



# City of Racine

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

## Meeting Minutes - Final Common Council

*Mayor John T. Dickert,  
Alderman Jeff Coe, Alderman Michael Shields,  
Alderman Jim Kaplan, Alderman Steve Smetana,  
Alderman Sandy Weidner, Alderman Henry Perez,  
Alderman Raymond DeHahn,  
Alderman Q.A. Shakoor, II, Alderman Mary Land,  
Alderman Terry McCarthy, Alderman Dennis Wisner,  
Alderman James Morgenroth,  
Alderman Ronald Hart, Alderman Melissa Lemke*

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Tuesday, July 21, 2015

7:00 PM

Room 205, City Hall

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### A. Call To Order

**PRESENT:** 14 - Coe, Shields, Kaplan, Smetana, Weidner, DeHahn, Shakoor II, McCarthy, Wisner, Land, Perez, Morgenroth, Hart and Lemke

President Wisner announced the seat for District 2 is vacant.

### B. Pledge of Allegiance To The Flag

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

### C. Approval of Journal of Council Proceedings (Minutes)

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

### D. Public Comments

*The following people appeared to speak before the Common Council:*

*Dorothy Jarvela  
Pam Nichols  
Larry Nichols  
Donald Nelson  
Bill Spencer  
Perry Oksivta  
Phyllis Lenz  
John DeGrave  
Tina Robin  
Richard Pezoldt  
Dennis Bertz  
Ola Baiyewy  
Colin McKenna  
Randy Musaillef  
Don Zien  
Yolanda Adams  
Bill Guenther*

Tresa Johnson  
Joyce Smith  
Rick Donner  
Ben Okisvta  
Hurtt Harry William Jr  
Nicholas Keen  
Courtney Keen  
Heather Lux  
Hani Musartef  
Jim Smith  
Charlie Haapala  
Lisa Becker  
Gloria Meyers  
Fiona M. Ealeski  
Dan Peterson  
Jon Wyant  
Alicia Villa  
Orv Kothe

## E. Communications

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

[15-00608](#)

**Subject:** Communication from Julie Westphal, CVT, Animal Wellness Center of Oak Creek, requesting all park permitting fees be waived for a future one day rental of a City of Racine park area with pavilion to support the local animal rescue and the Racine Police K-9 unit.

**Referred to Finance and Personnel Committee**

[15-00637](#)

**Subject:** Communication from Tour Co-Chair of Preservation Racine, Inc. requesting the park permit fee of \$150.00 be waived for use of the North Beach Gazebo for the 40th Annual Tour of Historic Places on Sunday, September 27, 2015.

**Referred to Finance and Personnel Committee**

### Refer to Public Works and Services Committee, by Ald. Morgenroth

[15-00635](#)

**Subject:** Communication from the Purchasing Agent submitting bids on Official Notice #8-2015, Razing and Removal of the Twenty-One (21) Unit Apartment Building Located at 2500 Jacato Drive (Anthony Lane) in Racine, WI.

*Ald. Weidner requested that item 15-00635 be considered separately.*

**A motion was made by Alderman Weidner, seconded by Alderman Shields, that this Communication be Approved. The motion was APPROVED by the following vote:**

**AYES:** 14 - Coe, Shields, Kaplan, Smetana, Weidner, DeHahn, Shakoor II, McCarthy, Wisner, Land, Perez, Morgenroth, Hart and Lemke

[15-00638](#)

**Subject:** Communication from The Rhino Bar (1659 N. Main St.) and Liz Garbo, requesting to close High Street between Main Street and Chatham Street for the Project ALS fundraiser on August 22, 2015.

**Referred to the Public Works and Services Committee**

[15-00647](#)

**Subject:** Communication from the Marketing Communications Manager at CASE Construction requesting a road closure on Lake Avenue on Labor Day in conjunction with an event that they are planning to have at Festival Hall.

**Referred to the Public Works and Services Committee**

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

[15-00633](#)

**Subject: (Direct Referral) (New)** Application of Racine Recovery LLC, for a 2015-2016 Motor Vehicle Towing License. Located at 5306 Douglas Ave.

**Referred to the Public Safety and Licensing Committee**

[15-00640](#)

**Subject: (New)** Application for a "Class A" Fermented Malt Beverage and Intoxicating Liquor License located at 1336 State Street. La Mexicana Primo Corp, dba La Mexicana, Agent Erik Navarrete. (8th District)

**Referred to the Public Safety and Licensing Committee**

[15-00656](#)

**Subject: (New)** Application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for Choice Petroleum, LLC dba Chesters Chicken Restaurant, located at 1126 Washington Avenue, Harjeet S. Walia, Agent. (3rd District)

**Referred to the Public Safety and Licensing Committee**

**Refer to Board of Parks, Recreation, and Cultural Services, by Ald. Land**

[15-00634](#)

**Subject:** Communication from Real Racine requesting to use portions of North Beach Park on Saturday, September 12, 2015 through Sunday, September 13, 2015 for the Biggest Loser Run/Walk and further requests Municipal Code section 70-101; closing of parks; be waived to allow security on site overnight on Saturday, September 12, 2015 and to also allow staff and participants on site at 5:00 a.m. on Sunday, September 13, 2015.

Referred to the Board of Park, Recreation and Cultural Services

## F. Committee Reports

### Finance and Personnel Committee Report, by Ald. Shakoor

[15-00573](#)

**Subject:** Communication from the City Attorney submitting the claim of Barbara Jo Weber for consideration.

**Recommendation of the Finance & Personnel Committee on 07/13/2015:** The claim of Barbara Jo Weber be denied.

**Fiscal Note:** N/A

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

[15-00582](#)

**Subject:** Highway V Water Main Extension Agreement (RES. No.15-0286)

**Recommendation of the Racine Waterworks Commission on 6/30/15:** To approve

**Recommendation of the Finance & Personnel Committee on 7/13/2015:** That the Highway V Water Main Extension Agreement be approved

**Fiscal Note:** Any financial obligations will be borne by the Waterworks Commission

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

[15-00587](#)

**Subject:** Communication from the Director of Parks, Recreation & Cultural Services requesting to waive formal bidding requirements and instruct the Purchasing Agent to negotiate sole-source procurement with Mork Mausoleum Construction, Inc., for phases 1, 2 & 3 of Mound & Graceland Cemetery crypt repairs. (RES. No.15-0287)

**Recommendation of the Finance & Personnel Committee on 07/13/2015:** That formal bidding be waived for a sole-source procurement with Mork Mausoleum Construction, Inc., for phases 1, 2 & 3 of Mound & Graceland Cemetery crypt repairs.

**Fiscal Note:** N/A

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

[15-00615](#)

**Subject:** (Direct Referral) Communication from the City Attorney requesting authorization to represent Off. Warmington in the lawsuit, Tony Franklin v William Warmington, et al, US District Court Eastern District Case No. 14-CV-1188. (RES. No.15-0288)

**Recommendation of the Finance & Personnel Committee on 07/13/2015:** To authorize City Attorney to represent Off. Warmington in the lawsuit, Tony Franklin v William Warmington, et al, US District Court Eastern District Case No. 14-CV-1188.

**Fiscal Note:** N/A

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

[15-00616](#)

**Subject:** (Direct Referral) Communication from the City Attorney requesting authorization to represent Off. Henry and Off. Nabors in the lawsuit, Alberto Montoya v Aaron Henry, et al, Racine County Case No. 15-CV-1329. (RES. No.15-0289)

**Recommendation of the Finance & Personnel Committee on 07/13/2015:** To authorize City Attorney to represent Off. Henry and Off. Nabors in the lawsuit, Alberto Montoya v Aaron Henry, et al, Racine County Case No. 15-CV-1329.

**Fiscal Note:** N/A

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

[15-00617](#)

**Subject:** (Direct Referral) Communication from the City Attorney requesting authorization to represent former Off. Principe in the lawsuit, Cynthia Winston v City of Chicago, Illinois, et al, Cook County Case No. 15-L-2370. (RES. No.15-0290)

**Recommendation of the Finance & Personnel Committee on 07/13/2015:** To authorize City Attorney to represent former Off. Principe in the lawsuit, Cynthia Winston v City of Chicago, Illinois, et al, Cook County Case No. 15-L-2370.

**Fiscal Note:** N/A

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

#### **Public Works and Services Committee Report, by Ald. Morgenroth**

[15-00603](#)

**Subject:** Communication from the Executive Director of the Racine Zoo requesting to be exempt from tent permitting for Zoo events.

(RES. No.15-0291)

**Recommendation of the Public Works and Services Committee on 07-14-15:** That the Racine Zoo be exempt from tent permitting for Zoo events.

**Fiscal Note:** N/A

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

[15-00618](#)

**Subject:** Bid results for Contract 20150039, 2015 Sanitary Sewer - Echo Lane (R1). (RES. No.15-0294)

**Recommendation of the Public Works and Services Committee on 07-14-15:** That Contract 20150039, 2015 Sanitary Sewer - Echo Lane (R1), be awarded to A.W. Oakes & Son, Inc., at their bid price of \$352,360.00, it being the lowest responsible bidder.

Further recommends that funds to defray the cost of this public works project be appropriated from Org-Object 40102-57560, RWWU-Sewer Relay.

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

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

[15-00619](#)

**Subject:** Bid results for Contract 20150038, Zoo Administration Building - Roof Replacement.(RES. No.15-0293)

**Recommendation of the Public Works and Services Committee on 07-14-15:** That Contract 20150038, Zoo Administration Building - Roof Replacement, be awarded to Carlson Racine Roofing & Sheet Metal, Inc., at their bid price of \$17,424.00, plus Alternate #1 bid of \$1,400.00 for a total bid of \$18,824.00, it being the lowest responsible bidder.

Further recommends that funds to defray the cost of this public works project be appropriated from Org-Object 45050-57200, Zoo Admin Roof.

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

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

[15-00620](#)

**Subject:** Bid results for Contract 20150030, Softball Lighting Replacement - Lincoln Park.

**Recommendation of the Public Works and Services Committee on 07-14-15:** That the bids for Contract 20150030, Softball Lighting Replacement - Lincoln Park, be rejected. This contract will be re-bid at a later date.

**Fiscal Note:** N/A

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

[15-00621](#)

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting Amendment No. 1 to Contract 24-15 (20150024), PS - Library Chiller Replacement, Angus Young, consultant. (RES. No.15-0292)

**Recommendation of the Public Works and Services Committee on 07-14-15:** That Amendment No. 1 to Contract 24-15 (20150024), PS - Library Chiller Replacement, Angus Young, consultant, as submitted, be approved in the amount of \$5,900.

Further recommends that funding to defray the cost of the change order be appropriated from Org-Object 22055-57200, Library Chiller.

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

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

#### **Public Safety and Licensing Committee Report, by Ald. Coe**

[15-00590](#)

**Subject:** Request the appearance of Kenneth R. Meyer, Agent, of Kenny's on Main located at 1300 N. Main Street, to discuss the recent incidents (weekend of June 20 & 21, 2015) involving underage persons in two accidents, resulting in two deaths.

**Recommendation of the Public Safety and Licensing Committee 07/14/2015:** That the matter of Kenny's on Main, located at 1300 N. Main Street, be referred to a due process hearing based on many incidents, underage drinking, noise and many people congregating outside issues to determine whether the license should be revoked or suspended.

**Fiscal Note:** Potential cost of Due Process hearing

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

[15-00600](#)

**Subject:** The following renewal application for a "CLASS B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 2015-2016.

HILLSIDE LANES, INC. 1400 THIRTEENTH STREET  
RICHARD WONDERS, AGENT

**Recommendation of the Public Safety and Licensing Committee**

**07/14/2015:** That the renewal application for a "CLASS B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 2015-2016 listed be approved.

**Fiscal Note:** N/A

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

[15-00602](#)

**Subject: (Direct Referral) (Renewal)** The application of Frank Fani, Partner n Design for a Massage Establishment Permit for 506 Goold Street ( 5th District).

**Recommendation of the Public Safety and Licensing Committee**

**07/14/2015:** That the renewal application of Frank Fani, Partner n Design for a Massage Establishment Permit for 506 Goold Street be approved.

**Fiscal Note:** N/A

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

[15-00604](#)

**Subject:** (New) Application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for GZK Enterprise LLC dba Porcaro Indian, located at 522 6th Street, Randall Treu, Agent. (1st District)

**Recommendation of the Public Safety and Licensing Committee**

**07/14/2015:** That the application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for GZK Enterprise LLC dba Porcaro Indian, located at 522 6th Street, Randall Treu, Agent, be approved.

**Fiscal Note:** N/A

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

[15-00605](#)

**Subject:** (New) Application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for The Faccia Bella Club LLC dba The Faccia Bella Club, located at 3422 Douglas Avenue, Samantha Hobbs, Agent. (7th District)



**Recommendation of the Public Safety and Licensing Committee**

**07/14/2015:** That the application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for The Faccia Bella Club LLC dba The Faccia Bella Club, located at 3422 Douglas Avenue, Samantha Hobbs, Agent, be approved.

**Fiscal Note:** N/A

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

[15-00624](#)

**Subject:** (Direct Referral) Communication from the Purchasing Agent submitting the report on bids received for the sale of Abandoned Vehicles, July 1, 2015.

**Recommendation of the Public Safety and Licensing Committee**

**07/14/2015:** That the item be Recommended to be Approved as the highest responsible bidder out of the three bids was Sturtevant Auto Salvage.

**Fiscal Note:** This will generate \$7,889.00 in revenue for account 13101 48301.

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

[15-00625](#)

**Subject: (Direct Referral)** Communication from Rudy's LLC 2515 Douglas Ave, requesting to amend their Premise Description to include the backyard/smoking area.

**Recommendation of the Public Safety and Licensing Committee**

**07/14/2015:** That the communication from Rudy's LLC 2515 Douglas Ave., requesting to amend their Premise Description to include the backyard/smoking area be approved.

**Fiscal Note:** N/A

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

**City Plan Commission Report, by Ald.Wiser**

[15-00576](#)

**Subject:** (Direct Referral) A request by Jon Majdoch, representing Halloween Express for a conditional use permit to allow annual placement of a temporary building for Halloween related sales at 5200 Durand Avenue. (RES. No.15-0295)

**Recommendation of the City Plan Commission on 7-8-15:** That the item be approved subject to conditions.

**Fiscal Note:** N/A

**A motion was made that this Conditional Use Permit be Approved as Presented. The motion was APPROVED on a voice vote in consent.**

[15-00596](#)

**Subject:** (ZOrd. 002-15) An Ordinance rezoning 1223 Ohio Street, 4601, 4615, 4619 Washington Avenue, and 1212, 1218, 1222 Virginia Street from R-3 General Residence District, R-2 Single Family Residence District, and B-1 Neighborhood Convenience District to B-2 Community Shopping District.

**Recommendation of the City Plan Commission on 7-8-15:** That the ordinance be adopted based on the following findings:

1. The proposed zoning is consistent with the existing uses of property within the general area of the property in question as the site active and intense commercial uses and is close to well-developed retail and commercial businesses along Washington Avenue.
2. The proposed zoning is consistent with the zoning of the other three corners at the intersection of Washington and Ohio and the classification of property within the general area of the property in question.
3. The property in question is currently underutilized and inconsistent with the evolution of Washington Avenue as Racine's commercial corridor. The proposed use as a neighborhood pharmacy will be an upgrade over the current condition of the property in question and will advance other retail and commercial enterprises in the area.
4. The trend of development in the area of the property is toward increased commercial development along Washington Avenue as Racine's commercial corridor.
5. The proposed zoning is consistent with the objectives of the current land use plan for the city as it will promote the expansion or stabilization of the City's current economic base; maintain and enhance the economic vitality of the City by encouraging a diversified tax base of commercial, industrial and residential uses; and assist in the creation of a range of employment opportunities.
6. The proposed zoning is not detrimental to the public interest and will promote the expansion of the City's current economic base.

**Fiscal Note:** N/A

*Alderman Wiser requested that item 15-00596 be considered separately.*

**A motion was made by Alderman Wiser, seconded by Alderman Coe, that this Communication be Deferred. The motion was APPROVED by the following vote:**

**AYES:** 8 - Coe, McCarthy, Wiser, Land, Morgenroth, Hart, Lemke and Dickert

**NOES:** 7 - Shields, Kaplan, Smetana, Weidner, DeHahn, Shakoor II and Perez

### **Community Development Committee Report, by Ald. Wisner**

[15-00629](#)

**Subject:** (Direct Referral) A request by the Department of Parks, Recreation, and Cultural Services for an amendment and extension to its CDBG contract for the 2014 Hantschel Park program. (RES. No.15-0296)

**Recommendation of the Community Development Committee on 7-16-15:** That the request of the Racine Department of Parks, Recreation & Cultural Services to extend its contract for the Hantschel Park program to December 15, 2015 be approved; and

That the request to amend its budget for the Hantschel Park program be approved.

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

**Fiscal Note:** The total 2014 Community Development Block Grant allocation to Parks, Recreation & Cultural Services for the Hantschel Park Structure will remain \$150,000.00.

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

[15-00630](#)

**Subject:** (Direct Referral) A request by the United Way of Racine County for an amendment and extension of its 2014 Emergency Solutions Grant (ESG) contract.(RES. No.15-0297)

**Recommendation of the Community Development Committee on 7-16-15:** That the request by United Way of Racine County be approved; and

That the Mayor, City Clerk, and Director of City Development be authorized to execute an amended written agreement with the United Way of Racine County to reduce the contract with Racine Vocational Ministries by \$1,500.00, and increase the contract with the Center for Veterans Issues by \$1,500.00 and extend its term to September 30, 2015.

**Fiscal Note:** The total 2014 Emergency Solutions Grant allocation to the United Way of Racine County will remain \$127,847.00.

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

[15-00631](#)

**Subject:** (Direct Referral) A request by the Department of Housing for use of HOME funds to build a house at 1801 Grand Avenue. (RES. No.15-0298)

**Recommendation of the Community Development Committee on 7-16-15:** That the request for use of HOME Housing Investment Partnership Funds to build a house at 1801 Grand Avenue be approved; and

That the Mayor, City Clerk, and Director of City Development, or their designee, be authorized to execute a written agreement with the Housing Department consistent with its application and federal regulations for \$239,500.00 of HOME funds for the purpose of building a single-family house for sale to an eligible homeowner.

**Fiscal Note:** There are sufficient HOME funds available to meet this request.

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

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

[15-00626](#)

**Subject:** (Direct Referral) Consideration of the Community Development Block Grant (CDBG) Small Business Development - Revolving Loan Fund. (RES. No.15-0299)

**Recommendation of the Redevelopment Authority on 7-14-15:** That the request to establish a CDBG Small Business Development - Revolving Loan Fund be approved, and

That the Mayor, City Clerk, and Director of City Development be authorized to execute a written agreement with the Redevelopment Authority of the City of Racine consistent with federal regulations for \$371,454.00 of CDBG funds for the purpose of creating and administering a CDBG Small Business Development Revolving Loan Fund.

**Recommendation of the Community Development Committee on 7-16-15:** That the request be approved; and

That the Mayor, City Clerk, and Director of City Development be authorized to execute a written agreement with the Redevelopment Authority of the City of Racine consistent with federal regulations for \$371,454.00 of CDBG funds for the purpose of creating and administering a CDBG Small Business Development Revolving Loan Fund.

**Fiscal Note:** The Community Development Committee and the Common Council allocated \$371,454.00 of CDBG funds for the purposes of assisting businesses through the 2015 Annual Plan, and, as such, there are sufficient resources available to fund this project.

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

### Housing Loan Board Report, by Ald. Land

[15-00622](#)

**Subject:** (Direct Referral) Staff request the Loan Board of Review recommend for approval the allocation of CDBG match dollars to existing homeowners and rental rehab loan programs.

**Recommendation of the Loan Board of Review from July 16, 2015:**

To request that the Community Development Committee recommend to the Common Council that they allocate \$139,939 for owner occupied matching grant programs and \$45,646 for rental rehab matching grant projects.

Further recommends that this item be referred to the Community Development Committee.

**Fiscal Note:**

The Common Council has allocated amounts of \$139,939 for owner-occupied properties and \$45,646 for rental rehab projects per the 2015 Annual Plan.

A motion was made that this Communication be Referred to the Community Development Committee. The motion was APPROVED on.

### Executive Committee Report, by Ald. Wisner

[15-00606](#)

**Subject:** (Direct Referral) Communication from the City Attorney requesting to meet with the Executive Committee in Closed Session pursuant to Wisconsin Statutes section 19.85(1)(g), regarding Holmes, et al v. Dickert, City of Racine, et al., US District Court for the Eastern District of Wisconsin Case No. 14-CV-208.

**Recommendation of the Executive Committee:** the Item be Received and Filed.

**Fiscal Note:** N/A

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

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

[15-00545](#)

**Subject:** Communication from Salmon Unlimited requesting permission to place a loaner life jacket station as part of the "Kids Don't Float Program" near the kiosk at the 5th Street Boat Ramp. (RES. No.15-0300)

**Recommendation of the Board of Parks, Recreation & Cultural Services on 7/8/15:** To allow Salmon Unlimited to work directly with PRCS administration to place a loaner life jacket station as part of the "Kids Don't Float Program" at the 5th Street Boat Ramp.

**Fiscal Note:** Salmon Unlimited is solely responsible for the purchase, installation, maintenance, and all other miscellaneous expenses associated with the loaner life jacket station.

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

#### **Affirmative Action & Human Rights Commission Report, by Ald. DeHahn**

[15-00601](#)

**Subject:** Ordinance 08-15 - Relating to Racine First

An ordinance incorporating the Human Resources Director's changes to the Racine First Program, Section 46-41 of the Municipal Code of the City of Racine.

**Recommendation of the Affirmative Action and Human Rights Commission on July 9, 2015:** To approve the ordinance incorporating the Human Resources Director's changes to the Racine First Program, Section 46-41 of the Municipal Code of the City of Racine.

**Fiscal Note:** N/A

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

## **G. Resolutions**

[Res.15-0286](#)

Highway V Water Main Extension Agreement

Resolved, that the Highway V Water Main Extension Agreement is approved and the Mayor and City Clerk are authorized and directed to enter into an agreement with the Village of Mt. Pleasant.

**Fiscal Note:** Any financial obligations will be borne by the Waterworks Commission.

**Sponsors:** Q.A. Shakoor II

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

[Res.15-0287](#)

Mound & Graceland Cemetery Crypt Repairs

Resolved, that the request of Cultural Services for formal bidding to be waived is approved and the Purchasing Agent is authorized to negotiate with Mork Mausoleum Construction, Inc., for phases 1, 2 & 3 of Mound & Graceland Cemetery crypt repairs.

Fiscal Note: N/A

Sponsors: Q.A. Shakoor II

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

[Res.15-0288](#)

*Tony Franklin v William Warmington, et al*

Resolved, that the City Attorney is authorized to represent Officer Warmington in the lawsuit, *Tony Franklin v William Warmington, et al*, US District Court Eastern District Case No. 14-CV-1188.

Fiscal Note: N/A

Sponsors: Q.A. Shakoor II

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

[Res.15-0289](#)

*Alberto Montoya v Aaron Henry, et al*

Resolved, that the City Attorney is authorized to represent Officers Henry and Nabors in the lawsuit, *Alberto Montoya v Aaron Henry, et al*, Racine County Case No. 15-CV-1329.

Fiscal Note: N/A

Sponsors: Q.A. Shakoor II

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

[Res.15-0290](#)

*Cynthia Winston v City of Chicago, Illinois, et al*

Resolved, that the City Attorney is authorized to represent former Officer Principe in the lawsuit, *Cynthia Winston v City of Chicago, Illinois, et al*, Cook County Case No. 15-L-2370.

Fiscal Note: N/A

Sponsors: Q.A. Shakoor II

**A motion was made that this Resolution be Adopted. The motion was APPROVED on a voice vote in consent.**

[Res.15-0291](#)

Zoo Events Exempt from Tent Permitting

Resolved, that the Racine Zoo is exempt from tent permitting for Zoo events.

Fiscal Note: N/A

Sponsors: James Morgenroth

**A motion was made that this Resolution be Adopted. The motion was APPROVED on a voice vote in consent.**

[Res.15-0292](#)

Amendment No. 1 to Contract 24-15 (20150024), PS - Library Chiller Replacement

Resolved, that Amendment No. 1 to Contract 24-15 (20150024), PS - Library Chiller Replacement, Angus Young, consultant, as submitted, is approved in the amount of \$5,900.00.

Fiscal Note: Funding to defray the cost of the change order be appropriated from Org-Object 22055-57200, Library Chiller.

Sponsors: James Morgenroth

**A motion was made that this Resolution be Adopted. The motion was APPROVED on a voice vote in consent.**

[Res.15-0293](#)

Contract 20150038, Zoo Administration Building - Roof Replacement

Resolved, that Contract 20150038, Zoo Administration Building - Roof Replacement, is awarded to Carlson Racine Roofing & Sheet Metal, Inc., at its bid price of \$17,424.00, plus Alternate #1 bid of \$1,400.00 for a total bid of \$18,824.00, it being the lowest responsible bidder.

Fiscal Note: Funds to defray the cost of this public works project be appropriated from Org-Object 45050-57200, Zoo Admin Roof.

Sponsors: James Morgenroth

**A motion was made that this Resolution be Adopted. The motion was APPROVED on a voice vote in consent.**



[Res.15-0294](#)

Contract 20150039, 2015 Sanitary Sewer - Echo Lane (R1)

Resolved, that Contract 20150039, 2015 Sanitary Sewer - Echo Lane (R1), is awarded to A.W. Oakes & Son, Inc., at its bid price of \$352,360.00, it being the lowest responsible bidder.

Fiscal Note: Funds to defray the cost of this public works project be appropriated from Org-Object 40102-57560, RWWU-Sewer Relay.

Sponsors: James Morgenroth

**A motion was made that this Resolution be Adopted. The motion was APPROVED on a voice vote in consent.**

[Res.15-0295](#)

5200 Durand Avenue

That the request by Halloween Express to erect a temporary building at 5200 Durand Avenue for sale of Halloween related merchandise is approved subject to the conditions contained herein; that this approval shall serve as a "standing" conditional use for Halloween Express at this location; and that future requests by Halloween Express for the same use and location may be reviewed administratively, subject to the conditions contained herein.

- a. That the plans presented to the Plan Commission on July 8, 2015 be approved subject to the conditions contained herein.
- b. That the applicant shall receive authorization to commence activity at the site from the owners of the Target Parcel, located at 5300 Durand Avenue, prior to placement of any structures, accessory equipment, or trailers on the site; or sales activity commencing at this location. The applicant shall provide City Development written documentation of any agreements between Target and Halloween Express authorizing the request to proceed prior to issuance of any building or occupancy permits. This agreement shall be required annually with any future administrative requests to locate at 5200 Durand Avenue.
- c. That all codes and ordinances shall be complied with and required permits acquired for all approvals.
- d. That this approval is valid from September 1, 2015 through November 8, 2015.
- e. That the hours of operation may be Monday - Saturday from 10:00 a.m. - 9:00 p.m., and Sundays from 11:00 a.m. - 7:00 p.m.
- f. That the tent structure may not exceed 9,600 square feet in size, or be taller than 30-feet from grade to top of structure. The trash bin, port-o-lets and trailer shall be located as shown on the site plan.
- g. That the applicant shall maintain the site in good condition, keeping

the grounds free of trash and debris; trash shall be removed bi-weekly; and the port-o-lets shall be serviced and cleaned as required.

h. That any sign other than the 'Halloween Express' on the tent structure shall require review and approval by the Department of City Development, and required permits pulled.

i. That no food or drink shall be served, sold, or provided for sample at any time.

j. That future requests by Halloween Express to locate their temporary structure and equipment at 5200 Durand Avenue shall be subject to conditions as outlined in this approval. Future request and application materials may be presented to Staff for an Administrative Review, and may be subject to additional conditions upon review.

k. That in the event future request for Administrative Review deviate considerably in size, location, hours, business operation, etc. from previous approvals, Staff maintains the discretion to require a revised conditional use be obtained.

l. That should issues with violence, theft, site upkeep, vandalism, or other disturbances or negative effects become an issue, approval may be revoked by the Chief Building Inspector / Zoning Administrator, and any future requests shall revert back to the requirement of obtaining a conditional use permit.

m. That any appeals to this approval or subsequent administrative approvals shall be conducted via Sec. 114, Article II, Division 3 of the Zoning Ordinance.

Fiscal Note: N/A

Sponsors: Dennis Wisner

**A motion was made that this Resolution be Adopted. The motion was APPROVED on a voice vote in consent.**

[Res.15-0296](#)

2014 Hantschel Park program

Resolved, that the request of the Racine Department of Parks, Recreation & Cultural Services to extend its contract for the Hantschel Park program to December 15, 2015 is approved; and That the request to amend its budget for the Hantschel Park program is approved.

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

Fiscal Note: The total 2014 Community Development Block Grant allocation to Parks, Recreation & Cultural Services for the Hantschel Park Structure will remain \$150,000.00.

Sponsors: Dennis Wisner

**A motion was made that this Resolution be Adopted. The motion was APPROVED on a voice vote in consent.**

[Res.15-0297](#)

2014 Emergency Solutions Grant (ESG) contract

Resolved, that the request by United Way of Racine County is approved; and

That the Mayor, City Clerk, and Director of City Development are authorized to execute an amended written agreement with the United Way of Racine County to reduce the contract with Racine Vocational Ministries by \$1,500.00, and increase the contract with the Center for Veterans Issues by \$1,500.00 and extend its term to September 30, 2015.

**Fiscal Note:** The total 2014 Emergency Solutions Grant allocation to the United Way of Racine County will remain \$127,847.00.

**Sponsors:** Dennis Wiser

**A motion was made that this Resolution be Adopted. The motion was APPROVED on a voice vote in consent.**

[Res.15-0298](#)

1801 Grand Avenue

Resolved, that the request for use of HOME Housing Investment Partnership Funds to build a house at 1801 Grand Avenue is approved; and

That the Mayor, City Clerk, and Director of City Development, or their designee, are authorized to execute a written agreement with the Housing Department consistent with its application and federal regulations for \$239,500.00 of HOME funds for the purpose of building a single-family house for sale to an eligible homeowner.

**Fiscal Note:** There are sufficient HOME funds available to meet this request.

**Sponsors:** Dennis Wiser

**A motion was made that this Resolution be Adopted. The motion was APPROVED on a voice vote in consent.**

[Res.15-0299](#)

(CDBG) Small Business Development - Revolving Loan Fund

Resolved, that the request to establish a CDBG Small Business Development - Revolving Loan Fund is approved; and That the Mayor, City Clerk, and Director of City Development are authorized to execute a written agreement with the Redevelopment Authority of the City of

Racine consistent with federal regulations for \$371,454.00 of CDBG funds for the purpose of creating and administering a CDBG Small Business Development Revolving Loan Fund.

Fiscal Note: The Community Development Committee and the Common Council allocated \$371,454.00 of CDBG funds for the purposes of assisting businesses through the 2015 Annual Plan, and, as such, there are sufficient resources available to fund this project.

Sponsors: Dennis Wisner

**A motion was made that this Resolution be Adopted. The motion was APPROVED on a voice vote in consent.**

#### [Res.15-0300](#)

Kids Don't Float Program

Resolved, that permission is granted to Salmon Unlimited to work directly with PRCS administration to place a loaner life jacket station as part of the "Kids Don't Float Program" near the kiosk at the 5th Street Boat Ramp.

Fiscal Note: Salmon Unlimited is solely responsible for the purchase, installation, maintenance, and all other miscellaneous expenses associated with the loaner life jacket station.

Sponsors: Mary Land

**A motion was made that this Resolution be Adopted. The motion was APPROVED on a voice vote in consent.**

## Consent Agenda

### Council Vote on Consent Agenda Items

**A motion was made by Alderman Kaplan, seconded by Alderman Shakoor II, that this be Considered as Reported . The motion PASSED on the Consent Vote.**

**AYES:** 14 - Coe, Shields, Kaplan, Smetana, Weidner, DeHahn, Shakoor II, McCarthy, Wisner, Land, Perez, Morgenroth, Hart and Lemke

## J. Adjourn

*Alderman Shakoor made a motion to adjourn the meeting, which was APPROVED without objection, at 8:51PM. The next scheduled meeting of the Council is Monday, August 3, 2015.*