



# 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*

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Wednesday, February 22, 2012

7:00 PM

Room 205, City Hall

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

Refer to Finance and Personnel Committee, by Ald. Shakoor

[12-7347](#) **Subject:** Communication submitting the claim of Giraffe Properties LLC, based on the alleged excessive 2011 taxes, for consideration for property located at 2433 South Green Bay Road.

[12-7348](#) **Subject:** Communication submitting the claim of Presidential Courts, LLC, based on the alleged excessive 2011 taxes, for consideration for properties located at 3550 Meahem Road and 3610 Meachem Road.

[12-7349](#) **Subject:** Communication submitting the claim of Racine Country Club, LLC, based on the alleged excessive 2011 taxes, for consideration for property located at 2801 and 2801 A Northwestern Avenue.

[12-7350](#) **Subject:** Communication submitting the claim of Park Vista Apartments, based on the alleged excessive 2011 taxes, for consideration for property located at 4215 Durand Avenue.

- [12-7351](#)      **Subject:** Communication submitting the claim of Target Corporation, based on the alleged excessive 2011 taxes for property located at 5300 Durand Avenue, for consideration .
- [12-7359](#)      **Subject:** Communication from the Racine Police Department requesting a fee waiver for the use of Roosevelt Park's baseball field each Monday and Tuesday, 9:00 a.m. until noon, from June 11, 2012 through July 31, 2012 for a youth baseball clinic free to participants.
- [12-7401](#)      **Subject:** Communication from the Public Health Administrator requesting the City of Racine Health Department enter into an agreement with the City of Kenosha and accept up to \$29,192 for services rendered.
- [12-7407](#)      **Subject:** Communication from the Alderman of the 2nd District requesting a discussion on why it is necessary to conduct a national search for a new director of parks, recreation and cultural services and whether the City can save money and continue to provide at least the same level of services through reorganization of management responsibilities.

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

- [12-7357](#)      **Subject:** Communication from Focus on Community requesting to use city right-of-way for a run/walk on September 22, 2012.
- [12-7376](#)      **Subject:** Communication from Downtown Racine Corporation requesting to use city right-of-way for the St. Patrick's Day Parade on Saturday, March 17, 2012.

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

- [12-7361](#)      **Subject:** (New) Application of Dewey's Restaurant & Sports Bar, LLC, Dan R. DuMont, Agent for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 600 Main Street. (1st District)
- [12-7378](#)      **Subject:** (New) Application of Ice Box LLC, Ronald Stankovic, Agent for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 2328 Douglas Avenue. (5th District)
- [12-7398](#)      **Subject:** Communication from the Interim Director of Parks, Recreation and Cultural Services to request final payment of professional services contract with Nielsen Madsen & Barber for engineering services and

construction management of 2011 Racine Parks Asphalt Improvements.

**12-7399**      **Subject:** Communication from the Interim Director of Parks, Recreation and Cultural Services requesting final payment of professional services contract with Nielsen Madsen & Barber for engineering services & construction management of 2011 Island Park Pavement Improvements CDBG.

**12-7400**      **Subject:** Communication from the Interim Director of Parks, Recreation and Cultural Services requesting to enter into a Professional Services Agreement with David L. Hanson & Associates, Inc. to provide engineering and construction documents for Douglas Softball Field, Softball Lighting upgrades.

**12-7402**      **Subject:** Communication from the Interim Director of Parks, Recreation and Cultural Services requesting to enter into a Professional Services Agreement with David L. Hanson & Associates, Inc. to provide engineering and construction documents for Bryant Community Center Gym Lighting upgrades.

**12-7403**      **Subject:** Communication from the Interim Director of Parks, Recreation and Cultural Services requesting to enter into a Professional Services Agreement with David L. Hanson & Associates, Inc. to provide engineering and construction documents for Tyler-Domer and exterior lighting upgrades.

**12-7405**      **Subject:** Communication from the Purchasing Agent requesting to appear before the Public Safety and Licensing Committee to discuss the proposal received in response to Official Notice #2, Concession Services for Pershing Park Boat Launch.

## F. Committee Reports

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

**12-7358**      **Subject:** (Direct Referral) Communication from the City Attorney requesting to meet in closed session per Wis. Stat. §19.85(g) concerning strategy and/or possible settlement with respect to litigation in the matter of Rebecca Turk, et al v City of Racine, et al, Racine County Case No. 11-CV-0778. (Res. 12-2960)

**Recommendation of the Finance & Personnel Committee on 2-13-12:** Recommend that Racine County Case No. 11-CV-0778, Rebecca Turk, et al v City of Racine, et al be settled in for \$220,000 on

the condition that CVMIC, our insurer, also approve the settlement, and that \$40,000 be transferred from account 101.990.5970, Contingency, to account 101.990.5910, Judgments and Claims.

**Fiscal Note:** The \$220,000 settlement will be paid by the City and our insurer, CVMIC. The City's deductible in this case is \$175,000 with CVMIC funding the remaining \$45,000. Account 101.990.5910, Judgments and Claims currently has a remaining available balance of \$136,789 of the original 2012 appropriation of \$150,000. There are sufficient funds available in account 101.990.5970, Contingency, to be transferred to account 101.990.5910, Judgments and Claims, to fully fund the City's portion of the settlement.

[12-7287](#)

**Subject:** Communication from the City Attorney submitting the claim of Racine Joint Venture II LLC for consideration.

**Recommendation of the Finance & Personnel Committee on**

**2-13-12:** The claim of Racine Joint Venture II LLC is requesting a reimbursement of \$496,635.75 for alleged excessive real estate assessment for 2011 tax year be denied.

**Fiscal Note:** N/A

[12-7300](#)

**Subject:** Communication from the City Attorney submitting the claim of Rosalie's LLC for consideration.

**Recommendation of the Finance & Personnel Committee on**

**2-13-12:** The claim of Rosalie's LLC, 2704 Newman Road, requesting reimbursement of \$1,835.34 for expenses allegedly qualifying for payment through a facade grant dated May 17, 2010 be denied.

**Fiscal Note:** N/A

[12-7308](#)

**Subject:** Communication from the City Attorney requesting authorization for the continuation of the self-insured workers compensation program in compliance with Wisconsin Administrative Code DWD 80.60(3). (Res. 12-2959)

**Recommendation of the Finance & Personnel Committee on**

**2-13-12:** Permission be granted for the City Attorney to continue the self-insured workers compensation program currently in effect and further recommends to submit a certified copy of the resolution to the Workers Compensation Division, Wisconsin Department of Workforce Development.

**Fiscal Note:** N/A

[12-7339](#)

**Subject:** (Direct Referral) Communication from the City Attorney requesting authorization to represent employee Andrew Matson in the lawsuit, Michael Washington v Andrew Matson, US District Court Eastern District Case No. 12-C-00033. (Res. 12-2958)

**Recommendation of the Finance & Personnel Committee on**

**2-13-12:** Permission be granted to represent a City employee, Andrew Matson, for utilizing a taser against Michael Washington on April 1, 2011, US District Court Eastern District Case No. 12-C-00033.

**Fiscal Note:** There are sufficient funds available in Account 101.160.5910 Judgments and Claims.

[12-7267](#)

**Subject:** Communication to the Mayor and City Council from the Alderpersons of the 5th and 15th districts requesting to discuss having the city provide the same health insurance benefits to State-registered domestic partners and their dependants, that is now provided to married couples.

**Recommendation of the Finance & Personnel Committee on**

**1-23-12:** Defer the item until the next scheduled Finance & Personnel Committee meeting pending legal review and financial impact.

**Fiscal Note:** N/A

**Recommendatio of the Finance & Personnel Committee on 2-13-12:**

Item to be referred to the Committee of the Whole.

**Fiscal Note:** N/A

[12-7274](#)

**Subject:** Communication from the Police Chief, requesting authorization to enter into a Wisconsin Homeland Security Grant Program Agreement with Racine County for the ownership transfer of a Wanco Mobile Video Surveillance Trailer System. (Res. 12-2959)

**Recommendation of the Finance & Personnel Committee on**

**2-13-12:** The City Clerk and Treasurer be authorized and directed to enter into a Wisconsin Homeland Security Grant Program agreement with Racine County for the ownership transfer of a Wanco Mobile Video Surveillance Trailer System to the City of Racine Police Department.

**Fiscal Note:** There will be no charge or cost on the part of the City for the transfer. \$49,610.00 is the estimated value of the surveillance trailer.

[12-7306](#)

**Subject:** Communication from the Interim Director of Parks, Recreation, and Cultural Services requesting to amend the fiscal note indicated in Resolution 11-2731, dated September 20, 2011, authorizing the application for a Tree Inventory Grant through the Wisconsin Department of Natural Resources. (Res. 12-2957)

**Recommendation of the Finance & Personnel Committee on**

**2-13-12:** Resolution No. 11-2731 of September 20, 2011 be amended and that the fiscal note "There is no match required of the City" be replaced with "100% match is required on the part of the City" and further recommends that Res 11-2731 be adopted as amended.

**Fiscal Note:** Funding will be available in Account 992.700.5150, 2012 CIP Budget

[12-7319](#)

**Subject:** Agreement with the Village of Sturtevant Relating to Water Main Construction in the Village  
(Res. 12-2956)

**Recommendation of the Water Works Commission on 1-31-12:** That Mayor Dickert and the City Clerk be authorized to enter into an agreement with the Village of Sturtevant relating to water main construction in the Village. Further recommends that the item be referred to the Finance & Personnel Committee.

**Fiscal Note:** N/A

**Recommendation of the Finance & Personnel Committee on**

**2-13-12:** The Racine Water Utility be authorized to enter into an agreement with the Village of Sturtevant to construct a storm sewer in conjunction with a water main construction project within the Village.

**Fiscal Note:** The Village of Sturtevant will pay for any and all expenses associated with construction of a storm sewer on the Racine Water Utilities Water main construction contract.

[12-7333](#)

**Subject:** Communication from the Fire Chief requesting to waive formal bidding for the acquisition of radio infrastructure equipment. (Res. 12-2954)

**Recommendation of the Finance & Personnel Committee on**

**2-13-12:** Formal bidding procedures be waived and the Purchasing Agent be authorized and directed to purchase radio infrastructure equipment from TX/RX Systems of Angola, New York with the

stipulation that the equipment be competitively priced.

**Fiscal Note:** Funds are available in account # 991.300.5020 Fire Radio Upgrades.

[12-7338](#)

**Subject:** Communication from Diana Valencia, member of Cesar Chavez Celebration Committee, requesting the deposit fee of \$550.00 be waived for the rental of the Cesar Chavez Community Center on March 31, 2012.

**Recommendation of the Finance & Personnel Committee on**

**2-13-12:** Deny the request of waiving the \$550 deposit fee for the rental of the Cesar Chavez Community Center on March 31, 2012.

**Fiscal Note:** N/A

[12-7346](#)

**Subject:** (Direct Referral) Communication from the Racine County Economic Development Corporation providing specific metrics for its 2012 Entrepreneurship Initiative (Launch Box) program.

**Recommendation of the Finance & Personnel Committee on**

**2-13-12:** Receive and file.

**Fiscal Note:** N/A

[12-7360](#)

**Subject:** (Direct referral.) Communication from the Fire Chief requesting the Mayor and City Clerk be authorized to sign the Fire Protection and EMS contracts with Wind Point, North Bay and Elmwood Park.

(Also refer to Public Safety and Licensing Committee)

**Recommendation of the Finance & Personnel Committee on**

**2-13-12:** The Mayor and City Clerk be authorized and directed to renew a one year Fire Protection and Emergency Medical Services contract with the Village of Wind Point, Village of North Bay and the Village of Elmwood Park.

**Fiscal Note:** The contracts will have no increase throughout the year. The revenue estimate for Wind Point is \$263,035, North Bay \$33,334 and Elmwood Park \$44,655.

**Public Works and Services Committee Report, by Ald. Weidner**

[12-7303](#)

**Subject:** Communication from Racine Youth Sports requesting to use the Gateway parking lot for the Gus Macker Tournament on August 11

and 12, 2012. (Res. 12-2961)

**Recommendation of the Public Works and Services Committee on**

**2-14-12:** That permission be granted to Real Racine to utilize the Gateway parking lot for the Gus Macker Tournament on August 11 and 12, 2012, 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 incurred by any City department be charged to the sponsor.

**Fiscal Note:** N/A

**12-7329**

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/Engineering submitting Change Order No. 1 on Contract 44 -11 (K1-046), 2011 Sidewalk Replacement, Phase II, AZAR L.L.C., contractor. (Res. 12-2964)

**Recommendation of the Public Works and Services Committee on**

**2-14-12:** That Change Order No. 1 on Contract 44-11 (K1-046), 2011 Sidewalk Replacement, Phase II, AZAR, LLC, contractor, be approved in the deduct amount of \$17,259.17.

**Fiscal Note:** Change Order No. 1 will result in a decrease in contract price. Funding account to be adjusted is 906.000.5520, Sidewalk Replacement.

**12-7332**

**Subject:** Communication from the Assistant Commissioner of Public Works/Engineering submitting the response from WisDOT regarding the intersection improvements at Northwestern Avenue, Albert Street and West High Street for the Northwestern Avenue (STH38), WisDOT Project ID: 2290-17-00.

**Recommendation of the Public Works and Services Committee on**

**2-14-12:** That the communication be received and filed.

**Fiscal Note:** These changes in the contract will result in a cost increase of \$64,000 for the City of Racine and will be reflected in a revised agreement.

**12-7334**

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/Engineering submitting a Professional Services Agreement - (WinSLAMM), AECOM Technical Services, Inc.,



consultant. (Res. 12-2966)

**Recommendation of the Public Works and Services Committee on 2-14-12:** That the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with AECOM Technical Services, Inc. for Source Load and Management Modeling, in the not-to-exceed amount of \$45,000.00.

**Fiscal Note:** Funds to defray the cost of these professional services be appropriated from Account 104.992.5450, SLAMM Model. Funding to offset this project is available from a WDNR grant in Account 104.992.6814, State Grant-DNR-SLAMM in the amount of \$31,500.00.

12-7335

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/Engineering submitting a Professional Services Agreement for Root River Streambank Erosion Assessment Update by AECOM Technical Services. (Res. 12-2967)

**Recommendation of the Public Works and Services Committee on 2-14-12:** That the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with AECOM Technical Services, Inc. for the Root River Streambank Erosion Assessment Update, in the not-to-exceed amount of \$100,000.00.

**Fiscal Note:** Funds to defray the cost of these professional services be appropriated from Account 104.992.5460, Root River Assessment. Funding to offset this project is available from a WDNR grant in Account 104.992.6816, State Grant-DNR-Root River in the amount of \$70,000.00.

12-7363

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting a professional services proposal for Door Replacement at Festival Hall, Memorial Hall and City Hall. (Res. 12-2968)

**Recommendation of the Public Works and Services Committee on 2-14-12:** That the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with Industrial Roofing Services, Inc. to prepare specifications for door replacement at the Festival Hall, City Hall and Memorial Hall, in the not-to-exceed amount of \$14,750.00.

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

\$ 8,750.00 - Account 108.992.5020, Festival Hall-Doors/Panic Bars  
\$ 3,500.00 - Account 992.100.5030, City Hall-Entry Door Repl.  
\$ 2,500.00 - Account 108.992.5510, Memorial Hall-East Balcony Doors  
\$ 14,750.00 - Total

**12-7364**

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting a professional services proposal for Masonry Repairs at City Hall and City Hall Annex. (Res. 12-2969)

**Recommendation of the Public Works and Services Committee on 2-14-12:** That the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with Industrial Roofing Services, Inc. to prepare specifications for masonry restoration at City Hall, City Hall Annex and the Sam Johnson Parkway area, in the not-to-exceed amount of \$27,000.00.

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

\$ 7,000.00 - Account 992.100.5020, City Hall-Tuckpointing  
\$ 7,000.00 - Account 992.200.5010, Annex-Tuckpointing  
\$ 13,000.00 - Account 992.700.5190, Tuckpoint Johnson Parkway Walls  
\$ 27,000.00 - Total

**12-7365**

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting a professional services proposal for Roof Repairs at Festival Hall, Equipment Maintenance Garage and Salt Shed. (Res. 12-2970)

**Recommendation of the Public Works and Services Committee on 2-14-12:** That the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with Industrial Roofing Services, Inc. to prepare specifications for roof replacement at the Festival Hall, Equipment Maintenance Garage and Salt Shed and to conduct a roof survey of all city owned buildings, in the not-to-exceed amount of \$74,600.00 plus reimbursables in the not-to-exceed amount of \$2,400.00

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

\$ 37,000.00 - Account 108.992.5030, Festival Hall-Replace Main Roof  
\$ 17,000.00 - Account 401.992.6750, Equip. Maint. Roof Repair  
\$ 23,000.00 - Account 992.630.5010, Salt Storage Bldg Roof Repl  
\$ 77,000.00 - Total

[12-7366](#)

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting a professional services proposal for Roof Repairs at Transit Maintenance Building. (Res. 12-2971)

**Recommendation of the Public Works and Services Committee on 2-14-12:** That the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with Industrial Roofing Services, Inc. to prepare specifications for roof replacement at the Transit Department Maintenance Building, in the not-to-exceed amount of \$10,850.00.

**Fiscal Note:** Funds to defray the cost of these professional services be appropriated from Account 105.900.5010, Repair Roof-Service Garage.

[12-7367](#)

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting a professional services proposal for Masonry Rehabilitation and Roof Repairs at Transit Center. (Res. 12-2972)

**Recommendation of the Public Works and Services Committee on 2-14-12:** That the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with Industrial Roofing Services, Inc. to prepare specifications for exterior masonry rehabilitation and roof repair at the Racine Metro Transit Center, in the not-to-exceed amount of \$8,750.00.

**Fiscal Note:** Funds to defray the cost of these professional services be appropriated from Account 105.900.5010, Repair Roof & Masonry - Transit Center.

[12-7368](#)

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting a professional services proposal Window Replacement at Fire Station No. 5. (Res. 12-2973)

**Recommendation of the Public Works and Services Committee on 2-14-12:** That the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with Industrial Roofing Services, Inc. to prepare specifications for window replacement at Fire Station No. 5, in the not-to-exceed amount of \$2,100.00.

**Fiscal Note:** Funds to defray the cost of these professional services be appropriated from Account 992.300.5110, Fire Station 5 Windows.

12-7371

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/Engineering submitting two easements for the Mound Avenue Road and Storm Sewer Project - 1231 Mound Avenue (Tax #03142000). (Res. 12-2962)

**Recommendation of the Public Works and Services Committee on 2-14-12:** That the City Attorney take the necessary steps to enter into two (2) storm water easement agreements for existing and proposed storm water infrastructure located at 1231 Mound Avenue - Tax #03142000, more particularly described as follows:

That part of Block 33 and 34 in Sages Addition, a recorded plat in the City of Racine, Racine County, Wisconsin that is part of the Southwest  $\frac{1}{4}$  of Section 9 Township 3 North, Range 23 East described as follows:

The southerly 41.00 feet and the westerly 70.23 feet of Block 33 in Sages Addition, Said land being in the City of Racine, Racine County, Wisconsin.

Said described tract containing 2,880.25 square feet more-or-less.

The northerly 80.05 feet and the westerly 70.23 feet of Block 34 in Sages Addition. Said land being in the City of Racine, Racine County, Wisconsin.

Said described tract containing 5,621.91 square feet more-or-less.

And,

That part of Block 34 in Sages Addition, a recorded plat in the City of Racine, Racine County, Wisconsin that is part of the Southwest  $\frac{1}{4}$  of Section 9 Township 3 North, Range 23 East described as follows:

The southerly 163.40 feet parallel to south line of Block 34 in Sages Addition. Reserving the north 25 feet, the south 25, and the westerly 20 feet for a storm sewer easement. Said land being in the City of Racine, Racine County, Wisconsin.

Said described tract containing 8,306 square feet more-or-less.

**Fiscal Note:** Not applicable.

12-7370

**Subject:** (Direct Referral) Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 44-11 (K1-046), 2011 Sidewalk Replacement, Phase II, AZAR, LLC, contractor. (Res. 12-2965)

**Recommendation of the Public Works and Services Committee on 2-14-12:** That the work done by AZAR, LLC under Contract 44-11 (K1-046), 2011 Sidewalk Replacement, Phase II, be accepted and final payment authorized for a total contract amount of \$115,555.73.

**Fiscal Note:** Contract was authorized under Resolution No. 11-2677, dated August 1, 2011.

[12-7373](#)

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/Engineering submitting Change Order No. 3 on Contract 15-11 (K1-015), 2011 City Resurfacing (R1), A.W. Oakes & Sons, Inc., contractor. (Res. 12-2963)

**Recommendation of the Public Works and Services Committee on 2-14-12:** That Change Order No. 3 on Contract 15-11 (K1-015), 2011 City Resurfacing (R1), A.W. Oakes & Sons, Inc., contractor, be approved in the deduct amount of \$18,542.74.

**Fiscal Note:** Change Order No. 1 will result in a decrease in contract price. Funding accounts to be adjusted by the following amounts:

\$ 12,550.00 - Account 106.991.5750, 20122 Land Improvements  
\$ 2,450.00 - Account 976.000.5100, 1526 Washington Ave  
(\$33,542.74) - Account 991.908.5220, Asphalt Resurfacing  
(\$18,542.74) - Total

[12-7385](#)

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting Change Order No. 1 to Contract 53-11 (K1-058), City Hall Restroom Renovations, Absolute Construction Enterprises, Inc., contractor. (Res. 12-2974)

**Recommendation of the Public Works and Services Committee on 2-14-12:** That Change Order No. 1 on Contract 53-11 (K1-058), City Hall Restroom Renovations, Absolute Construction Enterprises, Inc., contractor, be approved in the amount of \$57,503.00.

**Fiscal Note:** Funding to defray the cost of this change order be appropriated from Account 991.100.5010, City Hall Facility Plan Implementation.

## Public Safety and Licensing Committee Report, by Ald. Wisneski

[12-7277](#)

**Subject:** Communication from the Interim Director, Tom Molbeck of

Parks, Recreation, and Cultural Services to request meeting with Public Safety and Licensing Committee to discuss formal bidding be waived and the Purchasing Agent to be authorized to negotiate with Absolute Mechanical & Plumbing, LLC for the 2012 mechanical service contract for the Laurel Clark Fountain. (Res. 12-2976)

**Recommendation of the Public Safety and Licensing Committee on 2-13-12:** That formal bidding be waived and the Purchasing Agent be authorized to negotiate with Absolute Mechanical & Plumbing, LLC for the 2012 mechanical service contract for the Laurel Clark Fountain for a not to exceed amount budgeted for 2012.

**Fiscal Note:** Funds of anticipated cost, \$23,000, are available in account 101-700-5630, Major Maintenance Replacement - Parks.

[12-7296](#)

**Subject:** Communication from the Interim Director of Parks, Recreation and Cultural Services requesting authorization of final payment for contract 36-11 (K1-038) Island Park Pedestrian Bridge Renovations CDBG. (Res. 11-2745) (Res. 12-2977)

**Recommendation of the Public Safety and Licensing Committee on 2-13-12:** That final payment for contract 36-11 (K1-038) Island Park Pedestrian Bridge Renovations CDBG be approved.

**Fiscal Note:** Funding is available in account 890-030-5760, Repave Horlick Drive.

[12-7297](#)

**Subject:** Communication from Interim Director of Parks, Recreation and Cultural Services requesting authorization of Change Order #1 and final payment for Contract 45-11 (K1-048) Island Park Asphalt Improvements CDBG. (res. 11-2764) (Res. 12-2978)

**Recommendation of the Public Safety and Licensing Committee on 2-13-12:** That authorization of Change Order #1 and final payment for Contract 45-11 (K1-048) Island Park Asphalt Improvements CDBG be approved.

**Fiscal Note:** Funds are available in account 891-030-5750, Repave Horlick Drive.

[12-7311](#)

**Subject:** Communication from the Purchasing Agent requesting to discuss the results of Official Notice #1, Request for Proposal, Billing for Emergency Medical Services. (Res. 12-2953) (Res. 12-2975)

**Recommendation of the Finance & Personnel Committee on**

**2-13-12:** Official Notice #1, Request for Proposal, Billing for Emergency Medical Services be awarded to LifeQuest Services for a three-year term to begin on March 1, 2012 with the option of one two-year extension.

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

**2-13-12:** That the Request for Proposal, for Official Notice #1, Billing for Emergency Medical Services be awarded to LifeQuest Services for a three-year term to begin on March 1, 2012 with the option of one two-year extension.

**Fiscal Note:** Funding is available in account 101.300.7280, Rescue Service Billings.

**12-7321**

**Subject:** Communication from the Interim Director of Parks, Recreation and Cultural Services requesting authorization of final payment for Contract 23-11 (K1-023) Masonry Restoration at Recreation Service Center. (Res. 11-2513) (Res. 12-2979)

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

**2-13-12:** That authorization for final payment for Contract 23-11 (K1-023) Masonry Restoration at Recreation Service Center be approved.

**Fiscal Note:** Funds are available in account 991-700-5030, Parks Facilities Upgrades, 10 Year Plan.

**12-7322**

**Subject:** Communication from the Interim Director of Parks, Recreation and Cultural Services requesting authorization of final payment to Industrial Roofing Services, Inc. for professional services for the roof replacement of the North Beach Bathhouse. (Res. 10-5124) (Res. 12-2980)

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

**2-13-12:** That authorization for final payment to Industrial Roofing Services, Inc. for professional services for the roof replacement of the North Beach Bathhouse be approved.

**Fiscal Note:** Funds are available in account 990-700-5030, Parks Facilities Upgrades, 10 Year Plan.

**12-7323**

**Subject:** Communication from the Interim Director of Parks, Recreation and Cultural Services requesting final payment for Contract 48-10 (K0-062) Roof Replacement at North Beach Bathhouse. (Res. 10-2257) (Res. 12-2981)

**Recommendation of the Public Safety and Licensing Committee on 2-13-12:** That final payment for Contract 48-10 (K0-062) Roof Replacement at North Beach Bathhouse be approved.

Fiscal Note: Funds are available in account 990-700-5030, Parks Facilities Upgrades, 10 Year Plan.

[12-7330](#)

**Subject:** (Direct Referral) Sale of Abandoned Vehicles 1-31-2012

**Recommendation of the Public Safety and Licensing Committee on 2-13-12:** That the Sale of Abandoned Vehicles 1-31-2012 be received and filed.

**Fiscal Note:** This will generate \$17,779.02 in Revenue.

[12-7331](#)

**Subject:** Communication from the Interim Director of Parks, Recreation and Cultural Services requesting authorization and payment of Change Order #2 for Contract 31-11 (K1-033) Sam Johnson Parkway Fountain Upgrades (R1). (Res.12-2905) (Res. 12-2982)

**Recommendation of the Public Safety and Licensing Committee on 2-13-12:** That authorization and payment of Change Order #2 for Contract 31-11 (K1-033) Sam Johnson Parkway Fountain Upgrades (R1) be approved with final payment authorized for a total contract amount of \$713,824.00.

**Fiscal Note:** \$14,420.00 is available in account 991-700-5030, Renovate Boat Ramp Restrooms for a total contract price of \$713,824.00.

[12-7337](#)

**Subject:** (New) Application of 2 Sheets to the Wind Pub & Grill, LLC, Sheila Sheets, Agent for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 3316 Douglas Avenue. (7th District)

**Recommendation of the Public Safety and Licensing Committee on 2-13-12:** That the application of 2 Sheets to the Wind Pub & Grill, LLC, Sheila Sheets, Agent for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 3316 Douglas Avenue be approved contingent upon all departmental inspections being approved.

Fiscal Note: N/A



**Transit and Parking Commission Report, by Ald. DeHahn**[12-7261](#)

**Subject:** Communication from Rita Lewis, Racine Montessori School, wishing to rent Lakefront Lot No. 5 from 5:30 A.M. to 5:30 P.M. for the Lakefront Artist Fair on Saturday, May 5, 2012. (Res. 12-2983)

**Recommendation of the Transit and Parking Commission on 02-15-12:** The Lakefront Artist Fair be granted permission to lease Lakefront Parking Lot No. 5 on May 5, 2012, subject to payment of lease costs of \$1.50 per space for the parking lot in accordance with existing City policies and subject to the execution of a hold harmless agreement with the City.

**Fiscal Note:** Rental will provide \$180 for the Parking System.

[12-7317](#)

**Subject:** Communication from the Alderman of the 12th District/Chairman of the Public Safety & Licensing Committee requesting changes in the time that cars are allowed to park in Uptown Lot No. 1 - 1422 Ann Street. (Res. 12-2984)

**Recommendation of the Transit and Parking Commission on 02-15-12:** Section 94-282 of the Municipal Code be amended to prohibit parking between 2:30 A.M. and 6:00 A.M. in non-leased stalls of Uptown Parking Lot No. 1 with the designation of 13 stalls (67 through 79) as "24 Hour Parking Allowed". Remaining leased stalls are to be designated "Reserved Parking 24 Hours".

**Fiscal Notes:** N/A

[12-7352](#)

**Subject:** (Direct Referral) Communication from the Transit and Parking System Manager requesting to review and discuss the proposed Wisconsin Workforce Mobility Act.

**Recommendation of the Transit and Parking Commission on 02-15-12:** Receive and file.

**Fiscal Note:** N/A

[12-7353](#)

**Subject:** (Direct Referral) Communication from the Transit and Parking System Manager requesting to review and discuss the 2011 Annual Report for City of Racine Transit and Parking operations.

**Recommendation of the Transit and Parking Commission on**

**02-15-12:** Receive and file.

**Fiscal Note:** N/A

[12-7354](#)

**Subject:** (Direct Referral) Communication from the Transit and Parking System Manager requesting to review and discuss 2012 goals for the City of Racine Transit and Parking operations.

**Recommendation of the Transit and Parking Commission on**

**02-15-12:** Receive and file.

**Fiscal Note:** N/A

[12-7355](#)

**Subject:** (Direct Referral) Communication from the Transit and Parking System Manager requesting to review the 2012 Belle Urban Transit System local share distribution proposal and to authorize entering into 2012 cooperative agreements with Mount Pleasant, Sturtevant, Caledonia and Yorkville.

**Recommendation of the Transit and Parking Commission on**

**02-15-12:** Staff directed to prepare contracts with partner committees based proportionately on miles of fixed-route bus service within each jurisdiction.

**Fiscal Note:** N/A

[12-7356](#)

**Subject:** (Direct Referral) Communication from the Transit and Parking System Manager requesting to discuss the opinion of Counsel validating the City of Racine's position of no financial obligation for Kenosha-Racine-Milwaukee Commuter Bus operating costs and the previously approved Request for Proposals for operation of SE WI commuter bus service currently provided by WI Coach Lines.

**Recommendation of the Transit and Parking Commission on**

**02-15-12:** Staff is authorized to advertise the Request for Proposals as revised per legal counsel.

**Fiscal Note:** N/A

### **City Plan Commission Report, by Ald. Wisneski**

[12-7294](#)

**Subject:** (Direct Referral) Request from Eugene Beal, representing U.S. Auto Shop, LLC, for a conditional use permit for an automobile repair facility at 2309 Lathrop Avenue. (PC-12) (Res. 12-2985)

**Recommendation of the City Plan Commission on 2-8-12:** That the item be approved subject to conditions.

**Fiscal Note:** N/A

[12-7341](#)

**Subject:** (Direct Referral) Request from Rubin and Deliya Jackson seeking a conditional use permit for non commercial use of a portion of a street level tenant space at 2033 Lathrop Avenue. (PC-12) (Res. 12-2986)

**Recommendation of the City Plan Commission on 2-8-12:** That the item be approved subject to conditions.

**Fiscal Note:** N/A

[12-7342](#)

**Subject:** (Direct Referral) Request from Rev. Kevin P. Stewart, representing St. Luke's Episcopal Church seeking a conditional use permit to amend an existing non-commercial use to allow a hospitality center at 614 Main Street. (PC-12) (Res. 12-2987)

**Recommendation of the City Plan Commission on 2-8-12:** That the item be approved subject to conditions.

**Fiscal Note:** N/A

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

[12-7390](#)

**Subject:** (Direct Referral) Request of the Assistant Director of City Development to accept an Offer to Purchase 1324 Center Street. (Res. 12-2988)

**Recommendation of the Loan Board on 2-16-12:** That the request be approved contingent on the buyer accepting the period of affordability deed restriction.

Further recommend that the Mayor, City Clerk, and Assistant Director of City Development be authorized to execute any necessary selling documents.

**Fiscal Note:** The City will receive \$72,900 in proceeds, minus closing costs and miscellaneous fees.

[12-7393](#)

**Subject:** The Housing Department Staff requests authority to acquire property at 320 Cliff Ave. through Deed-in-Lieu-of-Foreclosure pending the ability to obtain clean title. (Res. 12-2989)

**Recommendation of the Loan Board on 2-16-12:** That the Housing Department be authorized to acquire 320 Cliff Ave. through Deed-in-Lieu-of-Foreclosure proceedings.

**Fiscal Note:** N/A

### Committee of the Whole Report, by Ald. Holding

12-7258

**Subject:** (Direct Referral) Communication from the Alderman of the 12th District requesting a report from the City Forester regarding tree inventory, new plantings and Emerald Ash Borer control efforts.

**Recommendation of the Committee of the Whole on 02-07-2012:** the Item be Received and Filed.

**Fiscal Note:** N/A

### G. Consent Agenda - Resolutions

Res.12-2953

Discuss the results of Official Notice #1, Request for Proposal, Billing for Emergency Medical Services

Resolved, that Official Notice #1, Request for Proposal, Billing for Emergency Medical Services is awarded to LifeQuest Services for a three-year term to begin on March 1, 2012 with the option of one two-year extension.

Fiscal Note: Funding is available in account 101.300.7280, Rescue Service Billings.

Sponsors: Q.A. Shakoor, II and Aron Wisneski

Res.12-2954

Waive formal bidding

Resolved, that formal bidding procedures are waived and the Purchasing Agent is authorized and directed to purchase radio infrastructure equipment from TX/RX Systems of Angola, New York with the stipulation that the equipment be competitively priced.

Fiscal Note: Funds are available in account # 991.300.5020 Fire Radio Upgrades.

Sponsors: Q.A. Shakoor, II

Res.12-2955

Wisconsin Homeland Security Grant Program Agreement

Resolved, that the City Clerk and Treasurer are authorized and directed to enter into a Wisconsin Homeland Security Grant Program agreement with Racine County for the ownership transfer of a Wanco Mobile Video

Surveillance Trailer System to the City of Racine Police Department.

Fiscal Note: There will be no charge or cost on the part of the City for the transfer. \$49,610.00 is the estimated value of the surveillance trailer.

Sponsors: Q.A. Shakoor, II

**Res.12-2956** Agreement with the Village of Sturtevant

Resolved, that the Racine Water Utility is authorized to enter into an agreement with the Village of Sturtevant to construct a storm sewer in conjunction with a water main construction project within the Village.

Fiscal Note: The Village of Sturtevant will pay for any and all expenses associated with construction of a storm sewer on the Racine Water Utilities Water main construction contract.

Sponsors: Q.A. Shakoor, II

**Res.12-2957** Amend the fiscal note in Resolution 11-2731

Whereas, Resolution 11-2731 of September 20, 2011 authorized the Director of Parks, Recreation and Cultural Services, an official or employee, to act on its behalf to submit an application to the department of Natural Resources for financial assistance under s. 20.370, Wis. Stats., Chapter NR-47, Wis. Admin. Code; sign necessary documents; and submit a final report; and

Whereas the Fiscal Note was incorrect and stated "There is no match required of the City."

Now therefore, be it resolved that, Resolution 11-2731 Fiscal Note is amended to read, "There is a 100% match required on the part of the City."

Fiscal Note: Funding will be available in Account 992.700.5150, 2012 CIP Budget.

Sponsors: Q.A. Shakoor, II

**Res.12-2958** Represent employee Andrew Matson in a lawsuit

Resolved, that permission is granted to the City Attorney to represent a City employee, Andrew Matson, for utilizing a taser against Michael Washington on April 1, 2011, US District Court Eastern District Case No. 12-C-00033.

Fiscal Note: There are sufficient funds available in Account 101.160.5910 Judgments and Claims.

Sponsors: Q.A. Shakoor, II

**Res.12-2959** Continuation of the self-insured worker's compensation program

Resolved, that permission is granted for the City of Racine's self-insured worker's compensation program to be continued compliant with the Wisconsin Administrative Code DWD 80.60(3), and the City Attorney be authorized and directed to forward certified copies of the Resolution to the Worker's Compensation Division, Wisconsin Department of Workforce Development.

Fiscal Note: N/A

Sponsors: Q.A. Shakoor, II

**Res.12-2960** Possible settlement with respect to litigation in the matter of Rebecca Turk

Resolved, that Racine County Case No. 11-CV-0778, Rebecca Turk, et al v City of Racine, et al is settled for \$220,000 on the condition that CVMIC, our insurer, also approve the settlement, and that \$40,000 be transferred from account 101.990.5970, Contingency, to account 101.990.5910, Judgments and Claims.

Fiscal Note: The \$220,000 settlement will be paid by the City and our insurer, CVMIC. The City's deductible in this case is \$175,000 with CVMIC funding the remaining \$45,000. Account 101.990.5910, Judgments and Claims currently has a remaining available balance of \$136,789 of the original 2012 appropriation of \$150,000. There are sufficient funds available in account 101.990.5970, Contingency, to be transferred to account 101.990.5910, Judgments and Claims, to fully fund the City's portion of the settlement.

Sponsors: Q.A. Shakoor, II

**Res.12-2961** Gateway parking lot for the Gus Macker Tournament

Resolved, that permission is granted to Real Racine to utilize the Gateway parking lot for the Gus Macker Tournament on August 11 and 12, 2012, 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 incurred by any City department be charged to the sponsor.

Fiscal Note: N/A

Sponsors: Sandy Weidner

**Res.12-2962** Two easements for the Mound Avenue Road and Storm Sewer Project

Resolved, that the City Attorney take the necessary steps to enter into two (2) storm water easement agreements for existing and proposed storm water infrastructure located at 1231 Mound Avenue - Tax #03142000, more particularly described as follows:

That part of Block 33 and 34 in Sages Addition, a recorded plat in the City of Racine, Racine County, Wisconsin that is part of the Southwest ¼ of Section 9 Township 3 North, Range 23 East described as follows:

The southerly 41.00 feet and the westerly 70.23 feet of Block 33 in Sages Addition. Said land being in the City of Racine, Racine County, Wisconsin.

Said described tract containing 2,880.25 square feet more-or-less.

The northerly 80.05 feet and the westerly 70.23 feet of Block 34 in Sages Addition. Said land being in the City of Racine, Racine County, Wisconsin.

Said described tract containing 5,621.91 square feet more-or-less.

And,

That part of Block 34 in Sages Addition, a recorded plat in the City of Racine, Racine County, Wisconsin that is part of the Southwest ¼ of Section 9 Township 3 North, Range 23 East described as follows:

The southerly 163.40 feet parallel to south line of Block 34 in Sages Addition. Reserving the north 25 feet, the south 25, and the westerly 20 feet for a storm sewer easement. Said land being in the City of Racine, Racine County, Wisconsin.

Said described tract containing 8,306 square feet more-or-less.

Fiscal Note: Not applicable.

Sponsors: Sandy Weidner

**Res.12-2963** Change Order No. 3 on Contract 15-11 (K1-015)

Resolved, that Change Order No. 3 on Contract 15-11 (K1-015), 2011 City Resurfacing (R1), A.W. Oakes & Sons, Inc., contractor, is approved in the deduct amount of \$18,542.74.

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

price. Funding accounts to be adjusted by the following amounts:

\$ 12,550.00 - Account 106.991.5750, 20122 Land Improvements  
\$ 2,450.00 - Account 976.000.5100, 1526 Washington Ave  
(\$33,542.74) - Account 991.908.5220, Asphalt Resurfacing  
(\$18,542.74) - Total

**Sponsors:** Sandy Weidner

**Res.12-2964** Change Order No. 1 on Contract 44 -11 (K1-046)

Resolved, that Change Order No. 1 on Contract 44-11 (K1-046), 2011 Sidewalk Replacement, Phase II, AZAR, LLC, contractor, is approved in the deduct amount of \$17,259.17.

**Fiscal Note:** Change Order No. 1 will result in a decrease in contract price. Funding account to be adjusted is 906.000.5520, Sidewalk Replacement.

**Sponsors:** Sandy Weidner

**Res.12-2965** Final payment on Contract 44-11 (K1-046)

Resolved, that the work done by AZAR, LLC under Contract 44-11 (K1-046), 2011 Sidewalk Replacement, Phase II, is accepted and final payment is authorized for a total contract amount of \$115,555.73.

**Fiscal Note:** Contract was authorized under Resolution No. 11-2677, dated August 1, 2011.

**Sponsors:** Sandy Weidner

**Res.12-2966** Professional Services Agreement - (WinSLAMM)

Resolved, that the Mayor and City Clerk are authorized and directed to enter into a professional services agreement with AECOM Technical Services, Inc. for Source Load and Management Modeling, in the not-to-exceed amount of \$45,000.00.

**Fiscal Note:** Funds to defray the cost of these professional services be appropriated from Account 104.992.5450, SLAMM Model. Funding to offset this project is available from a WDNR grant in Account 104.992.6814, State Grant-DNR-SLAMM in the amount of \$31,500.00.

**Sponsors:** Sandy Weidner

**Res.12-2967** Professional Services Agreement for Root River Streambank Erosion Assessment Update

Resolved, that the Mayor and City Clerk are authorized and directed to enter into a professional services agreement with AECOM Technical



Services, Inc. for the Root River Streambank Erosion Assessment Update, in the not-to-exceed amount of \$100,000.00.

Fiscal Note: Funds to defray the cost of these professional services be appropriated from Account 104.992.5460, Root River Assessment. Funding to offset this project is available from a WDNR grant in Account 104.992.68164, State Grant-DNR-Root River in the amount of \$70,000.00.

Sponsors: Sandy Weidner

**Res.12-2968** Professional services proposal for Door Replacement at Festival Hall, Memorial Hall and City Hall

Resolved, that the Mayor and City Clerk are authorized and directed to enter into a professional services agreement with Industrial Roofing Services, Inc. to prepare specifications for door replacement at the Festival Hall, City Hall and Memorial Hall, in the not-to-exceed amount of \$14,750.00.

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

\$ 8,750.00 - Account 108.992.5020, Festival Hall-Doors/Panic Bars  
\$ 3,500.00 - Account 992.100.5030, City Hall-Entry Door Replacement  
\$ 2,500.00 - Account 108.992.5510, Memorial Hall-East Balcony Doors  
\$14,750.00 - Total

Sponsors: Sandy Weidner

**Res.12-2969** Professional services proposal for Masonry Repairs at City Hall and City Hall Annex

Resolved, that the Mayor and City Clerk are authorized and directed to enter into a professional services agreement with Industrial Roofing Services, Inc. to prepare specifications for masonry restoration at City Hall, City Hall Annex and the Sam Johnson Parkway area, in the not-to-exceed amount of \$27,000.00.

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

\$ 7,000.00 - Account 992.100.5020, City Hall-Tuckpointing  
\$ 7,000.00 - Account 992.200.5010, Annex-Tuckpointing  
\$13,000.00 - Account 992.700.5190, Tuckpoint Johnson Parkway Walls  
\$27,000.00 - Total

Sponsors: Sandy Weidner

**Res.12-2970** Professional services proposal for Roof Repairs at Festival Hall,

## Equipment Maintenance Garage and Salt Shed

Resolved, that the Mayor and City Clerk are authorized and directed to enter into a professional services agreement with Industrial Roofing Services, Inc. to prepare specifications for roof replacement at the Festival Hall, Equipment Maintenance Garage and Salt Shed and to conduct a roof survey of all city owned buildings, in the not-to-exceed amount of \$74,600.00 plus reimbursables in the not-to-exceed amount of \$2,400.00

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

\$ 37,000.00 - Account 108.992.5030, Festival Hall-Replace Main Roof  
\$ 17,000.00 - Account 401.992.6750, Equipment Maintenance Roof Repair  
\$ 23,000.00 - Account 992.630.5010, Salt Storage Bldg Roof Replacement  
\$ 77,000.00 - Total

Sponsors: Sandy Weidner

[Res.12-2971](#) Professional services proposal for Roof Repairs at Transit Maintenance Building

Resolved, that the Mayor and City Clerk are authorized and directed to enter into a professional services agreement with Industrial Roofing Services, Inc. to prepare specifications for roof replacement at the Transit Department Maintenance Building, in the not-to-exceed amount of \$10,850.00.

Fiscal Note: Funds to defray the cost of these professional services be appropriated from Account 105.900.5010, Repair Roof-Service Garage.

Sponsors: Sandy Weidner

[Res.12-2972](#) Professional services proposal for Masonry Rehabilitation and Roof Repairs

Resolved, that the Mayor and City Clerk are authorized and directed to enter into a professional services agreement with Industrial Roofing Services, Inc. to prepare specifications for exterior masonry rehabilitation and roof repair at the Racine Metro Transit Center, in the not-to-exceed amount of \$8,750.00.

Fiscal Note: Funds to defray the cost of these professional services be appropriated from Account 105.900.5010, Repair Roof & Masonry-Transit Center.

Sponsors: Sandy Weidner

**Res.12-2973** Professional services proposal Window Replacement

Resolved, that the Mayor and City Clerk are authorized and directed to enter into a professional services agreement with Industrial Roofing Services, Inc. to prepare specifications for window replacement at Fire Station No. 5, in the not-to-exceed amount of \$2,100.00.

Fiscal Note: Funds to defray the cost of these professional services be appropriated from Account 992.300.5110, Fire Station 5 Windows.

Sponsors: Sandy Weidner

**Res.12-2974** Change Order No. 1 to Contract 53-11 (K1-058)

Resolved, that Change Order No. 1 on Contract 53-11 (K1-058), City Hall Restroom Renovations, Absolute Construction Enterprises, Inc., contractor, is approved in the amount of \$57,503.00.

Fiscal Note: Funding to defray the cost of this change order be appropriated from Account 991.100.5010, City Hall Facility Plan Implementation.

Sponsors: Sandy Weidner

**Res.12-2975** Official Notice #1, Request for Proposal, Billing for Emergency Medical Services

Resolved, that the Request for Proposal, for Official Notice #1, Billing for Emergency Medical Services is awarded to LifeQuest Services for a three-year term to begin on March 1, 2012 with the option of one two-year extension.

Fiscal Note: Funding is available in account 101.300.7280, Rescue Service Billings.

Sponsors: Aron Wisneski and Q.A. Shakoor, II

**Res.12-2976** Waive formal bidding

Resolved, that formal bidding is waived and the Purchasing Agent is authorized to negotiate with Absolute Mechanical & Plumbing, LLC for the 2012 mechanical service contract for the Laurel Clark Fountain for a not to exceed amount budgeted for 2012.

Fiscal Note: Funds of anticipated cost, \$23,000, are available in account 101-700-5630, Major Maintenance Replacement - Parks.

Sponsors: Aron Wisneski

**Res.12-2977** Final payment for contract 36-11 (K1-038).

Resolved, that final payment for contract 36-11 (K1-038) Island Park Pedestrian Bridge Renovations CDBG is approved.

Fiscal Note: Funding is available in account 890-030-5760, Repave Horlick Drive.

Sponsors: Aron Wisneski

**Res.12-2978** Change Order #1 and final payment for Contract 45-11 (K1-048)

Resolved, that authorization of Change Order #1 and final payment for Contract 45-11 (K1-048) Island Park Asphalt Improvements CDBG is approved.

Fiscal Note: Funds are available in account 891-030-5750, Repave Horlick Drive.

Sponsors: Aron Wisneski

**Res.12-2979** Final payment for Contract 23-11 (K1-023)

Resolved, that authorization for final payment for Contract 23-11 (K1-023) Masonry Restoration at Recreation Service Center is approved.

Fiscal Note: Funds are available in account 991-700-5030, Parks Facilities Upgrades, 10 Year Plan.

Sponsors: Aron Wisneski

**Res.12-2980** Final payment to Industrial Roofing Services, Inc.

Resolved, that authorization for final payment to Industrial Roofing Services, Inc. for professional services for the roof replacement of the North Beach Bathhouse is approved.

Fiscal Note: Funds are available in account 990-700-5030, Parks Facilities Upgrades, 10 Year Plan.

Sponsors: Aron Wisneski

**Res.12-2981** Final payment for Contract 48-10 (K0-062)

Resolved, that final payment for Contract 48-10 (K0-062) Roof Replacement at North Beach Bathhouse is approved.

Fiscal Note: Funds are available in account 990-700-5030, Parks Facilities Upgrades, 10 Year Plan.

Sponsors: Aron Wisneski

**Res.12-2982** Payment of Change Order #2

Resolved, that authorization and payment of Change Order #2 for Contract 31-11 (K1-033) Sam Johnson Parkway Fountain Upgrades (R1) is approved with final payment authorized for a total contract amount of \$713,824.00.

Fiscal Note: \$14,420.00 is available in account 991-700-5030, Renovate Boat Ramp Restrooms for a total contract price of \$713,824.00.

Sponsors: Aron Wisneski

**Res.12-2983** Rental of Lakefront Lot No. 5 from 5:30 A.M. to 5:30 P.M. for the Lakefront Artist Fair on Saturday, May 5, 2012.

Resolved, that the Lakefront Artist Fair is granted permission to lease Lakefront Parking Lot No. 5 on May 5, 2012, subject to payment of lease costs of \$1.50 per space for the parking lot in accordance with existing City policies and subject to the execution of a hold harmless agreement and a \$62.50 processing fee with the City.

Fiscal Note: Rental will provide \$180 for the Parking System.

Sponsors: Raymond DeHahn

**Res.12-2984** Change in the time that cars are allowed to park in Uptown Lot No. 1

Resolved, that section 94-282 of the Municipal Code is amended to prohibit parking between 2:30 A.M. and 6:00 A.M. in non-leased stalls of Uptown Parking Lot No. 1 with the designation of 13 stalls (67 through 79) as "24 Hour Parking Allowed". Remaining leased stalls are to be designated "Reserved Parking 24 Hours."

Fiscal note: N/A

Sponsors: Raymond DeHahn

**Res.12-2985** Conditional use permit

Resolved, that the request from Eugene Beal of U.S. Auto Shop LLC for a Conditional Use Permit for an automobile repair and training facility at 2309 Lathrop Avenue is approved, subject to the following conditions:

- a. That the plans presented to the Plan Commission on February 8, 2012 are approved subject to the conditions contained herein.
- b. That all applicable building and occupancy permits are obtained from the Building Inspection Department.
- c. That the hours the establishment is open to the general public, and

the conduct of repair operations (repair and training operation) are from 8:00 a.m. - 5:00 p.m., Monday through Friday, Saturday from 8:00 a.m. to 1:00 p.m., with no Sunday hours. These hours and days of operation shall be adhered to without exception.

d. That the following items or activities are prohibited in relation to this facility:

1. Working on or painting of vehicle bodies and parts.
2. Vehicle display and sales.
3. Outdoor activities such as: parking of more than thirteen vehicles; parking or storage in the rear yard; repair, servicing and testing activities; storage of parts, equipment, materials or products; storage of junked or inoperable vehicles; display or sales of products; vending machines.
4. Offsite customer and employees parking.
5. Street storage of vehicles, parts, equipment, material or products.
6. Vehicle towing operations or the storage of towing vehicles.
7. Sounds, fumes or vibrations that adversely impact area properties.
8. Opening of eastern overhead door while work is being conducted on vehicles and equipment.
9. Vehicle salvage and disassembly.
10. Repair or servicing other than that of private passenger automobiles and personal trucks or vans.
11. Repair or servicing of semi trucks, tractor -trailers or other commercial vehicles.

a. That the following is accomplished prior to the issuance of an occupancy permit:

1. Removal of all obsolete signage.
2. Removal of the pole sign overhanging the sidewalk, and its support structures.
3. Removal of all trees and brush adjacent to the building and along the fence line.
4. Repair of the northern fence.

b. That the following is accomplished by September 1, 2012:

1. Repair and painting of the entire building exterior. Colors chips and color scheme are to be presented to the Director of City Development for review and approval.
2. Installation of landscaping in accordance to the approved plan.
3. Resealing or repaving of the parking lot, and restriping of the parking lot in accordance with the approved plan.
4. Repair of repaving of the concrete apron in front of the western overhead doors.

5. If there is to be one, installation of the dumpster enclosure in accordance with the approved plans. Brochure or drawings illustrating the enclosure fencing and materials shall be submitted to the Director of City Development for review and approval.

a. That all signs are professionally made, comply with zoning ordinance requirements and plans submitted for the review and approval of the Director of City Development prior to installation.

b. That with regard to training activities, should they be initiated, they shall be operated in accordance with all conditions contained herein.

c. Financial surety shall be provided to the City in an amount equal in value to the required improvements described above, subject to the following terms:

1. Financial security documents are submitted for the review and approval of the Director of City Development, shall be issued in the City's favor, shall be in effect for one year from the date of issuance, shall be extended beyond the expiration date if deemed necessary by the City of Racine, and shall require that the issuer give a 90 day notice to the Department of City Development prior to the expiration of said financial security.

2. The City is authorized by this Conditional Use permit to enter the site, implement the plan(s) and draw on the financial security for the cost of implementation if required improvements are not completed by September 1, 2012 or by an earlier date as may be required herein. Any costs incurred in excess of the value of the financial security shall be paid by the applicant or owner or shall be imposed as a special charge against the real property in accordance with the applicable statute.

3. By operating under this Conditional Use, the applicant and owner give permission to the City to enter upon the property for the purposes described herein.

a. That all trash and recyclables are in closed containers and screened from view.

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

c. 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.

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

Fiscal note: N/A

Sponsors: Aron Wisneski

Res.12-2986 Conditional use permit

Resolved, that the request from Rubin and Deliya Jackson seeking a conditional use permit for non-commercial use of a portion of a street level tenant space at 2033 Lathrop avenue is approved, subject to the following conditions:

a. That the plans presented to the Plan Commission on February 8, 2012 are approved subject to the conditions contained herein.

b. That all applicable building and occupancy permits are obtained from the Building Inspection Department.

c. That flex space will be utilized for bookstore purposes and church purposes in accordance with approved plans and the conditions contained herein.

d. That bookstore shall be operated at least 36 hours per week, not less than Monday through Saturday from 10:00 a.m. to 4:00 p.m.

e. That church related activities are conducted on Wednesdays from 6:00 p.m. to 8:00 p.m., and on Sundays from 9:00 a.m. to 2:00 p.m.

f. That all signs are professionally made, comply with the adopted standards for the shopping center, and are submitted to the Director of City Development for review and approval prior to installation.

g. That failure to maintain operational and activities standards establish by this permit may result in the initiation of enforcement and/or revocation proceedings, the issuance of fines, or both.

h. That no minor changes are made from the conditions of this permit without the approval of the Plan Commission, except that uses such as clothing, bank, music lessons, homework help, themed group sessions, men of valor, Youth action and fitness classes may be submitted for review and approval of the Director of City Development. No major changes are made from the conditions of this permit without the approval of the Common Council.



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

Fiscal Note: N/A

Sponsors: Aron Wisneski

Res.12-2987 Conditional use permit

Resolved, that the request from Rev. Kevin P. Stewart, representing St. Luke's Episcopal church seeking a conditional use permit to amend an existing non-commercial use to allow a hospitality center at 614 main street is approved, subject to the following conditions:

- a. That the plans presented to the Plan Commission on February 8, 2012 are approved subject to the conditions contained herein.
- b. That all applicable building and occupancy permits are obtained from the Building Inspection Department.
- c. That the days and hours of operation are limited to Tuesday, Thursday and Friday from 8:00 a.m. until 2:00 p.m., and holidays as needed.
- d. That all other aspects of the operation of a hospitality center at 614 Main Street are in compliance with the following:
  1. The hospitality center shall not function as a detention or pre-release facility, halfway house, rooming house, homeless shelter, parole center or any other use not specifically permitted by this permit.
  2. Guests shall access the facilities via the Main Street entrance.
  3. Only light snacks and beverages are served.
  4. Hospitality Center operations are confined to the interior of the building at 614 Main Street and guests shall not use the Main Street porch or yard area other than for access to and from the building.
  5. The facility shall not serve guests under the age of 18 years, unless accompanied by an adult.
  6. The guest shall not endanger the public health, safety, morals, comfort or general welfare of the area.
  7. There shall be no possession, use or sale of any alcoholic beverages or controlled substances on the premises.

8. The facility shall have adequately trained on-site staff and security during hours of operation.
  9. Bicycles are stored indoors.
  10. Signs are posted such as “No Loitering”, “No Yelling or Loud Talking”, “Please Be Respectful to Our Neighbors”.
  11. Appropriate waste and cigarette butt containers are provided for use outdoors.
  12. A written operations, procedures and policies plan shall be approved and kept on file with the Director of City Development, be considered an integral part of this Conditional Use Permit, and be amended only upon written notification to the Plan Commission.
  13. Guests and staff shall not congregate on the north side of the building or northern alleyway.
- d. That all signs are professionally made, comply with the zoning ordinance and be approved by the Downtown Area Design Review Commission.
  - e. That all trash and recyclables are stored in closed containers and screened from view in a manner approved by the director of City Development. Trash and recyclables set out for curbside pick-up shall be properly bundled or containerized.
  - f. That no minor changes are made from the conditions of this permit without the approval of the Plan Commission and no major changes are made from the conditions of this permit without the approval of the Common Council.
  - g. That this permit is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

Sponsors: Aron Wisneski

**Res.12-2990** Use of city right-of-way on May 5, 2012, for the annual March of Dimes family walk.

Resolved, that permission is granted for use of city right-of-way on May 5, 2012, for the annual March of Dimes family walk and handled administratively unless special considerations are needed or requested, and:

- a. that a hold harmless agreement be filed with the City Attorney's Office
- b. that a \$62.50 processing fee be paid

Fiscal Note: N/A

Sponsors: Terry McCarthy and Melissa Kaprelian-Becker

Res.12-2988 Offer to purchase 1324 Center Street

Resolved, that the request is approved contingent on the buyer accepting the period of affordability deed restriction.

Further resolved, that the Mayor, City Clerk and Assistant Director of City Development are authorized to execute any necessary selling documents.

Fiscal note: The city will receive \$72,900 in proceeds, minus closing costs and miscellaneous fees.

Sponsors: Dennis Wiser

Res.12-2989 Acquisition of property at 320 Cliff Avenue

Resolved, that the Housing Department is authorized to acquire 320 Cliff Avenue through Deed-in-Lieu-of-Foreclosure proceedings.

Fiscal note: N/A

Sponsors: Dennis Wiser

**H. MISCELLANEOUS**

12-7411 **Subject:** ELECTION REPORT FOR SPRING PRIMARY HELD ON FEBRUARY 21, 2012

**REPORT OF THE ELECTION OF FEBRUARY 21, 2012**

STATE OF WISCONSIN )  
 ) SS  
 COUNTY OF RACINE )

The whole number of votes cast at the Spring Primary Election for the office of Alderman for the Fourth District that was held on February 21, 2012, is as follows:

WARD	KAPLAN	HOLMES	LAWSON
8	28	4	21
9	99	2	32
TOTAL	127	6	53

THESE ARE UNOFFICIAL RESULTS

We have determined that the candidates who received the largest number of votes for the office of Alderperson for the Fourth District is as follows:

FOURTH DISTRICT

JAMES KAPLAN  
SHERRIE LAWSON

and are entitled to have their names placed upon the ballot at the Spring Election to be held April 3, 2012.

Dated this 22nd day of February, 2012

\_\_\_\_\_  
Janice M. Johnson-Martin  
CITY CLERK

**I. 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.**