



City of Racine

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

Meeting Agenda - Final Common Council

*Mayor John T. Dickert, Alderman Q.A. Shakoor, II, Alderman Eric Marcus,
Alderman Michael Shields, Alderman Ronald D. Hart, Alderman Jim Kaplan,
Alderman Dennis Wiser, Alderman Aron Wisneski, Alderman Sandy Weidner, Alderman Terry McCarthy, Alderman Raymond DeHahn, Alderman Gregory Holding, Alderman Robert Mozol, Alderman O. Keith Fair, Alderman Melissa Kaprelian-Becker, Alderman James Morgenroth*

Monday, April 16, 2012

7:00 PM

Room 205, City Hall

- A. Call To Order
- B. Pledge of Allegiance To The Flag
- C. Approval of Journal of Council Proceedings (Minutes)
- D. Public Hearings

[Ord.3-12](#) Ord. 3-12

To amend Chapter 114, Article VIII - Flood Regulations, of the Municipal Code of the city of Racine, Wisconsin relating to Zoning.

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

Part 1:

Sec. 114-845(2) Official maps revisions- in last sentence replace the words "most current approved" with "most restrictive".

Sec. 114-845(2)(a)(b) Official maps: Based on the FIS - repeal (a) & (b) and recreate (a) as follows:

- (a) Flood Insurance Rate Map (FIRM), panels 55101C0111D, 55101C0113D, 55101C0114D, 5101C0118D, 55101C0119D, 55101C0209D, 55101C0226D, 55101C0227D, 55101C0228D, 55101C0229D, 55101C0231D, 55101C0232D, 55101C0233D, 55101C0234D, 55101C0236D, 55101C0237D, and 55101C0241D, dated May 2, 2012; with corresponding profiles that are based on the

Flood Insurance Study (FIS) dated May 2, 2012, Volume numbers 55101CV001A and 55101CV002A.

Sec.114-845(4) Locating floodplain boundaries. - delete code reference 114-907 and replace with code reference 114-903(3).

Sec.114-845(4) Note - delete code reference 114-907(6) and replace with 114-910(6)

Sec.114-845(7) Municipalities and state agencies regulated.- after the word “law”, delete “the city is” and replace with “all cities, villages, towns and counties are”; and after the word “permit”, add the following sentences: “State agencies are required to comply if s.13.48(13), Stats., applies. The construction, reconstruction, maintenance and repair of state highways and bridges by the Wisconsin Department of Transportation is exempt when s.30.2022,Stats., applies.”

Sec.114-861 Permitted uses. - delete the code reference 114-907 and replace with 114-901.

Sec.114-871 Permitted uses. - delete the code reference 114-871 and replace with 114-872; and delete the code reference 114-907 and replace with 114-901.

Sec.114-871 Floodfringe Overlay District - Permitted uses - In the second sentence, after the word “district,” insert the words “as well as sewage systems, manufactured home parks, subdivisions, and individual units.”

Sec.114-872(2)(b) Accessory structures or uses - delete code references 114-862(2)(a),(b),(c),(d),(e),(f),(g) and replace it with 114-862(2)(a),(b),(c),(d).

Sec.114-872(4) Manufacturing and industrial uses - delete code reference 114-907 and replace with 114-905.

Sec.114-872(5) Storage of materials - delete code reference 114-907 and replace with 114-905.

Sec.114-872(6)(a) Public utilities - delete code reference 114-907 and replace with 114-905.

Sec.114-872(7) Wells - delete code reference 114-907 and replace with 114-905.

Sec.114-872 insert (10) as follows: “All mobile recreational vehicles that

are on site for 180 consecutive days or more or are not fully licensed and ready for highway use shall have the lowest floor elevated to the flood protection elevation; and be anchored so they do not float, collapse or move latterly during a flood. A mobile recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect utilities and security devices and has no permanently attached additions.”

Sec.114-881 General Floodplain Overlay District - Permitted uses - after the words “zoning district,” insert the words “ such is the case for public and private campgrounds,”.

Sec.114-881 Permitted uses - delete the code reference 114-907 and replace with 114-901.

Sec.114-883(3) Determining floodway and flood fringe limits - delete code reference 114-907(2)(c) and replace with 114-901(2)(c).

Sec.114-890(2)(d) Nonconforming Uses - General - after the word “would” insert the words “ equal or;”; and delete code reference 114-871(1) and replace with 114-872(1).

Sec.114-890 (2)(e) Nonconforming Uses - General - In the second sentence, after the word “condition” insert the words “ equal or.”

Sec.114-890(2)(f) Nonconforming Uses - General - delete code reference 114-907 and replace with 114-905.

Sec.114-891(1)(d) Nonconforming Uses- Floodway areas - delete code reference 114-907 and replace with 114-905.

Sec.114-891(2) Nonconforming Uses- Floodway areas - following the first sentence, add the following sentence: “No new on-site sewage disposal systems, or addition to an existing on-site sewage disposal system, except where an addition has been ordered by a government agency to correct a hazard to public health, shall be allowed on a floodway area.”

Sec.114-892(1) Nonconforming Uses- Floodfringe areas - delete code reference 114-907.

Sec.114-892(2) Nonconforming Uses- Floodfringe areas - delete code reference 114-907 and replace with 114-903.

Sec.114-892(2)(f) Nonconforming Uses- Floodfringe areas - delete code reference 114-872(6) and replace with 114-872(5).

Sec.114-892(3)(c) Nonconforming Uses- Floodfringe areas - after the word “not” insert “equal or.”

Sec.114-892(4) Nonconforming Uses- Floodfringe areas - following the first sentence, add the following sentence: “All new private sewage disposal systems, and the addition to or replacement of existing private sewage disposal systems are prohibited.”

Sec.114-901(2)(a)(6) Site Development Plan - delete the words “national geodetic and vertical datum” and replace with “Flood Insurance Rate Maps in North American Vertical Datum (NAVD).”

Sec.114-901(2)(a)(7) Site Development Plan - delete “NGVD” and replace with “NAVD.”

Sec.114-903 Zoning Board of Appeals - wherever there is a code reference 114-862 replace with “114-Article II, Divisions 2 and 3.”

Sec.114-904(1)(c) To review appeals of permit denials - delete code reference 114-862(1)(b)2 and replace with 114-862(1)(b).

Sec.114-911 Procedures - delete code reference 114-902(2) and replace with 114-901(2).

Sec.114-912 Enforcement - delete \$1,000.00 and replace with \$50.

Sec.114-913 Definitions - change the term “occupancy certificate” to “certificate of occupancy.”

Sec.114-913 Definitions - after the definition “Municipality or municipal” insert the following definition: “NAVD or North American Vertical Datum. Elevations referenced to mean sea level datum, 1988 adjustment.”

Part 2:

This ordinance shall take effect upon passage and the day after publication.

Passed by the Common Council:

Approved: _____

Mayor

Attest:

City Clerk

Attest:

City Clerk

Fiscal Note: N/A

Sponsors: Aron Wisneski

E. Public Comments

F. Communications

Refer to Finance and Personnel Committee, by Ald. Shakoor

[12-7494](#)

Subject: Communication from the Public Health Administrator requesting to accept funds of \$13,000 from the Department of Health Services for HIV Prevention Partner Services.

[12-7576](#)

Subject: Communication from the Grants Facilitator requesting permission to apply for the OJJDP 2012 Community-Based Violence Prevention Demonstration Program grant funds for \$1,500,000 over a 3 year period. (Grant Control #2012-012)

[12-7579](#)

Subject: Communication from the Chief of Police, requesting to apply for and accept the 2012 Bureau of Justice Assistance (BJA) Edward Byrne Justice Assistance Grant (JAG), grant control # 2012-010.

[12-7580](#)

Subject: Communication from the Police Chief, requesting to apply for the 2012 Wisconsin Department of Transportation EZ Grant, through the Village of Mt. Pleasant, grant control # 2012-011.

[12-7581](#)

Subject: Communication from the Police Chief, requesting to discuss the waiver of bidding requirements for the sole-source procurement of a Patrol Narcotic Detector Dog and a six-week course of instruction.

[12-7582](#)

Subject: Communication from the Assistant Commissioner of Public Works/City Engineer requesting permission to apply for the State of Wisconsin Targeted Runoff Management (TRM) Grant for the

Washington Park Streambank Stabilization Program - Grant Control No. 2012-013.

[12-7588](#)

Subject: Communication from the Chief of Police, requesting to apply for the 2012 Wisconsin Bureau of Transportation Child Passenger Safety Enforcement Grant, grant control # 2012-014.

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

[12-7568](#)

Subject: Communication from the Assistant Commissioner of Public Works/City Engineer wishing to discuss the reconstruction of Durand Avenue (STH 11) - Kentucky Street to Kearney Ave. - WisDOT Project ID: 2260-07-70

[12-7569](#)

Subject: Communication from Racine Neighborhood Watch requesting to use the City Hall Annex parking lot for its plant sale fundraiser pickup on Saturday, May 19, 2012, from 5 a.m. until 3 p.m.

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

[12-7572](#)

Subject: Communication from Municipal Judge submitting the deposit schedule for violations of Racine Ordinances sec.66-616, related to Smoking Prohibited.

[12-7593](#)

Subject: (New) Application of The Spot on Douglas, LLC, Pamela Baker, Agent for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 1307 Douglas Avenue (4th District)

Refer to Traffic Commission, by Ald. Weidner

[12-7574](#)

Subject: Communication from the Evangelical United Methodist Church (212 11th St.) requesting temporary "No Parking" signs be installed on the north side of 11th Street, between S. Main Street and Wisconsin Avenue on August 5, 2012 between 8:00 A.M. and 12:30 P.M.

[12-7585](#)

Subject: Communication from the Alderman of the 14th District, requesting to discuss the City of Racine's traffic signal timing procedures.

Refer to City Plan Commission, by Ald. Wisneski

[12-7577](#)

Subject: communication from Racine/Kenosha Community Action Agency Racine Urban Garden Network, by 21st Century Preparatory School, requesting a conditional use permit to operate a community garden at 533 Randolph Street (Randolph Park). The use of Randolph

Park was approved by the Parks Board under Resolution 11-2790 of October 18, 2011.

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

[12-7567](#)

Subject: Communication from the President of Nielsen Madsen & Barber S.C. requesting to extend the storm water easement in Pierce Woods Park to the Fischer-Precise site due to the reconstruction of their back parking lot.

G. Committee Reports

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

[12-7537](#)

Subject: Communication from the Assistant Commissioner of Public Works/City Engineer requesting permission to apply for the State of Wisconsin Urban Nonpoint Source & Storm Water (UNPS&SW) Program Construction Grant for the Washington Park Streambank Stabilization Project, Grant Control No. 2012-009. (Res. 12-3075)

Recommendation of the Finance & Personnel Committee on 4-9-12: Permission be granted for Assistant Commissioner of Public Works/City Engineer to apply for a \$150,000 State of Wisconsin Urban Nonpoint Source & Storm Water (UNPS&SW) Construction Grant for the Washington Park Streambank Stabilization Project (Grant Control Number is 2012-009).

Fiscal Note: The grant funds a 50% maximum of eligible costs; total project cost \$300,000; \$150,000 maximum State share and requires a City match of \$150,000 which will be budgeted in the 2013 Stormwater Utility Capital Projects budget if the grant is awarded.

Public Works and Services Committee Report, by Ald. Weidner

[12-7526](#)

Subject: Minor Ordinance Reference Changes - Sec. 18-551, 18-553

Recommendation of the Racine Water Works Commission on 3/27/12: To approve.

FURTHER RECOMMEND, THE ITEM BE REFERRED TO THE PUBLIC WORKS & SERVICES COMMITTEE

Recommendation of the Public Works and Services Committee on 4-10-12: That the changes to Sec. 18-551, 18-553 of the Racine Municipal Code be approved.

Fiscal Note: N/A

[12-7529](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works submitting bid results on Contract 11-12 (K2-012), City Resurfacing (R1).(Res. 12-3083)

Recommendation of the Public Works and Services Committee on 4-10-12: That Contract 11-12 (K2-012), City Resurfacing (R1), be awarded to Payne & Dolan, Inc., Waukesha, WI, at their bid price of \$429,684.00, they being the lowest responsible bidder.

Fiscal Note: Funding to defray the cost of this public works project be appropriated from the following accounts:

\$ 284,684.00 - Account 992.908.5220, Asphalt Resurfacing
\$ 76,000.00 - Account 104.992.5420, Storm Sewer, Misc. Loc.
\$ 69,000.00 - Account 287.992.5310, Sanitary Sewer, Var. Loc.
\$ 429,684.00 - Total

[12-7530](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works submitting bid results on Contract 13-12 (K2-014), 2012 Street Paving Assessable (R1).(Res. 12-3084)

Recommendation of the Public Works and Services Committee on 4-10-12: That Contract 13-12 (K2-014), 2012 Street Paving Assessable (R1), be awarded to LaLonde Construction, Inc., Milwaukee, WI, at their bid price of \$280,765.44, they being the lowest responsible bidder.

Fiscal Note: Funding to defray the cost of this public works project be appropriated from the following accounts:

\$ 200,000.00 - Account 906.000.5010, Concrete Street Paving
\$ 19,439.60 - Account 991.908.5010, Concrete Street Paving, Misc.
\$ 5,151.00 - Account 991.908.5020, Concrete Pvmt Repl., Misc.
\$ 38,903.92 - Account 992.908.5020, Concrete Pvmt Repl., Misc.
\$ 14,185.41 - Account 104.992.5420, Storm Sewers, Misc.
\$ 3,085.51 - Account 287.992.5310, Sanitary Sewer, Var. Loc.
\$ 280,765.44 - Total

[12-7531](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works submitting bid results on Contract 22-12 (K2-023), Safety Building - Replace Ceiling and Lights.(Res. 12-3085)

Recommendation of the Public Works and Services Committee on 4-10-12: That Contract 22-12 (K2-023), Safety Building-Replace Ceiling and Lights, be awarded to Absolute Construction Enterprises, Racine, WI, at their bid price of \$16,200.00, plus Alt. A1 in the amount of

\$12,900.00, plus Alt. A2 in the amount of \$10,800.00, plus Alt. A5 in the amount of \$19,800.00, plus Alt. A7 in the amount of \$13,900.00, for a total contract amount of \$73,600.00, they being the lowest responsible bidder.

Fiscal Note: Funding to defray the cost of this public works project be appropriated from Account 991.210.5040, Safety Building-Building Updates.

[12-7533](#)

Subject: Communication from Alderman Kaprelian-Becker, on behalf of Judith Nespoli (1219 Walton Ave.) requesting a public hearing for paving of the T-alley bounded by Geneva St. to Charles St.; Walton Ave. to Jones Ave.

Recommendation of the Public Works and Services Committee on 4-10-12: That the communication be received and filed.

Fiscal Note: N/A

[12-7538](#)

Subject: Communication from the Assistant Commissioner of Public Works/Operations wishing to enter into an agreement for the provision of tire recycling services.(Res. 12-3081)

Recommendation of the Public Works and Services Committee on 4-10-12: That the Mayor and City Clerk enter into a three (3) year agreement with Liberty Tire Recycling to provide tire recycling services, that being in the best interest of the City.

Fiscal Note: The estimated cost of these services is \$18,000 per year and funding is available in Account 289.000.5610, Professional Services.

[12-7543](#)

Subject: Communication from the President of Fourth Fest of Greater Racine requesting permission to use city right-of-way for the 4th of July parade and permission to use North Beach for the fireworks.(Res. 12-3077)

Recommendation of the Public Works and Services Committee on 4-10-12: That permission be granted to Fourth Fest of Greater Racine, Inc. to close certain city streets on Wednesday, July 4, 2011, from 7:00 a.m. to 12:30 p.m., to hold the 2012 Independence Day Parade.

Further recommends that in the interest of public safety, the Commissioner of Public Works/City Engineer and Chief of Police be authorized and directed to close Goold Street, Yout Street, English Street, High Street, St. Patrick Street, Kewaunee Street, and Barker Street, from Main Street to Michigan Boulevard; Michigan Boulevard,

from Goold Street to Hamilton Street; Chatham Street, from north of Yout Street to Hamilton Street; and Hoffert Drive, on Wednesday, July 4, 2012, between the hours of 7:00 p.m. and 10:00 p.m., with a rain date of Thursday, July 5, 2012, to provide for a Municipal Band Concert, to be held at North Beach Gazebo, and the fireworks display, as part of the Independence Day festivities.

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

Fiscal Note: Since the City is a co-sponsor of the event, there are no stipulations.

12-7564

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting a proposal from ARC Architectural Group, LLC for a new Antenna Equipment Shelter Building and Generator.(Res. 12-3080)

Recommendation of the Public Works and Services Committee on 4-10-12: That the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with ARC Architectural Group for the design of a concrete slab and conduit runs for the New Antenna Equipment Shelter Building and Generator, in the not-to-exceed amount of \$2,280.00.

Fiscal Note: Funds to defray the cost of these professional services be appropriated from Account 991.300.5020, Fire-Radio Upgrades.

12-7558

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer submitting Change Order No. 1 for Contract 34-11 (K1-036), Sanitary Sewer Relay, A.W. Oakes & Son, Contractor.(Res. 12-3086)

Recommendation of the Public Works and Services Committee on 4-10-12: That Change Order No. 1 on Contract 34-11 (K1-036), Sanitary Sewer Relay, A.W. Oakes & Son, Inc., contractor, as submitted, be approved in the deduct amount of \$12,977.50.

Fiscal Note: Change Order No. 1 will result in a decrease in contract price. The funding account to be adjusted by (12,977.50) is 914.000.5050, Sanitary Improvements.

12-7559

Subject: (Direct Referral) Communication from the Commissioner of Public Works submitting final payment on Contract 34-11 (K1-036), Sanitary Sewer Relay, A.W. Oakes & Son, Contractor.(Res. 12-3087)

Recommendation of the Public Works and Services Committee on 4-10-12: That the work done by A.W. Oakes & Son, Inc. under Contract 34-11 (K1-036), Sanitary Sewer Relay, be accepted and final payment authorized for a total contract amount of \$165,682.50.

Fiscal Note: Contract was authorized under Resolution No. 11-2592, dated June 7, 2011.

12-7560

Subject: Communication from the Race Director of the Ragnar Relay Chicago 2012 race requesting permission to use city right-of-way on Sunday, June 8, 2012.(Res. 12-3078)

Recommendation of the Public Works and Services Committee on 4-10-12: Permission be granted to the sponsor of the Ragnar Relay Chicago 2011 Race to use certain city streets for the period of 12:00 a.m. to 9:00 a.m. on Saturday, June 9, 2012, and to use city right-of-way (sidewalks and parking lanes) along the following streets:

Start at Erie Street and Three Mile Road (city limits)

South on Erie St. to Melvin Ave.
East on Melvin Ave. to Main St.
South on Main St. to 6th St.
East on 6th St. to Pershing Park Dr.
South on Pershing Park Dr. to 11th St.
West on 11th St. to Main St.
South on Main St. to 16th St.
West on 16th St. to Wisconsin Ave.
South on Wisconsin Ave. to 21st St.
West on 21st St. to Roosevelt Park Dr.
South on Roosevelt Park Dr. to 24th St.
West on 24th St. to Sheridan Rd. (city limits)

Further recommends that this permission be granted with the following stipulations:

- A. A hold harmless agreement be executed and a \$62.50 processing fee paid;
- B. A liability insurance certificate be filed prior to this event;
- C. Any overtime costs and equipment and material loss incurred by any department in the assistance of this event shall be charged to the sponsor;
- D. Sponsor shall comply with the approved policy on parking restrictions for special events, and the sponsor shall distribute to all abutting property occupants on those streets where parking is being prohibited written notices of the ban approximately 48 hours in advance of this

event.

E. Sponsor shall be responsible for submitting a Temporary Traffic Control Plan to the Engineering Department for approval; and providing and removing all temporary traffic control devices and detour signs.

F. Sponsor shall pay a \$250.00 special event fee.

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

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

12-7565

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations requesting that the City enter into a professional services agreement for the design and administration of HVAC projects at the Central Heating Plant, M.L. King Center and Equipment Maintenance Garage.(Res. 12-3082)

Recommendation of the Public Works and Services Committee on 4-10-12: That the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with Harwood Engineering Consultants, Ltd. for design and administration of HVAC projects at the Central Heating Plant, M.L. King Center and Equipment Maintenance Garage, in the not-to-exceed amount of \$20,100.00.

Fiscal Note: Funding to defray the cost of these professional services be appropriated from the following accounts:

\$ 4,900.00 - Account 992.200.5010, CHP-Boiler Upgrades

\$ 8,950.00 - Account 992.660.5010, King-Replace Boiler

\$ 6,250.00 - Account 401.992.5760, Equip Maint-Make Up Air Units

\$ 20,100.00 - Total

12-7566

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations requesting that formal bidding procedures be waived for the purchase of a backup radio tower facility for the Fire Department.(Res. 12-3079)

Recommendation of the Public Works and Services Committee on 4-10-12: That formal bidding procedures be waived and that the Purchasing Agent be authorized and directed to negotiate with Starnet Technologies, Inc., for the purchase of an Arrow Model MCX1112 facility.

Fiscal Note: The estimated cost of this building is \$23,500.00 and funding is available in Account 991.300.5020, Fire-Radio Upgrades.

Public Safety and Licensing Committee Report, by Ald. Wisneski

[12-7541](#)

Subject: (New) Application for a Class "B" Fermented Malt Beverage License for Sandy Toes, LLC (Beachside Oasis), Greg Allan, Agent for 100 Kewaunee Street. (4th District)

Recommendation of the Public Safety and Licensing Committee on 04-09-12: That the application for a Class "B" Fermented Malt Beverage License for Sandy Toes, LLC (Beachside Oasis), Greg Allan, Agent for 100 Kewaunee Street be approved.

Fiscal Note: N/A

[12-7548](#)

Subject: Communication from the Purchasing Agent requesting to appear before the Public Safety and Licensing Committee to discuss the results of Official Notice #5, Request for Proposals for ARC GIS Compatible Tree Inventory for the City of Racine. (Res. 12-3089)

Recommendation of the Public Safety and Licensing Committee on 04-09-12: That the Interim Director of Parks Recreation and Cultural Services be authorized to enter into a Professional Services Agreement with Davey Resources Group of Kent Ohio for ARC GIS Compatible Tree Inventory for the City of Racine.

Fiscal Note: Funds are available as follows: \$25,000 from 786.020.5860 DNR Grant, \$42,000 from 992.700.5060 Tree Inventory for a total cost of \$67,000.

[12-7547](#)

Subject: (New) Application for a Class "B" Fermented Malt Beverage License for Caleb Robinson, Agent for 3 Fifth Street. (1st District)

Recommendation of the Public Safety and Licensing Committee on 04-09-12: That the application for a Class "B" Fermented Malt Beverage License for Caleb Robinson, Agent for 3 Fifth Street be approved.

Fiscal Note: N/A

[12-7549](#)

Subject: Communication from the Interim Director of Parks, Recreation and Cultural Services requesting to rescind final payment for Contract 31-11 (K1-033) Sam Johnson Parkway Fountain Upgrades (R1), Resolution 12-2982 of February 22, 2012. (Res. 12-3090)

Recommendation of the Public Safety and Licensing Committee on 04-09-12: That the final payment for Contract 31-11 (K1-033) Sam Johnson Parkway Fountain Upgrades (R1), Resolution 12-2982 approved on February 22, 2012 be rescinded.

Fiscal Note: N/A

City Plan Commission Report, by Ald. Wisneski

12-7542

Subject: (Ord. 3-12) An ordinance to repeal and re-create Chapter 114, Sec. 845 (2) and amend Chapter 114, Sec. 809 (e) 1, Flood Regulations, of the Municipal Code.

Recommendation of the City Plan Commission on 4-11-12: That the ordinance be adopted.

Fiscal Note: N/A

Office of the Mayor Report, by Ald. Holding.

12-7586

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

Reappoint Timothy Mattes 1011 Yout St. Racine, 53402 to the Racine City Board of Review for a 5 year term, expiring March 1, 2017

Reappoint John Berge 1529 Crabapple Dr. Racine, 53405 to the Racine City Board of Health for a 2 year term, expiring April 1, 2014

Reappoint Sarah Fouse 1900 21st St. Racine, 53403 to the Racine City Board of Health for a 2 year term, expiring April 1, 2014

Reappoint Alderman Jim Kaplan 400 Kewaunee St. Racine, 53402 to the Racine City Board of Health for a 1 year term, expiring April 1, 2013

Reappoint Alderman Robert Mozol 407 Jonathon Dr. Racine, 53402 to the Racine City Board of Health for a 1 year term, expiring April 1, 2013

Reappoint Margaret Lampark 1841 Polaris Racine, 53404 to the Racine City Board of Health for a 2 year term, expiring April 1, 2014

Reappoint Laura Martinez 1105 1/2 Hayes Ave Racine, 53405 to the Racine City Board of Health for a 2 year term, expiring April 1, 2014

Reappoint Dr. Kay-Eileen Willard 3330 Michigan Blvd. Racine, 53402 to the Racine City Board of Health for a 2 year term, expiring April 1, 2014

Reappoint Keith Hemmig 1824 Wisconsin Ave. Racine, 53403 to the Racine Board of Parks, Recreation & Cultural Services to a 3 year term expiring April 1, 2015

Reappoint Alderman Terry McCarthy 317 West. Blvd. to the Board of Parks, Recreation & Cultural Services to a 1 year term expiring April 1, 2013

Reappoint Mark Celeste 3333 Erie St. Racine, 53402 to the Racine Board of Zoning Appeals for a 3 year term, expiring April 1, 2015

Reappoint Rod Lipor 26 Queens Ct. Racine, 53402 to the Racine Board of Zoning Appeals for a 3 year term, expiring April 1, 2015

Reappoint Attorney Joseph Muratore, Jr. 2800 Chatham St. Racine, 53402 to the Racine Board of Zoning Appeals for a 3 year term, expiring April 1, 2015

Reappoint Linda Yackley 311 Wolff St. Racine, 53402 to the Racine Board of Zoning Appeals for a 3 year term, expiring April 1, 2015

Reappoint Robert Anderson 1638 S. Main St. Racine, 53403 to the Racine Redevelopment Authority for a 5 year, expiring April 1, 2017

Reappoint Alderman Q.A. Shakoor II 1516 W. 6th St. Racine, 53404 to the Racine Redevelopment Authority for a 1 year, expiring April 1, 2013

H. Consent Agenda - Resolutions

[Res.12-3075](#) Permission granted to the Assistant Commissioner of Public Works/Engineering to apply for the State of Wisconsin Urban Nonpoint Source & Storm Water Program Construction Grant for the Washington Park Streambank Stabilization Project

Whereas, the City of Racine desires to receive grant funding from the Wisconsin Department of Natural Resources (WDNR) pursuant to ss. 281.65 or 281.66, Wis. Stats., and chs. NR 151, 153, and 155, Wis. Adm. Code, for the purpose of implementing measures to control nonpoint source water pollution; and

Whereas, the City of Racine agrees to contribute the local share (also called "match") needed for projects that are ultimately grant-funded by the WDNR; and

Now, therefore, be it resolved, that the City of Racine authorizes the Assistant Commissioner of Public Works/Engineering to submit a signed

grant application to the WDNR.

Further resolved, that the City of Racine authorizes the Assistant Commissioner of Public Works/Engineering to submit a signed Environmental Hazard Assessment form to the WDNR, if applicable

Further resolved, that the City of Racine authorizes the Assistant Commissioner of Public Works/Engineering to sign a grant agreement between the City of Racine and the WDNR.

Further resolved, that the City of Racine authorizes the Assistant Commissioner of Public Works/Engineering to submit signed quarterly and final report forms to the WDNR.

Further resolved, that the City of Racine authorizes the Assistant Commissioner of Public Works/Engineering to submit signed grant reimbursement requests to the WDNR.

Fiscal Note: The grant funds a 50% maximum of eligible costs; total project cost \$300,000; \$150,000 maximum State share and requires a City match of \$150,000 which will be budgeted in the 2013 Stormwater Utility Capital Projects budget if the grant is awarded.

Sponsors: Q.A. Shakoor, II

[Res.12-3077](#) 4th of July parade

Resolved, that permission is granted to Fourth Fest of Greater Racine, Inc. to close certain city streets on Wednesday, July 4, 2011, from 7:00 a.m. to 12:30 p.m., to hold the 2012 Independence Day Parade.

Further resolved, that in the interest of public safety, the Commissioner of Public Works/City Engineer and Chief of Police is authorized and directed to close Goold Street, Yout Street, English Street, High Street, St. Patrick Street, Kewaunee Street, and Barker Street, from Main Street to Michigan Boulevard; Michigan Boulevard, from Goold Street to Hamilton Street; Chatham Street, from north of Yout Street to Hamilton Street; and Hoffert Drive, on Wednesday, July 4, 2012, between the hours of 7:00 p.m. and 10:00 p.m., with a rain date of Thursday, July 5, 2012, to provide for a Municipal Band Concert, to be held at North Beach Gazebo, and the fireworks display, as part of the Independence Day festivities.

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

Fiscal Note: Since the City is a co-sponsor of the event, there are no stipulations.

Sponsors: Sandy Weidner

Res.12-3078 Ragnar Relay Chicago 2012 Race

Resolved, that permission is granted to the sponsor of the Ragnar Relay Chicago 2011 Race to use certain city streets for the period of 12:00 a.m. to 9:00 a.m. on Saturday, June 9, 2012, and to use city right-of-way (sidewalks and parking lanes) along the following streets:

Start at Erie Street and Three Mile Road (city limits)

South on Erie St. to Melvin Ave.
East on Melvin Ave. to Main St.
South on Main St. to 6th St.
East on 6th St. to Pershing Park Dr.
South on Pershing Park Dr. to 11th St.
West on 11th St. to Main St.
South on Main St. to 16th St.
West on 16th St. to Wisconsin Ave.
South on Wisconsin Ave. to 21st St.
West on 21st St. to Roosevelt Park Dr.
South on Roosevelt Park Dr. to 24th St.
West on 24th St. to Sheridan Rd. (city limits)

Further resolved, that this permission is granted with the following stipulations:

- A. A hold harmless agreement be executed and a \$62.50 processing fee paid;
- B. A liability insurance certificate be filed prior to this event;
- C. Any overtime costs and equipment and material loss incurred by any department in the assistance of this event shall be charged to the sponsor;
- D. Sponsor shall comply with the approved policy on parking restrictions for special events, and the sponsor shall distribute to all abutting property occupants on those streets where parking is being prohibited written notices of the ban approximately 48 hours in advance of this event.
- E. Sponsor shall be responsible for submitting a Temporary Traffic Control Plan to the Engineering Department for approval; and providing and removing all temporary traffic control devices and detour signs.

F. 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 in accordance with these stipulations.

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

Sponsors: Sandy Weidner

Res.12-3079 Radio tower facility

Resolved, that formal bidding procedures are waived and that the Purchasing Agent is authorized and directed to negotiate with Starnet Technologies, Inc., for the purchase of an Arrow Model MCX1112 facility.

Fiscal Note: The estimated cost of this building is \$23,500.00 and funding is available in Account 991.300.5020, Fire-Radio Upgrades.

Sponsors: Sandy Weidner

Res.12-3080 Antenna Equipment Shelter Building and Generator

Resolved, that the Mayor and City Clerk are authorized and directed to enter into a professional services agreement with ARC Architectural Group for the design of a concrete slab and conduit runs for the New Antenna Equipment Shelter Building and Generator, in the not-to-exceed amount of \$2,280.00.

Fiscal Note: Funds to defray the cost of these professional services be appropriated from Account 991.300.5020, Fire-Radio Upgrades.

Sponsors: Sandy Weidner

Res.12-3081 Tire recycling services

Resolved, that the Mayor and City Clerk enter into a three (3) year agreement with Liberty Tire Recycling to provide tire recycling services, that being in the best interest of the City.

Fiscal Note: The estimated cost of these services is \$18,000 per year and funding is available in Account 289.000.5610, Professional Services.

Sponsors: Sandy Weidner

Res.12-3082 HVAC projects

Resolved, that the Mayor and City Clerk are authorized and directed to enter into a professional services agreement with Harwood Engineering Consultants, Ltd. for design and administration of HVAC projects at the Central Heating Plant, M.L. King Center and Equipment Maintenance Garage, in the not-to-exceed amount of \$20,100.00.

Fiscal Note: Funding to defray the cost of these professional services be appropriated from the following accounts:

\$ 4,900.00 - Account 992.200.5010, CHP-Boiler Upgrades
\$ 8,950.00 - Account 992.660.5010, King-Replace Boiler
\$ 6,250.00 - Account 401.992.5760, Equip Maint-Make Up Air Units
\$20,100.00 - Total

Sponsors: Sandy Weidner

Res.12-3083 Contract 11-12 (K2-012)

Resolved, that Contract 11-12 (K2-012), City Resurfacing (R1), be awarded to Payne & Dolan, Inc., Waukesha, WI, at their bid price of \$429,684.00, they being the lowest responsible bidder.

Fiscal Note: Funding to defray the cost of this public works project be appropriated from the following accounts:

\$ 284,684.00 - Account 992.908.5220, Asphalt Resurfacing
\$ 76,000.00 - Account 104.992.5420, Storm Sewer, Misc. Loc.
\$ 69,000.00 - Account 287.992.5310, Sanitary Sewer, Var. Loc.
\$ 429,684.00 - Total

Sponsors: Sandy Weidner

Res.12-3084 Contract 13-12 (K2-014)

Resolved, that Contract 13-12 (K2-014), 2012 Street Paving Assessable (R1), is awarded to LaLonde Construction, Inc., Milwaukee, WI, at their bid price of \$280,765.44, they being the lowest responsible bidder.

Fiscal Note: Funding to defray the cost of this public works project be appropriated from the following accounts:

\$ 200,000.00 - Account 906.000.5010, Concrete Street Paving
\$ 19,439.60 - Account 991.908.5010, Concrete Street Paving, Misc.
\$ 5,151.00 - Account 991.908.5020, Concrete Pvmt Repl., Misc.
\$ 38,903.92 - Account 992.908.5020, Concrete Pvmt Repl., Misc.
\$ 14,185.41 - Account 104.992.5420, Storm Sewers, Misc.
\$ 3,085.51 - Account 287.992.5310, Sanitary Sewer, Var. Loc.
\$ 280,765.44 - Total

Sponsors: Sandy Weidner

Res.12-3087 Final payment on Contract 34-11 (K1-036)

Resolved, that the work done by A.W. Oakes & Son, Inc. under Contract 34-11 (K1-036), Sanitary Sewer Relay, is accepted and final payment authorized for a total contract amount of \$165,682.50.

Fiscal Note: Contract was authorized under Resolution No. 11-2592, dated June 7, 2011.

Sponsors: Sandy Weidner

Res.12-3076 Lighthouse Run

Resolved, that permission is granted to the sponsor of the Lighthouse Run to use certain city streets for the period of 6:00 a.m. to 10:30 a.m. on Saturday, June 16, 2012, and to close the following streets:

Main Street from State Street to Sixth Street
Lake Avenue from 8th Street to State Street
State Street from Main Street to Lake Avenue
Main Street from State Street to 3 Mile Road (west side two traffic lanes will remain open for two-way traffic)
Dodge Street from Main Street to Michigan Boulevard
Michigan Boulevard from Dodge Street to Wolff Street
Wolff Street from Michigan Boulevard to North Main Street

Further resolved, that the Commissioner of Public Works is authorized and directed to communicate with the U. S. Coast Guard requesting permission to close Main Street Bridge to boat traffic for the period of 7:40 a.m. to 10:40 a.m. on Saturday, June 16, 2012 to satisfy the needs of this run.

Further resolved, that this permission is granted with the following stipulations:

- A. A hold harmless agreement be executed and a \$62.50 processing fee paid;
- B. A liability insurance certificate be filed prior to this event;
- C. Any overtime costs and equipment and material loss incurred by any department in the assistance of this event shall be charged to the sponsor;
- D. Sponsor shall comply with the approved policy on parking restrictions for special events, and the sponsor shall distribute to all abutting property occupants on those streets where parking is being prohibited written notices of the ban approximately 48 hours in advance of this event.
- E. Sponsor shall be responsible for submitting a Temporary Traffic

Control Plan to the engineering Department for approval; and providing and removing all temporary traffic control devices and detour signs.

F. Sponsor shall provide a detour plan for the closure of all State Connecting Highways, arterial and collector streets to the City Engineer for approval.

G. Sponsor shall pay a \$1,400.00 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 in accordance with these stipulations.

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

Sponsors: Sandy Weidner

Res.12-3089 Compatible Tree Inventory

Resolved, that the Interim Director of Parks, Recreation and Cultural Services is authorized to enter into a Professional Services Agreement with Davey Resources Group of Kent Ohio for ARC GIS Compatible Tree Inventory for the City of Racine.

Fiscal Note: Funds are available as follows: \$25,000 from 786.020.5860 DNR Grant, \$42,000 from 992.700.5060 Tree Inventory for a total cost of \$67,000.

Sponsors: Aron Wisneski

Res.12-3090 Contract 31-11 (K1-033)

Resolved, that the final payment for Contract 31-11 (K1-033) Sam Johnson Parkway Fountain Upgrades (R1), Resolution 12-2982 approved on February 22, 2012 is rescinded.

Fiscal Note: N/A

Sponsors: Aron Wisneski

Res.12-3085 Contract 22-12 (K2-023)

Resolved, that Contract 22-12 (K2-023), Safety Building-Replace Ceiling and Lights, is awarded to Absolute Construction Enterprises, Racine, WI, at their bid price of \$16,200.00, plus Alt. A1 in the amount of \$12,900.00, plus Alt. A2 in the amount of \$10,800.00, plus Alt. A5 in the amount of \$19,800.00, plus Alt. A7 in the amount of \$13,900.00, for a total contract amount of \$73,600.00, they being the lowest responsible bidder.

Fiscal Note: Funding to defray the cost of this public works project be

appropriated from Account 991.210.5040, Safety Building-Building Updates.

Sponsors: Sandy Weidner

Res.12-3086 Contract 34-11 (K1-036)

Resolved, that Change Order No. 1 on Contract 34-11 (K1-036), Sanitary Sewer Relay, A.W. Oakes & Son, Inc., contractor, as submitted, is approved in the deduct amount of \$12,977.50.

Fiscal Note: Change Order No. 1 will result in a decrease in contract price. The funding account to be adjusted by (12,977.50) is 914.000.5050, Sanitary Improvements.

Sponsors: Sandy Weidner

I. Resolutions

Res.12-3088 Final - Ten (10) Year
Benefits & Damages

WHEREAS, the Public Works & Services Committee of the Common Council of the City of Racine, Wisconsin, held a public hearing at the Council Chambers in the City Hall at 5:30 P.M. on the 10th day of April 2012 for the purpose of hearing all interested persons concerning the preliminary resolution and report of the Commissioner of Public Works on the proposed improvement of:

PORTLAND CEMENT CONCRETE PAVING

Glendale Avenue - Winthrop Avenue to Drexel Avenue

Mitchell Street - Ashland Avenue to Kearney Avenue

Wood Duck Way - Waterbury Lane to Chicory Road

Alley - High Street to English Street; Summit Avenue to Carlisle Avenue

Alley - St. Patrick Street to High Street; Summit Avenue to Carlisle Avenue

Alley - English Street to Yout Street; Summit Avenue to Carlisle Avenue

Alley - Thor Avenue to Carmel Avenue; Graham Street to Chicago Street

CURB & GUTTER

Wood Duck Way - Waterbury Lane to Chicory Road

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Racine as follows:

1. That the report of the Commissioner of Public Works pertaining to the construction of the above described public improvements, including plans and specifications therefore, as modified, is hereby adopted and approved.
2. That the Commissioner of Public Works is directed to advertise for bids and to carry out the work of such improvement in accordance with the report of the Commissioner of Public Works.
3. That payment for said improvements be made by assessing the cost to the property benefited as indicated in said report.
4. That benefits and damages shown on the report, as modified, are true and correct, have been determined on a reasonable basis; do not exceed the value accruing to the property therefrom; and are hereby confirmed.
5. That the assessments for all projects included in said report are hereby combined as a single assessment, but any interested property owner shall be entitled to object to each assessment separately or both assessments jointly for any purpose or purposes.
6. That the assessments may be paid in cash or if any assessments are over \$200.00 it may be paid in ten (10) annual installments to the City Treasurer, deferred payments to bear interest at the rate of 8% per annum on the unpaid balance. Installments or assessments not paid when due shall bear additional interest on the amount due at the rate of 9.6% per annum.
7. The City Clerk is directed to publish this resolution in the official newspaper of the City of Racine as a Class I notice in the assessment district.
8. The Clerk is further directed to mail a copy of this resolution and a statement of the final assessment against his property, to every property owner whose name appears on the assessment roll, whose post office address is known or can with reasonable diligence be ascertained.

Dated

Signed
Mayor

Published

Attest
City Clerk

Fiscal Note: N/A

[Refer to Public Works](#)

Sponsors: Sandy Weidner

J. Adjourn

Office of The City Clerk

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