



City of Racine

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

Meeting Minutes - Final

Common Council

Alderman Jeff Coe
Alderman Mollie Jones
Alderman John Tate II
Alderman Tracey Larrin
Alderman Steve Smetana
Alderman Sandy Weidner
Alderman Raymond DeHahn
Alderman Q.A. Shakoor II
Alderman Terry McCarthy
Alderman Carrie Glenn
Alderman Mary Land
Alderman Henry Perez
Alderman James Morgenroth
Alderman Jason Meekma
Alderman Melissa Lemke

Tuesday, May 15, 2018

7:00 PM

City Hall, Room 205

A. Call To Order

PRESENT: 15 - Coe, Jones, Tate II, Larrin, Smetana, Weidner, DeHahn, Shakoor II, McCarthy, Glenn, Land, Perez, Meekma, Lemke and Mason

EXCUSED: 1 - Morgenroth

B. Pledge of Allegiance To The Flag

Mayor Mason led the Council in the Pledge of Allegiance to the flag.

C. Approval of Journal of Council Proceedings (Minutes)

May 1, 2018

A motion was made by Alderman Meekma, seconded by Alderman Shakoor II, that this be approved. The motion passed by the following vote:

AYES: 15 - Coe, Jones, Tate II, Larrin, Smetana, Weidner, DeHahn, Shakoor II, McCarthy, Glenn, Land, Perez, Meekma, Lemke and Mason

EXCUSED: 1 - Morgenroth

D. Public Hearings

[Ord.0004-18](#)

Ord. 0004-18 - Short Term Rental

An ordinance to amend Sec. 114-1,114-273, 114-327, 114-407, 114-427 and 114-447 to allow short term rentals in residential, office and business zoning districts, all contained in Chapter 114 - Zoning, of the

Municipal Code of the City of Racine, Wisconsin.

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

Part 1: Amend 114-1(b) - Rules of construction and definitions, to add the following:

Short Term Rental, or tourist rooming house, as defined by Chapter 66.0615(1)(dk) and 97.01(15k) and of the Wisconsin State Statutes, means a residential dwelling that is offered for rent for a fee and for fewer than 29 consecutive days, and any lodging place or tourist cabin or cottage where sleeping accommodations are offered for pay to tourist or transients. This definition does not include private boarding or rooming houses, ordinarily conducted as such, not accommodating tourists or transients, hotels, or bed and breakfast establishments.

Part 2: Amend 114-273 - R-1 Single Family Residence, Accessory Uses, to create the following:

(17) Short Term Rental establishments that comply with the following conditions:

- a. All short term rental units shall be primary residence of the proprietor(s).
- b. All proprietors of a short term rental establishment shall have all required licenses and inspections, keeping them current at all times.
- c. Short term rental provisions for sleeping quarters shall occur inside a principal structure and provide proper exiting
- d. All litter, debris, and refuse shall be stored in closed containers.
- e. Vehicles of guest(s) and resident(s) shall be parked on a hard surface of concrete, asphalt or paver stones in accordance with Sec. 114-1167 of this Chapter.

Part 3: Amend 114-327 - R-4 General Residence, Permitted uses, to create the following:

(14) Short Term Rental establishments, as an accessory use, as

permitted in the R-1 district.

Part 4: Amend 114-407 - O-Office, Permitted uses, to create the following:

(a)(4) Short Term Rental establishments, as an accessory use, as permitted in the R-1 district.

Part 5: Amend 114-427 - O/I Office- Institutional, Permitted uses, to create the following:

(8) Short Term Rental establishments, as an accessory use, as permitted in the R-1 district.

Part 6: Amend 114-447 - B-1 Neighborhood Convenience, Permitted uses, to create the following:

(b)(46) Short Term Rental establishments, as an accessory use, as permitted in the R-1 district.

Part 7: 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.

Fiscal Note: N/A

Mayor Mason declared the public hearing closed.

E. Public Comments

The following people appeared to speak before the Common Council:

*Steve Norovich
Elder P
Scott Jensen
CJ Rouse
Robert Mozol
Melissa Kaprelian-Becker
Mercedes Dzindzeleta*

F. Office of the City Clerk

[0485-18](#)

Subject: (Direct Referral) Communication from the City Clerk submitting the Mayor's veto of the Common Council's action on item 0296-18 that directs staff to come back with alternative recommendations in regards to the removal of the stop signs at the intersection of Goold St and Carlisle Ave.

A motion was made by Alderman Meekma, seconded by Alderman McCarthy, to OVERRIDE THE VETO. The motion FAILED by the following vote:

AYES: 6 - Coe, Tate II, Larrin, McCarthy, Land and Meekma

NOES: 8 - Jones, Smetana, Weidner, DeHahn, Shakoor II, Glenn, Perez and Lemke

EXCUSED: 1 - Morgenroth

G. Communications

Refer to Finance and Personnel Committee, by Ald. Shakoor II

[0376-18](#)

Subject: Communication from the City Attorney submitting the claim of Timothy Wermeling for consideration.

Recommendation of the Finance & Personnel Committee on 5/21/2018: That the claim of Timothy Wermeling be denied.

Fiscal Note: N/A

Referred to Finance and Personnel Committee

[0460-18](#)

Subject: Request from the Director of Parks, Recreation & Cultural Services requesting permission to accept a \$5,000 Gus Macker Sponsorship donation from Racine Honda.

Recommendation of the Finance & Personnel Committee on 5/21/2018: Permission be granted to the Director of Parks, Recreation & Cultural Services to accept a \$5,000 Gus Macker Sponsorship donation from Racine Honda.

Fiscal Note: No City match required.

Referred to Finance and Personnel Committee

[0474-18](#)

Subject: Communication from Chief Art Howell requesting the approval of a contract to purchase a K9 dog for the Police department.

Recommendation of the Finance & Personnel Committee on 5/21/2018: To approve a contract to purchase a K9 dog for the Police Department.

Fiscal Note: Purchase price of \$1.00.

Referred to Finance and Personnel Committee

[0486-18](#)

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting permission to accept a \$1,500.00 donation

from Landmark Credit Union to help fund Main Gallery, Outdoor Movies, and the Bowling Fundraiser.

Recommendation of the Finance & Personnel Committee on

5/21/2018: Permission be granted to the Director of Parks, Recreation & Cultural Services to accept a \$1,500.00 donation from Landmark Credit Union to help fund Main Gallery, Outdoor Movies, and the Bowling Fundraiser.

Fiscal Note: No City match required.

Referred to Finance and Personnel Committee

[0487-18](#)

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting permission to accept a \$1,000.00 Gus Macker Sponsorship donation from Schoone, Leuck, Kelley, Pitts & Pitts Law Office.

Recommendation of the Finance & Personnel Committee on

5/21/2018: Permission be granted to the Director of Parks, Recreation & Cultural Services to accept a \$1,000.00 Gus Macker Sponsorship donation from Schoone, Leuck, Kelley, Pitts & Pitts Law Office.

Fiscal Note: No City match required.

Referred to Finance and Personnel Committee

[0490-18](#)

Subject: Communication from the City Attorney submitting the claim of Yamille Mederos for consideration.

Recommendation of the Finance & Personnel Committee on

5/21/2018: That the claim of Yamille Mederos be denied.

Fiscal Note: N/A

Referred to Finance and Personnel Committee

[0494-18](#)

Subject: Communication from the Manager of Housing and Community Development requesting to apply for and accept \$5,000 from Associated Bank to be used to support CRA and Fair Lending training to the public, non-profit, or community-based organizations in Racine, WI. (Res. 0161-18)

Recommendation of the Finance & Personnel Committee on

5/21/2018: Permission be granted to the Manager of Housing and Community Development to apply for and accept \$5,000 from

Associated Bank to be used to support CRA and Fair Lending training to the public, non-profit, or community-based organizations in Racine, WI.

Fiscal Note: No City match required.

Referred to Finance and Personnel Committee

[0496-18](#)

Subject: Communication from the Alderman of the 12th district requesting a change to the donations policy adopted as item 6 of the February 1, 2005 Finance and Personnel Committee Report by changing the dollar limit delineated in restriction number 3 from \$500 to \$10,000. (Res. 0163-18)

Recommendation of the Finance & Personnel Committee on

5/21/2018: To approve as presented, with the stipulation that the item must be sent to the City Attorney in order to create a donations policy including verbiage stating that if one entity submits a donation three or more times within a six month period, the donations must be presented to the Finance and Personnel Committee.

Fiscal Note: N/A

Referred to Finance and Personnel Committee

Refer to Public Works and Services Committee, by Ald. Tate, II

[0472-18](#)

Subject: Communication from Dean Paros, on behalf of Coasters Bar - 1301 N. Main St., requesting permission to close Hubbard Street, from Main Street to Chatham Street, on June 10, 2018 from 7:00 A.M. to 3:00 P.M. for a car show. (Res. 0165-18)

Recommendation of the Public Works and Services Committee on

05-29-18: That Coasters Bar be granted permission to close Hubbard Street, from Main Street to Chatham Street, on June 10, 2018 from 7:00 A.M. to 3:00 P.M. for a car show, 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.
- F. No alcoholic beverages will be sold and/or dispensed within the street right-of-way.

G. If required, sponsor shall be responsible for submitting a Temporary Traffic Control Plan to the Engineering Department for approval, and providing and removing all temporary traffic control devices and detour signs.

H. If required, sponsor shall provide a detour plan for the closure of all State Connecting Highways, arterial and collector streets to the City Engineer for approval.

I. If required, sponsor is responsible for cleaning the streets.

J. If required, sponsor shall install parking meter hoods or temporary parking signs at least twenty-four (24) hours in advance of the event and if this is not done, sponsor is responsible for vehicle towing and parking violation expenses of the violators.

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.

Referred to Public Works and Services Committee

[0489-18](#)

Subject: Communication from the Assistant Commissioner of Public Works/City Engineer submitting a Three-Party Engineering Services Contract between the City of Racine, WisDOT and Strand Associates, Inc. for State Project ID: 2990-14-00, State Street (STH 38) - Intersection with N. Memorial Drive. (Res. 0175-18)

Recommendation of the Public Works and Services Committee on 05-29-18: That the Mayor and City Clerk be authorized and directed to enter into a three-party engineering services agreement between the City of Racine, WisDOT and Strand Associates, Inc., for State Project ID: 2990-14-00, State Street (STH 38) - Intersection with N. Memorial Drive in the not-to-exceed amount of \$81,063.74, with the City's share being \$8,106.37 (10%) and the State's share being \$72,957.37 (90%).

Fiscal Note: Funding is available in Org-Object 45040-57500-40003, Paving-State Contracts DPW.

Referred to Public Works and Services Committee

[0501-18](#)

Subject: Communication from the Mayor, requesting a resolution be created to approve participation in the Green Tier Legacy Community Program. (Res. 0167-18)

Recommendation of the Public Works and Services Committee on 05-29-18: That a resolution be created to approve participation in the

Green Tier Legacy Community Program.

Fiscal Note: N/A

Referred to Public Works and Services Committee

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

[0488-18](#)

Subject: (New) Application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for JCB Contractor Services LLC / DBA Game On, located at 1743 State Street, Christina M. Sanchez, Agent. (8th District)

Recommendation of the Public Safety and Licensing Committee on 05-22-18: That the (New) Application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for JCB Contractor Services LLC / DBA Game On, located at 1743 State Street, Christina M. Sanchez, Agent be approved.

Fiscal Note: N/A

Referred to Public Safety and Licensing Committee

[0493-18](#)

Subject: Request the appearance of William Vaughn, Agent of Culture Bar & Grill located at 433 Main Street, to discuss recent incidents occurring at this location.

Recommendation of the Public Safety and Licensing Committee on 05-22-18: The Committee request that the communication be received and filed.

Fiscal Note: N/A

Referred to Public Safety and Licensing Committee

[0500-18](#)

Subject: Communication from the City Clerk's office submitting the attached list of fermented malt beverage and intoxicating liquor renewals for the period of July 1, 2018 through June 30, 2019.

Recommendation of the Public Safety and Licensing Committee on 05-22-18: That the renewals as listed be approved with the exception of Mi Jacalito and Paul's Pub that will be called into the next Public Safety and Licensing meeting on June 12, 2018. Paul's Pub's agent lives in Las Vegas and Mi Jacalito has been closed since last year because of a fire.

Fiscal Note: N/A

Referred to Public Safety and Licensing Committee[0503-18](#)

Subject: Application of Harbourwalk Hotel LLC dba Harbourwalk Hotel, Lori James, Agent, for a **Change of Agent** for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 223 Gaslight Circle.

Recommendation of the Public Safety and Licensing Committee on 05-22-18: That the application of Harbourwalk Hotel LLC dba Harbourwalk Hotel, Lori James, Agent, for a **Change of Agent** for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 223 Gaslight Circle be approved.

Fiscal Note: N/A

Referred to Public Safety and Licensing Committee[0504-18](#)

Subject: (New) Application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for King Daddies LLC dba 509, located at 509 6th St, Lavonda Perkins, Agent.

Recommendation of the Public Safety and Licensing Committee on 05-22-18: That the **(New)** Application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for King Daddies LLC dba 509, located at 509 6th St, Lavonda Perkins, Agent be approved.

Fiscal Note: N/A

Referred to Public Safety and Licensing Committee[0505-18](#)

Subject: (New) Application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for TBG's of Racine Inc dba TBG's, 1814 Taylor Ave, Chad Londre, Agent.

Recommendation of the Public Safety and Licensing Committee on 05-22-18: That the **(New)** Application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for TBG's of Racine Inc dba TBG's, 1814 Taylor Ave, Chad Londre, Agent be approved.

Fiscal Note: N/A

Referred to Public Safety and Licensing Committee[0506-18](#)

Subject: (New) Application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for Rudy's Bar and Grill dba Rudy's Bar and Grill, 2515 Douglas Ave, Dale Decker, Agent.

Recommendation of the Public Safety and Licensing Committee on 05-22-18: That the (**New**) Application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for Rudy's Bar and Grill dba Rudy's Bar and Grill, 2515 Douglas Ave, Dale Decker, Agent be approved.

Fiscal Note: N/A

Referred to Public Safety and Licensing Committee

Refer to Traffic Commission, by Ald. Jones

[0467-18](#)

Subject: Communication from the Faithbridge Church - 212 11th Street, requesting temporary "No Parking" signs be installed on the north side of 11th Street, between S. Main Street and Wisconsin Avenue between 7:30 A.M. and 1:00 P.M. on August 5, 2018.

Recommendation of the Traffic Commission on 05-21-18:

Recommends that the request to use Temporary No Parking signs on the north side of 11th Street between Wisconsin Avenue and S. Main Street on August 5, 2018 between 7:30 A.M. and 1:00 P.M. be granted.

Fiscal Note: N/A

Referred to Traffic Commission

[0497-18](#)

Subject: Communication from the Alderwoman of the 6th District, on behalf of Essence Black - 1215 Owen St., requesting to appear before the Traffic Commission to hear her pleas regarding speeding cars in her neighborhood.

Recommendation of the Traffic Commission on 05-21-18:

Recommends that the item be received and filed.

Fiscal Note: N/A

Referred to Traffic Commission

H. Committee Reports

Finance and Personnel Committee Report, by Ald. Shakoor II

[1023-17](#)

Subject: Communication from the General Manager of the Wastewater Utility wishing to discuss the Financial Assistance Agreement for the Clean Water Fund Loan Program (CWFLP), Project No. 4285-22 - Kinzie/Roosevelt Interceptor Reconstruction (Res. 0149-18)

Recommendation of the Wastewater Commission dated 4/24/18:

Approve

Recommendation of the Finance & Personnel Committee on

5/7/2018: To approve.

Fiscal Note: The City will enter into a Financial Assistance Agreement for a Clean Water Fund Loan in the amount of \$531,270.00 at an interest rate of 1.87%. The City will also receive \$227,688.00 in principal forgiveness.

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

[0397-18](#)

Subject: Developer's Agreement for the Settlement at Hoods Creek - Addition 2 (Res. 0150-18)

Recommendation of the Waterworks Commission on 4/24/18:

Approve

Recommendation of the Finance & Personnel Committee on

5/7/2018: To approve.

Fiscal Note: Fees invoiced for professional inspection and construction review services will be the responsibility of HPC2, LLC (Developer)

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

[0426-18](#)

Subject: Communication from the Manager of Housing and Community Development requesting to accept 910 Hagerer Street, a vacant lot, from Racine County and transfer the property to Racine Habitat for Humanity. (Res. 0147-18)

Recommendation of the Finance & Personnel Committee on

5/7/2018: Permission be granted to the Manager of Housing and Community Development to accept 910 Hagerer Street, a vacant lot, from Racine County and transfer the property to Racine Habitat for Humanity.

Fiscal Note: Habitat for Humanity will reimburse the City the title transfer recording fee for the property estimated to be \$30. No other funds will be owed by the City of Racine to accept and donate the property.

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

[0437-18](#)

Subject: Communication from the City Clerk submitting the bid received for printing the Common Council Proceedings and legal notices for the period of June 1, 2018 through May 31, 2019. (Res. 0151-18)

Recommendation of the Finance & Personnel Committee on

5/7/2018: To award Journal Times the bid for printing the Common Council Proceedings and legal notices for the period of June 1, 2018 through May 31, 2019.

Fiscal Note: 2018/2019 Council proceedings publication rate is \$0.43 per line (an increase of \$0.02 per line), session printing is \$14.00 per page (an increase of \$0.50 per page) and annual books are \$60.00 (an increase of \$5.00 per book). Funds for Council Proceedings publication are appropriated in account 11001 52315; City Council Advertising.

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

[0458-18](#)

Subject: Request by the Director of City Development for approval of the final negotiated terms of the grant agreement with Wild Root Market Cooperative for the construction of a cooperative market at 500 Walton Avenue, as approved by Common Council in Resolution 0115-18. (Res. 0148-18)

Recommendation of the Finance & Personnel Committee on

5/7/2018: To approve the final negotiated terms of the grant agreement with Wild Root Market Cooperative for the construction of a cooperative market at 500 Walton Avenue with the understanding that "Grantee" is changed to "Grantor" under section "GRANT AGREEMENT".

Fiscal Note: The grant would consist of a "Phase I" \$290,000 disbursement after specific requirements have been met and a "Phase II" \$100,000 matching grant that is available after the Phase I funds are disbursed and matching funds have been raised by the Cooperative. Funds for the grant could come from the City's Intergovernmental Revenue Funds. There are sufficient funds in the account to support the grant.

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

Public Works and Services Committee Report, by Ald. Tate, II

[0365-18](#)

Subject: Communication from the Alderman of the 3rd District, on behalf of the Uptown BID, requesting to discuss the resurfacing project and

striping options - State Project ID: 2440-12-30/60, Washington Avenue (STH 20) - West Boulevard to Marquette St.

Recommendation of the Public Works and Services Committee on 04-24-18: Defer

Recommendation of the Public Works and Services Committee on 05-08-18: Receive and file.

Fiscal Note: N/A

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

[0372-18](#)

Subject: (Direct Referral) Communication from the Alderwomen of the 6th and 15th District requesting a discussion on bulky waste pickup. (Res. 0154-18)

Recommendation of the Public Works and Services Committee on 04-10-18: Defer

Recommendation of the Public Works and Services Committee on 04-24-18: Defer

Recommendation of the Public Works and Services Committee on 05-08-18: Limit bulky waste collection to items that are physically unable to fit in an empty solid waste cart.

Fiscal Note: N/A

Alderman Weidner requested that item 0372-18 be considered separately.

A motion was made by Alderman Tate II, seconded by Alderman DeHahn, that this Communication be Approved. The motion PASSED by the following vote:

AYES: 9 - Coe, Jones, Tate II, Larrin, McCarthy, Land, Perez, Meekma and Lemke

NOES: 5 - Smetana, Weidner, DeHahn, Shakoor II and Glenn

EXCUSED: 1 - Morgenroth

[0456-18](#)

Subject: Bid Results on Contract 20180035, 2018 Traffic Signal Replacement - 16th & Memorial. (Res. 0153-18)

Recommendation of the Public Works and Services Committee on 05-08-18: That bids for Contract 20180035, 2018 Traffic Signal Replacement, be awarded to Outdoor Lighting, at their bid price of \$176,268.62, it being the lowest responsible bidder.

Further recommends that funds to defray the cost of this Public Works Department project be appropriated from Org-Object 45040-57530, Traffic Signal & LED Replacements.

Fiscal Note: Funds are available as herein delineated.

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

Public Safety and Licensing Committee Report, by Ald. Coe

[0375-18](#)

Subject:(Direct Referral) Request of the Committee for the appearance of Benjamin G. Luna, applicant for an Operator's License.

Recommendation of the Public Safety and Licensing Committee on 04-24-2018: That the application of an Operator's License for Benjamin G. Luna, be deferred for two weeks to allow the applicant an opportunity to appear before the committee.

Recommendation of the Public Safety and Licensing Committee on 05-08-2018: That the application of an Operator's License for Benjamin G. Luna, be received and filed since the applicant withdrew his application.

Fiscal Note: N/A

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

[0424-18](#)

Subject: (Direct Referral) Communication from the Purchasing Agent submitting the report on the bids received for the sale of Abandoned Vehicles, April 20, 2018.

Recommendation of the Public Safety and Licensing Committee on 05-08-2018: That the item be Received and Filed as the highest responsible bidder from the two bids was Sturtevant Auto Salvage.

Fiscal Note: This will generate \$10,992.00 in revenue for account 13101 48301.

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

[0436-18](#)

Subject: Communication from Scott Jensen, Agent, Beachside Oasis, LLC requesting a resolution be adopted by the Common Council to allow 100 Kewaunee (District 4) to apply for a "Class B" Intoxicating Liquor license through the State of Wisconsin, Department of Revenue.

Recommendation of the Public Safety and Licensing Committee

on 05-08-2018: That the communication from Scott Jensen, Agent, Beachside Oasis, LLC requesting a resolution be adopted by the Common Council to allow 100 Kewaunee (District 4) to apply for a "Class B" Intoxicating Liquor license through the State of Wisconsin, Department of Revenue be taken up on the Council floor on Tuesday, May 15, 2018, due to a tie vote.

Fiscal Note: N/A

Alderman Coe requested that item 0436-18 be considered separately.

A motion was made by Alderman Meekma, seconded by Alderman McCarthy, to Call the Question. The motion FAILED by the following vote:

AYES: 7 - Coe, Tate II, Larrin, DeHahn, Shakoor II, Glenn and Meekma

NOES: 7 - Jones, Smetana, Weidner, McCarthy, Land, Perez and Lemke

EXCUSED: 1 - Morgenroth

A motion was made by Alderman Coe, seconded by Alderman DeHahn, that this Communication be Approved. The motion PASSED by the following vote:

AYES: 14 - Coe, Jones, Tate II, Larrin, Smetana, Weidner, DeHahn, Shakoor II, McCarthy, Glenn, Land, Perez, Meekma and Lemke

EXCUSED: 1 - Morgenroth

[0431-18](#)

Subject: (New) Application of Amanda Mohs dba Thrifty Treasures for a Secondhand Article/Jewelry Dealer License located at 215 Sixth Street. **(1st District)**

Recommendation of the Public Safety and Licensing Committee

on 05-08-2018: That the application of Amanda Mohs dba Thrifty Treasures for a Secondhand Article/Jewelry Dealer License located at 215 Sixth Street be approved.

Fiscal Note: N/A

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

[0444-18](#)

Subject: (Direct Referral) (Renewal) Application of Floyd and Sons, Inc., for a 2018 - 2019 Motor Vehicle Towing License.

Recommendation of the Public Safety and Licensing Committee

on 05-08-2018: That the application of Floyd and Sons, Inc., for a 2018 - 2019 Motor Vehicle Towing License be approved.

Fiscal Note: N/A

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

[0450-18](#)

Subject: (Direct Referral) (Renewal) Application of Don's Towing and Truck Service, for a 2018-2019 Motor Vehicle Towing License.

Recommendation of the Public Safety and Licensing Committee on 05-08-2018: That the application of Don's Towing and Truck Service, for a 2018-2019 Motor Vehicle Towing License be approved.

Fiscal Note: N/A

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

[0455-18](#)

Subject: (Direct Referral) (Renewal) Application of Beres Towing and Repairs, LLC, Jean C. Beres, for a Motor Vehicle Towing License Expiring June 30, 2019, 1960 State Street.

Recommendation of the Public Safety and Licensing Committee on 05-08-2018: That the application of Beres Towing and Repairs, LLC, Jean C. Beres, for a Motor Vehicle Towing License Expiring June 30, 2019, 1960 State Street be approved.

Fiscal Note: N/A

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

[0473-18](#)

Subject: (Direct Referral) Communication from the City Attorney's Office requesting to meet with the Public Safety and Licensing Committee regarding the adoption of guidelines for the City's alcohol licensing and alcohol licensing revocation/nonrenewal practices and procedures. (Res. 0155-18)

Recommendation of the Public Safety and Licensing Committee on 05-08-2018: That the communication from the City Attorney's Office requesting to meet with the Public Safety and Licensing Committee regarding the adoption of guidelines for the City's alcohol licensing and alcohol licensing revocation/nonrenewal practices and procedures be approved.

Fiscal Note: N/A

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

[0491-18](#)

Subject: Ordinance 0002-18 - Recreate Chapter 2, Article III, Division 8.

An Ordinance to recreate Chapter 2, Article III, Division 8. Reserved of the City of Racine Code of Ordinances.

Recommendation of the Public Safety and Licensing Committee on 05-08-2018: That the communication from the City Attorney's Office requesting to meet with the Public Safety and Licensing Committee regarding the adoption of guidelines for the City's alcohol licensing and alcohol licensing revocation/nonrenewal practices and procedures be approved.

Fiscal Note: N/A

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

[0492-18](#)

Subject: Ordinance 0003-18

An Ordinance to recreate Chapter 6. - Alcoholic Beverages of the City of Racine Code of Ordinances.

Recommendation of the Public Safety and Licensing Committee on 05-08-2018: That the communication from the City Attorney's Office requesting to meet with the Public Safety and Licensing Committee regarding the adoption of guidelines for the City's alcohol licensing and alcohol licensing revocation/nonrenewal practices and procedures be approved.

Fiscal Note: N/A

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

City Plan Commission Report, by Ald. Meekma

[1238-17](#)

Subject: (Direct Referral) Communication from the Director of Parks, Recreation, and Cultural Services to Adopt "A Park and Open Space Plan for the City of Racine: 2035," an Amendment to "A Comprehensive Plan for the City of Racine: 2035." (Resolution No. 11-2809) (ZOrd. 7-11) (Ord. 0007-18)

Recommendation of the Board of Parks, Recreation, and Cultural Services on 12-13-17: That this item be deferred.

Recommendation of the Board of Parks, Recreation, and Cultural Services on 1-10-18: That this item be deferred.

Recommendation of the Board of Parks, Recreation, and Cultural Services on 3-14-18: To approve the communication from the Director of Parks, Recreation and Cultural Services to Adopt "A Park and Open Space Plan for the City of Racine: 2035," an Amendment to "A Comprehensive Plan for the City of Racine: 2035," with amendments. (Resolution No. 11-2809) (ZOrd. 7-11).

Recommendation of the City Plan Commission on 5-9-18: That an ordinance be prepared and a public hearing scheduled.

Fiscal Note: N/A

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

[0420-18](#)

Subject: (Direct Referral) A request from Sam and Lori Azarian seeking a major amendment to a conditional use permit for the construction yard component of a multi-tenant property. (PC-17) (Res. 0156-18)

Recommendation of City Plan Commission on 5-9-18: That the request be approved subject to conditions.

Fiscal Note: N/A

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

[0421-18](#)

Subject: (Direct Referral) A request from Dariel Taylor of Roots Residential seeking a conditional use permit to operate a group daycare center at 1100 N. Main Street. (PC-18) (Res. 0157-18)

Recommendation of City Plan Commission on 5-9-18: That the request be approved subject to conditions.

Fiscal Note: N/A

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

[0422-18](#)

Subject: (Direct Referral) A request by Racine Baseball Cooperative seeking a conditional use permit to operate a recreation center/building at 1509 Rapids Drive to accommodate an instructional baseball academy. (PC-18) (Res. 0158-18)

Recommendation of the City Plan Commission on 5-9-18: That the request be approved subject to conditions.

Fiscal Note: N/A

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

[0434-18](#)

Subject: (Ord.0004-18) An ordinance to amend Sec. 114-1, 114-273, 114-327, 114-407, 114-427, and 114-447 of the City of Racine Municipal Code to allow short term rentals in residential, office, and business zoning districts.

Recommendation of the City Plan Commission on 5-9-18: That the ordinance be adopted subject to application materials being produced in English and Spanish.

Fiscal Note: N/A

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

[0469-18](#)

Subject: (Direct Referral) A request by Ram Patel of Port of Call Liquor seeking a conditional use pemrit to operate a takeout-carryout restaurant within an existing liquor store at 918 West Boulevard. (PC-18) (Res. 0159-18)

Recommendation of City Plan Commission on 5-9-18: That the request be approved subject to conditions.

Fiscal Note: N/A

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

Office of the Mayor Report, by Ald. Meekma[0452-18](#)

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

Reappoint Alderwoman Tracey Larrin, 1228 N Wisconsin St, Racine 53402 to the Harbor Board for a 1 year term expiring April 30, 2019.

Reappoint Alderman John Tate, II, 2044 Kinzie Ave, Racine 53405 to the Community Development Committee for a 1 year term expiring April 30, 2019.

Appoint Alderman Jeff Coe, 1044 Villa St, Racine 53403 to the Community Development Committee for a 1 year term expiring April 30, 2019.

Appoint Alderman Jason Meekma, 2839 Orchard St, Racine 53405 to

the Community Development Committee for a 1 year term expiring April 30, 2019.

Appoint Alderwoman Mollie Jones, 1900 Franklin St, Racine 53403 to the Community Development Committee for a 1 year term expiring April 30, 2019.

Appoint Henry Perez, 1017 Kentucky, Racine 53405 to the Community Development Committee for a 1 year term expiring April 30, 2019.

Appoint Maria Morales, 952 N Memorial Drive, Racine 53404 to the Community Development Committee for a 3 year term expiring April 30, 2021.

Appoint Carmen Lassiter Ayers, 2100 Kearney Ave, Racine 53403 to the Affirmative Action Human Rights Commission for a 3 year term expiring April 30, 2021.

Appoint Novella Velasquez, 1649 Holmes Ave, Racine 53405 to the Board of Parks, Recreation and Cultural Services for a 3 year term expiring April 30, 2021.

Reappoint David Younk, 5209 Kinzie Ave, Racine, 53406 to the Sex Offender Residency Board for a 3 year term expiring April 30, 2021.

Reappoint Keith Hemming, 1824 Wisconsin Ave, Racine 53403 to the Board of Parks, Recreations and Cultural Services for a 3 year term expiring April 30, 2021.

Appoint Natalie Chulew, 2615 N Main St, Racine, 53402 to the Board of Review for a 5 year term expiring April 30, 2023.

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

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

[1238-17](#)

Subject: (Direct Referral) Communication from the Director of Parks, Recreation, and Cultural Services to Adopt "A Park and Open Space Plan for the City of Racine: 2035," an Amendment to "A Comprehensive Plan for the City of Racine: 2035." (Resolution No. 11-2809) (ZOrd. 7-11) (Ord. 0007-18)

Recommendation of the Board of Parks, Recreation, and Cultural Services on 12-13-17: That this item be deferred.

Recommendation of the Board of Parks, Recreation, and Cultural Services on 1-10-18: That this item be deferred.

Recommendation of the Board of Parks, Recreation, and Cultural Services on 3-14-18: To approve the communication from the Director of Parks, Recreation and Cultural Services to Adopt "A Park and Open Space Plan for the City of Racine: 2035," an Amendment to "A

Comprehensive Plan for the City of Racine: 2035," with amendments. (Resolution No. 11-2809) (ZOrd. 7-11).

Recommendation of the City Plan Commission on 5-9-18: That an ordinance be prepared and a public hearing scheduled.

Fiscal Note: N/A

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

Redevelopment Authority, by Ald. Meekma

[0441-18](#)

Subject: Resolution 18-11 recommending approval of a Community Development Block Grant (CDBG) Revolving Loan Fund small business loan for \$90,900 for the purpose of equipment and working capital and the creation of at least 3 full time equivalent jobs for DPM Entertainment LLC, dba Kouzena220 at 220 Sixth Street. (Res. 0160-18)

Recommendation of the Redevelopment Authority on 5-2-18: That the request of DPM Entertainment LLC dba Kouzena220 for use of Community Development Block Grant (CDBG) Small Business Development Revolving Loan Funds (SBD-RLF) be approved. Further that the Mayor, City Clerk, and Director of City Development be authorized to execute written agreements with DPM Entertainment LLC dba Kouzena220 for loan assistance not to exceed Ninety thousand nine hundred dollars (\$90,900) for the purpose of creating at least three [3] full-time equivalent jobs in the City of Racine, 51% of which to be held by members of Low/Moderate Income Households, and consistent with federal regulations for CDBG funds, and City of Racine SBD-RLF guidelines.

Fiscal Note: The Community Development Committee and Common Council allocated CDBG funds for the purposes of assisting businesses through the 2017 Annual Plan. There are sufficient funds available.

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

I. Consent Resolutions

[Res.0147-18](#)

910 Hagerer Street

Resolved, that permission is granted to the Manager of Housing and Community Development to accept 910 Hagerer Street, a vacant lot, from Racine County and transfer the property to Racine Habitat for

Humanity.

Fiscal Note: Habitat for Humanity will reimburse the City the title transfer recording fee for the property estimated to be \$30. No other funds will be owed by the City of Racine to accept and donate the property.

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

[Res.0148-18](#)

Final Negotiated Terms of Grant Agreement with Wild Root Market Cooperative - Cooperative Market at 500 Walton Avenue (Res. 0115-18)

Resolved, that the final negotiated terms of the grant agreement with Wild Root Market Cooperative is approved for the construction of a cooperative market at 500 Walton Avenue with the understanding that "Grantee" is changed to "Grantor" under section "GRANT AGREEMENT."

Fiscal Note: The grant would consist of a "Phase I" \$290,000 disbursement after specific requirements have been met and a "Phase II" \$100,000 matching grant that is available after the Phase I funds are disbursed and matching funds have been raised by the Cooperative. Funds for the grant could come from the City's Intergovernmental Revenue Funds. There are sufficient funds in the account to support the grant.

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

[Res.0150-18](#)

Developer's Agreement for the Settlement at Hoods Creek - Addition 2

Resolved, that the Developer's Agreement for the Settlement at Hoods Creek - Addition 2 is approved.

Fiscal Note: Fees invoiced for professional inspection and construction review services will be the responsibility of HPC2, LLC (Developer).

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

[Res.0151-18](#)

Printing Common Council Proceedings and Legal Notices - June 1, 2018 through May 31, 2019

Resolved, that Journal Times is awarded the bid for printing the Common Council Proceedings and legal notices for the period of June 1, 2018 through May 31, 2019.

Fiscal Note: 2018/2019 Council proceedings publication rate is \$0.43 per line (an increase of \$0.02 per line), session printing is \$14.00 per

page (an increase of \$0.50 per page) and annual books are \$60.00 (an increase of \$5.00 per book). Other advertising publication rate is \$0.42 per line for first insertion (an increase of \$0.02 per line) and \$0.41 per line for each subsequent insertion (an increase of \$0.02 per line). All affidavits of publication are \$1.00 each. Funds for Council Proceedings publication are appropriated in account 11001 52315; City Council Advertising.

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

[Res.0153-18](#)

Bid Results on Contract 20180035 - 2018 Traffic Signal Replacement - 16th & Memorial

Resolved, that bids for Contract 20180035, 2018 Traffic Signal Replacement, be awarded to Outdoor Lighting Construction Co., Inc., at their bid price of \$176,268.62, it being the lowest responsible bidder.

Fiscal Note: Funds to defray the cost of this Public Works Department project be appropriated from Org-Object 45040-57530, Traffic Signal & LED Replacements.

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

[Res.0155-18](#)

Guidelines - City's Alcohol Licensing and Alcohol Licensing Revocation/Nonrenewal Practices and Procedures

Resolved, that the communication from the City Attorney's Office requesting to meet with the Public Safety and Licensing Committee regarding the adoption of guidelines for the City's alcohol licensing and alcohol licensing revocation/nonrenewal practices and procedures is approved.

Fiscal Note: N/A

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

[Res.0156-18](#)

1535 High Street

Resolved, that the request from Sam and Lori Azarian seeking a major amendment to a conditional use permit for the construction yard component of a multi-tenant property at 1535 High Street is approved, subject to the following conditions:

a) That the plans presented to the Plan Commission on May 9, 2018, be approved subject to the conditions contained herein.

b) That the maximum hours of contractor activities at the site be from 6:00 a.m. to 9:00 p.m., Monday through Saturday, with no hours on Sunday.

c) That all employee parking be contained on site.

d) That no junked or inoperable vehicles be parked or stored at this location

e) That any construction debris or scrap materials be stored in the yard areas south of the main building and screened from view.

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

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

h) That the office trailer addition and other building modifications, as depicted in the plans prepared by the firm Butterfield, Rudie & Seitz and dated December 11, 2017, and per alterations as required herein, be implemented subject to providing materials and color samples to the Director of City Development for review and approval, prior to implementation of said modifications.

i) That prior to the issuance of an occupancy permit for the office addition the following shall be accomplished, but in no case later than December 31, 2018:

1. The office addition shall be properly anchored to full footings and foundations and be properly attached/integrated into the existing building to the west.

2. The office addition shall be made handicap accessible with the inclusion of an ADA compliant access ramp and the modification of all door handles, and that any other applicable and practicable modifications be made.

3. That the office addition shall be in compliance with Racine Ordinance section 114-735.5(b)(1) by having a masonry exterior to a height of at least eight feet above grade. Brick wainscoting shall be installed on the north, east and south facades to a height of 40 to 48 inches from grade, with all surfaces above being covered in a cementitious siding.

4. The access ramp and the access stairway shall be installed on proper footings and foundations.

5. The accessibility, anchoring, ramp/stairway, and footings and foundation methods shall be certified by a registered architect as to such measures meeting all applicable standards and codes, and said construction documents shall be presented to the Building Inspection Department for review and approval.

6. The structural and mechanical (plumbing, electrical, HVAC) integrity of the office addition shall be certified by a qualified individual or authority, and said certification presented to the Chief Building Inspector for review and approval.

j) That subject to the review and approval of the Director of City Development of materials, colors and planting types, the following shall be accomplished:

1. Fencing and walls around all parking and storage areas shall be installed as follows:

i. Along Memorial Drive and High Street frontages, chain link fencing with privacy screening enhancements shall not be accepted as a form of screening.

ii. The parking area fronting High Street shall have a wood wall, or a textured concrete wall, and gates fronting High Street may remain as chain link but must be in good repair and contain privacy slats of a color complimentary to the wood or concrete wall.

iii. Fencing shall be installed along the east property line. A chain link fence with privacy slats is acceptable and said fencing shall be installed within 24 months from the date of this approval. The necessity of said

fencing may be reassessed by the Plan Commission within this 24 month period upon the request of the owner of the property at 1535 High Street.

2. Painting (as illustrated in the Azarian submittal) of the new concrete screening wall along North Memorial Drive and along High Street in an approved color.

3. The cementitious siding on the office addition shall match in color that of the existing building.

4. All parking and drive areas be repaired, sealed and striped.

5. A four to five feet wide landscaping strip be maintained between the new concrete wall and the eastern edge of the sidewalk along N. Memorial Dr. A landscaping plan shall be submitted prior to the installation of any landscaping materials. Landscaping shall be consistent with those standards referenced in the Racine Steel Castings Industrial Area Redevelopment Plan (December 6, 2006).

k) That if improvements described in condition "h" and "j" above are not completed by December 31, 2018, then a surety equal in value to the cost of the proposed improvements and their installation shall be submitted to the Director of City Development for review and approval. Said surety may be in the form of cash, a cashier's check, letter of credit, or bond. Said surety's form is subject to the approval of the City Attorney.

l) That final compliance to conditions "h" and "j" shall be achieved by December 31, 2018.

m) That through the approval of this conditional use permit amendment, the following exceptions to City ordinances, plans and covenants are herein granted:

1. Zoning Ordinance Section 114-787 (nonresidential use of a mobile home).

2. Stephan F. Olsen Industrial Park Declaration of Protective Covenants, Section 7, Building Design and Construction (all-masonry construction required).

3. Zoning Ordinance Section 114-1188 to allow one parking space per employee.

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

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

p) That this Conditional Use Permit is subject to compliance reviews by the Plan Commission.

Fiscal Note: N/A

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

[Res.0157-18](#)

1100 N. Main Street

Resolved, that the request from Dariel Taylor of Roots Residential seeking a conditional use permit to allow a group daycare center at 1100 N. Main Street is approved subject to the following conditions:

a) That the plans presented to the Plan Commission on May 9, 2018, be approved subject to the conditions contained herein.

b) That all license requirements from the State of Wisconsin and City of Racine be obtained, complied with, and kept current at all times.

c) The southernmost access driveway on N. Main Street be closed and the driveway on Dodge Street closed. The pavement removed and that grass seed be planted or the area be sodded and curbing meeting city requirements be installed. This shall be completed by October 31, 2018.

d) Submission and approval to the City Development Director of plans for a decorative fence (not chain link) or wall, to be installed around the playground area to ensure children do not have access to the parking areas or roadways. This shall be completed by October 31, 2018.

e) Submission and approval to the City Development Director of plans for the trash storage area which shows that all trash and recycling be kept in closed containers which are completely screened from public view and includes a gate on the trash storage area. This shall be completed by

October 31, 2018.

f) That if, prior to the issuance of an Occupancy Permit, required site improvements listed in “c, d and e” above have not been or cannot be completed, a financial surety shall be provided to the City. The surety shall be in a format as approved by the City Attorney’s office, and subject to all stipulations as identified for financial sureties in the City of Racine. The dollar amount shall be determined at the time of application based upon estimates provided by the applicants for any incomplete work, and shall be valid for no less than one year from the date of issuance. The surety format and content is subject to review and approval by the City Attorney.

g) All drop-offs, pickups, loading and parking shall occur on the subject property and not in any right-of-ways.

h) That hours of operation are 24 hours per day, Monday to Friday.

i) That commercial vans, buses and any other vehicle associated with the operation be parked in the northernmost lot, owned by the applicant.

j) That an exception from the requirement in Racine Ordinance section 114-448(9)a. Requiring that the subject location not be located closer than 250 feet to a signalized intersection, or at the intersection of major streets, be granted with this Conditional Use.

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

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

m) That this conditional use permit is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

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

[Res.0158-18](#)

1509 Rapids Drive

Resolved, that the request from Racine Baseball Cooperative, seeking a conditional use permit to allow a recreation building at 1509 Rapids Drive, is approved, subject to the following conditions:

- a) That the plans presented to the Plan Commission on May 9, 2018, be approved subject to the conditions contained herein.
- b) That all license requirements from the State of Wisconsin and City of Racine be obtained, complied with, and kept current at all times.
- c) The fee of \$695.00 for a Conditional Use Permit be paid prior to occupancy of the building.
- d) Installation of “no parking signage” along the access drive indicated on the applicant site plan as spaces 5-12.
- e) Installation of a mirror adjacent to the access drive in a manner in which would permit a driver to observe pedestrians on the sidewalk to the west when leaving the facility. This shall be installed prior to applying for occupancy.
- f) That if, prior to the issuance of an Occupancy Permit, required site improvements listed in “d” above have not been or cannot be completed, a financial surety shall be provided to the City. The surety shall be in a format as approved by the City Attorney’s office, and subject to all stipulations as identified for financial sureties in the City of Racine. The dollar amount shall be determined at the time of application based upon estimates provided by the applicants for any incomplete work, and shall be valid for no less than one year from the date of issuance. The surety format and content is subject to review and approval by the City Attorney.
- g) All drop-offs, pickups, loading, and parking shall occur on the subject property and not in any right-of-ways.
- h) That hours of operation are 3:00 to 9:00 PM, Monday to Friday and 8:00 AM to 7:00 PM Saturday and Sunday.
- i) That all codes and ordinances are complied with and required permits acquired.
- j) That no minor changes may be made from the conditions of this permit without approval of the Plan Commission, and no major changes may be made from the conditions of this permit without the approval of the Common council.

Fiscal Note: N/A

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

[Res.0159-18](#)

918 West Boulevard

Resolved, that the request from Ramkumar Patel, seeking a conditional use permit to allow a takeout-carryout restaurant at 918 West Boulevard, is approved, subject to the following conditions:

a) That the plans presented to the Plan Commission on May 9, 2018, be approved subject to the conditions contained herein.

b) That all license requirements from the State of Wisconsin and City of Racine be obtained, complied with, and kept current at all times.

c) That all of the following occur by August 31, 2018:

1. The original portion of the building be painted to match the addition and the wooden shingles be painted a different, complimentary color. Paint colors shall be submitted by the applicant to the Department of City Development for review and approval, prior to application on building.

2. Installation of bollard(s) in front of entry doors and wheel stops in front of all parking spaces prevent vehicles blocking the building access walk.

3. Restriping of parking spaces and resealing of the parking lot.

4. Submission to and approval from the City Development Department of a landscaping plan, prior to obtaining approval for the takeout-carryout restaurant occupancy. Grass and shrubs shall be depicted on the eastern lot frontage in front of the building; grass shall be planted on the western portion of the building from the southern property line, north 28 feet to the alleyway line.

5. Submission and approval to the City Development Department of plans for the trash storage area which shows that all trash and recycling be kept in closed containers which are completely screened from public view and includes a gate on the trash storage area.

6. Adjustment of the lighting on the property so it is not angled at adjacent properties and complies with the requirements of Racine Ordinance section 114-742; LED strip lighting and other forms of decorative lighting on the building exterior is not permitted.

7. Installation of a window, or treatment simulating the look of a window, on the building façade facing north or east. Plan detailing installation to be submitted to and approved by the City Development Department prior to installation.

8. Existing pole signage shall be removed. Any future signage shall not

be a pole sign and shall otherwise comply with the West Racine Revitalization plan signage guidelines. Signage plans to be submitted to the Department of City Development for review and approval, prior to installation.

d) That if, prior to the issuance of an Occupancy Permit, required site improvements listed in "c" above have not been or cannot be completed, a financial surety shall be provided to the City. The surety shall be in a format as approved by the City Attorney's office, and subject to all stipulations as identified for financial sureties in the City of Racine. The dollar amount shall be determined at the time of application based upon estimates provided by the applicants for any incomplete work, and shall be valid for no less than one year from the date of issuance. The surety format and content is subject to review and approval by the City Attorney.

e) That in the event an exception from Racine Ordinance section 114-1188 is not granted, verification by the City Development Department that a shared parking agreement for no less than ten spaces has been obtained, prior to receiving occupancy for this takeout-carryout restaurant occupancy.

f) That hours of operation are seven days a week from 8:00 AM to 9:00 PM.

g) That alcohol not be consumed by patrons on premises at any time.

h) That an exception from Racine Ordinance section 114-1188 of ten parking spaces be granted with this conditional use.

i) That all codes and ordinances are complied with and required permits acquired. That no minor changes may be made from the conditions of this permit without approval of the Plan Commission, and no major changes may be made from the conditions of this permit without the approval of the Common council.

k) That this conditional use permit is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

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

[Res.0160-18](#)

Community Development Block Grant Revolving Loan Fund Loan - DPM Entertainment LLC, d/b/a Kouzena220

WHEREAS, the Redevelopment Authority of the City of Racine

recognizes that the cultivation and support of small business is an essential component to the redevelopment and growth of the City of Racine and the nation; and

WHEREAS, The City of Racine Common Council approved Resolution 15-00626 granting the Redevelopment Authority's request to establish a Community Development Block Grant Small Business Development Revolving Loan Fund; and

WHEREAS, The City of Racine Common Council approved Resolution 15-00855 granting the Redevelopment Authority's request to approve the Community Development Block Grant Small Business Development Revolving Loan Fund policies and procedures; and

WHEREAS, The Wisconsin Women's Business Initiative Corporation is a Small Business Development Organization that has a loan review committee consisting of professional business lenders; and

WHEREAS, Wisconsin Women's Business Initiative Corporation has reviewed the request of DPM Entertainment, LLC d/b/a Kouzena220 for loans not to exceed \$90,900 for the purchase of equipment, working capital, and to include underwriting fees and closing costs, and Wisconsin Women's Business Initiative Corporation recommends that the Redevelopment Authority approve the request;

WHEREAS, the Redevelopment Authority of the City of Racine, has recommended to the City of Racine Common Council that the City of Racine Mayor, City Clerk, and Director of City Development be authorized to execute written agreements with DPM Entertainment LLC d/b/a Kouzena220 for loan assistance not to exceed Ninety Thousand Nine Hundred dollars (\$90,900) for creation at least three full-time equivalent jobs in the City of Racine, 51% of which to be held by members of Low/Moderate Income Households, consistent with federal regulations for Community Development Block Grant funds and City of Racine Small Business Development Revolving Loan Fund guidelines.

NOW THEREFORE BE IT RESOLVED, that the the Mayor, the City Clerk, and the Director of City Development are authorized to execute written agreements with DPM Entertainment LLC d/b/a Kouzena220 for loan assistance not to exceed Ninety Thousand Nine Hundred dollars (\$90,900) for creation at least three full-time equivalent jobs in the City of Racine, 51% of which to be held by members of Low/Moderate Income Households, consistent with federal regulations for Community Development Block Grant funds and City of Racine Small Business Development Revolving Loan Fund guidelines.

Fiscal Note: The Community Development Committee and Common Council allocated Community Development Block Grant funds for the purposes of assisting businesses through the 2017 Annual Plan. There are sufficient funds available.

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

J. Resolutions

[Res.0154-18](#)

Bulky Waste Pickup

Resolved, that limiting bulky waste collection to items that are physically unable to fit in an empty solid waste cart is approved.

Fiscal Note: N/A

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

AYES: 9 - Coe, Jones, Tate II, Larrin, McCarthy, Land, Perez, Meekma and Lemke

NOES: 5 - Smetana, Weidner, DeHahn, Shakoor II and Glenn

EXCUSED: 1 - Morgenroth

[Res.0149-18](#)

RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF UP TO \$531,270 TAXABLE WASTEWATER UTILITY REVENUE BONDS, SERIES 2018, AND PROVIDING FOR OTHER DETAILS AND COVENANTS WITH RESPECT THERETO

WHEREAS, the City of Racine, Racine County, Wisconsin (the "Municipality") owns and operates a wastewater utility system (the "System") which is operated for a public purpose as a public utility by the Municipality; and

WHEREAS, certain improvements to the System are necessary to meet the needs of the Municipality and the residents thereof, consisting of the construction of a project (the "Project") assigned Clean Water Fund Program Project No. 4285-22 by the Department of Natural Resources, and as described in the Department of Natural Resources approval letter for the plans and specifications of the Project, or portions thereof, issued under Section 281.41, Wisconsin Statutes, assigned No. S-2015-0558 and dated October 5, 2015 by the DNR; and

WHEREAS, under the provisions of Chapter 66, Wisconsin Statutes any municipality may, by action of its governing body, provide for purchasing,

acquiring, constructing, extending, adding to, improving, operating and managing a public utility from the proceeds of bonds, which bonds are to be payable only from the revenues received from any source by such utility, including all rentals and fees; and

WHEREAS, the Municipality deems it to be necessary, desirable and in its best interest to authorize and sell wastewater utility system revenue bonds of the Municipality payable solely from the revenues of the System, pursuant to the provisions of Section 66.0621, Wisconsin Statutes, to pay the cost of the Project; and

WHEREAS, pursuant to Resolution No. 2640 adopted on August 2, 1999 (the "1999 Resolution"), the Municipality has previously issued its Wastewater Utility Revenue Bonds, Series 1999, dated August 25, 1999 (the "1999 Bonds"), which are payable from the income and revenues of the System; and

WHEREAS, pursuant to Resolution No. 3481 adopted on September 5, 2000 (the "2000 Resolution"), the Municipality has also previously issued its Wastewater Utility Revenue Bonds, Series 2000, dated September 27, 2000 (the "2000 Bonds"), which are payable from the income and revenues of the System on a parity with the 1999 Bonds; and

WHEREAS, pursuant to Resolution No. 4544 adopted on March 19, 2002 (the "2002 Resolution"), the Municipality has also previously issued its Wastewater Utility Revenue Bonds, Series 2002, dated April 10, 2002 (the "2002 Bonds"), which are payable from the income and revenues of the System on a parity with the 1999 Bonds and the 2000 Bonds; and

WHEREAS, pursuant to Resolution No. 4718 adopted on July 2, 2002 (the "2002B Resolution"), the Municipality has also previously issued its Wastewater Utility Revenue Bonds, Series 2002B, dated July 24, 2002 (the "2002B Bonds"), which are payable from the income and revenues of the System on a parity with the 1999 Bonds, the 2000 Bonds and the 2002 Bonds; and

WHEREAS, pursuant to Resolution No. 4964 adopted on November 19, 2002 (the "2002C Resolution"), the Municipality has also previously issued its Wastewater Utility Revenue Bonds, Series 2002C, dated November 27, 2002 (the "2002C Bonds"), which are payable from the income and revenues of the System on a parity with the 1999 Bonds, the 2000 Bonds, the 2002 Bonds and the 2002B Bonds; and

WHEREAS, pursuant to Resolution No. 07-0580 adopted on January 2, 2008 (the "2008 Resolution"), the Municipality has also previously issued

its Wastewater Utility Revenue Bonds, Series 2008, dated January 23, 2008 (the "2008 Bonds"), which are payable from the income and revenues of the System on a parity with the 1999 Bonds, the 2000 Bonds, the 2002 Bonds, the 2002B Bonds and the 2002C Bonds; and

WHEREAS, pursuant to Resolution No. 10-1886 adopted on March 2, 2010 (the "2010 Resolution"), the Municipality has also previously issued its Wastewater Utility Revenue Bonds, Series 2010, dated March 24, 2010 (the "2010 Bonds"), which are payable from the income and revenues of the System on a parity with the 1999 Bonds, the 2000 Bonds, the 2002 Bonds, the 2002B Bonds, 2002C Bonds and the 2008 Bonds; and

WHEREAS, the 1999 Resolution, 2000 Resolution, 2002 Resolution, 2002B Resolution, 2002C Resolution, 2008 Resolution and 2010 Resolution (collectively, the "CWF Resolutions") permit bonds to be issued on a parity with the 1999 Bonds, 2000 Bonds, 2002 Bonds, 2002B Bonds, 2002C Bonds, 2008 Bonds and 2010 Bonds (collectively, the "CWF Bonds") upon certain conditions, and those conditions have been met in connection with the issuance of the bonds to be issued pursuant to this Resolution; and

WHEREAS, due to certain provisions of the Internal Revenue Code of 1986, as amended, it is necessary to issue such bonds on a taxable basis, and the State of Wisconsin Clean Water Fund Program has granted the Municipality a variance to allow such bonds to be issued on a taxable basis; and

WHEREAS, other than the CWF Bonds, no bonds or obligations payable from the revenues of the System are now outstanding.

NOW, THEREFORE, be it resolved by the Governing Body of the Municipality that:

Section 1. Definitions. The following terms shall have the following meanings in this Resolution unless the text expressly or by implication requires otherwise:

- (a) "Act" means Section 66.0621, Wisconsin Statutes;
- (b) "Bond Registrar" means the Municipal Treasurer which shall act as Paying Agent for the Bonds;
- (c) "Bonds" means the \$531,270 Taxable Wastewater Utility Revenue Bonds, Series 2018, of the Municipality dated their date of issuance,

authorized to be issued by this Resolution;

(d) "Bond Year" means the twelve-month period ending on each May 1;

(e) "Current Expenses" means the reasonable and necessary costs of operating, maintaining, administering and repairing the System, including salaries, wages, costs of materials and supplies, insurance and audits, but shall exclude depreciation, debt service, tax equivalents and capital expenditures;

(f) "CWF Bonds" means the 1999 Bonds, 2000 Bonds, 2002 Bonds, 2002B Bonds, 2002C Bonds, 2008 Bonds and 2010 Bonds, collectively;

(g) "CWF Resolutions" means the 1999 Resolution, 2000 Resolution, 2002 Resolution, 2002B Resolution, 2002C Resolution, 2008 Resolution and 2010 Resolution, collectively;

(h) "Debt Service Fund" means the Wastewater Utility Special Redemption Fund of the Municipality, which shall be the "special redemption fund" as such term is defined in the Act;

(i) "Financial Assistance Agreement" means the Financial Assistance Agreement by and between the State of Wisconsin by the Department of Natural Resources and the Department of Administration and the Municipality pursuant to which the Bonds are to be issued and sold to the State, substantially in the form attached hereto and incorporated herein by this reference;

(j) "Fiscal Year" means the twelve-month period ending on each December 31;

(k) "Governing Body" means the Common Council, or such other body as may hereafter be the chief legislative body of the Municipality;

(l) "Gross Earnings" means the gross earnings of the System, including earnings of the System derived from wastewater utility charges imposed by the Municipality, all payments to the Municipality under any wastewater treatment service agreements between the Municipality and any contract users of the System, and any other monies received from any source including all rentals and fees and any special assessments levied and collected in connection with the Project;

(m) "Municipal Treasurer" means the Treasurer of the Municipality who shall act as Bond Registrar and Paying Agent;

- (n) "Municipality" means the City of Racine, Racine County, Wisconsin;
- (o) "Net Revenues" means the Gross Earnings of the System after deduction of Current Expenses;
- (p) "1999 Bonds" means the Municipality's Wastewater Utility Revenue Bonds, Series 1999, dated August 25, 1999;
- (q) "1999 Resolution" means Resolution No. 2640 adopted on August 2, 1999 authorizing the issuance of the 1999 Bonds;
- (r) "Parity Bonds" means bonds payable from the revenues of the System other than the Bonds but issued on a parity and equality with the Bonds pursuant to the restrictive provisions of Section 11 of this Resolution;
- (s) "Project" means the Project described in the preamble to this Resolution. All elements of the Project are to be owned and operated by the Municipality as part of the System as described in the preamble hereto;
- (t) "Record Date" means the close of business on the fifteenth day of the calendar month next preceding any principal or interest payment date;
- (u) "System" means the entire wastewater utility system of the Municipality specifically including that portion of the Project owned by the Municipality and including all property of every nature now or hereafter owned by the Municipality for the collection, transmission, treatment and disposal of domestic and industrial sewerage and waste, including all improvements and extensions thereto made by the Municipality while any of the Bonds and Parity Bonds remain outstanding, including all real and personal property of every nature comprising part of or used or useful in connection with such wastewater utility system and including all appurtenances, contracts, leases, franchises, and other intangibles;
- (v) "2000 Bonds" means the Municipality's Wastewater Utility Revenue Bonds, Series 2000, dated September 27, 2000;
- (w) "2000 Resolution" means Resolution No. 3481 adopted on September 5, 2000 authorizing the issuance of the 2000 Bonds;
- (x) "2002 Bonds" means the Municipality's Wastewater Utility Revenue Bonds, Series 2002, dated April 10, 2002;
- (y) "2002 Resolution" means Resolution No. 4544 adopted on March 19,

2002 authorizing the issuance of the 2002 Bonds;

(z) "2002B Bonds" means the Municipality's Wastewater Utility Revenue Bonds, Series 2002B, dated July 24, 2002;

(aa) "2002B Resolution" means Resolution No. 4718 adopted July 2, 2002 authorizing the issuance of the 2002B Bonds;

(bb) "2002C Bonds" means the Municipality's Wastewater Utility Revenue Bonds, Series 2002C, dated November 27, 2002;

(cc) "2002C Resolution" means Resolution No. 4964 adopted November 19, 2002 authorizing the issuance of the 2002C Bonds;

(dd) "2008 Bonds" means the Municipality's Wastewater Utility Revenue Bonds, Series 2008, dated January 23, 2008;

(ee) "2008 Resolution" means Resolution No. 07-0580 adopted January 2, 2008 authorizing the issuance of the 2008 Bonds;

(ff) "2010 Bonds" means the Municipality's Wastewater Utility Revenue Bonds, Series 2010, dated March 24, 2010; and

(gg) "2010 Resolution" means Resolution No. 10-1886 adopted March 2, 2010 authorizing the issuance of the 2010 Bonds.

Section 2. Authorization of the Bonds and the Financial Assistance Agreement. For the purpose of paying the cost of the Project (including legal, fiscal, engineering and other expenses), there shall be borrowed on the credit of the income and revenue of the System up to the sum of \$531,270; and fully registered revenue bonds of the Municipality are authorized to be issued in evidence thereof and sold to the State of Wisconsin Clean Water Fund Program in accordance with the terms and conditions of the Financial Assistance Agreement, which is incorporated herein by this reference and the Mayor and City Clerk of the Municipality are hereby authorized, by and on behalf of the Municipality, to execute the Financial Assistance Agreement.

Section 3. Terms of the Bonds. The Bonds shall be designated "Taxable Wastewater Utility Revenue Bonds, Series 2018" (the "Bonds"); shall be dated their date of issuance; shall be numbered one and upward; shall bear interest at the rate of 1.870% per annum; shall be issued in denominations of \$0.01 or any integral multiple thereof; and shall mature on the dates and in the amounts as set forth in Exhibit B of the Financial Assistance Agreement and in the Bond form attached hereto as Exhibit A

as it is from time to time adjusted by the State of Wisconsin based upon the actual draws made by the Municipality. Interest on the Bonds shall be payable commencing on November 1, 2018 and semiannually thereafter on May 1 and November 1 of each year. The Bonds shall not be subject to redemption prior to maturity except as provided in the Financial Assistance Agreement.

The schedule of maturities of the Bonds is found to be such that the amount of annual debt service payments is reasonable in accordance with prudent municipal utility practices.

Section 4. Form, Execution, Registration and Payment of the Bonds.

The Bonds shall be issued as registered obligations in substantially the form attached hereto as Exhibit A and incorporated herein by this reference.

The Bonds shall be executed in the name of the Municipality by the manual signatures of the Mayor and City Clerk, and shall be sealed with its official or corporate seal, if any.

The principal of, premium, if any, and interest on the Bonds shall be paid by the Municipal Treasurer, who is hereby appointed as the Municipality's Bond Registrar.

Both the principal of and interest on the Bonds shall be payable in lawful money of the United States of America by the Bond Registrar. Payment of principal of the final maturity on the Bond will be payable upon presentation and surrender of the Bond to the Bond Registrar. Payment of principal on the Bond (except the final maturity) and each installment of interest shall be made to the registered owner of each Bond who shall appear on the registration books of the Municipality, maintained by the Bond Registrar, on the Record Date and shall be paid by check or draft of the Municipality and mailed to such registered owner at his or its address as it appears on such registration books or at such other address may be furnished in writing by such registered owner to the Bond Registrar.

Section 5. Security for the Bonds. The Bonds, together with interest thereon, shall not constitute an indebtedness of the Municipality nor a charge against its general credit or taxing power. The Bonds, together with interest thereon, shall be payable only out of the Debt Service Fund hereinafter created and established, and shall be a valid claim of the registered owner or owners thereof only against such Debt Service Fund and the revenues of the System pledged to such fund, on a parity with the pledge granted to the holders of the CWF Bonds. Sufficient revenues are hereby pledged to said Debt Service Fund, and shall be used for no other

purpose than to pay the principal of, premium, if any, and interest on the CWF Bonds, the Bonds and any Parity Bonds as the same becomes due.

Section 6. Funds and Accounts. In accordance with the Act, for the purpose of the application and proper allocation of the revenues of the System, and to secure the payment of the principal of and interest on the CWF Bonds, the Bonds and Parity Bonds, certain funds of the System which were created and established by a resolution adopted April 20, 1993 and continued by the CWF Resolutions are hereby further continued and shall be used solely for the following respective purposes:

(a) Wastewater Utility Revenue Fund (the "Revenue Fund"), into which shall be deposited as received the Gross Earnings of the System, which money shall then be divided among the Operation and Maintenance Fund, the Debt Service Fund, the Depreciation Fund and the Surplus Fund in the amounts and in the manner set forth in Section 7 hereof and used for the purposes described below.

(b) Wastewater Utility Operation and Maintenance Fund (the "Operation and Maintenance Fund"), which shall be used for the payment of Current Expenses.

(c) Wastewater Utility Special Redemption Fund (the "Debt Service Fund"), which shall be used for the payment of the principal of, premium, if any, and interest on the CWF Bonds, the Bonds and Parity Bonds as the same becomes due, and which may contain a Reserve Account established by a future resolution authorizing the issuance of Parity Bonds to secure such Parity Bonds.

(d) Wastewater Utility Depreciation Fund (the "Depreciation Fund"), which shall be used to provide a proper and adequate depreciation account for the System.

(e) Wastewater Utility Surplus Fund (the "Surplus Fund"), which shall first be used whenever necessary to pay principal of, premium, if any, or interest on the CWF Bonds, the Bonds and Parity Bonds when the Debt Service Fund shall be insufficient for such purpose, and thereafter shall be disbursed as follows: (i) at any time, to remedy any deficiency in any of the Funds provided in this Section 6 hereof; and (ii) money thereafter remaining in the Surplus Fund at the end of any Fiscal Year may be transferred to any of the funds or accounts created herein or to reimburse the general fund of the Municipality for advances made by the Municipality to the System.

Section 7. Application of Revenues. After the delivery of the Bonds, the Gross Earnings of the System shall be deposited as collected in the Revenue Fund and shall be transferred monthly to the funds listed below in the following order of priority and in the manner set forth below:

(a) to the Operation and Maintenance Fund, in an amount equal to the estimated Current Expenses for such month and for the following month (after giving effect to available amounts in said Fund from prior deposits);

(b) to the Debt Service Fund, an amount equal to one-sixth (1/6) of the next installment of interest coming due on the CWF Bonds, the Bonds and any Parity Bonds then outstanding and an amount equal to one-twelfth (1/12) of the installment of principal of the CWF Bonds, the Bonds and any Parity Bonds coming due during such Bond Year (after giving effect to available amounts in said Fund from accrued interest, any premium or any other source), and any amount required by a future resolution authorizing the issuance of Parity Bonds to fund a Reserve Account established therein;

(c) to the Depreciation Fund, an amount determined by the Governing Body to be sufficient to provide a proper and adequate depreciation account for the System; and

(d) to the Surplus Fund, any amount remaining in the Revenue Fund after the monthly transfers required above have been completed.

Transfers from the Revenue Fund to the Operation and Maintenance Fund, the Debt Service Fund, the Depreciation Fund and the Surplus Fund shall be made monthly not later than the tenth day of each month, and such transfer shall be applicable to monies on deposit in the Revenue Fund as of the last day of the month preceding. Any other transfers and deposits to any fund required or permitted by subsection (a) through (d) of this Section, except transfers or deposits which are required to be made immediately or annually, shall be made on or before the tenth day of the month. Any transfer or deposit required to be made at the end of any Fiscal Year shall be made within sixty (60) days after the close of such Fiscal Year. If the tenth day of any month shall fall on a day other than a business day, such transfer or deposit shall be made on the next succeeding business day.

It is the express intent and determination of the Governing Body that the amounts transferred from the Revenue Fund and deposited in the Debt Service Fund shall be sufficient in any event to pay the interest on the CWF Bonds, the Bonds and any Parity Bonds as the same accrues and the principal thereof as the same matures, and to fund the Reserve

Account as required in connection with future Parity Bonds.

Section 8. Deposits and Investments. The Debt Service Fund shall be kept apart from monies in the other funds and accounts of the Municipality and the same shall be used for no purpose other than the prompt payment of principal of and interest on the CWF Bonds, the Bonds and any Parity Bonds as the same becomes due and payable. All monies therein shall be deposited in special and segregated accounts in a public depository selected under Chapter 34, Wisconsin Statutes and may be temporarily invested until needed in legal investments subject to the provisions of Section 66.0603(1m), Wisconsin Statutes. The other funds herein created (except the Wastewater Utility CWF Project Fund) may be combined in a single account in a public depository selected in the manner set forth above and may be temporarily invested until needed in legal investments subject to the provisions of Section 66.0603(1m), Wisconsin Statutes.

Section 9. Service to the Municipality. The reasonable cost and value of services rendered to the Municipality by the System by furnishing wastewater utility services for public purposes shall be charged against the Municipality and shall be paid in monthly installments as the service accrues, out of the current revenues of the Municipality collected or in the process of collection, exclusive of the revenues derived from the System; that is to say, out of the tax levy of the Municipality made by it to raise money to meet its necessary current expenses. The reasonable cost and value of such service to the Municipality in each year shall be equal to an amount which, together with other revenues of the System, will produce in each Fiscal Year Net Revenues equivalent to not less than the annual principal and interest requirements on the CWF Bonds, the Bonds, any Parity Bonds and any other obligations payable from the revenues of the System then outstanding, times the greater of (i) 110% or (ii) the highest debt service coverage ratio required with respect to any obligations payable from revenues of the System then outstanding. However, such payment out of the tax levy shall be subject to (a) approval of the Public Service Commission, or successors to its function, if applicable, (b) yearly appropriations therefor, and (c) applicable levy limitations, if any; and neither this Resolution nor such payment shall be construed as constituting an obligation of the Municipality to make any such appropriation over and above the reasonable cost and value of the services rendered to the Municipality and its inhabitants or to make any subsequent payment over and above such reasonable cost and value.

Section 10. Operation of System; Municipality Covenants. It is covenanted and agreed by the Municipality with the owner or owners of the Bonds, and each of them, that the Municipality will perform all of the

obligations of the Municipality as set forth in the Financial Assistance Agreement.

Section 11. Additional Bonds. The Bonds are issued on a parity with the CWF Bonds as to the pledge of revenues of the System. No bonds or obligations payable out of the revenues of the System may be issued in such manner as to enjoy priority over the Bonds. Additional obligations may be issued if the lien and pledge is junior and subordinate to that of the Bonds. Parity Bonds may be issued only under the following circumstances:

(a) Additional Parity Bonds may be issued for the purpose of completing the Project and for the purpose of financing costs of the Project which are ineligible for payment under the State of Wisconsin Clean Water Fund Program. However, such additional Parity Bonds shall be in an aggregate amount not to exceed 20% of the face amount of the Bonds; or
(b) Additional Parity Bonds may also be issued if all of the following conditions are met:

(1) The Net Revenues of the System for the Fiscal Year immediately preceding the issuance of such additional bonds must have been in an amount at least equal to the maximum annual interest and principal requirements on all bonds outstanding payable from the revenues of the System, and on the bonds then to be issued, times the greater of (i) 1.10 or (ii) the highest debt service coverage ratio to be required with respect to the Additional Parity Bonds to be issued or any other obligations payable from the revenues of the System then outstanding. Should an increase in permanent rates and charges, including those made to the Municipality, be properly ordered and made effective during the Fiscal Year immediately prior to the issuance of such additional bonds or during that part of the Fiscal Year of issuance prior to such issuance, then Net Revenues for purposes of such computation shall include such additional revenues as an independent certified public accountant, consulting professional engineer or the Wisconsin Public Service Commission may certify would have accrued during the prior Fiscal Year had the new rates been in effect during that entire immediately prior Fiscal Year.

(2) The payments required to be made into the funds enumerated in Section 6 of this Resolution must have been made in full.

(3) The additional bonds must have principal maturing on May 1 of each year and interest falling due on May 1 and November 1 of each year.

(4) The proceeds of the additional bonds must be used only for the purpose of providing extensions or improvements to the System, or to

refund obligations issued for such purpose.

Section 12. Sale of Bonds. The sale of the Bonds to the State of Wisconsin Clean Water Fund Program for the purchase price of up to \$531,270 and at par, is ratified and confirmed; and the officers of the Municipality are authorized and directed to do any and all acts, including executing the Financial Assistance Agreement and the Bonds as hereinabove provided, necessary to conclude delivery of the Bonds to said purchaser, as soon after adoption of this Resolution as is convenient. The purchase price for the Bonds shall be paid upon requisition therefor as provided in the Financial Assistance Agreement, and the officers of the Municipality are authorized to prepare and submit to the State requisitions and disbursement requests in anticipation of the execution of the Financial Assistance Agreement and the issuance of the Bonds.

Section 13. Application of Bond Proceeds. The proceeds of the sale of the Bonds shall be deposited by the Municipality into a special fund designated as "Wastewater Utility CWFPP Project Fund." The Wastewater Utility CWFPP Project Fund shall be used solely for the purpose of paying the costs of the Project as more fully described in the preamble hereof and in the Financial Assistance Agreement. Moneys in the Wastewater Utility CWFPP Project Fund shall be disbursed within three (3) business days of their receipt from the State of Wisconsin and shall not be invested in any interest-bearing account.

Section 14. Amendment to Resolution. After the issuance of any of the Bonds, no change or alteration of any kind in the provisions of this Resolution may be made until all of the Bonds have been paid in full as to both principal and interest, or discharged as herein provided, except: (a) the Municipality may, from to time, amend this Resolution without the consent of any of the owners of the Bonds, but only to cure any ambiguity, administrative conflict, formal defect, or omission or procedural inconsistency of this Resolution; and (b) this Resolution may be amended, in any respect, with a written consent of the owners of not less than two-thirds (2/3) of the principal amount of the Bonds then outstanding, exclusive of Bonds held by the Municipality; provided, however, that no amendment shall permit any change in the pledge of revenues derived from the System or the maturity of any Bond issued hereunder, or a reduction in the rate of interest on any Bond, or in the amount of the principal obligation thereof, or in the amount of the redemption premium payable in the case of redemption thereof, or change the terms upon which the Bonds may be redeemed or make any other modification in the terms of the payment of such principal or interest without the written consent of the owner of each such Bond to which the

change is applicable.

Section 15. Defeasance. When all Bonds have been discharged, all pledges, covenants and other rights granted to the owners thereof by this Resolution shall cease. The Municipality may discharge all Bonds due on any date by irrevocably depositing in escrow with a suitable bank or trust company a sum of cash and/or bonds or securities issued or guaranteed as to principal and interest of the U.S. Government, or of a commission, board or other instrumentality of the U.S. Government, maturing on the dates and bearing interest at the rates required to provide funds sufficient to pay when due the interest to accrue on each of said Bonds to its maturity or, at the Municipality's option, if said Bond is prepayable to any prior date upon which it may be called for redemption, and to pay and redeem the principal amount of each such Bond at maturity, or at the Municipality's option, if said Bond is prepayable, at its earliest redemption date, with the premium required for such redemption, if any, provided that notice of the redemption of all prepayable Bonds on such date has been duly given or provided for.

Section 16. Resolution a Contract. The provisions of this Resolution shall constitute a contract between the Municipality and the owner or owners of the Bonds, and after issuance of any of the Bonds no change or alteration of any kind in the provisions of this Resolution may be made, except as provided in Section 14, until all of the Bonds have been paid in full as to both principal and interest. The owner or owners of any of the Bonds shall have the right in addition to all other rights, by mandamus or other suit or action in any court of competent jurisdiction, to enforce such owner's or owners' rights against the Municipality, the Governing Body thereof, and any and all officers and agents thereof including, but without limitation, the right to require the Municipality, its Governing Body and any other authorized body, to fix and collect rates and charges fully adequate to carry out all of the provisions and agreements contained in this Resolution.

Section 17. Continuing Disclosure. The officers of the Municipality are hereby authorized and directed, if requested by the State of Wisconsin, to provide to the State of Wisconsin Clean Water Fund Program and to such other persons or entities as directed by the State of Wisconsin such ongoing disclosure regarding the Municipality's financial condition and other matters, at such times and in such manner as the Clean Water Fund Program may require, in order that securities issued by the Municipality and the State of Wisconsin satisfy rules and regulations promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as amended and as it may be amended from time to time, imposed on brokers and dealers of municipal securities

before the brokers and dealers may buy, sell, or recommend the purchase of such securities.

Section 18. Conflicting Resolutions. All ordinances, resolutions (other than the CWF Resolutions), or orders, or parts thereof heretofore enacted, adopted or entered, in conflict with the provisions of this Resolution, are hereby repealed and this Resolution shall be in effect from and after its passage. In case of any conflict between this Resolution and the CWF Resolutions, the CWF Resolutions shall control as long as any of the respective CWF Bonds are outstanding.

Fiscal Note: The City will enter into a Financial Assistance Agreement for a Clean Water Fund Loan in the amount of \$531,270.00 at an interest rate of 1.87%. The City will also receive \$227,688.00 in principal forgiveness.

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

AYES: 14 - Coe, Jones, Tate II, Larrin, Smetana, Weidner, DeHahn, Shakoor II, McCarthy, Glenn, Land, Perez, Meekma and Lemke

EXCUSED: 1 - Morgenroth

[Res.0142-18](#)

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 24th day of April, 2018 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

DeKoven Avenue - Holborn Street to Clark Street

Echo Lane - Westway Avenue to Ridgeway Avenue

Elisa Drive - Dead End to Ostergaard Avenue

Alley - Flett Avenue to Holmes Avenue; Nineteenth Street to Eighteenth Street

Alley - Sixteenth Street to Seventeenth Street; Thurston Avenue to Grange Avenue

Alley - (EW & NS) Slauson Avenue to Sixteenth Street; Phillips Avenue to Taylor Avenue

Alley - (NS) S. Memorial Drive to Packard Avenue; Sixteenth Street to Washington Avenue

Alley - Deane Boulevard to Quincy Avenue; Fifteenth Street to Sixteenth

Street

Alley - (NS) Blaine Avenue to Hayes Avenue; Lindermann Avenue to Washington Avenue

Bituminous Concrete Paving

DeKoven Avenue - Holborn Street to Clark Street

Echo Lane - Westway Avenue to Ridgeway Avenue

Elisa Drive - Dead End to Ostergaard Avenue

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 6% per annum on the unpaid balance.
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.

A motion was made by Alderman McCarthy, seconded by Alderman Tate II, that this Resolution be Deferred. The motion PASSED by the following vote:

AYES: 14 - Coe, Jones, Tate II, Larrin, Smetana, Weidner, DeHahn, Shakoor II, McCarthy, Glenn, Land, Perez, Meekma and Lemke

EXCUSED: 1 - Morgenroth

[Res.0152-18](#)

Final - Ten 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 May 8, 2018 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

Jonathon Drive - Cul-De-Sac to North Main Street
Michigan Boulevard - Melvin Avenue to Lombard Avenue
North Bay Drive - Cul-De-Sac to Sheffield Drive
Ruby Avenue - Melvin Avenue to Lombard Avenue
Sheffield Drive - North Bay Drive to Lighthouse Drive
Steeplechase Drive - North Bay Drive to Westminster Square (W)
Steeplechase Drive - Westminster Square (W) to Westminster Square (E)
Steeplechase Drive - Westminster Square (E) to Lighthouse Drive
West Lawn Avenue - Republic Avenue to Victory Avenue
Three Mile Road - 480' E. of Douglas Avenue to 2568' E. of Douglas Avenue

Bituminous Concrete Paving

Jonathon Drive - Cul-De-Sac to North Main Street
Michigan Boulevard - Melvin Avenue to Lombard Avenue
North Bay Drive - Cul-De-Sac to Sheffield Drive
Ruby Avenue - Melvin Avenue to Lombard Avenue
Sheffield Drive - North Bay Drive to Lighthouse Drive
Steeplechase Drive - North Bay Drive to Westminster Square (W)
Steeplechase Drive - Westminster Square (W) to Westminster Square (E)

Steeplechase Drive - Westminster Square (E) to Lighthouse Drive
West Lawn Avenue - Republic Avenue to Victory Avenue

Curb & Gutter

Three Mile Road - 480' E. of Douglas Avenue to 2568' E. of Douglas Avenue

Sewer and Water

Three Mile Road - 480' E. of Douglas Avenue to 2568' E. of Douglas Avenue

Sanitary Sewer

Three Mile Road - 480' E. of Douglas Avenue to 2568' E. of Douglas Avenue

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 annual installments to the City

Treasurer, deferred payments to bear interest at the rate of 6% per annum on the unpaid balance.

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.

A motion was made by Alderman McCarthy, seconded by Alderman Tate II, that this Resolution be Deferred. The motion PASSED by the following vote:

AYES: 15 - Coe, Jones, Tate II, Larrin, Smetana, Weidner, DeHahn, Shakoor II, McCarthy, Glenn, Land, Perez, Meekma, Lemke and Mason

EXCUSED: 1 - Morgenroth

[Res. 0180-18](#)

Resolved, the Beachside Oasis, LLC, Scott Jensen, Agent, be approved to apply with the State of Wisconsin, Department of Revenue for a "Class B" license.

Fiscal Note: N/A

A motion was made by Alderman Coe, seconded by Alderman Shakoor II, that this Resolution be adopted. The motion PASSED by the following vote:

K. Common Council Vote on Consent Agenda (Communications, Committee Reports, Resolutions)

Council Action on Consent Agenda Items

A motion was made by Alderman Shakoor II, seconded by Alderman Tate, that this be Approved by the following vote:

AYES: 15 - Coe, Jones, Tate II, Larrin, Smetana, Weidner, DeHahn, Shakoor II, McCarthy, Glenn, Land, Perez, Meekma, Lemke and Mason

EXCUSED: 1 - Morgenroth

L. Ordinances

Refer to City Plan Commission

[Ord.0007-18](#)

Ord. 0007-18 - Amending "A Comprehensive Plan for the City of Racine 2035"

Ordinance adopting an amendment to a document titled "A Comprehensive Plan for the City of Racine: 2035" (Comp Plan 2035) for to incorporate the document titled "A Park An Open Space Plan For The City Of Racine: 2035" (Park Plan:2035), an update of the like named document adopted in 2011 by the Common Council of the City of Racine (the Common Council) (Adopted ZOrd.7-11). The Common Council of the City of Racine do ordain as follows:

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

SECTION 2:The Board of Parks Recreation and Cultural Services (the Board), working with the Southeastern Wisconsin Regional Planning Commission, prepared an update of the 2011 version of Park Plan:2035 for the City which will serve as a resource intended to assist in promoting environmental stewardship and to assess current and future parks, recreation, and open space needs within the City, which is articulated in the document titled " A Park And Open Space Plan For The City Of Racine: 2035" (the Plan) ; and

SECTION 3: Following a 30 day notice period, on March 14, 2018 the Board concluded a public input period and on that date, forwarded a recommendation for adoption of Park Plan:2035 to the City of Racine Plan Commission (the Commission) and the Common Council.

SECTION 4: On May 9, 2018 the Commission of the City of Racine received a review of Park Plan:2035 in order to educate Plan Commission members and the public on recommendations contained therein and needed amendment to The Plan; and

SECTION 3: On May 9, 2018 the Commission forwarded a recommendation to the Common Council that the process to amend Comp Plan:2035 move forward based on the findings as enumerate in the staff report to the Plan Commissioners for the meeting on May 9, 2018 and recommendation in the commission report to the Common Council for the May 15, 2018 meeting, and in said report that the associated requests to amendment Comp Plan:2035 to incorporate the 2018 update Park Plan:2035; and

SECTION 4: On May 15, 2018 the Common Council referred all matters related to an amendment to Comp Plan:2035 associated with the updated Park Plan:2035 to the Commission, and directed that ordnances be prepared and public hearings scheduled for an amendment to Comp

Plan 2035; and

SECTION 5: Ordinance 0007-18 was herein prepared for amendment to Comp Plan:2035 and transmitted to the Common Council, and a public hearing before the Common Council was scheduled for June 19, 2018; and

SECTION 6: The Commission, on _____, 2018 by a majority vote of the commission recorded in its official minutes, recommended to the Common Council the _____ of a resolution and an ordinance adopting the update to the document titled "A Park An Open Space Plan For The City Of Racine: 2035" as an amendment to the document titled "A Comprehensive Plan for the City of Racine: 2035"; and

SECTION 5: The Common Council has duly noticed and conducted a public hearing on the amendment to The Plan, in compliance with the requirements of Section 66.1001(4)(d) of the Wisconsin Statutes.

SECTION 6: The Common Council of the City of Racine, Wisconsin, does, by the enactment of this ordinance, formally adopt the update to the document titled "A Park An Open Space Plan For The City Of Racine: 2035" as an amendment to the document titled "A Comprehensive Plan for the City of Racine: 2035", pursuant to Section 62.23 and Section 66.1001(4)(c) of the Wisconsin Statutes.

SECTION 7: 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.

Fiscal Note: N/A

Referred to City Plan Commission

AYES: 14 - Coe, Jones, Tate II, Larrin, Smetana, Weidner, DeHahn, Shakoor II, McCarthy, Glenn, Land, Perez, Meekma and Lemke

EXCUSED: 1 - Morgenroth

M. Common Council Announcements

Announcements are limited to recognition of City residents and employees, memorials, and non-political community events. Discussion of matters related to governmental business is prohibited.

N. Adjourn

Mayor Mason adjourned the meeting at 9:10pm. The next scheduled meeting of the Council is June 5, 2018.

ATTEST: JANICE JOHNSON-MARTIN
CITY CLERK