



City of Racine

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

Meeting Minutes - Final Common Council

Mayor John T. Dickert
Alderman Jeff Coe, Alderman Robert Anderson
Alderman Michael Shields, Alderman Jim Kaplan, Alderman David L. Maack
Alderman Sandy Weidner, Alderman Terry McCarthy, Alderman Raymond DeHahn
Alderman Q.A. Shakoor, II, Alderman Aron Wisneski, Alderman Gregory Holding
Alderman James T. Spangenberg, Alderman Ronald D. Hart, Alderman Robert Mozol

Tuesday, August 18, 2009

7:00 PM

Room 205, City Hall

A. Call To Order

PRESENT: 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, McCarthy, DeHahn, Shakoor, II, Holding, Wisneski, Spangenberg, Hart and Mozol

B. Pledge of Allegiance To The Flag

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

C. Approval of Journal of Council Proceedings (Minutes)

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

D. Public Hearings

Julie Anderson appeared.

[Res.09-1544](#)

A RESOLUTION ENDORSING THE REPORT TITLED "A MULTI-JURISDICTIONAL COMPREHENSIVE PLAN FOR RACINE COUNTY: 2035".

WHEREAS, the City has cooperated with Racine County and SEWRPC to prepare a multi-jurisdictional comprehensive plan for the County that will serve as the comprehensive plan for Racine County, and a resource for the development of a comprehensive plan for the City of Racine, which is documented in the report titled "A Multi-Jurisdictional Comprehensive Plan for Racine County: 2035," (the comprehensive plan) containing maps, references and other descriptive materials and information applicable and specific to the City; and

WHEREAS, in accordance with Section 66.1001(2) of the Wisconsin Statutes, the comprehensive plan includes the following nine elements: Issues and Opportunities; Land Use; Housing; Transportation; Utilities and Community Facilities; Agricultural, Natural and Cultural Resources; Economic Development; Intergovernmental Cooperation; and Implementation; and

WHEREAS, the City Common Council adopted a Public Participation Plan for the comprehensive planning process as required by Section 66.1001 (4) (d) of the Wisconsin Statutes on September 18, 2007, and the City has conducted meetings and other public participation activities during the course of development of the comprehensive plan; and

WHEREAS, the City has duly noticed an August 12, 2009 Plan Commission open house/public informational meeting, and an August 18, 2009 Common Council public hearing following the procedures in Section 66.1001 (4) (d) of the Wisconsin Statutes.

NOW, THEREFORE, BE IT RESOLVED, the Common Council of the City of Racine hereby endorses the comprehensive plan embodied in the report titled "A Multi-Jurisdictional Comprehensive Plan for Racine County: 2035" as a guide for county development, and as a resource for the development of a report titled "A Comprehensive 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: N/A

Sponsors: Gregory Holding

E. Public Comments

*Norb DeKeuster
Kimberly Fennikogh
Nicholas Falaschi*

F. Communications

[09-3979](#)

Subject: Building Report, July 2009

Received and Filed

Refer to Finance and Personnel Committee, by Ald. Spangenberg

[09-3966](#)

Subject: Communication from the Interim Public Health Administrator requesting permission to accept funds and that the Mayor and City Clerk enter into a contract with the Wisconsin Department of Health Services for the CDC Childhood Lead Poisoning Prevention Program. (Grant Control #2009-041)

Referred to Finance and Personnel Committee

[09-3967](#)

Subject: Communication from the Interim Public Health Administrator requesting permission to accept funds and for the Mayor and City Clerk to enter into a contract with the Wisconsin Department of Agriculture Trade and Consumer Protection for prescription drug

collection. (Grant Control #2009-042)

Referred to Finance and Personnel Committee

[09-3968](#)

Subject: Communication from the Interim Public Health Administrator requesting permission to accept funds and for the Mayor and City Clerk to enter into a contract with the Wisconsin Department of Health Services for the Racine Healthy Births Healthy Families Program. (Grant Control #2009-043)

Referred to Finance and Personnel Committee

[09-3995](#)

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting to accept a donation from the Lions Club of Racine Civic Fund to purchase two Burke park benches for the Lockwood Park playground.

Referred to Finance and Personnel Committee

[09-4005](#)

Subject: Communication from Kuko Padilla requesting to waive the fee for the use of Pershing Skate Park for the annual "Bike Jam".

Referred to Finance and Personnel Committee

[09-4008](#)

Subject: communication from the City Attorney submitting the claim of Progressive Insurance (J. Debonis) for consideration.

Referred to Finance and Personnel Committee

[09-4010](#)

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

Referred to Finance and Personnel Committee

[09-4011](#)

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting to accept a donation from Concept Self Development Center Inc. in the amount of \$1,500.00 for King Community Center programming.

Referred to Finance and Personnel Committee

[09-4015](#)

Subject: Request for an advance of city funds in anticipation of receipt of funds from the U.S. Department of Housing and Urban Development.

Referred to Finance and Personnel Committee

Refer to Public Works and Services Committee, by Ald. Holding

[09-3990](#)

Subject: Communication from St. Catherine's High School requesting to close Park Avenue between 12th and 13th Streets on Sunday, September 5, 2010, from 10 a.m. to 5 p.m. for an Angel Block Party

on Sunday.

Referred to Public Works and Services Committee

09-4002

Subject: Communication from Christopher Nelson and Alderman McCarthy requesting a street light be placed on an existing pole in the alley between Grange and Flett.

Referred to Public Works and Services Committee

09-4014

Subject: Communication from the Senor de Tlacolula Committee requesting permission to use public right-of-way for a parade to commemorate the Mayordomia del Senor de Tlacolula on September 19, 2009.

Referred to Public Works and Services Committee

09-4017

Subject: Communication from the Aldermen of the 4th, 7th, 8th, 12th and 14th Districts requesting to review the ordinances related to seasonal alternate side parking.

Referred to Public Works and Services Committee

09-4021

Subject: Communication from Project New Life requesting to use city right-of-way on August 22, 2009 for it's 10th annual Back-2-School community event. (Res.09-1571)

Motion made by Alderman Holding to suspend the rules and consider item 09-4021 separately due to timing of the scheduled event.

There were no objections to suspension of the rules.

Alderman Holding made a motion that permission be granted to Project New Life requesting to use city right-of-way on August 22, 2009 for it's 10th annual Back-2-School event with the following stipulations:

- A. A hold harmless agreement be executed;*
- B. Proof of liability insurance be filed prior to this event*
- C. The sponsor shall pay a special event fee of \$250.00*
- D. Notice be given to abutting property owners*

Motion was adopted by the following voice vote:

AYES: McCarthy, Mozol, Shakoor, Shields, Spangenberg, Weidner, Wisneski, Anderson, Coe, DeHahn, Hart, Holding, Kaplan, Maack

Adopted

Refer to Public Safety & Licensing Committee, by Ald. Wisneski

09-4024

Subject: Communication from Baldwinder Singh, Max Magic Supermarket LLC, 1007 Washington Avenue, submitting a petition to exceed the Class A quota limit.

Referred to the Public Safety and Licensing Committee

Refer to Traffic Commission, by Ald. Holding

[09-4012](#)

Subject: Communication from the Alderman of the 4th District, on behalf of residents in the 800 and 900 blocks of Jackson Street, requesting signage be placed on that street.

Referred to Traffic Commission

Refer to Community Development Committee, by Ald. Q. A. Shakoor, II

[09-4004](#)

Subject: Request of the Racine Interfaith Coalition to revise the scope of services and program budget of a CDBG-funded activity.

Referred to Community Development Committee

Refer to Housing Loan Board, by Ald. Q. A. Shakoor, II

[09-4016](#)

Subject: Request to establish a Choose Racine Home Purchase Program for city, county, and school district employees.

Referred to Loan Board of Review

G. Committee Reports

Finance and Personnel Committee Report, by Ald. Spangenberg

[09-3933](#)

Subject: Communication submitting the claim of Dorothy Miller for consideration.

Recommendation of the Finance & Personnel Committee on

08-10-09: The claim of Dorothy Miller for alleged injuries and/or property damage on 06/15/09 be denied.

Fiscal Note: N/A

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

[09-3960](#)

Subject: Communication from the Police Chief, requesting to apply for and accept the Wisconsin DOT Badger Tracks Grant (Grant Control # 2009-033). (Res.09-1557)

Recommendation of the Finance & Personnel Committee on

08-10-09: Permission be granted for the Police Chief to apply for and accept the Wisconsin DOT Badger Tracks Grant (Grant Control # 2009-033). Currently estimated at \$73,074 to be used for automated citation issuance and processing equipment.

Fiscal Note: No match is required.

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

[09-3958](#)

Subject: Communication from the City Attorney submitting the claim of Sharina Walker for consideration.

Recommendation of the Finance & Personnel Committee on

08-10-09: The claim of Sharina Walker requesting reimbursement in an amount in excess of \$3,0000.00 for car repairs after an alleged hit and run accident involving a blue utility truck at the intersection of Kewarnee Street near Dr. Martin Luther King Jr. Drive on June 25, 2009, be denied.

Fiscal Note: N/A

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

[09-3965](#)

Subject: Communication from the Police Chief, requesting the transfer of \$35,190.00 from the City's Contingency Fund Account. (Res.09-1558)

Recommendation of the Finance & Personnel Committee on

08-10-09: \$35,190 be transferred from Account 101.311.5010, Police Department Salaries, to Account 101.311.5780, Police Department Licensed Vehicles, to replace a 2006 Crown Victoria squad car, R-4, that was recently totaled out.

Fiscal Note: There are sufficient funds available for the transfer. Some insurance proceeds may be received to help offset the total cost of a new vehicle.

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

[09-3975](#)

Subject: Communication from the Finance Director wishing to discuss the 2008 Financial Statements of the City of Racine.

Recommendation of the Finance & Personnel Committee on

08-10-09: To receive and file.

Fiscal Note: N/A

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

[09-3976](#)

Subject: (Direct Referral) from the Director of Management Information Systems, requesting permission to propose the sale of the

TMS application to the City of Wauwatosa for the sum of \$56,000.00 and to provide continuing support on a billable basis. (Res.09-1555)

Recommendation of the Finance & Personnel Committee on 08-10-09: That the Director of Management Information Systems be allowed to propose the sale of the TMS application to the City of Wauwatosa for \$48,000 with continuing annual support billed at \$8,000 per year.

Fiscal Note: Prospective sales revenue of \$48,000.00. Annualized Income of \$8,000.

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

[09-3994](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations requesting permission to apply for a Focus on Energy Grant for the Racine Salt Shed Exterior-LED Upgrade #17181. (Grant Control #2009-045) (Res.09-1556)

Recommendation of the Finance & Personnel Committee on 08-10-09: Permission be granted for the Assistant Commissioner of Public Works/Operations to apply for a Focus on Energy Grant for the Racine Salt Shed Exterior-LED Upgrade #17181. (Grant Control #2009-045)

Fiscal Note: The estimated project cost is \$3,880 and will result in an annual electric cost savings of \$519. The grant is in the estimated amount of \$155, resulting in an estimated 7.5 year payback.

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

Council Action

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

AYES: 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, McCarthy, DeHahn, Shakoor, II, Holding, Wisneski, Spangenberg, Hart and Mozol

Public Works and Services Committee Report, by Ald. Holding

[09-3890](#)

Subject: Communication from Vulcan Lands, Inc. proposing to donate 3.59 acres of real property to the City of Racine.

Recommendation of the Public Works and Services Committee on 7-28-09 and 8-11-09: The communication be received and filed.

Fiscal Note: N/A

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

09-3934

Subject: Communication from the Commissioner of Public Works/City Engineer regarding Neighborhood Watch's offer to perform public education as required by the City's recycling program. (Res.09-1562)

Recommendation of the Public Works and Services Committee

on 8-11-09: That the Commissioner of Public Works/City Engineer be authorized and directed to utilize the resources of Neighborhood Watch to perform public education and program enhancements for the city's recycling program on a cost-by-hour basis.

Fiscal Note: Funds to cover the cost of these as-needed services are available in Account 289.000.5540, Public Education.

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

09-3935

Subject: Communication from Preservation Racine requesting permission to close the 1700 block of College Avenue on Sunday, September 27, 2009, from 12:00 noon to 5:30 p.m. in conjunction with the annual tour of Historic Homes. (Res.09-1560)

Recommendation of the Public Works and Services Committee

on 8-11-09: Permission be granted to Preservation Racine to close College Avenue from 17th Street to 18th Street, on Sunday, September 27, 2009, from 12:00 p.m. to 5:30 p.m., for a special event following the annual tour of Historic Homes.

Further recommends that permission be granted with the following stipulations:

- A. A hold harmless agreement be executed;
- B. Proof of liability insurance be filed prior to this event;
- C. Any overtime costs incurred by any City department be charged to the sponsor;
- D. Sponsor shall notify all abutting property occupants 72 hours in advance of the event;
- E. The sponsor shall pay a special event fee of \$250.00.

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

FISCAL NOTE: There will be nominal costs incurred on a regular shift basis to provide limited assistance to implement this event.

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

09-3951

Subject: Communication from the Downtown Racine Corporation requesting to close portions of Main Street and Sixth Street for the 7th Annual Party on the Pavement on Saturday, October 3, 2009, from 12:00 p.m. to 7:00 p.m. (Res.09-1559)

Recommendation of the Public Works and Services Committee on 8-11-09: Permission be granted to the Downtown Racine Corporation to close Main Street from State Street to 7th Street and Sixth Street from Main Street to Grand Avenue, on Saturday, October 3, 2009, from 12:00 p.m. to 7:00 p.m., for the 7th annual "Party on the Pavement" event.

Further recommends that permission be granted with the following stipulations:

- A. A hold harmless agreement be executed;
- B. Proof of liability insurance be filed prior to this event;
- C. Any overtime costs incurred by any City department be charged to the sponsor;
- D. Sponsor shall notify all abutting property occupants 72 hours in advance of the event;
- E. The sponsor shall be responsible for the signing of the necessary detours for the State Highway route; and
- F. The sponsor shall pay a special event fee of \$700.00.

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

FISCAL NOTE: There will be nominal costs incurred on a regular shift basis to provide limited assistance to implement this event.

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

09-3959

Subject: Communication from Jerry Norphlet-Brantley, 2029 Case Avenue, submitting a petition to vacate the alley bounded by Jay Eye

See Avenue, Twentieth Street, Case Avenue and Twentyfirst Avenue.

Recommendation of the Public Works and Services Committee on 8-11-09: The communication be received and filed.

Fiscal Note: N/A

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

[09-3977](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 01-08 (K8-001), 2008 Sewer Asset Management Services, AECOM, consultant. (Res.09-1564)

Recommendation of the Public Works and Services Committee on 8-11-09: The professional services provided by AECOM under Contract 1-08 (K8-001), 2008 Sewer Asset Management Services, be accepted and final payment authorized for a total contract amount of \$160,142.08.

Fiscal Note: Contract was authorized under Resolution No. 07-0560, dated December 17, 2007.

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

[09-3980](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 35-08 (K8-039), Professional Services - Racine Water Quality Feasibility Study, AECOM, consultant. (Res.09-1566)

Recommendation of the Public Works and Services Committee on 8-11-09: The professional services provided by AECOM under Contract 35-08 (K8-039), Professional Services - Racine Water Quality Feasibility Study, be accepted and final payment authorized for a total contract amount of \$29,099.81.

Fiscal Note: Contract was authorized under Resolution No. 08-0765, dated April 14, 2008.

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

[09-3981](#)

Subject: Resolution No. 09-1543, of August 3, 2009, relating to street improvements:

PORTLAND CEMENT CONCRETE PAVING

Gilson Street from Kearney Avenue to Coolidge Avenue;
Fleetwood Drive from Spruce Street to Knoll Place;

Kentucky Street from 17th Street to Victory Avenue;
 Monroe Avenue from Republic Avenue to +/- 350 ft. North;
 Alley bounded by Victory Avenue, 16th Street; Hayes Avenue, Grove Avenue;
 Oregon Street from Washington Avenue to Lindermann Avenue;
 Alley bounded by 4th Street, 5th Street; Main Street, Wisconsin Avenue.

SEWER AND WATER

Kentucky Street from 17th Street to Victory Avenue

SIDEWALK

Chicory Road - Northside fronting Dr. Jones Elementary School.

Recommendation of the Public Works and Services Committee on 8-11-09: That Resolution No. 09-1543, of August 3, 2009, be amended to delete:

SEWER AND WATER

Kentucky Street from 17th Street to Victory Avenue

SIDEWALK

Chicory Road from North side front Dr. Jones Elementary School

and, as amended , Resolution No. 09-1543, of August 3, 2009, be adopted.

Fiscal Note: Funds will be appropriated in the 2010 C.I.P. for these street improvements, and special assessments will be paid by the abutting property owners for the street improvements.

Alderman Spangenberg requested that item 09-3981 be considered separately.

*Alderman Spangenberg made a motion to amend the item to also delete:
 Monroe Avenue from Republic Avenue to +/-350 ft. North;*

Motion passed by the following vote:

AYES: Shakoor, Shields, Spangenberg, Weidner, Wisneski, Anderson, Hart and Kaplan

NOES: McCarthy, Mozol, Coe, DeHahn, Holding and Maack

A motion was made that this Communication be Adopted As Amended: . The motion was APPROVED by the following vote:

AYES: 13 - Anderson, Shields, Kaplan, Maack, Weidner, McCarthy, DeHahn, Shakoor, II, Holding, Wisneski, Spangenberg, Hart and Mozol

NOES: 1 - Coe

09-3982

Subject: Resolution 09-1552, of August 3, 2009, relating to the home weatherization and energy efficiency loan pilot program.

Recommendation of the Public Works and Services Committee on 8-11-09: That Resolution 09-1552, of August 3, 2009, relating to home weatherization and energy efficiency loan pilot program be approved.

Fiscal Note: Funding is available as described in Resolution 09-1552.
Alderman Holding requested that item 09-3982 be considered separately.

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

AYES: 13 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor, II, Holding, Wisneski, Spangenberg, Hart and Mozol

NOES: 1 - McCarthy

[09-3986](#)

Subject: Ordinance No. 17-09, of August 3, 2009, to create Section 90-33 of the Municipal Code of the City of Racine, Wisconsin, relating to Special charges for repayment of energy efficiency improvement loans.

Recommendation of the Public Works and Services Committee on 8-11-09: That Ordinance No. 17-09, of August 3, 2009, relating to special charges for repayment of energy efficiency improvement loans, be adopted.

Fiscal Note: N/A

Alderman Holding requested that item 09-3986 be considered separately.

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

AYES: 13 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor, II, Holding, Wisneski, Spangenberg, Hart and Mozol

NOES: 1 - McCarthy

[09-3991](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/ Engineering submitting Change Order No. 1 on Contract 40-08 (K8-046), 2008 Sidewalk Replacement, Phase II, A.W. Oakes & Son, contractor. (Res.09-1567)

Recommendation of the Public Works and Services Committee on 8-11-09: That Change Order No. 1 on Contract 40-08 (K8-046), 2008 Sidewalk Replacement, Phase II, A.W. Oakes & Son, contractor, as submitted, be approved in the deduct amount of \$98,213.48.

Fiscal Note: Change Order No. 1 will result in a decrease in contract price.

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

09-3993

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/ Engineering submitting Change Order No. 2 on Contract 09-09 (K9-009), 2009 Concrete Street Reconstruction, LaLonde Contractors, Inc. (Res.09-1569)

Recommendation of the Public Works and Services Committee on 8-11-09: That Change Order No. 2 on Contract 9-09 (K9-009), 2009 Concrete Street Reconstruction, LaLonde Contractors, contractor, be approved in the amount of \$130,773.88.

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

\$101,824.60 - Account 989.908.5020, Conc. Pvmt. Repl. Misc. Loc.
\$ 9,984.28 - Account 988.908.5020, Conc. Pvmt. Repl. Misc. Loc.
\$ 18,965.00 - Account 104.900.5420, Storm Sewer, Misc. Loc.
\$130,773.88 - Total

Fiscal Note: Funds are available as herein delineated.

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

09-3998

Subject: (Direct Referral) Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 32-08 (K8-036), 2008 Storm and Sanitary Sewer Lining, Visu-Sewer Clean & Seal, Inc., contractor. (Res.09-1565)

Recommendation of the Public Works and Services Committee on 8-11-09: The work done by Visu-Sewer Clean & Seal, Inc. under Contract 32-08 (K8-036), 2008 Storm and Sanitary Sewer Lining, be accepted and final payment authorized for a total contract amount of \$677,322.90.

Fiscal Note: Contract was authorized under Resolution No. 08-0879, dated June 17, 2008.

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

09-4001

Subject: (Direct Referral) Communication from the Purchasing Agent submitting bids for Two (2) Truck Chassis' with refuse packers. (Res.09-1561)

Recommendation of the Public Works and Services Committee on 8-11-09: That the contract for Two (2) Truck Chassis, Heavy Duty,

Low Entry, Dual Steer Cab w/25 Cubic Yard High Compaction Refuse Packer be awarded to Cumberland Servicenter, at their bid price of \$361,284.00 with trade-in of DPW 40031, they being the lowest responsible bidder.

Further recommends that funding to defray the cost of these services be appropriated from Account 101.400.5780, Licensed Vehicles, Solid Waste.

Fiscal Note: Funds are available as herein delineated.

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

09-4006

Subject: (Direct Referral) Communication from the Commissioner of Public Works/City Engineer regarding bids on Contract 51-08(09) (K8-059), City Hall Exterior Renovations. (Res.09-1563)

Recommendation of the Public Works and Services Committee on 8-11-09: That Resolution 09-1488, of July 7, 2009, be rescinded.

Further recommends that the Mayor and City Clerk be authorized and directed to enter into a contract with RAM Construction Services of MI, Inc., Livonia, MI, at their base bid price of \$109,320.00 plus Alternates #1 and #2, for a total contract of \$171,526.00, they being the second lowest responsible bidder.

Further recommend that the bid bond of Arnie Christiansen Mason Contractor, LLC be retained by the City of Racine to cover damages caused by this contractor's failure to enter into a contract.

Further recommends that funds for this public works project are available in the following accounts:

\$ 51,191.03 - Account 987.100.5020, City Hall Tuckpointing
\$120,334.97 - Account 989.100.5020, City Hall Tuckpointing
\$171,526.00 - Total

Fiscal Note: Funds are available as herein delineated.

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

Council Action

A motion was made by Alderman Gregory Holding that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

AYES: 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, McCarthy, DeHahn, Shakoor, II, Holding, Wisneski, Spangenberg, Hart and Mozol

Public Safety and Licensing Committee Report, by Ald. Wisneski**09-3946**

Subject: Communication from Caroline and James Chun submitting a petition to exceed the Class A quota limit.

Recommendation of the Public Safety and Licensing Committee on 8-10-09: That petition from Caroline and James Chun to exceed the Class A quota be denied.

Fiscal Note: N/A

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

09-3962

Subject: (Direct Referral): Final payment for engineering services for Washington Golf Course Bridge Repairs by Strass-Maguire & Associates, Inc. (Res.09-1570)

Recommendation of the Public Safety and Licensing Committee on 8-10-09: That final payment for engineering services for Washington Golf Course Bridge Repairs by Strass-Maguire & Associates, Inc. be approved.

Fiscal Note: \$7,700 funds available in account 107.000.5750.

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

09-3970

Subject: Application of Tango Bar LLC., O. Keith Fair, for a Change of Agent for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 509 Sixth Street. (1st District)

Recommendation of the Public Safety and Licensing Committee on 8-10-09: That the application of Tango Bar LLC., O. Keith Fair, for a Change of Agent for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 509 Sixth Street be approved.

Fiscal Note: N/A

Alderman Wisneski requested that item 09-3970 be considered separately.

This Communication was Referred to the Public Safety and Licensing Committee

AYES: 11 - Coe, Anderson, Kaplan, Maack, Weidner, McCarthy, Shakoor, II, Holding, Wisneski, Spangenberg and Mozol

NOES: 3 - Shields, DeHahn and Hart

09-3973

Subject: (New) Application of John's Dock, John Dunk, Agent for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 303 Dodge Street. (4th District)

Recommendation of the Public Safety and Licensing Committee on 8-10-09: That the application of John's Dock, John Dunk, Agent for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 303 Dodge Street be approved with the following conditions:

Fully operational kitchen
Submission of menu

Fiscal Note: N/A

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

[09-3989](#)

Subject: (Direct Referral) Communication from the Purchasing Agent submitting the sale of abandoned vehicles for August 5, 2009.

Recommendation of the Public Safety and Licensing Committee on 8-10-09: That the sale of abandoned vehicles be received and filed.

Fiscal Note: This will generate \$3984.01 in revenue.

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

Council Action

A motion was made by Alderman Aron Wisneski that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

AYES: 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, McCarthy, DeHahn, Shakoor, II, Holding, Wisneski, Spangenberg, Hart and Mozol

City Plan Commission Report, by Ald. Holding

[09-4013](#)

Subject: (Res.09-1544) A Resolution endorsing the report titled "A Multi-Jurisdictional Comprehensive Plan For Racine County: 2035."

Recommendation of the City Plan Commission on 8-12-09: That the resolution be adopted.

Fiscal Note: N/A

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

AYES: 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, McCarthy, DeHahn, Shakoor, II, Holding, Wisneski, Spangenberg, Hart and Mozol

Committee of the Whole Report, by Ald. Q. A. Shakoor, II

09-3783

Subject: Communication from the President of the Council wishing to discuss filling the vacancy in the 10th District.

Recommendation: That Kelli Stein be appointed to fill the unexpired term of Alderman Friedel, term expiring April 19, 2010.

Fiscal Note: Funds were provided in the 2009 Budget.

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

AYES: 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, McCarthy, DeHahn, Shakoor, II, Holding, Wisneski, Spangenberg, Hart and Mozol

Office of the Mayor Report, by Ald. Q. A. Shakoor, II09-4018

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

Mr. John Engel 1144 N. Osborne Blvd. to Waterworks commission to fill an unexpired term ending 10/01/09

Mr. John Engel 1144 N. Osborne Blvd. to Wastewater commission to fill an unexpired term ending 10/01/09

Appoint Alderman Aron Wisneski to the Library Board (Replacing former Alderman Tom Friedel) for the remainder of the term ending 06/01/10

Appoint Chief Steve Hansen to the Community Development Committee for a term ending 5/1/11

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

AYES: 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, McCarthy, DeHahn, Shakoor, II, Holding, Wisneski, Spangenberg, Hart and Mozol

Board of Parks, Recreation, and Cultural Services Report, by Ald. McCarthy09-3413

Subject: Direct Referral: Communication from Gretchen Berthiaume wishing to discuss accommodations that could be made to improve beach access for those with limited mobility.

Recommendation of the Board of Parks, Recreation & Cultural Services on 4-15-09: defer

Recommendation of the Board of Parks, Recreation & Cultural Services on 8-12-09: that the request be received and file.

Fiscal note: N/A

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

AYES: 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, McCarthy, DeHahn, Shakoore, II, Holding, Wisneski, Spangenberg, Hart and Mozol

H. Consent Agenda - Resolutions

Res.09-1555

Permission granted to Director of Management Information Systems to propose sale of TMS Application to City of Wauwatosa

Resolved, that the Director of Management Information Systems be allowed to propose the sale of the TMS application to the City of Wauwatosa for \$48,000 with continuing annual support billed at \$8,000 per year.

Fiscal Note: Prospective sales revenue of \$48,000.00. Annualized Income of \$8,000.

Sponsors: James T. Spangenberg

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

Res.09-1556

Permission granted to Assistant Commissioner of Public Works/Operations to apply for a Focus on Energy Grant for Racine Salt Shed Exterior-LED Upgrade

Resolved, that permission be granted for the Assistant Commissioner of Public Works/Operations to apply for a Focus on Energy Grant for the Racine Salt Shed Exterior-LED Upgrade #17181.(Grant Control #2009-045).

Fiscal Note: The estimated project cost is \$3,880 and will result in an annual electric cost savings of \$519. The grant is in the estimated amount of \$155, resulting in an estimated 7.5 year payback.

Sponsors: James T. Spangenberg

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

Res.09-1557

Permission grant to Police Chief to apply for and accept Wisconsin DOT Badger Tracks Grant

Resolved, that permission be granted for the Police Chief to apply for and accept the Wisconsin DOT Badger Tracks Grant (Grant Control # 2009-033). This grant is currently estimated at \$73,074 to be used for automated citation issuance and processing equipment.

Fiscal Note: No match is required.

Sponsors: James T. Spangenberg

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

Res.09-1558

Permission granted to transfer funds to replace squad car

Resolved, that \$35,190 be transferred from Account 101.311.5010, Police Department Salaries, to Account 101.311.5780, Police Department Licensed Vehicles, to replace a 2006 Crown Victoria squad car, R-4, that was recently totaled out.

Fiscal Note: There are sufficient funds available for the transfer. Some insurance proceeds may be received to help offset the total cost of a new vehicle.

Sponsors: James T. Spangenberg

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

Res.09-1559

Permission granted to Downtown Racine Corporation to close portions of Main Street and Sixth Street for the 7th Annual Party on the Pavement

Resolved, that permission be granted to the Downtown Racine Corporation to close Main Street from State Street to 7th Street and Sixth Street from Main Street to Grand Avenue, on Saturday, October 3, 2009, from 12:00 p.m. to 7:00 p.m., for the 7th annual "Party on the Pavement" event.

Further resolved, that permission be granted with the following stipulations:

- A. A hold harmless agreement be executed;
- B. Proof of liability insurance be filed prior to this event;
- C. Any overtime costs incurred by any City department be charged to the sponsor;
- D. Sponsor shall notify all abutting property occupants 72 hours in advance of the event;
- E. The sponsor shall be responsible for the signing of the necessary detours for the State Highway route; and
- F. The sponsor shall pay a special event fee of \$700.00.

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

Fiscal Note: There will be nominal costs incurred on a regular shift basis to provide limited assistance to implement this event.

Sponsors: Gregory Holding

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

Res.09-1560

Permission granted to Preservation Racine to close 1700 block of College Avenue on September 27 after annual tour of Historic Homes

Resolved, that permission be granted to Preservation Racine to close College Avenue from 17th Street to 18th Street, on Sunday, September 27, 2009, from 12:00 p.m. to 5:30 p.m., for a special event following the annual tour of Historic Homes.

Further resolved, that permission be granted with the following stipulations:

- A. A hold harmless agreement be executed;
- B. Proof of liability insurance be filed prior to this event;
- C. Any overtime costs incurred by any City department be charged to the sponsor;
- D. Sponsor shall notify all abutting property occupants 72 hours in advance of the event;
- E. The sponsor shall pay a special event fee of \$250.00.

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

Fiscal Note: There will be nominal costs incurred on a regular shift basis to provide limited assistance to implement this event.

Sponsors: Gregory Holding

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

Res.09-1561

Contract for two truck chassis with refuse packers be awarded to Cumberland Servicenter

Resolved, that the contract for Two (2) Truck Chassis, Heavy Duty, Low Entry, Dual Steer Cab w/25 Cubic Yard High Compaction Refuse Packer be awarded to Cumberland Servicenter, at their bid price of \$361,284.00 with trade-in of DPW 40031, they being the lowest responsible bidder.

Further resolved, that funding to defray the cost of these services be appropriated from Account 101.400.5780, Licensed Vehicles, Solid Waste.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Gregory Holding

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

Res.09-1562

Permission granted to Commissioner of Public Works to utilize Neighborhood Watch resources for City's recycling program

Resolved, that the Commissioner of Public Works/City Engineer be authorized and directed to utilize the resources of Neighborhood Watch to perform public education and program enhancements for the City's recycling program on a cost-by-hour basis.

Fiscal Note: Funds to cover the cost of these as-needed services are available in Account 289.000.5540, Public Education.

Sponsors: Gregory Holding

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

Res.09-1563

Rescind Resolution 09-1488 of July 7, 2009 and award Contract 51-08(09) (K8-059), City Hall Exterior Renovations to RAM Construction Services

Resolved, that Resolution No. 09-1488 of July 7, 2009 be rescinded.

Further resolved, that the bid bond of Arnie Christiansen Mason Contractor, LLC be retained by the City of Racine to cover damages caused by this contractor's failure to enter into a contract.

Further resolved, that the Mayor and City Clerk be authorized and directed to enter into a contract with RAM Construction Services of MI, Inc., Livonia, MI, at their base bid price of \$109,320.00 plus Alternates #1 and #2, for a total contract of \$171,526.00, they being the second lowest responsible bidder.

Further resolved, that funds for this public works project are available in the following accounts:

\$ 51,191.03 - Account 987.100.5020, City Hall Tuckpointing
\$120,334.97 - Account 989.100.5020, City Hall Tuckpointing
\$171,526.00 - Total

Fiscal Note: Funds are available as herein delineated.

Sponsors: Gregory Holding

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

Res.09-1564

Professional services provided by AECOM under Contract 1-08 (K8-001), 2008 Sewer Asset Management Services, be accepted and final payment authorized

Resolved, that the professional services provided by AECOM under Contract 1-08 (K8-001), 2008 Sewer Asset Management Services, be accepted and final payment authorized for a total contract amount of \$160,142.08.

Fiscal Note: Contract was authorized under Resolution No. 07-0560, dated December 17, 2007.

Sponsors: Gregory Holding

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

Res.09-1565

Work done by Visu-Sewer Clean & Seal be accepted and final payment authorized for Contract 32-08 (K8-036), 2008 Storm and Sanitary Sewer Lining

Resolved, that the work done by Visu-Sewer Clean & Seal, Inc. under Contract 32-08 (K8-036), 2008 Storm and Sanitary Sewer Lining, be accepted and final payment authorized for a total contract amount of \$677,322.90.

Fiscal Note: Contract was authorized under Resolution No. 08-0879, dated June 17, 2008.

Sponsors: Gregory Holding

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

Res.09-1566

Professional services provided by AECOM under Contract 35-08 (K8-039), Racine Water Quality Feasibility Study, be accepted and final payment authorized

Resolved, that the professional services provided by AECOM under Contract 35-08 (K8-039), Professional Services - Racine Water Quality Feasibility Study, be accepted and final payment authorized for a total contract amount of \$29,099.81.

Fiscal Note: Contract was authorized under Resolution No. 08-0765, dated April 14, 2008.

Sponsors: Gregory Holding

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

Res.09-1567

Change Order No. 1 on Contract 40-08 (K8-046), 2008 Sidewalk Replacement, Phase II, A.W. Oakes & Son, be approved

Resolved, that Change Order No. 1 on Contract 40-08 (K8-046), 2008 Sidewalk Replacement, Phase II, A.W. Oakes & Son, contractor, as submitted, be approved in the deduct amount of \$98,213.48.

Fiscal Note: Change Order No. 1 will result in a decrease in contract price.

Sponsors: Gregory Holding

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

Res.09-1568

Work done by A.W. Oakes & Son under Contract 40-08 (K8-046), 2008 Sidewalk Replacement, Phase II, be accepted and final payment authorized

Resolved, that the work done by A.W. Oakes & Son under Contract 40-08 (K8-046), 2008 Sidewalk Replacement, Phase II, be accepted and final payment authorized for a total contract amount of \$349,786.52.

Fiscal Note: Contract was authorized under Resolution No. 08-0924, dated July 15, 2008.

Sponsors: Gregory Holding

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

Res.09-1569

Change Order No. 2 on Contract 09-09 (K9-009), 2009 Concrete Street Reconstruction, LaLonde Contractors, be approved

Resolved, that Change Order No. 2 on Contract 9-09 (K9-009), 2009 Concrete Street Reconstruction, LaLonde Contractors, contractor, be approved in the amount of \$130,773.88.

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

\$101,824.60 - Account 989.908.5020, Conc. Pvmt. Repl. Misc. Loc.
\$ 9,984.28 - Account 988.908.5020, Conc. Pvmt. Repl. Misc. Loc.
\$ 18,965.00 - Account 104.900.5420, Storm Sewer, Misc. Loc.
\$130,773.88 - Total

Fiscal Note: Funds are available as herein delineated.

Sponsors: Gregory Holding

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

Res.09-1570

Work accepted and final payment authorized for engineering services Washington Golf Course Bridge Repairs, Strass-Maguire & Associates, Inc., be approved

Resolved, that the engineering services for Washington Golf Course Bridge Repairs by Strass-Maguire & Associates, Inc., be accepted and final payment authorized for a total contract amount of \$7,700.00.

Fiscal Note: Final payment in the amount of \$7,700, and funds are available in Account 107.000.5750, Washington Bridge Repairs.

Sponsors: Aron Wisneski

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

Res.09-1571

Project New Life Annual Back 2 School Event

Resolved, that permission be granted to Project New Life to close Short Street between Douglas Avenue and Tenth Avenue on Saturday, August 22, 2009, from 12:00 p.m. to 5:00 p.m., for their Back to School Community Event.

Further resolved, that permission be granted with the following stipulations:

- A. A hold harmless agreement be executed;
- B. Proof of liability insurance be filed prior to this event;
- C. Any overtime costs incurred by any City department be charged to the sponsor;
- D. The sponsor shall notify all abutting property owners seventy-two (72) hours in advance of this event;
- E. The sponsor shall pay a \$250.00 special event fee.

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

Fiscal Note: There will be nominal costs incurred on a regular shift basis to provide limited assistance to implement this event.

Sponsors: Raymond DeHahn

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

Council Action

A motion was made by Alderman Q.A. Shakoor, II that this be Considered as

Reported to Adopt the Report. Adopted by the following vote:

AYES: 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, McCarthy, DeHahn, Shakoor, II, Holding, Wisneski, Spangenberg, Hart and Mozol

I. Miscellaneous Business

Mayor Dickert mentioned the brutal attack on City of Milwaukee Mayor Barrett and stated the City of Racine would be sending a flower arrangement.

Mayor Dickert as well as Alderman Wisneski thanked everyone who helped with the Lockwood Park Playground Project.

Alderman Weidner informed constituents in her area about an upcoming meeting to discuss loans for energy weatherization funds at Community Christian Church on August 27, 2009 at 6:00p.m.

Swearing in of 10th District Alderman - Kelli Stein

Kelli Stein was sworn in by the City Clerk and she respectively took her seat.

J. Adjourn

The meeting was adjourned at 8:05p.m. by Alderman Shakoor. The next scheduled meeting of the Council is September 1, 2009.

ATTEST: JANICE M. JOHNSON-MARTIN
CITY CLERK