



City of Racine

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

Meeting Minutes - Final Common Council

*Mayor John T. Dickert,
President, Alderman Raymond DeHahn
Alderman Dennis Wisner, Alderman Jim Kaplan,
Alderman Q.A. Shakoor-II, Alderman Ronald D. Hart,
Alderman Sandy Weidner,
Alderman Krystyna Sarrazin, Alderman Jeff Coe,
Alderman Michael Shields,
Alderman Melissa Kaprelian-Becker,
Alderman Terry McCarthy, Alderman Gregory Holding,
Alderman James Morgenroth,
Alderman Edward E. Diehl,
Alderman Henry Perez*

Tuesday, December 16, 2014

7:00 PM

Room 205, City Hall

A. Call To Order

PRESENT: 13 - Coe, Sarrazin, Shields, Kaplan, Weidner, DeHahn, Shakoor-II, McCarthy, Wisner, Holding, Perez, Hart and Diehl
EXCUSED: 2 - Kaprelian-Becker and Morgenroth

B. Pledge of Allegiance To The Flag

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

C. Approval of Journal of Council Proceedings (Minutes)

Minutes of the previous meeting were approved as printed on motion of President DeHahn.

D. Public Comments

*Susan Dekeuster
Melissa Warner
Wayne Clingman
Ron Thomas
Sam Azarian
Marlo Harman
Kate Remington
Jim Chambers
Castenzio Venegas
Kevin Cookman
Ben Lehner
George Meyers
Joey Legath
Ciji Pittman*

E. Communications

Refer to Finance and Personnel Committee, by Ald. Shakoor

[14-10851](#) **Subject:** communication from the City Attorney submitting the claim of Daniel Swift for consideration.
Referred to Finance and Personnel Committee

Refer to City Plan Commission, by Ald. Wiser

[14-10853](#) **Subject:** Communication from the Racine Economic Development Corporation submitting and requesting adoption of the Uptown Neighborhood Strategic Development Plan.
Referred to City Plan Commission

Refer to Board of Harbor Commissioners, by Ald. DeHahn

[14-10841](#) **Subject:** Communication from Mark Veenstra requesting slip use for the restroom and shower facilities along Gaslight Pointe.
Referred to Board of Harbor Commission

F. Committee Reports

Finance and Personnel Committee Report, by Ald. Shakoor

[14-10762](#) **Subject:** Communication from Jason Greenwood on the behalf of the Splash and Dash Foundation requesting a reduction or waiver of the \$175.00 park reservation fee for the Splash and Dash event to be held at North Beach on Thursday, January 1, 2015.

Recommendation of the Finance & Personnel Committee on 12-8-14: The request for a reduction or waiver of the \$175.00 park reservation fee for the Splash and Dash event be denied.

Fiscal Note: Park reservation fee is \$175.00

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

[14-10778](#) **Subject:** Developers Agreement with Ashley Capital for Water Main Construction in the Village of Sturtevant (Res. No. 14-0500)

Recommendation of the Waterworks Commission on 11/25/14:
Approve

Recommendation of the Finance & Personnel Committee on

12-8-14: That the Mayor and City Clerk be authorized to enter in the Developers Agreement with Ashley Capital for Water Main Construction in the Village of Sturtevant.

Fiscal Note: The developer shall bear all costs

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

14-10781

Subject:(Direct Referral) Communication from the Deputy City Attorney and Human Resources Manager submitting modifications to the City of Racine Employee Handbook for consideration. (Res. No. 14-0502)

Recommendation of the Finance & Personnel Committee on

11-24-14: Defer the item until the December 8, 2014 Finance & Personnel meeting.

Recommendation of the Finance & Personnel Committee on

12-8-14: Recommend approval of the proposed modifications to the City of Racine Employee Handbook.

Fiscal Note: N/A

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

14-10789

Subject: Communication from the Purchasing Agent submitting bid results on Official Notice #12 Emergency Medical Supplies for the Racine Fire Department. (Res. No. 14-0498)

Recommendation of the Finance & Personnel Committee on

12-8-14: That the Purchasing Agent enter into multiple agreements with the lowest responsive responsible bidders for items listed in Official Notice #12 EMS Supplies.

Fiscal Note: Funding for this expense in FY2015 is \$100,000 in account 101.300.5690

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

14-10793

Subject: (Direct Referral) Communication from the City Attorney requesting authorization to represent Racine police officers F. Miller and R. Rasmussen in the lawsuit filed in the U.S. District Court, Eastern District of Wisconsin under Case No. 14-C-1175, Eric S. Conley-Eaglebear v. Off. Miller, et al. (Res. No. 14-0501)

Recommendation of the Finance & Personnel Committee on

12-8-14: Permission be granted to the City Attorney to represent Racine police officers F. Miller and R. Rasmussen in the lawsuit filed in the U.S. District Court, Eastern District of Wisconsin under Case No. 14-C-1175, Eric S. Conley-Eaglebear v. Off. Miller, et al.

Fiscal Note: None at this time

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

14-10794

Subject: Communication from the Racine County Economic Development Corporation (RCEDC) requesting to present the semi-annual plan certifications for the period ending September 30, 2014 for the City Revolving Loan Fund (City-RLF). (Res. No. 14-0499)

Recommendation of the Finance & Personnel Committee on

12-8-14: That the City certify for the semi-annual reporting period ending September 30, 2014: the City-Revolving Loan Fund (City-RLF) Plan is consistent with and supportive of the area's current economic and adjustment strategy; and the City-RLF is being operated in accordance with the policies and procedures contained in the City-RLF Plan and the loan portfolio meets the standards contained therein.

Fiscal Note: N/A

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

14-10836

Subject: (Direct Referral) Communication from the Deputy City Attorney presenting a plan to continue the City's obligation to provide certain life insurance benefits to certain retired employees with a MetLife plan. Note: The City has a remaining liability of \$681,000 for 357 employees retired as of December 31, 2014. The total premium for the proposed plan is \$413,584, payable over five years (Year 1: \$117,301, Years 2 through 5: \$82,620). (Res. No. 14-0493)

Recommendation of the Finance & Personnel Committee on

12-8-14: The MetLife proposal as presented by the Horton Group be implemented. Further recommend that 2015 budgeted funds of \$92,941.17 be transferred from account 101.990.5970, Non-Departmental Contingency, to account 101.850.5140, Non-Departmental Life Insurance.

Fiscal Note: 2015: \$117,301 premium to be funded as follows: (\$115,159.06 - 101.850.5140 Non-Departmental Life Insurance (after \$92,941.17 transfer from the Contingency Account); \$1,120.50 -

9265000 Water Utility Life Insurance; \$1,021.44 - 6605040
Wastewater Utility Life Insurance. There are sufficient funds available
for the transfer and payment of the premium.

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

Council Action

**A motion was made by Alderman Q.A. Shakoor-II, seconded by Alderman Terry
McCarthy, that this be Considered as Reported to Adopt the Report. Adopted
by the following vote:**

AYES: 13 - Coe, Sarrazin, Shields, Kaplan, Weidner, DeHahn, Shakoor-II, McCarthy,
Wiser, Holding, Perez, Hart and Diehl

EXCUSED: 2 - Kaprelian-Becker and Morgenroth

Public Works and Services Committee Report, by Ald. Kaplan

14-10688

Subject: Communication from the General Manager Requesting that
the City Attorney Draft an Amendment Resolution Pertaining to
Chapter 98 of the Municipal Code, Section IV, Division 3, User
Regulations, as a Result of NR211 of the Department of Natural
Resources Code (Res. No. 14-0497) (Ord. 13-14)

**Recommendation of the Racine Wastewater Commission on
11/25/14:** To approve changes to Chapter 98 of the Municipal Code,
Section IV, Division 3, User Regulations

Fiscal Note: N/A

**Recommendation of the Public Works and Services Committee
on December 9, 2014:** That changes to Chapter 98 of the Municipal
Code, Section IV, Division 3, User Regulations, be approved.

Fiscal Note: N/A

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

14-10770

Subject: Communication from the Assistant Commissioner of Public
Works/Operations requesting to waive formal bidding procedures for
the annual HVAC maintenance agreement. (Res. No. 14-0507)

**Recommendation of the Public Works and Services Committee
on December 9, 2014:** The request to waive formal bidding
procedures be approved in accordance with State Statutes that allow
for the waiving of public bids for the purpose of maintaining uniformity

of equipment and services.

Further recommends that the Mayor and City Clerk be authorized and directed to enter into the Annual Preventative Maintenance Agreement with Johnson Controls.

Fiscal Note: The annual agreement cost for 2015 will be \$101,422 and is available in Account 404.000.5550, Repairs and Maintenance.

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

[14-10791](#)

Subject: Communication from the Assistant Commissioner of Public Works/Operations submitting a professional services agreement for Contract 54-14 (K4-054), PS - Roof Management Program, Industrial Roofing Services, Inc., consultant. (Res. No. 14-0506)

Recommendation of the Public Works and Services Committee on December 9, 2014: That the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with Industrial Roofing Services, Inc., for Contract 54-14 (K4-054), PS - Roof Management Program, in the not-to-exceed amount of \$19,575.

Further recommends that funds to defray the cost of these professional services be appropriated from Account 404.000.5760, Building Improvements - Building Complex.

Fiscal Note: Funds are available as herein delineated.

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

[14-10792](#)

Subject: Communication from the Real Racine, on behalf of AGA Nation, requesting to close 5th Street between Wisconsin and Main Street starting at 7:00 a.m. on Friday, January 9, 2015 through 8:00 p.m. Sunday, January 11, 2015 to host its 2015 Winter Rail Jam mobile snowboard and freestyle ski event. (Res. No. 14-0505)

Recommendation of the Public Works and Services Committee on December 9, 2014: That Real Racine, on behalf of AGA Nation, be granted permission to close 5th Street between Wisconsin and Main Street starting at 7:00 A.M. on Friday, January 9, 2015 through 8:00 P.M. on Sunday, January 11, 2015 to host its 2015 Winter Rail Jam mobile snowboard and freestyle ski event, with the following stipulations:

- A. A hold harmless agreement be executed and a \$75.00 processing fee paid.
- B. A liability insurance certificate be filed prior to this event.

- C. Any overtime costs incurred by any City department be charged to the sponsor.
- D. The sponsor shall notify all abutting property owners seventy-two (72) hours in advance of this event.
- E. The sponsor shall pay a \$250 special event fee.
- F. If required, sponsor shall be responsible for submitting a Temporary Traffic Control Plan to the Engineering Department for approval, and providing and removing all temporary traffic control devices and detour signs.
- G. If required, sponsor shall provide a detour plan for the closure of all State Connecting Highways, arterial and collector streets to the City Engineer for approval.
- H. Sponsor is responsible for cleaning the streets.
- I. If required, sponsor shall install parking meter hoods or temporary parking signs at least 24 hours in advance of the event and if this is not done, sponsor is responsible for vehicle towing and parking violation expenses of the violators.

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

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

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

[14-10802](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations requesting permission to waive formal bidding procedures for the purchase of a front end loader vehicle and a loader/backhoe vehicle. (Res. No. 14-0508)

Recommendation of the Public Works and Services Committee on December 9, 2014: That formal bidding procedures be waived and the Purchasing Agent be authorized and directed to negotiate with Miller-Bradford and Risberg, Inc., for the purchase of a front end loader and a loader/backhoe.

Fiscal Note: The estimated cost of this equipment is \$277,000 and funding is available in the following accounts:

\$187,000 - Account 945.630.5010, Street Maintenance-Wheel Loader
\$ 90,000 - Account 945.630.5040, Street Maintenance-Backhoe
\$277,000 - Total

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

14-10803

Subject: (Direct Referral) Communication from the Commissioner of Public Works submitting a request for final payment on Contract 17-12 (K2-018), PS - Roof Replacement at Transit Maintenance Building, Industrial Roofing Services, Inc., consultant. (Res. No. 14-0509)

Recommendation of the Public Works and Services Committee on December 9, 2014: That the work done by Industrial Roofing Services, Inc., under Contract 17-12 (K2-018), PS - Roof Replacement at Transit Maintenance Building, be accepted and final payment authorized for a total contract amount of \$10,850.

Fiscal Note: Contract was authorized under Resolution No. 12-2971, dated February 22, 2012.

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

14-10804

Subject: (Direct Referral) Communication from the Commissioner of Public Works submitting a request for final payment on Contract 28-14 (K4-028), PS - Design of Recycling Brochures, Corporate Images, Inc., consultant. (Res. No. 14-0510)

Recommendation of the Public Works and Services Committee on December 9, 2014: That the work done by Corporate Images, Inc., under Contract 28-14 (K4-028), PS - Design of Recycling Brochures, be accepted and final payment authorized for a total contract amount of \$5,100.

Fiscal Note: Contract was authorized under Resolution No. 14-0221, dated May 20, 2014.

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

14-10809

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer submitting Amendment No. 4 to State Project ID: 1693-34-07, Lake Michigan Pathway Phase 3. (Res. No. 14-0521)

Recommendation of the Public Works and Services Committee on December 9, 2014: That Amendment No. 4 to State Project ID: 1693-34-07, Lake Michigan Pathway, Phase 3, as submitted, be approved in the amount of \$16,065.58, with the City's share being \$3,213.12 (20%), and the State's share being \$12,852.46 (80%).

Further recommends that funding to defray the cost of this amendment be appropriated from Account 993.908.5620, Lake Michigan Pathway Phase 3A and 3B.

Fiscal Note: Funds are available as herein delineated.

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

14-10810

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer submitting a proposal from R.A. Smith National for Contract 55-14 (K4-055), PS - Retaining Wall - Riverside and Roe. (Res. No. 14-0522)

Recommendation of the Public Works and Services Committee on December 9, 2014: That the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with R.A. Smith National for Contract 55-14 (K4-055), PS - Retaining Wall - Riverside and Roe, in the not-to-exceed amount of \$18,685.

Fiscal Note: Funding for this agreement is available in the 2015 CIP budget.

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

14-10811

Subject: (Direct Referral) Communication from the Commissioner of Public Works submitting a request for final payment on Contract 04-13 (K3-004), PS - Memorial Hall, City Hall & City Hall Annex Tuckpointing, Industrial Roofing Services, Inc., consultant. (Res. No. 14-0511)

Recommendation of the Public Works and Services Committee on December 9, 2014: That the work done by Industrial Roofing Services, Inc., under Contract 04-13 (K3-004), PS - Memorial Hall, City Hall & City Hall Annex Tuckpointing, be accepted and final payment authorized for a total contract amount of \$22,750.

Fiscal Note: Contract was authorized under Resolution No. 13-0021, dated January 15, 2013.

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

14-10813

Subject: (Direct Referral) Communication from the Commissioner of Public Works submitting a request for final payment on Contract 30-13 (K3-033), PS - Design Festival Hall & Parks Administration AC Replacement, Arnold & O'Sheridan, consultant. (Res. No. 14-0512)

Recommendation of the Public Works and Services Committee on December 9, 2014: That the work done by Arnold & O'Sheridan, under Contract 30-13 (K3-033), PS - Design Festival Hall & Parks Administration AC Replacement, be accepted and final payment

authorized for a total contract amount of \$16,503.85.

Fiscal Note: Contract was authorized under Resolution 13-0189, dated May 7, 2013.

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

[14-10814](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works submitting a request for final payment on Contract 52-13 (K3-057), HVAC Upgrade - Equipment Garage, DMJ Services, LLC., dba Action Heating Plumbing & Cooling, contractor. (Res. No. 14-0513)

Recommendation of the Public Works and Services Committee on December 9, 2014: That the work done by DMJ Services, LLC., dba Action Heating Plumbing & Cooling, under Contract 52-13 (K3-057), HVAC Upgrade - Equipment Garage, be accepted and final payment authorized for a total contract amount of \$67,306.

Fiscal Note: Contract was authorized under Resolution 13-0358, dated September 3, 2013.

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

[14-10815](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works/Operations submitting Change Order No. 1 on Contract 40-14 (K4-040), Roof Replacement - BUS Storage Garage, Kaschak Roofing, contractor. (Res. No. 14-0518)

Recommendation of the Public Works and Services Committee on December 9, 2014: That Change Order No. 1 on Contract 40-14 (K4-040), Roof Replacement - BUS Storage Garage, Kaschak Roofing, contractor, as submitted, be approved in the amount of \$2,604.

Further recommends that funding to defray the cost of this change order be appropriated from Account 105.900.5010, BUS - Capital Projects.

Fiscal Note: Funds are available as herein delineated.

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

[14-10817](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works submitting a request for final payment on Contract 40-14 (K4-040), Roof Replacement - BUS Storage Garage, Kaschak Roofing, Inc., contractor. (Res. No. 14-0519)

Recommendation of the Public Works and Services Committee on December 9, 2014: That the work done by Kaschak Roofing, under Contract 40-14 (K4-040), Roof Replacement - BUS Storage Garage, be accepted and final payment authorized for a total contract amount of \$136,880.

Fiscal Note: Contract was authorized under Resolution 14-0319, dated August 4, 2014.

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

14-10818

Subject: (Direct Referral) Communication from the Downtown Racine Corporation for the use of City right-of-way for "The Big Chill" snow and ice carving event on January 9 - 11, 2015. (Res. No. 14-0504)

Recommendation of the Public Works and Services Committee on December 9, 2014: That the Mayor and City Clerk be authorized and directed to enter into an agreement with the Downtown Racine Corporation granting permission to place ice sculptures on City sidewalks along Sixth Street and Main Street from State Street to 7th Street, from January 9, 2015 until they melt, with the following stipulations:

- A. That a clear area be established along the building line of a minimum of five feet in order to meet ADA requirements.
- B. That any ice sculptures be set back a minimum of two feet from the back of the curb in order to meet Wisconsin Department of Transportation requirements.
- C. That a hold harmless agreement be filed with the City Attorney's Office and a \$75 processing fee paid.
- D. That a liability insurance certificate be filed with the City Attorney's Office.

Fiscal Note: N/A

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

14-10819

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer submitting Change Order No. 1 on Contract 17-14 (K4-017), Racine Streambank Stabilization, Native Construction, contractor. (Res. No. 14-0520)

Recommendation of the Public Works and Services Committee on December 9, 2014: That Change Order No. 1 on Contract 17-14 (K4-017), Racine Streambank Stabilization, Native Construction, contractor, as submitted, be approved in the amount of \$117,268.23.

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

\$ 55,572.75 - Account 104.993.5430, Wash Pk Streambank A, UNP (Spring St.)
\$ 61,695.48 - Account 104.993.5440, Wash Pk Streambank B, (Washington Pk)
\$117,268.23 - 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.

[14-10820](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works submitting a request for final payment on Contract 51-12 (K2-062), Construct Home - 1216 Geneva Street, Double D Construction, Inc., contractor. (Res. No. 14-0514)

Recommendation of the Public Works and Services Committee on December 9, 2014: That the work done by Double D Construction, Inc., under contract 51-12 (K2-062), Construct Home - 1216 Geneva Street, be accepted and final payment authorized for a total contract amount of \$173,570.

Fiscal Note: Contract was authorized under Resolution 12-3272, dated August 21, 2012.

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

[14-10821](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works submitting a request for final payment on Contract 57-12 (K2-068), Construct Home - 1029 Ninth Street, Native Construction and Landscaping, contractor. (Res. No. 14-0515)

Recommendation of the Public Works and Services Committee on December 9, 2014: That the work done by Native Construction and Landscaping, under Contract 57-12 (K2-068), Construct Home - 1029 Ninth Street, be accepted and final payment authorized for a total contract amount of \$210,700.

Fiscal Note: Contract was authorized under Resolution 12-3455, dated December 4, 2012.

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

[14-10822](#)

Subject: (Direct Referral) Communication from the Commissioner of

Public Works submitting a request for final payment on Contract 63-12 (K2-074), Construct Home - 1721 Villa Street, Double D Construction, Inc., contractor. (Res. No. 14-0516)

Recommendation of the Public Works and Services Committee on December 9, 2014: That the work done by Double D Construction, Inc., under Contract 63-12 (K2-074), Construct Home - 1721 Villa Street, be accepted and final payment authorized for a total contract amount of \$174,775.

Fiscal Note: Contract was authorized under Resolution 12-3395, dated November 7, 2012.

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

[14-10823](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works submitting a request for final payment on Contract 64-12 (K2-075), Construct Home - 931 Center Street, Double D Construction, Inc., contractor. (Res. No. 14-0517)

Recommendation of the Public Works and Services Committee on December 9, 2014: That the work done by Double D Construction, Inc., under Contract 64-12 (K2-075), Construct Home - 931 Center Street, be accepted and final payment authorized for a total contract amount of \$175,675.

Fiscal Note: Contract was authorized under Resolution 12-3396, dated November 7, 2012.

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

[14-10824](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer requesting a resolution in support of a sidewalk extension on Kinzie Avenue for State Project ID: 2390-09-00/70, STH 31 Resurfacing. (Res. No. 14-0523)

Recommendation of the Public Works and Services Committee on December 9, 2014: That the City supports sidewalk extension on Kinzie Avenue for State Project ID: 2390-09-00/70 STH 31 Resurfacing.

Fiscal Note: If WisDOT includes sidewalk extensions, the City's participation would be 20% via sidewalk assessment.

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

[14-10829](#)

Subject: (Direct Referral) Communication from Craig Shaub from

Dig-it All Sign Company, LLC., on behalf of Tina Sagal, requesting permission to place a sign in the City right-of-way at Tina's Dress Boutique, 505 Sixth Street. (Res. No. 14-0503)

Recommendation of the Public Works and Services Committee on December 9, 2014: The property owner of 505 Sixth Street be granted permission to install a stationary projecting sign as requested, with the stipulation that a hold harmless agreement be executed and a \$150 processing fee paid, in accordance with State Statute 66.0425, Privileges in Streets, to cover administrative costs associated with filing this item with the Register of Deeds.

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

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

Council Action

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

AYES: 13 - Coe, Sarrazin, Shields, Kaplan, Weidner, DeHahn, Shakoor-II, McCarthy, Wisner, Holding, Perez, Hart and Diehl

EXCUSED: 2 - Kaprelian-Becker and Morgenroth

City Plan Commission Report, by Ald. Wisner

14-10784

Subject: (Direct Referral) A request from Matthew Mano to re-zone 3502 Douglas Avenue from B-2 Community Shopping District to R-3 Limited General Residence District to operate a charter school. (ZOrd. 005-14)

Recommendation of the City Plan Commission on 12-10-14: That an ordinance to rezone 3502 Douglas Avenue from B-2 Community Shopping to O/I Office Institutional be prepared and a public hearing scheduled.

Fiscal Note: N/A

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

14-10830

Subject: (Direct Referral) A request from Ciji Pittman to amend the 2035 Comprehensive Land Use Plan Map designation for 3502 Douglas Avenue from Commercial to Office. (ZOrd. 006-14)

Recommendation of the City Plan Commission on 12-10-14: That

an ordinance be prepared, a resolution drafted and a public hearing scheduled.

Fiscal Note: N/A

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

Council Action

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

AYES: 13 - Coe, Sarrazin, Shields, Kaplan, Weidner, DeHahn, Shakoor-II, McCarthy, Wisner, Holding , Perez, Hart and Diehl

EXCUSED: 2 - Kaprelian-Becker and Morgenroth

[14-10832](#)

Subject: (Direct Referral) A request from Kyle J. Peterson of Herman Kittle Properties, Inc. for the properties at 1520 & 1536 Clark Street, seeking an amendment to the 2035 Comprehensive Land Use Plan Map designation from Industrial to Mixed Use - Residential emphasis, a rezoning from I-2 General Industrial District to I-2 with a Flex Development Overlay District, and a conditional use permit for a multifamily residential development. (Z.Ords. 007-14 & 008-14)

Recommendation of the City Plan Commission on 12-10-14: That regarding the Comp Plan amendment to change the designation of the subject properties from industrial to mixed use with residential emphasis, that an ordinance and resolution be prepared and public hearing be scheduled.

Further regarding the rezoning, that an ordinance be prepared and public hearing be scheduled.

Further that the applicant provide additional information as necessary to better inform the conditional use application the 15th Street Vacation, and a Certified Survey Map and that such information be submitted for Plan Commission review and recommendation.

Fiscal Note: N/A

Alderman Coe requested separate consideration for this item.

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

AYES: 11 - Sarrazin, Shields, Kaplan, Weidner, DeHahn, Shakoor-II, Wisner, Holding , Perez, Hart and Diehl

NOES: 2 - Coe and McCarthy

EXCUSED: 2 - Kaprelian-Becker and Morgenroth

Community Development Committee Report, by Ald. Dehahn

14-10797

Subject: (Direct Referral) Application of HALO for an allocation of HOME Funds for the renovation of 2005 Washington Avenue.

Recommendation of the Community Development Committee on 12-4-14: That the application of HALO for an allocation of HOME Funds for the renovation of 2005 Washington Avenue be received and filed.

Fiscal Note: N/A

Alderman Coe requested separate consideration for this item.

A motion was made that this Communication be Referred to the Community Development Committee. The motion was APPROVED by the following vote:

AYES: 11 - Sarrazin, Shields, Kaplan, Weidner, DeHahn, Shakoor-II, Wisner, Holding , Perez, Hart and Diehl

NOES: 2 - Coe and McCarthy

EXCUSED: 2 - Kaprelian-Becker and Morgenroth

14-10798

Subject: (Direct Referral) Request of the Chief Building Inspector for CDBG Local Option Funds for the 2014 Blight Removal - Home Demolitions Program. (Res. No. 14-0524)

Recommendation of the Community Development Committee on 12-4-14: That the request of the Chief Building Inspector for \$85,000 from the Local Option Fund to increase the 2014 grant for the Blight Removal - Home Demolitions Program be approved.

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

Fiscal Note: There are sufficient funds available in the Local Option Fund for this purpose.

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

14-10799

Subject: (Direct Referral) Request of the Racine Literacy Council for an amendment to the CDBG Grant Agreement for the 2014 Adult Literacy Program. (Res. No. 14-0525)

Recommendation of the Community Development Committee on

12-4-14: That the request of the Racine Literacy Council to revise its 2014 grant budget for the Adult Literacy Program be approved.

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

Fiscal Note: The revision increases the amount for salaries by \$1,100.00 and reduces the amount for supplies by the same amount. The total 2014 CDBG allocation to Racine Literacy Council Adult Literacy Program remains unchanged.

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

[14-10800](#)

Subject: (Direct Referral) Request of the Recreation Supervisor for an amendment to the CDBG Grant Agreement for the 2014 Dr. Martin Luther King, Jr. Community Center GED/HSED Program. (Res. No. 14-0526)

Recommendation of the Community Development Committee on 12-4-14: That the request of the Racine Parks, Recreation & Cultural Services Department to revise its 2014 grant budget for the King Center GED/HSED Program be approved.

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

Fiscal Note: The revision increases the amount for salaries by \$2,889.52; other budget lines are reduced accordingly. The total 2014 Community Development Block Grant allocation to King Center GED/HSED Program remains unchanged.

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

Council Action

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

AYES: 13 - Coe, Sarrazin, Shields, Kaplan, Weidner, DeHahn, Shakoor-II, McCarthy, Wisner, Holding, Perez, Hart and Diehl

EXCUSED: 2 - Kaprelian-Becker and Morgenroth

Executive Committee Report, by Ald DeHahn

[14-10842](#)

Subject: (Direct Referral) communication from the City Administrator providing a status report on a potential developer's agreement.

Recommendation of the Executive Committee on 12-10-14: That the item 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 by the following vote:

AYES: 13 - Coe, Sarrazin, Shields, Kaplan, Weidner, DeHahn, Shakoor-II, McCarthy, Wisner, Holding , Perez, Hart and Diehl

EXCUSED: 2 - Kaprelian-Becker and Morgenroth

Office of the Mayor Report, by Ald DeHahn

[14-10855](#)

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

Reappoint Tom Kennedy 3114 Michigan Blvd. Racine, 53402 to the Sister Cities Planning Council for a 3 year term, expiring December 1, 2017.

Reappoint Linda O'Connell 2326 N. Main St. Racine, 53402 to the Sister Cities Planning Council for a 3 year term, expiring December 1, 2017.

Reappoint Richard Ehlert 5749 Little Timber Dr. Racine, 53403 to the Sister Cities Planning Council for a 3 year term, expiring December 1, 2017.

Reappoint Elizabeth Stoffel-Duffy 2117 Green St. Racine, 53402 to the Sister Cities Planning Council for a 3 year term, expiring December 1, 2017.

Reappoint Dwayne Olsen 5118 Kinzie Ave. Racine, 53405 to the Sister Cities Planning Council for a 3 year term, expiring December 1, 2017.

Appoint Michele Caskey 3334 Pleasant Lane Racine, 53405 to the Sister Cities Planning Council for a 3 year term, expiring December 1, 2017.

Appoint Francisco Martinez 6607 Whitewater St. Racine, 53402 to the Sister Cities Planning Council filling the current vacancy, expiring

December 1, 2016.

Appoint Dawn Imberi 3405 Ivy Lane. Racine, 53402 to the Sister Cities Planning Council filling the current vacancy, expiring December 1, 2016.

A motion was made by President Raymond DeHahn, seconded by Alderman Q.A. Shakoor-II, that this be Received and Filed as Reported. The motion PASSED by the following vote:

AYES: 13 - Coe, Sarrazin, Shields, Kaplan, Weidner, DeHahn, Shakoor-II, McCarthy, Wisner, Holding , Perez, Hart and Diehl

EXCUSED: 2 - Kaprelian-Becker and Morgenroth

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

14-10483

Subject: Communication from the Alderperson of the 6th District submitting on behalf of Richard Christensen requesting a change of rules and regulations concerning weekend tee times at Johnson Park Golf Course.

Recommendation of the Board of Parks, Recreation & Cultural Services on 9-10-14: To request PRCS staff to work with Johnson Golf Course staff on drafting a written policy in relation to weekend tee times at Johnson Park Golf Course to be reviewed by the Board of Parks, Recreation & Cultural Services.

Recommendation of the Golf Course Liaison Committee on 9-25-14: To Receive and File Item 14-10483.

Fiscal Note: N/A

Recommendation of the Board of Parks, Recreation & Cultural Services on 10-9-14: Staff to review the policy and to consider the suggestions and concerns discussed.

Recommendation of the Board of Parks, Recreation & Cultural Services on 11-13-14: Defer

Recommendation of the Board of Parks, Recreation & Cultural Services on 12-10-14: Recommend written policy as proposed and Golf Course staff to maintain a log of complaints. Further recommend the original 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.

14-10816

Subject: (Direct Referral) Communication from Scott Schuit, General Manager Public Golf Associates, requesting a revision of fees for Season Passes at City of Racine Golf Courses. (Res. No. 14-0527)

Recommendation of the Golf Course Liaison Committee on December 3, 2014: To approve the addition of an Extended-Season Stamp as proposed by Scott Schuit, General Manager, Public Golf Associates.

Fiscal Note: The Adult Extended-Season Stamp fee will be \$100. The Senior Extended-Season Stamp fee will be \$75.

Recommendation of the Board of Parks, Recreation & Cultural Services on December 10, 2014: To approve the addition of an Extended-Season Stamp as proposed by Scott Schuit, General Manager, Public Golf Associates.

Fiscal Note: The Adult Extended-Season Stamp fee will be \$100. The Senior Extended-Season Stamp fee will be \$75.

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

Council Action

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

AYES: 13 - Coe, Sarrazin, Shields, Kaplan, Weidner, DeHahn, Shakoor-II, McCarthy, Wisner, Holding, Perez, Hart and Diehl

EXCUSED: 2 - Kaprelian-Becker and Morgenroth

G. Consent Agenda/Resolutions**Res.14-0493**

Life Insurance Benefits for Certain Retired Employees

Resolved, that the plan to continue the City's obligation to provide certain life insurance benefits to certain retired employees with a MetLife plan is approved. Note: The City has a remaining liability of \$681,000.00 for 357 employees retired as of December 31, 2014. The total premium for the proposed plan is \$413,584.00, payable over five years (Year 1: \$117,301.00, Years 2 through 5: \$82,6200.00).

Further resolved, that the MetLife proposal as presented by the Horton Group is approved to be implemented.

Further resolved, that 2015 budgeted funds of \$92,941.17 are to be transferred from account 101.990.5970, Non-Departmental Contingency, to account 101.850.5140, Non-Departmental Life Insurance.

Fiscal Note:

2015: \$117,301.00 premium to be funded as follows:

(\$115,159.06 - 101.850.5140 Non-Departmental Life Insurance (after \$92,941.17 transfer from the Contingency Account); \$1,120.50 - 9265000 Water Utility Life Insurance; \$1,021.44 - 6605040 Wastewater Utility Life Insurance. There are sufficient funds available for the transfer and payment of the premium.

Sponsors: Q.A. Shakoor-II

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

[Res.14-0498](#)

Official Notice #12 Emergency Medical Supplies for the Racine Fire Department

Resolved, that the Purchasing Agent is approved to enter into multiple agreements with the lowest responsive responsible bidders for items listed in Official Notice #12 EMS Supplies.

Fiscal Note: Funding for this expense in FY2015 is \$100,000.00 in account 101.300.5690

Sponsors: Q.A. Shakoor-II

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

[Res.14-0499](#)

Semi-Annual Plan Certifications for Period Ending September 30, 2014 for the City Revolving Loan Fund (City-RLF)

Resolved, that the City certify for the semi-annual reporting period ending September 30, 2014: the City-Revolving Loan Fund (City-RLF) Plan is consistent with and supportive of the area's current economic and adjustment strategy; and the City-RLF is being operated in accordance with the policies and procedures contained in the City-RLF Plan and the loan portfolio meets the standards contained therein.

Fiscal Note: N/A

Sponsors: Q.A. Shakoor-II

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

Res.14-0500

Developers' Agreement with Ashley Capital for Water Main Construction in the Village of Sturtevant

Resolved, that the Mayor and City Clerk are authorized to enter into a Developers' Agreement with Ashley Capital for Water Main Construction in the Village of Sturtevant.

Fiscal Note: The developer shall bear all costs.

Sponsors: Q.A. Shakoor-II

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

Res.14-0501

U.S. District Court, Eastern District of Wisconsin, Case No. 14-C-1175, *Eric S. Conley-Eaglebear v. Off. Miller, et al*

Resolved, that permission is granted to the City Attorney to represent Racine police officers F. Miller and R. Rasmussen in the lawsuit filed in the U.S. District Court, Eastern District of Wisconsin under Case No. 14-C-1175, *Eric S. Conley-Eaglebear v. Off. Miller, et al*.

Fiscal Note: None at this time

Sponsors: Q.A. Shakoor-II

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

Res.14-0502

Modifications to City of Racine Employee Handbook

Resolved, that the proposed modifications to the City of Racine Employee Handbook are approved.

Fiscal Note: N/A

Sponsors: Q.A. Shakoor-II

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

Res.14-0503

Sign in the City Right-of-Way - Tina's Dress Boutique, 505 Sixth Street

Resolved, that the property owner of 505 Sixth Street is granted permission to install a stationary projecting sign as requested, with the stipulation that a hold harmless agreement be executed and a \$150.00 processing fee paid, in accordance with State Statute 66.0425, Privileges in Streets, to cover administrative costs associated with filing this item with the Register of Deeds.

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

Sponsors: Jim Kaplan

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

Res.14-0504

2015 "The Big Chill" Snow and Ice Carving Event

Resolved, that the Mayor and City Clerk are authorized and directed to enter into an agreement with the Downtown Racine Corporation granting permission to place ice sculptures on City sidewalks along Sixth Street and Main Street from State Street to 7th Street, from January 9, 2015 until they melt, with the following stipulations:

- A. That a clear area be established along the building line of a minimum of five feet in order to meet ADA requirements.
- B. That any ice sculptures be set back a minimum of two feet from the back of the curb in order to meet Wisconsin Department of Transportation requirements.
- C. That a hold harmless agreement be filed with the City Attorney's Office and a \$75.00 processing fee paid.
- D. That a liability insurance certificate be filed with the City Attorney's Office.

Fiscal Note: N/A

Sponsors: Jim Kaplan

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

Res.14-0505

2015 Winter Rail Jam Mobile Snowboard and Freestyle Ski Event

Resolved, that Real Racine, on behalf of AGA Nation, is granted permission to close 5th Street between Wisconsin and Main Street starting at 7:00 a.m. on Friday, January 9, 2015 through 8:00 p.m. on Sunday, January 11, 2015 to host its 2015 Winter Rail Jam mobile snowboard and freestyle ski event, with the following stipulations:

- A. A hold harmless agreement be executed and a \$75.00 processing fee paid.
- B. A liability insurance certificate be filed prior to this event.
- C. Any overtime costs incurred by any City department be charged to the sponsor.

D. The sponsor shall notify all abutting property owners seventy-two (72) hours in advance of this event.

E. The sponsor shall pay a \$250.00 special event fee.

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

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

H. Sponsor is responsible for cleaning the streets.

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

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

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

Sponsors: Jim Kaplan

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

Res.14-0506

Contract 54-14 (K4-054), PS - Roof Management Program

Resolved, that the Mayor and City Clerk are authorized and directed to enter into a professional services agreement with Industrial Roofing Services, Inc., for Contract 54-14 (K4-054), PS - Roof Management Program, in the not-to-exceed amount of \$19,575.00.

Fiscal Note: Funds to defray the cost of these professional services be appropriated from Account 404.000.5760, Building Improvements - Building Complex.

Sponsors: Jim Kaplan

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

Res.14-0507

Waive Formal Bidding Procedures for Annual HVAC Maintenance Agreement

Resolved, that the request to waive formal bidding procedures is approved in accordance with State Statutes that allow for the waiving of public bids for the purpose of maintaining uniformity of equipment and services.

Further resolved, that the Mayor and City Clerk are authorized and directed to enter into the Annual Preventative Maintenance Agreement with Johnson Controls.

Fiscal Note: The annual agreement cost for 2015 will be \$101,422.00 and is available in Account 404.000.5550, Repairs and Maintenance.

Sponsors: Jim Kaplan

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

Res.14-0508

Waive Formal Bidding Procedures for Purchase of Front End Loader and Loader / Backhoe

Resolved, that formal bidding procedures are waived and the Purchasing Agent is authorized and directed to negotiate with Miller-Bradford and Risberg, Inc., for the purchase of a front end loader and a loader / backhoe.

Fiscal Note: The estimated cost of this equipment is \$277,000.00 and funding is available in the following accounts:

\$187,000.00 - Account 945.630.5010, Street Maintenance-Wheel Loader

\$ 90,000.00 - Account 945.630.5040, Street Maintenance-Backhoe

\$277,000.00 - Total

Sponsors: Jim Kaplan

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

Res.14-0509

Final Payment on Contract 17-12 (K2-018), PS - Roof Replacement at Transit Maintenance Building

Resolved, that the work done by Industrial Roofing Services, Inc., under Contract 17-12 (K2-018), PS - Roof Replacement at Transit Maintenance Building, is accepted and final payment authorized for a total contract amount of \$10,850.00.

Fiscal Note: Contract was authorized under Resolution No. 12-2971,

dated February 22, 2012.

Sponsors: Jim Kaplan

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

Res.14-0510

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

Resolved, that the work done by Corporate Images, Inc., under Contract 28-14 (K4-028), PS - Design of Recycling Brochures, is accepted and final payment authorized for a total contract amount of \$5,100.00.

Fiscal Note: Contract was authorized under Resolution No. 14-0221, dated May 20, 2014.

Sponsors: Jim Kaplan

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

Res.14-0511

Final Payment on Contract 04-13 (K3-004), PS - Memorial Hall, City Hall & City Hall Annex Tuckpointing

Resolved, that the work done by Industrial Roofing Services, Inc., under Contract 04-13 (K3-004), PS - Memorial Hall, City Hall & City Hall Annex Tuckpointing, is accepted and final payment authorized for a total contract amount of \$22,750.00.

Fiscal Note: Contract was authorized under Resolution No. 13-0021, dated January 15, 2013.

Sponsors: Jim Kaplan

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

Res.14-0512

Final Payment on Contract 30-13 (K3-033), PS - Design Festival Hall & Parks Administration AC Replacement

Resolved, that the work done by Arnold & O'Sheridan, under Contract 30-13 (K3-033), PS - Design Festival Hall & Parks Administration AC Replacement, is accepted and final payment authorized for a total contract amount of \$16,503.85.

Fiscal Note: Contract was authorized under Resolution 13-0189, dated May 7, 2013.

Sponsors: Jim Kaplan

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

Res.14-0513

Final Payment on Contract 52-13 (K3-057), HVAC Upgrade - Equipment Garage

Resolved, that the work done by DMJ Services, LLC., dba Action Heating Plumbing & Cooling, under Contract 52-13 (K3-057), HVAC Upgrade - Equipment Garage, is accepted and final payment authorized for a total contract amount of \$67,306.00.

Fiscal Note: Contract was authorized under Resolution 13-0358, dated September 3, 2013.

Sponsors: Jim Kaplan

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

Res.14-0514

Final Payment on Contract 51-12 (K2-062), Construct Home - 1216 Geneva Street

Resolved, that the work done by Double D Construction, Inc., under contract 51-12 (K2-062), Construct Home - 1216 Geneva Street, is accepted and final payment authorized for a total contract amount of \$173,570.00.

Fiscal Note: Contract was authorized under Resolution 12-3272, dated August 21, 2012.

Sponsors: Jim Kaplan

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

Res.14-0515

Final Payment on Contract 57-12 (K2-068), Construct Home - 1029 Ninth Street

Resolved, that the work done by Native Construction and Landscaping, under Contract 57-12 (K2-068), Construct Home - 1029 Ninth Street, is accepted and final payment authorized for a total contract amount of \$210,700.00.

Fiscal Note: Contract was authorized under Resolution 12-3455, dated December 4, 2012.

Sponsors: Jim Kaplan

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

Res.14-0516

Final Payment on Contract 63-12 (K2-074), Construct Home - 1721 Villa Street

Resolved, that the work done by Double D Construction, Inc., under Contract 63-12 (K2-074), Construct Home - 1721 Villa Street, is accepted and final payment authorized for a total contract amount of \$174,775.00.

Fiscal Note: Contract was authorized under Resolution 12-3395, dated November 7, 2012.

Sponsors: Jim Kaplan

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

Res.14-0517

Final Payment on Contract 64-12 (K2-075), Construct Home - 931 Center Street

Resolved, that the work done by Double D Construction, Inc., under Contract 64-12 (K2-075), Construct Home - 931 Center Street, is accepted and final payment authorized for a total contract amount of \$175,675.00.

Fiscal Note: Contract was authorized under Resolution 12-3396, dated November 7, 2012.

Sponsors: Jim Kaplan

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

Res.14-0518

Change Order No. 1 on Contract 40-14 (K4-040), Roof Replacement - BUS Storage Garage

Resolved, that Change Order No. 1 on Contract 40-14 (K4-040), Roof Replacement - BUS Storage Garage, Kaschak Roofing, contractor, as submitted, is approved in the amount of \$2,604.00.

Fiscal Note: Funding to defray the cost of this change order be appropriated from Account 105.900.5010, BUS - Capital Projects.

Sponsors: Jim Kaplan

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

Res.14-0519

Final Payment on Contract 40-14 (K4-040), Roof Replacement - BUS Storage Garage

Resolved, that the work done by Kaschak Roofing, under Contract

40-14 (K4-040), Roof Replacement - BUS Storage Garage, is accepted and final payment authorized for a total contract amount of \$136,880.00.

Fiscal Note: Contract was authorized under Resolution 14-0319, dated August 4, 2014.

Sponsors: Jim Kaplan

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

Res.14-0520

Change Order No. 1 on Contract 17-14 (K4-017), Racine Streambank Stabilization

Resolved, that Change Order No. 1 on Contract 17-14 (K4-017), Racine Streambank Stabilization, Native Construction, contractor, as submitted, is approved in the amount of \$117,268.23.

Fiscal Note: Funding to defray the cost of this change order be appropriated from the following accounts:

\$ 55,572.75 - Account 104.993.5430, Wash Pk Streambank A, UNP (Spring St.)

\$ 61,695.48 - Account 104.993.5440, Wash Pk Streambank B, (Washington Pk)

\$117,268.23 - Total

Sponsors: Jim Kaplan

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

Res.14-0521

Amendment No. 4 to State Project ID: 1693-34-07, Lake Michigan Pathway Phase 3

Resolved, that Amendment No. 4 to State Project ID: 1693-34-07, Lake Michigan Pathway, Phase 3, as submitted, is approved in the amount of \$16,065.58, with the City's share being \$3,213.12 (20%), and the State's share being \$12,852.46 (80%).

Fiscal Note: Funding to defray the cost of this amendment be appropriated from Account 993.908.5620, Lake Michigan Pathway Phase 3A and 3B.

Sponsors: Jim Kaplan

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

Res.14-0522

Contract 55-14 (K4-055), PS - Retaining Wall - Riverside and Roe

Resolved, that the Mayor and City Clerk are authorized and directed to enter into a professional services agreement with R.A. Smith National for Contract 55-14 (K4-055), PS - Retaining Wall - Riverside and Roe, in the not-to-exceed amount of \$18,685.00.

Fiscal Note: Funding for this agreement is available in the 2015 CIP budget.

Sponsors: Jim Kaplan

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

Res.14-0523

Sidewalk Extension on Kinzie Avenue for State Project ID: 2390-09-00/70, STH 31 Resurfacing

Resolved, that the City supports a sidewalk extension on Kinzie Avenue for State Project ID: 2390-09-00/70 STH 31 Resurfacing.

Fiscal Note: If WisDOT includes sidewalk extensions, the City's participation would be 20% via sidewalk assessment.

Sponsors: Jim Kaplan

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

Res.14-0524

2014 Blight Removal - Home Demolitions Program

Resolved, that the request of the Chief Building Inspector for \$85,000.00 from the Local Option Fund to increase the 2014 grant for the Blight Removal - Home Demolitions Program is approved.

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

Fiscal Note: There are sufficient funds available in the Local Option Fund for this purpose.

Sponsors: Raymond DeHahn

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

Res.14-0525

Amendment to CDBG Grant Agreement for the 2014 Adult Literacy Program

Resolved, that the request of the Racine Literacy Council to revise its 2014 grant budget for the Adult Literacy Program is approved.

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

Fiscal Note: The revision increases the amount for salaries by \$1,100.00 and reduces the amount for supplies by the same amount. The total 2014 CDBG allocation to Racine Literacy Council Adult Literacy Program remains unchanged.

Sponsors: Raymond DeHahn

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

[Res.14-0526](#)

Amendment to CDBG Grant Agreement for 2014 Dr. Martin Luther King, Jr. Community Center GED / HSED Program

Resolved, that the request of the Racine Parks, Recreation & Cultural Services Department to revise its 2014 grant budget for the King Center GED / HSED Program is approved.

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

Fiscal Note: The revision increases the amount for salaries by \$2,889.52; other budget lines are reduced accordingly. The total 2014 Community Development Block Grant allocation to King Center GED / HSED Program remains unchanged.

Sponsors: Raymond DeHahn

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

Council Action

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

AYES: 13 - Coe, Sarrazin, Shields, Kaplan, Weidner, DeHahn, Shakoor-II, McCarthy, Wisner, Holding, Perez, Hart and Diehl

EXCUSED: 2 - Kaprelian-Becker and Morgenroth

H. Ordinances

[Ord.13-14](#)

Ordinance 13-14

To repeal, recreate and revise sections of Chapter 98 - Utilities, Article IV. -

Wastewater System of the Municipal Code of the City of Racine, Wisconsin.

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

Part 1: In Sec. 98-24. - Definitions, of the Municipal Code of the City of Racine, add the following definitions in the correct alphabetical order:

"Best Management Practices or BMPs means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in Sec. 98-151(a) and (b) [40 CFR 403.5(a)(1) and (b)]. BMPs include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage. [Note: BMPs also include alternative means (i.e., management plans) of complying with, or in place of certain established categorical Pretreatment Standards and effluent limits].

BETX means an aggregate concentration of total benzene, ethylbenzene, toluene, and xylenes.

City means the City of Racine, Wisconsin.

Class I - Domestic user means any user of the wastewater system that meets the following condition:

(1) A user that generates wastewater with a strength equal to or less than normal strength wastewater independent of the quantity of flow discharged.

Class II - Industrial user means any user of the wastewater system that meets the following condition:

(1) A user that generates wastewater with strength greater than normal domestic strength wastewater independent of the quantity of flow discharged.

Federal grant means Grant No. C550552-01 dated April 3, 1974, from the Environmental Protection Agency of the United States of America, of the city, or any other grants received by the city from the EPA for the purpose of expanding its complete wastewater system.

Groundwater discharge means polluted water discharge from a construction or remediation site to the sanitary sewer system. This discharge requires a permit and testing prior to discharge as determined by the general manager

Industrial user means any source discharger of industrial wastewater.

(1) Any above-mentioned user will be excluded from the industrial cost recovery charges as hereinafter provided the general manager determines that it will introduce primarily segregated domestic wastes or wastes from sanitary conveniences.

Interceptor sewer means a sewer whose primary purpose is to transport wastewater from collection sewers to a treatment facility.

Lift station means a station including all pumps and necessary appurtenances in any public wastewater system to which wastewater is pumped to a higher level. The interceptor sewers, wastewater treatment facilities and lift stations owned by the utility shall in their entirety be known hereinafter as the "wastewater system."

Normal domestic strength wastewater, as defined for the purpose of this section,

(normal strength) means wastewater having an average daily total suspended solids concentration of not more than 250 mg/l and an average daily BOD of not more than 200 mg/l and an average daily phosphorous concentration of not more than 6 mg/l.

Owner means the owner of any real property from which wastewater is discharged.

Recovery period means the period of 30 years during which each industrial user shall pay its share of the federal grant.

Sewer Agreement means the Racine Area Intergovernmental Sanitary Sewer Service, Revenue-Sharing, Cooperation and Settlement Agreement, as established on April 25, 2002, and any adopted amendments or revisions thereafter.

Sewer Service Provider Party (SSP) means a party that provides sewer service pursuant to and in accordance with the Sewer Agreement; signifies the Racine Wastewater Utility.

Sewer Service Recipient Party (SSR) means a party that receives (or whose constituents receive) sewer service from the SSP or Racine Wastewater Utility pursuant to and in accordance with the Sewer Agreement, and which is obligated to pay such service in accordance with the Sewer Agreement.

Total suspended solids (TSS) means the dry weight of solids that are physically suspended or floating in a flow of sewage, industrial waste, or water that are measurable by laboratory filtering.

Total toxic organics (TTO) means an aggregate concentration of any volatile compound, acid extractable compound, or base/neutral compound identified pursuant to Clean Water Act Section 307(a) and state code NR 215.03(1), (2), and (3). Pesticides, PCBs, dioxin, heavy metals, and other compounds in the identified list are excluded.

Utility means the Racine Wastewater Utility.

Waste component means any constituent of wastewater other than water, including, but not limited to, BOD, TSS and phosphorus.

Wastewater means the combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions (including polluted cooling water and unintentionally admitted infiltration/inflow).

(1) Sanitary wastewater means the combination of liquid and water-carried wastes discharged from toilet and other sanitary plumbing facilities; and

(2) Industrial wastewater means a combination of liquid and water-carried wastes, discharged from any industrial establishment and resulting from any trade or process carried on in that establishment. (This shall include the wastes from pretreatment facilities and polluted cooling water.)

Wisconsin Pollutant Discharge Elimination System (WPDES) permit means a permit issued to the city for the discharge of wastewater to Lake Michigan. This permit, which is on file in the office of the wastewater utility, specifies effluent limitations for compatible pollutants and specifies certain conditions that have to be met by the city. This permit was issued in compliance with the environmental protection agency as part of the National Pollutant Discharge Elimination System (NPDES) permit program.

Part 2: Amend Sec. 98-24. - Definitions, of the Municipal Code of the City of Racine, by adding the following paragraph at the end of all the definitions:

“The meaning of any other term shall be that usual and customary meaning as used by those working in the field of wastewater treatment. Words of the masculine gender shall be deemed and construed to include correlative words of the feminine and neuter genders. Words importing the singular number shall include the plural number and vice versa unless the context shall otherwise indicate.”

Part 3: In Sec. 98-124. - Definitions, of the Municipal Code of the City of Racine, amend the definition of Biochemical oxygen demand, by adding “(BOD)” after “Biochemical oxygen demand.”

Part 4: In Sec. 98-124. - Definitions, of the Municipal Code of the City of Racine amend the definition of Garbage to add the following sentence at the end of the current paragraph, “All garbage must be properly shredded to a size no greater than one-half (1/2) inch in any dimension.”

Part 5: In Sec. 98-124. - Definitions, of the Municipal Code of the City of Racine, the word “Manager” should be repealed and replaced with “manager.”

Part 6: In Sec. 98-124. - Definitions, of the Municipal Code of the City of Racine, amend the definition of “Major contributing industry” by changing the flow number “50,000” to the number “25,000.”

Part 7: In Sec. 98-124. - Definitions, of the Municipal Code of the City of Racine, amend the definition of “P” by adding the word “total” after the word “phosphorous.”

Part 8: In Sec. 98-124. - Definitions, of the Municipal Code of the City of Racine, repeal and recreate the definition of “Significant industrial contributor” as follows:

“Significant industrial contributor means any source to the sanitary or combined sewer system which meets one or more of the following conditions:

(1) An industrial user that is subject to categorical pretreatment standards;

(a) The utility may determine that an industrial user subject to categorical pretreatment standards is a non-significant categorical industrial user rather than a significant industrial user on a finding that the industrial user never discharges more than 100 gpd of total categorical wastewater (excluding sanitary, non-contact cooling and boiler blowdown wastewater, unless specifically included in the pretreatment standard) and the following conditions are met:

i. The industrial user, prior the utility’s finding, has consistently complied with all applicable categorical pretreatment standards and requirements;

ii. Upon a finding that an industrial user meeting the criteria here: (2), (3) and/or (4), has no reasonable potential for adversely affecting the POTW’s operation or for violating any pretreatment standard or requirement, the utility may at any time, on its own initiative or in response to a petition received from an industrial user, and in accordance with procedures in 40 CFR 403.8(f)(6), determine that such user should not be considered a significant industrial user.

(2) An industrial user that discharges an average of 25,000 gallons per day or more of process wastewater; or

(3) An industrial user that discharges incompatible pollutants at a flow rate greater than five percent of the flow carried by the municipal system; or

(4) An industrial user that has a discharge with reasonable potential for adversely affecting the POTW’s operation or for violating any pretreatment standard or

requirement.

Part 9: In Sec. 98-124. - Definitions, of the Municipal Code of the City of Racine, repeal "Suspended" and its definition in its entirety.

Part 10: In Sec. 98-124. - Definitions, of the Municipal Code of the City of Racine, repeal and recreate the definition of "Wastewater works" as follows:

"Wastewater works means all facilities, infrastructure, equipment, and components used for collecting, pumping, transporting, storing, measuring, monitoring, treating and drying of sewage."

Part 11: Amend subsection (3) of Sec. 98-127. - Prohibited waste discharges, of the Municipal Code of the City of Racine, by adding the following after the word "residues," and before "etc.;"

"disposable diapers, paper hand towels, wipes, cloth towels, clothing articles, construction materials,"

Part 12: Amend Sec. 98-128. - Wastewater discharges controlled, of the Municipal Code of the City of Racine, by adding the following at the end of the current paragraph:

"The general manager may restrict the discharge of large-source food-origin garbage volume to the sanitary sewer should such discharge potentially cause sewer operation issues; or should separation into an alternative reuse scheme be required."

Part 13: Amend Sec. 98-131. - Control manhole, of the Municipal Code of the City of Racine, by adding the words "or commercial" after the word "industrial" in the first sentence.

Part 14: Amend Sec. 98-132. - Measurements and tests, of the Municipal Code of the City of Racine, by repealing the "." after the word "connected" at the end of that third sentence and adding the words "or at a point and means authorized by the general manager."

Part 15: Amend Sec. 98-135. - WPDES permit, of the Municipal Code of the City of Racine, by adding the words "Wastewater Utility" in the second sentence after the word "Racine."

Part 16: Repeal and recreate Sec. 98-137. - Authority to inspect, of the Municipal Code of the City of Racine, by adding the words "or utility" in the first sentence before the word "bearing"; repeal the word "Only" at the beginning of the second sentence and repeal and recreate the word "the" to "The"; and repeal the words "by him" in that paragraph.

Part 17: Repeal and recreate Sec. 98-148. - Same - definitions, of the Municipal Code of the City of Racine, as follows:

"Sec. 98-148. Credit Meters.

a) Water measurement. Measurement of water not discharged into the wastewater system shall be by a meter purchased, installed and maintained at the expense of the owner in a manner satisfactory to the wastewater utility. During any period in which such meter shall fail to register, or shall fail to register properly, the amount of discharge during such period may be estimated by the wastewater utility. In cases where it may be cost prohibitive or physically impossible to comply with the

installation of required metering devices, the responsible party may petition the wastewater commission for an alternate means of measurement. The alternate means of measurement shall be based upon scientific fact, equipment manufacturer's proven test results and/or sound engineering and scientific laws and principles. The technical staff of the utility shall evaluate the proposed alternative method of measurement and report their findings to the commission for action on the request.

b) Application. Billing for sanitary sewer service for City of Racine customers is based on the assumption that the amount of water purchased by a facility, as recorded by a Racine water utility incoming water meter(s), will discharge via the sanitary sewer. Due to evaporation, irrigation, cooling, production, or other uses, this is not always the case. To recognize this loss, the wastewater utility will allow industrial, commercial, public authority, or multi-residential (3 units or more) facilities, located in the City of Racine only, an option to gain sewer bill credit for water volume not discharged to the sanitary sewer system. The credit option does not apply to residential customers. To receive credit: Water loss must be metered by a water meter(s) approved by the utility; An application form must be completed with required attachments and be submitted for approval to the wastewater utility; and, All meter installation and inspection procedures must be complied. The credit meter(s) must be maintained by the applicant, and the utility reserves the right to inspect or require calibration/certification. Credit will be applied directly on the water/sewer bill."

Part 18: Repeal and recreate Sec. 98-149. - Same - Invoicing, of the Municipal Code of the City of Racine, as follows:

In the first sentence of subsection (a), repeal the word "owner" and replace it with "user" and add the words "or groundwater" after the first instance of "wastewater."

In the first sentence of the second paragraph of subsection (a), repeal the word "shall" and replace it with "may" and add the words "or groundwater" after the first instance of "wastewater."

In the first sentence of subsection (b) add the words "or groundwater" after the first instance of "wastewater."

In the first sentence of subsection (b) (2) add the words "in accordance with section 98-148 credit meter usage" after "period,."

In the last paragraph of subsection (b) add the words "per section 98-148 credit meters" at the end of that paragraph after the word "utility."

Repeal the paragraph that begins "Measurement of water..." in its entirety.

In subsection (c) add the words "as derived per rate methodology specified in section 6.4.a. of the Sewer Agreement" after the word "commission."

In the second sentence of subsection (e) add a "." After the word "agreement" and repeal the words ", or for nonparties, of the amount or at the rate authorized in the latest PSC rate case."

Part 19: In Sec. 98-150. Pretreatment regulations - General provisions, of the Municipal Code of the City of Racine, repeal and recreate the paragraph above subsection (b) as follows:

“This division shall apply to the city and to persons outside the city who are, by contract or agreement with the city, users of the city POTW. Except as otherwise provided herein, the utility general manager of the Racine POTW shall administer, implement, and enforce the provisions of this division.”

Part 20: In subsection (b) of Sec. 98-150. Pretreatment regulations - General provisions, of the Municipal Code of the City of Racine, repeal the definitions of “Authorized representative of industrial user” and its subsections in its entirety, “City,” and “Consistent removal.”

Part 21: In subsection (b) of Sec. 98-150. Pretreatment regulations - General provisions, of the Municipal Code of the City of Racine, add the following definitions in the proper alphabetical order:

“Authorized or Duly Authorized Representative of the user means a designated person who meets the following definition(s):

(1) If the user is a corporation:

(a) The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or

(b) The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual wastewater discharge permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(2) If the user is a partnership or sole proprietorship: a general partner or proprietor, respectively.

(3) If the user is a federal, state, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.

(4) The individuals described in paragraphs 1 through 3, above, may designate a Duly Authorized Representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the utility.

Best Management Practices or BMPs means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in Sec. 98-151(a) and (b), [40 CFR 403.5(a)(1) and (b)]. BMPs include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage. [Note: BMPs also include alternative means (i.e., management plans) of complying with, or in place of certain established categorical Pretreatment Standards and effluent limits].

Categorical Industrial User means an industrial user subject to a categorical pretreatment standard or categorical standard.

Daily maximum means the arithmetic average of all effluent samples for a pollutant collected during a calendar day or the 24-hour sampling period designated as

beginning on a calendar day. The daily maximum limit is the maximum allowable discharge limit of a pollutant from all measurements taken that day.

Local Limit means specific discharge limits developed and enforced by the utility upon industrial or commercial facilities to implement the general and specific discharge prohibitions.

Monthly Average means the sum of all 'daily discharges' measured during a calendar month divided by the number of 'daily discharges' measured during that month.

Monthly Average Limit means the highest allowable average of 'daily discharges' over a calendar month, calculated as the sum of all 'daily discharges' measured during a calendar month divided by the number of 'daily discharges' measured during that month.

Non-Significant Categorical Industrial User (NSCIU) means a user that discharges no more than 100 gallons per day of total categorical wastewater, and does not discharge untreated concentrated wastes.

Significant industrial contributor means any source to the sanitary or combined sewer system which meets one or more of the following conditions:

(1) An industrial user that is subject to categorical pretreatment standards;

a. The utility may determine that an industrial user subject to categorical pretreatment standards is a non-significant categorical industrial user rather than a significant industrial user on a finding that the industrial user never discharges more than 100 gpd of total categorical wastewater (excluding sanitary, non-contact cooling and boiler blowdown wastewater, unless specifically included in the pretreatment standard) and the following conditions are met:

i. The industrial user, prior the utility's finding, has consistently complied with all applicable categorical pretreatment standards and requirements;

ii. Upon a finding that an industrial user meeting the criteria here: (2), (3) and/or (4), has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement, the general manager may, with the consent of the wastewater commission, may at any time, on its own initiative or in response to a petition received from an industrial user, and in accordance with procedures in 40 CFR 403.8(f)(6), determine that such user should not be considered a significant industrial user.

(2) An industrial user that discharges an average of 25,000 gpd or more of process wastewater; or

(3) An industrial user that discharges incompatible pollutants at a flow rate greater than five percent of the flow carried by the municipal system; or

(4) An industrial user that has a discharge with reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.

(5) Any user meeting the definition of a non-significant categorical industrial user (NSCIU), and so designated by the general manager, will not be subject to wastewater discharge permit requirements, but must certify annually to the utility that the user still meets the definition of a NSCIU and meets compliance requirements with applicable pretreatment standards, after having met Baseline Monitoring Report requirements. If the general manager determines that an existing NSCIU no longer meets the definition of a NSCIU or requirements to be in consistent compliance with pretreatment standards, then the user shall be classified as a SIU.

Total suspended solids (TSS) means the total suspended matter that floats on the surface of, or is suspended in, water, wastewater or other liquids, and which is

removable by laboratory filtering.

Part 22: In subsection (b) of Sec. 98-150. Pretreatment regulations - General provisions, of the Municipal Code of the City of Racine, recreate the definitions of "Categorical standards or categorical pretreatment standards," "Existing source," "Indirect discharge or discharge," and "Wisconsin Pollutant Discharge Elimination System (WPDES)" by repealing the word "act" and changing it to "Act."

Part 23: In subsection (b) of Sec. 98-150. Pretreatment regulations - General provisions, of the Municipal Code of the City of Racine, recreate the definition of "Chemical oxygen demand" by adding the word "accepted" before the word "edition."

Part 24: In subsection (b) of Sec. 98-150. Pretreatment regulations - General provisions, of the Municipal Code of the City of Racine, repeal "Environmental protection agency" and recreate it as "Environmental Protection Agency."

Part 25: In subsection (b) of Sec. 98-150. Pretreatment regulations - General provisions, of the Municipal Code of the City of Racine, repeal "General manager" and recreate it as "General Manager."

Part 26: In subsection (b) of Sec. 98-150. Pretreatment regulations - General provisions, of the Municipal Code of the City of Racine, repeal and recreate the following definition:

"Grab sample means a sample that is taken from a waste stream on a one-time basis with no regard to the flow in the waste stream and over a period of time not to exceed fifteen (15) minutes."

Part 27: In subsection (b) of Sec. 98-150. Pretreatment regulations - General provisions, of the Municipal Code of the City of Racine, recreate the definition of "Municipality" by repealing the "." and adding "in accordance with the Sewer Agreement; also known as a sewer service recipient party or SSR party."

Part 28: In subsection (b) of Sec. 98-150. Pretreatment regulations - General provisions, of the Municipal Code of the City of Racine, repeal the word "act" in subsection (1) of the definition of New source" and replace it with "Act."

Part 29: In subsection (b) of Sec. 98-150. Pretreatment regulations - General provisions, of the Municipal Code of the City of Racine, repeal "Pass through" and recreate it as "Pass-through."

Part 30: In subsection (b) of Sec. 98-150. Pretreatment regulations - General provisions, of the Municipal Code of the City of Racine, recreate the definition of "P" by adding the word "total" before "phosphorus."

Part 31: In subsection (b) of Sec. 98-150. Pretreatment regulations - General provisions, of the Municipal Code of the City of Racine, recreate the definition of "Pollutant" by adding "P" after "TSS."

Part 32: In subsection (b) of Sec. 98-150. Pretreatment regulations - General provisions, of the Municipal Code of the City of Racine, add the reference "and (b)" in the definition for "Prohibited discharge standards" following "section 98-151(a)."

Part 33: In subsection (b) of Sec. 98-150. Pretreatment regulations - General provisions, of the Municipal Code of the City of Racine, repeal "Publicly owned

treatment works” and recreate it as “Publicly Owned Treatment Works.”

Part 34: In subsection (b) of Sec. 98-150. Pretreatment regulations - General provisions, of the Municipal Code of the City of Racine, repeal the definition of “Significant user” in its entirety.

Part 35: In subsection (b) of Sec. 98-150. Pretreatment regulations - General provisions, of the Municipal Code of the City of Racine, repeal and recreate the following definitions as follows:

Slug load or slug discharge means any discharge at a flow rate or concentration which could cause a violation of the prohibited discharge standards in section 98-151 of this division. A slug discharge is any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge, which has a reasonable potential to cause interference or pass-through, or in any other way violate the POTW’s regulations, local limits or permit conditions.

Standard industrial classification (SIC) means a four digit numerical code assigned by the U.S. government to business establishments to identify the primary business of the establishment. The classification covers all economic activities [as revised in 1987]. In the United States, the SIC is being supplanted by the 6-digit North American Industrial Classification System (NAICS code) released in 1997.

“Wastewater discharge permit means the document issued by the utility to significant industrial users to set forth the requirements and limitations for the industrial user.”

Part 36: Repeal and recreate subsection (c) Abbreviations in Sec. 98-150. Pretreatment regulations - General provisions, of the Municipal Code of the City of Racine, as follows:

- (1) BETX - Aggregate of benzene, ethylbenzene, toluene, and xylenes.
- (2) BOD - Biochemical oxygen demand.
- (3) BMP - Best Management Practice.
- (4) BMR - Baseline Monitoring Report.
- (5) CFR - Code of Federal Regulations. (Example: 40 CFR, part 403 is title 40 of the Code of Federal Regulations, part 403).
- (6) COD-Chemical Oxygen Demand.
- (7) EPA-Environmental Protection Agency.
- (8) FOG - Fats, Oils, and Greases.
- (9) FSE - Food Service Establishment.
- (10) gpd - gallons per day.
- (11) l - Liter.
- (12) mg - Milligrams.
- (13) mg/l - Milligrams per liter.
- (14) NAICS - North American Industrial Classification System.
- (15) NSCIU - Non-Significant Categorical Industrial User.
- (16) P - total phosphorus.
- (17) POTW - Publicly Owned Treatment Works.
- (18) RCRA - Resource Conservation and Recovery Act.
- (19) SIC - Standard Industrial Classification (see NAICS).
- (20) SIU - Significant Industrial User.
- (21) SMP - Slug or spill control plan.
- (22) SNC - Significant Noncompliance.
- (23) SSR - Sewer Service Recipient Party.

(24) SWDA - Solid Waste Disposal Act, 42 U.S.C. 6901, et seq.

(25) TTO - Total Toxic Organics.

(26) TSS - Total Suspended Solids.

(27) USC - United States Code.

(28) WDNR - Wisconsin Department of Natural Resources.

(29) WPDES - Wisconsin Pollutant Discharge Elimination System.

Part 37: In the second sentence of subsection (a) General discharge prohibitions of Sec. 98-151. General sewer use requirements, of the Municipal Code of the City of Racine, repeal the word "a" before "POTW" and replace it with "the."

Part 38: The current subsection (a) (2) of Sec. 98-151. Pretreatment regulations - General provisions, of the Municipal Code of the City of Racine, shall be repealed and recreated as follows:

"(2) Solid or viscous substances which may cause obstruction to the flow in a sewer, but in no case solids greater than one (1) inch in any dimension or create interference with the operation of the wastewater treatment facilities or wastewater collection system such as, but not limited to: articles with sufficient dimensions or quantity either alone or in combination with other particles to obstruct the wastewater flow, bones, hair, , whole blood, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, disposable diapers, paper hand towels, wipes, rags, cloth towels, clothing articles, waste paper, wood, plastics, gas, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil, construction materials, mud, or glass grinding residues, or polishing waste residues;"

Part 39: In the current subsection (a) (6) of Sec. 98-151. Pretreatment regulations - General provisions, of the Municipal Code of the City of Racine, repeal the words "pass through" and replace it with "pass-through."

Part 40: In the current subsection (a) (7) of Sec. 98-151. Pretreatment regulations - General provisions, of the Municipal Code of the City of Racine, repeal "(m)" and replace it with "(n)."

Part 41: In the current subsections (a) (8) and (10) of Sec. 98-151. Pretreatment regulations - General provisions, of the Municipal Code of the City of Racine, repeal the word "act" and replace it with "Act."

Part 42: Amend the current subsection (a) (11) of Sec. 98-151. Pretreatment regulations - General provisions, of the Municipal Code of the City of Racine, by adding the following sentence after the ";": "Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail a Whole Effluent Toxicity test;"

Part 43: Amend the current subsection (a) (12) of Sec. 98-151. Pretreatment regulations - General provisions, of the Municipal Code of the City of Racine, by adding the words "ink residues, paint residues" after the words "limited to,".

Part 44: Before the current subsection (a) (1) of Sec. 98-151. Pretreatment regulations - General Provisions, of the Municipal Code of the City of Racine, create a new subsection (b) as follows and then the current (1) through (20) will fall under this new subsection (b).

"(b) Specific discharge prohibitions. A user may not contribute the following pollutants or substances to the POTW."

Part 45: The current subsection (b) of Sec. 98-151. Pretreatment regulations - General provisions, of the Municipal Code of the City of Racine shall be repealed and recreated as follows:

“(c) National categorical pretreatment standards. Upon the promulgation of the categorical pretreatment standards for a particular industrial subcategory, the categorical pretreatment standards, if more stringent than limitations imposed under this division for sources in that subcategory, shall immediately supersede the limitations imposed under this division. The general manager shall notify all affected users of the applicable reporting requirements under 40 CFR, part 403.12. Compliance by existing sources with categorical pretreatment standards shall be within three years of the date the standard is effective unless a shorter compliance time is specified. Existing sources which become industrial users subsequent to promulgation of an applicable categorical pretreatment standard shall be considered existing industrial users except where such sources meet the definition of a new source as defined in 40 CFR, part 403.3(k). New sources shall install, have in operating condition, and start-up all pollution control equipment

Sponsors: Ronald D. Hart

Referred to Public Works and Services Committee

ZOrd.005-14

ZOrd. 005-14

An Ordinance Rezoning 3502 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 property located at 3502 Douglas Avenue and more particularly described as follows:

“Said lands being in Racine County, WI, City of Racine, Being in the South ½ of the Northeast ¼ of Section 32 Township 4 North, Range 23 East, Running 375.4 feet Northerly from intersection of the West right-of way line of Douglas Avenue with the South ¼ line of the NE ¼ of Section 32, the to the East line of the T.M.E.R. & L Co. Right of Way, then Southerly along said East line to the intersection with the South ¼ line of the NE ¼ of Section 32, then East to the point of beginning, excepting the South 20 feet, said lands being 2.53 acres more or less”

be rezoned from B2 Community Shopping District to O/I Office Institutional District.

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

Passed by the Common Council:

Approved:

Mayor

Attest:

City Clerk

Fiscal Note: N/A

Sponsors: Dennis Wisner

A motion was made by Alderman Dennis Wisner, seconded by Alderman Terry McCarthy that this item be Referred to the City Plan Commission. The motion was Approved by the following vote:

AYES: 11 - Sarrazin, Shields, Kaplan, Weidner, DeHahn, Shakoor-II, Wisner, Holding , Perez, Hart and Diehl

NOES: 2 - Coe and McCarthy

EXCUSED: 2 - Kaprelian-Becker and Morgenroth

ZOrd.006-14

ZOrd. 006-14

An ordinance adopting an amendment to a document titled “A Comprehensive Plan for the City of Racine: 2035” (The Plan) for the property located at 3502 Douglas Avenue, City of Racine, Wisconsin.

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

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

Part 2: The Plan Commission of the City of Racine conducted a public hearing on November 26, 2014 to solicit opinion and educate the public on a proposed rezoning and effectuating amendment to The Plan to change the land use classification of 3502 Douglas Avenue from Commercial to Office Park; and

Part 3: On November 26, 2014 the Plan Commission forwarded a recommendation to the Common Council that an ordinance be prepared and a public hearing scheduled for the rezoning of 3502 Douglas Avenue, and that a resolution and ordinance be prepared and public hearing scheduled for an amendment to The Plan to effectuate said rezoning, and that both public hearings be scheduled for January 20, 2015; and

Part 4: The Plan Commission of the City of Racine, on January 14, 2015 by a majority vote of the commission recorded in its official minutes, recommended to the City Common Council approval of a

resolution and ordinance adopting a change to the land use designation of the property at 3502 Douglas Avenue from Commercial to Office Park as an amendment to The Plan”; and

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

Part 6: The Common Council of the City of Racine, Wisconsin, does, by the enactment of this ordinance, formally adopt the amendment to the document titled “A Comprehensive Plan for the City of Racine: 2035” to change the land use designation of the property at 3502 Douglas Avenue from Commercial to Office Park, pursuant to Section 62.23 and Section 66.1001(4)(c) of the Wisconsin Statutes.

Part 7: This ordinance shall take effect upon passage by a majority vote of the members-elect of the City Common Council and publication or posting as required by law.

Passed by the Common Council:

Approved:

Mayor

Attest:

City Clerk

Fiscal Note: N/A

Sponsors: Dennis Wiser

A motion was made by Alderman Dennis Wiser, seconded by Alderman Terry McCarthy that this item be Referred to the City Plan Commission. The motion was Approved by the following vote:

AYES: 11 - Sarrazin, Shields, Kaplan, Weidner, DeHahn, Shakoore-II, Wiser, Holding , Perez, Hart and Diehl

NOES: 2 - Coe and McCarthy

EXCUSED: 2 - Kaprelian-Becker and Morgenroth

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 1520 & 1536 Clark Street and more particularly described as follows:

1520 Clark Street: "Said lands being in Racine County, WI, City of Racine, Being in the Southwest 1/4 of the Southwest ¼ of Section 16 Township 3 North, Range 23 East, Block 84 of the School Section, in the Blake and Fish subdivision plat as described in Volume 1651, Page 473 and the adjacent vacated Blake Street (AKA Higgins Court), containing 2.955 acres, more-or-less", and

1536 Clark Street: "Said lands being in Racine County, WI, City of Racine, Being in the Southwest 1/4 of the Southwest ¼ of Section 16 Township 3 North, Range 23 East, Block 84 of the School Section, in the Blake and Fish subdivision, Lot 33 and part of lot 28 as described in Volume 1832, Page 764, containing 4,707.93 square feet, more-or-less",

Be rezoned from I-2 General Industrial District to I-2 with a FD-Flex Development Overlay District.

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

Passed by the Common Council:

Approved:

Mayor

Attest:

City Clerk

Fiscal Note: N/A

Sponsors: Dennis Wiser

A motion was made by Alderman Dennis Wiser, seconded by Alderman Terry McCarthy that this item be Referred to the City Plan Commission. The motion was Approved by the following vote:

AYES: 11 - Sarrazin, Shields, Kaplan, Weidner, DeHahn, Shakoore-II, Wiser, Holding , Perez, Hart and Diehl

NOES: 2 - Coe and McCarthy

EXCUSED: 2 - Kaprelian-Becker and Morgenroth

ZOrd.008-14

ZOrd 008-14

Ordinance adopting an amendment to a document titled "A Comprehensive Plan for the City of Racine: 2035" (The Plan) for the property located at 1520 & 1536 Clark Street, City of Racine, Wisconsin

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

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

Part 2: The Plan Commission of the City of Racine conducted a public hearing on December 10, 2014 to solicit opinion and educate the public on a proposed rezoning and effectuating amendment to The Plan to change the land use classification of 1520 & 1536 Clark Street from Industrial to Mixed Use -Residential Emphasis, and

Part 3: On December 10, 2014 the Plan Commission forwarded a recommendation to the Common Council that an ordinance be prepared and public hearing scheduled for the rezoning of 1520 and 1536 Clark Street, and that a resolution and ordinance be prepared and public hearing scheduled for an amendment to The Plan to effectuate said rezoning, and that both public hearings be scheduled for January 20, 2015; and

Part 4: The Plan Commission of the City of Racine, on January 14, 2015 by a majority vote of the commission recorded in its official minutes, recommended to the City Common Council approval of a resolution and ordinance adopting a change to the land use designation of the properties at 1520 & 1536 Clark Street from Industrial to Mixed Use -Residential Emphasis as an amendment to The Plan; and

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

Part 6: The Common Council of the City of Racine, Wisconsin, does, by the enactment of this ordinance, formally adopt the amendment to the document titled "A Comprehensive Plan for the City of Racine: 2035" to change the land use designation of the property at 1520 & 1536 Clark Street from Industrial to Mixed Use -Residential Emphasis, pursuant to Section 62.23 and Section 66.1001(4)(c) of the Wisconsin Statutes.

Part 7: This ordinance shall take effect upon passage by a majority

vote of the members-elect of the City Common Council and publication or posting as required by law.

Passed by the Common Council:

Approved:

Mayor

Attest:

City Clerk

Fiscal Note: N/A

Sponsors: Dennis Wisner

A motion was made by Alderman Dennis Wisner, seconded by Alderman Terry McCarthy that this item be Referred to the City Plan Commission. The motion was Approved by the following vote:

AYES: 11 - Sarrazin, Shields, Kaplan, Weidner, DeHahn, Shakoor-II, Wisner, Holding , Perez, Hart and Diehl

NOES: 2 - Coe and McCarthy

EXCUSED: 2 - Kaprelian-Becker and Morgenroth

I. Adjourn

The meeting was adjourned at 8:40 p.m. by Alderman Q.A. Shakoor II. The next scheduled meeting of the Council is January 20, 2015.

ATTEST: JANICE M. JOHNSON-MARTIN
CITY CLERK