



City of Racine

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

Meeting Agenda - Final Common Council

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

Tuesday, June 19, 2018

7:00 PM

City Hall, Room 205

A. Call To Order

B. Pledge of Allegiance To The Flag

C. Approval of Journal of Council Proceedings (Minutes) JUNE 5, 2018

D. Public Hearings

[Ord.0007-18](#) Ord. 0007-18 - Amending "A Comprehensive Plan for the City of Racine 2035"

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

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

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

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

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

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

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

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

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

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

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

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

Fiscal Note: N/A

Sponsors:

Jason Meekma

Ord.0009-18

Ordinance 0009-18 - To amend Chapter 114 - Zoning of the Municipal Code of the City of Racine, Wisconsin

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

Part 1: Repeal certain conditional uses in sections of Chapter 114, Subdivision VII.-B4 Central Business District as follows:

114-508 (5) Projecting Signs.

Part 2: Renumber certain conditional uses in sections of Chapter 114, Subdivision VII.-B4 Central Business District as follows:

From 114-508 (6) to 114-508 (5) Mixed use developments.

From 114-508 (7) to 114-508 (6) Marinas or establishments leasing mooring space or slips to the public and providing goods, services and boat sales, including storage, to boat owners; but not engaged in production, processing, or manufacture. Not permitted at street level.

From 114-508 (8) to 114-508 (7) Adult entertainment uses.

Part 3: Create certain permitted uses in sections of Chapter 114, Subdivision VII.-B4 Central Business District as follows:

114-507 (b) (14) A brewery, a brewery with a restaurant, or a brew pub, each defined by Wis. Stat. Sec 125.29 and 125.295 and producing up to

10,000 barrels per year.

114-507 (b) (15) A distiller (rectifier) as defined and regulated by Wis. Stat. Sec.125.52

114-507 (b) (16) Retail and/or services uses whose primary business does not involve dealing directly with consumers at the establishment.

114-507 (b) (17) Physical fitness centers, including physical culture and health services gymnasiums.

114-507 (b) (18) Printing and publishing, including newspaper, letter press, business cards, and other similar job printing services having not more than five employees.

114-507 (b) (19) Mixed use development in an existing building.

114-507 (b) (20) Studios or work space located at the buildings street level for artist, photographer, sculptor, composer, tattoo establishment as accessory to a principal use, or other similar artisans or artists. Such studio or work space shall have a setback from the storefront of at least 30 feet with the setback area being devoted to active uses such as, but not limited to, galleries, sales floors, display space, cafes.

114-507 (b) (21) Takeout-carryout restaurant as defined in 114-1(b).

114-507 (b) (22) Coffee bean roastery.

114-507 (b) (23) Winery as defined by Wis. Stat. Sec. 125.53

Part 4: This ordinance shall take effect upon passage by a majority vote of the members-elect of the City Common Council and publication or posting as required by law.

Fiscal Note: N/A

Sponsors:

Jason Meekma

E. Public Comments

F. Presentation from Chief Art Howell and RUSD Dr. Eric Gallien regarding school safety

G. Communications

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

- [0578-18](#) **Subject:** Communication from the City Attorney presenting a proposed Donations Policy.
- [0611-18](#) **Subject:** Communication from the Director of Parks, Recreation & Cultural Services requesting permission to accept a \$1,500.00 from United Healthcare Services, Inc. for the Juneteenth Day Event at the Dr. John Bryant Community Center.
- [0632-18](#) **Subject:** Communication from the City Attorney requesting authorization to represent employees in the case of *Cobbs v. Chiapete, et al.*, U.S. District Court Eastern District of Wisconsin Case No. 2018-CV-338.
- [0633-18](#) **Subject:** Communication from the City Attorney requesting authorization to represent employees in the case of *Denwiddie v. Mueller, et al.*, U.S. District Court Eastern District of Wisconsin Case No. 2018-CV-601-JPS.
- [0670-18](#) **Subject:** Communication from the Mayor requesting to apply for and accept the award of \$400,000 in Wisconsin Department of Workforce Development (DWD), "Fast Forward" Grant Funds to assist the City and its partners in providing workforce training and construction trades pre-apprenticeship and apprenticeship opportunities to City of Racine residents.
- [0673-18](#) **Subject:** Communication from the Purchasing Agent wishing to discuss the results of Official Notice #8-2018, Request for Proposal Construction Management Services for City of Racine Fire Station 6.
- [0680-18](#) **Subject:** Communication from Chief Howell requesting to apply for and accept the 2019 Mayor's Gang Collaborative Grant (#00185)
- [0685-18](#) **Subject:** Communication from the Mayor and the Alderperson of the 15th District requesting that Chapter 62 of the Racine Code of Ordinances be amended to provide for greater protection against sexual orientation and gender identity discrimination.

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

- [0631-18](#) **Subject:** Communication from the Commissioner of Public Works requesting approval to sign a Memorandum of Understanding (MOU) for State Project ID: 2290-03-73, STH 38, Bridge over Root River B-51-0012 between the City of Racine and WisDOT.
- [0641-18](#) **Subject:** Communication from the Assistant Commissioner of Public Works/City Engineer submitting a reimbursement agreement between the Village of Mount Pleasant and the City of Racine for the Indiana Street repaving project - Contract 20180016, 2018 City Resurfacing Phase II

(R1).

- [0668-18](#) **Subject:** Change Order No. 1 on Contract 20180001, HDPE Conduit & Fiber Extension to North Beach Oasis Building, Jet Underground, LLC., contractor.
- [0671-18](#) **Subject:** Communication from the Mayor requesting to work with Linea Anthony and Kristina Campbell to place decorative flower pots on the 1400-1600 blocks of Washington Ave.
- [0672-18](#) **Subject:** Communication from the Alderman of the 8th District requesting to address concerns of grass and weed control in the 8th District.
- [0673-18](#) **Subject:** Communication from the Purchasing Agent wishing to discuss the results of Official NOtice #8-2018, Request for Proposal Construction Management Services for City of Racine Fire Station 6.

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

- [0674-18](#) **Subject:** Communication from the Alderman of the 1st District wishing to discuss safety concerns and issues associated with the number of police calls for the property located at 314 10th St.
- [0675-18](#) **Subject:** Communication from the Alderman of the 1st District wishing to discuss safety concerns and issues associated with the number of police calls for the property located at 516 11th St, including 1047 Villa St.
- [0676-18](#) **Subject:** Communication from the Alderman of the 1st District wishing to discuss safety concerns and issues associated with the number of police calls for the property located at 433 Main St.
- [0677-18](#) **Subject: (New)** Application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for Beacon Hospitality INC, located at 3113 Douglas Ave, Dan Taivalkoski, Agent. (7st District).

H. Committee Reports

Finance and Personnel Committee Report, by Ald. Shakoor II

- [0480-18](#) **Subject:** Developers Agreement for Mt. Pleasant Business Park - Phase 2 (Globe Drive) in the Village of Mt. Pleasant.. (Res. No. 0190-18)

Recommendation of the Waterworks Commission on 5/29/18:
Approve

Recommendation of the Finance & Personnel Committee on 06/11/2018: That the Mayor and acting City Clerk be authorized to sign the

Developer's Agreement Contract for Utility Improvements.

Fiscal Note: Fees invoiced for municipal services and facilities will be the responsibility of the Village of Mt. Pleasant.

[0509-18](#)

Subject: Communication from the Finance Director requesting to appear at the Finance and Personnel Committee to discuss our 2017 to 2018 budget carry overs. (Res. No. 0198-18)

Recommendation of the Finance & Personnel Committee on 06/11/2018: Approval of a resolution authorizing 2017 to 2018 Budget carry overs.

Fiscal Note: These budget carry overs fund commitments that were existing, encumbered and funded in prior years as well as projects that have spending periods over one year in length. There is existing funding for this action.

[0515-18](#)

Subject: Communication from the City Attorney submitting the claim of Mary Myers for consideration.

Recommendation of the Finance & Personnel Committee on 06/11/2018: That the claim be denied.

Fiscal Note: N/A

[0516-18](#)

Subject: Communication from the City Attorney submitting the claim of Bonnie Ayers for consideration.

Recommendation of the Finance & Personnel Committee on 06/11/2018: That the claim be denied.

Fiscal Note: N/A

[0517-18](#)

Subject: Communication from the City Attorney submitting the claim of Evette Smith for consideration.

Recommendation of the Finance & Personnel Committee on 06/11/2018: That the claim be denied.

Fiscal Note: N/A

[0522-18](#)

Subject: Amendment No. 2 to the Retail Water Agreement with Mt. Pleasant (Res. No. 0191-18)

Recommendation of the Waterworks Commission on 5/29/18: That the Mayor and City Clerk be authorized to sign Amendment No. 2 to the

Intergovernmental Retail Water Service Agreement between the City of Racine, Racine Water Utility and the Village of Mt. Pleasant.

Recommendation of the Finance & Personnel Committee on

06/11/2018: That the Mayor and acting City Clerk be authorized to sign Amendment No. 2 to the Intergovernmental Retail Water Service Agreement between the City of Racine, Racine Water Utility and the Village of Mt. Pleasant.

Fiscal Note: Fees invoiced for municipal services and facilities will be the responsibility of the Village of Mt. Pleasant.

[0525-18](#)

Subject: Communication from the General Manager of the Wastewater Utility to discuss the Financial Assistance Agreement for the Clean Water Fund Loan Program (CWFLP), Project No. 4285-19, Lift Station No. 2 Storage Project (Res. No. 0193-18)

Recommendation of the Wastewater Commission on 5/29/18: To approve and authorize the Mayor and acting City Clerk to enter into the Financial Assistance Agreement (FAA)

Recommendation of the Finance & Personnel Committee on

06/11/2018: To approve and authorize the Mayor and acting City Clerk to enter into the Financial Assistance Agreement (FAA) for the Clean Water Fund Loan Program (CWFLP), Project No. 4285-19, Lift Station No. 2 Storage Project.

Fiscal Note: The FAA will make available up to \$13,788,291 with up to \$700,000.00 in principal forgiveness for the Lift Station No. 2 Storage Project.

[0545-18](#)

Subject: Communication from Chief Howell requesting permission to accept \$2,047.00 from April S. Cruz for the Racine Police Department K-9 Unit. (Res. No. 0195-18)

Recommendation of the Finance & Personnel Committee on

06/11/2018: Permission be granted to accept \$2,047.00 from April S. Cruz for the Racine Police Department K-9 Unit.

Fiscal Note: No City match required.

[0547-18](#)

Subject: 16th Street Water Main Extension and Road Reconstruction Agreement (Res. No. 0192-18)

Recommendation of the Waterworks Commission on 5/29/18:
Approve

Recommendation of the Finance & Personnel Committee on

06/11/2018: That the Mayor and acting City Clerk be authorized to sign the 16th Street Water Main Extension and Road Reconstruction Agreement.

Fiscal Note: The Village of Mt. Pleasant will pay all costs associated with the water main extension.

[0549-18](#)

Subject: A request from the City Administrator to seek approval for a Letter of Intent between the City of Racine as Purchaser, and Johnson Bank, as Seller for the fee simple acquisition of the property at 441 Lake Avenue, consisting of an underground parking structure, surface lot and canopy drive through. (Res. No. 0197-18)

Recommendation of the Finance & Personnel Committee on

06/11/2018: To approve the purchase of the property at 441 Lake Avenue from Johnson Bank consistent with the terms of the Letter of Intent attached. Further to direct City Staff to execute and enter into the Letter of Intent and to prepare a final agreement for purchase and conveyance of said property in fulfillment thereof.

Fiscal Note: Cost to the City for the property, which is currently assessed for tax purposes at a fair market value of \$552,600, would be the appraised "land value", which is expected to not materially exceed \$100,000. Sufficient funds are available in the City's Intergovernmental Revenue Fund (IG).

[0563-18](#)

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting permission to accept donations from United Healthcare and AMNJ, Inc. for the Gus Macker Tournament. (Res. No. 0189-18)

Recommendation of the Finance & Personnel Committee on

06/11/2018: Permission be granted to the Director of Parks, Recreation & Cultural Services to accept donations from United Healthcare and AMNJ, Inc. for the Gus Macker Tournament.

Fiscal Note: \$3,000.00 is to be donated from United Healthcare Services, Inc. and \$5,000.00 is to be donated from AMNJ Enterprises, Inc. (Dominos Pizza). No City match required.

[0587-18](#)

Subject: Communication from the Chief of Police requesting to use up to \$100,000.00 from existing Racine Police Department Budget to conduct a management study. (Res. No. 0194-18)

Recommendation of the Finance & Personnel Committee on

06/11/2018: To authorize the use up to \$100,000.00 from existing Racine Police Department Budget to conduct a management study. Further recommend to transfer \$100,000.00 from account 13101-50100, PD Salaries to account 13101-52100, PD Professional Services.

Fiscal Note: Sufficient funds are available for the transfer.

[0607-18](#)

Subject: (Direct Referral from the Redevelopment Authority) A request from the Executive Director of the Redevelopment Authority that the remaining funds allocated to the RDA for the Event Center Phase I project be placed into the 2018 RDA Budget for professional services. (Res. No. 0196-18)

Recommendation of the Finance & Personnel Committee on

06/11/2018: To approve that the remaining funds allocated to the RDA for the Event Center Phase I project be placed into the 2018 RDA Budget for professional services.

Fiscal Note: Approximately \$53,000 are available to be placed into the 2018 RDA Budget for professional services.

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

[0384-18](#)

Subject: Communication from the Mayor proposing an ordinance change effecting the consolidation of the Traffic Commission and the Transit and Parking Commission. (Ord. 0005-18)
(Res. No. 0201-18)

Recommendation of the Finance & Personnel Committee on

4/23/2018: To approve an ordinance change effecting the consolidation of the Traffic Commission and the Transit and Parking Commission. The City Attorney will draft a revised ordinance and present it to the Finance and Personnel Committee for review.

Recommendation of the Public Works and Services Committee on

05-08-18: Defer

Recommendation of the Public Works and Services Committee on

05-29-18: Approve the consolidation of the Traffic Commission and the Transit and Parking Commission.

Recommendation of the Public Works and Services Committee on

06-12-18: Approve the elimination of the Traffic Commission and the Transit and Parking Commission.

Further recommends that the City Engineer evaluate all traffic related

requests and require the Public Works and Services Committee to approve any Municipal Code Revisions and provide an appeals process related to traffic concerns.

Further recommends parking system related items be directed to the Public Works and Services Committee for consideration.

Further recommends a Transit Commission be created to address all of the transit related items.

Fiscal Note: N/A

[0439-18](#)

Subject: Resolution 0142-18, created May 1, 2018, being a final resolution relating to street improvements on:

Portland Cement Concrete Paving

DeKoven Avenue - Holborn Street to Clark Street

Echo Lane - Westway Avenue to Ridgeway Avenue

Elisa Drive - Dead End to Ostergaard Avenue

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

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

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

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

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

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

Bituminous Concrete Paving

DeKoven Avenue - Holborn Street to Clark Street

Echo Lane - Westway Avenue to Ridgeway Avenue

Elisa Drive - Dead End to Ostergaard Avenue

Recommendation of the Public Works and Services Committee on

06-12-18: That Resolution 0142-18, created May 1, 2018, be amended to delete:

Portland Cement Concrete Paving

DeKoven Avenue - Holborn Street to Clark Street
Echo Lane - Westway Avenue to Ridgeway Avenue
Elisa Drive - Dead End to Ostergaard Avenue
Alley - Flett Avenue to Holmes Avenue; Nineteenth Street to Eighteenth Street

Bituminous Concrete Paving

DeKoven Avenue - Holborn Street to Clark Street
Elisa Drive - Dead End to Ostergaard Avenue

And, as amended, Resolution 0142-18, created May 1, 2018, be adopted.

[0502-18](#)

Subject: Resolution 0152-18, created May 15, 2018, being a final resolution relating to street improvements on:

Portland Cement Concrete Paving

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

Bituminous Concrete Paving

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

Curb and Gutter

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

Sanitary Sewer

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

Sewer and Water Lateral

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

Recommendation of the Public Works and Services Committee on 06-12-18: That Resolution 0152-18, created May 15, 2018, be amended to delete:

Portland Cement Concrete Paving

Jonathon Drive - Cul-De-Sac to North Main Street

Sheffield Drive - North Bay Drive to Lighthouse Drive

West Lawn Avenue - Republic Avenue to Victory Avenue

Bituminous Concrete Paving

Jonathon Drive - Cul-De-Sac to North Main Street

Michigan Boulevard - Melvin Avenue to Lombard Avenue

North Bay Drive - Cul-De-Sac to Sheffield Drive

Ruby Avenue - Melvin Avenue to Lombard Avenue

Sheffield Drive - North Bay Drive to Lighthouse Drive

Steeplechase Drive - North Bay Drive to Westminster Square (W)

Steeplechase Drive - Westminster Square (W) to Westminster Square (E)

Steeplechase Drive - Westminster Square (E) to Lighthouse Drive

West Lawn Avenue - Republic Avenue to Victory Avenue

Sanitary Sewer

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

Sewer and Water Lateral

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

And, as amended, Resolution 0152-18, created May 15, 2018, be adopted.

[0548-18](#)

Subject: (Direct Referral) Communication from the Mayor submitting the revision of the Racine First ordinance to be renamed and amended as the Racine Works ordinance. (Ord. 0008-18)

Recommendation of the Public Works and Services Committee on 05-29-18: That the Racine First ordinance be renamed and amended as the Racine Works Ordinance.

Fiscal Note: N/A

[0583-18](#)

Subject: Resolution 0164-18, created June 5, 2018, being a final resolution relating to street improvements on:

Portland Cement Concrete Paving

Foxwood Road - City Limits to Walden Way

Walden Way - Foxwood Road to City Limits

Great Elms Lane - Wheelock Drive to Taylor Avenue

Kentucky Street - Taylor Avenue to Cul-De-Sac

Monarch Drive - Regal Court to Maryland Avenue

Olive Street - Ohio Street to Virginia Street

Princess Place - Biscayne Avenue to Admiralty Avenue

Seventeenth Street - Indiana Street to Kentucky Street

Seventeenth Street - Kentucky Street to Orchard Street

Sycamore Avenue - Dead End to Byrd Avenue

Bituminous Concrete Paving

Foxwood Road - City Limits to Walden Way

Walden Way - Foxwood Road to City Limits

Great Elms Lane - Wheelock Drive to Taylor Avenue

Kentucky Street - Taylor Avenue to Cul-De-Sac

Monarch Drive - Regal Court to Maryland Avenue

Olive Street - Ohio Street to Virginia Street

Princess Place - Biscayne Avenue to Admiralty Avenue

Seventeenth Street - Indiana Street to Kentucky Street

Seventeenth Street - Kentucky Street to Orchard Street

Sycamore Avenue - Dead End to Byrd Avenue

Curb & Gutter

Monarch Drive - Regal Court to Maryland Avenue

Princess Place - Biscayne Avenue to Admiralty Avenue

Sewer & Water Lateral

Seventeenth Street - Indiana Street to Kentucky Street

Recommendation of the Public Works and Services Committee on

06-12-18: That Resolution 0164-18, created June 5, 2018, be amended to delete:

Portland Cement Concrete Paving

Foxwood Road - City Limits to Walden Way

Walden Way - Foxwood Road to City Limits

Kentucky Street - Taylor Avenue to Cul-De-Sac

Monarch Drive - Regal Court to Maryland Avenue

Princess Place - Biscayne Avenue to Admiralty Avenue

Seventeenth Street - Indiana Street to Kentucky Street

Bituminous Concrete Paving

Foxwood Road - City Limits to Walden Way

Walden Way - Foxwood Road to City Limits

Great Elms Lane - Wheelock Drive to Taylor Avenue

Kentucky Street - Taylor Avenue to Cul-De-Sac

Olive Street - Ohio Street to Virginia Street

Seventeenth Street - Indiana Street to Kentucky Street

Seventeenth Street - Kentucky Street to Orchard Street

Sycamore Avenue - Dead End to Byrd Avenue

Curb & Gutter

Monarch Drive - Regal Court to Maryland Avenue

Princess Place - Biscayne Avenue to Admiralty Avenue

Sewer & Water Lateral

Seventeenth Street - Indiana Street to Kentucky Street

And, as amended, Resolution 0164-18, created June 5, 2018, be adopted.

[0588-18](#)

Subject: Communication from the Mayor requesting to apply for an Energy Innovation Grant from the Office of Energy Innovation at the Wisconsin PSC (Grant Control No. 00184). (Res. No. 0200-18)

Recommendation of the Public Works and Services Committee on 06-12-18: Permission be granted for the Mayor to apply for UW Extension Grant Funds for the analysis of City Facilities to determine the appropriate locations for solar panels (Grant Control No. 00184).

Fiscal Note: N/A

[0596-18](#)

Subject: (Direct Referral) Communication from the Purchasing Agent submitting bids on Official Notice No. 7-2018, Annual Floor Cleaning for the Building Complex. (Res. No. 0202-18)

Recommendation of the Public Works and Services Committee on 06-12-18: That Official Notice No. 7-2018, be awarded to ShurClean, LLC., at their bid price of \$28,351.00, for annual floor cleaning for the Building Complex, for the 1st year term with the option to renew four (4) times for additional one-year terms.

Fiscal Note: Funds for this purchase are available in Org-Object 70240-52200, Building Complex- Contracted Services.

[0599-18](#)

Subject: Change Order No. 1 on Contract 20170048, Sidewalk Repairs (R1), RAZA of Racine, LLC., contractor. (Res. No. 0203-18)

Recommendation of the Public Works and Services Committee on 06-12-18: That Change Order No. 1 on Contract 20170048, Sidewalk Repairs (R1), RAZA of Racine, LLC., contractor, be approved in the amount of \$59,860.23.

Further recommends that funding to defray the cost of the change order be appropriated from Org-Object 45040-57515, DPW Sidewalks.

Fiscal Note: Funds are available as herein delineated.

[0622-18](#)

Subject: (Direct Referral) Communication from Kelly Kruse, Executive Director of Downtown Racine Corporation, requesting permission to place planters and display public art on the downtown public sidewalks. (Res. No. 0199-18)

Recommendation of the Public Works and Services Committee on 06-12-18: Permission be granted to the Downtown Racine Corporation to place planters and display public art on downtown public sidewalks. Art will be allowed May 1st through October 31st and ice sculptures from

December 1st through March 31st for a five-year period.

Further recommends a hold harmless agreement be executed and a \$75.00 processing fee paid and a liability insurance certificate be filed.

Fiscal Note: N/A

Public Safety and Licensing Committee Report, by Ald. Coe

[0186-18](#)

Subject: (New) Application for a Class "B" and "Class C" Fermented Malt Beverage and Wine License for Vapemeisters, LLC, located at 420 Main Street, Carl Kump, Agent. (1st District).

Recommendation of the Public Safety and Licensing Committee on 03-27-2018: That the (New) Application for a Class "B" and "Class C" Fermented Malt Beverage and Wine License for Vapemeisters, LLC, located at 420 Main Street, Carl Kump, Agent be deferred for two weeks.

Recommendation of the Public Safety and Licensing Committee on 05-22-18: That the (New) Application for a Class "B" and "Class C" Fermented Malt Beverage and Wine License for Vapemeisters, LLC, located at 420 Main Street, Carl Kump, Agent be denied for the following reasons.

1. Concerns about underage person being on the licensed premises and having easy access to alcohol.
2. Concerns about whether this will set a precedent for approving other businesses within the city to sell alcohol so long as they serve some food.

Recommendation of the Public Safety and Licensing Committee on 6-12-18: That the (New) Application for a Class "B" and "Class C" Fermented Malt Beverage and Wine License for Vapemeisters, LLC, located at 420 Main Street, Carl Kump, Agent. (1st District), be denied.

Fiscal Note: N/A

[0574-18](#)

Subject: Communication from the City Attorney requesting to submit changes to Sec. 6-18 related to the social host ordinance in order to comply with recent changes to state law.

Recommendation of the Public Safety and Licensing Committee on 06-12-18: That the City Attorney's Office be directed to draft changes to Sec. 6-18 related to social host ordinance in order to comply with recent changes to state law.

Fiscal Note: N/A

[0580-18](#)

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

Recommendation of the Public Safety and Licensing Committee on

06-12-18: That the renewals as listed be approved, with the exception of 1743 State Street which was approved as new ownership at the last meeting of the Public Safety and Licensing Committee.

Fiscal Note: N/A

[0589-18](#)

Subject: Communication from Richard Leslie, Agent, Green Golf Partners, LLC requesting a resolution be adopted by the Common Council to allow 6200 Northwestern Ave to apply for a "Class B" Intoxicating Liquor license through the State of Wisconsin, Department of Revenue. (Res. No. 0204-18)

Recommendation of the Public Safety and Licensing Committee on

6-12-18: That the communication from Richard Leslie, Agent, Green Golf Partners, LLC requesting a resolution be adopted by the Common Council to allow 6200 Northwestern Ave to apply for a "Class B" Intoxicating Liquor license through the State of Wisconsin, Department of Revenue, be approved.

Fiscal Note: N/A

[0603-18](#)

Subject:(Direct Referral) The following renewal application for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 2018-2019 which was pulled for separate consideration by the committee on May 22, 2018:

PAUL'S PUB LLC
(TRADENAME) PAUL'S PUB 2416 LATHROP
AVE
PAUL LUEKE, AGENT RACINE, WI 53405

Recommendation of the Public Safety and Licensing Committee on

6-12-18: That the renewal application for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 2018-2019, for Paul's Pub, LLC which was pulled for separate consideration by the committee on May 22, 2018, be approved.

Fiscal Note: N/A

[0605-18](#)

Subject: (Direct Referral) Communication from the Purchasing Agent submitting the report on the bids received for the sale of Abandoned

Vehicles, June 6, 2018.

Recommendation of the Public Safety and Licensing Committee on 06-12-18: That the item be Received and Filed as the highest responsible bidder from the two bids was Sturtevant Auto Salvage.

Fiscal Note: This will generate \$15,225.00 in revenue for account 13101 48301.

[0606-18](#)

Subject: (Direct Referral) Renewal application of Racine Fani Inc. (dba Partners N Design) for a Massage Establishment Permit for 506 Goold Street for 2018-2019. (5th District)

Recommendation of the Public Safety and Licensing Committee on 6-12-18: That the renewal application of Racine Fani Inc. (dba Partners N Design) for a Massage Establishment Permit for 506 Goold Street for 2018-2019. (5th District) , be approved.

Fiscal Note: N/A

City Plan Commission Report, by Ald. Meekma

[0561-18](#)

Subject: A Resolution adopting "A Park and Open Space Plan for the City of Racine: 2035", an amendment to "A Comprehensive Plan for the City of Racine: 2035". (PC-18)(Res. No. 0205-18)

Recommendation of the City Plan Commission on 6-13-18: That a resolution adopting "A Park and Open Space Plan for the City of Racine: 2035" an amendment to "A Comprehensive Plan for the City of Racine: 2035" be adopted.

Fiscal Note: N/A

[0663-18](#)

Subject: (Ord.0007-18) An Ordinance to amend "A Comprehensive Plan for the City of Racine: 2035" to incorporate the document titled "A Park and Open Space Plan for the City of Racine: 2035".

Recommendation of the City Plan Commission on 6-13-18: That the ordinance be adopted.

Fiscal Note: N/A

[0614-18](#)

Subject: (Direct Referral) A request by Frank James II of Changing Lives Ministries seeking a major amendment to a conditional use permit to expand daycare center operations at 2829 Durand Avenue. (PC-18) (Res. No. 0206-18)

Recommendation of the City Plan Commission on 6-13-18: That the request be approved subject to conditions.

Fiscal Note: N/A

[0615-18](#)

Subject: (Direct Referral) A request by Justin James of Belle City Church for a conditional use permit to operate a religious institution (Class 1 non-commercial type use) on the ground floor of the building at 1700 N. Main Street (PC-18). (Res. No. 0207-18)

Recommendation of the City Plan Commission on 6-13-18: That the request be approved, subject to conditions.

Fiscal Note: N/A

[0616-18](#)

Subject: (Direct Referral) A request by Rob Johnson and Bill Mooney, agents for Racine Mall, LLC seeking a major amendment to the Regency Mall planned development at 5502 Durand Avenue for an update to the mall's building entrances (PC-18).(Res. No. 0208-18)

Recommendation of the City Plan Commission on 6-13-18: That the request be approved, subject to conditions.

Fiscal Note: N/A

[0664-18](#)

Subject: (Ord.0009-18) An Ordinance to amend Chapter 114 - Zoning of the Municipal Code of the City of Racine, Wisconsin to repeal certain conditional uses in sections of Chapter 114 Subdivision VII - B4 Central Business District.

Recommendation of the City Plan Commission on 6-13-18: That the ordinance, as amended, be adopted.

Fiscal Note: N/A

Community Development Committee Report, by Ald. Meekma

[0571-18](#)

Subject: (Direct Referral) A request by HALO for an amendment of the 2017 ESG contract to extend the expiration date until May 31, 2019 and amend the budget. (Res. No. 0209-18)

Recommendation of Community Development Committee on 06-14-18: To approve an amendment to the 2017 ESG contract with HALO to extend the expiration date until May 31, 2019 and amend the budget.

Fiscal Note: The total FY 2017 ESG contract budget with HALO will remain \$347,015.

[0575-18](#)

Subject: (Direct Referral) A request by Racine Revitalization Partnership for an amendment of the 2017 CDBG CBDO Job Training contract to extend the expiration date until September 30, 2018. (Res. No. 0210-18)

Recommendation of the Community Development Committee on 06-14-18: To approve an amendment to the 2017 CDBG contract with Racine Revitalization Partnership to extend the expiration date until September 30, 2018.

Fiscal Note: The total FY 2017 CDBG budget of the Racine Revitalization Partnership CBDO Job Training program will remain \$99,777.

[0576-18](#)

Subject: (Direct Referral) A request by Racine Unified School District - Youth Mentoring Program for an amendment of the 2017 CDBG contract to extend the expiration date until September 30, 2018. (Res. No. 0211-18)

Recommendation of Community Development Committee on 06-14-18: To approve an amendment to the 2017 CDBG contract with Racine Unified School District - Youth Mentoring Program to extend the expiration date until September 30, 2018.

Fiscal Note: The total FY 2017 CDBG contract budget of the RUSD - Youth Mentoring Program will remain \$35,000.

Office of the Mayor Report, by Ald. Meekma

[0666-18](#)

Subject: Communication from Mayor Mason nominating the following appointments:

Appoint Alder Mollie Jones, 1900 Franklin St, Racine, 53403 to the Due Process Board for a 1 year term ending April 30, 2019.

Appoint Vevlon Days-Kimmons, 2405 Romaine Ave, Racine, 53404 to the Due Process Board for a 2 year term ending April 30, 2020.

Appoint Sam Peete, 2501 Kearney Ave, Racine, 53403 to the Board of Zoning Appeals for a 3 year term ending April 30, 2021

[0681-18](#)

Subject: Communication from the Mayor proposing that the July 3, 2018, meeting of the Common Council be cancelled.

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

[0513-18](#)

Subject: Communication from Wolverine Fireworks requesting permission to use the Pershing Boat Launch walkout to launch fireworks for Italian Fest July 27-29, 2018. (Res. No. 0212-18)

Recommendation of the Board of Parks, Recreation and Cultural Services on June 13, 2018: To approve the Communication from Wolverine Fireworks requesting to use the Pershing Boat Launch walkout to launch fireworks for Italian Fest July 27-29, 2018.

Fiscal Note: N/A

[0562-18](#)

Subject: Communication from the Real Racine Events Director requesting use of North Beach and the volleyball courts at North Beach for the Pro Am Beach Soccer Regional Qualifying Tournament July 20-22, 2018 and for the Pro Am Beach Soccer National Championship August 17-19, 2018.

Recommendation of the Board of Parks, Recreation and Cultural Services on June 13, 2018: To approve the communication from the Real Racine Events Director requesting use of North Beach and the volleyball courts at North Beach for the Pro Am Beach Soccer Regional Qualifying Tournament July 20-22, 2018 and for the Pro Am Beach Soccer National Championship August 17-19, 2018.

Fiscal Note: N/A

[0581-18](#)

Subject: Communication from the Alderperson of the 11th District, to consider adding a park and playground space in Georgetown.

Recommendation of the Board of Parks, Recreation and Cultural Services on June 13, 2018: To approve the communication from the Alderperson of the 11th District to work with PRCS administration to consider adding a park and playground space in Georgetown.

Fiscal Note: N/A

I. Consent Resolutions

[Res.0189-18](#)

Donations from United Healthcare and AMNJ, Inc., for the Gus Macker Tournament

Resolved, that permission is granted to the Director of Parks, Recreation, and Cultural Services to accept donations from United Healthcare and AMNJ, Inc. for the Gus Macker Tournament.

Fiscal Note: \$3,000.00 is to be donated from United Healthcare Services, Inc., and \$5,000.00 is to be donated from AMNJ Enterprises, Inc. No City match is required.

Sponsors: Q.A. Shakoor II

Res.0190-18 Agreement for Mt. Pleasant Business Park - Phase 2 (Globe Drive) in the Village of Mt. Pleasant

Resolved, that the Mayor and acting City Clerk are authorized to sign the Developer's Agreement Contract for Utility Improvements.

Fiscal Note: Fees invoiced for municipal services and facilities will be the responsibility of the Village of Mt. Pleasant.

Sponsors: Q.A. Shakoor II

Res.0191-18 Amendment No. 2 to the Retail Water Agreement with Mt. Pleasant

Resolved, that the Mayor and acting City Clerk are authorized to sign Amendment No. 2 to the Intergovernmental Retail Water Service Agreement between the City of Racine, Racine Water Utility, and the Village of Mt. Pleasant.

Fiscal Note: Fees invoiced for municipal services and facilities will be the responsibility of the Village of Mt. Pleasant.

Sponsors: Q.A. Shakoor II

Res.0192-18 16th Street Water Main Extension and Road Reconstruction Agreement

Resolved, that the Mayor and acting City Clerk are authorized to sign the 16th Street Water Main Extension and Road Reconstruction Agreement.

Fiscal Note: The Village of Mt. Pleasant will pay all costs associated with the water main extension.

Sponsors: Q.A. Shakoor II

Res.0194-18 Racine Police Department Budget to Conduct a Management Study

Resolved, that the Chief of Police is authorized to use up to \$100,000.00 from existing Racine Police Department Budget to conduct a management study.

Further, resolved to transfer \$100,000.00 from account 13101-50100, PD Salaries, to account 13101-52100, PD Professional Services.

Fiscal Note: Sufficient funds are available for the transfer.

Sponsors: Q.A. Shakoor II

Res.0195-18 Racine Police Department K-9 Unit

Resolved, that permission is granted to accept \$2,047.00 from April S. Cruz for the Racine Police Department K-9 Unit.

Fiscal Note: No City match required.

Sponsors: Q.A. Shakoor II

Res.0196-18 Funds Allocated to RDA for the Event Center Phase I

Resolved, that the remaining funds allocated to the RDA for the Event Center Phase I project shall be placed into the 2018 RDA Budget for professional services.

Fiscal Note: Approximately \$53,000 are available to be placed into the 2018 RDA Budget for professional services.

Sponsors: Q.A. Shakoor II

Res.0197-18 441 Lake Avenue

Resolved, that the purchase of the property at 441 Lake Avenue from Johnson Bank consistent with the terms of the Letter of Intent is approved. Further, City Staff shall execute and enter into the Letter of Intent and to prepare a final agreement for purchase and conveyance of said property in fulfillment thereof.

Fiscal Note: Cost to the City for the property, which is currently assessed for tax purposes at a fair market value of \$552,600, would be the appraised "land value," which is expected to not materially exceed \$100,000. Sufficient funds are available in the City's Intergovernmental Revenue Fund.

Sponsors: Q.A. Shakoor II

Res.0198-18 2017 to 2018 Budget Carry Overs

Resolved, that the presented 2017 to 2018 Budget carry overs are approved.

Fiscal Note: These budget carry overs fund commitments that were existing, encumbered and funded in prior years as well as projects that have spending periods over one year in length. There is existing funding for this action.

Sponsors: Q.A. Shakoor II

[Res.0199-18](#) Planters and Display Public Art On The Downtown Public Sidewalks

Resolved, that permission is granted to the Downtown Racine Corporation to place planters and display public art on downtown public sidewalks. Art will be allowed May 1st through October 31st and ice sculptures from December 1st through March 31st for a five-year period.

Further resolved, that a hold harmless agreement be executed and a \$75.00 processing fee paid and a liability insurance certificate be filed.

Fiscal Note: N/A

Sponsors: John Tate II

[Res.0200-18](#) Energy Innovation Grant from the Office of Energy Innovation at the Wisconsin PSC (Grant Control No. 00184)

Resolved, that permission is granted for the Mayor to apply for UW Extension Grant Funds for the analysis of City Facilities to determine the appropriate locations for solar panels (Grant Control No. 00184)

Fiscal Note: N/A

Sponsors: John Tate II

[Res.0202-18](#) Official Notice No. 7-2018, Annual Floor Cleaning for the Building Complex

Resolved that Official Notice No. 7-2018, is awarded to ShurClean, LLC., at its bid price of \$28,351.00, for annual floor cleaning for the Building Complex, for the 1st year term with the option to renew four times for additional one-year terms.

Fiscal Note: Funds for this purchase are available in Org-Object 70240-52200, Building Complex- Contracted Services

Sponsors: John Tate II

[Res.0203-18](#) Change Order No. 1 on Contract 20170048, Sidewalk Repairs (R1), RAZA of Racine, LLC., Contractor

Resolved, that Change Order No. 1 on Contract 20170048, Sidewalk Repairs (R1), RAZA of Racine, LLC., contractor, is approved in the amount of \$59,860.23.

Fiscal Note: Funding to defray the cost of the change order be appropriated from Org-Object 45040-57515, DPW Sidewalks.

Sponsors: John Tate II

[Res.0204-18](#) Resolved, that Green Golf Partners, LLC, Richard Leslie, Agent, is approved to apply with the State of Wisconsin, Department of Revenue for a "Class B" intoxicating liquor license.

Fiscal Note: N/A

Sponsors: Jeff Coe

[Res.0205-18](#) A RESOLUTION ADOPTING A NEW PARK AND OPEN SPACE PLAN AS AN AMENDMENT TO THE DOCUMENT "A COMPREHENSIVE PLAN FOR THE CITY OF RACINE: 2035"

WHEREAS, the City of Racine has adopted a document titled "A Comprehensive Plan for the City of Racine: 2035" (the Comp Plan: 2035), which contains maps, references, and other descriptive materials and information applicable and specific to the City of Racine; and

WHEREAS, under the authority of Section 62.23 of the Wisconsin Statutes, and in accordance with Section 66.1001 of the Wisconsin Statutes, the Comp Plan: 2035 is intended to assist as a guide to the physical, social, and economic development of the City of Racine; and

WHEREAS, amendments to the Comp Plan: 2035 are permitted under the authority of Section 66.1001(4) of the Wisconsin State Statutes, and which amendment procedure is outlined specifically in the Comp Plan: 2035, Chapter XII: Implementation Element; and

WHEREAS, the Board of Parks, Recreation, and Cultural Services of the City of Racine (the Board) has worked with the Southeastern Wisconsin Regional Planning Commission to prepare a plan for the City of Racine that will serve as a park and open space plan for City of Racine, which is articulated in the document titled "A Park and Open Space Plan for the City of Racine: 2035" (the Park Plan: 2035); an amendment to the document titled "A Comprehensive Plan for the City of Racine: 2035". The Park Plan: 2035 containing maps, references and other descriptive materials and information applicable and specific to the City of Racine; and

WHEREAS, under the authority of Section 62.23 of the Wisconsin Statutes, and in accordance with Section 66.1001 of the Wisconsin Statutes, the Park Plan: 2035 is intended to assist in promoting environmental stewardship and to assess current and future parks, recreation, and open space needs within the City of Racine. To these ends, the Park Plan: 2035 provides an inventory of current facilities and programs, status of progress on the previous park plan, framework for the development of the plan update, and recommendations for implementation

of the Comp Plan: 2035; and

WHEREAS, the Board conducted a public input meeting on December 13, 2017, for the purpose of educating the public and solicit public opinion on the Park Plan: 2035. On December 13, 2017, the Board forwarded a recommendation for adoption of the Park Plan: 2035 to the Common Council, for referral to the Plan Commission; and

WHEREAS, an amendment to the Comp Plan: 2035 is being requested, more specifically elements related to the Park Plan: 2035, as found in: Chapter V - Agricultural, Natural and Cultural Resources; Chapter VI - Land Use; Chapter VII - Transportation; Chapter X - Utilities, and Community Facilities; Chapter XI - Intergovernmental Cooperation; Chapter XII - Implementation; and

WHEREAS, on May 9, 2018, the Plan Commission received a review of the Park Plan: 2035 in order to educate Plan Commission members and the public on recommendations contained therein and needed amendment to the Comp Plan: 2035; and

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

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

WHEREAS, on May 18, 2018, the City of Racine duly noticed a public hearing before the Common Council for June 19, 2018, following the procedures in Section 66.1001 (4) of the Wisconsin Statutes; and

WHEREAS, on June 13, 2108, the Plan Commission reviewed the ordinance and forwarded a recommendation to the Common Council that the ordinance be adopted.

NOW, THEREFORE, BE IT RESOLVED, the Common Council of the City of Racine hereby adopts an amendment to a document titled "A Comprehensive Plan for the City of Racine: 2035" to incorporate the

document titled "A Park and Open Space Plan for the City of Racine: 2035".

BE IT FURTHER RESOLVED, that the City Clerk is authorized and directed to transmit a certified copy of this resolution to the Racine County Board and the Southeastern Wisconsin Regional Planning Commission.

Fiscal Note: If fully implemented, it is estimated that the recommendations contained in the Park Plan: 2035 could total \$7,751,000 for the years 2017 through 2021. Full implementation as recommended in the Park Plan: 2035 could total \$13,355,280.

Sponsors:

Jason Meekma

Res.0206-18

2829 Durand Avenue

Resolved, that the request from Changing Lives Ministries, seeking a major amendment to an existing conditional use permit which allows a group daycare center at 2829 Durand Avenue is approved, subject to the following conditions:

- a. That the plans presented to the Plan Commission on June 13, 2018, is approved subject to the conditions contained herein.
- b. That all license requirements from the State of Wisconsin and City of Racine be obtained, complied with, and kept current at all times.
- c. That all of the following occur by October 31, 2018, unless otherwise noted:
 1. That the pylon sign on the property be brought down to a height of no more than 15 feet.
 2. Submission to and approval by the Department of City Development of plans, including amount and type of plantings, for landscaped areas along the northern property line and the western yard as indicated to the Plan Commission and included in the meeting report on June 13, 2018. Landscaping along the northern property line shall be installed no less than 12 months from the completion of the State Highway 11 (Durand Avenue) reconstruction project adjacent to this property.
 3. Removal or reversal of the sign panels of the obsolete tenant signage on the property.
- d. That if, prior to the issuance of an Occupancy Permit, required site improvements listed in "c" above have not been or cannot be completed, a financial surety shall be provided to the City. The surety shall be in a format as approved by the City Attorney's office, and subject to all stipulations as identified for financial sureties in the City of Racine. The dollar amount shall be determined at the time of application based upon estimates provided by the applicants for any incomplete work, and shall be valid for no less than one year from the date of issuance. The surety format and content is subject to review and approval by the City Attorney.
- e. That hours of operation are 5:00 AM to midnight Monday-Friday and

5:30 AM to 6:00 PM on weekends.

f. All drop-offs and pickups be conducted from private lots, not the right-of-way.

g. That an exception from Racine Ordinance section 114-470 (b) requiring screening to the south of the building and along the southern 240 feet of the western property line be granted with this conditional use.

h. That an exception from Racine Ordinance section 114-1188 of 25 parking spaces be granted with this conditional use.

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

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

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

Fiscal Note: N/A

Sponsors:

Jason Meekma

Res.0207-18

1700 N. Main Street

Resolved, that the request from Belle City Church, seeking a conditional use permit to allow a type 1 non-commercial-type use at 1700 N. Main Street is approved, subject to the following conditions:

a. That the plans presented to the Plan Commission on June 13, 2018, is approved subject to the conditions contained herein.

b. That all of the following occur by October 31, 2018:

1. Touch up paint to match the existing color of the walls of the building be applied to the north and west walls of the building.

2. The chain link fencing along the southern and eastern property lines shall be removed. Any replacement fencing along any property line shall not be chain link.

3. Screening along northern property line shall be installed and may consist of a wall, non-chain link type fence, or densely planted compact hedge, not less than five feet nor more than eight feet in height.

4. Submission to and approval by the Department of City Development of plans for the trash storage area which shows that all trash and recycling be kept in closed containers which are completely screened from public view and includes a gate on the trash storage area. The trash enclosure shall be constructed in the location as indicated to the Plan Commission and included in the meeting report on June 13, 2018.

5. Debris along the western property line be removed and plant materials along the western edge of the property be trimmed and deceased or decaying plant matter be removed.

c. That if, prior to the issuance of an Occupancy Permit, required site improvements listed in "b" above have not been or cannot be completed, a

financial surety shall be provided to the City. The surety shall be in a format as approved by the City Attorney's office, and subject to all stipulations as identified for financial sureties in the City of Racine. The dollar amount shall be determined at the time of application based upon estimates provided by the applicants for any incomplete work, and shall be valid for no less than one year from the date of issuance. The surety format and content is subject to review and approval by the City Attorney.

d. That hours of operation are Sundays from 7:00 AM to 1:00 PM and 9:00 AM to 5:00 PM Monday - Friday.

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

f. That no minor changes be made from the conditions of this permit without approval of the Plan Commission, and no major changes be made from the conditions of this permit without the approval of the Common council.

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

Fiscal Note: N/A

Sponsors:

Jason Meekma

Res.0208-18

5502 Durand Avenue

Resolved, that the request from Racine Mall LLC, seeking a major amendment to an existing conditional use permit, which allows a planned development at 5502 Durand Avenue, is approved subject to the following conditions:

a. That the plans presented to the Plan Commission on June 13, 2018, is approved subject to the conditions contained herein.

b. That an exception from Racine Ordinance Section 114.735.59(b) to allow EIFS at three feet four inches above grade at each mall entryway granted with this conditional use.

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

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

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

Fiscal Note: N/A

Sponsors:

Jason Meekma

Res.0209-18

Amendment of The 2017 ESG Contract

Resolved, that the Community Development Committee is approved to

amend the 2017 ESG contract with HALO to extend the expiration date until May 31, 2019, and amend the budget.

Fiscal Note: The total FY 2017 ESG contract budget with HALO will remain \$347,015.

Sponsors: Jason Meekma

Res.0210-18 Amendment of The 2017 CDBG CBDO Job Training Contract

Resolved, that the Community Development Committee is approved to amend the 2017 CDBG contract with Racine Revitalization Partnership to extend the expiration date until September 30, 2018.

Fiscal Note: The total FY 2017 CDBG budget of the Racine Revitalization Partnership CBDO Job Training program will remain \$99,777.

Sponsors: Jason Meekma

Res.0211-18 Racine Unified School District - Youth Mentoring Program

Resolved, that the Community Development Committee is approved to amend the 2017 CDBG contract with Racine Unified School District - Youth Mentoring Program to extend the expiration date until September 30, 2018.

Fiscal Note: The total FY 2017 CDBG contract budget of the RUSD - Youth Mentoring Program will remain \$35,000.

Sponsors: Jason Meekma

Res.0212-18 Wolverine Fireworks

Resolved, that the Communication from Wolverine Fireworks requesting to use the Pershing Boat Launch walkout to launch fireworks for Italian Fest July 27-29, 2018, is approved

Fiscal Note: N/A

Sponsors: Jason Meekma

J. Resolutions

Res.0193-18 RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF UP TO \$13,088,291 WASTEWATER UTILITY REVENUE BONDS, SERIES 2018B, AND PROVIDING FOR OTHER DETAILS AND COVENANTS WITH RESPECT THERETO

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

WHEREAS, certain improvements to the System are necessary to meet the needs of the Municipality and the residents thereof, consisting of the construction of a project (the "Project") assigned Clean Water Fund Program Project No. 4285-19 by the Department of Natural Resources, and as described in the Department of Natural Resources approval letter for the plans and specifications of the Project, or portions thereof, issued under Section 281.41, Wisconsin Statutes, assigned No. S-2017-0441 and dated June 21, 2017 and No. S-2017-0700 and dated December 21, 2017 by the DNR; and

WHEREAS, under the provisions of Chapter 66, Wisconsin Statutes any municipality may, by action of its governing body, provide for purchasing, acquiring, constructing, extending, adding to, improving, operating and managing a public utility from the proceeds of bonds, which bonds are to be payable only from the revenues received from any source by such utility, including all rentals and fees; and

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

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

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

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

WHEREAS, pursuant to Resolution No. 4718 adopted on July 2, 2002 (the "2002B Resolution"), the Municipality has also previously issued its Wastewater Utility Revenue Bonds, Series 2002B, dated July 24, 2002

(the "2002B Bonds"), which are payable from the income and revenues of the System on a parity with the 1999 Bonds, the 2000 Bonds and the 2002 Bonds; and

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

WHEREAS, pursuant to Resolution No. 07-0580 adopted on January 2, 2008 (the "2008 Resolution"), the Municipality has also previously issued its Wastewater Utility Revenue Bonds, Series 2008, dated January 23, 2008 (the "2008 Bonds"), which are payable from the income and revenues of the System on a parity with the 1999 Bonds, the 2000 Bonds, the 2002 Bonds, the 2002B Bonds and the 2002C Bonds; and

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

WHEREAS, pursuant to Resolution No. 0149-18 adopted on May 15, 2018 (the "2018 Resolution"), the Municipality has also previously issued its Taxable Wastewater Utility Revenue Bonds, Series 2018, dated May 23, 2018 (the "2018 Bonds"), which are payable from the income and revenues of the System on a parity with the 1999 Bonds, the 2000 Bonds, the 2002 Bonds, the 2002B Bonds, 2002C Bonds, the 2008 Bonds and the 2010 Bonds; and

WHEREAS, the 1999 Resolution, 2000 Resolution, 2002 Resolution, 2002B Resolution, 2002C Resolution, 2008 Resolution, 2010 Resolution and the 2018 Resolution (collectively, the "CWF Resolutions") permit bonds to be issued on a parity with the 1999 Bonds, 2000 Bonds, 2002 Bonds, 2002B Bonds, 2002C Bonds, 2008 Bonds, 2010 Bonds and the 2018 Bonds (collectively, the "CWF Bonds") upon certain conditions, and those conditions have been met in connection with the issuance of the bonds to be issued pursuant to this Resolution; and

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

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

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

(a) "Act" means Section 66.0621, Wisconsin Statutes;

- (b) "Bond Registrar" means the Municipal Treasurer which shall act as Paying Agent for the Bonds;
- (c) "Bonds" means the \$13,088,291 Wastewater Utility Revenue Bonds, Series 2018B, of the Municipality dated their date of issuance, authorized to be issued by this Resolution;
- (d) "Bond Year" means the twelve-month period ending on each May 1;
- (e) "Current Expenses" means the reasonable and necessary costs of operating, maintaining, administering and repairing the System, including salaries, wages, costs of materials and supplies, insurance and audits, but shall exclude depreciation, debt service, tax equivalents and capital expenditures;
- (f) "CWF Bonds" means the 1999 Bonds, 2000 Bonds, 2002 Bonds, 2002B Bonds, 2002C Bonds, 2008 Bonds, 2010 Bonds and 2018 Bonds, collectively;
- (g) "CWF Resolutions" means the 1999 Resolution, 2000 Resolution, 2002 Resolution, 2002B Resolution, 2002C Resolution, 2008 Resolution, 2010 Resolution and 2018 Resolution, collectively;
- (h) "Debt Service Fund" means the Wastewater Utility Special Redemption Fund of the Municipality, which shall be the "special redemption fund" as such term is defined in the Act;
- (i) "Financial Assistance Agreement" means the Financial Assistance Agreement by and between the State of Wisconsin by the Department of Natural Resources and the Department of Administration and the Municipality pursuant to which the Bonds are to be issued and sold to the State, substantially in the form attached hereto and incorporated herein by this reference;
- (j) "Fiscal Year" means the twelve-month period ending on each December 31;
- (k) "Governing Body" means the Common Council, or such other body as may hereafter be the chief legislative body of the Municipality;
- (l) "Gross Earnings" means the gross earnings of the System, including earnings of the System derived from wastewater utility charges imposed by the Municipality, all payments to the Municipality under any wastewater treatment service agreements between the Municipality and any contract users of the System, and any other monies received from any source including all rentals and fees and any special assessments levied and collected in connection with the Project;
- (m) "Municipal Treasurer" means the Treasurer of the Municipality who shall act as Bond Registrar and Paying Agent;
- (n) "Municipality" means the City of Racine, Racine County, Wisconsin;
- (o) "Net Revenues" means the Gross Earnings of the System after deduction of Current Expenses;
- (p) "1999 Bonds" means the Municipality's Wastewater Utility Revenue Bonds, Series 1999, dated August 25, 1999;

(q) "1999 Resolution" means Resolution No. 2640 adopted on August 2, 1999 authorizing the issuance of the 1999 Bonds;

(r) "Parity Bonds" means bonds payable from the revenues of the System other than the Bonds but issued on a parity and equality with the Bonds pursuant to the restrictive provisions of Section 11 of this Resolution;

(s) "Project" means the Project described in the preamble to this Resolution. All elements of the Project are to be owned and operated by the Municipality as part of the System as described in the preamble hereto;

(t) "Record Date" means the close of business on the fifteenth day of the calendar month next preceding any principal or interest payment date;

(u) "System" means the entire wastewater utility system of the Municipality specifically including that portion of the Project owned by the Municipality and including all property of every nature now or hereafter owned by the Municipality for the collection, transmission, treatment and disposal of domestic and industrial sewerage and waste, including all improvements and extensions thereto made by the Municipality while any of the Bonds and Parity Bonds remain outstanding, including all real and personal property of every nature comprising part of or used or useful in connection with such wastewater utility system and including all appurtenances, contracts, leases, franchises, and other intangibles;

(v) "2000 Bonds" means the Municipality's Wastewater Utility Revenue Bonds, Series 2000, dated September 27, 2000;

(w) "2000 Resolution" means Resolution No. 3481 adopted on September 5, 2000 authorizing the issuance of the 2000 Bonds;

(x) "2002 Bonds" means the Municipality's Wastewater Utility Revenue Bonds, Series 2002, dated April 10, 2002;

(y) "2002 Resolution" means Resolution No. 4544 adopted on March 19, 2002 authorizing the issuance of the 2002 Bonds;

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

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

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

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

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

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

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

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

(hh) "2018 Bonds" means the Municipality's Taxable Wastewater Utility Revenue Bonds, Series 2018, dated May 23, 2018; and

(ii) "2018 Resolution" means Resolution No. 0149-18 adopted May 15, 2018 authorizing the issuance of the 2018 Bonds.

Section 2. Authorization of the Bonds and the Financial Assistance Agreement. For the purpose of paying the cost of the Project (including legal, fiscal, engineering and other expenses), there shall be borrowed on the credit of the income and revenue of the System up to the sum of \$13,088,291; and fully registered revenue bonds of the Municipality are authorized to be issued in evidence thereof and sold to the State of Wisconsin Clean Water Fund Program in accordance with the terms and conditions of the Financial Assistance Agreement, which is incorporated herein by this reference and the Mayor and City Clerk of the Municipality are hereby authorized, by and on behalf of the Municipality, to execute the Financial Assistance Agreement.

Section 3. Terms of the Bonds. The Bonds shall be designated "Wastewater Utility Revenue Bonds, Series 2018B" (the "Bonds"); shall be dated their date of issuance; shall be numbered one and upward; shall bear interest at the rate of 1.870% per annum; shall be issued in denominations of \$0.01 or any integral multiple thereof; and shall mature on the dates and in the amounts as set forth in Exhibit B of the Financial Assistance Agreement and in the Bond form attached hereto as Exhibit A as it is from time to time adjusted by the State of Wisconsin based upon the actual draws made by the Municipality. Interest on the Bonds shall be payable commencing on November 1, 2018 and semiannually thereafter on May 1 and November 1 of each year. The Bonds shall not be subject to redemption prior to maturity except as provided in the Financial Assistance Agreement.

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

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

Bonds shall be issued as registered obligations in substantially the form attached hereto as Exhibit A and incorporated herein by this reference. The Bonds shall be executed in the name of the Municipality by the manual signatures of the Mayor and City Clerk, and shall be sealed with its official or corporate seal, if any.

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

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

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

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

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

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

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

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

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

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

- (a) to the Operation and Maintenance Fund, in an amount equal to the estimated Current Expenses for such month and for the following month (after giving effect to available amounts in said Fund from prior deposits);
- (b) to the Debt Service Fund, an amount equal to one-sixth (1/6) of the next installment of interest coming due on the CWF Bonds, the Bonds and any Parity Bonds then outstanding and an amount equal to one-twelfth (1/12) of the installment of principal of the CWF Bonds, the Bonds and any Parity Bonds coming due during such Bond Year (after giving effect to available amounts in said Fund from accrued interest, any premium or any other source), and any amount required by a future resolution authorizing the issuance of Parity Bonds to fund a Reserve Account established therein;
- (c) to the Depreciation Fund, an amount determined by the Governing Body to be sufficient to provide a proper and adequate depreciation account for the System; and
- (d) to the Surplus Fund, any amount remaining in the Revenue Fund after the monthly transfers required above have been completed.

Transfers from the Revenue Fund to the Operation and Maintenance Fund, the Debt Service Fund, the Depreciation Fund and the Surplus Fund shall be made monthly not later than the tenth day of each month, and such transfer shall be applicable to monies on deposit in the Revenue Fund as of the last day of the month preceding. Any other transfers and deposits to any fund required or permitted by subsection (a) through (d) of this Section, except transfers or deposits which are required to be made immediately or

annually, shall be made on or before the tenth day of the month. Any transfer or deposit required to be made at the end of any Fiscal Year shall be made within sixty (60) days after the close of such Fiscal Year. If the tenth day of any month shall fall on a day other than a business day, such transfer or deposit shall be made on the next succeeding business day. It is the express intent and determination of the Governing Body that the amounts transferred from the Revenue Fund and deposited in the Debt Service Fund shall be sufficient in any event to pay the interest on the CWF Bonds, the Bonds and any Parity Bonds as the same accrues and the principal thereof as the same matures, and to fund the Reserve Account as required in connection with future Parity Bonds.

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

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

Municipality and its inhabitants or to make any subsequent payment over and above such reasonable cost and value.

Section 10. Operation of System; Municipality Covenants. It is covenanted and agreed by the Municipality with the owner or owners of the Bonds, and each of them, that the Municipality will perform all of the obligations of the Municipality as set forth in the Financial Assistance Agreement.

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

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

(b) Additional Parity Bonds may also be issued if all of the following conditions are met:

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

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

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

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

Section 12. Sale of Bonds. The sale of the Bonds to the State of Wisconsin Clean Water Fund Program for the purchase price of up to

\$13,088,291 and at par, is ratified and confirmed; and the officers of the Municipality are authorized and directed to do any and all acts, including executing the Financial Assistance Agreement and the Bonds as hereinabove provided, necessary to conclude delivery of the Bonds to said purchaser, as soon after adoption of this Resolution as is convenient. The purchase price for the Bonds shall be paid upon requisition therefor as provided in the Financial Assistance Agreement, and the officers of the Municipality are authorized to prepare and submit to the State requisitions and disbursement requests in anticipation of the execution of the Financial Assistance Agreement and the issuance of the Bonds.

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

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

Section 15. Defeasance. When all Bonds have been discharged, all pledges, covenants and other rights granted to the owners thereof by this Resolution shall cease. The Municipality may discharge all Bonds due on any date by irrevocably depositing in escrow with a suitable bank or trust company a sum of cash and/or bonds or securities issued or guaranteed as to principal and interest of the U.S. Government, or of a commission, board or other instrumentality of the U.S. Government, maturing on the dates and bearing interest at the rates required to provide funds sufficient

to pay when due the interest to accrue on each of said Bonds to its maturity or, at the Municipality's option, if said Bond is prepayable to any prior date upon which it may be called for redemption, and to pay and redeem the principal amount of each such Bond at maturity, or at the Municipality's option, if said Bond is prepayable, at its earliest redemption date, with the premium required for such redemption, if any, provided that notice of the redemption of all prepayable Bonds on such date has been duly given or provided for.

Section 16. Rebate Fund. Unless the Bonds are exempt from the rebate requirements of the Internal Revenue Code of 1986, as amended (the "Code"), the Municipality shall establish and maintain, so long as the Bonds and any Parity Bonds are outstanding, a separate account to be known as the "Rebate Fund." The sole purpose of the Rebate Fund is to provide for the payment of any rebate liability with respect to the Bonds under the relevant provisions of the Code and the Treasury Regulations promulgated thereunder (the "Regulations"). The Rebate Fund shall be maintained by the Municipality until all required rebate payments with respect to the Bonds have been made in accordance with the relevant provisions of the Code and the Regulations.

The Municipality hereby covenants and agrees that it shall pay to the United States from the Rebate Fund, at the times and in the amounts and manner required by the Code and the Regulations, the portion of the "rebate amount" (as defined in Section 1.148-3(b) of the Regulations) that is due as of each "computation date" (within the meaning of Section 1.148-3(e) of the Regulations). As of the date of this Resolution, the provisions of the Regulations specifying the required amounts of rebate installment payments and the time and manner of such payments are contained in Sections 1.148-3(f) and (g) of the Regulations, respectively. Amounts held in the Rebate Fund and the investment income therefrom are not pledged as security for the Bonds or any Parity Bonds and may only be used for the payment of any rebate liability with respect to the Bonds.

The Municipality may engage the services of accountants, attorneys or other consultants necessary to assist it in determining the rebate payments, if any, owed to the United States with respect to the Bonds. The Municipality shall maintain or cause to be maintained records of determinations of rebate liability with respect to the Bonds for each computation date until six (6) years after the retirement of the last of the Bonds. The Municipality shall make such records available to the State of Wisconsin upon reasonable request therefor.

Section 17. Resolution a Contract. The provisions of this Resolution shall constitute a contract between the Municipality and the owner or owners of the Bonds, and after issuance of any of the Bonds no change or alteration of any kind in the provisions of this Resolution may be made, except as provided in Section 14, until all of the Bonds have been paid in full as to both principal and interest. The owner or owners of any of the Bonds shall have the right in addition to all other rights, by mandamus or other suit or

action in any court of competent jurisdiction, to enforce such owner's or owners' rights against the Municipality, the Governing Body thereof, and any and all officers and agents thereof including, but without limitation, the right to require the Municipality, its Governing Body and any other authorized body, to fix and collect rates and charges fully adequate to carry out all of the provisions and agreements contained in this Resolution.

Section 18. Continuing Disclosure. The officers of the Municipality are hereby authorized and directed, if requested by the State of Wisconsin, to

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Sponsors: Q.A. Shakoor II

K. Consent Agenda

L. Ordinances

Refer to the Public Works and Services Committee

[Ord.0010-18](#) Ordinance 10-18 - Reinspection Fees

An Ordinance to amend Chapter 18, Article I, of the Municipal Code of the City of Racine, Wisconsin.

WHEREAS, the City spends a large amount of time and resources enforcing building and property maintenance code violations against property owners who do not comply,

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

Part 1: To create Sec. 18-4. - Reinspection fees to read as follows:

“Sec. 18-4. - Reinspection fees.

Where orders have been issued to correct violations under this chapter and additional inspections are made necessary by reason of the person's failure to make timely repairs as specified in the notice provided, a reinspection fee as determined by the budget and stated on the applicable fee schedule shall apply for each reinspection.

Secs. 18-5-- 18-25. - Reserved.”

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.

Fiscal Note: N/A

Sponsors: John Tate II

M. Common Council Announcements

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

N. Adjourn

Office of The City Clerk

If you are disabled and have accessibility needs or need information interpreted for you, please call the City Clerk's Office at 636-9171 at least 48 hours prior to this meeting.