



City of Racine

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

Meeting Minutes - Final Common Council

*Mayor John T. Dickert,
Alderman Jeff Coe, Alderman Michael Shields,
Alderman Jim Kaplan, Alderman Steve Smetana,
Alderman Sandy Weidner, Alderman Henry Perez,
Alderman Raymond DeHahn,
Alderman Q.A. Shakoor, II, Alderman Mary Land,
Alderman Terry McCarthy, Alderman Dennis Wisner,
Alderman James Morgenroth,
Alderman Ronald Hart, Alderman Melissa Lemke*

Tuesday, July 7, 2015

7:00 PM

Room 205, City Hall

A. Call To Order

PRESENT: 14 - Coe, Shields, Kaplan, Smetana, Weidner, DeHahn, Shakoor II, McCarthy, Wisner, Land, Perez, Morgenroth, Hart and Lemke

President Wisner announced the seat for District 2 is vacant.

B. Pledge of Allegiance To The Flag

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

C. Approval of Journal of Council Proceedings (Minutes)

Minutes of the previous meeting were approved as printed on motion of Alderman Wisner, seconded by Alderman Shakoor.

D. Public Comments

The following people appeared to speak before the Common Council:

*Kurt Jorgenson
James Wilson
Ola Baiyewy
Don Zien
Heather Lux
Dennis Bertz
Richard Pezoldt
Colin Mckenna
Dorothy Jarvela
Bill Spencer
Ben Oksivta
P.J. Oksivta
Rick Donner
Geo Meyer
Jorge Franco
Jose Arraujo
Ricardo Fierro*

E. Communications

Refer to Finance and Personnel Committee, by Ald. Shakoor

[15-00573](#) **Subject:** Communication from the City Attorney submitting the claim of Barbara Jo Weber for consideration.

Referred to Finance and Personal Committee

[15-00587](#) **Subject:** Communication from the Director of Parks, Recreation & Cultural Services requesting to waive formal bidding requirements and instruct the Purchasing Agent to negotiate sole-source procurement with Mork Mausoleum Construction, Inc., for phases 1, 2 & 3 of Mound & Graceland Cemetery crypt repairs.

Referred to Finance and Personal Committee

Refer to Public Works and Services Committee, Ald. Morgenroth

[15-00603](#) **Subject:** Communication from the Executive Director of the Racine Zoo requesting to be exempt from tent permitting for Zoo events.

Referred to Public Works and Services Committee

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

[15-00600](#) **Subject:** The following renewal application for a "CLASS B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 2015-2016.

HILLSIDE LANES, INC. 1400 THIRTEENTH STREET
RICHARD WONDERS, AGENT

Referred to Public Safety and Licensing Committee

[15-00604](#) **Subject:** (New) Application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for GZK Enterprise LLC dba Porcaro Indian, located at 522 6th Street, Randall Treu, Agent. (1st District)

Referred to Public Safety and Licensing Committee

[15-00605](#) **Subject:** (New) Application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for The Faccia Bella Club LLC dba The Faccia Bella Club, located at 3422 Douglas Avenue, Samantha Hobbs, Agent. (7th District)

Referred to Public Safety and Licensing Committee

F. Committee Reports

Finance and Personnel Committee Report, by Ald. Shakoor

[15-00508](#)

Subject: (Direct Referral) A request by the Assistant Executive Director of the Redevelopment Authority to accept a Wisconsin Coastal Management Grant for the Machinery Row stormwater/green infrastructure (hard costs) implementation. (Res. No. 15-0265)

Recommendation of the Redevelopment Authority on 6-1-15: That the Mayor, City Clerk, Executive Director of the Redevelopment Authority or their designee or authorized agent act on the behalf of the City and accept a \$75,000 grant from the Wisconsin Coastal Management Program to aid in the installation of stormwater/green infrastructure for the Machinery Row area, sign all documents, and take all necessary action to undertake, direct, and complete approved grant activities.

Recommendation of the Finance & Personnel Committee on 6-22-15: That the Mayor, City Clerk, Executive Director of the Redevelopment Authority or their designee or authorized agent act on the behalf of the City and accept a \$75,000 grant from the Wisconsin Coastal Management Program to aid in the installation of stormwater/green infrastructure for the Machinery Row area, sign all documents, and take all necessary action to undertake, direct, and complete approved grant activities.

Fiscal Note: There is a local match of \$45,000 which can come from a variety of sources including private sector investment, acquired grant funds, and eligible project plan line items from TID No. 18.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[15-00519](#)

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting to accept \$7,000 in grant funds from the Racine Dominican Mission Fund for the Dr. John Bryant Community Center performing arts program. (Grant Control No. 00025) (Res. No. 15-0262)

Recommendation of the Finance & Personnel Committee on 6-22-15: That permission be granted to the Director of Parks, Recreation & Cultural Services to accept \$7,000 in grant funds from the Racine Dominican Mission Fund for the Dr. John Bryant Community Center performing arts program. (Grant Control No. 00025)

Fiscal Note: There is no City match required.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[15-00520](#)

Subject: Communication from Director of Parks Recreation & Cultural Services requesting permission to accept \$35,102 donation from the Racine Community Foundation for Lockwood Park. (Res. No. 15-0263)

Recommendation of the Finance & Personnel Committee on 6-22-15: That permission be granted to the Director of Parks Recreation & Cultural Services to accept \$35,102 donation from the Racine Community Foundation for Lockwood Park.

Fiscal Note: There is no City match required.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[15-00525](#)

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting permission to accept donations totaling \$1,355.00 from various contributors to purchase drill team and pom pom uniforms for the Dr. John Bryant Community Center Performing Arts Program. (Res. No. 15-0264)

Recommendation of the Finance & Personnel Committee on 6-22-15: That permission be granted to the Director of Parks, Recreation & Cultural Services to accept donations totaling \$1,355.00 from various contributors to purchase drill team and pom pom uniforms for the Dr. John Bryant Community Center Performing Arts Program.

Fiscal Note: There is no City match required.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[15-00533](#)

Subject: Communication from the Fire Chief requesting to waive formal bidding to acquire a new Ford/Horton Medical Response Unit from Foster Coach of Sterling, Illinois. (Res. No. 15-0260)

Recommendation of the Finance & Personnel Committee on 6-22-15: That formal bidding be waived for a new Ford/Horton Medical Response Unit from Foster Coach of Sterling, Illinois.

Fiscal Note: \$160,000 is budgeted and budgetary estimate is \$150,000

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[15-00541](#)

Subject: (Direct Referral) Communication from the City Attorney requesting authorization to represent Chief Arthel Howell and officers Tredo, Rasmussen, plus unnamed others in the lawsuit, Kenya L. White v City of Racine, et al, US District Court Eastern District Case No. 14-CV-1122. (Res. No. 15-0267)

Recommendation of the Finance & Personnel Committee on 6-22-15: Permission be granted to the City Attorney to represent Chief Arthel Howell and officers Tredo, Rasmussen, plus unnamed others in the lawsuit, Kenya L. White v City of Racine, et al, US District Court Eastern District Case No. 14-CV-1122.

Fiscal Note: None at this time

A motion was made that this Claim be Adopted. The motion was APPROVED on a voice vote in consent.

[15-00568](#)

Subject: (Direct Referral) Request from the Assistant Director of City Development to accept additional funds from the Wisconsin Historical Society (WHS) to supplement a previously authorized acceptance of a WHS sub-grant for the Manree Park Reconnaissance Survey and Photographic Inventory. (Res. No. 15-0266)

Recommendation of the Finance & Personnel Committee on 6-22-15: That the Mayor and City Clerk enter into an amendment to an existing agreement with the Wisconsin Historical Society (WHS) through the Certified Local Government Subgrant program to accept \$4,000.00 in additional grant funds to enter into a consultant agreement to undertake the research, preparation, submittal and presentation of a historic district nomination to the WHS and the National Register of Historic Places for the proposed Orchard Street National Register Historic District. (Grant Control No. 2013-33)

Fiscal Note: There is no local match required for this grant. In addition to the previously accepted \$19,000.00 grant, WHS is offering supplemental funds in the amount of \$4,000.00 to fund the preparation of a historic district nomination to the National Register Historic Places. (Grant Control No. 2013-33)

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[15-00579](#)

Subject: (Direct Referral) Communication from the Fire Chief requesting to waive formal bidding to sole source radio firmware upgrades from Motorola/Baycom. (Res. No. 15-0261)

Recommendation of the Finance & Personnel Committee: That formal bidding be waived for radio firmware upgrades from Motorola/Baycom.

Fiscal Note: Upgrade cost is \$63,000 and 90% of the cost is covered by the the Assistance to Firefighters Grant (AFG) with a local match of 10% which is available within the current fire department budget.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

Public Works and Services Committee Report, by Ald. Morgenroth

[15-00487](#)

Subject: (Direct Referral) Communication from Charles Clarke of Kinzie Realty Corporation requesting that the name of Jacato Drive be changed. (Res. No 15-0251)

Recommendation of the City Plan Commission on 5-27-15: That the request be approved.

Recommendation of the Public Works and Services Committee on 06-09-15: That the request to change the name of Jacato Drive to Anthony Lane be approved.

Further recommends the City cover the costs for the fabrication and installation of four street name signs, recording an amendment to the appropriate subdivision plat with the County, updating of various City databases, and informing outside entities of the street name change in the not-to-exceed amount of \$500.00.

Recommendation of the Public Works and Services Committee on 06-30-15: That the request to change the name of Jacato Drive to Anthony Lane be approved and Resolution 15-0251 be adopted.

Further recommends the City cover the costs for the fabrication and installation of four street name signs, recording an amendment to the appropriate subdivision plat with the County, updating of various City databases, and informing outside entities of the street name change in the not-to-exceed amount of \$500.00.

Fiscal Note: The maximum cost to the City is \$500.00 with any additional cost being billed to the requester.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[15-00522](#)

Subject: Communication from Donald Bostick requesting permission to replace an existing sign over City right-of-way at 1642-44 Washington Avenue. (Res. No. 15-0268)

Recommendation of the Public Works and Services Committee on 06-30-15: The property owner at 1642-44 Washington Avenue be

granted permission to install a stationary projecting sign, as requested, with the stipulation that a hold harmless agreement be executed and a \$150.00 processing fee paid, in accordance with the State Statute 66.0425, Privileges in Streets.

Further recommends that the property owner be charged a \$125.00 fee to cover administrative costs associated with filing this item with the Register of Deeds.

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

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[15-00523](#)

Subject: Communication from the Assistant Commissioner of Public Works/City Engineer submitting a Three-Party Design Engineering Services Agreement between the City of Racine, State of Wisconsin and Graef-USA, Inc., for State Project ID: 2703-00-01/71, Memorial Drive Bridge Project. (Res. No. 15-0271)

Recommendation of the Public Works and Services Committee on 06-30-15: That the Mayor and City Clerk be authorized and directed to enter into a three-party agreement with the City of Racine, WisDOT and Graef-USA, Inc. for design engineering services for State Project ID: 2703-00-01/71, Memorial Drive Bridge Project, in the not-to-exceed amount of \$89,959.56. The City share is \$17,991.91 (20%) and the State share is \$71,967.65 (80%).

Fiscal Note: Funding is available in Org-Object 45040-57540, Memorial Drive Bridge.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[15-00532](#)

Subject: Communication from the Assistant Commissioner of Public Works/City Engineer submitting Amendment No. 5 to State Project ID: 2290-17-00, Northwestern Avenue (STH 38) - Golf Avenue to Memorial Drive. (Res. No. 15-0272)

Recommendation of the Public Works and Services Committee on 06-30-15: That Amendment No. 5 to State Project ID: 2290-17-00, Northwestern Avenue (STH 38) - Golf Avenue to Memorial Drive, as submitted, be approved. The total cost of Amendment No. 5 is \$5,997.10 and the total revised contract amount is \$1,159,504.53. The City share is \$1,499.27 (25%) and the State share is \$4,497.83 (75%).

Fiscal Note: Funding is available in Org-Object 45040-57500,

DPW-Paving, Northwestern-Memorial to Golf.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[15-00544](#)

Subject: Communication from the Commissioner of Public Works submitting a proposal to establish a special revenue fund for Pedestrian Facilities Maintenance.

Recommendation of the Public Works and Services Committee on 06-30-15: Recommend this item be referred to the Committee of the Whole.

Fiscal Note: The proposed fund will generate approximately \$485,000 in 2016, increasing to approximately \$720,000 in 2021, through fees charged to each property owner, to be used to maintain the City's sidewalk and pathway systems.

A motion was made that this Communication be Referred to the Committee of the Whole. The motion was APPROVED on a voice vote in consent.

[15-00564](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works requesting authorization to temporarily reduce the speed limit on Northwestern Avenue.

Recommendation of the Public Works and Services Committee on 06-30-15: Approve the temporary reduction of the speed limit to 20 mph on Northwestern Avenue from Spring Street to W. High Street.

Fiscal Note: N/A

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[15-00572](#)

Subject: Bid results for Contract 36-15 (K5-036) 20150036, Retaining Wall - Riverside & Roe Avenue.

Recommendation of the Public Works and Services Committee on 06-30-15: That the bids for Contract 36-15 (K5-036) 20150036, Retaining Wall - Riverside & Roe Avenue, be rejected. This contract will be re-bid at a later date.

Fiscal Note: N/A

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[15-00584](#)

Subject: Resolution 15-0255, created June 16, 2015, being a final

resolution relating to street improvements on:

Bituminous Concrete Paving

Pine Ridge Lane - Dead End to Chicory Road

Pine Ridge Circle - Pine Ridge Lane (S) to Pine Ridge Lane (N)

Recommendation of the Public Works and Services Committee on 06-30-15: That Resolution 15-0255, of June 16, 2015, be approved and adopted.

Fiscal Note: N/A

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[15-00585](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations requesting to waive formal bidding procedures for the replacement of the VFD (Variable Frequency Drive) to the Metasys system at the Safety Building, Contract 20150044, Safety Building-VFD & Metasys Control Upgrade, Johnson Controls, contractor. (Res. No. 15-0270)

Recommendation of the Public Works and Services Committee on 06-30-15: The request of the Purchasing Agent to waive formal bidding procedures be approved in accordance with State Statutes that allow for the waiving of public bids for the purpose of maintaining uniformity of equipment and services.

Further recommends that the Mayor and City Clerk be authorized and directed to enter into an agreement with Johnson Controls for the replacement of the VFD (Variable Frequency Drive) to the Metasys Control System at the Safety Building.

Fiscal Note: Funding to defray the cost of these services is available in Org-Object 45040-57210, Safety Building-Replace VFD.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[15-00586](#)

Subject: (Direct Referral) Communication from Barbara McCloskey (4107 Graceland Blvd.), requesting permission to rebuild a garage over existing sewer and water lines. (Res. No. 15-0269)

Recommendation of the Public Works and Services Committee on 06-30-15: The City Attorney draft an agreement allowing the construction of the garage in the existing easement with the property

owners' acknowledgement that the City has the right to exercise the conditions of its easement to maintain its utilities including the demolition of said garage at the owners' expense.

Fiscal Note: N/A

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[15-00588](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer submitting a proposal from Ayres Associates for Contract 20150046, PS-Design of the Washington Avenue Bridge Sidewalk Replacement. (Res. No. 15-0273)

Recommendation of the Public Works and Services Committee on 06-30-15: That the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with Ayres Associates, on Contract 20150046, PS-Design of the Washington Avenue Bridge Sidewalk Replacement, in the not-to-exceed amount of \$6,400.

Further recommends that funds to defray the cost of these professional services be appropriated from Org-Object 14007-52100, Brgd-Professional Services.

Fiscal Note: Funds are available as herein delineated.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[15-00599](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer submitting Amendment No. 1 to Contract 20150020, PS - 2015 Pavement Inspection & Planning, AECOM, consultant. (Res. No. 15-0274)

Recommendation of the Public Works and Services Committee on 06-30-15: That Amendment No. 1 to Contract 20150020, PS - 2015 Pavement Inspection & Planning, as submitted, be approved. The total cost of Amendment No. 1 is \$6,942.50 and the total revised contract amount is \$90,842.50.

Fiscal Note: Funding is available in Org-Object 14002-52100, Professional Services, Engineer.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

Traffic Commission Report, by Ald. Morgenroth

[15-00513](#)

Subject: (Direct Referral) Communication from the Racine County

Executive Safety Committee requesting permission to place a crosswalk yield sign on the 700 block of Wisconsin Avenue. (Res. No. 15-0275)

Recommendation of the Traffic Commission on 06-15-15:

Recommends that the request to place a crosswalk yield sign on the 700 block of Wisconsin Avenue be approved.

Further recommends that Racine County be permitted to place the sign from 7:30 A.M. to 5:30 P.M. on business days, subject to the following conditions:

1. Racine County is responsible for procuring the movable "yield-to-pedestrian within crosswalk" sign and maintaining it.
2. The sign meets all the requirements of the latest edition of the FHWA (Federal Highway Association) Manual on Uniform Traffic Control Devices (MUTCD).
3. The sign is placed on the centerline of the roadway on Wisconsin Avenue, in the painted crosswalk mid-block between Seventh Street and Eighth Street, as to not obstruct vehicular traffic.
4. The sign will be removed by Racine County during snow & ice operations, and as directed by the Commissioner of Public Works for street maintenance or construction.
5. Racine County enters into a hold harmless agreement with the City of Racine for placement of movable "yield-to-pedestrian within crosswalk" sign in City right-of-way.

Fiscal Note: N/A

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[15-00531](#)

Subject: (Direct Referral) Communication from the Evangelical United Methodist Church (212 11th St.) requesting temporary "No Parking" signs be installed on the north side of 11th Street, between S. Main Street and Wisconsin Avenue on August, 2, 2015 between 7:30 A.M. and 1:00 P.M.

Recommendation of the Traffic Commission on 06-15-15:

Recommends that the request to use Temporary No Parking signs on the north side of 11th Street between Wisconsin Avenue and S. Main Street on August 2, 2015 between 7:30 A.M. and 1:00 P.M. be granted.

Fiscal Note: N/A

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[15-00536](#)

Subject: (Direct Referral) Communication from Amanda Lawrence

requesting the use of "Temporary No Parking" signs and requesting parking restrictions in conjunction with the Starving Artist Outdoor Fair, on Sunday, August 2, 2015.

Recommendation of the Traffic Commission on 06-15-15:

Recommends that the request to use Temporary No Parking signs on the east side of S. Main Street between 10th and 11th Streets on August 2, 2015 between 9:00 A.M. and 4:00 P.M. be granted.

Further recommends that the request to waive the "No Parking Any Time" restriction on 10th and 11th Streets before 9:00 A.M. and from 4:00 P.M. to 5:00 P.M. on August 2, 2015, in connection with the Starving Artists Outdoor Art Fair, be granted.

Fiscal Note: N/A

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

Transit and Parking Commission Report, by Ald. DeHahn

[15-00537](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works regarding the introduction of the new Transit and Parking System Manager, Michael J. Maierle.

Recommendation of the Transit and Parking Commission on 06-17-15: Receive and file.

Fiscal Note: N/A

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[15-00563](#)

Subject: (Direct Referral) Submittal of the Transit and Parking System Manager's Report.

Recommendation of the Transit and Parking Commission on 06-17-15: Receive and file.

Fiscal Note: N/A

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

City Plan Commission Report, by Ald. Wisner

[15-00574](#)

Subject: (Direct Referral) A request by Jai Shree Swaminarayan for an extension of a conditional use approval for Port of Call Liquors, 918

West Boulevard. (Res. No. 15-0277)

Recommendation of the City Plan Commission on 6-24-15: That the request be approved, subject to conditions.

Fiscal Note: N/A

A motion was made that this Conditional Use Permit be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[15-00575](#)

Subject: (Direct Referral) A request by Desiree Veasey for a conditional use permit to operate a daycare center at 3131 Taylor Avenue. (Res. No. 15-0281)

Recommendation of the City Plan Commission on 6-24-15: That the request be approved, subject to conditions.

Fiscal Note: N/A

A motion was made that this Conditional Use Permit be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[15-00577](#)

Subject: (Direct Referral) A request by David Israel, of Penny Racine LLC, for a major amendment to the Regency Mall conditional use to modify the former JC Penney Department store into three (3) separate retail tenant spaces at 5900 Durand Avenue. (Res. No. 15-0282)

Recommendation of the City Plan Commission on 6-24-15: That the request be approved, subject to conditions.

Fiscal Note: N/A

A motion was made that this Conditional Use Permit be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[15-00578](#)

Subject: (Direct Referral) A request by Joanne and Jeff Raffini for a conditional use permit for a contractor's storage facility at 1824 Charles Street. (Res. No. 15-0280)

Recommendation of the City Plan Commission on 6-24-15: That the request be approved, subject to conditions.

Fiscal Note: N/A

A motion was made that this Conditional Use Permit be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[15-00580](#)

Subject: (Direct Referral) Adoption of the document titled "A Restoration Plan for the Root River Watershed" as a guide to planning and development efforts. (PC-15) (Res. No. 15-0278)

Recommendation of the City Plan Commission on 6-24-15: That the document titled "A Restoration Plan for the Root River Watershed" be adopted as a resource to guide planning and development efforts within the city of Racine and that the model resolution be adopted.

Fiscal Note: N/A

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[15-00581](#)

Subject: (Direct Referral) Adoption of the document titled "Supplemental Information Developed for the Root River Watershed Restoration Plan" as a guide to planning and development efforts. (Res. No. 15-0279)

Recommendation of the City Plan Commission on 6-24-15: That the document titled "Supplemental Information for the Root River Watershed Restoration Plan" be adopted as a resource to guide planning and development efforts within the city of Racine.

Fiscal Note: N/A

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[15-00595](#)

Subject: (Ord. 07-15) An ordinance adopting an amendment to a document titled "A Comprehensive Plan for the City of Racine: 2035" for the properties located at 1223 Ohio Street and 1212, 1218, 1222 Virginia Street City of Racine, Wisconsin. (Res. No. 15-0276)

Recommendation of the City Plan Commission on 6-24-15: That the recommendation of denial of the Plan Commission on April 8, 2015 be reversed, and

Further, that an amendment to the 2035 Comprehensive Land Use Plan designation for properties at 1223 Ohio Street and 1212, 1218 & 1222 Virginia Street from Medium Density Residential to Commercial be approved as based on the Commissions criteria and the Commission's findings are as follows:

1. The proposed amendment is consistent with goals, objectives, and policies of the plan.
2. The proposed amendment will not lead to detrimental environmental effects.
3. The proposed amendment is compatible with surrounding uses.
4. The existing local City (County) facilities and services are adequate to serve the type of development associated with the amendment.
5. The proposed amendment at the proposed location does enhance economic development within the City, and

Further, based on the above findings, that Ord. 07-15 be adopted, and
Finally, that the Resolution be adopted.

Fiscal Note: N/A

Alderman Wisner requested that item 15-00595 be considered separately.

A motion was made by Alderman Wisner, seconded by Alderman DeHahn, that this Communication be Approved as Presented. The motion was APPROVED by the following vote:

AYES: 8 - Shields, Kaplan, Smetana, Weidner, DeHahn, Shakoor II, McCarthy and Perez

NOES: 6 - Coe, Wisner, Land, Morgenroth, Hart and Lemke

Community Development Committee Report, by Ald. Wisner

[15-00565](#)

Subject: (Direct Referral) Request by the Department of Parks, Recreation and Cultural Services for an extension for time of its grant for the Main Gallery program. (Res. No. 15-0283)

Recommendation of the Community Development Committee on 6-18-15: That the request by the Department of Parks, Recreation and Cultural Services to extend its grant agreement for the Main Gallery Program be approved and the end of the grant agreement be extended to September 30, 2015; and

That the request to amend its budget for the Main Gallery Program be approved.

Further that the Mayor and City Clerk be authorized to execute an amended grant agreement consistent with the revised budget.

Fiscal Note: The amendment changes line items and extends the time of performance with no change to the total amount of the grant, \$20,000.00.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[15-00566](#)

Subject: (Direct Referral) Request by the Department of Parks, Recreation and Cultural Services for an extension for time of its grant for the Dr. M.L. King Jr. Center GED/HSED program. (Res. No. 15-0284)

Recommendation of the Community Development Committee on 6-18-15: That request by the Department of Parks, Recreation and

Cultural Services Department be approved and its grant agreement for the Dr. M.L. King Jr. Center GED/HSED program be extended to September 30, 2015; and

That the request to amend its budget for the Dr. M.L. King Jr. Center GED/HSED program be approved.

Further that the Mayor and City Clerk be authorized to execute an amended grant agreement consistent with the revised budget.

Fiscal Note: The amendment changes line items and extends the time of performance with no change to the total amount of the grant, \$20,000.00

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[15-00567](#)

Subject: (Direct Referral) Review of applications for 2015 Community Development Block Grant (CDBG) and Emergency Solutions Grant (ESG) funding. (Res. No. 15-0285)

Recommendation of the Community Development Committee on 6-18-15: That the recommended allocation, as amended, of the 2015 Community Development Block Grant (CDBG) and Emergency Solutions Grant (ESG) be approved; and, that the appropriate city officials be authorized and directed to execute and submit to the U.S. Department of Housing and Urban Development the documents required to secure the grants; and that the appropriate city officials be authorized to execute third-party contracts with the agencies approved for the use of the funds.

Fiscal Note: The recommended allocations are attachments to this item. This action allocates \$2,135,225 in Community Development Block Grant funds including administrative expenses, and \$152,315 in Emergency Solutions Grant funds, including administrative expenses.

Alderman Perez requested that item 15-00567 be considered separately.

A motion was made by Alderman Wisner, seconded by Alderman DeHahn, that this Communication be Approved as Presented. The motion was APPROVED by the following vote:

AYES: 14 - Coe, Shields, Kaplan, Smetana, Weidner, DeHahn, Shakoor II, McCarthy, Wisner, Land, Perez, Morgenroth, Hart and Lemke

Office of the Mayor Report, by Ald. Wisner

[15-00598](#)

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

Reappoint David Younk 5209 Kinzie Ave. Racine, 53405 to the Sex Offender Residency Appeal Board for a 3 year term, expiring on July 1, 2018

Appoint Brian Dimmer 1105 Walton Ave. Racine, 53402 to the Sex Offender Residency Appeal Board filling the current vacancy, expiring on July 1, 2017

Reappoint Richard Hynek 813 Virginia St. Racine, 53405 to the Board of Harbor Commissioners for a 3 year term, expiring June 1, 2018

Appoint Daniel R. Strommen 120 Westminster Sq. Racine, 53402 to the Board of Harbor Commissioners for a 3 year term, expiring June 1, 2018

Appoint Brian O'Connell 628 Romaine Ave. Racine, 53402 to the Library Board as the RUSD representative for a 1 year term, expiring June 1, 2016

Reappoint Carole Johnson 1742 College Ave. Racine, 53402 to the Library Board for a 3 year term, expiring June 1, 2018

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

Water Works Committee Report, by Ald Hart

[15-00552](#)

Subject: Communication from the General Manager Presenting a Refinancing Opportunity for a 2007 Bond Issue - Brad Viegut from R. W. Baird Invited to the Meeting

Recommendation of the Racine Waterworks Commission on 6/30/15: To approve

Further recommends that this item be referred to the Finance and Personnel Committee

Fiscal Note: Refinancing of this bond issue has the potential of saving \$110,000.00 per year over the remaining life of the loan

A motion was made that this Communication be Referred to the Finance and Personnel Committee. The motion was APPROVED on a voice vote in consent.

[15-00582](#)

Subject: Highway V Water Main Extension Agreement

Recommendation of the Racine Waterworks Commission on 6/30/15: To approve

Further recommends that this item be referred to the Finance and Personnel Committee

Fiscal Note: Any financial obligations will be borne by the Waterworks Commission

A motion was made that this Communication be Referred to the Finance and Personnel Committee. The motion was APPROVED on a voice vote in consent.

G. Consent Agenda Resolutions

[Res.15-0260](#)

Ford/Horton Medical Response Unit

Resolved, that the request of the Fire Chief for formal bidding to be waived is approved and the Purchasing Agent is authorized to purchase a new Ford/Horton Medical Response Unit from Foster Coach of Sterling, Illinois.

Fiscal Note: \$160,000.00 is budgeted and budgetary estimate is \$150,000.00.

Sponsors: Q.A. Shakoor II

A motion was made that this Resolution be Adopted. The motion was APPROVED on a voice vote in consent.

[Res.15-0261](#)

Radio Firmware Upgrades

Resolved, that the request of the Fire Chief for formal bidding to be waived is approved and the Purchasing Agent is authorized to purchase radio firmware upgrades from Motorola/Baycom.

Fiscal Note: Upgrade cost is \$63,000.00 and 90% of the cost is covered by the the Assistance to Firefighters Grant (AFG) with a local match of 10%, which is available within the current Fire Department budget.

Sponsors: Q.A. Shakoor II

A motion was made that this Resolution be Adopted. The motion was APPROVED on a voice vote in consent.

[Res.15-0262](#)

Grant Funds from Racine Dominican Mission Fund for Dr. John Bryant Community Center Performing Arts Program

Resolved, that permission is granted to the Director of Parks, Recreation & Cultural Services to accept \$7,000.00 in grant funds from the Racine Dominican Mission Fund for the Dr. John Bryant Community Center performing arts program. (Grant Control No.

00025)

Fiscal Note: There is no City match required.

Sponsors: Q.A. Shakoor II

A motion was made that this Resolution be Adopted. The motion was APPROVED on a voice vote in consent.

[Res.15-0263](#)

Donation from Racine Community Foundation for Lockwood Park

Resolved, that permission is granted to the Director of Parks Recreation & Cultural Services to accept a \$35,102.00 donation from the Racine Community Foundation for Lockwood Park.

Fiscal Note: There is no City match required.

Sponsors: Q.A. Shakoor II

A motion was made that this Resolution be Adopted. The motion was APPROVED on a voice vote in consent.

[Res.15-0264](#)

Donations to Purchase Drill Team and Pom Pom Uniforms

Resolved, that permission is granted to the Director of Parks, Recreation & Cultural Services to accept donations totaling \$1,355.00 from various contributors to purchase drill team and pom pom uniforms for the Dr. John Bryant Community Center Performing Arts Program.

Fiscal Note: There is no City match required.

Sponsors: Q.A. Shakoor II

A motion was made that this Resolution be Adopted. The motion was APPROVED on a voice vote in consent.

[Res.15-0265](#)

Wisconsin Coastal Management Grant for Machinery Row Stormwater/Green Infrastructure Implementation

Resolved, that the Mayor, City Clerk and Executive Director of the Redevelopment Authority, or their designee or authorized agent, are authorized to act on behalf of the City and accept a \$75,000.00 grant from the Wisconsin Coastal Management Program to aid in the installation of stormwater/green infrastructure (hard costs) implementation for the Machinery Row area, sign all documents, and take all necessary action to undertake, direct, and complete approved grant activities.

Fiscal Note: There is a local match of \$45,000.00, which can come

from a variety of sources including private sector investments, acquired grant funds, and eligible project plan line items from TID No. 18.

Sponsors: Q.A. Shakoor II

A motion was made that this Resolution be Adopted. The motion was APPROVED on a voice vote in consent.

[Res.15-0266](#)

Additional Funds for Manree Park Reconnaissance Survey and Photographic Inventory

Resolved, that the Mayor and City Clerk are authorized to enter into an amendment to an existing agreement with the Wisconsin Historical Society (WHS) through the Certified Local Government Subgrant program to accept \$4,000.00 in additional grant funds to enter into a consultant agreement to undertake the research, preparation, submittal, and presentation of a historic district nomination to the WHS and the National Register of Historic Places for the proposed Orchard Street National Register Historic District. (Grant Control No. 2013-33)

Fiscal Note: There is no local match required for this grant. In addition to the previously accepted \$19,000.00 grant, WHS is offering supplemental funds in the amount of \$4,000.00 to fund the preparation of a historic district nomination to the National Register Historic Places. (Grant Control No. 2013-33)

Sponsors: Q.A. Shakoor II

A motion was made that this Resolution be Adopted. The motion was APPROVED on a voice vote in consent.

[Res.15-0267](#)

Kenya L. White v. City of Racine

Resolved, that permission is granted to the City Attorney to represent Chief Arthel Howell and officers Tredo and Rasmussen, plus unnamed others in the lawsuit, *Kenya L. White v. City of Racine, et al*, US District Court Eastern District Case No. 14-CV-1122.

Fiscal Note: None at this time

Sponsors: Q.A. Shakoor II

A motion was made that this Resolution be Adopted. The motion was APPROVED on a voice vote in consent.

[Res.15-0268](#)

Replace Existing Sign at 1642-44 Washington Avenue

Resolved, that the property owner at 1642-44 Washington Avenue is granted permission to install a stationary projecting sign, as requested, with the stipulation that a hold harmless agreement be executed and a \$150.00 processing fee paid, in accordance with State Statute 66.0425, Privileges in Streets.

Further resolved, that the property owner be charged a \$125.00 fee to cover administrative costs associated with filing this item with the Register of Deeds.

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

Sponsors: James Morgenroth

A motion was made that this Resolution be Adopted. The motion was APPROVED on a voice vote in consent.

[Res.15-0269](#)

Rebuild Garage at 4107 Graceland Boulevard

Resolved, that the request of Barbara McCloskey to rebuild a garage over existing sewer and water lines at 4107 Graceland Boulevard is approved.

Further resolved, that the City Attorney draft an agreement allowing the construction of the garage in the existing easement with the property owner's acknowledgement that the City has the right to exercise the conditions of its easement to maintain its utilities including the demolition of said garage at the owner's expense.

Fiscal Note: N/A

Sponsors: James Morgenroth

A motion was made that this Resolution be Adopted. The motion was APPROVED on a voice vote in consent.

[Res.15-0270](#)

Replacement of Variable Frequency Drive (VFD) at the Safety Building

Resolved, that the request of the Assistant Commissioner of Public Works/Operations to replace the Variable Frequency Drive (VFD) to the Metasys system at the Safety Building, Contract 20150044, Johnson Controls, contractor is approved.

Further resolved, that the Purchasing Agent is authorized to waive formal bidding procedures in accordance with State Statutes that allow for the waiving of public bids for the purpose of maintaining uniformity of equipment and services.

Further resolved, that the Mayor and City Clerk are authorized and directed to enter into an agreement with Johnson Controls for the replacement of the Variable Frequency Drive (VFD) to the Metasys Control System at the Safety Building.

Fiscal Note: Funding to defray the cost of these services is available in Org-Object 45040-57210, Safety Building-Replace VFD.

Sponsors: James Morgenroth

A motion was made that this Resolution be Adopted. The motion was APPROVED on a voice vote in consent.

[Res.15-0271](#)

Three-Party Design Engineering Services Agreement for State Project ID: 2703-00-01/71, Memorial Drive Bridge Project

Resolved, that the Mayor and City Clerk are authorized and directed to enter into a three-party agreement with the City of Racine, WisDOT and Graef-USA, Inc. for design engineering services for State Project ID: 2703-00-01/71, Memorial Drive Bridge Project, in the not-to-exceed amount of \$89,959.56.

Fiscal Note: The City's share is \$17,991.91 (20%) and the State share is \$71,967.65 (80%). Funding is available in Org-Object 45040-57540, Memorial Drive Bridge.

Sponsors: James Morgenroth

A motion was made that this Resolution be Adopted. The motion was APPROVED on a voice vote in consent.

[Res.15-0272](#)

Amendment No. 5 to State Project ID: 2290-17-00, Northwestern Avenue (STH 38) - Golf Avenue to Memorial Drive

Resolved, that Amendment No. 5 to State Project ID: 2290-17-00, Northwestern Avenue (STH 38) - Golf Avenue to Memorial Drive, as submitted, is approved. The total cost of Amendment No. 5 is \$5,997.10 and the total revised contract amount is \$1,159,504.53.

Fiscal Note: The City's share is \$1,499.27 (25%) and the State share is \$4,497.83 (75%). Funding is available in Org-Object 45040-57500, DPW-Paving, Northwestern-Memorial to Golf.

Sponsors: James Morgenroth

A motion was made that this Resolution be Adopted. The motion was APPROVED on a voice vote in consent.

[Res.15-0273](#)

Contract 20150046, PS-Design of the Washington Avenue Bridge Sidewalk Replacement

Resolved, that the Mayor and City Clerk are authorized and directed to enter into a professional services agreement with Ayres Associates, on Contract 20150046, PS-Design of the Washington Avenue Bridge Sidewalk Replacement, in the not-to-exceed amount of \$6,400.00.

Fiscal Note: Funds to defray the cost of these professional services be appropriated from Org-Object 14007-52100, Brdg-Professional Services.

Sponsors: James Morgenroth

A motion was made that this Resolution be Adopted. The motion was APPROVED on a voice vote in consent.

[Res.15-0274](#)

Amendment No. 1 to Contract 20150020, PS - 2015 Pavement Inspection & Planning

Resolved, that Amendment No. 1 to Contract 20150020, PS - 2015 Pavement Inspection & Planning, as submitted, is approved.

Fiscal Note: The total cost of Amendment No. 1 is \$6,942.50 and the total revised contract amount is \$90,842.50. Funding is available in Org-Object 14002-52100, Professional Services, Engineer.

Sponsors: James Morgenroth

A motion was made that this Resolution be Adopted. The motion was APPROVED on a voice vote in consent.

[Res.15-0275](#)

Crosswalk Yield Sign on 700 Block of Wisconsin Avenue

Resolved, that the request to place a crosswalk yield sign on the 700 block of Wisconsin Avenue is approved.

Further resolved, that Racine County is permitted to place the sign from 7:30 a.m. to 5:30 p.m. on business days, subject to the following conditions:

1. Racine County is responsible for procuring the movable "yield-to-pedestrian within crosswalk" sign and maintaining it.
2. The sign meets all the requirements of the latest edition of the FHWA (Federal Highway Association) Manual on Uniform Traffic Control Devices (MUTCD).
3. The sign is placed on the centerline of the roadway on Wisconsin Avenue, in the painted crosswalk mid-block between Seventh Street

and Eighth Street, as to not obstruct vehicular traffic.

4. The sign will be removed by Racine County during snow & ice operations, and as directed by the Commissioner of Public Works for street maintenance or construction.

5. Racine County enter into a hold harmless agreement with the City of Racine for placement of movable "yield-to-pedestrian within crosswalk" sign in City right-of-way.

Fiscal Note: N/A

Sponsors: Jim Kaplan

A motion was made that this Resolution be Adopted. The motion was APPROVED on a voice vote in consent.

[Res.15-0277](#)

Extension of Conditional Use Permit

Resolved, that the request by Jai Shree Swaminarayan of Port of Call Liquors, 918 West Boulevard, to extend the approval of the conditional use permit to December 17, 2015 is approved subject to the following conditions:

- a. That all conditions of the original approval, as outlined in Resolution 13-0494, shall still apply.
- b. That this be the final allowed extension of the conditional use approval. Should the project not substantially commence by December 17, 2015, the applicant shall be required to apply for a new conditional use permit.

Fiscal Note: N/A

Sponsors: Dennis Wiser

A motion was made that this Resolution be Adopted. The motion was APPROVED on a voice vote in consent.

[Res.15-0278](#)

"A Restoration Plan for the Root River Watershed"

WHEREAS, the Southeastern Wisconsin Regional Planning Commission, which was duly created by the Governor of the State of Wisconsin in accordance with Section 66.0309(2) of the Wisconsin Statutes on the 8th day of August 1960, upon petition of the Counties of Kenosha, Milwaukee, Ozaukee, Racine, Walworth, Washington,

and Waukesha, has the function and duty of making and adopting a master plan for the physical development of the Region; and

WHEREAS, Racine County, the Milwaukee Metropolitan Sewerage District, and the Southeastern Wisconsin Watersheds Trust, Inc. executed agreements with the Regional Planning Commission on June 20, 2011 and September 30, 2011; June 17, 2011; and June 28, 2011, respectively, for the development of a watershed restoration plan for the Root River watershed leading to recommendations for the management of water resources in the watershed, including recommendation to address issues and problems related to water quality, recreational access and use, habitat conditions, in the Root River watershed and problems related to flooding in the portion of the watershed located in Racine County; and

WHEREAS, such plan has been completed; and

WHEREAS, such plan contains recommendations to address issues and problems related to water quality, recreational access and use, habitat conditions, in the Root River watershed and problems related to flooding in the portion of the watershed located in Racine County; and

WHEREAS, such plan contains recommendations to address issues and problems related to water quality, in recreational access and use, habitat conditions, in the Root River watershed and problems related to flooding in the portion of the watershed located in Racine County; and

WHEREAS, the aforementioned recommendations, including all studies, data, maps, figures, charts, and tables are set forth in a published report entitled SEWRPC Community Assistance Planning Report No. 316, *A Watershed Restoration Plan for the Root River Watershed*, published in July 2014; and

WHEREAS, the Commission has transmitted copies of the aforementioned SEWRPC Community Assistance Planning Report No. 316, to the local units of government; and

WHEREAS, the City of Racine has supported and generally concurred in the watershed and other regional planning programs undertaken by the Southeastern Wisconsin Regional Planning Commission and believes that the watershed restoration plan for the Root River watershed prepared by the Commission is a valuable guide to the development of not only the watershed, but the community and that the adoption of such plan by the City of Racine will assure a common

understanding by the several governmental levels and agencies concerned and enable these levels and agencies of government to program the necessary area wide and local plan implementation work.

NOW, THEREFORE, BE IT RESOLVED that, pursuant to Section 66.0309(12) of the *Wisconsin Statutes*, the City of Racine on the 7th day of July, 2015, hereby adopts the watershed restoration plan for the Root River watershed as set forth in SEWRPC Community Assistance Planning Report No. 316 as a guide for watershed management.

BE IT FURTHER HEREBY RESOLVED that the City Clerk transmits a certified copy of this resolution to the Southeastern Wisconsin Regional Planning Commission.

Fiscal Note: N/A

Sponsors: Dennis Wisler

A motion was made that this Resolution be Adopted. The motion was APPROVED on a voice vote in consent.

[Res.15-0279](#)

Adoption of "Supplemental Information Developed for the Root River Watershed Restoration Plan"

Resolved, that the document titled "Supplemental Information for the Root River Watershed Restoration Plan" is adopted as a resource to guide planning and development efforts within the city of Racine.

Fiscal Note: N/A

Sponsors: Dennis Wisler

A motion was made that this Resolution be Adopted. The motion was APPROVED on a voice vote in consent.

[Res.15-0280](#)

Storage Facility at 1824 Charles Street

Resolved, that the request by Jeff and Joanne Raffini for a conditional use permit for a contractor's storage facility at 1824 Charles Street is approved, subject to the following conditions:

- a. That the plans presented to the Plan Commission on June 24, 2015 be approved, subject to the conditions contained herein.
- b. That all applicable codes and ordinances shall be complied with and required permits obtained from the Building Inspection Department.
- c. That no outdoor storage of materials or equipment is allowed except in the area directly to the west of the building. Said areas are to be

fenced and screened prior to its use as such. All other materials/equipment are to be stored indoors, and any work taking place at this location shall be done indoors.

d. That the hours of operation of the construction storage facility shall be Monday through Saturday, 7:00 a.m. to 8:00 p.m.

e. That there shall be no outdoor storage of the following: construction debris or refuse, recreational vehicles or other vehicles and equipment not related to the customary day-to-day operation of a construction company, junked or inoperable vehicles.

f. That prior to the issuance of an occupancy permit, the following shall be submitted for the review and approval of the Director of City Development:

1. To-scale and scaleable detailed landscaping plan
2. To-scale and scaleable parking lot sealing and striping plan.

g. That by September 1, 2015 items listed in condition "f." herein shall be implemented.

h. That the façade be renovated in substantially the same manner as depicted in the façade renderings, subject to the review and approval of the Redevelopment Authority, if applicable. The façade renovation shall be completed by October 1, 2015.

i. If any improvements listed in condition "f." and "h." cannot be completed prior to the times specified, then the applicant or owner shall provide the City with a letter of credit, bond, or other acceptable financial surety, equal in value to the required improvements, subject to the following:

1. The financial surety documents shall be submitted for the review and approval of the Director of City Development, shall be issued in the City's favor, shall be in effect for one year from the date of issuance, shall be extended beyond the expiration date if deemed necessary by the City of Racine, and shall require that the issuer give a 90 day notice to the Department of City Development prior to the expiration of the financial assurance.

2. The City is authorized by this conditional use permit to enter the site, implement the plan(s) and draw on the financial surety for the cost of implementation if required improvements are not implemented by the dates stated. Any costs incurred in excess of the value of the

financial surety shall be paid by the applicant or owner or shall be imposed as a special charge against the real property in accordance with the applicable statute.

3. By operating under this conditional use, the applicant and owner give permission to the City to enter upon the property for purpose hereby described.

j. That no signage is approved with this Conditional Use. Any proposed future signage shall be reviewed by the Department of City Development prior to issuance of any sign permits.

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

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

Fiscal Note: N/A

Sponsors: Dennis Wisner

A motion was made that this Resolution be Adopted. The motion was APPROVED on a voice vote in consent.

[Res.15-0281](#)

Daycare Center at 3131 Taylor Avenue

Resolved, that the request by Desiree Veasey for a conditional use permit to operate a day care facility in Building #5, 3131 Taylor Avenue is approved, subject to the following conditions:

a. That the plans presented at the June 24, 2015 Plan Commission meeting be approved, subject to the conditions contained herein.

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

c. That all staff members providing care be properly trained and licensed as required by the State of Wisconsin.

d. That the number of students shall be within licensing requirements as per the State of Wisconsin, and meet all occupancy requirements of the Building Inspection department.

e. That the grounds be maintained on a daily basis.

f. That the hours of operation shall be 5:30 a.m. - 9:00 p.m., Monday

through Saturday.

g. That the parking lot shall be sealed and striped per the approved parking plan prior to occupancy.

h. That the trash enclosure be constructed prior to issuance of an occupancy permit.

i. That the loading and unloading of children shall be conducted on-site and not block any driveways or parking areas within the site, including access to other buildings.

j. That signage is not approved with this permit. All signage shall be reviewed by the Department of City Development prior to issuance of a building permit and installation.

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

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

Fiscal Note: N/A

Sponsors: Dennis Wisner

A motion was made that this Resolution be Adopted. The motion was APPROVED on a voice vote in consent.

[Res.15-0282](#)

Amendment to Regency Mall Conditional Use Permit

Resolved, that the request by David Israel for a major amendment to the Regency Mall conditional use to modify the former JC Penney department store at 5900 Durand Avenue into three separate tenant spaces is approved subject to the following conditions:

a. That the plans presented at the June 24, 2015 Plan Commission meeting be approved subject to the conditions contained herein.

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

c. That a scaled site plan showing the entire former JC Penney property and proposed site changes and amenities be submitted to the Department of City Development for review and approval prior to issuance of a building permit.

- d. That the hours of operation for all retail spaces shall be from 10:00 a.m. - 9:00 p.m., seven days a week.
- e. That a landscape plan, prepared by a licensed landscape architect and incorporating the comments as discussed in this staff report, be submitted for review and approval to the Department of City Development prior to the issuance of any building permits.
- f. That all landscaping as approved on the forthcoming landscape plan shall be installed prior to issuance of an occupancy permit.
- g. That signage is not approved with this permit. All requests for signage shall be submitted to the Department of City Development for review and approval prior to issuance of sign permits or installation.
- h. That information on the handling of trash for JoAnn Fabrics and Crafts, and Party City, be submitted to the Department of City Development for review and approval prior to the issuance of building permits, and that if necessary the site plan shall be amended to show the location of the dumpster and enclosure.
- i. That revised elevation drawings eliminating EIFS material within 8-feet of building grade be submitted to the Department of City Development for review and approval prior to the issuance of building permits.
- j. That all masonry units shall have their color integral to the unit and not painted or stained, and any existing masonry surface shall remain unpainted but cleaned. Samples of new masonry units shall be presented to the Director of City Development for review and approval prior to the issuance of a building permit.
- k. That the lot shall be re-surfaced and striped according to the approved site plan prior to issuance of an occupancy permit.
- l. That a revised lighting plan, showing photometric information for the entire former JC Penney property and including any building lighting, with re-configuration of light placement, be submitted to the Department of City Development for review and approval prior to issuance of any lighting installation permits and prior to issuance of an occupancy permit. Note that neon lighting will not be permitted.
- m. That information on truck traffic and site maintenance be provided to the Department of City Development for review and approval prior to issuance of an occupancy permit.

n. That if the required improvements cannot be completed prior to the request for occupancy, the applicant may submit a financial surety, subject to approval by the City Attorney, for the amount of any labor and materials for unfinished work based on cost estimates provided by the applicant. The surety shall be subject to all regulations and allowances as set forth by the City of Racine.

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

Fiscal Note: N/A

Sponsors: Dennis Wisner

A motion was made that this Resolution be Adopted. The motion was APPROVED on a voice vote in consent.

[Res.15-0283](#)

Grant Extension for Main Gallery Program

Resolved, that the request by the Department of Parks, Recreation and Cultural Services to extend its grant agreement for the Main Gallery Program is approved and the end of the grant agreement is extended to September 30, 2015.

Further resolved, that the request to amend its budget for the Main Gallery Program is approved.

Further resolved, that the Mayor and City Clerk are authorized to execute an amended grant agreement consistent with the revised budget.

Fiscal Note: The amendment changes line items and extends the time of performance with no change to the total amount of the grant, \$20,000.00.

Sponsors: Dennis Wisner

A motion was made that this Resolution be Adopted. The motion was APPROVED on a voice vote in consent.

[Res.15-0284](#)

Grant Extension for Dr. M.L. King Jr. Center GED/HSED Program

Resolved, that the request by the Department of Parks, Recreation and Cultural Services Department is approved and its grant agreement for the Dr. M.L. King Jr. Center GED/HSED program is extended to September 30, 2015.

Further resolved, that the request to amend its budget for the Dr. M.L. King Jr. Center GED/HSED program is approved.

Further resolved, that the Mayor and City Clerk are authorized to execute an amended grant agreement consistent with the revised budget.

Fiscal Note: The amendment changes line items and extends the time of performance with no change to the total amount of the grant, \$20,000.00

Sponsors: Dennis Wisner

A motion was made that this Resolution be Adopted. The motion was APPROVED on a voice vote in consent.

Resolutions

[Res.15-0276](#)

Amendment to "A Comprehensive Plan for the City of Racine: 2035" for the properties located at 1223 Ohio Street and 1212, 1218, 1222 Virginia Street

WHEREAS, the Plan Commission (the Commission) has reviewed the proposed amendment to the document titled "A Comprehensive Plan for the City of Racine: 2035" (the Plan). The Plan containing maps, references and other descriptive materials and information applicable and specific to the City of Racine; and

WHEREAS, Pursuant to Section 62.23 of the Wisconsin Statutes, the City of Racine is authorized to prepare and adopt certain amendments to The Plan as defined in Sections 66.1001(1)(a) and 66.1001(2) of the Wisconsin Statutes; and

WHEREAS, in accordance with Section 66.1001(1)(a) of the Statutes, the Plan is intended to assist in orderly Community Development within the City. To these ends, the proposed Plan amendment supports the intent of the Plan to foster appropriate development land use patterns within the City; and

WHEREAS, The Plan Commission of the City of Racine conducted a public hearing on November 26, 2014 to solicit opinion and educate the public on a proposed rezoning and conditional use permit effectuating a development project needing an amendment to The Plan which must be preceded by a change in the land use classification of the properties at 1223 Ohio Street and 1212, 1218, 1222 Virginia Street; and

WHEREAS, On April 8, 2015 the Plan Commission forwarded a recommendation to the Common Council that the amendment to The Plan be denied based on the findings as enumerated in the Plan Commission's report for the April 20, 2015 Common Council meeting, and in said report that the associated rezoning and conditional use requests be received and filed; and

WHEREAS, On April 20, 2015 the Common Council referred all matters related to 1223 Ohio Street and 1212, 1218, 1222 Virginia Street back to the Plan Commission and directed that an ordinance be prepared and public hearing scheduled for an amendment to The Plan; and

WHEREAS, On June 24, 2015 the Plan Commission forwarded a recommendation to the Common Council that the amendment to The Plan be approved based on the findings as enumerated in the Plan Commission's report for the July 7, 2015 Common Council meeting, and

WHEREAS, Ordinance 07-15 was herein prepared and transmitted to the Common Council; and a public hearing before the Common Council was held on June 16, 2015; and

WHEREAS, The Plan Commission of the City of Racine, on June 24, 2015 by a majority vote of the commission recorded in its official minutes, recommended to the Common Council the adoption of a resolution and an ordinance adopting a change to the land use designation of the properties at 1223 Ohio Street and 1212, 1218, 1222 Virginia from Medium Density Residential to Commercial as an amendment to The Plan; and

NOW, THEREFORE, BE IT RESOLVED, the Common Council of the City of Racine hereby adopts Ord. 07-15, as an amendment embodied in the document titled "A Comprehensive Plan for the City of Racine: 2035", as a guide to assist in promoting orderly and sensible land use patterns to enhance the health, safety, welfare, and vitality of the City and its residents.

BE IT FURTHER RESOLVED that the City Clerk is authorized and directed to transmit a certified copy of this resolution to the Racine County Board and the Southeastern Wisconsin Regional Planning Commission.

Fiscal Note: N/A

Sponsors: Dennis Wisner

A motion was made by Alderman Wisner, seconded by Alderman Kaplan, that this Resolution be Adopted. The motion was APPROVED by the following vote:

AYES: 7 - Kaplan, Smetana, Weidner, DeHahn, Shakoor II, McCarthy and Lemke

NOES: 5 - Coe, Wisner, Land, Morgenroth and Hart

ABSENT: 2 - Shields and Perez

[Res.15-0285](#)

Applications for 2015 Community Development Block Grant (CDBG) and Emergency Solutions Grant (ESG) Funding

Resolved, that the recommended allocation, as amended, of the 2015 Community Development Block Grant (CDBG) and Emergency Solutions Grant (ESG) is approved; and, that the appropriate City officials are authorized and directed to execute and submit to the U.S. Department of Housing and Urban Development the documents required to secure the grants; and that the appropriate City officials are authorized to execute third-party contracts with the agencies approved for the use of the funds.

Fiscal Note: The recommended allocations are attachments to this resolution. This action allocates \$2,135,225.00 in Community Development Block Grant funds including administrative expenses, and \$152,315.00 in Emergency Solutions Grant funds, including administrative expenses.

Sponsors: Dennis Wisner

A motion was made by Alderman Wisner, seconded by Alderman Kaplan, that this Resolution be Adopted. The motion was APPROVED by the following vote:

AYES: 12 - Coe, Kaplan, Smetana, Weidner, DeHahn, Shakoor II, McCarthy, Wisner, Land, Morgenroth, Hart and Lemke

ABSENT: 2 - Shields and Perez

I. Consent Agenda

J. Council Vote on Consent Agenda Items

Council Action on Consent Agenda Items

A motion was made by Alderman Henry Perez, seconded by Alderman Dennis Wisner, that this item be APPROVED.

AYES: 14 - Coe, Shields, Kaplan, Smetana, Weidner, DeHahn, Shakoor II, McCarthy, Wisner, Land, Perez, Morgenroth, Hart and Lemke

K. Adjourn

Alderman Shakoor made a motion to adjourn the meeting, which was APPROVED without objection, at 8:50PM. The next scheduled meeting of the Council is Tuesday, July 21, 2015.