



City of Racine

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

Meeting Agenda - Final Common Council

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

Tuesday, September 7, 2010

7:00 PM

Room 205, City Hall

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

Refer to Finance and Personnel Committee, by Ald. Spangenberg

[10-5517](#) **Subject:** communication from the City Attorney submitting the claims of Tom Goebel and of Society Insurance for consideration.

[10-5506](#) **Subject:** Communication from the Director of Parks, Recreation and Cultural Services requesting permission to accept donations for the Mayor's Back to School/Stay in School Program.

[10-5518](#) **Subject:** Communication from the Purchasing Agent requesting to discuss Official Notice #9, 1,300 Banquet Chairs, 130 chair dollies with 30 extra seat cushions to be utilized at the Festival Hall.

[10-5521](#) **Subject:** Communication from the Director of City Development submitting a request from the Douglas Avenue Business Improvement District (BID #4) for approval of its 2011 Operating Plan.

[10-5532](#) **Subject:** Communication from the Director of City Development

requesting permission to apply to the U.S. Environmental Protection Agency for a grant to perform environmental site assessments at brownfields properties throughout the City. Grant Control No. 2010-031.

[10-5558](#) **Subject:** Communication from the Police Chief, requesting to discuss acceptance of the 2010 SPA-NTOA Trijicon Grant (grant control # 2010-025).

(Also refer to the Public Safety and Licensing Committee.)

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

[10-5522](#) **Subject:** Communication from David Mann, Vice President and General Manager of John H. Batten Airport, and Dale Seianas (2828 Diane Ave.) requesting permission to remove the sidewalks at 2822 and 2828 Diane Avenue.

[10-5523](#) **Subject:** Communication from David Mann, Vice President and General Manager of John H. Batten Airport, requesting permission to remove the sidewalks at 2905 and 2911 Diane Avenue.

[10-5546](#) **Subject:** Communication from the Director of City Development requesting approval of a change order to Contract 31-10 (K0-039) Roof Replacement - 1511 Washington Avenue.

[10-5547](#) **Subject:** Communication from McKinley Middle School requesting to close city streets for the McKinley 5K Fun Run/Walk on Friday, September 24, 2010.

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

[10-5538](#) **Subject:** Communication from the Director of Parks, Recreation and Cultural Services to present the bids received by the Commissioner of Public Works for PRCS Asphalt Pavement Improvements.

[10-5539](#) **Subject:** Communication from the Director of Parks, Recreation and Cultural Services requesting Amendment No. 1 to the Professional Services Agreement for Architectural Design Services for the Restroom Facility at Horlick Athletic Field by Butterfield, Rudie & Seitz Architects for an increase of \$700.00 for a total contract Amount of \$13,700.00. (Res. 10-1926)

[10-5540](#) **Subject:** Communication from the Director of Parks, Recreation and Cultural Services requesting final payment for Design Services for Boiler Replacement at Dr. Bryant Community Center in the amount of

\$6,600.00. (Res. 10-1863).

- [10-5541](#) **Subject:** Communication from the Director of Parks, Recreation and Cultural Services requesting final payment for Design Services for Boiler Replacement at Wustum Museum by Southport Consulting, Inc. in the amount of \$3,700.00. (Res. 10-1864)
- [10-5542](#) **Subject:** Communication from the Director of Parks, Recreation and Cultural Services requesting Amendment No. 1 to the Professional Services Agreement by Design Services for Boiler Replacement at Dr. Bryant Community Center by Southport Consulting, Inc. in the amount of \$700.00 for a total contract amount of \$6,600.00. (Res. 10-1863)
- [10-5543](#) **Subject:** Communication from the Director of Parks, Recreation and Cultural Services requesting final payment for Architectural Design Services for Restroom Facility at Horlick Athletic Field by Butterfield, Rudie & Seitz Architects, Inc. in the Amount of \$13,700.00. (Res. 10-1926)
- [10-5544](#) **Subject:** Communication from the Director of Parks, Recreation and Cultural Services to request Change Order #9 to Contract 52-07 (K7-061), Remodel Racine Zoological Gardens, Phase III, by Seater Construction Co., Inc. in the amount of \$2,631.00 for a total contract amount of \$1,885,107.02. (Res. 07-0566)
- [10-5545](#) **Subject:** Communication from the Director of Parks, Recreation and Cultural Services requesting final payment for Contract 52-07 (K7-061), Remodel Racine Zoological Gardens - Phase III by Seater Construction Co., Inc. in the amount of \$1,885,107.02. (Res. 07-0566)
- [10-5553](#) **Subject:** Communication from The Place on 6th, Keith Fair, Agent, requesting to amend the premises description at 509 Sixth Street.
- [10-5556](#) **Subject:** New application for Larry Oliver for a Non-Registrant Massage Therapist permit at 215 Sixth Street. (1st District)
- [10-5557](#) **Subject:** New application for Penny Strohkirch for a Non-Registrant Massage Therapist permit for 215 Sixth Street. (1st District)
- [10-5559](#) **Subject:** Communication from Joe Madison of Pepi's Pub and Grill, 618-6th Street, requesting to amend his premise description to include the exterior sidewalk area within his property lines.

Refer to Traffic Commission, by Ald. Holding

- [10-5555](#) **Subject:** Communication from Douglas Clum, Principal, Bull Fine Arts Elementary, 815 DeKoven Avenue, requesting a Loading Zone be established on the school side of Center Street to accommodate student drop off and pick up.

Refer to Transit and Parking Commission, by Ald. DeHahn

- [10-5507](#) **Subject:** Communication from the Civic Centre Director requesting a reduced rate for the use of Lakefront Lot No. 4/Festival Hall Lot from November 2010 to March 2011.
- [10-5508](#) **Subject:** Communication from the Uptown Improvement Organization Board requesting to discuss parking issues within the 1500 block of Washington Avenue.
- [10-5534](#) **Subject:** Communication from the General Manager of PTMR submitting the financial and operating report for August 2010.
- [10-5537](#) **Subject:** Communication from the B.U.S. General Manager requesting formal approval of the Professional Transit Management of Racine, Inc. Substance Abuse Policy.
- [10-5549](#) **Subject:** Communication from the Assistant Commissioner of Public Works/Operations requesting to amend the contract with Image Management to manage the City of Racine BUS advertising.

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

- [10-5551](#) **Subject:** Communication from the President of the Racine Raiders Football Club requesting to exercise the Raider's option for a three year renewal of the Horlick Field concession stand contract.

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

- [10-5488](#) **Subject:** Communication from the City Attorney submitting the claim of Beatrice Olsen for consideration.

Recommendation of the Finance & Personnel Committee on

8-23-10: The claim of Beatrice Olsen, 3412 Washington Ave., requesting reimbursement in the amount of \$1,455.00 for alleged damages arising from a sewer backup in her basement on or about

June 1, 2010 be denied.

Fiscal Note: N/A

10-5480

Subject: Communication from the Fire Chief requesting permission to accept OJA/UASI Grant 2009-HS-19G-7920 for Technical Rescue Equipment and Training. Grant Control Number 2010-029. (Res.10-2157)

Recommendation of the Finance & Personnel Committee on

8-23-10: Permission be granted for the Fire Chief to accept OJA/UASI Grant 2009-HS-19G-7920 for Technical Rescue Equipment and Training. Grant Control Number 2010-029.

Fiscal Note: There is no local hard or soft match.

10-5481

Subject: Communication from the Director of Parks, Recreation and Cultural Services requesting permission to accept a donation of \$50.00 from Randy and Mary Urick.

Recommendation of the Finance & Personnel Committee on

8-23-10: Permission be granted for the Director of Parks, Recreation and Cultural Services to accept a donation of \$50.00 from Randy and Mary Urick.

Fiscal Note: N/A

10-5482

Subject: Communication from the Public Health Administrator requesting the City of Racine enter into a memorandum of agreement with the Department of Agriculture, Trade and Consumer Protection for weights and measures inspection services. (Res.10-2158)

Recommendation of the Finance & Personnel Committee on

8-23-10: The Mayor and City Clerk be authorized to enter into a memorandum of agreement with the Department of Agriculture, Trade and Consumer Protection for weights and measures inspection services.

Fiscal Note: The City will be charged for 33 days, for the 2010-2011 fiscal year at \$400 per day to cover the cost of services rendered. Annual fees payable to the Department shall be in the amount of \$13,200, except as otherwise agreed upon for succeeding contract periods.

Public Works and Services Committee Report, by Ald. Holding

10-5467

Subject: Communication from St. Edward Parish requesting to close

15th Street and the alley between West Blvd. and Grove Avenue for their Fall Fun Fest from September 24, 2010 to September 26, 2010. (Res.10-2163)

Recommendation of the Public Works and Services Committee on 8-31-10: That St. Edward Parish be granted permission to close 15th Street and the alley bounded by 15th Street, 16th Street, West Boulevard and Grove Avenue, from 3:00 p.m. Friday, September 24, 2010, through Sunday, September 26, 2010, for a Fall Fun 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 \$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.

[10-5479](#)

Subject: Communication from the Alderman of the 9th District, on behalf of his constituent, requesting the alley bounded by Hayes/Blaine/Kinzie/Lindermann be paved and also requests that a preliminary resolution be drafted for a public hearing on this matter. (Res.10-2169)

Recommendation of the Public Works and Services Committee on 8-31-10: That the prayer of the petitioner be granted and that a preliminary resolution be introduced for the paving of the alley bounded by Hayes Avenue, Blaine Avenue, Kinzie Avenue and Lindermann Avenue.

Fiscal Note: This is an assessable alley project and, therefore, all costs will be paid for by the abutting property owners.

[10-5505](#)

Subject: (Direct Referral) Communication from the Downtown Racine Corporation requesting to close portions of Main Street and Sixth Street for the 8th Annual Party on the Pavement on Saturday, October 2, 2010, from 12:00 p.m. to 7:00 p.m. (Res.10-2164)

Recommendation of the Public Works and Services Committee on 8-31-10: That permission be granted to the Downtown Racine Corporation to close Main Street from State Street to 7th Street and Sixth Street from Main Street to Grand Avenue, on Saturday, October 2, 2010, from 12:00 p.m. to 7:00 p.m., for the 8th annual "Party on the Pavement" event.

Further recommends 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. Sponsor shall notify all abutting property occupants 72 hours in advance of the event;
- E. The sponsor shall be responsible for the signing of the necessary detours for the State Highway route; and
- F. The sponsor shall pay a special event fee of \$700.00.

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

FISCAL NOTE: There will be nominal costs incurred on a regular shift basis to provide limited assistance to implement this event.

10-5515

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Engineering submitting Change Order No. 1 on Contract 13-10 (K0-013), 2010 North Side Street Paving (R1), Milwaukee General, Contractor. (Res.10-2170)

Recommendation of the Public Works and Services Committee on 8-31-10: That Change Order No. 1 on Contract 13-10 (K0-013), 2010 North Side Street Paving (R1), Milwaukee General Construction Co., Inc., contractor, be approved in the amount of \$56,097.68.

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

\$52,157.68 - Account 990.908.5020, Conc. Pvmt. Repl. Misc. Locations
\$ 3,940.00 - Account 104.990.5420, Storm Sewers, Misc. Locations
\$56,097.68 - Total

Fiscal Note: Funds are available as herein delineated.

10-5516

Subject: (Direct Referral) Communication from Laura Sumner Coon, requesting the use of the Gateway Technical College parking lot from Tuesday, August 24, 2010 through Monday, August 30, 2010 for the SOAR, Back to School event. (Res.10-2166)

Recommendation of the Public Works and Services Committee on 8-31-10: That permission be granted to S.O.A.R. (Scholarships, Opportunities & Access in Racine) to utilize the Gateway parking lot for a Back-to-School Carnival on Saturday and Sunday, August 28 & 29, 2010, 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.

Fiscal Note: N/A

10-5520

Subject: (Direct Referral) Communication from the Commissioner of Public Works/Engineering requesting permission for Time Warner Cable to use the existing City conduit system on 4th Street, Main Street, 5th Street and Lake Avenue for installation, operation, maintenance and repair of their fiber optics. (Res.10-2165)

Recommendation of the Public Works and Services Committee on 8-31-10: That the Mayor and City Clerk be authorized and directed to enter into a Conduit License Agreement with Time Warner Cable to use the City's conduit duct system on 4th Street, Main Street, 5th Street and Lake Avenue for installation, operation, maintenance and repair of their fiber optics. This agreement will be for a minimum period of three (3) years.

Fiscal Note: Time Warner Cable will pay the City \$0.87 per foot conduit fee with a five percent (5%) annual escalator.

10-5530

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations regarding the new Wisconsin Electronics Recycling Law. (Res.10-2167)

Recommendation of the Public Works and Services Committee on 8-31-10: That the City of Racine hold a free drop off for city residents for recyclable electronic devices on Saturday, October 2, 2010 from 9:00 a.m. to 12:00 p.m. at the City Hall Annex parking lot.

Further recommends that the City provide drop off service at the Pearl Street Facility for a \$10.00 fee for televisions and computers.

Fiscal Note: The free drop off cost is estimated at \$5,000.00 with funding available in Account 289.000.5610, Recycling Professional Services. The Pearl Street Facility costs will be offset by the drop off charge at this site.

10-5533

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Engineering submitting the request of Reesman's Excavating to use the former Walker Site for storage of construction materials for force main repairs for the Village of Caledonia. (Res.10-2168)

Recommendation of the Public Works and Services Committee on 8-31-10: The Mayor and City Clerk be authorized and directed to enter into an agreement with Reesman's Excavating & Grading, Inc. for the use of the Walker Site for the storage of construction materials for the Village of Caledonia Force Main Repairs project, for the duration of the project, with the following stipulations:

- A. A Hold Harmless Agreement be executed;
- B. A Liability Insurance Certificate be filed; and
- C. Reesman's Excavating & Grading, Inc. restores the property to its original condition.

Fiscal Note: Not applicable.

Public Safety and Licensing Committee Report, by Ald. Wisneski

10-5205

Subject: (Direct Referral) Due process hearing on item 10-5172 of 5-24-2010, being the recommendation of the Public Safety and Licensing Committee to consider non-renewal, suspension or revocation of the "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for Park 6, LLC, Thomas J. Holmes, Agent, 500 Sixth Street.

Recommendation of the Public Safety and Licensing Committee on 8-29-10: That per agreement between Park 6 LLC and the City of Racine stating that Park 6 500 Sixth Street be closed for 45 days starting at 2 am on September 5th, 2010 and communications continue between the City of Racine and Park 6 LLC during the interim regarding future business plans, be approved.

Fiscal Note: Approximately \$8,000.00

10-5351

Subject: (Direct Referral) Application of Bourbon Street Blues & Jazz Bar LLC, Joe Harris, Agent for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 1111 Washington Avenue (1st District)

Recommendation of the Public Safety and Licensing Committee on 07-26-10: That the Application of Bourbon Street Blues & Jazz Bar LLC, Joe Harris, Agent for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 1111 Washington Avenue be deferred

Recommendation of the Public Safety and Licensing Committee on 08-9-10: That the Application of Bourbon Street Blues & Jazz Bar LLC, Joe Harris, Agent for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 1111 Washington Avenue be denied due to the fragility of the neighborhood, close proximity to a day care and Safe Haven, previous establishment history and police reports relating to tavern incidents.

Recommendation of the Public Safety and Licensing Committee on 08-23-10: That the Application of Bourbon Street Blues & Jazz Bar LLC, Joe Harris, Agent for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 1111 Washington Avenue be approved.

Fiscal Note: N/A

[10-5426](#)

Subject: Communication from the Director of Parks, Recreation and Cultural Services requesting to present the bids for Boiler Upgrades at Bryant Community Center and Wustum Museum. (Res.10-2156)

Recommendation of the Public Safety and Licensing Committee on 8-9-10: That the item be deferred until more information is received.

Recommendation of the Public Safety and Licensing Committee on 8-23-10: That the bids for Boiler Upgrades at Bryant Community Center and Wustum Museum be approved.

Fiscal Note: Dr Byrant Community Center \$150,000 account 990-680-5010 \$Wustum Museum account 990-680-5010 \$29,000 available from account 655.000.5980.

[10-5486](#)

Subject: (Direct Referral) Communication from the Purchasing Agent submitting the report of bids received on the sale of abandoned vehicles 8-11-2010.

Recommendation of the Public Safety and Licensing Committee on 08-23-10: That the bids received on the sale of abandoned vehicles 8-11-2010 be received and filed.

Fiscal Note: This will generate \$5155.01 in revenue.

Traffic Commission Report, by Ald. Holding[09-3953](#)

Subject: Communication from Patrick Starken, Racine Unified Transportation Supervisor, requesting additional crossing guards at South Memorial and DeKoven Avenue (Bull Fine Arts & Mitchell Elementary Schools) and State Street (Julian Thomas Elementary).

Recommendation of the Traffic Commission on 08-17-09: Defer

Recommendation of the Traffic Commission on 09-22-09: Defer

Recommendation of the Traffic Commission on 11-16-09: Defer

Recommendation of the Traffic Commission on 08-23-10: Receive and file.

Fiscal Note: N/A

[10-5125](#)

Subject: Communication from John Poehls, 2708 Westwood Drive, requesting a traffic study be done at the intersection of Westwood Drive and Maria Street, to determine whether stop signs are necessary to maintain public safety.

Recommendation of the Traffic Commission on 06-21-10: Defer

Recommendation of the Traffic Commission on 07-19-10: Defer

Recommendation of the Traffic Commission on 08-23-10: Receive and file.

Fiscal Note: N/A

[10-5429](#)

Subject: (Direct Referral) Communication from Deputy Chief Christensen requesting to discuss crossing guard locations for the Racine Unified School District.

Recommendation of the Traffic Commission on 08-23-10: Receive and file.

Fiscal Note: N/A

Transit and Parking Commission Report, by Ald. DeHahn[10-5450](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting the revised "City of Racine Belle Urban System Policies and Procedures No. 2 (Belle Urban System Revenue Generating Display Advertising, Concessions and Merchandise)" policy. (Res.10-2159)

Recommendation of the Transit and Parking Commission on

08-25-10: Approve the City of Racine Belle Urban System Policies and Procedures No. 2 as amended.

Fiscal Note: N/A

[10-5454](#)

Subject: (Direct Referral) Communication from the General Manager of PTMR submitting the financial and operating report for July 2010.

Recommendation of the Transit and Parking Commission on

08-25-10: Receive and file.

Fiscal Note: N/A

[10-5455](#)

Subject: (Direct Referral) Communication from the General Manager of PTMR submitting a summary of the bus transfer issue as Identified by Mary Newbold at the July 28, 2010 Commission meeting.

Recommendation of the Transit and Parking Commission on

08-25-10: Receive and file.

Fiscal Note: N/A

[10-5468](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works submitting an agreement with the Village of Mt. Pleasant for transit service in 2010. (Res.10-2160)

Recommendation of the Transit and Parking Commission on

08-25-10: The Mayor and City Clerk be authorized and directed to execute the contract between the City of Racine and the Village of Mt. Pleasant for transit service in 2010.

Fiscal Note: The Village of Mt. Pleasant will pay approximately \$171,917 for transit service in 2010.

[10-5474](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works submitting an agreement with the Village of Sturtevant for transit service in 2010. (Res.10-2161)

Recommendation of the Transit and Parking Commission on

08-25-10: The Mayor and City Clerk be authorized and directed to execute the contract between the City of Racine and the Village of Sturtevant for transit service in 2010.

Fiscal Note: The Village of Sturtevant will pay approximately \$53,000 for transit service in 2010.

Community Development Committee Report, by Ald. Coe[10-5250](#)

Subject: Request of the Director of City Development to change the grant recipient of the Kitchen Incubator project. (Res.10-2171)

Recommendation of the Community Development Committee on

9-2-10: That the Homeless Assistance Leadership Organization (HALO) be designated as the recipient of the balance of the Kitchen Incubator Project funding and that the expenditure period be extended to September 1, 2011.

Fiscal Note: N/A

[10-5251](#)

Subject: Application of Project New Life Community Development Corporation for CDBG Local Option funds.

Recommendation of the Community Development Committee on

9-2-10: That the item be received and filed.

Fiscal Note: N/A

[10-5446](#)

Subject: Request from St. Paul Community and Economic Development for Local Option Funding to support the Racine Council of Pastors Community Development Initiative. (Res.10-2172)

Recommendation of the Community Development Committee on

9-2-10: That up to \$25,000 be allocated from the Local Option Fund to St. Paul Community and Economic Development Corporation for the Racine Council of Pastors Community Development Initiative.

Fiscal Note: There are sufficient funds available for this request.

[10-5503](#)

Subject: (Direct Referral) Budget amendment request by Jeanette Buege for the YMCA Remodeling Assistance Partnership Program (aka The Summer Youth Jobs Program). (Res.10-2173)

Recommendation of the Community Development Committee on

9-12-10: That the request to amend the budget of the YMCA Remodeling Assistance Partnership Program be approved, as submitted.

Fiscal Note: N/A

Economic Development Committee Report, by Ald. Spangenberg

[10-5487](#)

Subject: Communication from the Director of City Development requesting that the City enter into an agreement with Racine County Economic Development Corporation for the administration of a new brownfields cleanup-revolving loan fund (BC-RLF) which was awarded to the City in the form of a grant by the US Environmental Protection Agency. (Res.10-2162)

Recommendation by the Economic Development Committee on 8-23-10: That the agreement with Racine County Economic Development Corporation for administration of Brownfields Cleanup - Revolving Loan Fund (BC-RLF) be approved.

Fiscal Note: There is no cost to city. The grant is for \$1,000,000; borrowers are required to provide a match of not less than 20% for each project. The cost of administration will be provided from fees and interest earned by the fund.

Office of the Mayor Report, by Ald. Coe

[10-5554](#)

Subject: Communication from Mayor Dickert nominating appointments/reaappointments to the following committees, boards and/or commissions:

Reappoint Alderman Ron Hart 4420 Republic Ave, Racine 53405 to the Racine Waterworks Commission for a 1 year term expiring October 1, 2011

Reappoint Alderman James Spangenberg 1238 Hayes Ave, Racine 53405 to the Racine Waterworks Commission for a 1 year term expiring October 1, 2011

Reappoint Thomas Sollman 465 Dena Circle, Racine 53402 to the Racine Waterworks Commission for a 4 year term expiring October 1, 2014

Reappoint Alderman Ron Hart 4420 Republic Ave, Racine 53405 to the Racine Wastewater Commission for a 1 year term expiring October 1, 2011

Reappoint Alderman James Spangenberg 1238 Hayes Ave, Racine 53405 to the Racine Wastewater Commission for a 1 year term expiring October 1, 2011

Reappoint Thomas Bunker 804 Lathrop Avenue Racine, 53405 to the Racine Wasterwater Commission as an alternate for a 1 year term expiring October 1, 2011

Reappoint Thomas Sollman 465 Dena Circle, Racine 53402 to the Racine Wastewater Commission for a 4 year term expiring October 1, 2014

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

10-5504

Subject: (Direct Referral) Request of the President & CEO of the Racine Zoological Society to utilize existing land at 2138 N. Wisconsin Street (parcel no. 04754000) to create a parking lot for the Zoo.

Recommendation of the Board of Parks, Recreation & Cultural Services 8-18-10: To receive and file the request.

Fiscal note: N/A.

Cemetery Commission Report, by Ald Weidner

10-5397

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting the amendment of Ordinance Sec. 30-121. Sale; numbering of burial spaces, to change the number of burial spaces to be sold to one person from 20 graves to 10 graves.

Recommendation of the Board of Cemetery Commissioners on August 16, 2010: To approve the Amendment of Ordinance Sec. 30-121. Sale; numbering of burial spaces to be sold to one person be changed from 20 graves to 10 graves.

Fiscal Note: N/A

G. Consent Agenda - Resolutions

Res.10-2156

Contract No. 43-10 (K0-052), Boiler Replacement at Bryant Community Center and Wustum Museum, be awarded to Martin Peterson Company, Inc.

Resolved, that Contract No. 43-10-(K0-052), Boiler Replacement at Bryant

Community Center and Wustum Museum, be awarded to Martin Peterson Company, Inc., Kenosha, Wisconsin, at its bid price of \$150,655.00.

Further resolved, that funds are available in the following accounts:

\$107,855.00	Account No. 990.680.5010, Bryant Center Replace Boiler
<u>42,800.00</u>	Account No. 655.000.5980, Wustum HVAC
\$150,655.00	Total

Fiscal Note: Funds are available in Account 990.680.5010, Bryant Center Replace Boiler, \$107,855.00, and Account 655.000.5980, Wustum HVAC, \$42,800.00.

Sponsors: David L. Maack

Res.10-2157 Permission granted to the Fire Chief to accept OJA/UASI Grant for Technical Rescue Equipment and Training and authorize Mayor and City Clerk to enter into the grant agreement

Resolved, that permission be granted for the Fire Chief to accept OJA/UASI Grant 2009-HS-19G-7920 for Technical Rescue Equipment and Training, Grant Control Number 2010-029, in the amount of \$80,000. \$60,000 will be used for equipment purchases, and \$20,000 will be used for advance technical rescue training.

Further resolved, that the Mayor and City Clerk be authorized and directed to enter into the OJA/UASI Grant Agreement.

Fiscal Note: There is no local hard or soft match.

Res.10-2158 Mayor and City Clerk be authorized to enter into a Memorandum of Agreement with the Department of Agriculture, Trade and Consumer Protection for weights and measures inspection services

Resolved, that the Mayor and City Clerk be authorized and directed to enter into a Memorandum of Agreement with the Department of Agriculture, Trade and Consumer Protection for weights and measures inspection services for the 2010-2011 fiscal year (July 1, 2010 through June 30, 2011), at \$400.00 per day to cover the costs of services rendered.

Fiscal Note: The City will be charged for 33 days, for the 2010-2011 fiscal year at \$400 per day to cover the cost of services rendered. Annual fees payable to the Department shall be in the amount of \$13,200, except as otherwise agreed upon for succeeding contract periods.

Sponsors: James T. Spangenberg

Res.10-2159 Revised City of Racine Belle Urban System Policies and Procedures No. 2 be approved

Resolved, the the revised "City of Racine Belle Urban System Policies and Procedures No. 2 (Belle Urban System Revenue Generating Display

Advertising, Concessions and Merchandise)" Policy be approved as amended.

Fiscal Note: N/A

Sponsors: Raymond DeHahn

Res.10-2160 Mayor and City Clerk be authorized to execute the Agreement between the City of Racine and the Village of Mt. Pleasant for transit service in 2010

Resolved, that the Mayor and City Clerk be authorized and directed to execute the Agreement between the City of Racine and the Village of Mt. Pleasant for transit service in 2010.

Fiscal Note: The Village of Mt. Pleasant will pay approximately \$171,917 for transit service in 2010.

Sponsors: Raymond DeHahn

Res.10-2161 Mayor and City Clerk be authorized to execute the Agreement between the City of Racine and the Village of Sturtevant for transit service in 2010

Resolved, that the Mayor and City Clerk be authorized and directed to execute the Agreement between the City of Racine and the Village of Sturtevant for transit service in 2010.

Fiscal Note: The Village of Sturtevant will pay approximately \$53,000 for transit service in 2010.

Sponsors: Raymond DeHahn

Res.10-2162 Mayor and City Clerk be authorized to enter into an agreement with the Racine County Economic Development Corporation to provide financial administration of the new US Environmental Protection Agency Brownfields Cleanup-Revolving Loan Fund Grant

Whereas, the City of Racine applied for and has been awarded a grant from the U.S. Environmental Protection Agency to establish a revolving loan fund for Brownfield clean up (Grant Control No. 2009-50); and

Whereas, the Racine County Economic Development Corporation has expertise in the administration of revolving loan funds for commercial and industrial development and currently administers such funds on behalf of the City.

Now, therefore, be it resolved, that the Mayor and City Clerk be authorized and directed to execute an agreement with the Racine County Economic Development Corporation to provide the financial administration of the new US Environmental Protection Agency Brownfields Cleanup - Revolving Loan Fund (BC-RLF) grant received by the City of Racine.

Fiscal Note: There is no cost to City. The grant is for \$1,000,000; borrowers are required to provide a match of not less than 20% for each project. The cost

of administration will be provided from fees and interest earned by the fund.

Sponsors: Q.A. Shakoor, II

Res.10-2163 Permission granted, with stipulations, for St. Edward Parish to close street and alley for their Fall Fun Fest on September 24-25, 2010

Resolved, that St. Edward Parish be granted permission to close 15th Street and the alley bounded by 15th Street, 16th Street, West Boulevard and Grove Avenue, from 3:00 p.m. Friday, September 24, 2010, through Sunday, September 26, 2010, for a Fall Fun 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 \$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: Gregory Holding

Res.10-2164 Permission granted, with stipulations, for Downtown Racine Corporation to close portions of Main Street and Sixth Street on October 2, 2010, for the 8th Annual Party on the Pavement

Resolved, that permission be granted to the Downtown Racine Corporation to close Main Street from State Street to 7th Street and Sixth Street from Main Street to Grand Avenue, on Saturday, October 2, 2010, from 12:00 p.m. to 7:00 p.m., for the 8th annual "Party on the Pavement" event.

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. Sponsor shall notify all abutting property occupants 72 hours in advance of the event;
- E. The sponsor shall be responsible for the signing of the necessary detours for the State Highway route; and
- F. The sponsor shall pay a special event fee of \$700.00.

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

Fiscal Note: There will be nominal costs incurred on a regular shift basis to provide limited assistance to implement this event.

Sponsors: Gregory Holding

Res.10-2165 Mayor and City Clerk be authorized to enter into a Conduit License Agreement with Time Warner Cable for a period of three years, to use the City's conduit duct system

Resolved, that the Mayor and City Clerk be authorized and directed to enter into a Conduit License Agreement with Time Warner Cable to use the City's conduit duct system on 4th Street, Main Street, 5th Street and Lake Avenue for installation, operation, maintenance and repair of their fiber optics. This agreement will be for a minimum period of three (3) years.

Fiscal Note: Time Warner Cable will pay the City \$0.87 per foot conduit fee with a five percent (5%) annual escalator.

Sponsors: Gregory Holding

Res.10-2166 Permission granted, with stipulations, to SOAR to use the Gateway Technical College parking lot on August 24, 2010 through August 30, 2010, for a Back to School Event

Resolved, that permission be granted to S.O.A.R. (Scholarships, Opportunities & Access in Racine) to utilize the Gateway parking lot for a Back-to-School Carnival on Saturday and Sunday, August 28 & 29, 2010, 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.

Fiscal Note: N/A

Sponsors: Gregory Holding

Res.10-2167 Permission granted for the City of Racine to hold a free drop off for recyclable electronic devices for City residents, at the City Hall Annex Parking Lot on October 2, 2010

Resolved, that the City of Racine hold a free drop off for city residents for recyclable electronic devices on Saturday, October 2, 2010 from 9:00 a.m. to 12:00 p.m. at the City Hall Annex parking lot.

Further resolved, that the City provide drop off service at the Pearl Street

Facility for a \$10.00 fee for televisions and computers.

Fiscal Note: The free drop off cost is estimated at \$5,000.00 with funding available in Account 289.000.5610, Recycling Professional Services. The Pearl Street Facility costs will be offset by the drop off charge at this site.

Sponsors: Gregory Holding

Res.10-2168 Mayor and City Clerk be authorized to enter into an agreement with Reesman Excavating & Grading, Inc., for use of the former Walker site for storage of construction materials for the Village of Caledonia Force Main Repairs Project

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with Reesman's Excavating & Grading, Inc., for the use of the Walker Site for the storage of construction materials for the Village of Caledonia Force Main Repairs project, for the duration of the project, with the following stipulations:

- A. A Hold Harmless Agreement be executed;
- B. Proof of Liability Insurance Insurance be filed; and
- C. Reesman's Excavating & Grading, Inc., restores the property to its original condition.

Fiscal Note: Not applicable.

Sponsors: Gregory Holding

Res.10-2169 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

Alley bounded by Hayes/Blaine/Kinzie/Lindermann

2. Said public improvement shall consist of **PORTLAND CEMENT CONCRETE PAVING**.
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.

Sponsors: Gregory Holding

Res.10-2170 Change Order No. 1 on Contract 13-10 (K0-013), 2010 North Side Street Paving (R1), Milwaukee General Construction Co., Inc., contractor, be approved

Resolved, that Change Order No. 1 on Contract 13-10 (K0-013), 2010 North Side Street Paving (R1), Milwaukee General Construction Co., Inc., contractor, be approved in the amount of \$56,097.68.

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

\$ 52,157.68 - Account 990.908.5020, Conc. Pvmt. Repl. Misc. Locations
\$ 3,940.00 - Account 104.990.5420, Storm Sewers, Misc. Locations
\$ 56,097.68 - Total

Fiscal Note: Funds are available as herein delineated.

Sponsors: Gregory Holding

Res.10-2171 Homeless Assistance Leadership Organization (HALO) be designated as the recipient of the Kitchen Incubator Project Funds, and expenditure period

be extended to September 1, 2011

Resolved, that the Homeless Assistance Leadership Organization (HALO) be designated as the recipient of the balance of the Kitchen Incubator Project funding, and that the expenditure period be extended to September 1, 2011.

Fiscal Note: N/A

Sponsors: Jeff Coe

Res.10-2172 Allocation of funds from the Local Option Fund to St. Paul Community and Economic Development Corporation be approved

Resolved, that up to \$25,000 be allocated from the Local Option Fund to St. Paul Community and Economic Development Corporation for the Racine Council of Pastors Community Development Initiative.

Fiscal Note: There are sufficient funds available for this request.

Sponsors: Jeff Coe

Res.10-2173 Permission granted to amend the budget of the YMCA Remodeling Assistance Partnership Program - 2010 Summer Youth Jobs Program

Resolved, that the request to amend the budget of the YMCA Remodeling Assistance Partnership Program -2010 Summer Youth Jobs Program, be approved as submitted.

Fiscal Note: N/A

Sponsors: Jeff Coe

H. Resolutions

I. Adjourn

Office of The City Clerk

If you are disabled and have accessibility needs or need information interpreted for you, please call the City Clerk's Office at 636-9171 at least 48 hours prior to this meeting.