



City of Racine

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

Meeting Minutes - Final Common Council

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

Tuesday, June 3, 2014

7:00 PM

Room 205, City Hall

Mayor Dickert asked to be excused.

President DeHahn presided over the Common Council meeting.

A. Call To Order

PRESENT: 15 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor, II, McCarthy, Wisner, Holding J.D. , Perez, Morgenroth, Hart and Diehl

B. Pledge of Allegiance To The Flag

President DeHahn led the Council in the Pledge of Allegiance to the Flag.

C. Approval of Journal of Council Proceedings (Minutes)

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

D. Public Comments

Alfonso Gardner

E. Communications

Refer to Finance and Personnel Committee, by Ald. Shakoor

[14-10197](#)

Subject: Communication from the Police Chief requesting waiver of formal bidding requirements and instruct the Purchasing Agent to

negotiate sole-source procurement with CI Technologies Inc., of Bellingham, WA, for the purchase of IA Pro, a Professional Standards software package.

Referred to Finance and Personnel Committee

14-10207

Subject: communication from the City Attorney submitting the claim of Judith Swanson for consideration.

Referred to Finance and Personnel Committee

14-10208

Subject: communication from the City Attorney submitting the claim of Jodi Liddell for consideration.

Referred to Finance and Personnel Committee

14-10222

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting permission to accept a donation of \$29,313.00 from the Racine Community Foundation for Lockwood Park.

Referred to Finance and Personnel Committee

14-10234

Subject: communication from the City Attorney submitting the claim of William Dronso for consideration.

Referred to Finance and Personnel Committee

14-10230

Subject: Communication from the Finance Director requesting staff meet with the Finance and Personnel Committee at their next scheduled meeting on June 9, 2014 to discuss appropriating recaptured bonded capital project funds from prior years.

Referred to Finance and Personnel Committee

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

14-10189

Subject: Communication from the Fire Chief requesting Chapter 50 of the Municipal Code be updated to reflect changes at the State level regarding the Wisconsin Administrative Code and the International Building Code.

Referred to Public Safety and Licensing Committee

14-10190

Subject: (New) Application of Josh Investments, LLC; Maria Amador, Agent for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 1221 Douglas Avenue. (4th District)

Referred to Public Safety and Licensing Committee

14-10199

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

2014-2015:

Max's Family Supermarket 1201 S. Memorial Drive
(Tradename) Family Supermarket
Sukjinder Singh, Agent

Phesal E. Ckadan 1812 Sixteenth Street
(Tradename) Twin's Food Mart

Yolanda Maldonado 516 High Street
(Tradename) Santa Fe Liquor & Grocery

C&D Peterson Investments, Inc. 3900 Durand Avenue
(Tradename) Durand Avenue Mart
Coy Peterson, Agent

Champion Liquor and Food, LLC 1629 Douglas Avenue
(Tradename) Champion Liquor & Food
Jarnail Singh, Agent

2418 Douglas, Inc. 2418 Douglas Avenue
(Tradename) X-Press Food Mart
Narendra Shah, Agent

Sami Ali 3326 Sixteenth Street
(Tradename) Westown Foods

Ali Fade 1949 Racine Street
(Tradename) The Market

DJK Foods, LLC 3900 Erie Street
(Tradename) Piggly Wiggly Supermarket #344
David J. Koenig, Agent

Mangat Petro Erie Inc. 3945 Erie Street
(Tradename) Mangat Petro
Jatinder S. Mangat, Agent

Kamaljit K. Dhaliwal 1917 Sixteenth Street
(Tradename) AD United Petroleum

Maria C. Davalos 1336 State Street
(Tradename) Super Carniceria La Mexicana

Mega Marts, LLC 2210 Rapids Drive
(Tradename) Pick 'n Save #6863

Rapids Drive Convenience LLC 3502 Rapids Drive
(Tradename) Rapids Drive Convenience
Harjeet S. Walia, Agent

RZQ Oil, Inc. 4301 Washington Avenue
(Tradename) Washington Petro Mart

Gursimr, LLC 5302 Washington Avenue
(Tradename) Washington Avenue Citgo
Kuldip S. Ahuja, Agent

Douglas Petro, LLC 3357 Douglas Avenue
(Tradename) Douglas Petro
Surinder Singh, Agent

Mohinder Singh 1627 Washington Avenue
(Tradename) U.S. Pantry

Iyad M. Alabed 1559 Taylor Avenue
(Tradename) Sunshine Supermarket

Balwinder Dhillon 1530 Douglas Avenue
(Tradename) Queensway Food Mart

Robert M. Ruditys 3441 Spring Street
(Tradename) Spring Street Station
Robert M. Ruditys, Agent

Referred to Public Safety and Licensing Committee

14-10203

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

Racine Raiders Football Club, Inc. 1648 N. Memorial
Drive
(Tradename) Horlick Concessions
Matthew Nelson, Agent

Tacos El Rey, Inc. 2207 Lathrop Avenue
(Tradename) Tacos El Rey
Sonia Harris, Agent

CEC Entertainment, Inc. 5612 Durand Avenue
(Tradename) Chuck E. Cheese's
Paula Zastrow, Agent

Public Golf Associates, LTD 2801 Twelfth Street

(Tradename) Washington Park Golf Course
Scott A. Schuit, Agent

Dragan Sekuloski 605 Sixth Street
(Tradename) The Balkan Restaurant

Cornelio Mora 1950 Racine Street
(Tradename) Jalisco & Michoacan

The Sausage Kitchen, Inc. 1706 Rapids Drive
(Tradename) Sausage Kitchen
David W. Miller, Agent

PH Hospitality Group LLC 5000 Washington Avenue
(Tradename) Pizza Hut
Illyria Shores, Agent
(CHANGE OF AGENT)

Scott A. Jensen 100 Kewaunee Street
(Tradename) Beachside Oasis

Smok'D on the Water LLC 3 Fifth Street
(Tradename) Smok'D on the Water

Referred to Public Safety and Licensing Committee

14-10204

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

Racine Yacht Club, Inc. 1 Barker Street
(Tradename) Racine Yacht Club
Joseph R. McGauran, Agent

Somerset Club, Inc. 201 Sixth Street
(Tradename) Somerset Club
David M. Perkins, Agent

Fifth Street Yacht Club of Racine Inc. 761 Marquette Street
(Tradename) Fifth Street Yacht Club
James L. Campbell, Agent

Racine Country Club 2801 Northwestern Avenue
(Tradename) Racine Country Club
Thomas Maliszko, Agent
(Change of Agent)

Referred to Public Safety and Licensing Committee

14-10205

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

The Bowens Inc. 2037 Lathrop Avenue
(Tradenname) Break and Run Billiards
Greg Bowen, Agent

Castle Lanes of Southeastern WI, Inc. 5615 Castle Court
(Tradenname) Castle Lanes
Phillip G. Ontko, Agent

Joey's on Taylor, LTD. 1863 Taylor Avenue
(Tradenname) Joey's on Taylor
Joseph Legath, Agent

Joey's on 6th LLC 910 Sixth Street
(Tradenname) Joey's on 6th
Joseph Legath, Agent

Joey's on Lathrop LLC 2054 Lathrop Avenue
(Tradenname) Joey's on Lathrop
Joseph Legath, Agent

Coasters Inc. 1301 N. Main Street
(Tradenname) Coasters
Charles Beth, Agent

Rudy's LLC 2515 Douglas Avenue
(Tradenname) Rudy's
Dale Decker, Agent

Odd Fellows Bistro LLC 817 S. Main Street
(Tradenname) Odd Balls Pizza
Emily Day, Agent

Bucket's Pub 2031 Lathrop Avenue
(Tradenname) Bucket's Pub
Charles F. Brandt, Agent

HI-O Inc. 1816 Seventeenth Street
(Tradenname) HI-O Headquarters
Michael A. Henes, Agent

Taqueria Arandas LLC-Juan M. Leon 1501 Prospect Street
(Tradenname) Taqueria Arandas Restaurant

6100 West, Inc. 231 Main Street
(Tradenname) The Ivanhoe Pub & Eatery
Douglas Nicholson, Agent

6200 West, Inc. 316 Main Street
(Tradenname) Envi
Douglas Nicholson, Agent

6200 West, Inc. 1012 Main Street
(Tradenname) Hiram's Place
Douglas Nicholson, Agent

Kenny's on Main LLC 1300 N. Main Street
(Tradenname) Kenny's on Main
Kenneth R. Meyer, Agent

Infusino Pizzeria & Restaurant, Inc. 3201 Rapids Drive
(Tradenname) Infusinos Italian Village
Emilio Infusino, Agent

Infusino Pizzeria & Restaurant, Inc. 3225 Rapids Drive
(Tradenname) Infusinos Restaurant
Emilio Infusino, Agent

Rojo's Pub, LLC 1317 Yout Street
(Tradenname) Rojo's Pub
Joseph A. Vlasak, Agent

Javier's Restaurant Inc. 2011 Lathrop Avenue
(Tradenname) Javier's Restaurant Inc.
Yecenia M. Ortega, Agent

Racine Art Museum, Inc. 441 Main Street
(Tradenname) Racine Art Museum
Laura D'Amato, Agent

Derango, LTD 3840 Douglas Avenue
(Tradenname) Derango's Pizza Place
Benedetto F. Derango, Agent

Slobodan Lazarevic 2002 Erie Street
(Tradenname) Neighborhood Bar of Racine
Slobodan Lazarevic, Agent

R Garcia LLC 3408 Douglas Avenue

(Tradename) Mi Tierra Mexican Restaurant
Iliana Rodriguez, Agent

Coy & Diane Investments, Inc. 5200 Washington Avenue
(Tradename) The Boiler Room
Coy Peterson, Agent

ATM Financial Services LLC 220 State Street
(Tradename) Carriage House Liquor LLC
Douglas Nicholson, Agent

Ice Box, LLC 2328 Douglas Avenue
(Tradename) Ice Box

Derose Bar & Restaurant, LLC 1444 Blake Avenue
(Tradename) Derose Bar & Restaurant, LLC
Sandra J. Barz, Agent

TTDH, Inc. 2100 Douglas Avenue
(Tradename) Gus's Gyro's/Better Day BP
Constantin Tousis, Agent

JFITZ627 1307 Douglas Avenue
(Tradename) JJ's Pour House

Redline LLC 1200 N. Wisconsin Street
(Tradename) Redline Tavern
Connie M. Nau, Agent

Liquid Productions 961 Dr. M.L. King Jr Dr
(Tradename) The Drink
Michael Mlsna, Agent
(PUBLICATION FEE)

Bar 525 LLC 525 Wisconsin Avenue
(Tradename) Bar 525
Scott D. Arendt, Agent

CBI of Racine, Inc 1446 Dr. M.L. King, Jr. Dr.

(Tradename) Tropical Paradise
Carl Stewart, Agent

Lush Life, LLC 550 State Street
(Tradename) Out of the Pan
Roberta Schulz, Agent

Torres, Brenda, Socorro (Tradename) R & B Latin Club	1600 Douglas Avenue
The Rhino Bar 2 LLC (Tradename) The Rhino Bar	1659 N. Main Street
Dar L. Inc. (Tradename) Stil Country Darlene Louise Larson, Agent	1100 Douglas Avenue
Roger's Place, Inc. (Tradename) Roger's Roger Springsteen, Agent	1843 N. Wisconsin St.
El Cotorreo, Inc. (Tradename) El Cotorreo Jong Pong Chang, Agent	1224 Sixteenth St.
Michigan's Pub, LLC (Tradename) Michigan's Pub George R. Seater Jr., Agent	1300 Michigan Blvd.
Russ's Tap (Tradename) Russ's Tap Robert J. Kohel, Agent	2203 DeKoven Avenue
Max Mueckler (Tradename) The Max	3101 Douglas Avenue
Veteran's Club, Inc. (Tradename) Vet's Club Alan E. Winter, Agent	820 Main Street
Hammes Tavern, LLC (Tradename) Hammes Tavern Michael J. Hammes, Agent	2005 Taylor Avenue
Paul's Pub LLC (Tradename) Paul's Pub Paul Lueke, Agent	2416 Lathrop Avenue
Buona Vita Corporation (Tradename) Buona Vita Pizzeria Restaurant Achille Cortese, Agent	3701 Durand Avenue

John Dunk 303 Dodge St.
(Tradename) John's Dock

Donna L. Daams 209 Dodge Street
(Tradename) Chartroom "Charlies"
Donna L. Daams, Agent

Club Main Inc. 331 Main Street
(Tradename) Evelyn's Club Main
Catherine R. Kett, Agent

Curmudgeon's Pub & Grill LLC 3458 Rapids Drive
(Tradename) Curmudgeon's Pub & Grill
Dawn Burbey, Agent

Roberts Roost LLC 600 Sixth Street
(Tradename) Roberts Roos
Edward Scharding, Agent

Oakland Food Service Mgt. Inc. 555 Main Street
(Tradename) The Red Onion Cafe
Joseph D. Oakland, Agent

Casablanca de Mexico, Inc. 230 Main Street
(Tradename) Casablanca de Mexico
Blanca L. Webbers, Agent

Ronald J. Guarascio Jr. 1510 Junction Avenue
(Tradename) Uptown Pub & Grill

Ricky's Place, Inc. 236 Main Street
(Tradename) Ricky's Place
Richard Smetana, Agent

Daniel Z. Takerian, Inc. 2322 Lathrop Avenue
(Tradename) Mario's Italian Sports Bar
Mario Passarell, Agent

McAuliffe Productions 3700 Meachem Road
(Tradename) McAuliffe's Pub

The DeKoven Foundation 600 Twenty-First Street
(Tradename) The DeKoven Center
Max Dershem, Agent

The Corner House, Inc. 1521 Washington Avenue

(Tradename) Corner House
John G. Kopulos, Agent

Mr. Kool's Sports Bar, LLC 1330 Washington Avenue
(Tradename) Mr. Kool's Sports Bar
James O. Oliver, Sr. Agent

3Eminee, LLC 501 Sixth Street
(Tradename) Henry & Wanda's
Michael T. McDermott, Agent

The Pink Magnolia, LLC. 240B Main Street
(Tradename) The Pink Magnolia
Kristina Christensen, Agent

2 Sheets to the Wind Pub & Grill, LLC 3316 Douglas Avenue
(Tradename) 2 Sheets to the Wind Pub & Grill
Sheila R. Sheets, Agent

Natalie R. Salinas LLC 418 Sixth Street
(Tradename) Olde Madrid
Natalie Salinas, Agent

Brucker LTD. 1921 DeKoven Avenue
(Tradename) Tommy's
Justin Coe, Agent

McAuliffe's Square 213 Sixth Street
(Tradename) McAuliffe's on the Square

Vero's LLC 211 Sixth Street
(Tradename) Vero's
Tarplah P. Carver, Agent
(CHANGE OF AGENT)

Jose E. Sanchez 1318 Douglas Avenue
(Tradename) Mi Jacalito Restaurant

Uncorkt LLC 240A Main Street
(Tradename) Uncorkt
Cheryl A. Etes, Agent

Jack J. Moreno 3620 Northwestern Avenue
(Tradename) Cackle Jacks

Maria & Ivan Davalos 1743 State Street

(Tradenname) El Rodeo Mexican Restaurant

Blue Rock Lounge, LLC. 306 Sixth Street
(Tradenname) The Blue Rock Lounge & Eatery
Mark R. Thomas, Agent

WLS Wild Bill, Inc. 1641 Douglas Avenue
(Tradenname) Chief's
William Sorenson, Agent

Outbreak Billiards Inc. 1717 Dougls Avenue
(Tradenname) Outbreak Billiards
Marko Stanosevic, Agent

Teezers of Racine, Inc. 1936 Lathrop Avenue
(Tradenname) Teezers
Erin E. Anstett, Agent

LJF Corporation 3012 Rapids Drive
(Tradenname) Stone Corral
Luciano Flores, Agent

DeMark's Bar and Restaurant, Inc. 1600 Albert Street
(Tradenname) DeMark's Tavern
Sharon A. Burman, Agent

Crazytown, LLC 611 Wisconsin Avenue
(Tradenname) Toad Hall
Corey Szaryc, Agent

Bourbon Street Blues & Jazz Bar LLC 1111 Washington Avenue
(Tradenname) Bourbon Street Blues
Joe Harris, Agent

Racine Labor Hall, Inc. 2100 Layard Avenue
(Tradenname) Racine Labor Center
Richard K. Fought, Agent

Salute Incorporated 314 Main Street
(Tradenname) Salute Italian Restaurant
Gemma De Bartolo-Wells, Agent

Peg & Lou's Bar and Grill LLC 3113 Douglas Avenue
(Tradenname) Peg & Lou's
Peggy L. Larson, Agent

Lo Ventures, LLC 2 Christopher Columbus Causeway
(Tradename) Reefpoint Brew House
Patti Landreman, Agent

James J. Graves 223 Gaslight Circle
(Tradename) Radisson Inn Harbourwalk

Asiana, LLC 423 Sixth Street
(Tradename) Asiana Restaurant
Kyo Soon Yoon, Agent

Shogun of Racine Inc. 518 College Avenue
(Tradename) Shogun Japanese Restaurant
Kwangseok Youn, Agent

Fraternal Order of Eagles Aerie 281, Inc. 319 Hamilton Street
(Tradename) Eagles Club
Richard C. Fortier, Agent

Peg & Lou's Bar & Grill, LLC 835 Washington Avenue
(Tradename) Maxine's

Randall L. Larson 1436 Junction Avenue
(Tradename) The Brass Monkey

Dennis Pias 1756 Taylor Avenue
(Tradename) Pias Pizzeria

Referred to Public Safety and Licensing Committee

14-10209

Subject: (New) Application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for Sip Drinks and Eatery LLC, located at 300 Sixth Street, Kristine Beaugrand, Agent. **(1st District)**
-This would begin July 1, 2014

Referred to Public Safety and Licensing Committee

14-10210

Subject: Application for a Change of Agent for GMRI, Inc. (Olive Garden) located at 6000 Durand Avenue, "Class B" Fermented Malt Beverage and Intoxicating Liquor License, Jeffery A. Zimmerman, Agent. **(14th District)**

Referred to Public Safety and Licensing Committee

14-10228

Subject: Application for a Change of Agent for PH Hospitality Group, LLC (Pizza Hut) located at 5000 Washington Avenue, Class "B" Fermented Malt Beverage License, Illyria C. Shores, Agent. **(12th District)**

Referred to Public Safety and Licensing Committee

[14-10229](#)

Subject: (New) Application for a Class "A" Fermented Malt Beverage License for South Side Food Inc, located at 1229 Eleventh Street. (1st District)-This is new owner

Referred to Public Safety and Licensing Committee

[14-10231](#)

Subject:The following renewal application(s) for a "Class C" Wine License for 2014-2015:

Guy L. Singer 1514 Junction Avenue
(Tradename) Guy Singer Dance Studio
Guy Singer, Agent

Referred to Public Safety and Licensing Committee

[14-10236](#)

Subject: Communication requesting Change of Agent for Racine Country Club, 2801 Northwestern Avenue- Thomas Maliszko, Agent, "Class B" Club for Fermented Malt Beverage and Intoxicating Liquor license (6th District).

Referred to Public Safety and Licensing Committee

[14-10237](#)

Subject: Communication requesting Change of Agent for Vero's, 211 Sixth Street - Tarplah P. Carver, Agent, "Class B" Fermented Malt Beverage and Intoxicating Liquor license (1st District).

Referred to Public Safety and Licensing Committee

[14-10238](#)

Subject: New Application for Radojko Radicevic for Operator's (Bartender) License.

Referred to Public Safety and Licensing Committee

[14-10245](#)

Subject: Communication requesting a Change of Agent for Aldi, Inc., 3110 Douglas Avenue - Karin Howard, Agent, "Class A" Fermented Malt Beverage and Intoxicating Liquor license (7th District).

Referred to Public Safety and Licensing Committee

[14-10246](#)

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

Sam's Riverbank, LLC 3700 Northwestern Avenue
(Tradename) Days Inn Riverside

Referred to Public Safety and Licensing Committee

Refer to Community Development Committee, by Ald. Shakoor

[14-10232](#) **Subject:** Request for 2013 ESG Contract Extension from Continuum of Care for Racine/Kenosha Community Action and Legal Action of Wisconsin.

Referred to Community Development Committee

[14-10233](#) **Subject:** Request that CDBG Local Option/Contingency Funds be approved to finalize the TBRA program with Racine Kenosha Community Action Agency (RKCAA).

Referred to Community Development Committee

[14-10235](#) **Subject:** Request for 2013 CDBG Contract Extension for the Individual Development Account (IDA) Program.

Referred to Community Development Committee

F. Committee Reports**Public Works and Services Committee Report, by Ald. Kaplan**

[14-10123](#) **Subject:** Resolution No. 14-0228, created May 20, 2014, being a final resolution relating to street improvements on:

PORTLAND CEMENT CONCRETE PAVING

Chatham Street - Lombard Street north to the Dead End
Delaware Avenue - Kearney Avenue to Debra Lane
Lake Avenue - Eight Street to Ninth Street
Lake Avenue - Ninth Street to Tenth Street
North Wisconsin Street - Carlton Drive south to the Cul-de-sac
Rosalind Avenue - Spruce Street west to the Cul-de-sac
St. Clair Street - South Street to Willmor Avenue
Winthrop Avenue - Drexel Avenue to Glendale Avenue

SEWER & WATER

Lake Avenue - Ninth Street to Tenth Street

SIDEWALK

North Wisconsin Street - Carlton Drive south to the Cul-de-sac
Rosalind Avenue - Spruce Street west to the Cul-de-sac

Recommendation of the Public Works and Services Committee on 05-28-14: That Resolution No. 14-0228, of May 20, 2014, be amended to delete:

PORTLAND CEMENT CONCRETE PAVING

Chatham Street - Lombard Street north to the Dead End
Lake Avenue - Eight Street to Ninth Street
North Wisconsin Street - Carlton Drive south to the Cul-de-sac
Rosalind Avenue - Spruce Street west to the Cul-de-sac

SIDEWALK

North Wisconsin Street - Carlton Drive south to the Cul-de-sac
Rosalind Avenue - Spruce Street west to the Cul-de-sac

and, as amended, Resolution No. 14-0228, of May 20, 2014, be adopted.

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

14-10165

Subject: Communication from Real Racine requesting to use City right-of-way for the Ironman Racine 70.3 Triathlon on Sunday, July 20, 2014. (Res. No. 14-0242)

Recommendation of the Public Works and Services Committee

on 05-28-14: That permission be granted to Real Racine and Ironman to use City right-of-way for the Ironman Racine 70.3 Triathlon on Sunday, July 20, 2014.

Further recommends that Real Racine and Ironman be granted permission to close the following streets and to utilize certain other City streets, as indicated, on their race map, for the Ironman Racine 70.3 Triathlon to be held on Sunday, July 20, 2014:

Barker Street from Main Street to its terminus with Lake Michigan
Goold Street from Main Street to Michigan Boulevard
Augusta Street from Main Street to Michigan Boulevard
Wolff Street from Main Street to Michigan Boulevard
William Street from Main Street to Michigan Boulevard
Lombard Avenue from Main Street to Michigan Boulevard
Lakecrest Drive from Main Street to Michigan Boulevard

with the following stipulations:

- A. A hold harmless agreement be executed and a \$75.00 processing fee paid.
- B. Proof of liability insurance 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 \$700.00 special event fee.
- F. Sponsor shall be responsible for placement of all traffic control devices.

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.

14-10167

Subject: Communication from Richard Fortier requesting permission to close the 300 block of Hamilton Street and the 1100 block of Chatham Street from 12:00 Noon to 7:00 P.M. on Sunday, June 22, 2014 for the 9th Annual Eagle's Club/George's Tavern Classic Car Show. (Res. No. 14-0243)

Recommendation of the Public Works and Services Committee on 05-28-14: That George's Tavern be granted permission to close Hamilton Street from Main Street to Chatham Street and Chatham Street from Hamilton Street to Dodge Street on Sunday, June 22, 2014, from 12:00 P.M. to 7:00 P.M., in conjunction with the 9th Annual Eagle's Club/George's Tavern Classic Car Show to benefit the Eagle's Charity - Lew Reed Spinal Injury Cord Fund, 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. No alcoholic beverages will be sold and/or dispensed within the street right-of-way.
- F. The sponsor shall pay a \$300.00 special event fee.

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.

14-10173

Subject: Communication from the 4th District Alderman requesting the creation of a sanitary sewer maintenance fee ordinance. (Ord. No. 06-14) (Res. No. 14-0245)

Recommendation of the Public Works and Services Department on 05-28-14: That Ordinance No. 06-14 to amend Sec. 98-436 and Sec. 98-438 of the Municipal Code of the City of Racine, Wisconsin relating to Sanitary Sewer Maintenance Fee, be adopted.

Fiscal Note: N/A

Alderman Diehl requested that item 14-10173 be considered separately. There were no objections.

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

AYES: 13 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, Weidner, Shakoor, II, McCarthy, Wiser, Holding J.D. , Morgenroth, Hart and Diehl

NOES: 1 - Perez

NON VOTING: 1 - DeHahn

14-10191

Subject: (Direct Referral) Communication from the Commissioner of Public Works submitting a request for final payment on Contract 55-12 (K2-066), HVAC Upgrades at Library, Johnson Controls, Inc., contractor. (Res. No. 14-0244)

Recommendation of the Public Works and Services Committee on 05-28-14: That the work done by Johnson Controls, Inc., under Contract 55-12 (K2-066), HVAC Upgrades at Library, be accepted and final payment authorized for a total contract amount of \$168,710.00.

Fiscal Note: Contract was authorized under Resolution No. 12-3308, dated September 4, 2012.

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

14-10192

Subject: Resolution No. 14-0229, created May 20, 2014, being a final resolution relating to street improvements on:

PORTLAND CEMENT CONCRETE PAVING

Chatham Street - Barker Street to Hubbard Street

Maryland Avenue - Kentucky Street to Indiana Street

Monroe Avenue - Nineteenth Street to Twentieth Street

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

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

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

Summit Avenue - Layard Avenue to the Dead End

SEWER & WATER

Monroe Avenue - Nineteenth Street to Twentieth Street

SIDEWALK

Maryland Avenue - Kentucky Street to Indiana Street

Summit Avenue - Layard Avenue to the Dead End

CURB & GUTTER

Summit Avenue - Layard Avenue to the Dead End

Recommendation of the Public Works and Services Committee on 05-28-14: That Resolution No. 14-0229, of May 20, 2014, be amended to delete:

PORTLAND CEMENT CONCRETE PAVING

Monroe Avenue - Nineteenth Street to Twentieth Street

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

SEWER & WATER

Monroe Avenue - Nineteenth Street to Twentieth Street

and, as amended, Resolution No. 14-0229, of May 20, 2014, be adopted.

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

14-10193

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer submitting a professional services agreement for Contract 33-14 (K4-033) PS - 2014 Capacity, Management, Operation & Maintenance Assessment, AECOM, consultant. (Res. No. 14-0246)

Recommendation of the Public Works and Services Committee on 05-28-14: That the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with AECOM on Contract 33-14 (K4-033) PS - 2014 Capacity, Management, Operation & Maintenance Assessment for the not-to-exceed amount of \$5,000.00.

Further recommends that funding to defray the costs of these professional services are available in Account 287.994.5310, Sanitary Sewers - Various Locations.

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.

14-10194

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer submitting a professional services agreement for Contract 34-14 (K4-034) PS - 2014 Future Sewer CCTV Priority Planning, AECOM, consultant. (Res. No. 14-0247)

Recommendation of the Public Works and Services Committee on 05-28-14: That the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with AECOM on Contract 34-14 (K4-034) PS - 2014 Future Sewer CCTV Priority Planning, in the not-to-exceed of \$4,270.00.

Further recommends that funding to defray the costs of these professional services are available in Account 287.994.5310, Sanitary Sewers - Various Locations.

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.

14-10198

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer submitting a professional services agreement for Contract 35-14 (K4-035), PS - 2014 Sewer Asset Management Services, AECOM, consultant. (Res. No. 14-0248)

Recommendation of the Public Works and Services Committee on 05-28-14: That the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with AECOM on Contract 35-14 (K4-035), PS - 2014 Sewer Asset Management Services, in the not-to-exceed amount of \$70,827.00.

Further recommends that funding to defray the cost of these professional services are available in the following accounts:

\$30,779.00 - Account 104.994.5420, Storm Water Misc. Loc.
\$35,049.00 - Account 287.994.5310, Sanitary Sewer Misc. Loc.
\$ 4,999.00 - Account 287.994.5850, Racine Water Utility
\$70,827.00 - 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.

Council Action

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

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

NON VOTING: 1 - DeHahn

Traffic Commission Report, by Ald. Kaplan

13-9598

Subject: (Direct Referral) Communication from Chief Howell, on behalf of Alderman Perez, requesting a traffic study be done on Cleveland Avenue, near Fratt Elementary School (3501 Kinzie Avenue).

Recommendation of the Traffic Commission on 12-16-13: Defer

Recommendation of the Traffic Commission on 04-21-14: Defer

Recommendation of the Traffic Commission on 05-19-14: Approve the recommended school signage changes.

Fiscal Note: The estimated cost of this signage will result in an installation cost of \$200.00 and an annual maintenance cost of \$80.00.

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

14-9924

Subject: Communication from Alderman Kaprelian-Becker, on behalf of Nikki Aiello (1528 W. 6th St.) requesting a traffic study for the intersection of West 6th Street and Memorial Drive for a possible left-turn light on W. 6th St. turning north.

Recommendation of the Traffic Commission on 04-21-14: Receive and file.

Fiscal Note: N/A

Recommendation of the Finance & Personnel Committee on 5-12-14: Referred to the Traffic Commission.

Fiscal Note: N/A

Recommendation of the Traffic Commission on 05-19-14: Receive and file.

Fiscal Note: N/A

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

14-10102

Subject: Communication from the Alderman of the 12th District requesting a traffic study for the traffic signal at Washington and Ohio.

Recommendation of the Traffic Commission on 05-19-14: Receive and file.

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 Kaplan, seconded by Alderman Shakoor that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

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

NON VOTING: 1 - DeHahn

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

14-10185

Subject: (Direct Referral) Review of a proposal to purchase and develop the 3100 Block (odd) of Washington Avenue. (Res. No. 14-0249)

Recommendation of the Redevelopment Authority on 5-19-14:
That the Common Council approve the report and action of the Redevelopment Authority granting Racine Renal Construction, LLC (a.k.a. PCI Health Dev) a 90 day option to purchase and redevelop the Authority's property at 3101 through 3121 Washington Avenue, 1219 Grove Avenue, and 1218 West Boulevard. The option shall be based on the proposal by Racine Renal Construction, LLC and the Authority's Request for Proposals.

Fiscal Note: Racine Renal Construction, LLC will pay an option fee of \$10,000 when the option is executed. Racine Renal Construction, LLC proposes to pay the Authority the City Assessor's estimated value of the property or \$200,000 (whichever is less) minus the net REC fee for the property. The option is so that Racine Renal Construction, LLC, can complete its due diligence, including obtaining a conditional use approval from the City Plan Commission and the Common Council.

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

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

NOES: 2 - Weidner and Holding J.D.

NON VOTING: 1 - DeHahn

Committee of the Whole Report, by Ald. Shakoor

14-10113

Subject: Communication from Jay Christie, President and CEO of the Racine Zoological Society requesting to present a State of the Zoo report to the Common Council.

Recommendation of the Committee of the Whole on 05-20-2014:
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: 14 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, Weidner, Shakoor, II, McCarthy, Wisner, Holding J.D. , Perez, Morgenroth, Hart and Diehl

NON VOTING: 1 - DeHahn

Office of the Mayor Report, Ald. Shakoor

14-10239

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

Appoint Frank Jarosz 725 Perry Ave Racine, 53406 to the Civic Centre Commission for a 3 year term expiring May 1, 2017

Appoint Yumi Skow 720 Lombard Ave. Racine, 53402 to the Civic Centre Commission for a 3 year term expiring May 1, 2017

A motion was made by Alderman Shakoor, seconded by Alderman McCarthy that this be Received and Filed as Reported. The motion PASSED by the following vote:

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

NON VOTING: 1 - DeHahn

Water Works Committee Report, by Ald Hart

[14-10195](#)

Subject: Developers Agreement for Land and Lakes Business Park on International Drive in the Village of Mt. Pleasant

Recommendation of the Racine Waterworks Commission on 5/29/14: That the Mayor and City Clerk be authorized to sign the Developer's Agreement

Further recommends that this be referred to the Finance and Personnel Committee for approval.

Fiscal Note: N/A

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

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

NON VOTING: 1 - DeHahn

G. Consent Agenda Resolutions

[Res.14-0242](#)

2014 Ironman Racine 70.3 Triathlon

Resolved, that permission is granted to Real Racine and Ironman to use City right-of-way for the Ironman Racine 70.3 Triathlon on Sunday, July 20, 2014.

Further resolved, that Real Racine and Ironman is granted permission to close the following streets and to utilize certain other City streets, as indicated, on their race map, for the Ironman Racine 70.3 Triathlon to be held on Sunday, July 20, 2014:

Barker Street from Main Street to its terminus with Lake Michigan
Goold Street from Main Street to Michigan Boulevard
Augusta Street from Main Street to Michigan Boulevard
Wolff Street from Main Street to Michigan Boulevard
William Street from Main Street to Michigan Boulevard
Lombard Avenue from Main Street to Michigan Boulevard
Lakecrest Drive from Main Street to Michigan Boulevard

with the following stipulations:

A. A hold harmless agreement be executed and a \$75.00 processing fee paid.

B. Proof of liability insurance 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 \$700.00 special event fee.

F. Sponsor shall be responsible for placement of all traffic control devices.

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.14-0243

9th Annual Eagle's Club / George's Tavern Classic Car Show

Resolved, that George's Tavern is granted permission to close Hamilton Street from Main Street to Chatham Street and Chatham Street from Hamilton Street to Dodge Street on Sunday, June 22, 2014, from 12:00 p.m. to 7:00 p.m., in conjunction with the 9th Annual Eagle's Club / George's Tavern Classic Car Show to benefit the Eagle's Charity - Lew Reed Spinal Injury Cord Fund, 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. No alcoholic beverages will be sold and/or dispensed within the street right-of-way.

F. The sponsor shall pay a \$300.00 special event fee.

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

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

Sponsors: Jim Kaplan

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

Res.14-0244

Final Payment on Contract 55-12 (K2-066), HVAC Upgrades at Library

Resolved, that the work done by Johnson Controls, Inc., under Contract 55-12 (K2-066), HVAC Upgrades at Library, is accepted and final payment authorized for a total contract amount of \$168,710.00.

Fiscal Note: Contract was authorized under Resolution No. 12-3308, dated September 4, 2012.

Sponsors: Jim Kaplan

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

Res.14-0245

Sanitary Sewer Maintenance Fee Ordinance (Ord. No. 06-14)

Resolved, that Ordinance No. 06-14 to amend Sec. 98-436 and Sec. 98-438 of the Municipal Code of the City of Racine, Wisconsin relating to Sanitary Sewer Maintenance Fee, is adopted.

Fiscal Note: N/A

Sponsors: Jim Kaplan

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

AYES: 13 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, Weidner, Shakoor, II, McCarthy, Wiser, Holding J.D. , Morgenroth, Hart and Diehl

NOES: 1 - Perez

NON VOTING: 1 - DeHahn

Res.14-0246

Contract 33-14 (K4-033) PS - 2014 Capacity, Management, Operation & Maintenance Assessment

Resolved, that the Mayor and City Clerk are authorized and directed to enter into a professional services agreement with AECOM on Contract 33-14 (K4-033) PS - 2014 Capacity, Management, Operation &

Maintenance Assessment for the not-to-exceed amount of \$5,000.00.

Fiscal Note: Funding to defray the costs of these professional services are available in Account 287.994.5310, Sanitary Sewers - Various Locations.

Sponsors: Jim Kaplan

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

Res.14-0247

Contract 34-14 (K4-034) PS - 2014 Future Sewer CCTV Priority Planning

Resolved, that the Mayor and City Clerk are authorized and directed to enter into a professional services agreement with AECOM on Contract 34-14 (K4-034) PS - 2014 Future Sewer CCTV Priority Planning, in the not-to-exceed of \$4,270.00.

Fiscal Note: Funding to defray the costs of these professional services are available in Account 287.994.5310, Sanitary Sewers - Various Locations.

Sponsors: Jim Kaplan

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

Res.14-0248

Contract 35-14 (K4-035), PS - 2014 Sewer Asset Management Services

Resolved, that the Mayor and City Clerk are authorized and directed to enter into a professional services agreement with AECOM on Contract 35-14 (K4-035), PS - 2014 Sewer Asset Management Services, in the not-to-exceed amount of \$70,827.00.

Fiscal Note: Funding to defray the cost of these professional services are available in the following accounts:

\$30,779.00	- Account 104.994.5420, Storm Water Misc. Loc.
\$35,049.00	- Account 287.994.5310, Sanitary Sewer Misc. Loc.
<u>\$ 4,999.00</u>	- Account 287.994.5850, Racine Water Utility
\$70,827.00	- Total

Sponsors: Jim Kaplan

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

Council Action

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

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

NON VOTING: 1 - DeHahn

Res.14-0249

Option from Redevelopment Authority

Resolved, that the report and action of the Redevelopment Authority granting Racine Renal Construction, LLC (a.k.a. PCI Health Dev) a 90 day option to purchase and redevelop the Authority's property at 3101 through 3121 Washington Avenue, 1219 Grove Avenue, and 1218 West Boulevard is approved. The option shall be based on the proposal by Racine Renal Construction, LLC and the Redevelopment Authority's Request for Proposals.

Fiscal Note: Racine Renal Construction, LLC will pay an option fee of \$10,000.00 when the option is executed. Racine Renal Construction, LLC proposes to pay the Authority the City Assessor's estimated value of the property or \$200,000.00 (whichever is less) minus the net REC fee for the property. The option is so that Racine Renal Construction, LLC, can complete its due diligence, including obtaining a conditional use approval from the City Plan Commission and the Common Council.

Sponsors: James Morgenroth

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

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

NOES: 2 - Weidner and Holding J.D.

NON VOTING: 1 - DeHahn

H. Ordinances

Ord.07-14

Ordinance 07-14

An ordinance creating ARTICLE XXXIV. - Produce Carts, Sections 22-1258 - 22-1263 in Chapter 22, of the general ordinances of the City of Racine, Racine County, Wisconsin relating to Produce Carts.

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

Part 1: ARTICLE XXXIV. - Produce Carts, Sections 22-1258 - 22-1263 in Chapter 22 of the City of Racine ordinances is hereby created to read as follows:

“ARTICLE XXXIV. - Produce Carts.

Sec. 22-1258. Intent.

It is the intent of the City in enacting this ordinance to promote residents’ access to fresh produce by implementing a fresh Produce Cart program.

Sec. 22-1259. Purpose.

The purpose of this article is to promote the health of the community by increasing access to fresh produce.

Sec. 22-1260. Definitions. The following words and phrases, whenever used in this article, shall have the meanings defined in this section:

(a) *Produce Cart Sales Spot* means one of the following designated public spaces where Produce Cart Permit holders may sell Fresh Produce, subject to the regulations listed in Sec. 22-1262.

(1) Vacant City-owned lots.

(b) *Fresh Produce* means unprocessed, unfrozen, whole, raw fruits and vegetables that have not been combined with other ingredients.

(c) *Produce Cart Permit* means a permit for the selling of Fresh Produce from a Produce Cart at a Designated Produce Cart Sales Spot.

(d) *Produce Cart* means any showcase, table, stand, bench, rack, handcart, pushcart, wagon, stall, or any other fixture, device, or other wheeled conveyance from which a Produce Cart Permit holder sells Fresh Produce. Not to exceed three permitted vendors in any one lot.

(e) *Produce Cart Vendor* means an individual holding a Produce Cart Permit.

Sec. 22-1261. Permits.

- (a) The City Clerk shall issue Fresh Produce Permits annually for a fee of \$____, subject to the requirements and prohibitions listed below in Sec. 22.1262.
- (b) The City Clerk is hereby authorized to issue all rules and regulations consistent with this article and shall have all necessary powers to carry out the purpose of this article, along with representatives from the City Health Department.
- (c) The City Clerk shall be responsible for designating locations for Produce Carts. The City Health Department shall be responsible for performing inspections resulting from complaints.
- (d) The City Clerk shall be responsible for issuing and accepting applications and permits while the City Health Department will be responsible for reviewing the applications for confirmation and vendor education

Sec. 22-1262. Requirements and Prohibited Conduct.

- (a) It shall be unlawful for any person, firm, or corporation to engage in the business of a Produce Cart Permit Holder without having first obtained a permit from the City Clerk.
- (b) It shall be unlawful to sell any items other than Fresh Produce with a Produce Cart Permit.
- (c) Produce Cart Vendors shall keep their Produce Carts clean and free from paper, peelings, and refuse of any kind generated from the operation of their businesses. Produce Cart Vendors shall affix to their Produce Carts a marked receptacle for litter, which shall be maintained and emptied regularly.
- (d) No Produce Cart Vendor shall:
 - (1) Conduct business in such a way as to restrict or interfere with the ingress or egress of the abutting property owner or tenant, or in such a way as would create or become a nuisance or hazard to public health, safety, or welfare, or increase traffic congestion or delay, or constitute an obstruction to adequate access to fire, police, or sanitation vehicles;
 - (2) Leave any Produce Cart unattended at any time;
 - (3) Load or unload a Produce Cart for a period exceeding twenty minutes;
 - (4) Conduct business between 9:00 p.m. and 8:00 a.m.

- (5) Conduct business within 900 feet of an established business that sells Fresh Produce or of any location previously established and currently being operated by a Fresh Produce Vendor.
- (6) Conduct business within ten feet of a crosswalk, fire hydrant, or the outer edge of any entranceway to any building or facility used by the public, including doors, driveways, and emergency exits

Sec. 22-1263. Penalties.

- (a) A violation of this article shall be grounds for the City Clerk to deny, refuse to renew, suspend, or revoke the permit to operate.
- (b) Any person who violates any of the provisions herein shall be subject to a forfeiture of \$____, for each violation.

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: Krystyna Sarrazin

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

I. Adjourn

The meeting was adjourned at 7:47 p.m. by Alderman Shakoor. The next scheduled meeting of the Council is June 17, 2014.

ATTEST: JANICE M. JOHNSON-MARTIN
CITY CLERK

