AECOM Technical Services, Inc., under Contract 17-09 (K9-017), Design Osborne Ravine Sanitary Sewer Abatement & Structural Repair, be accepted and final payment authorized

Resolved, that the professional services provided by AECOM Technical Services, Inc., under Contract 17-09 (K9-017), Design Osborne Ravine Sanitary Sewer Abatement & Structural Repair, be accepted and final payment authorized for a total contract amount of \$75,157.17.

Fiscal Note: Contract was authorized under Resolution No. 09-1228, dated February 3, 2009.

Sponsors: Gregory Holding

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

Res.10-2109

Professional services provided by Industrial Roofing Services, Inc., under Contract 55-09 (K9-056), Safety Building Precast Panel Repairs, be accepted and final payment authorized

Resolved, that the professional services provided by Industrial Roofing Services, Inc., under Contract 55-09 (K9-056), Professional Services - Safety Building Precast Panel Repairs, be accepted and final payment authorized for a total contract amount of \$4,900.00.

Fiscal Note: Contract was authorized under Resolution No. 09-1528, dated July 21, 2009.

Sponsors: Gregory Holding

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

Res.10-2110

Permission granted, with stipulations, for a Farmer's Market to be held in the parking lot directed behind City Hall, as needed, through December 31, 2010

Resolved, that a Farmer's Market be allowed to be held by City Hall, as needed, through December 31, 2010 with the following stipulations:

- A. A maximum of 2 vendors be allowed to occupy a maximum of 4 public parking spaces in the City Hall parking lot.
- B. A Hold Harmless Agreement be executed.
- C. That vendors only be allowed to sell fruits and vegetables.
- D. That vendors acquire all necessary licenses required by Municipal Code and compliance be verified by the Health Department.

Fiscal Note: N/A

Sponsors: Gregory Holding

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

Res.10-2111

Permission granted to Racine County Convention and Visitors Bureau, d/b/a Real Racine, and Ironman to use City right-of-way for Ironman Racine 70.3 Triathlon on July 18, 2010

Resolved, that the Racine County Convention and Visitors Bureau, d/b/a 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 18, 2010:

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 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

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

Res.10-2112

Permission for eight properties in Rubberville to be granted a non-precedential waiver until such time as the City deems necessary to reconstruct the streets

Resolved, that the eight properties in Rubberville to remain where they have been historically are granted a non-precedential waiver until such time after the City deems necessary to reconstruct the streets within the public right-of-way to typical street width, normal sidewalks and panel areas between the sidewalks and curbs.

Fiscal Note: No cost to the City of Racine for the implementation of these changes.

Sponsors: Gregory Holding and James T. Spangenberg

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

Res.10-2113

Permission granted to the Chief of Police to apply for the 2010 SPA-NTOA Trijicon Grant

Resolved, that permission be granted for the Chief of Police to apply for the 2010 SPA-NTOA Trijicon Grant (Grant Control No. 2010-025) to be utilized for five (5) gun sights and mounts for SWAT weapons.

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

Sponsors: Aron Wisneski and James T. Spangenberg

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

Res.10-2114

Contract 50-09 (K9-051), Parks and Parking System Improvements Project (R1), O & M Excavation and Grading, be accepted and final

payment authorized

Resolved, that the work done under Contract 50-09 (K9-051), Parks and Parking System Improvements Project (R1), by O & M Excavation and Grading, Inc., be accepted and final payment authorized for a total contract amount of \$407,778.90.

Fiscal Note: Contract was approved by Resolution 09-1510 of July 21, 2009. Funds should be delineated from the following accounts: 988.700.5020, Lincoln Parking Lot Asphalt, \$12,163.90; 988.700.5030, Lockwood Parking Lot Asphalt, \$158,394.50; 988.740.5020, Blacktop Paths through Zoo, \$14,919.00; 106.989.5750, Land Improvements, Parking Lot Repairs, \$15,519.70; 107.000.5750, Golf Land Improvements-Johnson Parking Lot, \$102,093.41; 207.000.5750,(2008) Cemetery Land Improvement-Roads and Walks 2008, \$24,399.00; 207.000.5750,(2009) Cemetery Land Improvement-Roads and Walks 2008, \$28,322.34; 989.690.5010, Lakeview Basketball Court, \$19,055.40; 989.740.5010, Blacktop Paths through Zoo, \$15,000.00; 786.000.5900, Lockwood Basketball Court, \$17,911.65.

Sponsors: Aron Wisneski

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

Res.10-2115

Approval of State of Wisconsin's acquisition for land from Douglas Park for sidewalk improvements as part of Douglas Avenue reconstruction

Resolved, that the acquisition of 7 square feet of land from Douglas Park for sidewalk improvements as part of the Douglas Avenue reconstruction be approved.

Fiscal Note: To be determined.

Sponsors: Terry McCarthy

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

Res.10-2116

Permission for Director of Parks, Recreation & Cultural Services to accept a grant from DNR for Aquatic Invasive Species Removal, and Mayor and City Clerk enter into the grant agreement

Resolved, that the Director Parks, Recreation & Cultural Services be authorized to accept a \$3,000.00 grant from the DNR (City Grant Control #2010-011) for Aquatic Invasive Species Removal.

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

Fiscal Note: \$3,000.00 grant received from DNR. The City will have approximately \$1,000.00 in-kind per terms of the grant.

Sponsors: Terry McCarthy

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

Res.10-2117

Approve entering into an agreement with the Downtown Racine Business Improvement District No. 1 to provide supervision and related services at Laurel Clark Memorial Fountain/Splash Pad

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with the Downtown Racine Business Improvement District No. 1 to provide supervision and related services of the Laurel Clark Memorial Fountain/Splash Pad.

Fiscal Note: No fiscal impact on City budget.

Sponsors: Terry McCarthy

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

Res.10-2118

Approval, with stipulations, for Milwaukee Wave to use North Beach and the North auxiliary parking lot of the beach for a Beach Soccer Match on August 7, 2010

Resolved, that the request be approved to allow the Milwaukee Wave to use North Beach and the North auxiliary parking lot of the beach for a Beach Soccer Match on August 7 with the following stipulations:

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

Further resolved, that the Parks, Recreation and Cultural Services Department 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. In addition, there will be \$318.00 in rental revenue.

Sponsors: Terry McCarthy

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

Res.10-2119

Permission to accept funding from State of Wisconsin DNR for beach monitoring and Mayor and City Clerk be authorized to enter into the grant agreement

Resolved, that the Public Health Administrator be authorized to accept

funding in the amount of \$7,948 from State of Wisconsin, Department of Natural Resources for beach monitoring (Grant Control No. 2010-026).

Further resolved, that the Mayor and City Clerk be authorized and directed to enter into a \$7,948 grant agreement with the State of Wisconsin, Department of Natural Resources (Grant Control No. 2010-026) to be utilized for beach monitoring.

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

Sponsors: James T. Spangenberg

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

Council Action

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

AYES: 13 - Shakoore, II, Coe, Marcus, Shields, Kaplan, Wisner, Maack, Wisneski, McCarthy, DeHahn, Holding, Spangenberg and Mozol

NOES: 1 - Weidner

EXCUSED: 1 - Hart

H. Ordinances

Ord.14-10

Ord. 14-10

To amend Sec. 70-90(d) of the Municipal Code of the City of Racine, Wisconsin relating to Parks, Recreation and Cultural Services - Parks and Recreation Areas; Animals Prohibited.

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

Part 1:

Sec. 70-90(d) of the Municipal Code of the City of Racine is hereby amended by adding the following at the end of the section:

“(3) Root River and Lake Michigan Pathway, 10’ paved area only, in respective parks.”

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: Terry McCarthy

Referred to Board of Park, Recreation and Cultural Services

J. Adjourn

The meeting was adjourned at 7:53p.m. by Alderman Shakoor. The next scheduled meeting of the Council is Monday, August 2, 2010 .

ATTEST: JANICE M. JOHNSON-MARTIN
CITY CLERK