



# City of Racine

## Journal of Council Proceedings

### Common Council

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

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Monday, April 17, 2006

7:00 PM

Room 205, City Hall

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#### A. Call To Order

**PRESENT:** 14 - Cape, Engel, Finley, Friedel, Hart, Maack, Shakoor II, Sollman, Spangenberg, Weidner, Fair, Hermes, DeHahn and Holding

**EXCUSED:** 1 - Karas

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

*Mayor Becker led the Council in the Pledge of Allegiance to the Flag.*

#### D. Public Comments

*Barb Walsh*

#### E. Public Hearings

##### Ord.07-06

ORDINANCE NO. 7-06 TO AMEND SEC. 114-637 RELATING TO ZONING

To amend Sec. 114-637 of the Municipal Code of the City of Racine, Wisconsin relating to Zoning - Mapped districts.

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

##### Part 1:

Sec. 114-637 of the Municipal Code of the City of Racine is hereby amended by inserting the following after the description of the "*West Racine Corridor District*":

*"Uptown Corridor District.* The district includes those lands within the boundaries described as follows:

Beginning at a point being the intersection of the centerlines of Pearl Street and Tenth Street and continuing east along said centerline to a point of intersection with the centerline of Hilker Place. Then south along said centerline to the centerline of Eleventh Street. Then west along said centerline to the centerline of Racine Street. Then south along said centerline to the centerline of Thirteenth Street. Then west along said centerline to the east line of the Union Pacific (a.k.a. Chicago and Northwestern) railroad right-of-way. Then southwest along said right-of-way line to the south

right-of-way line of Fifteenth Street. Then west along said right-of-way line extended to the centerline of Phillips Avenue. Then north along said centerline to the centerline of Washington Avenue. Then southwest along said line to the centerline of Valley Drive. Then northwest along said centerline to the extended centerline of Maiden Lane. Then east along said extended centerline to the centerline of South Memorial Drive. Then north along said centerline to the centerline of Maiden Lane. Then northeast along said centerline to the centerline of Thirteenth Street. Then west along said centerline for approximately 85 feet to a point on the centerline of Thirteenth Street. Then from said point proceed north approximately 280 feet to a point. Then from said point proceed east approximately 195 feet to a point. Then from said point proceed north to the centerline of Twelfth Street. Then east long said centerline to the east line of the Union Pacific (a.k.a. Chicago and Northwestern) railroad right-of-way. Then northwest along said right-of-way line to the centerline of Eleventh Street. Then east along said centerline to the centerline of Pearl Street. Then north along said center line to the point of beginning.”

Part 2:

This ordinance shall take effect upon passage and the day after publication.

Passed by the Common Council:

\_\_\_\_\_

Approved:

\_\_\_\_\_

\_\_\_\_\_

Mayor

Attest:

\_\_\_\_\_

City Clerk

FISCAL NOTE: N/A

04-12-06 CPC

**Recommendation:** To adopt the Ordinance.

**Sponsors:** John M. Engel

*No one appeared.*

*Mayor Becker declared the public hearing closed.*

Ord.10-06

ORDINANCE NO. 10-06 TO AMEND SEC. 114-823 RELATING TO ZONING - DEFINITIONS

To amend Sec. 114-823 of the Municipal Code of the City of Racine, Wisconsin relating to Zoning - Definitions.

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

Part 1:

Sec. 114.823 of the Municipal Code of the City of Racine is hereby amended by deleting the paragraph of the description of "Downtown area" and inserting the following paragraph in its place:

"In this chapter, downtown area means the area described as follows:

Begin at a point being on the centerline of North Wisconsin Avenue approximately 190 feet north of the intersection of the centerlines of North Wisconsin Avenue and Hamilton Street; from said beginning point proceed east to the east line of Chatham Street, then north along said east line 90 feet; then easterly 114 feet; then north 100 feet; then easterly 82 feet to the west line of Michigan Boulevard; then southerly along said west line 200 feet; the east to a line being the western shore of Lake Michigan; then southerly along said line to a point on the extended centerline of Tenth Street; then west along said extended centerline to a point on the centerline of Wisconsin Avenue; then north along said centerline to a point on the centerline of Ninth Street; then west along said centerline to a point on the centerline of College Avenue; then north along said centerline to a point on the centerline of Eight Street; then west along said centerline to a point on the centerline of Grand Avenue; then south along said centerline to a point on the centerline of Ninth Street; then west along said centerline to a point on the western line of the former Chicago, Milwaukee and St. Paul Railroad right-of-way; then southwest along said western line to a point on the centerline of Tenth Street; then west along said centerline to a point on the centerline of Racine Street; then north along said centerline to a point on the centerline of Ninth Street; then west-southwest along said centerline to a point on the east line of the Union Pacific (a.k.a. Chicago and Northwestern) Railroad right-of-way; then northwest along said east line to a point on the centerline of Liberty Street; then east along said centerline to a point on the centerline of Marquette Street; then south along said centerline to a point on the line being the southern shore of the Root River; then easterly along said shoreline to a point on the centerline of Main Street at the Main Street bridge; then north along said centerline to a point on the centerline of Dodge Street; then west-southwest along said centerline to a point on the centerline of North Wisconsin Avenue; then north along said centerline to the point of beginning."

Part 2:

This ordinance shall take effect upon passage and the day after publication.

Passed by the Common Council:

\_\_\_\_\_

Approved:

\_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_

City Clerk

FISCAL NOTE: N/A

4/12/06 CPC

**Recommendation:** That the ordinance be adopted, as amended.

**Sponsors:** John M. Engel

*No one appeared.*

*Mayor Becker declared the public hearing closed.*

**F. Approval of Journal of Council Proceedings (Minutes)**

*Minutes of the previous meeting were approved as printed on motion of Alderman Friedel.*

**G. Communications**

**Refer to Finance and Personnel Committee**

**06-1783**

**Subject:** Request to enter into an agreement with Time Warner Cable for discounted Business Class Road Runner service and discounted CATV service for employees of the City of Racine.

**Referred to Finance and Personnel Committee**

**06-1785**

**Subject:** Communication from Chief of Police Spenner, requesting to apply for the 2006 Bureau of Justice Assistance Bulletproof Vest Partnership Program grant, at no cost to the City. Grant control number 2006-011.

(Also refer to License & Welfare Committee.)

**Referred to Finance and Personnel Committee**

**Referred to License and Welfare Committee**

**06-1786**

**Subject:** Communication from Chief of Police Spenner, requesting to renew 2006 lease agreement, and any future leases necessary, at no cost to the City, with Racine Joint Venture II, LLC by CBL & Associates Management Inc., for the Community Policing Information Center at Regency Mall.

(Also refer to License & Welfare Committee.)

*Alderman of the 14th District Included in reference.*

**Referred to Finance and Personnel Committee**

**Referred to License and Welfare Committee**

**06-1801**

**Subject:** Communication From Human Resources Director wishing to review policies and procedures on Timekeeping Records.

**Referred to Finance and Personnel Committee**

**06-1806**

**Subject:** Communication from the Public Health Administrator requesting permission to apply for funding from The United States Conference of Mayors and Dupont for a "Lead Safe...for Kids' Sake," grant.

**(Please refer to the Finance and Personnel Committee and the Board of Health).**

**Referred to Finance and Personnel Committee**

**Referred to Board of Health**

**06-1807**

**Subject:** Communication from the Racine Theatre Guild requesting the free use of the Stage on Wheels for the first annual RTG Children's Theatre Festival on Sunday, July 30, 2006, from 12:00-5:00 p.m.

Also refer to the Board of Parks, Recreation and Cultural Services

**Referred to Finance and Personnel Committee**

**Referred to Board of Park, Recreation and Cultural Services**

**06-1808**

**Subject:** Communication from Old Timers Athletic Club requesting the use of a portion of the Hotel Tax Fund to promote their annual youth baseball tournament and adult softball tournament.

**Referred to Finance and Personnel Committee**

**Refer to Public Works and Services Committee**

**06-1774**

**Subject:** Communication from Jane Key owner of Inside-Out requesting to place two signature decorative columns directly in front of store, flanking the main display window, at 406 Main Street.

**Referred to Public Works and Services Committee**

**06-1776**

**Subject:** Communication from Racine County requesting a variance for the installation of canopies, doorway, intercom bollard and column caissons/pier foundations in city right-of-way, install new sidewalks, curbs and gutter, temporarily remove light pole and parking meters, and that all fees for permits, inspections and allowances on this project be waived.

Also referred to the Transit and Parking Commission.

**Referred to Public Works and Services Committee**

**Referred to Transit and Parking Commission**

**06-1790**

**Subject:** Communication from Michael's Signs requesting to project a sign for Scharding's Plumbing, over the right-of-way at 606 Sixth Street.

**Referred to Public Works and Services Committee**

**06-1794**

**Subject:** Communication from the Sales/Marketing Director of the Racine County Convention and Visitors Bureau requesting permission to use city right-of-way on July 22, 2006, for the Spirit of Racine Triathlon.

**Referred to Public Works and Services Committee**

[06-1796](#)

**Subject:** Communication from the Asst. Commissioner of Public Works/Engineering requesting an appearance before the appropriate committee to apply for the Wisconsin Department of Transportation 2007-09 Local Transportation (TE) Program grant. This reimbursement grant in the amount of \$362,250 is for streetscape amenities for the reconstruction of Sixth Street and requires a city match of 20%, or \$72,450. The grant control number is 2006-018 and has been reviewed by the Finance Department.

**Referred to Public Works and Services Committee**

[06-1795](#)

**Subject:** Communication from River Bend Nature Center requesting that the sidewalk and one lane of the northbound traffic on the east side of Main Street bridge be blocked for the first annual River Bend Derby Duck Race on June 24, 2006.

**(Also refer to Harbor Commission)**

**Referred to Public Works and Services Committee**

**Referred to Board of Harbor Commission**

[06-1797](#)

**Subject:** Communication from Redline Tavern Corporation requesting to close North Wisconsin Street between Hamilton and Hubbard, for the 3rd Annual benefit "Cruz in for the Cause" for the non-profit organization "SafeHaven of Racine".

**Referred to Public Works and Services Committee**

**Refer to License and Welfare Committee**

[06-1763](#)

**Subject:** The Application of Karbulka Jaroslava for a Secondhand Article Dealer's License for 310 Main Street. (1st District)

**Referred to License and Welfare Committee**

[06-1798](#)

**Subject:** The application of Coasters of Racine, LTD, Michael A.

Kurhajec, for Change of Agent for a "Class B" Retail Fermented Malt Beverage and intoxicating Liquor License for 1301 N. Main Street.

(4th District) (**Alderman of the 4th District included in reference**) (The agent has been requested to appear)

**Referred to License and Welfare Committee**

### **Refer to Transit and Parking Commission**

[06-1775](#) **Subject:** Communication from the Event Chairman for the North American Championships sailing competition requesting to use two parking lots by North Beach on August 12-18, 2006.

**Referred to Transit and Parking Commission**

[06-1791](#) **Subject:** Request of Parks, Recreation & Cultural Services Department to meet with Transit and Parking Commission for permission to install 6 - 10 bike racks at the State Street Transit Station.

**Referred to Transit and Parking Commission**

[06-1793](#) **Subject:** Communication from the Transit Planner submitting the March 2006 operating and financial report for Wisconsin Coach Lines Kenosha-Racine-Milwaukee intercity bus service.

**Referred to Transit and Parking Commission**

[06-1810](#) **Subject:** Communication from Barbara A. Walsh, Student at the University of Wisconsin-Parkside requesting an opportunity to address the issue of the proposed cuts to the Route 9 bus service.

**Referred to Transit and Parking Commission**

### **Refer to Community Development Committee**

[06-1811](#) **Subject:** Communication from Uptown Improvement Organization requesting the reallocation of \$1,383.76 of 2003 CDBG Funds.

Referred to Community Development Committee

**Refer to Executive Committee**

06-1809      **Subject:** Communication from Fellowship of Christian Believers Church requesting the use of the Marquette fire house.

Referred to Executive Committee

**Refer to Committee of the Whole**

06-1784      **Subject:** Communication from Racine Zoological Board of Directors wishing to present updates of developments going on at the Zoo.

Referred to Committee of the Whole

## H. Committee Reports

### Finance and Personnel Committee Report

06-1753      **Subject:** Communication from the Mayor requesting to apply for the Department of Justice Weed and Seed grant.

**Recommendation:** That the City of Racine apply for the \$200,000 Department of Justice Weed and Seed grant (Grant Control No. 2006-017) to be utilized for the south side Weed & Seed site.

**Fiscal Note:** A 25% soft and/or hard match is required on the part of the City.

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

06-1745      **Subject:** Communication from the Racine Arts Council requesting funds for the Hotel Tax Fund in the amount of \$1,000. per month for rent and \$5,000.00 for utilities.

**Recommendation:** That the City of Racine appropriate \$17,000 from the Room Tax Fund to the Racine Arts Council to be utilized for the 2006 rent

and utilities at 505 Sixth Street.

**Fiscal Note:** There are sufficient funds available in Room Tax Fund.

*Alderman Holding requested that item 06-1745 be considered separately.*

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

**AYES:** 9 - Engel, Finley, Friedel, Shakoor II, Sollman, Spangenberg, Fair, Hermes and DeHahn

**NOES:** 5 - Cape, Hart, Maack, Weidner and Holding

**EXCUSED:** 1 - Karas

06-1743

**Subject:** Communication from City Assessor wishing to discuss 2004 assessment and tax rolls.

**Recommendation:** KM Realty, LLC, 1914 Indiana Street, Tax No. 23869007 be reduced from \$857,000 to \$36,000 and that the resulting credit of \$20,046.77 be charged against account 101.990.5930, Real Estate and Personal Property taxes cancelled.

**Fiscal Note:** There are sufficient funds available for this credit. Other taxing jurisdiction's portions will be charged back to them when appropriate.

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

### Council Action

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

**AYES:** 14 - Cape, Engel, Finley, Friedel, Hart, Maack, Shakoor II, Sollman, Spangenberg, Weidner, Fair, Hermes, DeHahn and Holding

**EXCUSED:** 1 - Karas

### Public Works and Services Committee Report

06-1728

**Subject:** Communication from the Director of City Development submitting Amendment No. 2 on Contract 5-05 (K5-005), Professional Services - Design of Jacobsen-Textron Redevelopment Site, Earth Tech, Inc., consultant.

**Recommendation:** Amendment No. 2 on Contract 5-05 (K5-005), Professional Services - Design of Jacobsen-Textron Redevelopment Site, Earth Tech, Inc., consultant, as submitted, be approved in the amount of

\$4,800.00.

Further recommends that funding to defray the cost of these professional services be appropriated from TID No. 10.

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

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

06-1732

**Subject:** Direct Referral. Communication from Commissioner of Public Works/City Engineer submitting bid results on Contract 19-06 (K6-020), 2006 Sidewalk Replacement, Phase I.

**Recommendation:** Contract 19-06 (K6-020), 2006 Sidewalk Replacement, Phase I, be awarded to A.W. Oakes & Son, Inc., at their bid price of \$116,547.00, they being the lowest responsible bidder.

Further recommends that funding to defray the cost of this public works project be appropriated from Account 906.908.5520, Sidewalk Replacement.

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

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

Res.06-6954

**PRELIMINARY RESOLUTION ON PROPOSED PORTLAND CEMENT CONCRETE PAVING**

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 14th day of March, 2006, 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**

**North Bay Drive** from Saxony Drive to Steeplechase Drive

**Blue River Avenue** from Illinois Street to Oregon Street.

**Connolly Avenue** from Republic Avenue to Seventeenth Street.

**Apple Tree Circle** from cul-de-sac to North Illinois Street.

**Kentucky Street** from Kinzie Avenue to Haven Avenue.

**North Osborne Boulevard** from Harrington Drive to Ravine Drive.

**North Osborne Boulevard** from Ravine Drive to Fairway Drive.

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

1. That the report of the Commissioner of Public Works pertaining to the construction of the above described public improvements, including plans and specifications therefore, as modified, is hereby adopted and approved.
2. That the Commissioner of Public Works is directed to advertise for bids and to carry out the work of such improvement in accordance with the report of the Commissioner of Public Works.
3. That payment for said improvements be made by assessing the cost to the property benefited as indicated in said report.
4. That benefits and damages shown on the report, as modified, are true and correct, have been determined on a reasonable basis; do not exceed the value accruing to the property therefrom; and are hereby confirmed.
5. That the assessments for all projects included in said report are hereby combined as a single assessment, but any interested property owner shall be entitled to object to each assessment separately or both assessments jointly for any purpose or purposes.
6. That the assessments may be paid in cash or if any assessments are over \$200.00 it may be paid in ten (10) annual installments to the City Treasurer, deferred payments to bear interest at the rate of 8% per annum on the unpaid balance. Installments or assessments not paid when due shall bear additional interest on the amount due at the rate of 9.6% per annum.
7. The City Clerk is directed to publish this resolution in the official newspaper of the City of Racine as a Class I notice in the assessment district.
8. The Clerk is further directed to mail a copy of this resolution and a statement of the final assessment against his property, to every property owner whose name appears on the assessment roll, whose post office address is known or can with reasonable diligence be ascertained.

Dated \_\_\_\_\_

Signed \_\_\_\_\_  
Mayor

Published \_\_\_\_\_

Attest \_\_\_\_\_  
City Clerk

**RECOMMENDATION OF THE PUBLIC WORKS AND SERVICES  
COMMITTEE (4-18-06):**

**Subject:** Resolution No. 06-6954 for proposed street improvements.

**Recommendation:** Resolution No. 06-6954, of April 18, 2006, be amended to delete:

PORTLAND CEMENT CONCRETE PAVING ON

NORTH BAY DRIVE from Saxony Drive to Steeplechase Drive.

BLUE RIVER AVENUE from Illinois Street to Oregon Street.

APPLE TREE CIRCLE from cul-de-sac to North Illinois Street.

KENTUCKY STREET from Kinzie Avenue to Haven Avenue.

and, as amended , Resolution No. 06-6954, of April 18, 2006, be adopted.

**Fiscal Note:** Funds will be appropriated in the 2007 C.I.P. for these street improvements, and special assessments will be paid by the abutting property owners for the street improvements.

**Sponsors:** John M. Engel

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

**06-1752**

**Subject:** Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 12-05 (K5-017), 2005 Information Technology Consulting, Earth Tech, Inc., consultant.

**Recommendation:** The professional services provided by Earth Tech, Inc. under Contract 12-05 (K5-017), 2005 Information Technology Consulting, be accepted and final payment authorized for a total contract amount of \$14,956.42, from funds heretofore appropriated.

**Fiscal Note:** Contract was authorized under Resolution No. 6405, of March 1, 2005.

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

**06-1755**

**Subject:** Direct Referral. Communication from the Assistant Commissioner of Public Works/Engineering submitting Change Order No. 1 on Contract 58-05 (K5-066), 2005 CCTV Services and Manhole Inspections, Green Bay Pipe & TV, contractor.

**Recommendation:** Change Order No. 1 on Contract 58-05 (K5-066), 2005 CCTV Services and Manhole Inspections, Green Bay Pipe & TV, contractor, as

submitted, be approved in the amount of \$50,016.11.

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

\$22,398.45 - Account 985.907.5310, Sanitary Sewer  
\$27,617.66 - Account 104.985.5420, Storm Sewer  
\$50,016.11 - Total

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

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

06-1756

**Subject:** Direct Referral. Communication from the Assistant Commissioner of Public Works/Engineering submitting Amendment No. 3 on State Contract 2350-10-00, Racine Street, 21st Street to Washington Avenue, Earth Tech, Inc., consultant.

**Recommendation:** Amendment No. 3 on State Contract 2350-10-00, Racine Street, 21st Street to Washington Avenue, Earth Tech, Inc., consultant be approved. The total cost of the amendment is \$3,950.40, with 75%, or, \$2,962.80, being the State's share, and 25%, or \$987.60, being the City's share.

Further recommends that funds to defray the cost of these professional services be appropriated from Account 985.908.5090, Racine Street Design Services.

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

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

06-1792

**Subject:** Direct Referral. Communication from Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 40-95 (95978) Storm Water Management Program, Earth Tech, Inc., consultant.

**Recommendation:** The professional services provided by Earth Tech, Inc. under Contract 40-95 (95978), Professional Services and Plans and Specifications - Storm Water Management Program, be accepted and final payment authorized for a total contract amount of \$433,246.00, from funds heretofore appropriated.

**Fiscal Note:** This contract was approved by Resolution 8290, dated July 5, 1995.

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

### **Council Action**

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

**AYES:** 14 - Cape, Engel, Finley, Friedel, Hart, Maack, Shakoor II, Sollman, Spangenberg, Weidner, Fair, Hermes, DeHahn and Holding

**EXCUSED:** 1 - Karas

### **License and Welfare Committee Report**

#### 06-1644

**Subject:** Application of Midtown Market, LLC, Jagtar Singh, Agent, for a Class "A" Retail Fermented Malt Beverage License for 1229 Eleventh Street. (1st District) (Alderman of the 1st District included in reference)

**Recommendation:** License be granted.

**Fiscal Note:** N/A

#### **(3-13-06 Meeting)**

Ayes: 3 - Q.A. Shakoor II, Sandy Weidner and Tim Hermes

Noes: 1 - Gregory Holding

Non-voting: 1 - David Maack

#### **(3-27-06 Meeting)**

**Recommendation:** Defer until 4-10-06 meeting License & Welfare meeting.

**Recommendation of License & Welfare Meeting 04-10-06:** License be denied due to high concentration of existing liquor establishments in the area and the fragility of the neighborhood.

Ayes: 3 - Sandy Weidner, Gregory Holding and Tim Hermes

Noes: 1 - Q.A. Shakoor, II

Non-voting: 1 - David Maack

**Fiscal Note:** N/A

*Alderman Maack requested that item 06-1644 be considered separately.*

*Recommendation of the License & Welfare Committee that the license be denied failed by the following vote:*

*Ayes: Weidner, Friedel*

*Noes: Maack, Shakoor, Sollman, Spangenberg, Cape, DeHahn, Engel, Fair, Finley, Friedel, Hart, Holding and Hermes*

*Ayes: 2*

*Noes: 12*

**A motion was made by Alderman Maack that this Communication be Granted.**

**The motion was APPROVED by the following vote:**

**AYES:** 12 - Cape, Engel, Finley, Hart, Maack, Shakoor II, Sollman, Spangenberg, Fair, Hermes, DeHahn and Holding

**NOES:** 2 - Friedel and Weidner

**EXCUSED:** 1 - Karas

**06-1723**

**Subject:** (Direct Referral) Application of Shuttlebug, for a Public Passenger Vehicle Provider's License.

**Recommendation:** License be granted.

**Fiscal Note:** N/A

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

**06-1724**

**Subject:** Communication from Purchasing Agent requesting to discuss the proposals received, to Operate a Taxicab service for the City of Racine.

**Recommendation:** The proposal of Joel Venn and Sally Pieske to purchase the City's taxicab service for \$16,000.00 be accepted, subject to evidence of compliance with the terms of the proposed contract for sale; that the Mayor and City Clerk be authorized and directed to enter into a

contract with the corporation to be established by the buyers for operation of the taxicab service, and that Resolution #6862 of 1-17-06, which authorized sale of the taxicab service to Hafiz Trans, Inc. be rescinded.

**Fiscal Note:** This sale will result in receipt by the City of \$16,000.00.

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

[06-1730](#)

**Subject:** (Direct Referral) Application for Gasoline Service Station Owner's License & Managers License, for Balark LLC, Mitan Pandya at 600 3 Mile Road (3 Mile Citgo).

**Recommendation:** The license be granted contingent upon approvals of the Public Works Department and Building Department.

**Fiscal Note:** N/A

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

[06-1731](#)

**Subject:** (Direct Referral) Application for Gasoline Service Station Owner's License & Manager's License for Balark LLC, Mitan Pandya, at 2500 Lathrop Avenue (Lathrop Marathon).

**Recommendation:** The license be granted contingent upon approvals of the Public Works Department and Building Department.

**Fiscal Note:** N/A

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

[06-1744](#)

**Subject:** Communication from Police Chief Spenner, requesting authorization to accept the United States Department of Homeland Security Buffer Zone Protection Plan grant (City Grant Control No. 2005-031), in the amount of \$49,970. This will require no City funding. Application was approved by Resolution No. 6628, August 16, 2005.

**Recommendation of the Finance & Personnel Committee 04-10-06:**  
That the Mayor and City Clerk be authorized and directed to enter into an

agreement with the United States Department of Homeland Security Buffer Zone Protection Plan grant (Grant Control No. 2005-031), to be utilized for Regency Mall, in the amount of \$49,970.

**Recommendation of the License & Welfare Committee 04-10-06:**

That the Mayor and City Clerk be authorized to enter into an agreement with the United States Department of Homeland Security Buffer Zone Protection Plan grant (Grant Control No. 2005-031), for Regency Mall, in the amount of \$49,970.

**Fiscal Note:** No match required on the part of the City.

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

**06-1750**

**Subject:** (Direct Referral) Bids for Contract 20-06 (K6-021) Electric Improvements at Lockwood Park.

**Recommendation:** That the bid of Great Lakes Electric of Kenosha, in the total amount of \$43,575.00 be accepted, they being the lowest responsible bidder.

**Fiscal Note:** Funds are available in account #931.230.5950, Lockwood Tennis Courts.

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

**06-1766**

**Subject:** (Direct Referral) Communication from the Purchasing Agent submitting bids for ninety-three (93) Abandoned Vehicles.

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

**Fiscal Note:** This will generate \$11,466.00 in revenues.

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

**Council Action**

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

**AYES:** 14 - Cape, Engel, Finley, Friedel, Hart, Maack, Shakoor II, Sollman, Spangenberg, Weidner, Fair, Hermes, DeHahn and Holding

**EXCUSED:** 1 - Karas

### City Plan Commission Report

06-1609

**Subject:** Direct Referral. Consideration of an use supplement for a Flex Development Overlay District at 2333 & 2405 Northwestern Avenue.

**Recommendation:** That a use supplement be adopted by a resolution of the Common Council in association with a Flex Development Overlay District at 2333 & 2405 Northwestern Avenue, subject to the following conditions:

- a. That all uses listed in the underlying O/I Office Institutional District are permissible by right or by conditional use permit as specified in that district.
- b. That the following flex uses are permitted by right in addition to those permitted in the O/I Office Institutional District: computer and other small equipment recycling or disassembly; warehousing, light manufacturing and assembly (no smoke stack, heavy stamping, chemical or refining industries); commercial recreational facilities; day care, pre-schools, K-12 schools as a permitted use by right; large and small batch printing and publishing; museums, production studios, art galleries and theatres for the performing arts (excluding adult entertainment); health and fitness centers.
- c. That all flex uses shall not result in more that one semi-truck servicing the site a 24-hour period, nor the parking or storage of such vehicles or other delivery or service vehicles on the site for more than 2 hours.
- d. That all aspects of the flex uses (excluding parking, deliveries, and other similar ancillary activities) shall be contained indoors and shall not be detectable beyond the boundary lines of the properties.
- e. That all trash and recyclables be stored in closed containers and screened from view.
- f. That no flex use operate or be serviced between the hours of 9:00 p.m. and 7:00 a.m.
- g. That the Chief Building Inspector or Director of City Development may impose additional conditions on a single or a group of flex use to mitigate potential negative impacts on the subject or surrounding properties.

- h. That upon consultation with the Director of City Development, the Zoning Administrator may permit additional uses not listed in this resolution if found to be similar in nature and clearly compatible with the uses listed in this resolution and found to comply with the spirit and intent of this flex development and the FD - Flex Development Overlay District.
- i. That all applicable codes and ordinances be complied with and required permits acquired.
- j. That no minor changes be made from the conditions of this flex development without the approval of the Plan Commission, and no major changes be made without the approval of the Common Council.
- k. That this flex development is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

04-12-06 CPC

**Recommendation:** That the resolution be adopted.

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

06-1612

**Subject:** Direct Referral. Consideration of design guidelines based on the recommendations of the Uptown Improvement Plan as a resource to be consulted when considering a project in the Uptown area.

**Recommendation:** With the goals of enhancing Uptown's attraction to residents, tourists and visitors, improving the visual and aesthetic character, providing a tool to local property owners to restore their buildings properly, safeguard historic and cultural heritage, and stabilize and improve property values, the Uptown Corridor District Design Guidelines are established under the authority Wis. Stat. §§62.23 and 66.1001, and by the City of Racine Common Council through adoption on May 3, 2005 of An Ordinance To Amend The City's Comprehensive Plan And Adopt The Uptown Improvement Plan.

Two distinct areas are discernible in the Uptown Corridor District (the "District"). One area is referred to as the "Junction" and extends along Washington Avenue from S. Memorial Drive to Thirteenth Street. The Junction contains a development pattern that is pedestrian orientated and contains significant historic architectural fabric that warrants restoration and preservation of its distinct character. The remaining areas,

referred to as “ Transitional Areas”, extend out from the Junction to Phillips Avenue/Valley Drive to the west, and to Tenth Street to the northeast. These areas contain a more eclectic collection of development periods, land uses and architectural styles which require particular diligence in ensuring that each property is developed, maintained, remodeled, or restored in a manner that is sensitive to its surroundings and does not detract the overall character of the District. The applicable design guidelines for both areas of the District are established through the preceding text.

**I. BUILDING FORM:**

A. Character:

1. With an eye towards varied architectural styles through scale, setback, height and material use, the goal is to create a richness and depth in character that appeals not only to the senses but also to the viability of future building development.

B. Building Height:

1. For new construction and additions, the height of adjacent existing buildings should be used as a guide.
2. One-story buildings shall appear two-stories in height from the street level. Two stories is the maximum street facade height.
3. Buildings taller than two stories shall have all floors above the second level set back a minimum of 25 feet from the street facade.

C. Roofs:

1. The rooflines of adjacent buildings shall be taken into consideration when selecting a roof style.
2. Alterations shall not compromise or conceal evident historic roofing forms or details.
3. Cornice details along the parapets shall be determined by the precedents of the architectural style of the building.
4. In the Junction, flat or slightly sloping roofs shall be utilized and concealed with parapets having cornices, each displaying varying degrees of appropriate decorative detail and ornamentation.
5. In the Transitional Areas, where appropriate and in context with adjacent development, flat or slightly sloping roofs having appropriate parapets, or end gabled roofs may be utilized.

D. Scale:

1. Multi-story buildings in long rows shall be avoided by the utilization of awnings, dormers, landscaping, windows and doors, utilized with the intent of breaking up the building facades into smaller parts.

E. Tripartite Composition:

1. The three facade sections of base, middle and top shall be differentiated by materials, colors and window size.
  - a. The base section shall contain the largest window openings or decorative brick work or spandrel glass that gives the appearance of window openings or recesses.
  - b. The middle section shall have similar treatment as the base but such details are typically smaller than those at the base and are visually broken down further with muntins/mullions.

- c. The top section shall contain decorative features in parapet and cornice, or gable end.

F. Windows:

1. All windows shall be sized, aligned, and spaced according to the precedents of the architectural style of the building.
2. New construction shall express the window articulation evident on adjacent historic buildings. Second floor windows shall be divided into two units.
3. In the Junction, at least 75% of the base of the building shall be comprised of storefront windows for new, remodeled or restored storefronts.
4. In the Transitional Areas, new, remodeled, or restored storefronts should also meet this standard but in no case shall storefront windows in comprise less than 40% of the base of the buildings storefront.

**II. STOREFRONT GUIDELINES:**

A. General:

1. New, remodeled or restored storefronts should evoke the use of the building, and may implement modern materials, while acknowledging the historic precedents evident in the community.
2. New construction between two buildings with storefronts and party wall construction shall complement features evident on adjacent buildings.
3. Closing off or decreasing existing window openings in size is strongly discouraged, while the reopening of blocked windows to their original dimensions is highly encouraged.
4. Re-facing a storefront to “update” it in a manner that is detrimental to the historical context of the building’s original design or architectural details, or that of adjacent properties, is not permitted.
5. Exterior security gates shall not be permitted.

B. Storefront Characteristics:

1. Storefronts should include a lower window panel or bulkhead, clear glass display windows, pilasters or columns, a recessed stoop or entry with clear glass entry doors, transom with windows or prism glass, an awning or canopy, and a sign board or panel.

C. Guidance on Recreating Storefronts:

1. Search for historic photographs of the building to determine original architectural elements.
2. Look to other buildings constructed during the same period for clues on composition and design of architectural details.
3. Take cues from intact details on the building that may have been repeated on the storefront.
4. Conduct investigative demolition in an effort to reveal historic details or markings often left behind or hidden by more modern materials.

**III. NEW CONSTRUCTION:**

A. Main Principles:

1. Complement and/or contribute to the setting, not detract or unsettle it.
2. Add to the rich depth of the extant architectural fabric and not replace it.

B. General Guidelines:

1. The predominant historic setback of adjacent buildings shall be observed and maintained.
2. Stylistic and decorative elements shall fit the surroundings but not create a false sense of history.
3. Designs shall strike a balance between historically accurate proportions and new materials.
4. The building should look new while remaining sympathetic to area scale and materials.

C. Adjacent Buildings:

1. Streetscape continuity and design elements in adjacent buildings, such as height, materials, setback, character and roofline edge, shall be considered in the design of infill building.

D. Demolition:

1. All efforts shall be made to retain all extant buildings that contribute to the character and history of the District, with special emphasis on structures predating 1960, as these buildings already meet the goals critical to the Guideline's success.

E. Materials:

1. Brick is the predominant building material throughout the District. New buildings should be designed with the consideration of the use of brick as the prevailing exterior material.
2. Modern materials may be introduced; however, sizing, color, texture and transitions shall be implemented in a manner that complements such features on adjacent historic buildings.

F. Scale and Roofline Articulation:

1. Facade lengths greater than those of adjacent buildings shall result in a building scale and/or articulation that "fits in" with neighboring buildings yet allows a continuous floor plate.
2. Where appropriate, roofline shall be stepped to mimic adjacent building roofline rhythms.

**IV. ADDITIONS:**

A. Main Principles:

1. Additions shall be evident as such and not create a false sense of history, while still maintaining the overall visual appearance of continuity.

B. General Addition Guidelines:

1. Additions shall complement the existing structure in material use, architectural details, and color. Rhythmic elements such as window openings, spandrel lines and pilasters shall be carried over into the addition.
2. Building proportions, scale and setbacks shall be maintained. On buildings with ample side yards, it may be advisable to step the addition from the facade, resulting in a defined building transition.

C. Facade:

1. Setbacks should match the most evident setbacks of adjacent buildings. Intrusions into the public right-of-way are not permitted, except by special agreement with the City.

D. Rear:

1. Rear elevation additions may be taller than the existing structure if they are not viewable by the pedestrian from the street.
2. Fire escapes and loading docks shall not detract from the overall aesthetics of the building. No prominent extant elements may be removed to accommodate such modifications.
3. Rear elevations facing a street or area highly visible to the public, such as parking areas, shall be treated as a primary facade and include additions such as patios, decks and fire escapes.

E. Rooftop:

1. Rooftop additions should not be visible from the street.
2. Finish materials shall blend completely with their surroundings, yet be evident as an addition.
3. Dormers shall have a minimal impact on the visual appearance of the building from the street.

F. Sideyard:

1. Additions to existing buildings located on commercial streets having uniform setback and either party walls or close adjacent construction shall be designed in keeping with the following existing elements: detail, height, massing, materials, and setback.
2. Additions to free standing buildings with open land on all sides shall be composed of smaller massing and height than the existing building, utilize materials similar to that of the existing building, employ details consistent with the existing building yet not be an exact copy, and be set back from the facade of the existing building.

**V. MECHANICAL EQUIPMENT, UTILITIES & TRASH RECEPTACLES:**

A. Main Principles:

1. Mechanical equipment, conduits, raceways, cables, duct work, receiver/transmitter installations and trash receptacles shall be located so as to minimize their visual or physical impact on a structure or site.
2. No key architectural elements or details should be removed, obstructed or destroyed in their placement.

B. Placement:

1. Mechanical equipment and duct work on roofs shall not be visible from streets.
2. Utility meters, conduits, raceways and exhaust vents shall be located on the side or rear of the building whenever possible.
3. Trash collection areas and receptacles shall be located to the side or rear of the building and be properly screened.
4. Satellite dishes or other receiver/transmitter installations, mechanical systems, and utility boxes and pedestals shall not be obtrusive to the view of the building from the street. Such equipment shall not be mounted on the street facade of a building.
5. Equipment facing the rear parking areas or prominent public spaces shall be obscured in a manner compatible with the building's facade.

C. Screening:

1. Screening may be in the form of fencing, walls, or landscape plantings

- consisting of materials, plantings, and colors similar in nature to the building.
2. Rooftop equipment screening may simply be the placement of equipment so as not to be visible from across the street at pedestrian level. If placement alone does not provide adequate screening, then an appropriately designed parapet wall or an equipment enclosure shall be added.

## **VI. MATERIAL CONSIDERATIONS:**

### **A. Main Principles:**

1. Visually heavier, larger sized units such as cast stone concrete panels are appropriate to use at the building's base to provide a visual grounding.
2. Lighter, thinner materials are more appropriate as trim in the case of materials such as wood, aluminum or copper, or upper floor facade claddings such as Exterior Insulated Finish System ("EIFS") or stucco.

### **B. Acceptable Materials (Roof Coverings):**

1. Flat roofs being built-up, rubber membrane, or fiber glass membrane, and having a low pitch, or those concealed by a parapet.
2. Pitched roofs sheathed with asphalt shingles, clay tile, cement tile, slate, standing seam metal, or sheet metal shingles. Use of these roofing materials on vertical surfaces is not permitted.

### **C. Acceptable Materials:**

1. Aluminum or vinyl siding, but only on non-primary facades not visible from the street.
2. Brick and oversized or large brick as either an accent or predominant material. The use of brick for decorative banding and color or texture transitions is encouraged.
3. Clapboard siding, which shall not be replaced with a different material such as vinyl siding. The general use of clapboard siding is encouraged, but lap heights should be limited to a range from 3" to 6".
4. Concrete masonry units ("CMUs"), limited to 20% of the overall surface of primary surfaces. Smooth CMUs are prohibited.
5. EIFS, stucco and Dryvit used no lower than 8" above the curb line, but shall not be used to cover trim, molding or decorative detail.
6. Half-timbering, simulated or structural, in-filled with either brick or stucco.
7. Metals for structural applications such as steel or cast iron, and those metals which are unfinished, exposed, anodized, oxidized or powder coated. Galvanized metal may be used for canopies.
8. Ornamental metals such as copper, galvanized steel, and aluminum used for railings, trim, grills, panels, flashing, etc.
9. Pre-cast concrete and cast stone, on a case by case basis, consistent with the principles of the Guidelines.
10. Skylights, placed so as not to be visible from the street and in an appropriate location after consideration of the building's architectural style and time period.
11. Stone, in all its varieties and appropriately employed, is encouraged as an exterior surface.
12. Stucco with smooth, textured or scored finishes used no lower than 8" above the curb line, excluding "cake-icing" finishes.

- 13 Wood shingle siding, which shall be replaced in-kind and can also be used as an accent in dormers and gables, and as a wall finish.
14. Terrazzo surfaces for entryways and stoops are encouraged.
15. Terra cotta for trim and ornamental work and, where existing, shall be maintained to the extent possible.

## **VII. ARCHITECTURAL ENHANCEMENTS**

### **A. Main Principles:**

1. Used to provide additional visual interest, or to accent the overall architectural design of a building or site.
2. Shall be appropriate to the period and character of the building or site.
3. Existing key architectural elements or details should not be removed, obstructed or destroyed.
4. Enhancements can be functional or decorative.

### **B. Windows and Window Openings:**

1. Window replacement shall be consistent with the most prominent and historically accurate architectural style of the building.
2. Existing historically accurate windows shall be maintained or repaired in their current form, or a historically accurate replacement shall be installed.
3. Double-hung windows on the upper floors are the minimum standard where historically and architecturally appropriate. Such windows shall have a fixed or movable top sash.
4. Filling a window opening, or any portion thereof, on a primary building facade is not permitted.
5. Replacement windows, when permissible, shall duplicate the sash, frame width, configuration, and muntin (mullion) divisions of original windows and materials.
6. Existing prism glass should be retained wherever possible.

### **C. Door and Door Openings:**

1. Aluminum and vinyl replacement doors may not be acceptable alternatives to wood or metal.
2. Closing off an existing door opening on a facade is not permitted.
3. Glass inserts or transoms are acceptable.
4. Main entries shall be visible from the street or face the street. Main entry doors and frames shall be prominently articulated features on the facade. Secondary entrances may be located towards a rear or side yard parking lot.

### **D. Awnings:**

1. Retractable awnings are encouraged, but fixed awnings are permitted.
2. Awnings shall be made of cloth or soft vinyl and awning material shall not be placed over a structural frame resulting in a "hard" appearance. Awning colors shall complement the building.
3. Text on awnings is permitted in compliance with the zoning code.

### **E. Bays:**

1. The use of bays to articulate building elevations is encouraged. Existing bays shall be maintained whenever possible.

### **F. Canopies:**

1. Canopies shall be constructed of permanent materials and shall include details that are reminiscent of the predominant building details.

G. Color Palate:

1. Exterior color schemes shall be selected by the project applicant from the 1,082 tones found in the approved Sherwin Williams "COLOR" palate, or its industry equivalent. The approved palate may be reviewed at the office of the Department of City Development (the "Department"). Approved paint treatments from the Sherwin Williams "COLOR" palate are as follows:
  - a. Body, trim, window, door and accent colors shall be selected from the 280 tones described as "Fundamentally Neutral" and the 560 tones described as "Color Options", or their industry equivalent.
  - b. Trim and accent colors only may also be selected from the 94 tones described as "Essentials" and 148 tones described as "Energetic Brights", or their industry equivalent.

H. Color Selection Guidance:

1. In all cases, paint shall be applied in a professional, complete and workmanlike manner.
2. Paint colors shall be viewed as a reversible finish. Building owners are encouraged to select colors appropriate to the style and period of the building construction. Monotonous color schemes, lacking in contrast, are discouraged and transitions of color are encouraged.
3. Related color schemes such as monochromatic (different values of a single color), neutral (gray, taupe, tan or gray-beige), or analogous (colors close to one another on the color wheel such as blue and blue-violet) are appropriate.
4. Contrasting color schemes such as opposites (colors opposite each other on the color wheel), split complement palettes (colors adjacent to true colors such a yellow and yellow-orange), or triad palettes (three colors spaced in fairly equal increments on the color wheel) are appropriate.

I. Fencing:

1. Chain link fences shall be permitted only in rear yard areas not visible from the street.

J. Glazing (Glass):

1. Historic glass shall remain intact wherever possible.
2. Highly reflective glazing types shall not be permitted.
3. Tinted glazing types are acceptable if found to be a material originally used in the specific building or characteristic of its architectural style.

K. Landscape Features:

1. Live groundcover is recommended and may include parking lot buffers.
2. Vines along blank walls or fenced areas are encouraged.
3. Permanent or portable plantings may be used to define side entrances of buildings.
4. While shrubs may be used to screen refuse containers, shrubs along the sidewalk should not exceed 42" in height.
5. Landscape features shall not obstruct vision triangles.

L. Lighting:

1. Canopy and accent lighting located on street-facing or primary facades shall at a minimum consist of fixtures located above entrances.
2. Accent lighting to highlight features, forms, and landscaping is encouraged.
3. Floodlights shall be limited to 150-watt maximum and shall not be directed towards side yards or the street.

M. Sidewalk Cafes:

1. Sidewalk cafes are encouraged subject to applicable ordinances, standards and permits.

**VIII. SIGNS:**

A. Main Principles:

1. Signs shall comply with the Zoning Code and be of a design that is consistent with the architectural character of the building.
2. Proposed permanent signage shall be submitted to the Access Corridor Development Review Committee for prior review and approval.
3. Wall mounted, ground exterior or roofline lighting is an acceptable means to accent signage or architectural detail.
4. Flashing, scrolling, moving or backlit signs shall not be permitted.
5. Signs shall not be internally illuminated unless such a sign is historically accurate to the style of the building.
6. External illumination sources shall be shielded from view.
7. Support structures shall also be considered as part of the overall design of the sign.
8. Signs shall be constructed and installed in a professional, complete and workmanlike manner.

B. Sign Content:

1. To avoid visual clutter and enhance sign readability, signs shall include only the name and/or nature of the business, and the address.
2. Individual tenants of a professional office building may be listed.
3. Advertising an individual brand name shall not be permitted, unless it is also the name of the dominant or host establishment.

C. Window signage:

1. Window signage shall not exceed 20% of the display space, shall be directly applied to the glass, and signage for a site shall be uniform in appearance.
2. Handwritten or grease marker signs are discouraged.

D. Projecting Signs:

1. Projecting signs are encouraged in accordance with the standards contained herein.

E. Billboards (advertising signs):

1. Billboards shall be wall mounted, have a sign area not exceeding 8' feet high by 10' wide, and shall be bordered by a frame of painted wood or powder coated metal.
2. Lighting shall consist of decorative exterior, gooseneck, cut-off, wall wash fixtures. Painted or decal wall mural type signage is prohibited.

FISCAL NOTE: N/A

04-12-06 CPC

**Recommendation:** That the resolution be adopted.

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

06-1747

**Subject:** The Establishment of a Flex Development Use Supplement for 2333-2405 Northwestern Avenue.

**Recommendation:** That the communication be received and filed.

Fiscal Note: N/A

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

06-1748

**Subject:** The Establishment of Design Guidelines for the Uptown Corridor District

**Recommendation:** That the Communication be received and filed.

Fiscal Note: N/A

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

06-1760

**Subject:** Direct Referral. Request by Michael and Ann Klinkhammer seeking a conditional use permit for a wellness center offering massage therapy services at 611-Sixth Street.

**Recommendation:** That a request by Michael and Ann Klinkhammer seeking a conditional use permit for a wellness center offering massage therapy services at 611 - Sixth Street be approved, subject to the following conditions:

- a. That the plans stamped "Received March 29, 2006" and presented to the Plan Commission on April 12, 2006 be approved subject to the conditions contained herein.
- b. That all signs be professionally made, comply with the zoning ordinance and be submitted to the Downtown Area Design Review Commission for review and approval.

- c. That the maximum hours of operation be from 8:00 a.m. to 7:00 p.m., Monday through Saturday.
- d. That all codes and ordinances be complied with and required permits acquired, and that an occupancy permit be requested from the Building Inspection Department prior to occupancy of the building.
- e. 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.
- f. That this permit is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

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

**06-1762**

**Subject:** Direct Referral: Request by Yan and Mei Li Zheng seeking a conditional use permit for a takeout and delivery restaurant at 2124-2126 Sixteenth Street.

**Recommendation:** That a request by Yan and Mei Li Zheng seeking a conditional use permit for a carryout restaurant at 2124 - 2126 Sixteenth Street be approved, subject to the following conditions:

- a. That the plans stamped "Received March 29, 2006" and presented to the Plan Commission on April 12, 2006 be approved subject to the conditions contained herein.
- b. That the maximum hours of operation be from 10:30 a.m. to 9:30 p.m. Sunday through Thursday; 10:30 a.m. to 10:30 p.m. Friday and Saturday.
- c. That all signs be professionally made and comply with zoning ordinance requirements.
- d. That either wheel stops or curbing be installed along the north fence line.
- e. That the parking lot be paved and stripped by June 1, 2006.
- f. That a stockade type wooden fence be installed along the east property

line in compliance with applicable codes and ordinances.

- g. That all trash and recyclables be stored in closed containers and screened from view, and that no trash pick-up be conducted between the hours of 7:00 p.m. and 7:00 a.m. Monday through Saturday, with no garbage pick-up on Sundays.
- h. That all codes and ordinances be complied with and required permits acquired, and that an occupancy permit be requested from the Building Inspection Department prior to occupancy of the building.
- i. That there be no minor change from the conditions of this permit without the approval of the Plan Commission, and no major change from the conditions of this permit without the approval of the Common Council.
- j. That this Conditional Use Permit is subject to review by the Plan Commission for Compliance with the listed conditions.

Fiscal Note: N/A

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

**Ord.09-06**

**ORDINANCE NO. 9-06 TO AMEND SEC. 114-254(n) RELATING TO ZONING-YARD REQUIREMENTS**

To amend Sec. 114-254(n) of the Municipal Code of the City of Racine, Wisconsin relating to Zoning - Yard requirements and open space.

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

Part 1:

Sec. 114-254(n) of the Municipal Code of the City of Racine is hereby amended by deleting from the last sentence of the paragraph the following phrase, "formed by a street line and a private drive line".

Part 2:

This ordinance shall take effect upon passage and the day after publication.

Passed by the Common Council:

\_\_\_\_\_  
Approved:

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

FISCAL NOTE: N/A

4-12-06 CPC

**Recommendation:** That a public hearing be scheduled and that the ordinance be adopted.

Sponsors: John M. Engel

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

**Council Action**

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

**AYES:** 14 - Cape, Engel, Finley, Friedel, Hart, Maack, Shakoor II, Sollman, Spangenberg, Weidner, Fair, Hermes, DeHahn and Holding

**EXCUSED:** 1 - Karas

**Office of the Mayor**

06-1804

**Subject:** Communication from Mayor Gary Becker nominating appointments to the following Boards and Commissions of the City of Racine.

Board of Health

Reappoint Sarah Fouse, 1900 Twenty First Street

Reappoint Rosa Salina-Hultman, 1905 Ehlert Street

Parks, Recreation & Cultural Service Board

Appoint Terry McCarthy

Board of Review

Reappoint Waino Kleimola, 3205 Pierce Blvd

Appoint Janice Johnson-Martin, 6511 Ptarmigan Road

Board of Standards

Appoint Brent Oglesby, 1427 Thurston Ave.

Board of Zoning Appeals

Appoint Brent Oglesby, 1427 Thurston Ave.

Business Improvement District

Appoint Thomas Bowen,  
Appoint Evelyn Scheibner

Cemetery Board

Reappoint Alderman Sandy Weidner, 2310 Thor Avenue  
Reappoint Vilas Lund, 1250 Arthur Avenue

Community Development

Appoint Lee Martinez, 1836 Twelfth Street  
Appoint Janelle Grammer, 4114 Northwestern Avenue # 2  
Appoint Sylvia Romero, 3214 Pine Avenue, Milwaukee, WI

Health and Sanitation Appeals

Reappoint Bernice Moore, 917 Racine Street  
Reappoint Alderman Sandy Weidner, 2310 Thor Avenue

Landmarks and Preservation

Reappoint Don Rintz, 1730 College Avenue,  
Reappoint Sally Sorenson, 2064 N. Main Street,

Library Board

Reappoint Robert Goepel, 1401 S. Main Street  
Reappoint Alderman Thomas Friedel, 1904 Dwight Street  
Reappoint Doug Miller, 2319 Green Street  
Reappoint Jerry Maller 431 Fifteenth Street

Police and Fire Commission

Appoint Chuck Tyler, 1027 Perry Avenue

Sister City of Racine

Reappoint Alderman Jim Spangenberg, 1238 Hayes Avenue  
Reappoint Richard Ehlert, 5749 Little Timber Drive  
Reappoint Tom Kexel 4931 Regal Ct.  
Reappoint Martine Albritton 13 Lakewood Ct.  
Reappoint Tom Kennedy 3114 Michigan Blvd.

Reappoint Kari Iselin 2515 Tammy Lane  
Reappoint Dwayne Olsen 5118 Kinzie Avenue

Redevelopment Authority  
Reappoint Alderman Jim Spangenberg 1238 Hayes Ave.  
Appoint David Lange, 2910 Michigan Blvd.

Harbor Commission  
Appoint Tom Ryan, 1414 Michigan Blvd.

**Received and Filed as Reported**

**AYES:** 14 - Cape, Engel, Finley, Friedel, Hart, Maack, Shakoor II, Sollman, Spangenberg, Weidner, Fair, Hermes, DeHahn and Holding

**EXCUSED:** 1 - Karas

**Board of Health**

**06-1726**

**Subject:** Communication from the Public Health Administrator requesting permission for the Mayor and City Clerk to sign an agreement with the Wisconsin Department of Agriculture, Trade and Consumer Protection authorizing the city of Racine to act as an Agent as authorized by Section 97.41, Wisconsin Statutes.

(Refer to the Board of Health).

**Recommendation:** That the Mayor and City Clerk be authorized and directed to sign an agreement with the Wisconsin Department of Agriculture, Trade and Consumer Protection that will enable the city of Racine to act as an Agent in accordance with Section 97.41, Wisconsin Statutes.

**Fiscal Note:** N/A

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

**06-1729**

**Subject:** The Public Health Administrator is requesting permission for the Mayor and City Clerk to sign a contract with Children's Community Health Plan (CCHP). Children's Community Health Plan is an HMO provider to

Medicaid recipients. The intent of the agreement is to arrange for the provision of designated health care services by the City of Racine Health Department to CCHP and Medicaid/BadgerCare enrollees.

(Refer to the Board of Health and the Finance and Personnel Committee).

**Recommendation from the Board of Health:** That the Mayor and City Clerk be authorized and directed to sign a contract with Children's Community Health Plan (CCHP) so that the Racine City Health Department is able to bill for and receive reimbursement for services rendered to CCHP and Medicaid/BadgerCare enrollees.

**Fiscal Note:** N/A

**Recommendation from the Finance and Personnel Committee**

**04-10-06.** That the Mayor and City Clerk be authorized and directed to sign a contract with Children's Community Health Plan, which enables the City of Racine's Health Department to receive Medicare reimbursement for dedicated health care services provided to the Children's Community Health Plan and Medicaid/BadgerCare enrollees.

**Fiscal Note:** N/A

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

**06-1736**

**Subject:** The Public Health Administrator is requesting permission for the Mayor and City Clerk to sign an MOU with the Racine County Sheriff's Department for the Wisconsin Wins Program. See attached MOU for more information.

(Refer to the Finance and Personnel Committee and the Board of Health).

**Recommendation from the Board of Health:** That the Mayor and City Clerk be authorized and directed to sign a Memorandum of Understanding with the Racine County Sheriff's Department for the Wisconsin WINS Program.

**Fiscal Note:** N/A

**Recommendation from the Finance & Personnel Committee**

**04-10-06:** That the Mayor and City Clerk be authorized and directed to enter into an agreement with the Racine County Sheriff's Department for the memorandum of understanding of the Wisconsin Wins Program (WI WINS) to be utilized for the State of Wisconsin to come into and stay in compliance with Federal Synar regulations.

**Fiscal Note:** N/A

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

### **Council Action**

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

**AYES:** 14 - Cape, Engel, Finley, Friedel, Hart, Maack, Shakoor II, Sollman, Spangenberg, Weidner, Fair, Hermes, DeHahn and Holding

**EXCUSED:** 1 - Karas

## **I. Resolutions**

### **Res.06-6978 PRELIMINARY RESOLUTION FOR STREET PAVING**

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

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

All property fronting upon both sides:

BITUMINOUS CONCRETE PAVING

Biscayne Avenue from Oakwood Drive to Southwood Drive.

2. Said public improvement shall consist of BITUMINOUS CONCRETE PAVING.

3. The total amount assessed against such district shall not exceed the total cost of the improvements and the amount assessed against any parcel shall not be greater than the benefits accruing thereto from said improvements.

4. The assessments against any parcel may be paid in cash or in ten (10) annual installments.

5. The Commissioner of Public works is directed to prepare a report consisting of:

- a. Preliminary or final plans and specifications for said improvement
- b. An estimate of the entire cost of the proposed work or improvement
- c. An estimate, as to each parcel of property within the assessment district, of:
  - (1) The assessment of benefits to be levied.
  - (2) The damages to be awarded for property taken or damaged.
  - (3) The net amount of such benefits over damages or the net amount of such damages over benefits.

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

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

The hearing shall be held at the Council Chambers in the City Hall at a time set by the Clerk in accordance with Wis. Stat. s. 66.0703 (7)(a).

**Sponsors:** John M. Engel

**Adopted**

**Res.06-6979** AGREEMENT WITH DEPARTMENT OF AGRICULTURE

RESOLVED, that the Mayor and City Clerk be authorized and directed to sign an agreement with the Wisconsin Department of Agriculture, Trade and Consumer Protection that will enable the City of Racine to act as an Agent in accordance with Wis. Stat. s. 97.41.

**FISCAL NOTE:** N/A

**Sponsors:** Cherri Cape

**Adopted**

**Res.06-6980** CONTRACT WITH CHILDREN'S COMMUNITY HEALTH PLAN

RESOLVED, that the Mayor and City Clerk be authorized and directed to enter into an agreement with Children's Community Health Plan (CCHP) so that the Racine City Health Department is able to bill for and receive reimbursement for

services rendered to CCHP and Medicaid/BadgerCare enrollees.

FISCAL NOTE: N/A

Sponsors: Cherri Cape and James T. Spangenberg

**Adopted**

**Res.06-6981** MEMORANDUM OF UNDERSTANDING

RESOLVED, that the Mayor and City Clerk be authorized and directed to enter into a Memorandum of Understanding with the Racine County Sheriff's Department for the of the Wisconsin Wins Program (WI WINS) to be utilized for the State of Wisconsin to come into and stay in compliance with Federal Synar regulations.

FISCAL NOTE: N/A

Sponsors: Cherri Cape and James T. Spangenberg

**Adopted**

**Res.06-6982** POLICE DEPARTMENT ACCEPT HOMELAND SECURITY PROTECTION PLAN GRANT

RESOLVED, that the Mayor and City Clerk be authorized and directed to enter into an agreement with the United States Department of Homeland Security Buffer Zone Protection Plan grant (Grant Control No. 2005-031), for Regency Mall, in the amount of \$49,970.

FISCAL NOTE: No match required on the part of the City.

Sponsors: David L. Maack and James T. Spangenberg

**Adopted**

**Res.06-6983** CONTRACT FOR ELECTRIC IMPROVEMENTS LOCKWOOD PARK

RESOLVED, that the bid of Great Lakes Electric of Kenosha on Contract 20-06 (K6-021), Electric Improvements at Lockwood Park in the total amount of

\$43,575.00 be accepted, they being the lowest responsible bidder.

FISCAL NOTE: Funds are available in account #931.230.5950, Lockwood Tennis Courts.

Sponsors: David L. Maack

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

**AYES:** 14 - Cape, Engel, Finley, Friedel, Hart, Maack, Shakoore II, Sollman, Spangenberg, Weidner, Fair, Hermes, DeHahn and Holding

**EXCUSED:** 1 - Karas

[Res.06-6984](#) GREAT LAKES DRAGON BOAT FESTIVAL

RESOLVED, that permission be granted to the Racine Rotary West Club to use the City-owned parking lot east of Gateway Technical College and the gravel area immediately east of the Gateway parking lot between Pershing Park Drive and Lake Michigan for the third annual Great Midwest Dragon Boat Festival, to be held July 7-8, 2006.

FURTHER RESOLVED, that permission be granted to the sponsor to use certain city streets on Friday, July 7, 2006, and to close the following streets:

6th Street from Library Drive to Pershing Park Drive  
Pershing Park Drive from 6th Street to 11th Street  
11th Street from Main Street to Pershing Park Drive

FURTHER RESOLVED, that permission be granted with the following stipulations:

- A. A hold harmless agreement be executed;
- B. A liability insurance certificate be filed prior to the event;
- C. Any overtime costs incurred by any City department be charged to the sponsor;
- D. The sponsor shall pay a \$350.00 special event fee.

FURTHER RESOLVED, that the Commissioner of Public Works/City Engineer, Chief of Police, and Director of Parks, Recreation and Cultural Services provide necessary assistance, in the interest of public safety, to implement this event.

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

**Sponsors:** David L. Maack

**Adopted**

**Res.06-6985** RESCIND RESOLUTION AND ACCEPT BID FOR TAXICAB SERVICE

WHEREAS, Resolution No. 6862 of 01-17-06 authorized sale of the City's taxicab service to Hafiz Trans, Inc.; and

WHEREAS, in order to provide exclusive rights, open public bidding was necessary; and

WHEREAS, the most favorable bid was submitted by Joel Venn and Sally Pieske.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Clerk be authorized and directed to enter into an agreement in the amount of \$16,000.00 with Joel Venn and Sally Pieske to purchase the City's taxicab service in compliance with the terms of the proposed contract.

**Fiscal Note:** This sale will result in receipt by the City of \$16,000.00.

**Sponsors:** David L. Maack

**Adopted**

**Res.06-6986** FUNDS APPROPRIATED FOR RACINE ARTS COUNCIL

RESOLVED, that the City of Racine appropriate \$17,000 from the Room Tax Fund to the Racine Arts Council to be utilized for the 2006 rent and utilities at 505 Sixth Street.

**FISCAL NOTE:** There are sufficient funds available in Room Tax Fund.

**Sponsors:** James T. Spangenberg

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

**AYES:** 8 - Engel, Finley, Friedel, Shakoor II, Sollman, Spangenberg, Fair and DeHahn

**NOES:** 6 - Cape, Hart, Maack, Weidner, Hermes and Holding

**EXCUSED:** 1 - Karas

**Res.06-6987** REDUCTION OF 2004 ASSESSMENT

RESOLVED, that KM Realty, LLC, 1914 Indiana Street, PIN 23869007 be reduced from \$857,000 to \$36,000 and that the resulting credit of \$20,046.77 be charged against account 101.990.5930, Real Estate and Personal Property taxes cancelled.

FISCAL NOTE: There are sufficient funds available for this credit. Other taxing jurisdiction's portions will be charged back to them when appropriate.

**Sponsors:** James T. Spangenberg

**A motion was made by Alderman Spangenberg that this Resolution be Adopted.**

**The motion was APPROVED by the following vote:**

**AYES:** 14 - Cape, Engel, Finley, Friedel, Hart, Maack, Shakoor II, Sollman, Spangenberg, Weidner, Fair, Hermes, DeHahn and Holding

**EXCUSED:** 1 - Karas

**Res.06-6988** AMENDMENT TO CONTRACT JACOBSEN-TEXTRON REDEVELOPMENT SITE

RESOLVED, that Amendment No. 2 on Contract 5-05 (K5-005), Professional Services - Design of Jacobsen-Extron Redevelopment Site, Earth Tech, Inc., consultant, as submitted, be approved in the amount of \$4,800.00.

FURTHER RESOLVED, that funding to defray the cost of these professional services be appropriated from TID No. 10.

**FISCAL NOTE:** Funds are available as herein delineated.

**Sponsors:** John M. Engel

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

**AYES:** 14 - Cape, Engel, Finley, Friedel, Hart, Maack, Shakoor II, Sollman, Spangenberg, Weidner, Fair, Hermes, DeHahn and Holding

**EXCUSED:** 1 - Karas

**Res.06-6989** 2006 CONTRACT SIDEWALK REPLACEMENT PHASE I

RESOLVED, that Contract 19-06 (K6-020), 2006 Sidewalk Replacement, Phase I, be awarded to A.W. Oakes & Son, Inc., at their bid price of \$116,547.00, they being the lowest responsible bidder.

FURTHER RESOLVED, that funding to defray the cost of this public works project be appropriated from Account 906.908.5520, Sidewalk Replacement.

FISCAL NOTE: Funds are available as herein delineated.

**Sponsors:** John M. Engel

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

**AYES:** 14 - Cape, Engel, Finley, Friedel, Hart, Maack, Shakoor II, Sollman, Spangenberg, Weidner, Fair, Hermes, DeHahn and Holding

**EXCUSED:** 1 - Karas

**Res.06-6990** FINAL PAYMENT 2005 INFORMATION TECHNOLOGY CONSULTING CONTRACT

RESOLVED, that the professional services provided by Earth Tech, Inc. under Contract 12-05 (K5-017), 2005 Information Technology Consulting, be accepted and final payment authorized for a total contract amount of \$14,956.42, from funds heretofore appropriated.

FISCAL NOTE: Contract was authorized under Resolution No. 6405, of March 1, 2005.

**Sponsors:** John M. Engel

**Adopted**

**Res.06-6991** CHANGE ORDER 2005 CCTV SERVICES AND MANHOLE INSPECTIONS CONTRACT

RESOLVED, that Change Order No. 1 on Contract 58-05 (K5-066), 2005 CCTV Services and Manhole Inspections, Green Bay Pipe & TV, contractor, as submitted, be approved in the amount of \$50,016.11.

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

\$22,398.45 - Account 985.907.5310, Sanitary Sewer

\$27,617.66 - Account 104.985.5420, Storm Sewer

\$50,016.11 - Total

FISCAL NOTE: Funds are available as herein delineated.

Sponsors: John M. Engel

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

**AYES:** 14 - Cape, Engel, Finley, Friedel, Hart, Maack, Shakoor II, Sollman, Spangenberg, Weidner, Fair, Hermes, DeHahn and Holding

**EXCUSED:** 1 - Karas

**Res.06-6992** AMENDMENT ON STATE CONTRACT FOR RACINE STREET PROJECT

RESOLVED, that Amendment No. 3 on State Contract 2350-10-00, Racine Street, 21st Street to Washington Avenue, Earth Tech, Inc., consultant be approved. The total cost of the amendment is \$3,950.40, with 75%, or, \$2,962.80, being the State's share, and 25%, or \$987.60, being the City's share.

FURTHER RESOLVED, that funds to defray the cost of these professional services be appropriated from Account 985.908.5090, Racine Street Design Services.

FISCAL NOTE: Funds are available as herein delineated.

Sponsors: John M. Engel

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

**AYES:** 14 - Cape, Engel, Finley, Friedel, Hart, Maack, Shakoor II, Sollman, Spangenberg, Weidner, Fair, Hermes, DeHahn and Holding

**EXCUSED:** 1 - Karas

**Res.06-6993** FINAL PAYMENT ON CONTRACT STORM WATER MANAGEMENT PROGRAM

RESOLVED, that the professional services provided by Earth Tech, Inc. under Contract 40-95 (95978), Professional Services and Plans and Specifications - Storm Water Management Program, be accepted and final payment authorized for a total contract amount of \$433,246.00, from funds heretofore appropriated.

FISCAL NOTE: This contract was approved by Resolution 8290, dated July 5, 1995.

**Sponsors:** John M. Engel

**Adopted**

**Res.06-6994** USE SUPPLEMENT FOR 2333 & 2405 NORTHWESTERN AVENUE

RESOLVED, that a use supplement be adopted in association with a Flex Development Overlay District at 2333 & 2405 Northwestern Avenue, subject to the following conditions:

- a. That all uses listed in the underlying O/I Office Institutional District are permissible by right or by conditional use permit as specified in that district.
- b. That the following flex uses are permitted by right in addition to those permitted in the O/I Office Institutional District: computer and other small equipment recycling or disassembly; warehousing, light manufacturing and assembly (no smoke stack, heavy stamping, chemical or refining industries); commercial recreational facilities; day care, pre-schools, K-12 schools as a permitted use by right; large and small batch printing and publishing; museums, production studios, art galleries and theatres for the performing arts (excluding adult entertainment); health and fitness centers.
- c. That all flex uses shall not result in more than one semi-truck servicing the site during a 24-hour period, nor the parking or storage of such vehicles or other delivery or service vehicles on the site for more than 2 hours.
- d. That all aspects of the flex uses (excluding parking, deliveries, and other similar ancillary activities) shall be contained indoors and shall not be detectable beyond the boundary lines of the properties.
- e. That all trash and recyclables be stored in closed containers and screened from view.
- f. That no flex use operate or be serviced between the hours of 9:00 p.m. and

7:00 a.m.

g. That the Chief Building Inspector or Director of City Development may impose additional conditions on a single or a group of flex use to mitigate potential negative impacts on the subject or surrounding properties.

h. That upon consultation with the Director of City Development, the Zoning Administrator may permit additional uses not listed in this resolution if found to be similar in nature and clearly compatible with the uses listed in this resolution and found to comply with the spirit and intent of this flex development and the FD - Flex Development Overlay District.

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

j. That no minor changes be made from the conditions of this flex development without the approval of the Plan Commission, and no major changes be made without the approval of the Common Council.

k. That this flex development is subject to Plan Commission review for compliance with the listed conditions.

FISCAL NOTE: N/A

Sponsors: John M. Engel

**Adopted**

**Res.06-6995** UPTOWN CORRIDOR DISTRICT DESIGN GUIDELINES

WHEREAS, the City has established the Uptown Improvement Plan; and

WHEREAS, the Plan Commission has approved the Uptown Corridor District Design Guidelines.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Racine hereby adopts the Uptown Corridor District Design Guidelines as follows:

With the goals of enhancing Uptown's attraction to residents, tourists and visitors, improving the visual and aesthetic character, providing a tool to local property owners to restore their buildings properly, safeguard historic and cultural heritage, and stabilize and improve property values, the Uptown Corridor District Design Guidelines are established under the authority Wis. Stat. §§62.23 and 66.1001, and by the City of Racine Common Council through adoption on May 3, 2005 of An Ordinance To Amend The City's Comprehensive Plan And Adopt The Uptown Improvement Plan.

Two distinct areas are discernible in the Uptown Corridor District (the "District"). One area is referred to as the "Junction" and extends along Washington Avenue from S. Memorial Drive to Thirteenth Street. The Junction contains a development pattern that is pedestrian orientated and contains significant historic architectural fabric that warrants restoration and preservation of its distinct character. The remaining areas, referred to as "Transitional Areas", extend out from the Junction to Phillips Avenue/Valley Drive to the west, and to Tenth Street to the northeast. These areas contain a more eclectic collection of development periods, land uses and architectural styles which require particular diligence in ensuring that each property is developed, maintained, remodeled, or restored in a manner that is sensitive to its surroundings and does not detract the overall character of the District. The applicable design guidelines for both areas of the District are established through the preceding text.

**I. BUILDING FORM:**

A. Character:

1. With an eye towards varied architectural styles through scale, setback, height and material use, the goal is to create a richness and depth in character that appeals not only to the senses but also to the viability of future building development.

B. Building Height:

1. For new construction and additions, the height of adjacent existing buildings should be used as a guide.
2. One-story buildings shall appear two-stories in height from the street level. Two stories is the maximum street facade height.
3. Buildings taller than two stories shall have all floors above the second level set back a minimum of 25 feet from the street facade.

C. Roofs:

1. The rooflines of adjacent buildings shall be taken into consideration when selecting a roof style.
2. Alterations shall not compromise or conceal evident historic roofing forms or details.
3. Cornice details along the parapets shall be determined by the precedents of the architectural style of the building.
4. In the Junction, flat or slightly sloping roofs shall be utilized and concealed with parapets having cornices, each displaying varying degrees of appropriate decorative detail and ornamentation.
5. In the Transitional Areas, where appropriate and in context with adjacent development, flat or slightly sloping roofs having appropriate parapets, or end gabled roofs may be utilized.

D. Scale:

1. Multi-story buildings in long rows shall be avoided by the utilization of awnings, dormers, landscaping, windows and doors, utilized with the intent of breaking up the building facades into smaller parts.

E. Tripartite Composition:

1. The three facade sections of base, middle and top shall be differentiated by materials, colors and window size.
  - a. The base section shall contain the largest window openings or decorative brick work or spandrel glass that gives the

appearance of window openings or recesses.

- b. The middle section shall have similar treatment as the base but such details are typically smaller than those at the base and are visually broken down further with muntins/mullions.
- c. The top section shall contain decorative features in parapet and cornice, or gable end.

F. Windows:

1. All windows shall be sized, aligned, and spaced according to the precedents of the architectural style of the building.
2. New construction shall express the window articulation evident on adjacent historic buildings. Second floor windows shall be divided into two units.
3. In the Junction, at least 75% of the base of the building shall be comprised of storefront windows for new, remodeled or restored storefronts.
4. In the Transitional Areas, new, remodeled, or restored storefronts should also meet this standard but in no case shall storefront windows in comprise less than 40% of the base of the buildings storefront.

**II. STOREFRONT GUIDELINES:**

A. General:

1. New, remodeled or restored storefronts should evoke the use of the building, and may implement modern materials, while acknowledging the historic precedents evident in the community.
2. New construction between two buildings with storefronts and party wall construction shall complement features evident on adjacent buildings.
3. Closing off or decreasing existing window openings in size is strongly discouraged, while the reopening of blocked windows to their original dimensions is highly encouraged.
4. Re-facing a storefront to "update" it in a manner that is detrimental to the historical context of the building's original design or architectural details, or that of adjacent properties, is not permitted.
5. Exterior security gates shall not be permitted.

B. Storefront Characteristics:

1. Storefronts should include a lower window panel or bulkhead, clear glass display windows, pilasters or columns, a recessed stoop or entry with clear glass entry doors, transom with windows or prism glass, an awning or canopy, and a sign board or panel.

C. Guidance on Recreating Storefronts:

1. Search for historic photographs of the building to determine original architectural elements.
2. Look to other buildings constructed during the same period for clues on composition and design of architectural details.
3. Take cues from intact details on the building that may have been repeated on the storefront.
4. Conduct investigative demolition in an effort to reveal historic details or markings often left behind or hidden by more modern materials.

**III. NEW CONSTRUCTION:****A. Main Principles:**

1. Complement and/or contribute to the setting, not detract or unsettle it.
2. Add to the rich depth of the extant architectural fabric and not replace it.

**B. General Guidelines:**

1. The predominant historic setback of adjacent buildings shall be observed and maintained.
2. Stylistic and decorative elements shall fit the surroundings but not create a false sense of history.
3. Designs shall strike a balance between historically accurate proportions and new materials.
4. The building should look new while remaining sympathetic to area scale and materials.

**C. Adjacent Buildings:**

1. Streetscape continuity and design elements in adjacent buildings, such as height, materials, setback, character and roofline edge, shall be considered in the design of infill building.

**D. Demolition:**

1. All efforts shall be made to retain all extant buildings that contribute to the character and history of the District, with special emphasis on structures predating 1960, as these buildings already meet the goals critical to the Guideline's success.

**E. Materials:**

1. Brick is the predominant building material throughout the District. New buildings should be designed with the consideration of the use of brick as the prevailing exterior material.
2. Modern materials may be introduced; however, sizing, color, texture and transitions shall be implemented in a manner that complements such features on adjacent historic buildings.

**F. Scale and Roofline Articulation:**

1. Facade lengths greater than those of adjacent buildings shall result in a building scale and/or articulation that "fits in" with neighboring buildings yet allows a continuous floor plate.
2. Where appropriate, roofline shall be stepped to mimic adjacent building roofline rhythms.

**IV. ADDITIONS:****A. Main Principles:**

1. Additions shall be evident as such and not create a false sense of history, while still maintaining the overall visual appearance of continuity.

**B. General Addition Guidelines:**

1. Additions shall complement the existing structure in material use, architectural details, and color. Rhythmic elements such as window openings, spandrel lines and pilasters shall be carried over into the addition.

2. Building proportions, scale and setbacks shall be maintained. On buildings with ample side yards, it may be advisable to step the addition from the facade, resulting in a defined building transition.
- C. Facade:
1. Setbacks should match the most evident setbacks of adjacent buildings. Intrusions into the public right-of-way are not permitted, except by special agreement with the City.
- D. Rear:
1. Rear elevation additions may be taller than the existing structure if they are not viewable by the pedestrian from the street.
  2. Fire escapes and loading docks shall not detract from the overall aesthetics of the building. No prominent extant elements may be removed to accommodate such modifications.
  3. Rear elevations facing a street or area highly visible to the public, such as parking areas, shall be treated as a primary facade and include additions such as patios, decks and fire escapes.
- E. Rooftop:
1. Rooftop additions should not be visible from the street.
  2. Finish materials shall blend completely with their surroundings, yet be evident as an addition.
  3. Dormers shall have a minimal impact on the visual appearance of the building from the street.
- F. Sideyard:
1. Additions to existing buildings located on commercial streets having uniform setback and either party walls or close adjacent construction shall be designed in keeping with the following existing elements: detail, height, massing, materials, and setback.
  2. Additions to free standing buildings with open land on all sides shall be composed of smaller massing and height than the existing building, utilize materials similar to that of the existing building, employ details consistent with the existing building yet not be an exact copy, and be set back from the facade of the existing building.

**V. MECHANICAL EQUIPMENT, UTILITIES & TRASH RECEPTACLES:**

A. Main Principles:

1. Mechanical equipment, conduits, raceways, cables, duct work, receiver/transmitter installations and trash receptacles shall be located so as to minimize their visual or physical impact on a structure or site.
2. No key architectural elements or details should be removed, obstructed or destroyed in their placement.

B. Placement:

1. Mechanical equipment and duct work on roofs shall not be visible from streets.
2. Utility meters, conduits, raceways and exhaust vents shall be located on the side or rear of the building whenever possible.
3. Trash collection areas and receptacles shall be located to the side or rear of the building and be properly screened.
4. Satellite dishes or other receiver/transmitter installations,

mechanical systems, and utility boxes and pedestals shall not be obtrusive to the view of the building from the street. Such equipment shall not be mounted on the street facade of a building.

5. Equipment facing the rear parking areas or prominent public spaces shall be obscured in a manner compatible with the building's facade.

C. Screening:

1. Screening may be in the form of fencing, walls, or landscape plantings consisting of materials, plantings, and colors similar in nature to the building.
2. Rooftop equipment screening may simply be the placement of equipment so as not to be visible from across the street at pedestrian level. If placement alone does not provide adequate screening, then an appropriately designed parapet wall or an equipment enclosure shall be added.

**VI. MATERIAL CONSIDERATIONS:**

A. Main Principles:

1. Visually heavier, larger sized units such as cast stone concrete panels are appropriate to use at the building's base to provide a visual grounding.
2. Lighter, thinner materials are more appropriate as trim in the case of materials such as wood, aluminum or copper, or upper floor facade claddings such as Exterior Insulated Finish System ("EIFS") or stucco.

B. Acceptable Materials (Roof Coverings):

1. Flat roofs being built-up, rubber membrane, or fiber glass membrane, and having a low pitch, or those concealed by a parapet.
2. Pitched roofs sheathed with asphalt shingles, clay tile, cement tile, slate, standing seam metal, or sheet metal shingles. Use of these roofing materials on vertical surfaces is not permitted.

C. Acceptable Materials:

1. Aluminum or vinyl siding, but only on non-primary facades not visible from the street.
2. Brick and oversized or large brick as either an accent or predominant material. The use of brick for decorative banding and color or texture transitions is encouraged.
3. Clapboard siding, which shall not be replaced with a different material such as vinyl siding. The general use of clapboard siding is encouraged, but lap heights should be limited to a range from 3" to 6".
4. Concrete masonry units ("CMUs"), limited to 20% of the overall surface of primary surfaces. Smooth CMUs are prohibited.
5. EIFS, stucco and Dryvit used no lower than 8" above the curb line, but shall not be used to cover trim, molding or decorative detail.
6. Half-timbering, simulated or structural, in-filled with either brick or stucco.
7. Metals for structural applications such as steel or cast iron, and those metals which are unfinished, exposed, anodized, oxidized or powder coated. Galvanized metal may be used for canopies.

8. Ornamental metals such as copper, galvanized steel, and aluminum used for railings, trim, grills, panels, flashing, etc.
9. Pre-cast concrete and cast stone, on a case by case basis, consistent with the principles of the Guidelines.
10. Skylights, placed so as not to be visible from the street and in an appropriate location after consideration of the building's architectural style and time period.
11. Stone, in all its varieties and appropriately employed, is encouraged as an exterior surface.
12. Stucco with smooth, textured or scored finishes used no lower than 8" above the curb line, excluding "cake-icing" finishes.
13. Wood shingle siding, which shall be replaced in-kind and can also be used as an accent in dormers and gables, and as a wall finish.
14. Terrazzo surfaces for entryways and stoops are encouraged.
15. Terra cotta for trim and ornamental work and, where existing, shall be maintained to the extent possible.

## **VII. ARCHITECTURAL ENHANCEMENTS**

### **A. Main Principles:**

1. Used to provide additional visual interest, or to accent the overall architectural design of a building or site.
2. Shall be appropriate to the period and character of the building or site.
3. Existing key architectural elements or details should not be removed, obstructed or destroyed.
4. Enhancements can be functional or decorative.

### **B. Windows and Window Openings:**

1. Window replacement shall be consistent with the most prominent and historically accurate architectural style of the building.
2. Existing historically accurate windows shall be maintained or repaired in their current form, or a historically accurate replacement shall be installed.
3. Double-hung windows on the upper floors are the minimum standard where historically and architecturally appropriate. Such windows shall have a fixed or movable top sash.
4. Filling a window opening, or any portion thereof, on a primary building facade is not permitted.
5. Replacement windows, when permissible, shall duplicate the sash, frame width, configuration, and muntin (mullion) divisions of original windows and materials.
6. Existing prism glass should be retained wherever possible.

### **C. Door and Door Openings:**

1. Aluminum and vinyl replacement doors may not be acceptable alternatives to wood or metal.
2. Closing off an existing door opening on a facade is not permitted.
3. Glass inserts or transoms are acceptable.
4. Main entries shall be visible from the street or face the street. Main entry doors and frames shall be prominently articulated features on the facade. Secondary entrances may be located towards a rear or

side yard parking lot.

D. Awnings:

1. Retractable awnings are encouraged, but fixed awnings are permitted.
2. Awnings shall be made of cloth or soft vinyl and awning material shall not be placed over a structural frame resulting in a "hard" appearance. Awning colors shall complement the building.
3. Text on awnings is permitted in compliance with the zoning code.

E. Bays:

1. The use of bays to articulate building elevations is encouraged. Existing bays shall be maintained whenever possible.

F. Canopies:

1. Canopies shall be constructed of permanent materials and shall include details that are reminiscent of the predominant building details.

G. Color Palate:

1. Exterior color schemes shall be selected by the project applicant from the 1,082 tones found in the approved Sherwin Williams "COLOR" palate, or its industry equivalent. The approved palate may be reviewed at the office of the Department of City Development (the "Department"). Approved paint treatments from the Sherwin Williams "COLOR" palate are as follows:
  - a. Body, trim, window, door and accent colors shall be selected from the 280 tones described as "Fundamentally Neutral" and the 560 tones described as "Color Options", or their industry equivalent.
  - b. Trim and accent colors only may also be selected from the 94 tones described as "Essentials" and 148 tones described as "Energetic Brights", or their industry equivalent.

H. Color Selection Guidance:

1. In all cases, paint shall be applied in a professional, complete and workmanlike manner.
2. Paint colors shall be viewed as a reversible finish. Building owners are encouraged to select colors appropriate to the style and period of the building construction. Monotonous color schemes, lacking in contrast, are discouraged and transitions of color are encouraged.
3. Related color schemes such as monochromatic (different values of a single color), neutral (gray, taupe, tan or gray-beige), or analogous (colors close to one another on the color wheel such as blue and blue-violet) are appropriate.
4. Contrasting color schemes such as opposites (colors opposite each other on the color wheel), split complement palettes (colors adjacent to true colors such a yellow and yellow-orange), or triad palettes (three colors spaced in fairly equal increments on the color wheel) are appropriate.

I. Fencing:

1. Chain link fences shall be permitted only in rear yard areas not visible from the street.

J. Glazing (Glass):

1. Historic glass shall remain intact wherever possible.
2. Highly reflective glazing types shall not be permitted.
3. Tinted glazing types are acceptable if found to be a material originally used in the specific building or characteristic of its architectural style.

K. Landscape Features:

1. Live groundcover is recommended and may include parking lot buffers.
2. Vines along blank walls or fenced areas are encouraged.
3. Permanent or portable plantings may be used to define side entrances of buildings.
4. While shrubs may be used to screen refuse containers, shrubs along the sidewalk should not exceed 42" in height.
5. Landscape features shall not obstruct vision triangles.

L. Lighting:

1. Canopy and accent lighting located on street-facing or primary facades shall at a minimum consist of fixtures located above entrances.
2. Accent lighting to highlight features, forms, and landscaping is encouraged.
3. Floodlights shall be limited to 150-watt maximum and shall not be directed towards side yards or the street.

M. Sidewalk Cafes:

1. Sidewalk cafes are encouraged subject to applicable ordinances, standards and permits.

**VIII. SIGNS:**

A. Main Principles:

1. Signs shall comply with the Zoning Code and be of a design that is consistent with the architectural character of the building.
2. Proposed permanent signage shall be submitted to the Access Corridor Development Review Committee for prior review and approval.
3. Wall mounted, ground exterior or roofline lighting is an acceptable means to accent signage or architectural detail.
4. Flashing, scrolling, moving or backlit signs shall not be permitted.
5. Signs shall not be internally illuminated unless such a sign is historically accurate to the style of the building.
6. External illumination sources shall be shielded from view.
7. Support structures shall also be considered as part of the overall design of the sign.
8. Signs shall be constructed and installed in a professional, complete and workmanlike manner.

B. Sign Content:

1. To avoid visual clutter and enhance sign readability, signs shall include only the name and/or nature of the business, and the address.
2. Individual tenants of a professional office building may be listed.
3. Advertising an individual brand name shall not be permitted, unless it is also the name of the dominant or host establishment.

C. Window signage:

1. Window signage shall not exceed 20% of the display space, shall be directly applied to the glass, and signage for a site shall be uniform in appearance.
2. Handwritten or grease marker signs are discouraged.

D. Projecting Signs:

1. Projecting signs are encouraged in accordance with the standards contained herein.

E. Billboards (advertising signs):

1. Billboards shall be wall mounted, have a sign area not exceeding 8' feet high by 10' wide, and shall be bordered by a frame of painted wood or powder coated metal.
2. Lighting shall consist of decorative exterior, gooseneck, cut-off, wall wash fixtures. Painted or decal wall mural type signage is prohibited.

FISCAL NOTE: N/A

Sponsors: John M. Engel

**Adopted**

**Res.06-6996**    **CONDITIONAL USE PERMIT 611 SIXTH STREET**

RESOLVED, that the request by Michael and Ann Klinkhammer seeking a conditional use permit for a wellness center offering massage therapy services at 611 - Sixth Street be approved, subject to the following conditions:

- a. That the plans stamped "Received March 29, 2006" and presented to the Plan Commission on April 12, 2006, be approved subject to the conditions contained herein.
- b. That all signs be professionally made, comply with the zoning ordinance and be submitted to the Downtown Area Design Review Commission for review and approval.
- c. That the maximum hours of operation be from 8:00 a.m. to 7:00 p.m., Monday through Saturday, with no hours on Sunday.
- d. That all codes and ordinances be complied with and required permits acquired, and that an occupancy permit be requested from the Building Inspection Department prior to occupancy of the building.
- e. 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.

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

FISCAL NOTE: N/A

Sponsors: John M. Engel

**Adopted**

Res.06-6997 CONDITIONAL USE PERMIT 2124-2126 SIXTEENTH STREET

RESOLVED, that the request by Yan and Mei Li Zheng seeking a conditional use permit for a carryout restaurant at 2124 - 2126 Sixteenth Street be approved, subject to the following conditions:

- a. That the plans stamped "Received March 29, 2006" and presented to the Plan Commission on April 12, 2006, be approved subject to the conditions contained herein.
- b. That the maximum hours of operation be from 10:30 a.m. to 9:30 p.m. Sunday through Thursday and from 10:30 a.m. to 10:30 p.m. Friday and Saturday.
- c. That all signs be professionally made and comply with zoning ordinance requirements.
- d. That either wheel stops or curbing be installed along the north fence line.
- e. That the parking lot be paved and striped by June 1, 2006.
- f. That a stockade type wooden fence be installed along the east property line in compliance with applicable codes and ordinances.
- g. That all trash and recyclables be stored in closed containers and screened from view, and that no trash pick-up be conducted between the hours of 7:00 p.m. and 7:00 a.m. Monday through Saturday, with no garbage pick-up on Sundays.
- h. That all codes and ordinances be complied with and required permits acquired, and that an occupancy permit be requested from the Building Inspection Department prior to occupancy of the building.
- i. That there be no minor change from the conditions of this permit without the approval of the Plan Commission, and no major change from the conditions of this permit without the approval of the Common Council.
- j. That this Conditional Use Permit is subject to review by the Plan Commission for Compliance with the listed conditions.

FISCAL NOTE: N/A

Sponsors: John M. Engel

**Adopted**

**J. Ordinances**

Ord.11-06 Ordinance No. 11-06 to amend Secs. 102-57(3) and 102-58(e) of the Municipal Code relating to Vegetation - Planting.

To amend Secs. 102-57(3) and 102-58(e) of the Municipal Code of the City of Racine, Wisconsin relating to Vegetation - Permits for public utilities and contractors; Planting.

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

Part 1:

Sec. 102-57(3) of the Municipal Code of the City of Racine is hereby amended by deleting the last sentence of the paragraph.

Part 2:

Sec. 102-58(e) of the Municipal Code of the City of Racine is hereby amended by replacing the word "Elms" with the following "American Elm, Siberian Elm and Slippery Elm".

Part 3:

This ordinance shall take effect upon passage and the day after publication.

Passed by the Common Council:

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Approved:

\_\_\_\_\_

Mayor

Attest:

\_\_\_\_\_

City Clerk

FISCAL NOTE: N/A

**Sponsors:** Sandy Weidner

**Referred to Board of Park, Recreation and Cultural Services**

**Ord.12-06**

Ordinance No. 12-06 to amend Secs. 18-551, 18-553, 18-582, 18-583, 18-584(1) and 18-585(a) of the Municipal Code relating to Well abandonment and Cross connection control.

To amend Secs. 18-551, 18-553, 18-582, 18-583, 18-584(1) and 18-585(a) of the Municipal Code of the City of Racine, Wisconsin relating to Buildings and building regulations - Well abandonment and Cross connection control.

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

Part 1:

Sec. 18-551 of the Municipal Code of the City of Racine is hereby amended by deleting in the first line "ILHR 82" and inserting "Comm 82" in its place.

Part 2:

Sec. 18-553 of the Municipal Code of the City of Racine is hereby amended by deleting at the end of the paragraph "NR 111.25(3)" and inserting "NR 811.09" in its place.

Part 3:

Sec. 18-582 of the Municipal Code of the City of Racine is hereby amended by deleting "NR 112.42" in the third line of the third paragraph and inserting "NR 812.42" in its place; by deleting "NR 122.43" in the last line of the third paragraph and inserting "NR 812.43" in its place; by deleting "NR 112.06" in the fifth paragraph and inserting "NR 812.06" in its place and by deleting "NR 112.26" in the last paragraph and inserting "NR 812.26" in its place.

Part 4:

Sec. 18-583 of the Municipal Code of the City of Racine is hereby amended by deleting in the fourth line "112" and inserting "812" in its place.

Part 5:

Sec. 18-584(1) of the Municipal Code of the City of Racine is hereby amended by deleting "NR 112.42" and inserting "NR 812.42" in its place.

Part 6:

Sec. 18-585(a) of the Municipal Code of the City of Racine is hereby amended

by deleting "NR 112.26" in the fourth line and inserting "NR 812.26" in its place.

Part 7:

This ordinance shall take effect upon passage and the day after publication.

Passed by the Common Council:

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Approved:

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\_\_\_\_\_  
Mayor

Attest::

\_\_\_\_\_

City Clerk

FISCAL NOTE: N/A

Sponsors: Ronald D. Hart

**Referred to Waterworks Commission**

**Ord.13-06**

Ordinance No. 13-06 to amend Secs. 46-26, 46-28(a) and 46-31 of the Municipal Code relating to Finance - Bidding procedure.

To amend Secs. 46-26, 46-28(a) and 46-31 of the Municipal Code of the City of Racine, Wisconsin relating to Finance - Bidding procedure.

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

Part 1:

Sec. 46-26 of the Municipal Code of the City of Racine is hereby amended by deleting in the last sentence "\$15,000.00" and inserting "\$25,000.00" in its place.

Part 2:

Sec. 46-28(a) of the Municipal Code of the City of Racine is hereby amended by deleting in the second paragraph, first sentence, "\$15,000.00" and inserting "\$25,000.00" in its place.

Part 3:

Sec. 46-31 of the Municipal Code of the City of Racine is hereby amended by deleting in the title "\$15,000.00" and inserting "\$25,000.00" in its place.

Part 4:

This ordinance shall take effect upon passage and the day after publication.

Passed by the Common Council:

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Approved:

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\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

FISCAL NOTE: N/A

**Sponsors:** John M. Engel

**Referred to Public Works and Services Committee**

**Ord.14-06**

Ordinance No. 14-06 to repeal and recreate Sec. 2-402(b) of the Municipal Code relating to Chief of Police.

To repeal and recreate Sec. 2-402(b) of the Municipal Code of the City of Racine, Wisconsin relating to Chief of Police - Supervision of department.

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

Part 1:

Sec. 2-402(b) of the Municipal Code of the City of Racine is hereby repealed and recreated to read as follows:

“(b) Supervision of department; deputy chiefs.  
The chief of police shall have general supervision over the police department and be responsible for the efficiency thereof. In the event of a temporary absence of the chief of police, his duties shall be performed by the deputy chief of police designated by the chief of police, and in the event of the disability, death or suspension of the chief of police, his duties shall be performed by the deputy chief of police of the patrol division.”

Part 2:

This ordinance shall take effect upon passage and the day after publication.

Passed by the Common Council:

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Approved:

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\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

FISCAL NOTE: N/A

**Sponsors:** David L. Maack

**Referred to Finance and Personnel Committee**

**ZOrd.0002-06** An Ordinance to rezone 3037, 3051, 3063 and 3077 Douglas Avenue

To amend the map of the Zoning Ordinance of the City of Racine.

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

Part 1:

That the properties located at 3037, 3051, 3063 and 3077 Douglas Avenue, and more particularly described as follows:

"Begin at a point which is the intersection of the north line of Kingston Avenue and the east line Douglas Avenue, from that point travel easterly along the north line of Kingston Avenue 188.6 feet, travel thence northerly 204 feet to the south line of Florence Avenue, travel thence westerly 130 feet, travel thence northerly 164.95 feet, travel thence westerly 90 feet, travel thence 113.71 feet to the south line of Lombard Avenue, travel thence westerly along said line to the east line of Douglas Avenue, travel thence southeasterly along said line to the point of beginning of this description. Said land being in the City of Racine, Racine County, Wisconsin."

be rezoned from B-1 Neighborhood Convenience District, to B-2 Community Shopping District.

Part 2:

This ordinance shall take effect upon passage and the day after publication.

Passed by the Common Council:

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Approved:

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\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

FISCAL NOTE: N/A

Sponsors: John M. Engel

**Referred to City Plan Commission**

**L. Adjourn**

*The meeting was adjourned at 8:05 P.M. by Alderman Shakoor. The next scheduled meeting of the Council is Tuesday, April 18, 2006.*

ATTEST: JANICE M. JOHNSON-MARTIN

CITY CLERK