



City of Racine

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

Meeting Minutes - Final Common Council

*Mayor John T. Dickert, President, Alderman Raymond
DeHahn*

*Alderman Dennis Wisner, Alderman Jim Kaplan
Alderman Q.A. Shakoor, II, Alderman Ronald D. Hart,
Alderman Sandy Weidner*

*Alderman Krystyna Sarrazin, Alderman Jeff Coe, Alderman
Michael Shields*

*Alderman Melissa Kaprelian-Becker, Alderman Terry
McCarthy*

*Alderman Gregory Holding, J.D. Alderman James
Morgenroth*

Alderman Edward E. Diehl, Alderman Henry Perez

Tuesday, May 20, 2014

7:00 PM

Room 205, City Hall

A. Call To Order

PRESENT: 14 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor, II, Wisner, Holding J.D. , Perez, Morgenroth, Hart and Diehl

EXCUSED: 1 - McCarthy

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 DeHahn, seconded by Alderman Shakoor.

D. Public Comments

*Sue DeKeuster
Kate Remington
Joan Herman
Jim Herman
Joe Klinski
Don Veltus
Ellen Kelbach
Sr. Lois Aceto
Sr. Lisa Kane
Cory Mason
Ben Lehner*

E. Communications

Refer to Finance and Personnel Committee, by Ald. Shakoor

[14-10159](#) **Subject:** communication from the City Attorney submitting the claim of James Miller and MaeJoyce Miller for consideration.

Referred to Finance and Personnel Committee

[14-10163](#) **Subject:** communication from the City Attorney submitting the claim of Nona Hiler for consideration.

Referred to Finance and Personnel Committee

[14-10170](#) **Subject:** communication from the City Attorney submitting the claim of Eulogia Guardiola for consideration.

Referred to Finance and Personnel Committee

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

[14-10165](#) **Subject:** Communication from Real Racine requesting to use City right-of-way for the Ironman Racine 70.3 Triathlon on Sunday, July 20, 2014. **Kari Dawson invited to the meeting.**

Referred to Public Works and Services Committee

[14-10167](#) **Subject:** Communication from Richard Fortier requesting permission to close the 300 block of Hamilton Street and the 1100 block of Chatham Street from 12:00 Noon to 7:00 P.M. on Sunday, June 22, 2014 for the 9th Annual Eagle's Club/George's Tavern Classic Car Show. **Richard Fortier invited to the meeting.**

Referred to Public Works and Services Committee

[14-10173](#) **Subject:** Communication from the 4th District Alderman requesting the creation of a sanitary sewer maintenance fee ordinance. (Ord. No. 06-14)

Referred to Public Works and Services Committee

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

[14-10158](#) **Subject:** (New) Application of Cliff's Boathouse Cafe LLC, Clifford Wolosek, Agent for a Class "B" Fermented Malt Beverage License for 301 Hamilton Street. (4th District)

Referred to Public Safety and Licensing Committee

[14-10174](#) **Subject:** Application for Change of Agent , Suzette Dower, of Georgetown Market, a "Class A" Retail Fermented Malt Beverage and Intoxicating Liquor License at 3710 Meachem Road.

Referred to Public Safety and Licensing Committee[14-10175](#)

Subject: Application for Change Agent, Kenneth J. Gall, for Harbor Lite Yacht Club, Inc., a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License at 559 State Street.

Referred to Public Safety and Licensing Committee[14-10176](#)

Subject: The following renewal application(s) for a Class "A" Fermented Malt Beverage License for 2014-2015:

Lauro Davalos 1951 Mead Street
(Tradename) La Tapatia

Lee's Deli, Inc. 2615 Washington Avenue
(Tradename) Lee's Deli
John P. Henes, Agent

E& K Durand, LLC 2731 Durand Avenue
(Tradename) Open Pantry Food Mart
James Schutz, Agent

Priya Corporation 3818 Durand Avenue
(Tradename) Andy's On Durand
Kavita Khullar, Agent

Jalil Mian 1100 Sixth Street
(Tradename) M.J. Petroleum

Referred to Public Safety and Licensing Committee[14-10177](#)

Subject: The following renewal application(s) for a Class "B" Fermented Malt Beverage License for 2014-2015:

Edward L. Bilotto 235 Main Street
(Tradename) De Pizza Chef

Referred to Public Safety and Licensing Committee[14-10178](#)

Subject: The following renewal application(s) for a Class "B" Public Facility Fermented Malt Beverage License for 2014-2015:

Racine Zoological Society 2131 N. Main Street
(Tradename) Racine Zoo
Jay Christie, Agent

Referred to Public Safety and Licensing Committee[14-10179](#)

Subject: The following renewal application(s) for a "Class B" Club

Fermented Malt Beverage and Intoxicating Liquor License for
2014-2015:

Deutscher Maenner Verein 701 Villa Street
(Tradename) German Men's Club
Robert J. Hill, Agent

Referred to Public Safety and Licensing Committee

14-10180

Subject: The following renewal application(s) for a "Class A"
Fermented Malt Beverage and Intoxicating Liquor License for
2014-2015:

The Argo Group Inc. 3710 Meachem Road
(Tradename) Georgetown Market
Suzette Dower, **Change of Agent**

Dan's Liquor, Inc. 1856 Taylor Avenue
(Tradename) Dan's Liquor & Video
Jagdish Patel, Agent

Purvi & Mishali, Inc. 1401 Washington Avenue
(Tradename) Liquor Depot
Parit Patel, Agent

Mitraj, Inc 3711 Douglas Avenue
(Tradename) Pantry Foods
Radhhesyam Patel, Agent

Timers of Racine, Inc. 3800 Northwestern Ave.
(Tradename) Timer's Beverage Center
Shawn D. Voss, Agent

Taylor Liquor Inc. 2813 Taylor Avenue
(Tradename) Colonial Liquor
Ilesh Patel, Agent

Dandee Liquor Mart, Inc. 3700 Meachem Road
(Tradename) Dandee Liquor Mart
Vishnu Patel, Agent

Piggly Wiggly Midwest, LLC 4011 Durand Avenue
(Tradename) Piggly Wiggly Supermarket #9
Joseph Ligocki, Agent

M. Smit N. Corp. 918 West Boulevard
(Tradename) Port of Call Liquors
Chandresh Patel, Agent

Referred to Public Safety and Licensing Committee

[14-10183](#)

Subject: The following renewal application(s) for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 2014-2015:

K&D AFH, LLC 1333 Douglas Avenue
 (Tradename) King Daddies
 LaVonda Perkins, Agent

Morakot Khampane 203 Sixth Street
 (Tradename) Sticky Rice
 Morakot Khampane, Agent

Morakot Khampane 337 Main Street
 (Tradename) Sticky Rice
 Morakot Khampane, Agent

George's of Racine, WI, Inc. 1201 N. Main Street
 (Tradename) George's Tavern
 Davide Popoff, Agent
(PUBLICATION FEE ONLY)

Alice F. Warren 963 Dr. M.L. King, Jr. Drive
 (Tradename) Buck's Lounge
(PUBLICATION FEE ONLY)

Dynasty Co., Inc. 2427 Lathrop Avenue
 (Tradename) Dynasty Restaurant
 Stanley Ginkowski, Agent

Thang D. Pham 3616 Northwestern Avenue
 (Tradename) River Run Restaurant

Mike Williams 1403 Superior Street
 (Tradename) Winner's Circle

Deweys Restaurant & Sports Bar, Inc. 600 Main Street
 (Tradename) Deweys Restaurant & Sports Bar
 Dan R. Dumont, Agent

American Legion Post #546 1234 Douglas Avenue
 (Tradename) American Legion Post
 James Price, Agent

R&K Kong LLC 618 Sixth Street
 (Tradename) Pepi's Pub & Grill

Joe Madison, Agent

T.B. Hansen's Inc. 501 Goold Street
(Tradenname) Hansen's Tap
Thomas R. Hansen, Agent

Rock Inn LLC 600 High Street
(Tradenname) Rock Inn

Fides F. Wagner-Richardson 1102 Mound Avenue
(Tradenname) Blues & R&B

Lee Allen Gaither 1300 Sixteenth Street
(Tradenname) The Old School Way

Restaurant of Racine, Inc. 207 Gaslight Circle
(Tradenname) Chancery
Brian K. Grabher, Agent

Apple Hospitality Group, LLC 2521 S. Green Bay Road
(Tradenname) Applebee's
Timothy Geniesse, Agent

Harbor Lite Yacht Club, Inc. 559 State Street
(Tradenname) Harbor Lite Yacht Club
Kenneth J. Gall, Agent
(CHANGE OF AGENT)

Blazin Wings, Inc. 5880 Durand Avenue
(Tradenname) Buffalo Wild Wings
Richard Buchanan, Agent

Mario Espinoza 3700 Durand Avenue
(Tradenname) Taqueria Nuevo Vallarta

Racine Theatre Guild, Inc. 2519 Northwestern Avenue
(Tradenname) Racine Theatre Guild
Douglas Instenes, Agent

Char-Grill, Inc., 3839 Douglas Avenue
(Tradenname) Charcoal Grill
Jeff Marsh, Agent

Referred to Public Safety and Licensing Committee

Refer to Traffic Commission, by Ald. Kaplan

[14-10182](#)

Subject: Communication from Patrick Starken, RUSD Transportation

Supervisor, requesting a change of signage at Julian Thomas School (930 M.L. King Jr. Drive).

Referred to Traffic Commission

Refer to Board of Health, by Ald. Kaplan

[14-10171](#)

Subject: Communication from the Public Health Administrator, on behalf of Wayne Clingman (236 Jones St.), requesting to amend portions of Chapter 10 in the Municipal Code of the City of Racine to permit the keeping of domesticated chickens in the City.

Referred to Board of Health

F. Committee Reports

Finance and Personnel Committee Report, by Ald. Shakoor

[14-9919](#)

Subject: Request by the Community Economic Development Corporation (CEDCO) to extend the period for completion of its Small Business Development Services contract. (Res. No. 14-0206)

Recommendation of the Redevelopment Authority on 4-7-2014:

That the Authority supports the extension of the contract expiration through December 2014.

Further, that the Mayor and City Clerk be authorized and directed to execute a contract extension with CEDCO effective through December 2014.

Recommendation of the Finance & Personnel Committee on

5-12-14: To approve the Community Economic Development Corporation (CEDCO) to extend the period for completion of its Small Business Development Services contract. Further, that the Mayor and City Clerk be authorized and directed to execute a contract extension with CEDCO effective through December 31, 2014.

Fiscal Note: Sufficient funds remain in the original contract to fund this extension.

Alderman Shields requested that item 14-9919 be considered separately. There were no objections.

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

AYES: 13 - Coe, Sarrazin, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor, II, Wisner, Holding J.D., Perez, Morgenroth, Hart and Diehl

EXCUSED: 1 - McCarthy

ABSTENTIONS: 1 - Shields

14-10018

Subject: Communication from the Alderman of the 15th District requesting that city policy be written to codify the current practice that permission to apply for grants be approved by the Common Council via the Finance and Personnel Committee.

Recommendation of the Finance & Personnel Committee on 4-21-14: Defer the item until the May 12, 2014 Finance & Personnel meeting.

Recommendation of the Finance & Personnel Committee on 5-12-14: To receive and file the item.

Fiscal Note: N/A

Alderman Diehl requested that item 14-10018 be considered separately. There were no objections.

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

AYES: 13 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, DeHahn, Shakoor, II, Wisner, Holding J.D. , Perez, Morgenroth, Hart and Diehl

NOES: 1 - Weidner

EXCUSED: 1 - McCarthy

14-10024

Subject: Communication from the Transit and Parking System Manager requesting that the Purchasing Agent be authorized to negotiate with ABM for the provision of Parking Facility Management and Equipment Replacement.

Recommendation of the Finance & Personnel Committee on 5-12-14: To receive and file. Duplicate item, see File ID 14-10069.

Fiscal Note: N/A

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

14-10037

Subject: Communication from the City Attorney submitting the claim of Iris Lopez for consideration.

Recommendation of the Finance & Personnel Committee on 5-12-14: The claim of Iris Lopez for alleged injuries arising out of her trip and fall on the sidewalk at Case High School on or about August 22, 2013 be denied.

Fiscal Note: N/A

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

14-10054

Subject: Communication for the Fire Chief requesting permission to apply for the FEMA 2013 Assistance to Fire Fighters Grant (AFG) for the purpose of upgrading radio interoperability. (Grant Control #2014-019) (Res. No. 14-0201)

Recommendation of the Finance & Personnel Committee on 5-12-14: Permission be granted to the Fire Chief to apply for the FEMA 2013 Assistance to Fire Fighters Grant (AFG) for the purpose of upgrading radio interoperability. (Grant Control #2014-019)

Fiscal Note: The grant request is for \$215,000 of which the City's hard match is 10% or \$21,500. Funds are available in account 944.300.5030 to cover this request.

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

14-10055

Subject: Communication from the Fire Chief requesting permission to apply for the 2014 DHS Port Security Grant for the purpose of securing a Sector Scan Sonar for water rescue emergencies. (Grant Control #2014-020) (Res. No. 14-0202)

Recommendation of the Finance & Personnel Committee on 5-12-14: Permission be granted to the Fire Chief to apply for the 2014 DHS Port Security Grant for the purpose of securing a Sector Scan Sonar for water rescue emergencies. (Grant Control #2014-020)

Fiscal Note: The grant request is for \$70,000 of which the City's hard match is 25% or \$17,500. The City's Match will be budgeted under the 2015 Capital Improvement Project.

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

14-10056

Subject: Communication from the City Attorney submitting the claim of JBC, LLC for consideration.

Recommendation of the Finance & Personnel Committee on 5-12-14: The claim of JBC, LLC for alleged damages arising out of the flooding of their basement after a water main break on or about February 10, 2014 be denied.

Fiscal Note: N/A

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

[14-10061](#)

Subject: communication from the City Attorney submitting the claim of Anthony Shaw for consideration.

Recommendation of the Finance & Personnel Committee on

5-12-14: The claim of Anthony Shaw for alleged vehicle damages arising out of driving over a pothole at or near 4620 Washington Avenue on or about January 23, 2014 be denied.

Fiscal Note: N/A

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

[14-10067](#)

Subject: communication from the City Attorney submitting the claim of Maude Ford-Jelks for consideration.

Recommendation of the Finance & Personnel Committee on

5-12-14: The claim of Maude Ford-Jelks for alleged vehicle damages arising out of driving over a permit hole at or near 1101 Geneva Street on or about February 19, 2014 be denied.

Fiscal Note: N/A

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

[14-10068](#)

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting permission to apply for the Stewardship LWCF and Recreational Trails Grant in the amount of \$19,085.00 from the Wisconsin Department of Natural Resources for the Graceland road & walkway. (Grant Control #2014-016) (Res. No. 14-0205)

Recommendation of the Finance & Personnel Committee on

5-12-14: Permission be granted to the Director of Parks, Recreation & Cultural Services requesting permission to apply for the Stewardship LWCF and Recreational Trails Grant in the amount of \$19,085.00 from the Wisconsin Department of Natural Resources for the Graceland road & walkway. Grant Control #2014-016.

Fiscal Note: City match of \$19,085.00 is required. Funds are available in account 207.994.5010 - Road & Walkway Repairs.

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

[14-10069](#)

Subject: Communication from the Transit and Parking System Manager regarding providing Representatives of ABM Parking Services Incorporated an opportunity to review their proposal

regarding the proposed Parking Ramp Revenue Equipment Replacement and 24 Hour Ramp Management Contract. (Res. No. 14-0212)

Recommendation of the Parking & Transit Commission 4-30-14:

Recommends awarding a contract for a seven year lease of state-of-the art Parking Utility revenue control equipment and a professional management contract with 24/7 support services for the Gaslight, Lake, Shoop and Civic Center parking Ramps and Surface Lakefront Lot No.5 with ABM Parking Services and recommends that the City Finance and Personnel Committee and Common Council authorize entering into a contract with ABM Parking Services as the result of a Request for Proposals process and negotiations begun in July of last year.

Recommendation of the Finance & Personnel Committee on

5-12-14: Recommends awarding a contract for a seven year lease of state-of-the art Parking Utility revenue control equipment and a professional management contract with 24/7 support services for the Gaslight, Lake, Shoop and Civic Center parking Ramps and Surface Lakefront Lot No.5 with ABM Parking Services.

Fiscal Notes: The Parking Utility is self supporting and no general fund contributions are required. Funding for the first year of the lease and management contract have been approved in Account 106.993.5760 (2013 Credit Card system-wide upgrade). The Parking Utility retains ownership of the equipment at the end of the lease. Benefits in reduced regular and overtime staff costs, lost revenue recovery and improved downtown parking operations are expected to range between \$177,790 and \$320,312 over the seven year period.

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

14-10091

Subject: Communication from the Police Chief, requesting to enter into Conflict Resolution Services with the Racine Dominicans. (Res. No. 14-0203)

Recommendation of the Finance & Personnel Committee on

5-12-14: Permission be granted to the Police Chief, to enter into Conflict Resolution Services with the Racine Dominicans at a cost not to exceed \$10,000.00.

Fiscal Note: \$10,000.00 in Asset Forfeiture funds available.

As amended - Changed wording from Sienna Center to Racine Dominicans.

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

14-10092

Subject: Communication from the Police Chief requesting to apply for and accept the 2014 Bureau of Justice Assistance (BJA) Edward Byrne Justice Assistance Grant (JAG). (Grant Control #2014-017) (Res. No. 14-0204)

Recommendation of the Finance & Personnel Committee on

5-12-14: Permission be granted to the Police Chief to apply for and accept the 2014 Bureau of Justice Assistance (BJA) Edward Byrne Justice Assistance Grant (JAG) in the amount of \$22,058.00 (Grant Control #2014-017) and that the Memorandum of Understanding with the Racine County Sheriffs Department be extended.

Fiscal Note: No City match required. The grant is formula based and is for \$44,116.00 to be split with Racine County Sheriff's Department.

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

14-10099

Subject: Communication from the Public Health Administrator requesting permission to enter into agreements to provide Level II Health Services to the Villages of Elmwood Park and Wind Point. The total amount to be received is \$4,243; \$1,550 paid by Elmwood Park, and \$2,693 paid by Wind Point. (Res. No. 14-0209)

Recommendation of the Finance & Personnel Committee on

5-12-14: Permission be granted to the Public Health Administrator to enter into agreements to provide Level II Health Services to the Villages of Elmwood Park and Wind Point. The total amount to be received is \$4,243; \$1,550 paid by Elmwood Park, and \$2,693 paid by Wind Point.

Fiscal Note: The agreements will generate in revenue \$4,243.00. Rates are the same as in 2013.

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

14-10103

Subject: communication from the City Attorney submitting the claim of Mary Imhof Prujansky for consideration.

Recommendation of the Finance & Personnel Committee on

5-12-14: The claim of Mary Imhof Prujansky for alleged vehicle damages after she backed into recycling carts placed in her driveway by City crews on March 6, 2014 be denied.

Fiscal Note: N/A

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

14-10105

Subject: Communication from the Public Health Administrator requesting permission to accept an amendment to the original contract agreement with the Wisconsin Department of Health Services for Public Health Emergency Preparedness and Response. This amendment awards an additional \$3,960 to the current PHEP contract amount of \$64,991 for continuation of emergency preparedness efforts for the City of Racine. This would bring the revised amount of the contract to \$68,951. (Original Grant Control #2013-025) (Res. No. 14-0210)

Recommendation of the Finance & Personnel Committee on 5-12-14: Permission be granted to the Public Health Administrator to accept an amendment to the original contract agreement with the Wisconsin Department of Health Services for Public Health Emergency Preparedness and Response. This amendment awards an additional \$3,960 to the current PHEP contract amount of \$64,991 for continuation of emergency preparedness efforts for the City of Racine. This would bring the revised amount of the contract to \$68,951. (Original Grant Control #2013-025)

Fiscal Note: No City match required.

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

14-10106

Subject: Communication from the Public Health Administrator requesting permission to accept an amendment to the original contract agreement with the Wisconsin Department of Health Services for Public Health Emergency Preparedness and Response. This amendment awards an additional \$435 to the current CRI contract amount of \$26,748 for continuation of emergency preparedness efforts for the City of Racine. This would bring the revised amount of the contract to \$27,183. (Original Grant #2013-025) (Res. No. 14-0211)

Recommendation of the Finance & Personnel Committee on 5-12-14: Permission be granted to the Public Health Administrator to accept an amendment to the original contract agreement with the Wisconsin Department of Health Services for Public Health Emergency Preparedness and Response. This amendment awards an additional \$435 to the current CRI contract amount of \$26,748 for continuation of emergency preparedness efforts for the City of Racine. This would bring the revised amount of the contract to \$27,183. (Original Grant #2013-025)

Fiscal Note: No City match required.

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

[14-10110](#)

Subject: (Direct Referral) Review of an amended development agreement for the project at 1130 Washington Avenue. (Res. No. 14-0207)

Recommendation of the Redevelopment Authority on 5-5-14: That an amendment to the development agreement between the Redevelopment Authority and Akil Ajmeri of Ayra's at 1130 Washington Avenue to extend the deadlines contained therein is approved, specifically that the deadline for compliance with the conditions related to Additional Development Assistance shall be July 31, 2014 and the tax years eligible for Tax Reimbursement Development Incentive shall be 2014 and 2015.

Further, that the Chairperson and Executive Director are authorized to execute the amendment, subject to the review and approval of the City Attorney or his designee.

Recommendation of the Finance & Personnel Committee on 5-12-14: Permission be granted to the Redevelopment Authority to accept an amended development agreement for the project at 1130 Washington Avenue. Further, that the Chairperson and Executive Director are authorized to execute the amendment, subject to the review and approval of the City Attorney or his designee.

Fiscal Note: Funds for the development assistance grant remain available in the TID 16.

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

[14-10111](#)

Subject: (Direct Referral) Communication from the Assistant Executive Director of the Redevelopment Authority requesting authorization to apply for a Wisconsin Economic Development Corporation Site Assessment Grant for the property at 1505 High Street. (Grant Control # 2014-018) (Res. No. 14-0208)

Recommendation of the Redevelopment Authority on 5-5-14: That the Authority requests funds and assistance available from the WEDC under the assessment grant and complies with rules for the program.

Further, that Brian F. O'Connell, Executive Director, or his authorized agent, act on the behalf of the Authority to: submit an application to Wisconsin Economic Development Corporation to aid in the site assessment of 1505 High Street, sign all documents, and take

necessary action to undertake, direct, and complete approved grant activities.

Recommendation of the Finance & Personnel Committee on

5-12-14: Permission be granted to the Assistant Executive Director of City Development to apply for a Wisconsin Economic Development Corporation Site Assessment Grant for the property at 1505 High Street. (Grant Control # 2014-018) Further, that Brian F. O'Connell, Executive Director, or his authorized agent, act on the behalf of the Authority to: submit an application to Wisconsin Economic Development Corporation to aid in the site assessment of 1505 High Street, sign all documents, and take necessary action to undertake, direct, and complete approved grant activities.

Fiscal Note: The grant request is for \$100,000 with a required match of 100% of the grant request (\$100,000) from the City. The property is tax delinquent and WEDC allows the delinquent taxes to be used as the local match.

Alderman Shakoor requested that item 14-10111 be considered separately. There were no objections.

A motion was made that this Communication be Referred to the Finance and Personnel Committee. The motion was APPROVED by the following vote:

AYES: 14 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor, II, Wisner, Holding J.D. , Perez, Morgenroth, Hart and Diehl

EXCUSED: 1 - McCarthy

14-10115

Subject: Communication from 21st Century Preparatory School requesting to have 2014 Island Park rental fees waived or reduced for a Civil War re-enactment Day.

Recommendation of the Finance & Personnel Committee on

5-12-14: To receive and file the item.

Fiscal Note: N/A

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

14-10117

Subject: Communication from the City Clerk submitting the bid(s) received for printing the Common Council Proceedings and legal notices for the period of June 1, 2014 through May 31, 2015. (Res. No. 14-0213)

Recommendation of the Finance & Personnel Committee on

5-12-14: To award the bid to The Racine Journal Times for printing of the Common Council Proceedings and all legal notices for the period June 1, 2014 through May 31, 2015.

Fiscal Note: Funds are available in account 101.010.5540; City Council Proceedings.

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

14-10154

Subject: (Direct Referral) Communication from the Assistant Director of City Development submitting the request by Racine Urban Garden Network (RUGN) for a reduction of the fee for a conditional use permit for a community garden.

Recommendation of the Finance & Personnel Committee on 5-12-14: Recommends the request by Racine Urban Garden Network (RUGN) for a reduction of the fee for a conditional use permit for a community garden be denied

Fiscal Note: N/A

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

14-10155

Subject: (Direct Referral) Communication from the Finance Director requesting to appear to discuss our 2013 to 2014 budget carry overs. (Res. No. 14-0214)

Recommendation of the Finance & Personnel Committee on 5-12-14: To approve the 2013 to 2014 budget carry overs.

Fiscal Note: Official action is required on an annual basis to carry forward budgeted funding including those with an expenditure period longer than 12 months.

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

Council Action

A motion was made by Alderman Shakoor, seconded by Alderman DeHahn, that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

AYES: 14 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor, II, Wisner, Holding J.D. , Perez, Morgenroth, Hart and Diehl

EXCUSED: 1 - McCarthy

Public Works and Services Committee Report, by Ald. DeHahn

14-10027

Subject: Communication from Pentecost Lutheran Church requesting permission to close Jerome Boulevard, from Coolidge Avenue to Case

Avenue, on Saturday, July 26, 2014, for a church block party. (Res. No. 14-0215)

Recommendation of the Public Works and Services Committee on 05-13-14: That the Pentecost Lutheran Church be granted permission to close Jerome Boulevard, from Coolidge Avenue to Case Avenue, for an event on Saturday, July 26, 2014, from 7:00 A.M. until 7:00 P.M., in accordance with their request.

Further recommends that permission be granted with the following stipulations:

- A. A hold harmless agreement be executed and a \$75.00 processing fee paid.
- B. A liability insurance certificate be filed prior to this event.
- C. Any overtime costs incurred by any city department be charged to the sponsor.
- D. The sponsor shall notify all abutting property owners seventy-two (72) hours in advance of this event.
- E. The sponsor shall pay a \$250.00 special event feel.

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

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

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

[14-10034](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works submitting bid results on Contract 09-14 (K4-009), 2014 Street and Alley Paving - Northside Assessable (R1). (Res. No. 14-0218)

Recommendation of the Public Works and Services Committee on 04-29-14: Deferred

Recommendation of the Public Works and Services Committee on 05-13-14: That Contract 09-14 (K4-009), 2014 Street and Alley Paving - Northside Assessable (R1), be awarded to Milwaukee General Construction Co., Milwaukee, WI, at their bid price of \$730,146.14, they being the lowest responsible bidder.

Fiscal Note: Funding to defray the cost of this public works project be appropriated from the following accounts:

\$379,616.57 - Account 906.000.5010, Concrete Street Paving
\$ 78,555.00 - Account 906.000.5030, Concrete Alley Paving
\$ 6,400.00 - Account 906.000.5410, Sanitary Sewer Laterals
\$ 10,489.00 - Account 993.908.5010, Concrete Street Paving Misc.
Loc.
\$138,235.57 - Account 994.908.5010, Concrete Street Paving Misc.
Loc.
\$ 10,000.00 - Account 994.908.5030, Concrete Alley Paving Mis. Loc.
\$ 38,750.00 - Account 287.993.5310, Sanitary Sewer, Var. Loc.
\$ 7,000.00 - Account 994.993.5520, Sidewalk Replacement
\$ 61,100.00 - Account 104.993.5420, Storm Sewer, Misc. Loc.
\$730,146.14 - Total

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

[14-10094](#)

Subject: Communication from the City Administrator submitting the request of Racine Area Veteran's Inc. to use City right-of-way for the Memorial Day Parade on Monday, May 26, 2014. (Res. No. 14-0216)

Recommendation of the Public Works and Services Committee

on 05-13-14: That permission be granted to the Racine Area Veteran's, Inc. to use certain City streets for the Memorial Day Parade, to start at the intersection of Washington Avenue and West Boulevard, then proceed north on West Boulevard to Osborne Boulevard, and Osborne Boulevard to Graceland Cemetery, on Monday, May 26, 2014, between 9:00 A.M. and 12:00 P.M. in conjunction with this City-sponsored event. The detour for STH 20 is Lathrop Avenue, 16th Street and Taylor Avenue.

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

Fiscal Note: This event is co-sponsored by the City of Racine; therefore, the requirement for a formal agreement, requiring hold harmless, an insurance certificate and any overtime charges for additional policemen are not needed.

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

[14-10097](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting Change Order No. 2 to Contract 54-13 (K3-059), HVAC Upgrades - Festival Hall & City Hall Annex, Martin Peterson Company, Inc., contractor. (Res. No. 14-0222)

Recommendation of the Public Works and Services Committee

on 05-13-14: That Change Order No. 2 to Contract 54-13 (K3-059), HVAC Upgrades - Festival Hall & City Hall Annex, Martin Peterson Company, Inc., contractor, be approved in the amount of \$1,513.00.

Further recommends that funding to defray the cost of this change order be appropriated from Account 993.200.5020, Annex-AC Design and Replacement.

Fiscal Note: Funds are available as herein delineated.

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

[14-10107](#)

Subject: Communication from the Assistant Commissioner of Public Works/City Engineer requesting approval of the Transportation Project Plat 2290-17-00-4.08, Northwestern Avenue (STH 38) - Golf Avenue to Memorial Drive. (Res. No. 14-0227)

Recommendation of the Public Works and Services Committee

on 05-13-14: That Transportation Project Plat 2290-17-00-4.08, Northwestern Avenue (STH 38) - Golf Avenue to Memorial Drive be approved and adopted.

Fiscal Note: N/A

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

[14-10121](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting Change Order No. 1 to Contract 50-13 (K3-055), Masonry Restoration - Memorial Hall, RAZA of Racine, LLC., contractor. (Res. No. 14-0224)

Recommendation of the Public Works and Services Committee

on 05-13-14: That Change Order No. 1 to Contract 50-13 (K3-055), Masonry Restoration - Memorial Hall, RAZA of Racine, LLC., contractor, be approved in the amount of \$1,675.00.

Further recommends that funding to defray the cost of this change order be appropriated from Account 108.993.5510, Memorial Hall Tuckpointing.

Fiscal Note: Funds are available as herein delineated.

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

[14-10122](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works submitting a request for final payment on Contract 50-13 (K3-055), Masonry Restoration - Memorial Hall, RAZA of Racine,

LLC., contractor. (Res. No. 14-0225)

Recommendation of the Public Works and Services Committee on 05-13-14: That the work done by RAZA of Racine, LLC., under Contract 50-13 (K3-055), Masonry Restoration - Memorial Hall, be accepted and final payment authorized for a total contract amount of \$230,675.00.

Fiscal Note: Contract was authorized under Resolution No. 13-0332, dated August 20, 2013.

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

[14-10124](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works submitting bid results on Contract 18-14 (K4-018), 2014 Street Paving - Southside Assessable (R1). (Res. No. 14-0220)

Recommendation of the Public Works and Services Committee on 05-13-14: That Contract 18-14 (K4-018), 2014 Street Paving - Southside Assessable (R1), be awarded to A.W. Oakes & Son, Inc., Racine, WI, at their bid price of \$683,352.75, they being the lowest responsible bidder.

Fiscal Note: Funding to defray the cost of this public works project be appropriated from the following accounts:

\$251,541.67 - Account 906.000.5010, Concrete Street Paving
\$ 10,800.00 - Account 906.000.5310, New Curb & Gutter
\$ 10,960.00 - Account 906.000.5510, Sidewalks - New
\$314,089.08 - Account 994.908.5010, Concrete Street Pav., Misc. Loc.
\$ 7,750.00 - Account 287.994.5310, Sanitary Sewers, Misc. Loc.
\$ 88,212.00 - Account 104.994.5420, Storm Sewers, Misc. Loc.
\$683,352.75 - Total

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

[14-10146](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works requesting permission to apply to WisDOT for a scoping change to Lake Michigan Pathway Phase 3 Project (State Project ID: 1693-34-07) to change the project limits from Augusta Street to Melvin Avenue to Augusta Street to William Street. (Res. No. 14-0226)

Recommendation of the Public Works and Services Committee on 05-13-14: That the Commissioner of Public Works be granted permission to apply to WisDOT for a scoping change to Lake Michigan Pathway Phase 3 Project (State Project ID: 1693-34-07) to change the

project limits from Augusta Street to Melvin Avenue to Augusta Street to William Street.

Fiscal Note: The removal of the path from William Street to Melvin Avenue will decrease the construction cost by \$125,000.00.

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

[14-10147](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer submitting Change Order No. 1 on Contract 09-14 (K4-009), 2014 Street and Alley Paving - Northside Assessable (R1). (Res. No. 14-0219)

Recommendation of the Public Works and Services Committee on 05-13-14: That Change Order No. 1 on Contract 09-14 (K4-009), 2014 Street and Alley Paving - Northside Assessable (R1), Milwaukee General Construction Co., contractor, as submitted, be approved in the deduct amount of \$168,548.03. This deduct amount decreases the amount of the contract from \$730,146.14 to \$561,598.11.

Further recommends that the funding accounts be adjusted by the following amounts:

\$370,474.11 - Account 906.000.5010, Concrete Street Paving
\$ 78,555.00 - Account 906.000.5030, Concrete Alley Paving
\$ 6,400.00 - Account 906.000.5410, Sanitary Sewer Laterals
\$ 10,489.00 - Account 993.908.5010, Concrete Street Paving Misc. Loc.
\$ 10,000.00 - Account 994.908.5030, Concrete Alley Paving Misc. Loc.
\$ 38,750.00 - Account 287.993.5310, Sanitary Sewer, Var. Loc.
\$ 46,900.00 - Account 104.993.5420, Storm Sewer, Misc. Loc.
\$561,568.11 - Total

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

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

[14-10148](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting Change Order No. 1 to Contract 16-14 (K4-016), Harborside Remediation and Redevelopment, C.W. Purpero, Inc., contractor. (Res. No. 14-0223)

Recommendation of the Public Works and Services Committee on 05-13-14: That Change Order No. 1 to Contract 16-14 (K4-016), Harborside Remediation and Redevelopment, C.W. Purpero, Inc.,

contractor, be approved in the amount of \$59,616.25.

Further recommends that funding to defray the cost of this change order be appropriated from Account 974.000.5590, Remediation and Restoration.

Fiscal Note: Funds are available as herein delineated.

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

14-10149

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting a professional services proposal from Corporate Images, Contract 28-14 (K4-028), PS - Design of Recycling Brochures. (Res. No. 14-0221)

Recommendation of the Public Works and Services Committee on 05-13-14: That the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with Corporate Images, Inc., for Contract 28-14 (K4-028), PS - Design of Recycling Brochures, in the not-to-exceed amount of \$5,100.00.

Further recommends that funds to defray the cost of these professional services be appropriated from Account 289.000.5600, Recycling Contracted Services.

Fiscal Note: Funds are available as herein delineated.

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

14-10157

Subject: (Direct Referral) Communication from the Purchasing Agent submitting bid results on Official Notice No. 5, Two (2) Heavy Duty, Low Entry, Dual Steer Cab Truck Chassis, with 25 Cubic Yard High Compaction Rear Loading Refuse Packer. (Res. No. 14-0217)

Recommendation of the Public Works and Services Committee on 05-13-14: That Office Notice No. 5, Two (2) Heavy Duty, Low Entry, Dual Steer Cab Truck Chassis, with 25 Cubic Yard High Compaction Rear Loading Refuse Packer, be awarded to Kriete Group - Racine Truck Sales, at their bid price of \$377,400.00, they being the lowest responsible bidder.

Further recommends that we accept their offer of \$16,200.00 for our trade-ins. The net outlay for this purchase will be \$361,200.00

Fiscal Note: Funds for this purchase are available in Account 944.400.5010, Solid Waste-Refuse Trucks.

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

Council Action

A motion was made by Alderman DeHahn, seconded by Alderman Kaplan, that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

AYES: 14 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor, II, Wiser, Holding J.D. , Perez, Morgenroth, Hart and Diehl

EXCUSED: 1 - McCarthy

Public Safety and Licensing Committee Report, by Ald. Holding

[14-10114](#)

Subject: (New) Application of R&D'S PUB & GRUB, LLC, John Akers, Agent for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 1201 N. Main Street. (4th District)

Recommendation of the Public Safety and Licensing Committee on 05-13-14: That the Application of R&D'S PUB & GRUB, LLC, John Akers, Agent for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 1201 N. Main Street be approved.

Fiscal Note : NA

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

[14-10118](#)

Subject: The following renewal application(s) for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 2014-2015:

4700 Avenue LLC 4700 Washington Avenue
(Tradename) Ayra's Liquor & Fine Cigars
Fahim Ajmeri, Agent

2 Christopher Columbus, LLC 2A Christopher Columbus
Causeway
(Tradename) Ayra's on the Lake
Akil Ajmeri, Agent

Yardarm Bar & Grill, LTD 920 Erie Street
(Tradename) Yardarm
Laura Tomasek, Agent

Mario Aranda Sr. 1244 Washington Avenue
(Tradename) The Club

TBG'S, INC. 1814 Taylor Avenue
(Tradename)TBG's
Chad E. Londre, Agent

Recommendation of the Public Safety and Licensing Committee on 05-13-14: That the renewal application(s) for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 2014-2015 listed be approved.

Fiscal Note : NA

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

[14-10119](#)

Subject: The following renewal application(s) for a "Class A" Retail Fermented Malt Beverage and Intoxicating Liquor License for 2014-2015:

Siddi Vinayak, Inc. 2062 Lathrop Avenue
(Tradename) Arbee's Liquor Store
Jagdish Patel, Agent

Washington Avenue LLC 1130 Washington Avenue
(Tradename) Ayra's Gas & Grocery Restaurant
Fahim Ajmeri, Agent

Recommendation of the Public Safety and Licensing Committee on 05-13-14: That the renewal application(s) for a "Class A" Retail Fermented Malt Beverage and Intoxicating Liquor License for 2014-2015 listed be approved.

Fiscal Note : NA

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

[14-10120](#)

Subject: The following renewal application(s) for a Class "A" Fermented Malt Beverage License for 2014-2015:

3 Mile Station LLC 600 Three Mile Road
(Tradename) Kwik Pantry Food Mart
Sharik Malik, Agent

Recommendation of the Public Safety and Licensing Committee on 05-13-14: That the renewal application(s) for a "Class A" Fermented Malt Beverage for 2014-2015 listed be approved.

Fiscal Note : NA

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

Council Action

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

AYES: 14 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor, II, Wisner, Holding J.D. , Perez, Morgenroth, Hart and Diehl

EXCUSED: 1 - McCarthy

14-10164

Subject: Communication to create recommend approval of Ordinance 05-14 which repeals Ordinance 19-07 - Keg registration. (Ord. No. 05-14)

Recommendation of the Public Safety and Licensing Committee on 05-13-14: Recommend approval of Ordinance 05-14 which repeals Ordinance 19-07 - Keg Registration.

Fiscal Note: N/A

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

AYES: 14 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor, II, Wisner, Holding J.D. , Perez, Morgenroth, Hart and Diehl

EXCUSED: 1 - McCarthy

City Plan Commission Report, by Ald. Wisner**14-10150**

Subject: (Direct Referral) Request by George Stinson to operate an indoor flea market at 1325 Sixteenth Street. (PC-14) (Res. No. 14-0232)

Recommendation of the City Plan Commission on 5-14-14: That the item be approved, subject to conditions.

Fiscal Note: N/A

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

14-10151

Subject: (Direct Referral) Request from Jon Majdoch, representing Halloween Express, to erect a temporary structure for Halloween related sales at 5200 Durand Avenue. (Res. No. 14-0233)

Recommendation of the City Plan Commission on 5-14-14: That

the item be approved, subject to conditions.

Fiscal Note: N/A

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

Council Action

A motion was made by Alderman Wisner, seconded by Alderman DeHahn, that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

AYES: 13 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor, II, Wisner, Perez, Morgenroth, Hart and Diehl

EXCUSED: 1 - McCarthy

ABSTENTIONS: 1 - Holding J.D.

Redevelopment Authority of the City of Racine Report, by Ald. Morgenroth

14-10109

Subject: (Direct Referral) Review of a redevelopment plan for the West Bluff recreation area. (Res. No. 14-0231)

Recommendation of the Redevelopment Authority on 5-5-14: That the area hereafter known as the West Bluff Recreation Area, as detailed in the Redevelopment Plan, the boundaries of which are described in Resolution 14-10 of the Redevelopment Authority of the City of Racine, and as shown on the map attached thereto, is designated as a blighted area and project area for urban renewal and redevelopment.

Further, that the Executive Director is authorized and directed to transmit Resolution 14-10 to the Common Council of the City of Racine, to request that the Council adopt a resolution finding the area blighted and to be in need of an urban renewal and redevelopment project, to request that the boundaries be adopted, and the Redevelopment Plan be adopted.

Further, that the Executive Director or his designee be authorized and directed to obtain and engage all services necessary to implement the Redevelopment Plan.

Recommendation of the City Plan Commission on 5-14-14: That the plan is consistent with City plans and programs and that the plan be adopted.

Fiscal Note: Sufficient funding exists in the Intergovernmental (919)

Fund, and from grant sources to engage services and acquire lands.

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

Housing Loan Board Report, by Ald. Wisner

14-10136

Subject: (Direct Referral) Request from Great Lakes Community Conservation Corps for an option to acquire the vacant city-owned lot at 1923 Mead Street for construction of a single family home. (Res. No. 14-0235)

Recommendation of the Loan Board of Review on May 15, 2014:

To approve the request from Great Lakes Community Conservation Corps for an option to acquire the vacant city-owned lot at 1923 Mead Street for construction of a single family home.

Fiscal Note: The vacant lot has an estimated value of \$11,000. Actual price is to be determined and will be based on the overall cost and value of the new house to be built.

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

14-10161

Subject: (Direct Referral) Request of the Director of City Development to accept the offer of Meredith Faulk to purchase 2024 Center St., an NSP-3 property. (Res. No. 14-0234)

Recommendation of the Loan Board of Review on May 15, 2014:

To approve the request of the Director of City Development to accept the offer of Meredith Faulk to purchase 2024 Center Street, an NSP-3 property.

Fiscal Note: The property was acquired and renovated through the NSP-3 program. The City will receive \$85,000 in proceeds, minus commissions and closing costs.

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

Council Action

A motion was made by Alderman Wisner, seconded by Alderman DeHahn, that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

AYES: 14 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor, II, Wisner, Holding J.D., Perez, Morgenroth, Hart and Diehl

EXCUSED: 1 - McCarthy

Committee of the Whole Report, by Ald. Dehahn[14-9974](#)

Subject: communication from the 1st District Alderman to deny any extension of the professional services operating agreement between Skies Fall Media Group and the City of Racine, and directing appropriate City staff to enforce section 4 B of the Operating agreement with respect to the termination of said agreement. (Res. No. 14-0236)

Recommendation of the Committee of the Whole on 05-07-2014: that the operating agreement between Skies Fall Media Group and the City of Racine be terminated, and that the operations of the public access channel be performed in-house by the MIS Department until a determination is made as to the future direction of the station.

Fiscal Note: N/A

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

Office of the Mayor Report, by Ald. DeHahn[14-10181](#)

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

Reappoint Kiana Johnson 1722 Center St. Racine, 53403 to the Board of Parks, Recreations and Cultural Services for a 2 year term, expiring April 1, 2016

Appoint Cecilia Anguiano 2818 Loraine Ave. Racine, 53404 to the Community Development Committee, filling the current vacancy, expiring on May 1, 2015

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

Board of Parks, Recreation, and Cultural Services Report, by Ald. Sarrazin.[14-9968](#)

Subject: Communication from the President of Fourth Fest of Greater Racine requesting permission to use city right-of-way for the 4th of July parade and permission to use North Beach for the fireworks. (Res. No. 14-0237)

Recommendation of the Public Works and Services Committee on 04-08-14: That permission be granted to Fourth Fest of Greater

Racine, Inc. to close certain city streets on Friday, July 4, 2014, from 7:00 A.M. to 12:30 P.M., to hold the 2014 Independence Day Parade.

Further recommends that in the interest of public safety, the Commissioner of Public Works, City Engineer and Chief of Police be authorized and directed to close Goold Street, Yout Street, English Street, High Street, St. Patrick Street, Kewaunee Street and Barker Street, from Main Street to Michigan Boulevard; Michigan Boulevard, from Goold Street to Hamilton Street; Chatham Street, from north of Yout Street to Hamilton Street; and Hoffert Drive, on Friday, July 4, 2014, to provide for a Municipal Band Concert, to be held at North Beach Gazebo, and the fireworks display, as part of the Independence Day festivities.

Further recommends that the Commissioner of Public Works be authorized and directed to communicate with the U.S. Coast Guard requesting permission to close the Main Street and State Street bridges to boat traffic for the period of 7:30 A.M. to 12:00 Noon and from 9:00 P.M. to 10:30 P.M.

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

Fiscal Note: Since the City is a co-sponsor of the event, there are no stipulations.

Recommendation of the Board of Parks, Recreation & Cultural Services Committee on 5-14-14: To approve the request from Fourth Fest of Greater Racine, Inc. to allow the use of North Beach for the fireworks display.

Fiscal Note: N/A

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

14-10012

Subject: Communication from the Greater Racine Kennel Club requesting to reserve and control parking on part of the lakefront east of Pershing Drive and to further request waiver of ordinance 70.104 to allow overnight parking of vehicles & RV's Saturday, August 9, 2014 through Monday, August 11, 2014 for the 2014 American Kennel Club All Breed Dog Show at Pershing Park. (Res. No. 14-0238)

Recommended by the Board of Parks, Recreation & Cultural Services on 5-14-14: To allow the Greater Racine Kennel Club to reserve and control parking on part of the lakefront east of Pershing Drive, to allow overnight parking of vehicles & RV's and to further

allow dogs at Pershing Park from Saturday, August 9, 2014 through Monday, August 11, 2014 for the 2014 American Kennel Club All Breed Dog Show.

Fiscal Note: Permit Fees & Deposit

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

14-10031

Subject: Communication from the President of ATM Financial requesting to place a mobile ATM machine at Horlick Field during Raiders games. (Res. No. 14-0239)

Recommendation of the Board of Parks, Recreation & Cultural Services on 5/14/14: ATM Financial to work directly with PRCS Administrative Staff to place a mobile ATM machine at Horlick Field during Raider's games.

Fiscal Note: Unknown

Alderman Weidner requested that item 14-10031 be considered separately. There were no objections.

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

AYES: 14 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor, II, Wisner, Holding J.D. , Perez, Morgenroth, Hart and Diehl

EXCUSED: 1 - McCarthy

14-10104

Subject: (Direct Referral) Communication from American Cancer Society requesting the use of Pershing Park to host the American Cancer Society Bark for Life event on Saturday, September 13, 2014. (Res. No. 14-0240)

Recommendation of the Board of Parks, Recreation & Cultural Services on 5/14/14: To approve the American Cancer Society's request to use Pershing Park to host their Bark for Life event and to further allow dogs for this event at Pershing Park on Saturday, September 13, 2014.

Fiscal Notes: Permit Fees & Deposits

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

14-10116

Subject: Communication from 21st Century Preparatory School requesting to use Island Park for a Civil War Re-enactment Day and further request to have a Civil War naval cannon to be displayed at the park for this event. (Res. No. 14-0241)

Recommendation of the Board of Parks, Recreation & Cultural Services on 5/14/14: To allow a Civil War naval cannon to be displayed at Island Park for the 21st Century Preparatory School's 2014 Civil War Re-enactment Day.

Fiscal Note: N/A

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

Council Action

A motion was made by Alderman Sarrazin, seconded by Alderman Kaplan, that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

AYES: 14 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor, II, Wisner, Holding J.D. , Perez, Morgenroth, Hart and Diehl

EXCUSED: 1 - McCarthy

City Landmark's Preservation Commission Report, by Ald. Sarrazin

14-10160

Subject: (Direct Referral) Request from the Assistant Director of City Development to accept from the Wisconsin Historical Society a \$4,000 increase to a Certified Local Government sub-grant for the preparation of a nomination of a property to the National Register of Historic Places. (Grant Control Number 2013-33)

Recommendation of the Landmarks Preservation Commission on 5-12-14: That the acceptance of the \$4000 increase to a Certified Local Government sub-grant for the preparation of a property to the National Register of Historic Places be approved.

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

Fiscal Note: There is no city match required. (Grant Control #2013-33)

A motion was made that this Communication be Referred to the Finance and Personnel Committee. The motion was APPROVED.

Board of Ethics, Alderman DeHahn

14-9898

Subject: Discussion on Complaint filed February 6, 2014 by Wayne Clingman

Recommendation of the Board of Ethics on 5-5-14: That the complaint be received and filed.

Fiscal Note: N/A

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

G. Consent Agenda Resolutions

Res.14-0201 FEMA 2013 Assistance to Fire Fighters Grant (AFG)

Resolved, that permission is granted to the Fire Chief to apply for the FEMA 2013 Assistance to Fire Fighters Grant (AFG) for the purpose of upgrading radio interoperability. (Grant Control #2014-019)

Fiscal Note: The grant request is for \$215,000.00 of which the City's hard match is 10% or \$21,500.00. Funds are available in account 944.300.5030 to cover this request.

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

Res.14-0202 2014 DHS Port Security Grant

Resolved, that permission is granted to the Fire Chief to apply for the 2014 DHS Port Security Grant for the purpose of securing a Sector Scan Sonar for water rescue emergencies. (Grant Control #2014-020)

Fiscal Note: The grant request is for \$70,000.00 of which the City's hard match is 25% or \$17,500.00. The City's Match will be budgeted under the 2015 Capital Improvement Project.

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

Res.14-0204 2014 Bureau of Justice Assistance (BJA) Edward Byrne Justice Assistance Grant (JAG)

Resolved, that permission is granted to the Police Chief to apply for and accept the 2014 Bureau of Justice Assistance (BJA) Edward Byrne Justice Assistance Grant (JAG) in the amount of \$22,058.00 (Grant Control #2014-017) and that the Memorandum of Understanding with the Racine County Sheriff's Department be extended.

Fiscal Note: No City match required. The grant is formula based and is for \$44,116.00 to be split with Racine County Sheriff's Department.

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

Res.14-0205 Stewardship LWCF and Recreational Trails Grant

Resolved, that permission is granted to the Director of Parks, Recreation & Cultural Services requesting permission to apply for the Stewardship LWCF and Recreational Trails Grant in the amount of \$19,085.00 from the Wisconsin Department of Natural Resources for the Graceland road & walkway. (Grant Control #2014-016)

Fiscal Note: City match of \$19,085.00 is required. Funds are available in account 207.994.5010 - Road & Walkway Repairs.

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

[Res.14-0207](#)

Amended Development Agreement for Project at 1130 Washington Avenue

Resolved, that permission is granted to the Redevelopment Authority to accept an amended development agreement for the project at 1130 Washington Avenue.

Further resolved, that the Chairperson and Executive Director are authorized to execute the amendment, subject to the review and approval of the City Attorney or his designee.

Fiscal Note: Funds for the development assistance grant remain available in the TID 16.

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

[Res.14-0209](#)

Agreements to Provide Level II Health Services to the Villages of Elmwood Park and Wind Point

Resolved, that permission is granted to the Public Health Administrator to enter into agreements to provide Level II Health Services to the Villages of Elmwood Park and Wind Point. The total amount to be received is \$4,243.00; \$1,550.00 paid by Elmwood Park, and \$2,693.00 paid by Wind Point.

Fiscal Note: The agreements will generate in revenue \$4,243.00. Rates are the same as in 2013.

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

[Res.14-0210](#)

Amendment to Public Health Emergency Preparedness and Response Agreement

Resolved, that permission is granted to the Public Health Administrator to accept an amendment to the original contract

agreement with the Wisconsin Department of Health Services for Public Health Emergency Preparedness and Response. This amendment awards an additional \$3,960.00 to the current PHEP contract amount of \$64,991.00 for continuation of emergency preparedness efforts for the City of Racine. This would bring the revised amount of the contract to \$68,951.00. (Original Grant Control #2013-025)

Fiscal Note: No City match required.

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

[Res.14-0211](#)

Amendment Wisconsin Department of Health Services Public Health Emergency Preparedness and Response Agreement

Resolved, that permission is granted to the Public Health Administrator to accept an amendment to the original contract agreement with the Wisconsin Department of Health Services for Public Health Emergency Preparedness and Response. This amendment awards an additional \$435.00 to the current CRI contract amount of \$26,748.00 for continuation of emergency preparedness efforts for the City of Racine. This would bring the revised amount of the contract to \$27,183.00. (Original Grant #2013-025)

Fiscal Note: No City match required.

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

[Res.14-0212](#)

Proposed Parking Ramp Revenue Equipment Replacement and 24 Hour Ramp Management Contract

Resolved, that the recommendation to award a contract for a seven year lease of state-of-the art Parking Utility revenue control equipment and a professional management contract with 24/7 support services for the Gaslight, Lake, Shoop and Civic Center parking Ramps, and Surface Lakefront Lot No.5 with ABM Parking Services is approved

Fiscal Note: The Parking Utility is self supporting and no general fund contributions are required. Funding for the first year of the lease and management contract have been approved in Account 106.993.5760 (2013 Credit Card system-wide upgrade). The Parking Utility retains ownership of the equipment at the end of the lease. Benefits in reduced regular and overtime staff costs, lost revenue recovery and improved downtown parking operations are expected to range between \$177,790.00 and \$320,312.00 over the seven year period.

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

APPROVED.

Res.14-0213

Printing of Common Council Proceedings and Legal Notices

Resolved, to award the bid to *The Racine Journal Times* for printing of the Common Council Proceedings and all legal notices for the period June 1, 2014 through May 31, 2015.

Fiscal Note: Funds are available in account 101.010.5540 - City Council Proceedings.

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

Res.14-0214

2013 to 2014 Budget Carry Overs

Resolved, that 2013 to 2014 budget carry overs are approved.

Fiscal Note: Official action is required on an annual basis to carry forward budgeted funding including those with an expenditure period longer than 12 months.

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

Res.14-0215

Pentecost Lutheran Church 2014 Block Party

Resolved, that the Pentecost Lutheran Church is granted permission to close Jerome Boulevard, from Coolidge Avenue to Case Avenue, for an event on Saturday, July 26, 2014, from 7:00 a.m. until 7:00 p.m., in accordance with their request.

Further resolved, that permission is granted with the following stipulations:

- A. A hold harmless agreement be executed and a \$75.00 processing fee paid.
- B. A liability insurance certificate be filed prior to this event.
- C. Any overtime costs incurred by any city department be charged to the sponsor.
- D. The sponsor shall notify all abutting property owners seventy-two (72) hours in advance of this event.
- E. The sponsor shall pay a \$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.

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

Res.14-0216

2014 Memorial Day Parade

Resolved, that permission is granted to the Racine Area Veteran's, Inc. to use certain City streets for the Memorial Day Parade, to start at the intersection of Washington Avenue and West Boulevard, then proceed north on West Boulevard to Osborne Boulevard, and Osborne Boulevard to Graceland Cemetery, on Monday, May 26, 2014, between 9:00 a.m. and 12:00 p.m. in conjunction with this City-sponsored event. The detour for STH 20 is Lathrop Avenue, 16th Street and Taylor Avenue.

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

Fiscal Note: This event is co-sponsored by the City of Racine; therefore, the requirement for a formal agreement, requiring hold harmless, an insurance certificate and any overtime charges for additional policemen are not needed

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

Res.14-0217

Official Notice No. 5, Two Dual Steer Cab Truck Chassis

Resolved, that Office Notice No. 5, Two (2) Heavy Duty, Low Entry, Dual Steer Cab Truck Chassis, with 25 Cubic Yard High Compaction Rear Loading Refuse Packer, are awarded to Kriete Group - Racine Truck Sales, at its bid price of \$377,400.00, it being the lowest responsible bidder.

Further resolved, that we accept their offer of \$16,200.00 for our trade-ins. The net outlay for this purchase will be \$361,200.00.

Fiscal Note: Funds for this purchase are available in Account 944.400.5010, Solid Waste-Refuse Trucks.

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

Res.14-0218

Contract 09-14 (K4-009), 2014 Street and Alley Paving - Northside Assessable (R1)

Resolved, that Contract 09-14 (K4-009), 2014 Street and Alley Paving - Northside Assessable (R1), is awarded to Milwaukee General Construction Co., Milwaukee, WI, at its bid price of \$730,146.14, it being the lowest responsible bidder.

Fiscal Note: Funding to defray the cost of this public works project be appropriated from the following accounts:

\$379,616.57	- Account 906.000.5010, Concrete Street Paving
\$ 78,555.00	- Account 906.000.5030, Concrete Alley Paving
\$ 6,400.00	- Account 906.000.5410, Sanitary Sewer Laterals
\$ 10,489.00	- Account 993.908.5010, Concrete Street Paving Misc. Loc.
\$138,235.57	- Account 994.908.5010, Concrete Street Paving Misc. Loc.
\$ 10,000.00	- Account 994.908.5030, Concrete Alley Paving Misc. Loc.
\$ 38,750.00	- Account 287.993.5310, Sanitary Sewer, Var. Loc.
\$ 7,000.00	- Account 994.993.5520, Sidewalk Replacement
<u>\$ 61,100.00</u>	- Account 104.993.5420, Storm Sewer, Misc. Loc.
\$730,146.14	- Total

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

[Res.14-0219](#)

Change Order No. 1 on Contract 09-14 (K4-009), 2014 Street and Alley Paving - Northside Assessable (R1)

Resolved, that Change Order No. 1 on Contract 09-14 (K4-009), 2014 Street and Alley Paving - Northside Assessable (R1), Milwaukee General Construction Co., contractor, as submitted, is approved in the deduct amount of \$168,548.03. This deduct amount decreases the amount of the contract from \$730,146.14 to \$561,598.11.

Further resolved, that the funding accounts be adjusted by the following amounts:

\$370,474.11	- Account 906.000.5010, Concrete Street Paving
\$ 78,555.00	- Account 906.000.5030, Concrete Alley Paving
\$ 6,400.00	- Account 906.000.5410, Sanitary Sewer Laterals
\$ 10,489.00	- Account 993.908.5010, Concrete Street Paving Misc. Loc.
\$ 10,000.00	- Account 994.908.5030, Concrete Alley Paving Misc. Loc.
\$ 38,750.00	- Account 287.993.5310, Sanitary Sewer, Var. Loc.
<u>\$ 46,900.00</u>	- Account 104.993.5420, Storm Sewer, Misc. Loc.
\$561,568.11	- Total

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

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

Res.14-0220

Contract 18-14 (K4-018), 2014 Street Paving - Southside Assessable (R1)

Resolved, that Contract 18-14 (K4-018), 2014 Street Paving - Southside Assessable (R1), is awarded to A.W. Oakes & Son, Inc., Racine, WI, at their bid price of \$683,352.75, they being the lowest responsible bidder.

Fiscal Note: Funding to defray the cost of this public works project be appropriated from the following accounts:

\$251,541.67	- Account 906.000.5010, Concrete Street Paving
\$ 10,800.00	- Account 906.000.5310, New Curb & Gutter
\$ 10,960.00	- Account 906.000.5510, Sidewalks - New
\$314,089.08	- Account 994.908.5010, Concrete Street Pav., Misc. Loc.
\$ 7,750.00	- Account 287.994.5310, Sanitary Sewers, Misc. Loc.
<u>\$ 88,212.00</u>	- Account 104.994.5420, Storm Sewers, Misc. Loc.
\$683,352.75	- Total

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

Res.14-0221

Contract 28-14 (K4-028), PS - Design of Recycling Brochures

Resolved, that the Mayor and City Clerk are authorized and directed to enter into a professional services agreement with Corporate Images, Inc., for Contract 28-14 (K4-028), PS - Design of Recycling Brochures, in the not-to-exceed amount of \$5,100.00.

Fiscal Note: Funds to defray the cost of these professional services be appropriated from Account 289.000.5600, Recycling Contracted Services.

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

Res.14-0222

Change Order No. 2 to Contract 54-13 (K3-059), HVAC Upgrades - Festival Hall & City Hall Annex

Resolved, that Change Order No. 2 to Contract 54-13 (K3-059), HVAC Upgrades - Festival Hall & City Hall Annex, Martin Peterson Company, Inc., contractor, is approved in the amount of \$1,513.00.

Fiscal Note: Funding to defray the cost of this change order be appropriated from Account 993.200.5020, Annex-AC Design and Replacement.

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

Res.14-0223

Change Order No. 1 to Contract 16-14 (K4-016), Harborside Remediation and Redevelopment

Resolved, that Change Order No. 1 to Contract 16-14 (K4-016), Harborside Remediation and Redevelopment, C.W. Purpero, Inc., contractor, is approved in the amount of \$59,616.25.

Fiscal Note: Funding to defray the cost of this change order be appropriated from Account 974.000.5590, Remediation and Restoration.

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

Res.14-0224

Change Order No. 1 to Contract 50-13 (K3-055), Masonry Restoration - Memorial Hall

Resolved, that Change Order No. 1 to Contract 50-13 (K3-055), Masonry Restoration - Memorial Hall, RAZA of Racine, LLC., contractor, is approved in the amount of \$1,675.00.

Fiscal Note: Funding to defray the cost of this change order be appropriated from Account 108.993.5510, Memorial Hall Tuckpointing.

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

Res.14-0225

Final payment on Contract 50-13 (K3-055), Masonry Restoration - Memorial Hall

Resolved, that the work done by RAZA of Racine, LLC., under Contract 50-13 (K3-055), Masonry Restoration - Memorial Hall, is accepted and final payment authorized for a total contract amount of \$230,675.00.

Fiscal Note: Contract was authorized under Resolution No. 13-0332, dated August 20, 2013.

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

Res.14-0226

Scoping Change to Lake Michigan Pathway Phase 3 Project (State Project ID: 1693-34-07)

Resolved, that the Commissioner of Public Works is granted permission to apply to WisDOT for a scoping change to Lake Michigan Pathway Phase 3 Project (State Project ID: 1693-34-07) to change the project limits from Augusta Street to Melvin Avenue to Augusta Street to William Street.

Fiscal Note: The removal of the path from William Street to Melvin Avenue will decrease the construction cost by \$125,000.00.

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

[Res.14-0227](#)

Transportation Project Plat 2290-17-00-4.08, Northwestern Avenue (STH 38) - Golf Avenue to Memorial Drive

Resolved, that Transportation Project Plat 2290-17-00-4.08, Northwestern Avenue (STH 38) - Golf Avenue to Memorial Drive is approved and adopted.

Fiscal Note: N/A

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

[Res.14-0232](#)

Indoor Flea Market at 1325 Sixteenth Street

Resolved, that the request by George Stinson for a conditional use permit to use 1325 Sixteenth Street as an indoor flea market is approved, subject to the following conditions:

- a. That the plans presented to the Plan Commission on May 14, 2014 be approved subject to the conditions contained herein.
- b. That all applicable building and occupancy permits be obtained from the Building Inspection Department.
- c. That the applicant addresses the parking constrictions with City Development Staff prior to issuance of building or occupancy permits. This includes indication of all entrances and exits proposed for the flow of traffic, and location of vendor versus customer parking.
- d. That the applicant provides a scaled drawing indicating the location of the dumpster and enclosure, as well as the parking located near 18th and Racine Street.
- e. That all parking areas shall be striped and wheel stops installed as

required per the zoning ordinance prior to occupancy.

f. That the applicant submits his proposed signage plan to the Department of City Development for review and approval prior to issuance of sign permits.

g. That the flea market hours match those as indicated on the application and as noted above in the Staff report.

h. That building painting be done as required by Staff prior to certificate of occupancy.

i. That all codes and ordinances are complied with and required permits acquired.

j. 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 to the conditions of this permit without the approval of the Common Council.

k. That this permit is subject to Plan Commission review for compliance with the listed conditions in a year.

Fiscal Note: N/A

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

Res.14-0233

Halloween Express Temporary Building

Resolved, that the request to erect a temporary building at 5200 Durand Avenue for Halloween Express is approved, subject to the following conditions:

a. That the plans presented to the Plan Commission on May 14, 2014 be approved subject to the conditions contained herein.

b. That all applicable building and occupancy permits be obtained from the Building Inspection Department.

c. That this event is approved for only the dates specified in the application.

d. That the permit be valid only from September 1, 2014 - November 1, 2014.

- e. That all codes and ordinances be complied with.
- f. That the hours of operation comply with what is approved.
- g. That any sign plans beyond the 'Halloween Express' on the structure itself be submitted to the Department of City Development for review and approval.
- h. 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 to the conditions of this permit without the approval of the Common Council.

Fiscal Note: N/A

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

Res.14-0234

Purchase of 2024 Center Street

Resolved, that the request of the Director of City Development to accept the offer of Meredith Faulk to purchase 2024 Center Street, an NSP-3 property is approved.

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

Fiscal Note: The property was acquired and renovated through the NSP-3 program. The City will receive \$85,000.00 in proceeds, minus commissions and closing costs.

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

Res.14-0235

Great Lakes Community Conservation Corps Acquisition of 1923 Mead Street

Resolved, that request from Great Lakes Community Conservation Corps for an option to acquire the vacant City-owned lot at 1923 Mead Street for construction of a single family home is approved.

Fiscal Note: The vacant lot has an estimated value of \$11,000.00. Actual price is to be determined and will be based on the overall cost and value of the new house to be built

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

Res.14-0236

Termination of Agreement with Skies Fall Media Group

Resolved, that the operating agreement between Skies Fall Media Group and the City of Racine is terminated, and that the operations of the public access channel are to be performed in-house by the MIS Department until a determination is made as to the future direction of the station.

Fiscal Note: N/A

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

Res.14-0237

2014 4th of July Parade and Fireworks

Resolved, that permission is granted to Fourth Fest of Greater Racine, Inc. to close certain City streets on Friday, July 4, 2014, from 7:00 a.m. to 12:30 p.m., to hold the 2014 Independence Day Parade.

Further resolved, that in the interest of public safety, the Commissioner of Public Works, City Engineer and Chief of Police are authorized and directed to close Goold Street, Yout Street, English Street, High Street, St. Patrick Street, Kewaunee Street and Barker Street, from Main Street to Michigan Boulevard; Michigan Boulevard, from Goold Street to Hamilton Street; Chatham Street, from north of Yout Street to Hamilton Street; and Hoffert Drive, on Friday, July 4, 2014, to provide for a Municipal Band Concert, to be held at North Beach Gazebo, and the fireworks display, as part of the Independence Day festivities.

Further resolved, that the Commissioner of Public Works is authorized and directed to communicate with the U.S. Coast Guard requesting permission to close the Main Street and State Street bridges to boat traffic for the period of 7:30 a.m. to noon and from 9:00 p.m. to 10:30 p.m.

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

Fiscal Note: Since the City is a co-sponsor of the event, there are no stipulations.

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

Res.14-0238

2014 American Kennel Club All Breed Dog Show at Pershing Park

Resolved, that Greater Racine Kennel Club is approved to reserve

and control parking on part of the lakefront east of Pershing Drive, to allow overnight parking of vehicles & RV's and to further allow dogs at Pershing Park from Saturday, August 9, 2014 through Monday, August 11, 2014 for the 2014 American Kennel Club All Breed Dog Show.

Fiscal Note: Permit Fees & Deposit

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

Res.14-0240

2014 American Cancer Society Bark for Life

Resolved, that the American Cancer Society's request to use Pershing Park to host their Bark for Life event and to further allow dogs for this event at Pershing Park on Saturday, September 13, 2014 is approved.

Fiscal Note: Permit Fees & Deposits

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

Res.14-0241

Island Park Civil War Re-Enactment Day and Naval Cannon Display

Resolved, that 21st Century Preparatory School is approved to use Island Park for a Civil War re-enactment day and a Civil War naval cannon is allowed to be displayed at Island Park.

Fiscal Note: N/A

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

Council Action

A motion was made by Alderman DeHahn, seconded by Alderman Shakoor, that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

AYES: 14 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor, II, Wisner, Holding J.D. , Perez, Morgenroth, Hart and Diehl

EXCUSED: 1 - McCarthy

H. Resolutions

Res.14-0203

Conflict Resolution Services With Racine Dominicans

Resolved, that permission is granted to the Police Chief, to enter into Conflict Resolution Services with the Racine Dominicans at a cost not to exceed \$10,000.00.

Fiscal Note: \$10,000.00 in Asset Forfeiture funds available.

As amended - Changed wording from Sienna Center to Racine Dominicans.

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

AYES: 14 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor, II, Wisner, Holding J.D. , Perez, Morgenroth, Hart and Diehl

EXCUSED: 1 - McCarthy

Res.14-0206

Small Business Development Services Contract Extension with Community Economic Development Corporation (CEDCO)

Resolved, that a contract extension with Community Economic Development Corporation (CEDCO) is approved to extend the period for completion of its Small Business Development Services contract.

Further resolved, that the Mayor and City Clerk are authorized and directed to execute a contract extension with CEDCO effective through December, 2014.

Fiscal Note: Sufficient funds remain in the original contract to fund this extension.

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

AYES: 12 - Coe, Sarrazin, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor, II, Wisner, Perez, Morgenroth, Hart and Diehl

NOES: 1 - Holding J.D.

EXCUSED: 1 - McCarthy

ABSTENTIONS: 1 - Shields

Res.14-0208

Wisconsin Economic Development Corporation Site Assessment Grant for Property at 1505 High Street

Resolved, that permission is granted to the Assistant Executive Director of City Development to apply for a Wisconsin Economic Development Corporation Site Assessment Grant for the property at 1505 High Street. (Grant Control # 2014-018)

Further resolved, that Brian F. O'Connell, Executive Director, or his authorized agent, act on the behalf of the Authority to submit an application to Wisconsin Economic Development Corporation to aid in the site assessment of 1505 High Street, sign all documents, and take

necessary action to undertake, direct, and complete approved grant activities.

Fiscal Note: The grant request is for \$100,000.00 with a required match of 100% of the grant request (\$100,000.00) from the City. The property is tax delinquent and WEDC allows the delinquent taxes to be used as the local match.

A motion was made by Alderman DeHahn, seconded by Alderman Shakoor, that this Resolution be Referred to the Finance and Personnel Committee. The motion was APPROVED by the following vote:

AYES: 14 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor, II, Wisner, Holding J.D., Perez, Morgenroth, Hart and Diehl

EXCUSED: 1 - McCarthy

[Res.14-0228](#)

Final - Ten (10) Year
Benefits & Damages

WHEREAS, the Public Works & Services Committee of the Common Council of the City of Racine, Wisconsin, held a public hearing at the Council Chambers in the City Hall at 5:30 P.M. on the 29th day of April, 2014 for the purpose of hearing all interested persons concerning the preliminary resolution and report of the Commissioner of Public Works on the proposed improvement of:

PORTLAND CEMENT CONCRETE PAVING

Chatham Street - Lombard Street north to the Dead End

Delaware Avenue - Kearney Avenue to Debra Lane

Lake Avenue - Eighth Street to Ninth Street

Lake Avenue - Ninth Street to Tenth Street

North Wisconsin Street - Carlton Drive south to the Cul-de-sac

Rosalind Avenue - Spruce Street west to the Cul-de-sac

St. Clair Street - South Street to Willmor Avenue

Winthrop Avenue - Drexel Avenue to Glendale Avenue

SEWER & WATER

Lake Avenue - Ninth Street to Tenth Street

SIDEWALK

North Wisconsin Street - Carlton Drive south to the Cul-de-sac

Rosalind Avenue - Spruce Street west to the Cul-de-sac

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Racine as follows:

1. That the report of the Commissioner of Public Works pertaining to the construction of the above described public improvements,

including plans and specifications therefore, as modified, is hereby adopted and approved.

2. That the Commissioner of Public Works is directed to advertise for bids and to carry out the work of such improvement in accordance with the report of the Commissioner of Public Works.

3. That payment for said improvements be made by assessing the cost to the property benefited as indicated in said report.

4. That benefits and damages shown on the report, as modified, are true and correct, have been determined on a reasonable basis; do not exceed the value accruing to the property therefrom; and are hereby confirmed.

5. That the assessments for all projects included in said report are hereby combined as a single assessment, but any interested property owner shall be entitled to object to each assessment separately or both assessments jointly for any purpose or purposes.

6. That the assessments may be paid in cash or if any assessments are over \$200.00 it may be paid in ten (10) annual installments to the City Treasurer, deferred payments to bear interest at the rate of 8% per annum on the unpaid balance. Installments or assessments not paid when due shall bear additional interest on the amount due at the rate of 9.6% per annum.

7. The City Clerk is directed to publish this resolution in the official newspaper of the City of Racine as a Class I notice in the assessment district.

8. The Clerk is further directed to mail a copy of this resolution and a statement of the final assessment against his property, to every property owner whose name appears on the assessment roll, whose post office address is known or can with reasonable diligence be ascertained.

Dated:

Signed:

Mayor

Published:

Attest:

City Clerk

A motion was made by Alderman Kaplan, seconded by Alderman DeHahn, that this Resolution be Referred to the Public Works and Services Committee. The motion was APPROVED by Council action.

Res.14-0229

Final - Ten (10) Year
Benefits & Damages

WHEREAS, the Public Works & Services Committee of the Common Council of the City of Racine, Wisconsin, held a public hearing at the Council Chambers in the City Hall at 5:30 P.M. on the 13th day of May, 2014 for the purpose of hearing all interested persons concerning the preliminary resolution and report of the Commissioner of Public Works on the proposed improvement of:

PORTLAND CEMENT CONCRETE PAVING

Chatham Street - Barker Street to Hubbard Street

Maryland Avenue - Kentucky Street to Indiana Street

Monroe Avenue - Nineteenth Street to Twentieth Street

Monroe Avenue - Victory Avenue to 630' north of Republic Avenue

Monroe Avenue - 360' north of Republic Avenue to Republic Avenue

Savoy Circle - Cecelia Park Drive to the Cul-de-sac

Summit Avenue - Layard Avenue to the Dead End

SEWER & WATER

Monroe Avenue - Nineteenth Street to Twentieth Street

SIDEWALK

Maryland Avenue - Kentucky Street to Indiana Street

Summit Avenue - Layard Avenue to the Dead End

CURB & GUTTER

Summit Avenue - Layard Avenue to the Dead End

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Racine as follows:

1. That the report of the Commissioner of Public Works pertaining to the construction of the above described public improvements, including plans and specifications therefore, as modified, is hereby adopted and approved.
2. That the Commissioner of Public Works is directed to advertise for bids and to carry out the work of such improvement in accordance with the report of the Commissioner of Public Works.
3. That payment for said improvements be made by assessing the cost to the property benefited as indicated in said report.

4. That benefits and damages shown on the report, as modified, are true and correct, have been determined on a reasonable basis; do not exceed the value accruing to the property therefrom; and are hereby confirmed.

5. That the assessments for all projects included in said report are hereby combined as a single assessment, but any interested property owner shall be entitled to object to each assessment separately or both assessments jointly for any purpose or purposes.

6. That the assessments may be paid in cash or if any assessments are over \$200.00 it may be paid in ten (10) annual installments to the City Treasurer, deferred payments to bear interest at the rate of 8% per annum on the unpaid balance. Installments or assessments not paid when due shall bear additional interest on the amount due at the rate of 9.6% per annum.

7. The City Clerk is directed to publish this resolution in the official newspaper of the City of Racine as a Class I notice in the assessment district.

8. The Clerk is further directed to mail a copy of this resolution and a statement of the final assessment against his property, to every property owner whose name appears on the assessment roll, whose post office address is known or can with reasonable diligence be ascertained.

Dated: _____

Signed: _____

Mayor

Published: _____

Attest: _____

City Clerk

A motion was made by Alderman Kaplan, seconded by Alderman DeHahn, that this Resolution be Referred to the Public Works and Services Committee. The motion was APPROVED by Council action.

Res.14-0230

Repeal Ordinance 19-07 - Keg Registration

Resolved, that Ordinance 05-14, which repeals Ordinance 19-07 - Keg Registration is approved.

Fiscal Note: N/A

A motion was made by Alderman DeHahn, seconded by Alderman Shakoor, that this Resolution be Received and Filed. The motion was APPROVED by the following vote:

AYES: 14 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor, II, Wisner, Holding J.D. , Perez, Morgenroth, Hart and Diehl

EXCUSED: 1 - McCarthy

Res.14-0231

Review of Redevelopment Plan for West Bluff Recreation Area

WHEREAS, the Redevelopment Authority of the City of Racine has prepared a Redevelopment Plan for the West Bluff Recreation Area in conformity with Wisconsin Statutes, Section 66.1333, as amended; and

WHEREAS, the Redevelopment Authority on May 5, 2014, held a public hearing on the Redevelopment Plan, found the Redevelopment Plan to be feasible and in conformity with the general plan of the city, approved the boundaries of the project area, adopted the Redevelopment Plan, and submitted the Redevelopment Plan to the Common Council for approval.

Resolved, that the area hereafter known as the West Bluff Recreation Area, the boundaries of which are described in Resolution 14-10 of the Redevelopment Authority of the City of Racine, and shown on the map within the Redevelopment Plan for the West Bluff Recreation Area, is designated as a blighted area and project area for urban renewal and redevelopment.

Further resolved, that the Redevelopment Plan for the West Bluff Recreation Area is approved.

Fiscal Note: Sufficient funding is provided in the Capital Improvements Plan from the Intergovernmental (919) Fund and from grant sources to engage services and acquire lands to implement the plan.

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

AYES: 10 - Coe, Sarrazin, Kaplan, Kaprelian-Becker, DeHahn, Shakoor, II, Wisner, Holding J.D. , Morgenroth and Hart

NOES: 1 - Weidner

EXCUSED: 1 - McCarthy

ABSTENTIONS: 3 - Shields, Perez and Diehl

Res.14-0239

Mobile ATM Machine at Horlick Field

Resolved, that ATM Financial is approved to work directly with PRCS Administrative Staff to place a mobile ATM machine at Horlick Field during Raider's games.

Fiscal Note: Unknown

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

AYES: 14 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor, II, Wisner, Holding J.D. , Perez, Morgenroth, Hart and Diehl

EXCUSED: 1 - McCarthy

I. Ordinances

Ord.05-14

Ordinance No. 05-14

To repeal and recreate sections in Article 1, Chapter 6 of the Municipal Code of the City of Racine, Wisconsin relating to Alcoholic Beverages.

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

Part 1: Repeal Sections 6-20. Purpose, 6-21. Registration and Return Procedure, 6-22. Keg possession requirements and restrictions, and 6-23. Penalty for Violation in Article 1, Chapter 6 of the Municipal Code of the City of Racine.

Part 2: Renumber Sec. 6-24. Acts constituting offenses under chapter; penalties to Sec. 6-20.

Part 3: Renumber Sec. 6-25. Social host ordinance to Sec. 6-21.

Part 4: Sections 6-22 through 6-35 are hereby reserved.

Part 5: This ordinance shall take effect upon passage by a majority vote of the members-elect of the City Common Council and publication or posting as required by law.

Passed by the Common Council:

Approved:

Mayor

Attest:

City Clerk

Fiscal Note: N/A

A motion was made by Alderman Holding, seconded by Alderman DeHahn, to Refer to the Public Safety and Licensing Committee. The motion was Approved by unanimous decision.

[Ord.06-14](#)

Ordinance 06-14

An ordinance creating ARTICLE IX. - Sanitary Sewer Maintenance Fee, Sections 98-436 - 98-438 in Chapter 98, of the general ordinances of the City of Racine, Racine County, Wisconsin relating to sanitary sewer maintenance fee.

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

Part 1: ARTICLE IX. - Sanitary Sewer Maintenance Fee, Sections 98-436 - 98-438 in Chapter 98 of the City of Racine ordinances is hereby created to read as follows:

“ARTICLE IX. - Sanitary Sewer Maintenance Fee

Sec. 98-436. Generally.

a) *Creation.* There is hereby created and established a sanitary sewer maintenance fee for all properties within the City of Racine served by a sanitary lateral. The operation of the publicly owned sanitary sewer collection system and all publicly owned sanitary sewer laterals within the public right of way or within an easement to the city of Racine shall be under the supervision of the Commissioner of Public Works.

b) *Authority.* Pursuant to the authority granted to the City under Wis. Stats. § 6.068, there are hereby created a sanitary sewer maintenance fee.

c) *Definitions.* The following definitions shall be used throughout this article unless otherwise specifically provided:

Active Lateral means a sanitary lateral that extends from the sanitary sewer main, manhole or other lateral to the public right-of-way or easement, and connects to a building or facility.

Committee means the Public Works and Services Committee of the Common Council.

Commissioner means the Commissioner of Public Works or designee.

Inactive Lateral means a sanitary lateral that extends from the sanitary sewer main, manhole or other lateral to the public right of way or easement but does not connect to a building or facility.

Lateral means the sewer pipe extended from the sanitary sewer, manhole or other lateral, including the connection to the sanitary sewer within the public right-of-way or easement. It includes both active and inactive laterals.

Private Lateral means a sewer pipe from the public right-of-way or easement to the facilities served.

Sanitary Sewer means a sewer that carries domestic sewage and industrial wastes, and to which storm, surface, ground and unpolluted cooling or process waters are not intentionally allowed except by specific permit.

Stub means an existing connection to a sanitary sewer main, manhole or lateral that contains the factory installed cap and is integral with the pipe. A stub is within and not extended to, the public right-of-way or easement and is available for future sanitary lateral connection.

Sec. 98-437. Rates and charges.

a) The basis for computation of the charge and rate for sanitary lateral services to all laterals within the city is established under this section. All charges established pursuant to this section shall be fair and reasonable. A schedule of current charges shall be maintained on file in the office of the Commissioner of Public Works.

b) The basis for computation of the Sanitary Sewer Maintenance Fee is as follows:

1. A sanitary sewer maintenance fee shall be imposed on all property in the city for each lateral in the right-of-way or easement adjacent to the parcel. The count of active and inactive laterals will be determined based on a review and count from the current City of Racine GIS database. The sanitary sewer maintenance fee is established in recognition of the fact that all properties in the city receive services from sanitary lateral management activities of the city. Each property will be charged for a minimum of one sanitary lateral unless it meets one of the Exemptions in 98-437(d).

2. Condo parcels shall be billed a pro-rated amount based on the number of laterals servicing the property divided by the number of condo units on the property.

3. The basis of the per lateral charge is the total cost of activities regarding the sanitary sewer collection system including all publicly owned mains and publicly owned sanitary sewers. This cost shall be divided by the total number of active and inactive sanitary sewer laterals within the city of Racine. This cost is over and above the user fee paid for the operations of the wastewater treatment facilities, as billed by the Racine Wastewater Utility.

c) The Common Council may approve fee and classification changes by further resolution as needed. In the event the owner and non-owner users of a particular property are not the same, the liability for the charges attributable to that property shall be that of the owner.

d) Exemptions - A property may be exempt from receiving a sanitary sewer maintenance fee if one of the following requirements is met:

1. The parcel has a vacant land use code (LUC) in the current year City tax roll and no laterals serving the parcel in the Racine GIS database.

2. The parcel contains a structure that does not receive sanitary sewer service, regardless of whether a lateral is present in the Racine GIS database. Allowable exemptions include condo garages, condo storage units, condo boat slips, garages or storage units. Final determination for any other exempt parcels shall be at the discretion of the Commissioner.

3. The parcel contains a building that covers multiple parcels, under a single ownership. Not every parcel is required to receive a sanitary sewer maintenance fee if no lateral is present in the Racine GIS database as long as at least one parcel containing the building is billed. Final determination for exempt parcels shall be at the discretion of the Commissioner.

4. The parcel does not contain any buildings or structures, and no laterals serving the parcel are in the Racine GIS database. Allowable exemptions include parks or other public open space, cemeteries, public utility ROW, parking lots and riparian areas. Final determination for exempt parcels shall be at the discretion of the Commissioner.

5. A parcel is located within the City of Racine but is accessed from the right-of-way of a neighboring jurisdiction, if sanitary service is provided by sewer infrastructure owned and maintained by the neighboring jurisdiction.

6. Other individual exemptions will be examined on a case by case basis. The basis for exemption shall be a parcel with no laterals serving the parcel after review of the Racine GIS database and a reasonable assumption that the parcel is not receiving sanitary sewer service from a City of Racine sewer. Final determination for exempt parcels shall be at the discretion of the Commissioner.

e) Adjustments.

1. Requests for adjustments of the sanitary sewer maintenance fee charged to each property shall be submitted to the Commissioner.

2. A property owner may at any time, subject to the conditions herein provided, submit a written request seeking an adjustment of the sanitary sewer maintenance fee, which request shall describe in detail the grounds upon which relief is sought.

3. A property owner requesting adjustments may be required, at his, her or its own expense, to provide supplemental information to the Commissioner including, but not limited to, survey data approved by a registered land surveyor, information from a plumbing contractor, and engineering reports approved by a professional engineer. Failure to provide such information within the time limits established by the Commissioner, as may be reasonably extended, may result in denial of the adjustments request.

4. Following submission of a completed adjustments request and all required information, the Commissioner shall have 30 calendar days within which to render a written decision. Concurrent payment of any charges based on the sanitary laterals allocated to the property is not required as a condition precedent to a request for review. In considering an adjustment request, the Commissioner shall consider whether sanitary sewer maintenance fee for the property is correct.

5. The Commissioner's decision shall be mailed to the address provided on the adjustments request by first class mail and service shall be complete upon mailing.

6. Appeal from the Commissioner's decision concerning a sanitary sewer maintenance fee adjustment request shall be governed by subsection (i) below, except that no concurrent payment of any fees is required. Appeals shall be in writing and shall specify the grounds for challenging the Commissioner's decision. Appeals shall be submitted within 30 calendar days after the date of mailing the Commissioner's decision. Failure to timely and properly appeal shall be considered a jurisdictional failure.

f) The charges established will be billed to the property owner at the same time and in the same manner as the city tax bill, as an additional fee for sanitary sewer maintenance services. Such charges shall be payable in the same manner as a tax bill. Bills for sanitary sewer maintenance charges shall be mailed to the owner of the property to which the bill relates.

g) A late payment charge as established by further resolution of the Common Council will be added to bills not paid within the allotted period.

h) All sanitary sewer maintenance charges shall be taxed and collected, and shall be a lien upon the property.

i) If the result of any appeal or judicial review is that a refund is due, it will be payable by the city within 60 days after the written determination. Any further resulting adjustment will appear on subsequent bills. The limitation of adjustment or credit refunded shall be for a maximum of 2 years.

j) Sanitary Sewer Maintenance Charge finances shall be accounted for in a separate sanitary sewer maintenance fund. The Commissioner shall prepare an annual budget, which shall include all operation and maintenance costs, debt service and other costs related to the operation of the sanitary sewer maintenance utility. The budget is subject to approval by the Common Council. The costs shall be spread over the rate classifications as determined by the Common Council. Any excess of revenues over expenditures in a year will be retained by the fund for subsequent years' needs.

k) Penalty. A person convicted of violating any provision of this article shall, upon conviction, pay a forfeiture not less than \$50.00 and not more than \$500.00 for each offense. Each day a violation exists shall constitute a separate offense.

Sec. 98-438. Responsibility of the City to repair

The City of Racine will repair sanitary sewer laterals which fail within the street right-of-way or city easement. Failures refer to structural defects such as a crushed lateral or severely offset joints that are currently or are exhibiting a high likelihood of blocking flow from the building or facility to the degree that they are currently or may in the near future, cause backups to occur. Failures do not include minor offset joints, the cleaning or unclogging of the lateral due to roots, deposits, grease, chemicals or other foreign materials.

The City of Racine is not responsible for any maintenance of the lateral or any failures of the private lateral.

To make a claim to the City for a failed lateral the property owner must provide sufficient information to the Commissioner of Public Works/City Engineer's Office to allow for a comprehensive review by engineering staff. The property owner has the responsibility in this regard, to hire a sewer cleaner or a plumber to clean and inspect the lateral with a video camera. The video camera must have the capability to show the accurate footage and location of the damaged area above ground. If the lateral is blocked and submerged and a camera cannot be used to show the location of the damaged area, the contractor must mark the location of the collapsed pipe above ground. If the marked location is in the right-of-way or easement of the City of Racine, the property owner has the responsibility of making the necessary repairs, subject to an inspection by the City of Racine. If the blockage is the result of crushed lateral or severely offset joints the City of Racine will reimburse the property owner for the repair work.

If the City Engineer disagrees with the contractor's assessment, craftsmanship, or its inability to perform these acts the property owner

has the responsibility to provide such additional information, which will demonstrate that the damaged area was in the public right-of-way. Obtaining such information is the sole responsibility and expense of the property owner.

The City of Racine does not maintain an on-call sanitary sewer repair service, and calls to the City will be answered during normal business hours. If a failure requires immediate repair, it shall be the responsibility of the property owner and/or contractor to provide sufficient documentation that the failure meets the requirements previously listed for City repair. The property owner and/or contractor may then perform the required repairs and document the procedure used for reimbursement from the City. The property owner and/or contractor is still responsible for obtaining all City required permits prior to beginning any work.

The City of Racine shall reimburse the property owner or the Contractor the costs of investigating the problem, but will not pay for previous cleanings, damage to the building or to its contents.

Part 2: This ordinance shall take effect upon passage by a majority vote of the members-elect of the City Common Council and publication or posting as required by law.

Passed by the Common Council:

Approved:

Mayor

Attest:

City Clerk

Fiscal Note: N/A

A motion was made by Alderman Kaplan, seconded by Alderman DeHahn, to Refer to the Public Works and Services Committee. The motion was Approved by unanimous decision.

J. Adjourn

The meeting was adjourned at 9:40 p.m. by Alderman Shakoor. The next scheduled meeting of the Council is June 3, 2014.

*ATTEST: JANICE M. JOHNSON-MARTIN
CITY CLERK*