



City of Racine

Journal of Council Proceedings

Common Council

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

Wednesday, February 22, 2006

7:00 PM

Room 205, City Hall

A. Call To Order

Mayor Becker called the meeting to order at 7:00P.M.

PRESENT: 11 - Engel, Finley, Friedel, Hart, Maack, Shakoor
II, Spangenberg, Fair, Hermes, DeHahn and Holding

EXCUSED: 4 - Cape, Karas, Sollman and Weidner

B. Pledge of Allegiance To The Flag

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

D. Public Comments

*Jim Kaplan
Bob Wortock*

F. Approval of Journal of Council Proceedings (Minutes)

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

H. Communications

[06-1535](#)

Subject: Communication from Daniel P. Wright, city Attorney, acknowledging Deputy City Attorney Guadalupe Villarreal, or "Wally" having served the City as Assistant City Attorney and Deputy City Attorney for nearly 29 years, and will retire on March 3, 2006.

Recommendation:

Received and Filed

Refer to Finance and Personnel Committee

[06-1532](#)

Subject: Communication from the Public Health Administrator requesting permission to apply for funding from the National Oceanic and Atmospheric Association/Great Lakes International Environmental Laboratory, Grant Control No. 2006-009.

(Item also referred to the Board of Health)

Recommendation of the Finance & Personnel Committee: That the Public Health Administrator apply for the National Oceanic and Atmospheric Association/Great Lakes International Environmental Laboratory grant, Grant Control No. 2006-009, in the amount of \$200,000 per year for three years, to be utilized to develop a beach management/classification system for the Great Lakes.

Fiscal Note: No match required on the part of the City.

Referred to Board of Health

Referred to Finance and Personnel Committee

06-1533

Subject: The Public Health Administrator requests permission for the Mayor and City Clerk to sign a contract with Managed Health Services.

(Item also referred to the Board of Health)

Recommendation from Finance & Personnel Committee: That the Mayor and City Clerk be authorized and directed to sign a contract with Managed Health Services to arrange provision of designated health care services by the City of Racine Health Department to Managed Health Services and Medicaid/Badger Care enrollees.

Fiscal Note: N/A

Referred to Board of Health

Referred to Finance and Personnel Committee

06-1557

Subject: Communication from the Director of Parks, Recreation & Cultural Services Department to use the Cemetery's maintenance funds for a project requested by the Cemetery Commission.

Recommendation:

Fiscal Note: Money is available within the general fund for the projects at the Mound Cemetery Office and Chapel landscaping.

Referred to Finance and Personnel Committee

06-1558

Subject: Communication from the Chief of Police requesting to apply for the Wisconsin Department of Transportation 2006 Alcohol Enforcement Mobilization grant (grant control # 2006-004). The grant amount is \$20,000 with a 25% soft match (\$5,000).

(Item also referred to the License & Welfare Committee)

Recommendation: The Committee recommends that the Chief of Police apply for the Wisconsin Department of Transportation 2006 Alcohol Enforcement Mobilization grant, Grant Control No. 2006-004, in the amount of \$20,000.

Fiscal Note: A 25% soft match of \$5,000 is required on the part of the City.

Referred to Finance and Personnel Committee

Subject: Communication from the Chief of Police requesting to apply for the 2006 Department of Transportation Click-It or Ticket Mobilization grant (grant control # 2006-005). The grant is in the amount of \$5,000, with a 25% soft match (\$1,250).

(Item also referred to the License & Welfare)

Recommendation: That the Chief of Police apply for the 2006 Department of Transportation Click-It or Ticket Mobilization grant, Grant Control No. 2006-005, in the amount of \$5,000.

Fiscal Note: 25% soft match in the amount of \$1,250 is required on the part of the City.

Referred to Finance and Personnel Committee

06-1560

Subject: Communication from the Chief of Police requesting to apply for the 2006 Department of Transportation Bicycle Safety Enforcement grant (grant control #2006-006). The grant is in the amount of \$4,000 with a 25% soft match (\$1,000).

(Item also referred to the License & Welfare)

Recommendation: That the Chief of Police apply for the 2006 Department of Transportation Bicycle Safety Enforcement grant, Grant Control No. 2006-006, in the amount of \$4,000.

Fiscal Note: A 25% soft match in the amount of \$1,000 required on the part of the City.

Referred to Finance and Personnel Committee

06-1561

Subject: Communication from the Chief of Police requesting to apply for the 2006 Department of Transportation Pedestrian Safety Enforcement grant (grant control #2006-007). The grant is in the amount of \$4,000 with

a 25% soft match (\$1,000).

(Item also referred to the License and Welfare Committee)

Recommendation: That the Chief of Police apply for the 2006 Department of Transportation Pedestrian Safety Enforcement grant, Grant Control No. 2006-007, in the amount of \$4,000.

Fiscal Note: A 25% soft match in the amount of \$1,000 required on the part of the City.

Referred to Finance and Personnel Committee

06-1562

Subject: Communication from the Chief of Police requesting to apply for the Wisconsin Department of Transportation 2006 Youth Alcohol Enforcement CARD grant (grant control #2006-008). The grant is in the amount of \$4,000-\$6,000 with a 25% soft match (\$1,000-\$1,500).

(Item also referred to the License & Welfare Committee)

Recommendation: That the Chief of Police apply for the Wisconsin Department of Transportation 2006 Youth Alcohol Enforcement CARD grant, Grant Control No. 2006-008, in the amount of \$4,000 - \$6,000.

Fiscal Note: A 25% soft match in the amount of \$1,000 - \$1,500 required on the part of the City.

Referred to Finance and Personnel Committee

06-1563

Subject: Communication from the Commissioner of Public Works requesting the transfer of funds for the purchase of a plan-size copier for the Engineering Department.

Recommendation: That the 2005 budget be amended to transfer \$10,000 from account 101.600.5770, Traffic - Speed Humps; \$5,409 from account 101.600.5780 Traffic - Vehicles; and \$15,591 from account 101.630.5780 Street Maintenance - Vehicles to account 101.130.5770 Engineering Equipment - Copier and that this balance be carried forward to 2006 to cover the cost of a plan-size copy machine.

Fiscal Note: There are sufficient funds available for above transfer.

Referred to Finance and Personnel Committee

06-1564

Subject: Communication from the Commissioner of Public Works requesting the transfer of funds to replace air conditioning compressors at Festival Hall.

Recommendation: That the 2005 Capital Improvement budget be amended to transfer \$15,000 from account 108.985.5010 Festival Hall - Sound System to account 108-985.5030 Festival Hall - HVAC and that the balance be carried forward to 2006.

Fiscal Note: There are sufficient funds available for the above transfer.

Referred to Finance and Personnel Committee

06-1566

Subject: Communication from the Chief of Police requesting to accept the Wisconsin Department of Transportation 2006 Alcohol Enforcement Mobilization grant (grant control #2006-004). The grant is in the amount of \$20,000, with a 25% soft match (\$5,000).

(Item also referred to the License and Welfare Committee)

Recommendation of the Finance & Personnel Committee: That the Mayor and City Clerk be authorized and directed to enter into an agreement with the Wisconsin Department of Transportation for the 2006 Alcohol Enforcement Mobilization grant, Grant Control No. 2006-004, in the amount of \$20,000.

Fiscal Note: A 25% soft match in the amount of \$5,000 required on the part of the City.

Referred to Finance and Personnel Committee

06-1567

Subject: Communication from the Chief of Police requesting to accept the 2006 Department of Transportation Click-It or Ticket Mobilization grant (grant control #2006-005). The grant is in the amount of \$5,000, with a 25% soft match (\$1,250).

(Item also referred to the License and Welfare Committee.)

Recommendation of the Finance and Personnel Committee: That the Mayor and City Clerk be authorized and directed to enter into an agreement for the 2006 Department of Transportation Click-it or Ticket Mobilization grant, Grant Control No. 2006-005, in the amount of \$5,000.

Fiscal Note: 25% soft match in the amount of \$1,250 required on the part of the City.

Referred to Finance and Personnel Committee

06-1568

Subject: Communication from the Chief of Police requesting to accept the 2006 Department of Transportation Bicycle Safety Enforcement grant

(grant control #2006-006). The grant is in the amount of \$4,000 with a 25% soft match (\$1,000).

(Item also referred to the License and Welfare Committee.)

Recommendation of the Finance & Personnel Committee: That the Mayor and City Clerk be authorized and directed to enter into an agreement for the 2006 Department of Transportation Bicycle Safety Enforcement grant, Grant Control No. 2006-006, in the amount of \$4,000.

Fiscal Note: A 25% soft match in the amount of \$1,000 required on the part of the City.

Referred to Finance and Personnel Committee

06-1569

Subject: Communication from the Chief of Police requesting to accept the 2006 Department of Transportation Pedestrian Safety Enforcement grant (grant control #2006-007). The grant is in the amount of \$4,000, with a 25% soft match (\$1,000).

(Item also referred to the License and Welfare Committee)

Recommendation of the Finance & Personnel Committee: That the Mayor and City Clerk be authorized and directed to enter into an agreement for the 2006 Department of Transportation Pedestrian Safety Enforcement grant, Grant Control No. 2006-007, in the amount of \$4,000.

Fiscal Note: A 25% soft match in the amount of \$1,000 required on the part of the City.

Referred to Finance and Personnel Committee

06-1571

Subject: Communication from the Chief of Police requesting to accept the Wisconsin Department of Transportation 2006 Youth Alcohol Enforcement CARD grant (grant control #2006-008). The grant is in the amount of \$4,000 - \$6,000, with a 25% soft match (\$1,000 - \$1,500).

(Item also referred to the License and Welfare Committee)

Recommendation of the Finance & Personnel Committee: That the Mayor and City Clerk be authorized and directed to enter into an agreement for the 2006 Youth Alcohol Enforcement CARD grant, Grant Control No. 2006-008, in the amount of \$4,000 - \$6000.

Fiscal Note: A 25% soft match in the amount of \$1,000 - 1,500 required on the part of the City.

Referred to Finance and Personnel Committee**06-1580**

Subject: Communication from the Director of City Development wishing to discuss the agreement with State at Main LLC for the development of 141 Main Street.

Recommendation: That the City of Racine/Racine Redevelopment Authority's Term Sheet be approved with State at Main LLC. for the development of 141 Main Street.

Fiscal Note: N/A

Referred to Finance and Personnel Committee**Refer to Public Works and Services Committee****06-1519**

Subject: Item 14 of February 22, 2006, communication from the Commissioner of Public Works requesting to discuss the schedule for the reconstruction of Sixth Street from Main Street to Villa Street.

Recommendation: Approve

Referred to Public Works and Services Committee**06-1528**

Subject: Item 15 of February 22, 2006, communication from the Purchasing Agent submitting bids received under Official Notice #2, One (1) Three Wheel Broom Type Street Sweeper.

Recommendation: Award

Referred to Public Works and Services Committee**06-1534**

Subject: Item 17 of February 22, 2006, communication from the Commissioner of Public Works recommending rates for the 2006 weed cutting season.

Recommendation: Approve

Referred to Public Works and Services Committee**06-1529**

Subject: Item 16 of February 22, 2006, communication from the Pastor of Wayman A.M.E. Church requesting permission to close the alleys behind 424 N. Memorial Drive for their annual Wayman Fest on July 29, 2006 and July 30, 2006.

Recommendation: Approve

Alderman of the 8th District included in reference.

Referred to Public Works and Services Committee

[06-1536](#)

Subject: Item 18 of February 22, 2006, communication annually reaffirming that the policies of We Energies do not permit hunting, use of any motorized recreational vehicles such as snowmobiles, ATV's and motorcycles, or access by non-We energies vehicles on our rights of way and other company property in your community.

Recommendation: Receive and file.

Referred to Public Works and Services Committee

Refer to License and Welfare Committee

[06-1551](#)

Subject: (Direct Referral) The application of Lynne M. Stricker for a Public Passenger Vehicle Driver's License. (Renewal)

Recommendation:

Referred to License and Welfare Committee

[06-1573](#)

Subject: Application of Marcus Cinemas of WI, LLC. for a Movie Theater License at 5101 Washington Avenue (Westgate Cinema 5). (Renewal)

Recommendation:

Referred to License and Welfare Committee

[06-1574](#)

Subject: Application of Marcus Cinemas of WI, LLC. for a Movie Theater License at 5230 Durand Avenue (Regency Mall Cinemas). (Renewal)

Recommendation:

Referred to License and Welfare Committee

[06-1586](#)

Subject: Communication requesting that upon adoption of Ordinance 3-06 relating to the taxicab service, the License & Welfare Committee will be required to adopt procedures relating to taxicab licenses.

Recommendation:

Referred to License and Welfare Committee

Refer to Traffic Commission

[06-1587](#)

Subject: Communication requesting to appear before the Traffic

Commission to discuss restricting the parking in the proximity of the library's book return bins on Ohio Street across from Goodland School.

Recommendation:

Referred to Traffic Commission

Refer to Community Development Committee

[06-1575](#)

Subject: Communication from the Mayor requesting to discuss using local option funds to pay for training of residents in our central city neighborhoods in being proactive in dealing with problems in their neighborhoods.

Recommendation:

Referred to Community Development Committee

[06-1588](#)

Subject: The Public Health Administrator requests permission to accept \$15,000 from the Community Option Fund for the purpose of hiring the Coalition to End Childhood Lead Poisoning to assist the city of Racine in applying for a grant from the Department of Housing and Urban Development.

Recommendation:

Referred to Community Development Committee

Refer to Mayor's Office

[06-1591](#)

Subject: Communication from Lee Enterprises, Inc., d/b/a The Journal Times owner of Lot 6 and West 86.52 feet of Lot 5, Stephen F. Olsen Industrial Park, Known as 2525 Norwood Court is requesting to go forward with the sale of the property and request the necessary consent from the City of Racine.

Recommendation:

Referred to Mayor

Refer to Board of Parks, Recreation, and Cultural Services

[06-1530](#)

Communication from the City Attorney requesting that renters of community centers and park shelters who serve alcohol be required to provide insurance for their events.

Recommendation:

Alderman of the 14th District included in reference.

Referred to Board of Park, Recreation and Cultural Services

J. Committee Reports**Finance and Personnel Committee Report****06-1455**

Subject: Communication from the Executive Director of Downtown Racine Corporation requesting the Parks and Recreation Commission and the City of Racine waive the fees for DRC for five years.

Recommendation: That the Parks & Recreation and Cultural Services establish policy guidelines for all users of Monument Square; that no fees be charged for the use of Monument Square; that there be no admission fees or closed off areas for entrance; that there be a \$300 deposit refundable upon cleanup of the square and that established guideline policies by the Parks & Recreation and Cultural Services be followed.

Fiscal Note: N/A

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

06-1484

Subject: Communication from the Chief of Police wishing to apply for the 2006 U.S. Department of Justice Edward Byrne Memorial, Justice Assistance Grant (JAG). Grant Control No. 2006-003.

Recommendation: That the Racine Police Chief be granted permission to apply for the U.S. Department of Justice Edward Byrne Memorial, Justice Assistance Grant (JAG). Grant Control No. 2006-003.

Fiscal Note: The total grant will be in conjunction with Racine County Sheriff's Department and the City of Racine's share will be \$30,000.

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

06-1490

Subject: Communication from the Human Resource's Coordinator requesting to enter into an agreement with Security Benefit Group to establish a Section 457 Deferred Compensation plan.

Recommendation: That the City of Racine enters into an agreement with Security Benefit Group to establish a Section 457 Deferred Compensation plan opens to all City of Racine employees.

Fiscal Note: No cost to the City of Racine.

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

06-1497

Subject: Communication from the Manager of Recreation & Cultural Services requesting permission to accept a \$12,000 donation for the "Back-to-School/Stay-in-School" festival.

Recommendation: That the Manager of Recreation & Cultural Services be granted permission to accept a \$12,000 donation for the 2005 "Back-to-School/Stay-in-School" festival which purchased backpacks and school supplies for Racine children.

Fiscal Note: The donation will help fund shortfalls in the program.

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

06-1505

Subject: Communication from the Human Resource's Coordinator requesting to enter into an agreement with Security Benefit Group to establish a 501{c} 9 VEBA Trust also know as a Voluntary Employee's Beneficiary Association plan.

Recommendation: That the City of Racine enters into an agreement with Security Benefit Group to establish a 501 {c} 9 VEBA Trust also known as a Voluntary Employee's Beneficiary Association plan that is open only to members of the Racine Police Association.

Fiscal Note: All sick leave payout at retirement for Racine Police Association members will be deposited in these accounts on a pretax basis. The savings towards the City will be 7.65%.

**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 James T. Spangenberg to Adopt the Report.
Adopted by the following vote:**

AYES: 11 - Engel, Finley, Friedel, Hart, Maack, Shakoor II, Spangenberg, Fair, Hermes, DeHahn and Holding

EXCUSED: 4 - Cape, Karas, Sollman and Weidner

Public Works and Services Committee Report

05-1211

Subject: Direct Referral. Communication from the Assistant

Commissioner of Public Works/Operations requesting permission to submit a grant application to the Wisconsin Coastal Management Program for the acquisition and restoration of the former Racine Coast Guard Station.

Recommendation: The communication be received and filed.

Fiscal Note: Not applicable.

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

06-1451

Subject: Item 13 of February 8, 2006, communication from the Purchasing Agent submitting bids received for Official Notice No. 4 for One (1) Melter Applicator.

Recommendation: The contract for one (1) Melter Applicator be awarded to Sherwin Industries, Milwaukee, WI, at their bid price of \$46,229.76, they being the lowest responsible bidder.

Further recommends that funds to defray the cost of this purchase be appropriated from Account 101.630.5980, Licensed Vehicles.

Fiscal Note: Funding is available as herein delineated.

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

06-1489

Subject: Item 8 of February 8, 2006, communication from the President of Fast Cat Trucking, Inc. requesting to close off Hoffert Dr. along North Beach for the Racine Area Soap Box Derby.

Recommendation: The Racine Area Soap Box Derby be granted permission to use Hoffert Drive for a rally on Saturday and Sunday, May 13 & 14, Saturday and Sunday, June 17 & 18, and Saturday and Sunday, September 9 & 10, 2006, with the following stipulations:

A hold harmless agreement be executed;

B. A liability insurance certificate be filed prior to this event;

C. The set up and dismantling of barricades, snow fencing and placement of waste barrels will be the responsibility of the Soap Box Derby Association and must be erected no sooner than 24 hours prior to the event and must be removed no later than 24 hours after the event;

D. Any overtime and/or equipment and material loss will be charged to

the Soap Box Derby Association;

E. The sponsor shall notify all residents on Michigan Boulevard and residents in the 200 blocks of Kewaunee Street, St. Patrick Street, High Street, and English Street, 72 hours in advance of this event.

Further recommends that the Commissioner of Public Works/City Engineer, Chief of Police, and the Director of Parks, Recreation and Cultural Services 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 implement this event.

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

06-1513

Subject: Item 9 of February 7, 2005, communication from Gorman & Company, Inc. requesting to enter into an agreement with the City to relocate the traffic light and street light control systems at the corner of State Street and Gaslight Drive.

Recommendation: The Mayor and City Clerk be authorized and directed to enter into an agreement with Gorman & Company, Inc. for the relocation of traffic light and street light control systems at the intersection of State Street and Main Street. The estimated cost to relocate these systems is \$47,000.00 plus any charges from WE Energies for new electrical services.

Further recommends that the agreement requires Gorman & Company, Inc. to place in escrow with the City of Racine the sum of \$47,000.00.

Further recommends that due to the schedule for implementing these changes, that public bidding requirements be waived.

Fiscal Note: There will be no cost to the City of Racine for making changes to the street light and traffic signal control system.

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

06-1514

Subject: Item 10 of February 7, 2006, communication from Michael Bohm, 7223 Blackhawk Drive, wishing to replace a porch at 1240 Erie Street that was damaged due to a traffic accident.

Recommendation: The property owner of 1240 Erie Street be granted

permission to replace a porch that extends onto City right-of-way, as requested, with the stipulation that a hold harmless agreement be executed, in accordance with State Statute 66.0425, Privileges in Streets.

Further recommends that the property owner be charged a \$50.00 fee to cover costs associated with filing this item with the Register of Deeds office.

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

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

06-1515

Subject: Item 12 of February 8, 2006, communication from the Purchasing Agent submitting bids for the purchase of one (1) mid-sized ride-on sweeper.

Recommendation: The contract for one (1) mid-sized ride-on sweeper be awarded to Tennant Sales and Service Company, Minneapolis, MN, at their bid price of \$26,685.00, they being the lowest responsible bidder.

Further recommends that funds to defray the cost of this purchase be appropriated from Account 106.110.5790, Unlicensed Vehicle.

Fiscal Note: Funding is available as herein delineated.

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

Ord.0915-06

Item 70 of February 8, 2006, ORDINANCE NO. 4-06 RELATING TO ADMINISTRATION; TRAFFIC AND VEHICLES - COMMISSIONER OF PUBLIC WORKS

Recommendation of the Public Works and Services Committee:

Recommendation: Ordinance No. 4-06 of February 7, 2006 relating to Administration; Traffic and Vehicles - Commissioner of Public Works, be adopted.

Fiscal Note: Not applicable.

A motion was made that this Ordinance be Received As Read. The motion was APPROVED.

06-1517

Subject: Item 14 of February 8, 2006, communication from the Purchasing Agent submitting bids received for the purchase of two (2) Garbage Truck Chassis.

Recommendation: The contract for Two (2) Crane Carrier chassis

w/Pak-Mor R325B packer, with trade-ins, be awarded to Cumberland Servicer, at their bid price of \$315,694.00, they being the lowest responsible bidder.

Further recommends that funds to defray the cost of this purchase be appropriated from Account 101.400.5780, Licensed Vehicles, Solid Waste.

Fiscal Note: Funding is available as herein delineated.

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

06-1526

Subject: Direct Referral. Communication from the Assistant Commissioner of Public Works/Operations submitting a proposal for professional services for City Hall Renovations, Phase I.

Recommendation: The Mayor and City Clerk be authorized and directed to enter into a professional services contract with ARC Architectural Group, LLC, Racine, WI, for the provision of plans and specifications for City Hall Renovations, Phase I, at a cost not-to-exceed \$61,810.00.

Further recommends that funds to defray the cost of these professional services be appropriated from Account 986.100.5010, City Hall Facility Plan Implementation.

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.

06-1527

Subject: Direct Referral. Communication from the Assistant Commissioner of Public Works/Engineering submitting a proposal for professional services for Construction Management Services for Racine Street Sewer Lining.

Recommendation: The Mayor and City Clerk be authorized and directed to enter into a professional services contract with Earth Tech, Inc., for Inspection and Construction Management Services for the Racine Street Sewer Lining project, at a cost not-to-exceed \$17,293.00.

Further recommends that funds to defray the cost of these professional services be appropriated from Account 985.907.5310, Sanitary Sewer Construction, Various Locations.

Fiscal Note: Funds are available as herein delineated.

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

Council Action

A motion was made by Alderman John M. Engel to Adopt the Report. Adopted by the following vote:

AYES: 11 - Engel, Finley, Friedel, Hart, Maack, Shakoor II, Spangenberg, Fair, Hermes, DeHahn and Holding

EXCUSED: 4 - Cape, Karas, Sollman and Weidner

License and Welfare Committee Report

05-1273

Subject: The application of BMPS, Inc., for an Adult-Oriented Establishment for 316 Main Street. (1st District)

Recommendation: This item be deferred to the 2/13/06 License and Welfare Committee meeting. 2/13/06 License and Welfare meeting recommendation - License be granted.

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

Ord.0912-06

ORDINANCE NO. 01-06 to amend Sec. 30-84(c) of the Municipal Code of the City of Racine, Wisconsin relating to Garden court crypts construction and maintenance fund.

06-1493

Subject: (Direct Referral) The application of Mary Christman for a Public Passenger Vehicle Driver's License. (Renewal)

Recommendation: License be granted.

06-1512

Subject: Communication from 2nd District Alderman requesting to discuss events that took place at 1801 Mead Street, T's Corner store on 1/1/06

Recommendation: Begin due process hearing.

Ord.0913-06

ORDINANCE NO. 2-06 RELATING TO OFFENSES - GANG LOITERING

Ord.0914-06

ORDINANCE NO. 3-06 RELATING TO PUBIC PASSENGER VEHICLES; TAXICABS.

06-1518

Subject: Application of Jermaine Weatherspoon for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 303 Dodge Street. (4th District) **(Alderman of the 4th District included in reference)**

Recommendation: License be granted.

City Plan Commission Report

05-1363

Subject: Direct Referral. Consideration of a request by Antoinette Marie Zell, MD of Swift Care requesting a Conditional Use Permit to replace an existing sign panel with an electronic (LED) sign panel at 2405 Northwestern Avenue. The property is zoned O/I Office Institutional District.

Recommendation: Approve, with conditions:

- a. That the plans stamped "Received February 1, 2006" and presented to the Plan Commission on February 8, 2006 be approved subject to the conditions contained herein.
- b. That all signs be professionally made.
- c. That this approval includes the removal of two existing monument signs and the installation of two new monument signs containing one-sided electronic signs on each monument. Final design of monument signs shall be submitted for the review and approval of the Director of City Development.
- d. That the electronic signs are for the exclusive use of a walk-in clinic and a pharmacy.
- e. That the total number of non-directional signs at this location shall not exceed five separate signs and the total square footage of such signs shall not exceed a total of 350 square feet.
- f. That the following information shall be submitted for the review and approval of the Director of City Development:
 1. Prior to the issuance of a sign permit, a scalable site plan indicating the exact location of the approved monument signs that provides information such as setbacks from sidewalks, offsets from driveways, and vision triangles.
 2. By March 1, 2006, a policy stating the manner in which the electronic signs and all other exterior signage shall be utilized.
 3. By May 1, 2006, a landscaped plan depicting planting beds at the base of the two monument signs. The landscaping shall be planted by July 1, 2006.
- g. That no pennants, banners, streamers or other temporary signs shall be displayed at this location.

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

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

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

Fiscal Note: N/A

A motion was made that this Conditional Use Permit be Received and Filed as Reported. The motion was APPROVED.

Ord.0916-06

ORDINANCE NO. 5-06 - To amend the title of Chapter 114, Article VI, create Sec. 114-635, create Division 1. AC Access Corridor Overlay District, and create Division 2. FD Flex Development Overlay District, of the Municipal Code of the City of Racine, Wisconsin relating to Zoning.

A motion was made that this Ordinance be Received As Read. The motion was APPROVED.

06-1524

Subject: Direct Referral. Certified Survey Map for the Southside Industrial Park (former Jacobson/Textron property) at 1721 Packard Avenue.

Recommendation: That the four parcels Certified Survey Map submitted by the Redevelopment Authority for the property at 1721 Packard Avenue be approved, subject to the following language:

"Resolved that this Certified Survey Map, located in the City of Racine, is hereby approved by the Common Council of the City of Racine on this _____ day of _____, 2006."

Fiscal Note: N/A

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

Council Action

A motion was made by Alderman John M. Engel to Adopt the Report. Adopted by the following vote:

AYES: 11 - Engel, Finley, Friedel, Hart, Maack, Shakoor II, Spangenberg, Fair, Hermes, DeHahn and Holding

EXCUSED: 4 - Cape, Karas, Sollman and Weidner

Committee of the Whole Report

05-1135

Subject: Communication from the Alderman of the 12th District requesting that the Common Council be given an update on the efforts that have been made over the past 2 years to bring new employment opportunities to city residents.

Recommendation: Item be received and filed.

A motion was made by Alderman Friedel that this Communication be Adopted.

The motion was APPROVED by the following vote:

AYES: 11 - Engel, Finley, Friedel, Hart, Maack, Shakoor II, Spangenberg, Fair, Hermes, DeHahn and Holding

EXCUSED: 4 - Cape, Karas, Sollman and Weidner

05-1405

Subject: Communication from the Alderman of the 5th District submitting a request from Ken Yorgan, 2118 summit Avenue, requesting that a referendum on the Iraq war be placed on the Spring ballot.

Recommendation: Item be received and filed.

Alderman Shakoor requested that item # be considered separately.

A motion was made by Alderman Friedel that this Communication be Adopted.

The motion was APPROVED by the following vote:

AYES: 11 - Engel, Finley, Friedel, Hart, Maack, Shakoor II, Spangenberg, Fair, Hermes, DeHahn and Holding

EXCUSED: 4 - Cape, Karas, Sollman and Weidner

Office of the Mayor

06-1572

Subject: Communication from Mayor Becker nominating the following appointment for Human Resources Director for the City of Racine.

Appoint Sylvia Coronado-Romero to position of Human Resources Director.

Recommendation:

A motion was made by Alderman Friedel that this Communication be Adopted.

The motion was APPROVED by the following vote:

AYES: 11 - Engel, Finley, Friedel, Hart, Maack, Shakoor II, Spangenberg, Fair, Hermes, DeHahn and Holding

EXCUSED: 4 - Cape, Karas, Sollman and Weidner

Board of Health**05-1355**

Subject: Communication from the Public Health administrator requesting permission to accept funding and enter into a contract with Children's Hospital to be used for Children with Special Health care needs for 2006. (Grant Control No. 2005-050) Item was also referred to the Board of Health.

Board of Health's recommendation: That the Mayor and City Clerk be authorized and directed to enter into an agreement with Children's Hospital of Wisconsin for the Children with Special Healthcare Needs Program for the period of 01/01/06-12/31/06.

Fiscal Note: The amount of funding is \$3,640. There is no match required by the City.

Finance & Personnel Committee's recommendation: That the Mayor and City Clerk be authorized and directed to enter into a \$3,200 agreement with the Children's Hospital of Wisconsin for the Children with Special Healthcare Needs Program for the period of January 1, 2006 through December 31, 2006.

Fiscal Note: No match required on the part of the City.

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

AYES: 11 - Engel, Finley, Friedel, Hart, Maack, Shakoor II, Spangenberg, Fair, Hermes, DeHahn and Holding

EXCUSED: 4 - Cape, Karas, Sollman and Weidner

Board of Parks, Recreation, and Cultural Services Report**06-1441**

Subject: Communication from Alderman of the 10th District requesting a comprehensive study of all Park and Recreation fees be conducted and presented to the Board of Parks, Recreation and Cultural Services.

Recommendation: Approve

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

AYES: 11 - Engel, Finley, Friedel, Hart, Maack, Shakoor II, Spangenberg, Fair, Hermes, DeHahn and Holding

EXCUSED: 4 - Cape, Karas, Sollman and Weidner

06-1443

Subject:Communication from the Director of Parks, Recreation & Cultural Services requesting the Mayor and City Clerk enter into an agreement with Pepsi Americas- Pepsi-Cola General Bottlers, being the exclusive provider of beverages at five community centers.

Recommendation: Approve

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

AYES: 11 - Engel, Finley, Friedel, Hart, Maack, Shakoor II, Spangenberg, Fair, Hermes, DeHahn and Holding

EXCUSED: 4 - Cape, Karas, Sollman and Weidner

K. Resolutions

Res.06-6903

CHILDREN'S HOSPITAL CONTRACT FOR CHILDREN WITH SPECIAL HEALTHCARE NEEDS

RESOLUTION NO. 6903

By Aldermen Cape and Spangenberg:

RESOLVED, that the Mayor and City Clerk be authorized and directed to enter into an agreement in the amount of \$3,640, with Children's Hospital of Wisconsin for the Children with Special Healthcare Needs Program for January 1, 2006 through December 31, 2006.

A motion was made by Alderman Spangenberg that this file be Adopted .

Res.06-6904

PERMISSION FOR STREET CLOSURES FOR SOAP BOX DERBY

RESOLUTION NO. 6904

By Alderman Engel:

RESOLVED, that Racine Area Soap Box Derby be granted permission to use Hoeffert Drive for a rally on Saturday and Sunday, May 13 & 14, Saturday and Sunday, June 17 & 18, and Saturday and Sunday, September 9 & 10, 2006, with the following stipulations:

- A. A hold harmless agreement be executed;*
- B. Proof of liability insurance be filed prior to this event;*
- C. The set up and dismantling of barricades, snow fencing and placement of waste barrels will be the responsibility of the Soap Box Derby Association and must be erected no sooner than 24 hours prior to the event and must be removed no later than 24 hours after the event;*
- D. Any overtime and/or equipment and material loss will be charged to the Soap*

Box Derby Association;

E. The sponsor shall notify all residents on Michigan Boulevard and residents in the 200 blocks of Kewaunee Street, St. Patrick Street, High Street, and English Street, 72 hours in advance of this event.

FURTHER RESOLVED, that the Commissioner of Public Works/City Engineer, Chief of Police, and the Director of Parks, Recreation and Cultural Services provide limited assistance, in the interest of public safety, to implement this event.

A motion was made by Alderman Engel that this file be Adopted .

Res.06-6905 AGREEMENT FOR RELOCATING TRAFFIC AND STREET LIGHT CONTROL SYSTEMS

RESOLUTION NO. 6905

By Alderman Engel:

RESOLVED, that the Mayor and City Clerk be authorized and directed to enter into an agreement with Gorman & Company, Inc. for the relocation of traffic light and street light control systems at the intersection of State Street and Main Street. The estimated cost to relocate these systems is \$47,000.00 plus any charges from WE Energies for new electrical services.

FURTHER RESOLVED, that the agreement require Gorman & Company, Inc. to place \$47,000.00 in escrow with the City for this project.

FURTHER RESOLVED, that due to the schedule for implementing these changes, that public bidding requirements be waived.

A motion was made by Alderman Engel that this Resolution be Adopted. The motion was APPROVED by the following vote:

AYES: 11 - Engel, Finley, Friedel, Hart, Maack, Shakoor II, Spangenberg, Fair, Hermes, DeHahn and Holding

EXCUSED: 4 - Cape, Karas, Sollman and Weidner

Res.06-6906 HOLD HARMLESS AGREEMENT TO REPLACE PORCH AT 1240 ERIE STREET

RESOLUTION NO. 6906

By Alderman Engel:

RESOLVED, that the property owner of 1240 Erie Street be granted permission to replace a porch that extends onto City right-of-way, as requested, with the stipulation that a hold harmless agreement be executed, in accordance with Wis. Stat. sec. 66.0425, Privileges in Streets.

FURTHER RESOLVED, that the property owner be charged a \$50.00 fee to cover costs associated with filing this item with the Register of Deeds office.

A motion was made by Alderman Engel that this file be Adopted .

Res.06-6907 PROFESSIONAL SERVICES CONTRACT FOR CITY HALL RENOVATIONS

RESOLUTION NO. 6907

By Alderman Engel:

RESOLVED, that the Mayor and City Clerk be authorized and directed to enter into a professional services contract with ARC Architectural Group, LLC, Racine, WI, for the provision of plans and specifications for City Hall Renovations, Phase I, at a cost not-to-exceed \$61,810.00.

FURTHER RESOLVED, that funds to defray the cost of these professional services be appropriated from Account 986.100.5010, City Hall Facility Plan Implementation.

A motion was made by Alderman Engel that this Resolution be Adopted. The motion was APPROVED by the following vote:

AYES: 11 - Engel, Finley, Friedel, Hart, Maack, Shakoor II, Spangenberg, Fair, Hermes, DeHahn and Holding

EXCUSED: 4 - Cape, Karas, Sollman and Weidner

Res.06-6908 PROFESSIONAL SERVICES CONTRACT FOR RACINE STREET SEWER LINING

RESOLUTION NO. 6908

By Alderman Engel:

RESOLVED, that the Mayor and City Clerk be authorized and directed to enter into a professional services contract with Earth Tech, Inc., for Inspection and Construction Management Services for the Racine Street Sewer Lining project, at a cost not-to-exceed \$17,293.00.

FURTHER RESOLVED, that funds to defray the cost of these professional services be appropriated from Account 985.907.5310, Sanitary Sewer Construction, Various Locations.

A motion was made by Alderman Engel that this Resolution be Adopted. The motion was APPROVED by the following vote:

AYES: 11 - Engel, Finley, Friedel, Hart, Maack, Shakoor II, Spangenberg, Fair, Hermes, DeHahn and Holding

EXCUSED: 4 - Cape, Karas, Sollman and Weidner

Res.06-6909 CONDITIONAL USE PERMIT FOR 2405 NORTHWESTERN AVENUE

RESOLUTION NO. 6909

By Alderman Engel:

RESOLVED, that a request by Antoinette Marie Zell, MD of Swift Care requesting a

Conditional Use Permit to install electronic signage at 2405 Northwestern Avenue be approved, subject to the following conditions:

- a. That the plans stamped "Received February 1, 2006" and presented to the Plan Commission on February 8, 2006, be approved subject to the conditions contained herein.*
- b. That all signs be professionally made.*
- c. That this approval includes the removal of two existing monument signs and the installation of two new monument signs containing one-sided electronic signs on each monument. Final design of monument signs shall be submitted for the review and approval of the Director of City Development.*
- d. That the electronic signs are for the exclusive use of a walk-in clinic and pharmacy.*
- e. That the total number of non-directional signs at this location shall not exceed five separate signs and the total square footage of such signs shall not exceed a total of 350 square feet.*
- f. That the following information shall be submitted for the review and approval of the Director of City Development:*
 - 1. Prior to the issuance of a sign permit, a scalable site plan indicating the exact location of the approved monument signs that provides information such as setbacks from sidewalks, offsets from driveways, and vision triangles.*
 - 2. By March 1, 2006, a policy stating the manner in which the electronic signs and all other exterior signage shall be utilized.*
 - 3. By May 1, 2006, a landscape plan depicting planting beds at the base of the two monument signs. The landscaping shall be planted by July 1, 2006.*
- g. That no pennants, banners, streamers or other temporary signs shall be displayed at this location.*
- h. That all applicable codes and ordinances be complied with and required permits acquired.*
- i. That no minor changes be made from the conditions of this permit without the approval of the Plan Commission, and no major changes be made from the conditions of this permit without the approval of the Common Council.*
- j. That this permit is subject to Plan Commission review for compliance with the listed conditions.*

A motion was made by Alderman Engel that this file be Adopted .

Res.06-6910

APPROVAL OF CERTIFIED SURVEY MAP FOR 1721 PACKARD AVENUE

RESOLUTION NO. 6910

By Alderman Engel:

WHEREAS, the former Jacobsen-Textron property at 1721 Packard Avenue has been cleared and is being prepared for redevelopment; and

WHEREAS, a Certified Survey Map was submitted by the Redevelopment Authority for the property at 1721 Packard Avenue for redevelopment of the property.

NOW, THEREFORE, BE IT RESOLVED, that the four parcels Certified Survey Map for 1721 Packard Avenue, Racine, Wisconsin is hereby approved by the Common Council of the City of Racine.

A motion was made by Alderman Engel that this file be Adopted .

Res.06-6911 AGREEMENT WITH SECURITY BENEFIT GROUP TO ESTABLISH DEFERRED COMPENSATION PLAN

RESOLUTION NO. 6911

By Alderman Spangenberg:

RESOLVED, that the Mayor and City Clerk be authorized and directed to enter into an agreement with Security Benefit Group to establish a Section 457 Deferred Compensation plan open to all City of Racine employees.

A motion was made by Alderman Spangenberg that this file be Adopted .

Res.06-6912 AGREEMENT WITH SECURITY BENEFIT GROUP TO ESTABLISH A VEBA TRUST

RESOLUTION NO. 6912

By Alderman Spangenberg:

WHEREAS, the Security Benefit Group Healthcare Reimbursement Account (HRA) has been established for eligible employees, pursuant to Sec. 501(c)(9) of the Internal Revenue Code permitting such plans; and

WHEREAS, the Employer wishes to make contributions on behalf of its eligible employees to the Security Benefit Group Healthcare Reimbursement Account (HRA) to meet its employees' post employment health care needs and expense; and

WHEREAS, under the Security Benefit Group Healthcare Reimbursement Account (HRA) program, Security Financial Resources, Inc. will provide administrative services in exchange for a fee as agreed upon by the Employer and Security Financial Resources, Inc.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Racine, Wisconsin meeting in regularly scheduled session, this 22ND day of February, 2006, hereby adopts the Security Benefit Healthcare Reimbursement Account (HRA) program on behalf of the eligible employees of the Employer.

FURTHER RESOLVED, that the Mayor and City Clerk be authorized and directed to execute, on behalf of the eligible employees of the Employer, a Participation Agreement with Security Financial Resources, Inc., to act as the Administrator of the Plan and the agent of the Employer, and other such agreements and contracts as are necessary to implement the program.

A motion was made by Alderman Spangenberg that this file be Adopted .

Res.06-6913 AGREEMENT WITH PEPSI AMERICAS FOR COMMUNITY CENTERS

RESOLUTION NO. 6913

By Alderman Weidner:

RESOLVED, that the Mayor and City Clerk be authorized and directed to enter into an agreement with Pepsi Americas – Pepsi-Cola General Bottlers to be the exclusive provider of soft drink beverages at the City of Racine’s five community centers for the period February 19, 2006 through February 19, 2011, with an initial payment of \$35,000 to the City.

A motion was made by Alderman Holding that this file be Adopted .

M. Miscellaneous Business

O. Adjourn

The meeting was adjourned at 7:35 P.M. by Alderman Shakoor. The next scheduled meeting of the Council is March 7, 2006.

ATTEST: JANICE M. JOHNSON-MARTIN
CITY CLERK