



# City of Racine

## Meeting Minutes - Final

### Common Council

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

*Alderman Jeff Coe, Alderman Robert Anderson, Alderman Michael Shields  
Alderman Jim Kaplan, Alderman David L. Maack, Alderman Sandy Weidner  
Alderman Raymond DeHahn, Alderman Q.A. Shakoor, II, Alderman Thomas Friedel  
Alderman Gregory Holding, Alderman Aron Wisneski  
Alderman James T. Spangenberg, Alderman Ronald D. Hart, Alderman Robert Mozol*

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Tuesday, February 5, 2008

7:00 PM

Room 205, City Hall

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#### A. Call To Order

**PRESENT:** 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

#### B. Pledge of Allegiance To The Flag

*Myaor Becker 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 Ald. Spangenberg.*

#### D. Public Comments

*Mercedes Dzindzeleta*

[08-1708](#)

**Subject:** Presentation by the Library to City Council Members

*Jessica MacPhail and Darcy Mohr presented the Mayor and Council members with the 75th Celebration for the Nation's First Preschool Story Time.*

#### E. Communications

[08-1719](#)

**Subject:** Monthly Building Report January 2008.

Received and Filed

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

[08-1625](#)

**Subject:** communication from the City Attorney submitting the claim of Regina Edwards for consideration.

**Staff recommendation to the Finance & Personnel Committee on**

**02-11-08:** The claim of Regina Edwards, 5303 Biscayne Ave, requesting reimbursement in the amount of \$2,722.42 for damages to her auto when a

manhole cover flipped over be denied.

**Fiscal Note:** N/A

**Referred to Finance and Personnel Committee**

[08-1627](#)

**Subject:** communication from the City Attorney submitting the claim of Postorino Revocable Trust for consideration.

**Staff recommendation to the Finance & Personnel Committee on**

**02-11-08:** The claim of Postorino Revocable Trust, 1135 Mound Ave., requesting reimbursement of \$6,007.20 for cleaning and repair expenses from flooding of the basement be denied.

**Fiscal Note:** N/A

**Referred to Finance and Personnel Committee**

[08-1628](#)

**Subject:** communication from the City Attorney submitting the claim of James Stokes for consideration.

**Staff recommendation to the Finance & Personnel Committee on**

**02-11-08:** The claim of James Stokes, 1922 Arthur Ave., requesting a reimbursement of \$1,803.92 for vandalism to his vehicle while it was held in the Police impound lot be denied.

**Fiscal Note:** N/A

**Referred to Finance and Personnel Committee**

[08-1659](#)

**Subject:** communication from the City Attorney submitting the claim of Davis & Letha Thomas, d/b/a Thomas Trucking, for consideration.

**Staff recommendation to the Finance & Personnel Committee on**

**02-11-08:** The claim of Davis & Letha Thomas, d/b/a Thomas Trucking, request reimbursement of \$316.04 for damages to a dump truck cab protector which struck a beam at the DPW salt shed be denied.

**Fiscal note:** N/A

**Referred to Finance and Personnel Committee**

[08-1664](#)

**Subject:** communication from the City Attorney submitting the claim of Dawn Dunk for consideration.

**Staff recommendation to the Finance & Personnel Committee on**

**02-11-08:** The claim of Dawn Dunk, 1738 Deane Blvd., requesting reimbursement of \$7,661 for injuries and damages to her moped when she

hit a pothole in the 1300 block of West Boulevard be denied.

**Fiscal Note:** N/A

**Referred to Finance and Personnel Committee**

**08-1697**

**Subject:** communication from the City Attorney submitting the claim of Jewel Hendrickson for consideration.

**Staff recommendation to the Finance & Personnel Committee on**

**02-11-08:** The claim of Jewel Hendrickson, 3325 Debra Lane, requesting reimbursement of \$1,997.54 for damages to her car during a collision with a DPW be denied.

**Fiscal Note:** N/A

**Referred to Finance and Personnel Committee**

**08-1705**

**Subject:** communication from the City Attorney submitting the claim of Mark Chaffee for consideration.

**Staff recommendation to the Finance & Personnel Committee on**

**02-11-08:** The claim of Mark Chaffee, 1820 Holmes Ave., requesting reimbursement of \$3,000 for injuries when the truck he was driving fell into a sink hole be denied.

**Fiscal Note:** N/A

**Referred to Finance and Personnel Committee**

**08-1636**

**Subject:** Communication from the Director of Parks, Recreation & Cultural Services requesting to apply for a grant from the Racine Community Foundation (City Grant Control # 2008-003) for the G.E.D./H.S.E.D. Program.

**Staff recommendation to the Finance & Personnel Committee on**

**02-11-08:** Permission granted for the Director of Parks, Recreation & Cultural Services to apply for the Racine Community Foundation (Grant Control No. 2008-003) Grant to be utilized for the G.E.D./H.S.E.D. Program.

**Fiscal Note:** N/A

**Referred to Finance and Personnel Committee**

**08-1637**

**Subject:** Communication from the Director of Parks, Recreation & Cultural Services requesting to apply for a grant from Fiskars Garden & Outdoor Living - Project Orange Thumb (City Grant Control # 2008-004) for a

community gardening project.

**Staff recommendation to the Finance & Personnel Committee on**

**02-11-08:** Permission granted for the Director of Parks, Recreation & Cultural Services apply for the Fiskars Garden & Outdoor Living - Project Orange Thumb Grant (Grant Control No. 2008-004) to be utilized for the for community gardening project.

**Fiscal Note:** N/A

**Referred to Finance and Personnel Committee**

**08-1702**

**Subject:** Communication from the Public Health Administrator requesting an amendment to the adopted 2008 budget increasing the hours of the Health Promotion and Wellness Coordinator position from 24 hours per week to 32 hours per week.

**Staff recommendation to the Finance & Personnel Committee on**

**02-11-08:** The 2008 budget be amended to increase the hours of the Health Promotion and Wellness Coordinator position from 24 hours per week to 32 hours per week.

**Fiscal Note:** 8 hours will be paid by the Preventive Health Consolidated Grant and 24 hours by the City of Racine Health Insurance Internal Service Fund.

**Referred to Finance and Personnel Committee**

**08-1706**

**Subject:** Communication from Chief of Police Wahlen, requesting to discuss the waiver of formal bidding and authorize the Purchasing Agent to negotiate with Clear Com Inc., for the purchase and installation of a Security Camera Solution for a community policing area.

**Staff recommendation to the Finance & Personnel Committee on**

**02-11-08:** Formal bidding procedures be waived and the purchasing agent be authorized and directed to negotiate with authorized Clear Com Inc. vendors to negotiate the purchase and installation of a Security Camera Solution for a community policing area.

**Fiscal Note:** Total cost of equipment shall be defrayed from the Weed & Seed Grant and the Asset Forfeiture account.

**Referred to Finance and Personnel Committee**

**Referred to Public Safety and Licensing Committee**

**08-1712**

**Subject:** Communication from the Public Health Administrator requesting permission for the City of Racine Health Department to apply to be fiscal

agent for Youth Connections for grant funding in the amount of \$16,000 from United Way. (Grant Control #2008-002)

**Staff recommendation to the Finance & Personnel Committee on**

**02-11-08:** Permission granted for the Health Department Administrator to apply for the Youth Connections Grant (Grant Control No. 2008-002) from United Way in the amount of \$16,000.

**Fiscal Note:** The City will act as the fiscal agent for Youth Connections.

**Referred to Finance and Personnel Committee**

[08-1716](#)

**Subject:** Communication from the Human Resources Benefit Coordinator to discuss a Smoking Cessation Program for 2008 for employees who carry health insurance.

**Staff recommendation to the Finance & Personnel Committee on**

**02-11-08:** Permission granted for the Human Resources Benefit Coordinator implement a Smoking Cessation Program for 2008 for employees who carry health insurance.

**Fiscal Note:** N/A

**Referred to Finance and Personnel Committee**

[08-1717](#)

**Subject:** Communication from the Human Resources Benefit Coordinator to discuss the Fitness center reimbursement.

**Staff recommendation to the Finance & Personnel Committee on**

**02-11-08:** Permission granted for the Human Resources Benefit Coordinator amend the fitness club reimbursement for 2008.

**Referred to the Finance and Personnel Committee**

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

[08-1626](#)

**Subject:** Communication from the Rotary Foundation of Racine West, Inc., requesting permission to utilize various parks for the 5th annual Great Midwest Dragon Boat Festival, on July 11 and 12, 2008, for the use of selling beverages, beer, food items and providing live entertainment, to close city streets and parking lanes for a parade and race administration and to utilize the parking lot at the south end of Pershing Drive. Also, sponsoring organizations request permission to place posters on or about city streets and parks regarding this free event.

**Referred to Public Works and Services Committee**

Referred to Board of Park, Recreation and Cultural Services

Referred to Public Safety and Licensing Committee

[08-1711](#)

**Subject:** Communication from Alderman of the 11th & 12th Districts requesting the drafting and adoption of an ordinance to allow the operation of "Neighborhood Electric Vehicles" within the City of Racine.

Referred to Public Works and Services Committee

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

[08-1686](#)

**Subject:** Communication from the Director of Parks, Recreation & Cultural Services requesting permission to enter in an agreement with Southport Consulting to conduct an HVAC study of Wustum Museum.

Referred to Public Safety and Licensing Committee

[08-1696](#)

**Subject:** Communication from Alderman of the 8th District requesting the Chief of Police to appear before the Racine Public Safety and Licensing Committee regarding a traffic stop of a vehicle near the 1200 block of Summit Avenue on January 22, 2008.

Referred to Public Safety and Licensing Committee

[08-1710](#)

**Subject:** Communication from the Chief Executive Officer of Lincoln Lutheran requesting a 15-year renewal of the agreement with City of Racine for use of the City parking lot proximate to their facility at 2000 Domanik Drive.

Referred to Public Safety and Licensing Committee

[08-1713](#)

**Subject:** Application of PH Green Bay, LLC, Muriel Kerns, Agent, for a Change of Agent for a Class "B" license for 5000 Washington Avenue. (12th District)

Referred to Public Safety and Licensing Committee

[08-1714](#)

**Subject:** Application of Mega Marts, LLC, Gregory Fink, Agent, for a Change of Agent for a "Class A" license for 2406 S. Green Bay.

Referred to the Public Safety and Licensing Committee

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

[08-1629](#)

**Subject:** Communication from Sharon Fliss, owner of The Cabinetry Shop Inc., regarding limited parking in front of her store at 1800 N. Main Street.

Referred to Traffic Commission

**Refer to Community Development, by Ald. Spangenberg**

[08-1661](#)      **Subject:** Request from the Director of City Development for an allocation of \$200,000 from the Local Option Fund to replenish the Housing Department's loan funds.

**Referred to Community Development Committee**

[08-1687](#)      **Subject:** Request from the Director of City Development for an allocation of \$73,000 from the Local Option Fund to pay Southside properties' future property maintenance and management costs.

**Referred to Community Development Committee**

**Refer to Committee of the Whole, by Ald. Spangenberg**

[08-1718](#)      **Subject:** Communication from Mayor Becker wishing to meet with the appropriate committee to discuss the use of a "consent agenda" for council proceedings.

**Referred to the Committee of the Whole**

**F. Committee Reports**

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

[07-1573](#)      **Subject:** Communication from the City Attorney requesting to meet with the appropriate committee to discuss the third party administration services of the United HealthCare Insurance Company.

**Recommendation of the Finance & Personnel Committee on 01-07-08:** Deferred.

**Recommendation of the Finance and Personnel Committee on 1-21-08:** The Mayor and City Clerk be authorized and directed to enter into an agreement with United HealthCare Insurance Company to provide third party administration services for the City Health Plan including payment of claims effective January 1, 2008.

**Fiscal Note:** N/A

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

[08-1606](#)      **Subject:** Communication from the Asst. Commissioner of Public Works/Engineering requesting permission to accept \$5,000 from the Wisconsin Waterways Commission to be utilized for the installation of a boat pump-out station on the north side of the Root River, west of the Main Street Bridge.

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

**1-21-08:** The Asst. Commissioner of Public Works/Engineering be authorized to accept \$5,000 from the Wisconsin Waterways Commission to be utilized for the installation of a boat pump-out station on the north side of the Root River, west of the Main Street Bridge. (Grant Control No. 2006-052).

**Fiscal Note:** 25% funding (remaining 75% to be provided by a Federal Clean Vessel Act grant). Grant Control #2006-052.

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

**08-1607**

**Subject:** Communication from the Asst. Commissioner of Public Works/Engineering requesting permission to accept \$70,000 from the Wisconsin Waterways Commission to be utilized for the installation of a floating dock on the north side of the Root River, west of the Main Street Bridge and request the local match be increased from \$28,000 to \$70,000 in the 2008 budget year.

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

**1-21-08:** The Asst. Commissioner of Public Works/Engineering be authorized to accept \$70,000 from the Wisconsin Waterways Commission to be utilized for the installation of a floating dock on the north side of the Root River, west of the Main Street Bridge and request the local match be increased from \$28,000 to \$70,000 in the 2008 budget year. (Grant Control No. 2006-051). Further recommend that the general fund advance up to \$40,000 interest free to be paid back in even installments over the next 10 years.

**Fiscal Note:** Local match will be increased from \$28,000 to \$70,000 in the 2008 budget year. The increase will be funded through existing Harbor Commission funds and an advance from the General Fund.

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

**08-1610**

**Subject:** The Fire Chief is requesting permission to accept an Office of Justice Assistance check for \$89,085.59 to close out OJA Grant HS-05-IC-0399 for Interoperability Communications.

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

**1-21-08:** The Fire Chief be authorized to accept an Office of Justice Assistance check for \$89,085.59 to close out OJA Grant HS-05-IC-0399



for Interoperability Communications.

**Fiscal Note:** The reimbursement will be placed in 213.000.6830 Revenue from state OJA-FD/PD.

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

08-1612

**Subject:** Communication from the Director of City Development for an Agreement with Racine County Economic Development Corporation for Commercial Corridor Services.

**Recommendation of the Finance and Personnel Committee on 1-21-08:** The Director of City Development be authorized to enter into an agreement with Racine County Economic Development Corporation for Commercial Corridor Services.

**Fiscal Note:** \$69,400.00 was provided for in the 2008 capital budget.

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

08-1618

**Subject:** Communication from Chief of Police Wahlen, requesting to waive formal bidding for the purchase of additional Panasonic Toughbook Arbitrator in-squad video cameras.

**Recommendation of the Finance and Personnel Committee on 1-21-08:** Recommend that formal bidding be waived and that the Purchasing Agent be authorized and directed to negotiate the purchase of additional Panasonic Toughbook Arbitrator in-squad video cameras.

**Fiscal Note:** Funds are available in the 2006 Bureau of Justice Assistance Grant.

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

08-1619

**Subject:** Communication from the Assistant City Attorney submitting the claim of Kelvin Jackson for consideration.

**Recommendation of the Finance and Personnel Committee on 1-21-08:** The claim of Kelvin Jackson, 1900 Mead Street Lower, requesting a reimbursement of \$8,495.16 for injuries received on the basketball court at the Bryant Center be denied.

**Fiscal Note:** N/A

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

[08-1631](#)

**Subject:** (Direct Referral) Communication from the Deputy City Attorney to meet in closed session pursuant to s.19.85(g) to confer with legal counsel concerning a litigation matter involving Glassen v. Racine, Racine County Circuit Court Case 07-CV-1119.

**Recommendation of the Finance and Personnel Committee on 1-21-08:** 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.

[08-1632](#)

**Subject:** (Direct Referral) Pursuant to s. 19.85(c), to consider compensation data regarding the Racine Police Staff Officer's Association.

**Recommendation of the Finance and Personnel Committee on 1-21-08:** 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.

[08-1635](#)

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/Engineering requesting to discuss applying for the 2008 Aquatic Invasive Species grant.

**Recommendation of the Finance and Personnel Committee on 1-21-08:** The Racine Board of Harbor Commissioners be authorized to apply for the 2008 Aquatic Invasive Species grant (Grant Control #2008-001).

**Fiscal Note:** 75% state funding (25% to be funded by the Racine Harbor Comm., Racine Yacht Club, Reefpoint Marina and Lakeshore Towers) Grant Control #2008-001.

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

[08-1660](#)

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/Engineering requesting permission to accept \$15,000 from the Federal Clean Vessel Act Program to be utilized

for the installation of a boat pump-out station on the north side of the Root River.

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

**1-21-08:** The Assistant Commissioner of Public Works/Engineering be authorized to accept \$15,000 from the Federal Clean Vessel Act Program to be utilized for the installation of a boat pump-out station on the north side of the Root River (Grant Control No. 2006-052).

**Fiscal Note:** 75% funding (25% to be funded by the Wisconsin Waterways Commission) Grant Control No. 2006-052.

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

Council Action

**A motion was made by Alderman Thomas Friedel to Adopt the Report. Adopted by the following vote:**

**AYES:** 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

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

**07-0404**

**Subject:** Communication from the Alderman of the 2nd District wishing to discuss the rehabilitation of the brick pavement on College Avenue from DeKoven Avenue to 14th Street.

**Recommendation:** The communication be received and filed.

**Fiscal Note:** Not applicable.

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

**07-1423**

**Subject:** Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 46-07 (K7-054), Festival Hall Boiler Replacement, Mechanical Associates of WI, Inc.

**Recommendation:** The work of Mechanical Associates of WI, Inc. under Contract 46-07 (K7-054), Festival Hall Boiler Replacement, be accepted and final payment authorized for a total contract amount of \$18,536.67, from funds heretofore appropriated.

**Fiscal Note:** This contract was approved by Resolution 07-0358, dated August 6, 2007.

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

**07-1468**

**Subject:** Communication from the neighbors in the 2000 block of Case Avenue requesting additional street lighting.

**Recommendation:** The lighting in the 2000 block of Case Avenue be upgraded from 100 watt high pressure sodium lights to 150 watt high pressure sodium lights.

**Fiscal Note:** The estimated installation cost of this lighting is \$300.00 and the annual operating cost is \$150.00.

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

**08-1609**

**Subject:** Communication from the Recreational Leadership Co., LLC, requesting permission to close the Christopher Columbus Causeway for the Racine Boat & RV Show on August 4-10, 2008.

**Recommendation:** That Recreational Leadership Company, LLC be granted permission to close the Christopher Columbus Causeway, from Lake Avenue east to the water's edge, from 8:00 a.m. on August 4, 2008 to 10:00 p.m. on August 10, 2008, for the Racine Boat & RV Show.

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 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, to assist in implementing this event.

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

**08-1616**

**Subject:** Communication from Redline Tavern Corporation requesting to close North Wisconsin Street, between Hamilton and Hubbard, on July 19, 2008, for the 5th Annual "Cruz in for the Cause" benefit for the non-profit organization "SafeHaven of Racine".

**Recommendation:** Permission be granted to Redline Tavern Corporation, 1200 N. Wisconsin Street, to close N. Wisconsin Street from Hamilton Street to Hubbard Street, on Saturday, July 19, 2008, from 9 a.m. to 9 p.m., for the 5th annual "Cruz in for the Cause" benefit for Safehaven of Racine, 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.**

08-1633

**Subject:** Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 56-05 (K5-064), PS - Design Kranz Parcel, Jacobsen-Extron Redevelopment, Earth Tech, Inc., consultant.

**Recommendation:** The professional services provided by Earth Tech, Inc. under Contract 56-05 (K5-064), PS - Design Kranz Parcel, Jacobsen-Extron Redevelopment, be accepted and final payment authorized for a total contract amount of \$29,100.00, from funds heretofore appropriated.

**Fiscal Note:** This contract was approved by Resolution 6644, dated September 6, 2005.

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

08-1680

**Subject:** Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting a proposal from Arnold & O'Sheridan, Inc.

for engineering services for Structural Slab and Wall Restoration at the Washington Avenue Central Heating Plant.

**Recommendation:** The Mayor and City Clerk be authorized and directed to enter into an agreement with Arnold & O'Sheridan, Inc., Madison, WI, for engineering services for Structural Slab and Wall Restoration at the Washington Avenue Central Heating Plant at a price not-to-exceed \$25,500.00 plus \$1,500 for consultation services, for a total contract amount of \$27,000.00.

Further recommends that funds to defray the cost of these professional services are available in Account 988.220.5030, Central Heating Plant Structural Repairs.

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

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

08-1662

**Subject:** Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting bid results on Contract 3-08 (K8-003), Sixth Street Utility Construction.

**Recommendation:** Contract 3-08 (K8-003), Sixth Street Utility Construction (R1), be awarded to Globe Contractors, Inc., Pewaukee, WI, at their bid price of \$1,297,965.50, they being the lowest responsible bidder.

Further recommends that funding to defray the cost of this public works project be appropriated from the following accounts:

\$ 698,401.50 - Account 988.907.5330, Sanitary Sewer Const., 6th Street  
\$ 23,420.00 - Account 104.988.5420, Storm Sewers, Various Locations  
\$ 576,144.00 - Racine Water Department  
\$1,297,965.50 - Total

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

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

08-1663

**Subject:** Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting bid results on Contract 4-08 (K8-004), DeKoven Avenue Utility Work.

**Recommendation:** Contract 4-08 (K8-004), DeKoven Avenue Utility Work (R1), be awarded to C.W. Purpero, Inc., Milwaukee, WI, at their bid price of \$459,624.00, they being the lowest responsible bidder.

Further recommends that funding to defray the cost of this public works project be appropriated from the following accounts:

\$ 11,000.00 - Account 987.907.5310, Sanitary Sewers, Various Locations  
\$172,557.00 - Account 104.988.5420, Storm Sewers, Various Locations  
\$276,067.00 - Racine Water Department  
\$459,624.00 - Total

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

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

08-1671

**Subject:** Direct Referral. Communication from the Commissioner of Public Works submitting Change Order No. 2 on Contract 26-07 (K7-030), 2007 City Resurfacing, A. W. Oakes & Son, contractor.

**Recommendation:** Change Order No. 2 on Contract 26-07 (K7-030), 2007 City Resurfacing, A. W. Oakes & Son, contractor, as submitted, be approved in the amount of \$62,956.81.

Further recommends that funding to defray the cost of this change order be appropriated from Account 987.907.5310, Sanitary Sewer Construction.

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

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

08-1672

**Subject:** Direct Referral. Communication from the Commissioner of Public Works submitting a request for final payment on Contract 26-07 (K7-030), 2007 City Resurfacing, A. W. Oakes & Son, contractor.

**Recommendation:** The work of A.W. Oakes & Son, under Contract 26-07 (K7-030), 2007 City Resurfacing, be accepted and final payment authorized for a total contract amount of \$1,087,633.03, from funds heretofore appropriated.

**Fiscal Note:** This contract was approved by Resolution 07-0219, dated May 15, 2007.

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

08-1673

**Subject:** Direct Referral. Communication from the Commissioner of Public Works submitting a request for final payment on Contract 45-07 (K7-053), 2007 Sidewalk Replacement, Phase II, John's Concrete, contractor.

**Recommendation:** The work of John's Concrete under Contract 45-07 (K7-053), 2007 Sidewalk Replacement, Phase II, be accepted and final payment authorized for a total contract amount of \$359,570.60, from funds heretofore appropriated.

**Fiscal Note:** This contract was approved by Resolution 07-0357, dated August 6, 2007.

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

[08-1674](#)

**Subject:** Direct Referral. Communication from the Commissioner of Public Works submitting a request for final payment on Contract 49-05 (K5-056), Lake Michigan Pathway Construction, Phase II, Bane-Nelson, Inc., contractor.

**Recommendation:** The work of Bane-Nelson, Inc. under Contract 49-05 (K5-056), Lake Michigan Pathway Construction, Phase II, be accepted and final payment authorized for a total contract amount of \$2,072,674.01, from funds heretofore appropriated.

**Fiscal Note:** This contract was approved by Resolution 6695, dated October 4, 2005.

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

[08-1681](#)

**Subject:** Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting a proposal from Earth Tech, Inc. to Develop the Necessary Database for Implementation of Phase II of the Sanitary Sewer Maintenance Program.

**Recommendation:** The Mayor and City Clerk be authorized and directed to enter into an agreement with Earth Tech, Inc., Milwaukee, WI, for professional services to develop the necessary database for Implementation of Phase II of the Sanitary Sewer Maintenance Program at a price not-to-exceed \$12,500.00.

Further recommends that funds to defray the cost of these professional services are available in Account 287.988.5310, Sanitary Sewer, Various Locations.

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

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

[08-1683](#)

**Subject:** Direct Referral. Communication from the Assistant



Commissioner of Public Works/Operations submitting a proposal from Arnold & O'Sheridan, Inc. for Contract 7-08 (K8-008), Professional Services - 2009 Parking Ramp Maintenance.

**Recommendation:** The Mayor and City Clerk be authorized and directed to enter into an agreement with Arnold & O'Sheridan, Inc., Madison, WI, for professional services for 2009 Parking Ramp Maintenance at a price not-to-exceed \$42,600.00.

Further recommends that funds to defray the cost of these professional services are available in Account 106.988.5120, Ramp Improvements.

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

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

[08-1684](#)

**Subject:** Direct Referral. Communication from the Assistant Commissioner of Public Works/Operations submitting a proposal from Industrial Roofing Services, Inc. for Contract 8-08 (K8-009), Professional Services - Exterior Repairs to Memorial Hall.

**Recommendation:** The Mayor and City Clerk be authorized and directed to enter into an agreement with Industrial Roofing Services, Inc., Butler, WI, for professional services for preparation of plans and specifications for repairs to the exterior of Memorial Hall, at a price not-to-exceed \$5,250.00.

Further recommends that funds to defray the cost of these professional services are available in Account 108.988.5510, Memorial Hall Tuckpointing.

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

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

[08-1685](#)

**Subject:** Direct Referral. Communication from the Assistant Commissioner of Public Works/Operations submitting a proposal from Edward E. Gillen Company for Dockwall Repairs at the Main Street Bridge.

**Recommendation:** Due to the nature of the work that formal bidding procedures be waived and that the Mayor and City Clerk be authorized and directed to enter into an agreement with Edward F. Gillen Company to perform Dockwall Repairs at the Main Street Bridge, at a price not-to-exceed \$18,500.00.

Further recommends that funds to defray the cost of these repairs are available in Account 101.520.5550, Bridges and Viaducts, Repairs and

Maintenance.

**Fiscal Note:** All costs associated with this proposal are reimbursable through the State of Wisconsin Lift Bridge Program.

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

[08-1691](#)

**Subject:** Direct Referral. Communication from the Assistant Commissioner of Public Works/Engineering submitting a preliminary resolution for 2008 public hearings for 2009 paving.

**Recommendation:** The following list of streets and alleys, as submitted by the Commissioner of Public Works/City Engineer, be considered for reconstruction with portland cement concrete paving for the 2009 construction season and that a preliminary resolution be introduced.

All property fronting upon both sides:

#### **PORTLAND CEMENT CONCRETE PAVING**

**Fifteenth Street** from Wisconsin Avenue to Main Street

**Carter Street** from English Street to Yout Street

**Riverside Drive** from Cedar Bend to Clayton Avenue

**Homestead Street** from Howard Street to the Dead End

**Alden Court** from Lathrop Avenue to Cul-de-sac

**Kings Circle** from Oakwood Drive to the Cul-de-sac

**Kentucky Street** from Taylor Avenue to Cul-de-sac

**Emstan Hills Road** from Southwood Drive to Duchess Drive

**Emstan Hills Road** from Victorian Drive to Southwood Drive

**Hickory Way** from Ravine Drive to Crabapple Drive

**Seventeenth Street** from Indiana Street to Kentucky Street

**Seventeenth Street** from Oregon Street to Indiana Street

**Victory Avenue** from Seventeenth Street (east) to Seventeenth Street (west)

**West Lawn Avenue** from Republic Avenue to Victory Avenue

**Seventeenth Street** from Virginia Street to Illinois Street

**Olive Street** from Ohio Street to Virginia Street

**Jonathon Drive** from Cul-de-sac (west) to Main Street

**North Bay Drive** from Cul-de-sac to Sheffield Drive

**Westminster Square** from Steeplechase (W) to Steeplechase (E)

**Ruby Avenue** from Melvin Avenue to Lombard Avenue

#### **CURB AND GUTTER**

**Homestead Street** from Howard Street to the Dead End  
**Alden Court** from Lathrop Avenue to Cul-de-sac  
**Kings Circle** from Oakwood Drive to the Cul-de-sac  
**Emstan Hills Road** from Southwood Drive to Duchess Drive  
**Emstan Hills Road** from Victorian Drive to Southwood Drive

#### **SEWER AND WATER LATERALS**

**Fifteenth Street** from Wisconsin Avenue to Main Street  
**Homestead Street** from Howard Street to the Dead End

#### **SANITARY SEWER**

**Fifteenth Street** from Wisconsin Avenue to Main Street  
**Homestead Street** from Howard Street to the Dead End

#### **WATER MAIN**

**Fifteenth Street** from Wisconsin Avenue to Main Street  
**Homestead Street** from Howard Street to the Dead End

#### **ALLEYS**

**Alley** bounded by Jay Eye See Avenue & Case Avenue; 20th Street & 21st Street  
**Alley** bounded by DeKoven Avenue & 18th Street; Clark Street & Racine Street  
**Alley** bounded by DeKoven Avenue & 20th Street; Case Avenue & Jay Eye See Avenue  
**Alley** bounded by DeKoven Avenue & 20th Street; East of Phillips Avenue  
**Alley** bounded by Jay Eye See Avenue & Phillips Avenue; 21st Street & 20th Street  
**Alley** bounded by Kearney Avenue & Hickory Grove Avenue; 21st Street & 20th Street  
**Alley** bounded by Northwestern Avenue & Goid Street; Golf Avenue & Georgia Avenue  
**Alley** bounded by Monroe Avenue & West Lawn Avenue; 13th Street & Wright Avenue  
**Alley** bounded by Victory Avenue & 16th Street; Monroe Avenue & West Lawn Avenue  
**Alley** bounded by Shoreland Drive, North Street, 8th Avenue and 9th Avenue

**Fiscal Note:** Unknown at this time.

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

Council Action

**A motion was made by Alderman Ronald D. Hart to Adopt the Report. Adopted by the following vote:**

**AYES:** 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

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

*Ald. Shakoor requested suspension of the rules to adopt item 07-1566 due to the timeliness in moving forward with the project.*

*Ald. Wisneski questioned whether the two hour emergency notice had been posted, and he was informed it had not been posted.*

*Ald. Holding asked if the item had went before committee, where he was informed it had not been brought before the committee.*

*Ald. Friedel stated that if Director Snow was just looking for the go ahead that he should move forward as much as possible with the contractor.*

*Mayor Becker stated that since the item had not been properly posted, nor had the item gone before the appropriate committee it would have to go before committee and come back to Common Council at the next meeting.*

[07-1494](#)

**Subject:** Application of Mega Marts, LLC, Joe M. Ligocki, for a Change of Agent for a "Class A" Retail Fermented Malt Beverage and Intoxicating Liquor License for 2406 S. Green Bay Road.

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

**12-10-07:** That the item be deferred to the next Public Safety & Licensing Committee Meeting, January 7, 2008 per request of applicant.

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

**01-07-08:** That the item be deferred to the next Public Safety & Licensing Committee Meeting, due to agent not appearing.

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

**01-21-08:** That the Change of Agent request be denied, due to the agent not appearing before the committee.

**Fiscal Note:** N/A

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

[07-1582](#)

**Subject:** (Direct Referral) Request of the Committee for the appearance of

Mohammad O. Al-Abed(Agent) to discuss incidents at the Sunshine Supermarket located at 1559 Taylor Avenue.

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

**1-07-08:** That the matter of Sunshine Supermarket located at 1559 Taylor Avenue , be referred to a due process hearing to determine whether the license should be revoked or suspended.

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

**01-21-08:** That the item be referred to the City Attorney to work with the (Agent) Mohammad O. Al-Abed on an agreement which will address hours of operation, security of off-duty officers, and no single/individual sales of beer.

Fiscal Note: N/A

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

**08-1603**

**Subject:** Request of the Committee for the appearance of Rosie's, Rosie H. Carothers, Agent, for 1333 Douglas Avenue for incidents that appeared on the November - December 2007 Licensed Premise Report.

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

**01-21-08:** That the matter of Rosie's Bar located at 1333 Douglas Avenue, be referred to a due process hearing to determine whether the license should be revoked or suspended.

Fiscal Note: The approximate cost is \$8,000.

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

**08-1604**

**Subject:** Request of the Committee for the appearance of Cerafin Davalos, Agent for Cera's Tequilla Bar, 607 Sixth Street for incidents that appeared on the November - December 2007 Licensed Premise Report.

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

**01-21-08:** That the matter of the Cera's Tequilla Bar located at 607 Sixth Street, be referred to a due process hearing to determine whether the license should be revoked or suspended.

Fiscal Note: The approximate cost is \$8,000.

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

**08-1613**

**Subject:** The Fire Chief is requesting a Release from Liability for First

Evangelical Lutheran Church, located at 728 Villa Street . The purpose of this release is to allow our firefighters to use a house for training purposes that the church owns. This house is located at 608 - 8th Street.

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

**1-21-08:** The Fire Chief be authorized to a Release from Liability from the First Evangelical Lutheran Church, to allow the firefighters to use a house located at 608 - 8th street for training purposes.

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

**01-21-08:** That authorization be granted to the Fire Chief for Release from Liability from the First Evangelical Lutheran Church, to allow the firefighters to use a house located at 608 - 8th street for training purposes.

Fiscal Note: N/A

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

**08-1614**

**Subject:** Application of CEC Entertainment, Inc., Christopher S. Mrozek, Agent, for a Change of Agent for a Class "B" and "Class C" Wine license for 5612 Durand Avenue. (14th District)

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

**01-21-08:** That the Application of CEC Entertainment, Inc., Christopher S. Mrozek, Agent, for a Change of Agent for a Class "B" and "Class C" Wine license for 5612 Durand Avenue be granted.

Fiscal Note: N/A

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

**08-1617**

**Subject:** Communication from the Director of Parks, Recreation & Cultural Services requesting permission to enter in an agreement with David L. Hanson and Associates, Inc. to prepare plans and specifications to replace the softball lights at Island Park South Diamond.

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

**01-21-08:** That permission be granted to enter in an agreement with David L. Hanson and Associates, Inc. to prepare plans and specifications to replace the softball lights at Island Park South Diamond.

Fiscal Note: Funds are available in account 988.710.5020, Replace Island South Ball Lights.

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

## Council Action

**A motion was made by Alderman Q.A. Shakoor II to Adopt the Report. Adopted by the following vote:**

**AYES:** 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

**Traffic Commission Report, by Ald. Hart****07-1576**

**Subject:** Communication from the Racine County Sheriff's Department regarding revised parking allowed around the Law Enforcement Center.

**Recommendation:** The request to approve "No Parking at Any Time" on Eighth Street and Wisconsin Avenue, and Law Enforcement Vehicle Parking Only on Eighth Street adjacent to the Racine County Law Enforcement Center be granted.

**Fiscal Note:** The estimated cost of this signage will result in an installation cost of \$200.00 and an annual maintenance cost of \$80.00.

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

**08-1703**

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

**A. Recommends that Section 94-141(1) of Schedule F of the Municipal Code of the General Ordinances of the City of Racine relative to "No parking at any time" be amended:**

**By Including:**

1. Eighth Street, north side, from Wisconsin Avenue east 60 feet.
2. Wisconsin Avenue, east side, from Eighth Street north 175 feet.

**B. Recommends that Section 94-147(a) of Schedule H of the Municipal Code of the General Ordinances of the City of Racine relative to "Stopping, standing, or parking prohibited in places reserved for law enforcement vehicles; where permitted" be amended:**

**By Including:**

1. Eighth Street, north side, from 60 feet east of Wisconsin Avenue

**east 50 feet.**

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

Council Action

**A motion was made by Alderman Ronald D. Hart to Adopt the Report. Adopted by the following vote:**

**AYES:** 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

**City Plan Commission Report, by Ald. Holding**

**Res.07-0243** Vacation of Reichert Court

Resolved, that since public interest requires it, that the following parcel of land, more particularly described as follows, be and hereby is vacated and discontinued:

Reichert Court from Michigan Boulevard to its eastern most terminus

Fiscal Note: N/A

Sponsors: Ronald D. Hart and Gregory Holding

**A motion was made that this Resolution be Received As Read. The motion was APPROVED.**

**07-1110** **Subject:** Res. 07-0243 Vacation of Reichert Court

**Recommendation of the City Plan Commission on 8-29-07:** That the Res.07-0243 be adopted.

**Recommendation of the City Plan Commission on 9-26-07:** That the Res.07-0243 be adopted.

**Recommendation of the City Plan Commission on 10-10-07:** That the Res.07-0243 be deferred.

**Recommendation of the City Plan Commission on 10-31-07:** That the Res.07-0243 be adopted.

**Recommendation of the City Plan Commission on 1-30-08:** That the Res.07-0243 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.**

08-1692

**Subject:** (Direct Referral) Amendment to zoning ordinance establishing resubmittal fees for plan reviews.

**Recommendation of the City Plan Commission on 1-30-08:** That an ordinance be prepared and a public hearing scheduled.

**Fiscal Note:** N/A

**A motion was made that this Zoning Item be Received and Filed as Reported.  
The motion was APPROVED.**

08-1693

**Subject:** (Direct Referral) Request by Samuel Hutchins seeking a conditional use permit for auto repair facility at 2835 Lathrop Avenue.

**Recommendation of City Plan Commission on 1-30-08:** That a request from Samuel D. Hutchins, Jr. of R & S Performance Auto Repair seeking a conditional use permit to relocate and operate a full service auto repair facility at 2835 Lathrop Avenue be approved, subject to the following conditions:

- a. That the plans received December 27, 2007 and presented to the Plan Commission on January 30, 2008, be approved subject to the conditions contained herein.
- b. That all applicable permit be obtained from the Building Inspection Department.
- c. That the outside storage of junked vehicles (except those which are inoperable and awaiting repair at this facility in accordance with these conditions), vehicle parts, materials, and equipment be prohibited.
- d. That all aspects of the operation of this business be conducted indoors including vending machines, product displays, or sales.
- e. That the sale of vehicles, and the performance of body work and painting of vehicles be prohibited at this location.
- f. That a tow truck may be stored on the property and used for the transport of vehicles to and from this facility for repairs to be accomplished at this facility on said vehicles, but in no way shall this be construed as to permit from this location the operation of a towing business, impound lot, towing yard, or junk yard.
- g. That only employee vehicles, and customer vehicles awaiting repair

shall be permitted to be parked or stored on site, and for no longer than 20 days. Outdoor storage of vehicles for more than 20 days is prohibited.

h. That vehicles be confined to spaces that are striped, and that vehicles be positioned in a manner that does not constrict traffic circulation on the property.

i. That in relation to Common Council Resolution NO. 4808 of September 3, 2002 unobstructed access across 2835 Lathrop Avenue be maintained for a contractor's storage, office and shop facility at 2834 West Lawn Avenue for the purposes of allowing the passage of construction vehicles and equipment, and the delivery of supplies to said contractor's facility.

j. That the maximum hours of operation for the auto repair facility be from 8:00 a.m. to 6:00 p.m. Monday through Friday, 8:00 a.m. until 3:00 p.m. on Saturday, and no hours on Sunday.

k. That all trash and recyclables be stored in closed containers and screened from view.

l. That a landscape plan be submitted to the Director of City Development for review and approval prior to the issuance of an occupancy permit. Said plan shall illustrate the installation of a five-foot wide planting bed along the Lathrop Avenue sidewalk, adjacent to the parking space. Said landscaping shall be installed by June 1, 2008. All landscaped areas shall be maintained in a professional manner.

m. That all signs be professionally made, comply with the zoning ordinance requirements and be submitted to the Director of City Development for review and approval.

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

o. 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.

**Fiscal Note:** N/A

**A motion was made that this Conditional Use Permit be Received and Filed as Reported. The motion was APPROVED.**

[08-1694](#)

**Subject:** (Direct Referral) Request by Fadi Imseitef seeking a conditional use permit for an electronic sign at 3430 Douglas Avenue.

**Recommendation of City Plan Commission on 1-30-08:** That the request from Fadi Imseitef seeking a conditional use permit for an electronic sign at 3430 Douglas Avenue be approved, subject to the following conditions:

- a. That the plans received December 28, 2007 and presented to the Plan Commission on January 30, 2008, be approved subject to the conditions contained herein.
- b. That all applicable permits be obtained from the Building Inspection Department.
- c. That the sign not exceed eight feet in height.
- d. That the sign have a decorative concrete block base that matches the split faced block on the building in texture and color.
- e. That the electronic sign be permitted to emit amber light, subject to the approval of the City of Racine Traffic Engineer.
- f. That the electronic sign be operated in compliance with Sec. 114-1033 of the Racine Municipal Code.
- g. That all other codes and ordinances be complied with and required permits acquired.
- h. 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.

**Fiscal Note:** N/A

**A motion was made that this Conditional Use Permit be Received and Filed as Reported. The motion was APPROVED.**

Council Action

**A motion was made by Alderman Gregory Holding to Adopt the Report. Adopted by the following vote:**

**AYES:** 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

**Executive Committee Report, by Ald Spangenberg**

**[08-1709](#)**

**Subject:** Ordinance No. 23-07

To amend Section 2-40 (1) and (2) of the Municipal Code of the City of Racine, Wisconsin relating to Aldermanic district boundaries.

Recommendation of Executive Committee: That Ordinance 23-07 be adopted.

Fiscal Note: N/A

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

**AYES:** 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

### **Committee of the Whole Report, by Ald. Spangenberg**

#### **07-1414**

**Subject:** Communication from the 6th District Alderman requesting the presentation of the Assessor's Office Performance Audit.

**Recommend:** 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 by the following vote:**

**AYES:** 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

## **G. Resolutions**

#### **Res.08-0608**

Agreement to prepare plans and specifications to replace softball lights at Island Park South Diamond

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with David L. Hanson and Associates, Inc., to prepare plans and specifications to replace the softball lights at Island Park South Diamond at a cost not to exceed \$6,000.00.

**Fiscal Note:** Funds are available in Account 988.710.5020, Replace Island South Ball Lights.

**Sponsors:** Q.A. Shakoor II

**A motion was made by Ald. Shakoor that this resolution be adopted.**

#### **Res.08-0609**

Release of Liability for firefighting training at 608 - 8th Street

Resolved, that the fire chief be granted permission to a Release of Liability from First Evangelical Lutheran Church, to allow firefighter training at a house currently owned by the church, located at 608 - 8th Street.

Fiscal Note: N/A

Sponsors: Q.A. Shakoor II and Thomas Friedel

**A motion was made by Ald. Shakoor that this resolution be adopted.**

**Res.08-0610** Racine Boat & RV Show

Resolved, that the Recreational Leadership Company, LLC be granted permission to close the Christopher Columbus Causeway, from Lake Avenue east to the water's edge, from 8:00 a.m. on August 4, 2008 to 10:00 p.m. on August 10, 2008, for the Racine Boat & RV Show.

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 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, to assist in implementing this event.

Sponsors: Ronald D. Hart

**A motion was made by Ald. Hart that this resolution be adopted.**

**Res.08-0611** Cruz in for the Cause Benefit

Resolved, that permission be granted to Redline Tavern Corporation, 1200 N. Wisconsin Street, to close N. Wisconsin Street from Hamilton Street to Hubbard Street, on Saturday, July 19, 2008, from 9 a.m. to 9 p.m., for the 5th annual "Cruz in for the Cause" benefit for Safehaven of Racine, 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 and all required permits be acquired.
- 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: Ronald D. Hart

**A motion was made by Ald. Hart that this resolution be adopted.**

**Res.08-0612** Approve contract for Sixth Street Utility Construction

Resolved, that Contract 3-08 (K8-003), Sixth Street Utility Construction (R1), be awarded to Globe Contractors, Inc., Pewaukee, WI, at their bid price of \$1,297,965.50, they being the lowest responsible bidder.

Further resolved, that funding to defray the cost of this public works project be appropriated from the following accounts:

\$ 698,401.50 - Account 988.907.5330, Sanitary Sewer Const., 6th Street  
\$ 23,420.00 - Account 104.988.5420, Storm Sewers, Various Locations  
\$ 576,144.00 - Racine Water Department  
\$1,297,965.50 - Total

Fiscal Note: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

**A motion was made by Alderman Hart that this Resolution be Adopted. The motion was APPROVED by the following vote:**

**AYES:** 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

**Res.08-0613** Approve contract for DeKoven Avenue Utility Work

Resolved, that Contract 4-08 (K8-004), DeKoven Avenue Utility Work (R1), be awarded to C.W. Purpero, Inc., Milwaukee, WI, at their bid price of \$459,624.00, they being the lowest responsible bidder.

Further resolved, that funding to defray the cost of this public works project be appropriated from the following accounts:

\$ 11,000.00 - Account 987.907.5310, Sanitary Sewers, Various Locations  
\$172,557.00 - Account 104.988.5420, Storm Sewers, Various Locations

\$276,067.00 - Racine Water Department  
\$459,624.00 - Total

Fiscal Note: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

**A motion was made by Alderman Hart that this Resolution be Adopted. The motion was APPROVED by the following vote:**

**AYES:** 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

Res.08-0614 Enter into agreement for engineering services for Structural Slab and Wall Restoration at Washington Avenue Central Heating Plant

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with Arnold & O'Sheridan, Inc., Madison, WI, for engineering services for Structural Slab and Wall Restoration at the Washington Avenue Central Heating Plant at a price not-to-exceed \$25,500.00 plus \$1,500 for consultation services, for a total contract amount of \$27,000.00.

Further resolved, that funds to defray the cost of these professional services are available in Account 988.220.5030, Central Heating Plant Structural Repairs.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

**A motion was made by Alderman Hart that this Resolution be Adopted. The motion was APPROVED by the following vote:**

**AYES:** 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

Res.08-0615 Enter agreement for professional services for Implementation of Phase II of the Sanitary Sewer Maintenance Program

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with Earth Tech, Inc., Milwaukee, WI, for professional services to develop the necessary database for Implementation of Phase II of the Sanitary Sewer Maintenance Program at a price not-to-exceed \$12,500.00.

Further resolved, that funds to defray the cost of these professional services are available in Account 287.988.5310, Sanitary Sewer, Various Locations.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

**A motion was made by Alderman Hart that this Resolution be Adopted. The motion was APPROVED by the following vote:**

**AYES:** 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

**Res.08-0616** Final payment on Contract 56-05 (K5-064), PS-Design Kranz Parcel

Resolved, that the professional services provided by Earth Tech, Inc. under Contract 56-05 (K5-064), PS - Design Kranz Parcel, Jacobsen-Textron Redevelopment, be accepted and final payment authorized for a total contract amount of \$29,100.00, from funds heretofore appropriated.

Fiscal Note: This contract was approved by Resolution 6644, dated September 6, 2005.

Sponsors: Ronald D. Hart

**A motion was made by Ald. Hart that this resolution be adopted.**

**Res.08-0617** Final payment on Contract 49-05 (K5-056), Lake Michigan Pathway Construction, Phase II

Resolved, that the work of Bane-Nelson, Inc. under Contract 49-05 (K5-056), Lake Michigan Pathway Construction, Phase II, be accepted and final payment authorized for a total contract amount of \$2,072,674.01, from funds heretofore appropriated.

Fiscal Note: This contract was approved by Resolution 6695, dated October 4, 2005.

Sponsors: Ronald D. Hart

**A motion was made by Ald. Hart that this resolution be adopted.**

**Res.08-0618** Final payment on Contract 45-07 (K7-053), 2007 Sidewalk Replacement, Phase II

Resolved, that the work of John's Concrete under Contract 45-07 (K7-053), 2007 Sidewalk Replacement, Phase II, be accepted and final payment authorized for a total contract amount of \$359,570.60, from funds heretofore appropriated.

Fiscal Note: This contract was approved by Resolution 07-0357, dated August 6, 2007.

Sponsors: Ronald D. Hart



A motion was made by Ald. Hart that this resolution be adopted.

**Res.08-0619** Change Order on Contract 26-07 (K7-030), 2007 City Resurfacing

Resolved, that Change Order No. 2 on Contract 26-07 (K7-030), 2007 City Resurfacing, A. W. Oakes & Son, contractor, as submitted, be approved in the amount of \$62,956.81.

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

\$ 19,746.00 - Account 104.988.5420, Storm Sewer, Misc.,  
26,752.65 - Account 987.908.5020, Concrete Pavement Repl., Misc.  
10,333.16 - Account 987.908.5130, Asphalt Resurfacing  
1,125.00 - Account 987.907.5310, Sanitary Sewer Construction  
5,000.00 - Account 987.908.5520, Sidewalk Replacement  
\$ 62,956.81 - Total

Fiscal Note: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

**A motion was made by Alderman Hart that this Resolution be Adopted. The motion was APPROVED by the following vote:**

**AYES:** 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

**Res.08-0620** Final payment on Contract 26-07 (K7-030), 2007 City Resurfacing

Resolved, that the work of A.W. Oakes & Son, under Contract 26-07 (K7-030), 2007 City Resurfacing, be accepted and final payment authorized for a total contract amount of \$1,087,633.03, from funds heretofore appropriated.

Fiscal Note: This contract was approved by Resolution 07-0219, dated May 15, 2007.

Sponsors: Ronald D. Hart

**A motion was made by Ald. Hart that this resolution be adopted.**

**Res.08-0621** Enter into a professional service agreement for 2009 Parking Ramp Maintenance

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with Arnold & O'Sheridan, Inc., Madison, WI, for professional services for 2009 Parking Ramp Maintenance at a price not-to-exceed \$42,600.00.

Further resolved, that funds to defray the cost of these professional services are available in Account 106.988.5120, Ramp Improvements.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

**A motion was made by Ald. Hart that this resolution be adopted.**

**Res.08-0622** Enter into professional service agreement for Exterior Repairs to Memorial Hall

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with Industrial Roofing Services, Inc., Butler, WI, for professional services for preparation of plans and specifications for repairs to the exterior of Memorial Hall, at a price not-to-exceed \$5,250.00.

Further resolved, that funds to defray the cost of these professional services are available in Account 108.988.5510, Memorial Hall Tuckpointing.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

**A motion was made by Ald. Hart that this resolution be adopted.**

**Res.08-0623** Waive formal bidding and enter into professional service agreement for Dockwall Repairs at Main Street Bridge

Resolved, that due to the nature of the work, formal bidding procedures be waived and that the Mayor and City Clerk be authorized and directed to enter into an agreement with Edward F. Gillen Company to perform Dockwall Repairs at the Main Street Bridge, at a price not-to-exceed \$18,500.00.

Further resolved, that funds to defray the cost of these repairs are available in Account 101.520.5550, Bridges and Viaducts, Repairs and Maintenance.

Fiscal Note: All costs associated with this proposal are reimbursable through the State of Wisconsin Lift Bridge Program.

Sponsors: Ronald D. Hart

**A motion was made by Ald. Hart that this resolution be adopted.**

**Res.08-0624** Preliminary - Ten (10) Year Benefits and Damages

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

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

All property fronting upon both sides:

#### PORTLAND CEMENT CONCRETE PAVING

Fifteenth Street from Wisconsin Avenue to Main Street  
Carter Street from English Street to Yout Street  
Riverside Drive from Cedar Bend to Clayton Avenue  
Homestead Street from Howard Street to the Dead End  
Alden Court from Lathrop Avenue to Cul-de-sac  
Kings Circle from Oakwood Drive to the Cul-de-sac  
Kentucky Street from Taylor Avenue to Cul-de-sac  
Emstan Hills Road from Southwood Drive to Duchess Drive  
Emstan Hills Road from Victorian Drive to Southwood Drive  
Hickory Way from Ravine Drive to Crabapple Drive  
Seventeenth Street from Indiana Street to Kentucky Street  
Seventeenth Street from Oregon Street to Indiana Street  
Victory Avenue from Seventeenth Street (east) to Seventeenth Street (west)  
West Lawn Avenue from Republic Avenue to Victory Avenue  
Seventeenth Street from Virginia Street to Illinois Street  
Olive Street from Ohio Street to Virginia Street  
Jonathon Drive from Cul-de-sac (west) to Main Street  
North Bay Drive from Cul-de-sac to Sheffield Drive  
Westminster Square from Steeplechase (W) to Steeplechase (E)  
Ruby Avenue from Melvin Avenue to Lombard Avenue

#### CURB AND GUTTER

Homestead Street from Howard Street to the Dead End.  
Alden Court from Lathrop Avenue to Cul-de-sac.  
Kings Circle from Oakwood Drive to the Cul-de-sac.  
Emstan Hills Road from Southwood Drive to Duchess Drive  
Emstan Hills Road from Victorian Drive to Southwood Drive

#### SEWER AND WATER LATERALS

Fifteenth Street from Wisconsin Avenue to Main Street  
Homestead Street from Howard Street to the Dead End.

#### SANITARY SEWER

Fifteenth Street from Wisconsin Avenue to Main Street  
Homestead Street from Howard Street to the Dead End

WATER MAIN

Fifteenth Street from Wisconsin Avenue to Main Street  
Homestead Street from Howard Street to the Dead End.

ALLEYS

Alley bounded by Jay Eye See Avenue & Case Avenue; 20th Street & 21st Street

Alley bounded by DeKoven Avenue & 18th Street; Clark Street & Racine Street

Alley bounded by DeKoven Avenue & 20th Street; Case Avenue & Jay Eye See Avenue

Alley bounded by DeKoven Avenue & 20th Street; East of Phillips Avenue

Alley bounded by Jay Eye See Avenue & Phillips Avenue; 21st Street & 20th Street

Alley bounded by Kearney Avenue & Hickory Grove Avenue; 21st Street & 20th Street

Alley bounded by Northwestern Avenue & Goold Street; Golf Avenue & Georgia Avenue

Alley bounded by Monroe Avenue & West Lawn Avenue; 13th Street & Wright Avenue

Alley bounded by Victory Avenue & 16th Street; Monroe Avenue & West Lawn Avenue.

Alley bounded by Shoreland Drive & North Street; 8th Avenue \* 9th Avenue

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

(3) The net amount of such benefits over damages or the net amount of such damages over benefits.

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

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

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

Fiscal Note: Unknown at this time.

Sponsors: Ronald D. Hart

**A motion was made by Ald. Hart that this resolution be adopted.**

**Res.08-0625** Final payment on Contract 46-07 (K7-054), Festival Hall Boiler Replacement

Resolved, that the work of Mechanical Associates of WI, Inc. under Contract 46-07 (K7-054), Festival Hall Boiler Replacement, be accepted and final payment authorized for a total contract amount of \$18,536.67, from funds heretofore appropriated.

Fiscal Note: This contract was approved by Resolution 07-0358, dated August 6, 2007.

Sponsors: Ronald D. Hart

**A motion was made by Ald. Hart that this resolution be adopted.**

**Res.08-0626** Waive formal bidding and Negotiate Purchase of Additional Panasonic Toughbook Arbitrator in-squad video cameras

Resolved, that formal bidding procedures be waived and that the Purchasing Agent be authorized and directed to negotiate the purchase of additional Panasonic Toughbook Arbitrator in-squad video cameras.

Fiscal Note: Funds are available in the 2006 Bureau of Justice Assistance Grant.

Sponsors: Thomas Friedel

**A motion was made by Ald. Friedel that this resolution be adopted.**

**Res.08-0627** Permission for Fire Chief to accept a check from Office of Justice Assistance

Resolved, that the Fire Chief be authorized to accept an Office of Justice Assistance check for \$89,085.59 to close out OJA Grant HS-05-IC-0399 for Interoperability Communications.

Fiscal Note: The reimbursement will be placed in 213.000.6830 Revenue from state OJA-FD/PD.

Sponsors: Thomas Friedel

**A motion was made by Ald. Friedel that this resolution be adopted.**

**Res.08-0628** Permission to apply for 2008 Aquatic Invasive Species Grant

Resolved, that the Racine Board of Harbor Commissioners be authorized to apply for the 2008 Aquatic Invasive Species grant (Grant Control #2008-001).

Fiscal Note: 75% state funding (25% to be funded by the Racine Harbor Comm., Racine Yacht Club, Reefpoint Marina and Lakeshore Towers) Grant Control #2008-001.

Sponsors: Thomas Friedel

**A motion was made by Alderman Friedel that this Resolution be Adopted. The motion was APPROVED by the following vote:**

**AYES:** 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

**Res.08-0629** Permission to accept check for \$5,000 from Wisconsin Waterways Commission

Resolved, that the Asst. Commissioner of Public Works/Engineering be authorized to accept \$5,000 from the Wisconsin Waterways Commission to be utilized for the installation of a boat pump-out station on the north side of the Root River, west of the Main Street Bridge. (Grant Control No. 2006-052).

Fiscal Note: 25% funding (remaining 75% to be provided by a Federal Clean Vessel Act grant). Grant Control #2006-052.

Sponsors: Thomas Friedel

**A motion was made by Alderman Friedel that this Resolution be Adopted. The motion was APPROVED by the following vote:**

**AYES:** 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

**Res.08-0630** Permission to accept \$70,000 from Wisconsin Waterways Commission for

installation of a floating dock

Resolved, that the Asst. Commissioner of Public Works/Engineering be authorized to accept \$70,000 from the Wisconsin Waterways Commission to be utilized for the installation of a floating dock on the north side of the Root River, west of the Main Street Bridge and request the local match be increased from \$28,000 to \$70,000 in the 2008 budget year. (Grant Control No. 2006-051).

Further resolved, that the general fund advance up to \$40,000, interest free, to be paid back in even installments over the next 10 years.

Fiscal Note: Local match will be increased from \$28,000 to \$70,000 in the 2008 budget year. The increase will be funded through existing Harbor Commission funds and an advance from the General Fund.

Sponsors: Thomas Friedel

**A motion was made by Alderman Friedel that this Resolution be Adopted. The motion was APPROVED by the following vote:**

**AYES:** 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

**Res.08-0631** Permission to accept \$15,000 from the Federal Clean Vessel Act Program for installation of a boat pump-out station

Resolved, that the Assistant Commissioner of Public Works/Engineering be authorized to accept \$15,000 from the Federal Clean Vessel Act Program to be utilized for the installation of a boat pump-out station on the north side of the Root River (Grant Control No. 2006-052).

Fiscal Note: 75% funding (25% to be funded by the Wisconsin Waterways Commission) Grant Control No. 2006-052.

Sponsors: Thomas Friedel

**A motion was made by Alderman Friedel that this Resolution be Adopted. The motion was APPROVED by the following vote:**

**AYES:** 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

**Res.08-0632** Enter into agreement with Racine County Economic Development Corporation for 2008

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement for 2008 with Racine County Economic Development Corporation for Commercial Corridor Services in the amount of \$69,400.00 .

Fiscal Note: \$69,400.00 was provided for in the 2008 capital budget.

Sponsors: Thomas Friedel

**A motion was made by Ald. Friedel that this resolution be adopted.**

**Res.08-0633** Enter into agreement with United HealthCare Insurance Company

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with United HealthCare Insurance Company to provide third party administration services for the City Health Plan including payment of claims effective January 1, 2008.

Fiscal Note: N/A

Sponsors: Thomas Friedel

**A motion was made by Ald. Friedel that this resolution be adopted.**

**Res.08-0634** Conditional Use Permit for 2835 Lathrop Avenue

Resolved, that the request from Samuel D. Hutchins, Jr. of R & S Performance Auto Repair seeking a conditional use permit to relocate and operate a full service auto repair facility at 2835 Lathrop Avenue be approved, subject to the following conditions:

- a. That the plans received December 27, 2007 and presented to the Plan Commission on January 30, 2008, be approved subject to the conditions contained herein.
- b. That all applicable permits be obtained from the Building Inspection Department.
- c. That the outside storage of junked vehicles (except those which are inoperable and awaiting repair at this facility in accordance with these conditions), vehicle parts, materials, and equipment be prohibited.
- d. That all aspects of the operation of this business be conducted indoors including vending machines, product displays, or sales.
- e. That the sale of vehicles, and the performance of body work and painting of vehicles be prohibited at this location.
- f. That a tow truck may be stored on the property and used for the transport of vehicles to and from this facility for repairs to be accomplished at this facility on said vehicles, but in no way shall this be construed as to permit from this location the operation of a towing business, impound lot, towing yard, or junk



yard.

g. That only employee vehicles, and customer vehicles awaiting repair shall be permitted to be parked or stored on site, and for no longer than 20 days. Outdoor storage of vehicles for more than 20 days is prohibited.

h. That vehicles be confined to spaces that are striped, and that vehicles be positioned in a manner that does not constrict traffic circulation on the property.

i. That in relation to Common Council Resolution No. 4808 of September 3, 2002 unobstructed access across 2835 Lathrop Avenue be maintained for contractor's storage, office and shop facility at 2834 West Lawn Avenue for the purposes of allowing the passage of construction vehicles and equipment, and the delivery of supplies to said contractor's facility.

j. That the maximum hours of operation for the auto repair facility be from 8:00 a.m. to 6:00 p.m. Monday through Friday, 8:00 a.m. until 3:00 p.m. on Saturday, and no hours on Sunday.

k. That all trash and recyclables be stored in closed containers and screened from view.

l. That a landscape plan be submitted to the Director of City Development for review and approval prior to the issuance of an occupancy permit. Said plan shall illustrate the installation of a five-foot wide planting bed along the Lathrop Avenue sidewalk, adjacent to the parking space. Said landscaping shall be installed by June 1, 2008. All landscaped areas shall be maintained in a professional manner.

m. That all signs be professionally made, comply with zoning ordinance requirements and be submitted to the Director of City Development for review and approval.

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

o. 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.

Fiscal Note: N/A

Sponsors: Gregory Holding

**A motion was made by Ald. Holding that this resolution be adopted.**

**Res.08-0635** Conditional Use Permit for 3430 Douglas Avenue

Resolved, that the request from Fadi Imseitef seeking a conditional use permit

for an electronic sign at 3430 Douglas Avenue be approved, subject to the following conditions:

- a. That the plans received December 28, 2007 and presented to the Plan Commission on January 30, 2008, be approved subject to the conditions contained herein.
- b. That all applicable permits be obtained from the Building Inspection Department.
- c. That the sign not exceed eight feet in height.
- d. That the sign have a decorative concrete block base that matches the split faced block on the building in texture and color.
- e. That the electronic sign be permitted to emit amber light, subject to the approval of the City of Racine Traffic Engineer.
- f. That the electronic sign be operated in compliance with Sec. 114-1033 of the Racine Municipal Code.
- g. That all other codes and ordinances be complied with and required permits acquired.
- h. 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.

Fiscal Note: N/A

Sponsors: Gregory Holding

**A motion was made by Ald. Holding that this resolution be adopted.**

## H. Ordinances

Ord.01-08 Ordinance No. 1-08

To repeal and recreate Sec. 114-111 of the Municipal Code of the City of Racine, Wisconsin relating to Zoning - Fees, Enumerated.

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

Part 1:

Sec. 114-111 of the Municipal Code of the City of Racine is hereby repealed and recreated to read as follows:

“Sec. 114-111. Enumerated.

By a resolution of the Common Council, from time to time, appropriate fees may be established for the following activities: zoning map amendment; zoning appeal or variance; conditional use permit; conditional use permit amendment as a remedy for non-compliance; lot paving/resurfacing; application for designation as "H" Historic Properties District; application to rescind designation as "H" Historic Properties District; submittal for design review."

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: Gregory Holding

**Referred to City Plan Commission**

**I. Miscellaneous Business**

CEMETERY BOARD APPOINTMENT

Alderman Weidner moved that nominations be opened for a citizen member of the Cemetery Commission.

There were no objections.

Alderman Weidner nominated Margo Drummond, for a four-year term ending March 2012.

Alderman Weidner moved that nominations be closed.

Alderman Weidner moved that the City Clerk cast the unanimous ballot of the Council for Margo Drummond.

*Ald. Maack questioned whether or not a City Council member has authority to request the Chief of Police attend committee meetings to answer questions involving incidents relating to Police Department procedures or should this be handled by the Police and Fire Commission.*

*Mayor Becker stated the incident in question would automatically be reviewed by the Police and Fire Commission and asked Ald. Shakoor would he mind withdrawing his request to have the item referred to the Police and Fire Commission.*

*Ald. Shakoor agreed to withdraw his request, but stated he did not want this to fall*

*through the system, as long as it is reviewed by the Police and Fire Commission.*

**J. Adjourn**

*The meeting was adjourned at 7:47 p.m. by Ald. Shakoor. The next scheduled meeting of the Council is Wednesday, February 20, 2008.*

ATTEST: JANICE M. JOHNSON-MARTIN  
CITY CLERK