



City of Racine Meeting Minutes Common Council

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

*Alderman Keith Fair, Alderman Robert Anderson, Alderman Tim Hermes,
Alderman Jim Kaplan, Alderman David L. Maack, Alderman Sandy Weidner,
Alderman Raymond DeHahn, Alderman Q.A. Shakoor, II, Alderman Pete Karas,
Alderman Thomas Friedel, Alderman Gregory Holding, Alderman Ronald D. Hart,
Alderman Thomas M. Sollman, Alderman James T. Spangenberg, Alderman Aron Wisneski*

Tuesday, October 3, 2006

7:00 PM

Room 205, City Hall

A. Call To Order

PRESENT: Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

Alderman Karas arrived at 7:03 P.M. and took his seat.

B. Pledge of Allegiance To The Flag

C. Approval of Journal of Council Proceedings (Minutes)

Minutes of the previous meeting were approved as printed on motion of Alderman Weidner.
to Approve the Minutes

D. Public Comments

*Elizabeth Erven
Diana Krause
Pat Obenberger
Frank Tingle*

E. Communications

Refer to Finance and Personnel Committee, by Ald. Spangenberg

1. [06-2551](#) **Subject:** Communication from Interim Police Chief Hurley, requesting authorization to accept a donation from Crime Stoppers of Racine County, Inc. of a lifetime supply of food for the department's canines currently in service.
Referred
Referred
2. [06-2575](#) **Subject:** Communication from the Public Health Administrator requesting permission to apply for funding from the Racine County Human Services Department in the amount of \$70,000 for continuation of the Brighter Futures program.

Referred

3. [06-2577](#) **Subject:** Communication from the Purchasing Agent requesting to discuss the results of Official Notice #11, Request for Proposal Audit Services.
Referred

4. [06-2591](#) **Subject:** Communication from the Director of Human Resources requesting, in closed session, to present a summary of the collective bargaining agreements between the City of Racine and Local 67 (Public Works/Parks), AFSCME, AFL-CIO for 2006-2008, and the City of Racine and District 1199 (Health Professionals), SEIU for 2006-2008.
Referred

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

5. [06-2580](#) **Subject:** Application of Mega Marts, LLC, Matthew E. Kaprelian, Agent for a Change of Agent for a "Class A" Retail Fermented Malt Beverage and Intoxicating Liquor License for 2406 S. Green Bay Road.
Referred

6. [06-2581](#) **Subject: (New)** Application of MJ Gas & Food Mart, Inc., Jagjit S. Viridi, Agent, for a Class "A" Retail Fermented Malt Beverage License and Gasoline Station Owner's and Manager's License for 1720 Douglas Avenue. (4th District)
Referred

7. [06-2600](#) **Subject:** The application of Peg & Lou's Junction Inn, Randall L. Larson, Agent, for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 1436 Junction Avenue. (3rd District)
Referred

Refer to Traffic Commission, by Ald. Hart

8. [06-2585](#) **Subject:** Communication from Charity James regarding concerns about the two-hour parking on Kewaunee between N. Main and N. Wisconsin.
Referred

AYES: 14 - Fair, Anderson, Hermes, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

ABSTENTIONS: 1 - Kaplan

9. [06-2590](#) **Subject:** Communication from John Chapman, USPS, requesting to have "No Parking in Front of the Mailboxes" signs installed at 2525, 2627, and 2700 Jacato Drive.
Referred

10. [06-2598](#) **Subject:** Communication from, Ronald A. Haarsma, requesting an honorary street sign be placed along the roadway adjacent to the Ace

Stamping property on the Durand Avenue north frontage road (formally Advance Mechanical property).
Referred

Refer to City Plan Commission, by Ald. Holding

11. [06-2573](#) **Subject:** Communication from Southeastern Wisconsin Regional Planning Commission requesting that the City endorse the *A Regional Land Use Plan for Southeastern Wisconsin: 2035* Planning Report No. 48.
Referred

12. [06-2592](#) **Subject:** Communication from Frank Tingle, member of "Friends of DeKoven Woods", requesting the City create a Conservancy Zone as outlined in the report "Park and Open Space Plan for the City of Racine" passed by the Common Council on 7-15-2003.

Alderman Fair requested that item 06-2592 also be referred to the Committee of the Whole.

Alderman Karas made a motion to suspend the rules on 06-2592, to allow Mr. Tingle, the requestor of the communication, an opportunity to speak to clarify some concerns related to this issue.

*Motion to suspend the rules failed, due to lack of majority vote. The vote was as follows:
 Ayes: Weidner, Friedel, Hart, Holding, Kaplan*

Noes: Spangenberg, Wisneski, Anderson, DeHahn, Fair, Hermes, Karas, Maack, Shakoor, Sollman

Alderman Fair withdrew his motion to refer item 06-2592 to Committee of the Whole.

*A motion was made by Alderman Gregory Holding that this be Referred the City Plan Commission. The motion PASSED by the following vote:
Referred*

AYES: 5 - Kaplan, Weidner, Friedel, Holding and Hart

NOES: 10 - Fair, Anderson, Hermes, Maack, DeHahn, Shakoor II, Karas, Sollman, Spangenberg and Wisneski

Refer to Committee of the Whole, by Ald. Weidner

13. [06-2588](#) **Subject:** Alderman of the 8th District requesting a meeting to be held in the near future, in order to hear from the new Chief of Police, Kurt Wahlen, in regards to his vision and goals for our fine Police Department.

Committee members requesting an open question period for Chief Wahlen.
Referred

14. [06-2595](#) **Subject:** Communication from Mayor Becker submitting the 2007 proposed budgets for the General Fund, Special Revenue Funds, Capital

Projects Funds, Dept Service, Enterprise Funds, and Internal Service Funds.
Referred

F. Committee Reports

Finance and Personnel Committee Report, by Ald. Spangenberg

15. [06-2425](#) **Subject:** Request of the Wellness Committee to modify the City's group benefits plan.

Recommendation of the Finance & Personnel Committee 09-11-06:
The item be deferred.

Recommendation of the Finance & Personnel Committee 09-25-06:
Permission granted for the City of Racine's Health Benefits plan to allow yearly mammograms for women starting at the age of 40 at the City's cost effective January 1, 2007.

Fiscal Note: The City will incur an additional cost of \$31,963.

Received and Filed as Reported

16. [06-2512](#) **Subject:** Communication from Racine Safe Neighborhood Alliance to receive a Weed and Seed grant awarded to the City of Racine in the amount of \$200,000. The award will be used to support activities within the designated Weed and Seed area.

Recommendation of the Finance & Personnel Committee 09-25-06:
The item be received and filed.

Fiscal Note: N/A
Received and Filed as Reported

Council Action

Considered as Reported

AYES: 15 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

Public Works and Services Committee Report, by Ald. Hart

17. [06-2463](#) **Subject:** Communication from Robert Matson, 2351-1/2 Mohr Avenue, requesting to review the alternate side street parking ordinance as it relates to Mohr Avenue.

Recommendation: The communication be received and filed.
Received and Filed as Reported

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18. [06-2476](#) **Subject:** Communication from Michael and Maureen Carmody, Shillings Irish Pub, LLC, 611 Wisconsin Avenue, requesting permission to hang flags over public right-of-way.
- Recommendation:** The property owner of 611 Wisconsin Avenue be granted permission to install projecting flags, as requested, with the following stipulations:
- A. A hold harmless agreement be executed in accordance with State Statute 66.0425, Privileges in Streets.
- B. The height above the sidewalk to the lowest point of the flags must be a minimum of 7.5 feet.
- C. The property owner be charged a \$50.00 fee to cover administrative costs associated with filing this item with the Register of Deeds office.
- Fiscal Note:** There will be no cost to the City of Racine.
Received and Filed as Reported
19. [06-2518](#) **Subject:** Communication from the Commissioner of Public Works/City Engineer requesting to amend Resolution 06-7147, dated August 15, 2006.
- Recommendation:** Resolution No. 06-7147, of August 2, 2006, be amended to delete:
- SEWER AND WATER LATERALS
- LIGHTHOUSE DRIVE from Queens Court to Steeplechase Drive
- and, as amended , Resolution No. 06-7147, of August 2, 2006, be adopted.
- Fiscal Note:** Funds will be appropriated in the 2007 C.I.P. for these street improvements, and special assessments will be paid by the abutting property owners for the street improvements.
Received and Filed as Reported
20. [06-2561](#) **Subject:** Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 22-05 (K5-029), Racine Street Utility Construction A.W. Oakes & Son, Inc., contractor.
- Recommendation:** The work done by A.W. Oakes & Son, Inc., under Contract 22-05 (K5-029), Racine Street Utility Construction, be accepted

and final payment authorized for a total contract amount of \$1,851,727.91, from funds heretofore appropriated.

Fiscal Note: This contract was approved by Resolution 6496, dated May 17, 2005.

Received and Filed as Reported

21. [06-2562](#)

Subject: Direct Referral. Communication from the Assistant Commissioner of Public Works/Engineering submitting Change Order No. 1 on Contract 16-06 (K6-017), City Resurfacing, Payne & Dolan, Inc., contractor.

Recommendation: Change Order No. 1 on Contract 16-06 (K6-017), City Resurfacing, Payne & Dolan, Inc., contractor, as submitted, be approved in the amount of \$35,104.00.

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

\$ 9,510.00 - Account 104.986.5420, Storm Sewers - Misc. Locations
\$25,594.00 - Account 986.907.5310, Sanitary Sewer Const. - Various Locations
\$35,104.00 - Total

Fiscal Note: Funds are available as herein delineated.

Received and Filed as Reported

22. [06-2563](#)

Subject: Direct Referral. Communication from the Assistant Commissioner of Public Works/Engineering submitting Change Order No. 1 on Contract 21-06(K6-022), 2006 Street Lighting Renovations, C.D.B.G., J.F. Edwards Construction Company, contractor.

Recommendation: Change Order No. 1 on Contract 21-06(K6-022), 2006 Street Lighting Renovations, C.D.B.G., J.F. Edwards Construction Company, contractor, as submitted, be approved in the amount of \$3,814.24.

Further recommends that funding to defray the cost of this change order be appropriated from Account 986.590.5010, Replace City Circuits.

Fiscal Note: Funds are available as herein delineated.

Received and Filed as Reported

23. [06-2564](#)

Subject: Direct Referral. Communication from the Assistant Commissioner of Public Works/Engineering submitting a request for final payment on Contract 21-06(K6-022), 2006 Street Lighting Renovations,

C.D.B.G., J. F. Edwards Construction Company, contractor.

Recommendation: The work done by J.F. Edwards Construction Company, under Contract 21-06(K6-022), 2006 Street Lighting Renovations, C.D.B.G., be accepted and final payment authorized for a total contract amount of \$156,704.42, from funds heretofore appropriated.

Fiscal Note: This contract was approved by Resolution 7025, dated May 16, 2006.

Received and Filed as Reported

24. [06-2565](#) **Subject:** Direct Referral. Communication from the Assistant Commissioner of Public Works/Engineering submitting Change Order No. 1 on Contract 25-06(K6-026), City Parking Lots, Cicchini Asphalt Paving, Inc., contractor.

Recommendation: Change Order No. 1 on Contract 25-06(K6-026), City Parking Lots, Cicchini Asphalt Paving, Inc., contractor, as submitted, be approved in the amount of \$62,152.80.

Further recommends that funding to defray the cost of this change order be appropriated from Account 986.908.5130, Asphalt Resurfacing.

Fiscal Note: Funds are available as herein delineated.

Received and Filed as Reported

25. [06-2582](#) **Subject:** Direct Referral. Communication from the Commissioner of Public Works submitting Amendment No. 1 to Contract 53-02 (K2-056), Environmental Site Investigation - 501 Lake Avenue, STS Consultants, consultant.

Recommendation: Amendment No. 1 on Contract 53-02 (K2-056), Environmental Site Investigation - 501 Lake Avenue, STS Consultants, consultant, as submitted, be approved in the not-to-exceed amount of \$14,500.00

Further recommends that funding to defray the cost of these professional services be appropriated from the Parking System Reserve Fund.

Fiscal Note: Funds are available as herein delineated.

Received and Filed as Reported

Council Action

Considered as Reported

AYES: 15 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

Public Safety and Licensing Committee Report, by Ald. Maack

26. [06-1852](#) **Subject:** Communication from the Racine Zoological Society requesting permission to sell Malted Beverages at the Zoo's concession stand on a daily basis.
- Recommendation of the License & Welfare Committee of 5/8/06:**
That the item be deferred until the 05/22/06 License & Welfare Committee meeting.
- Recommendation of the License & Welfare Committee of 5/22/06:**
That the item be referred to the Board of Parks, Recreation & Cultural Services and then returned to the License & Welfare Committee with the recommendation of the Board of Parks, Recreation & Cultural Services.
- Recommendation of the License & Welfare Committee of 6/12/06:**
That the item be referred to the Board of Parks, Recreation & Cultural Services and then returned to the License & Welfare Committee with the recommendation of the Board of Parks, Recreation & Cultural Services.
- Recommendation of the Board of Parks, Recreation & Cultural Services 6/14/06:** Defer
- Recommendation of the Board of Parks, Recreation & Cultural Services 9/13/06:** That the item be received and filed.
- Recommendation of the Public Safety & Licensing Committee of 09/25/06:** That the item be received and filed.
- Fiscal note: N/A
Received and Filed as Reported
27. [06-2393](#) **Subject: (New)** Application for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License, for Cera's Tequila Bar, Cerafin Davalos, Agent, at 607 Sixth Street. (1st District)
- Recommendation of the Public Safety & Licensing Committee of 09-11-06:** That the license be granted.
- Recommendation of the Public Safety & Licensing Committee of 09-25-06:** That the license be granted.

Fiscal Note: N/A
Received and Filed as Reported

28. [06-2433](#) **Subject:** Communication from MPDT Partnership, Mario Passarelli, Agent, requesting to amend the premises description at 303 Dodge Street.

Recommendation of the Public Safety & Licensing Committee of

09-11-06: That the request to amend the premises description for 303 Dodge Street, be deferred until the September 25, 2006 meeting, and the Owner/Agent bring in a visual and detailed description of what part of the parking lot they plan on utilizing.

Recommendation of the Public Safety & Licensing Committee of

09-25-06: That the amended premises description be granted.

Fiscal Note: N/A
Received and Filed as Reported

29. [06-2467](#) **Subject: (New) (Direct Referral)** Application of Jennafer Jackson for a Amusement Center License, at 2501 Douglas Avenue. (5th District)

Recommendation of the Public Safety & Licensing Committee of

09-11-06: That the item be deferred until the September 25, 2006 meeting and the Alderman of the district be consulted as well as more information gathered.

Recommendation of the Public Safety & Licensing Committee of

09-25-06: That the license be granted.

Fiscal Note: N/A

Alderman Holding requested that item 06-2467 be adopted pending the conditional use permit being approved by City Plan Commission.

Received and Filed as Reported

30. [06-2485](#) **Subject:** Communication from Alderman Holding wishing to discuss a moratorium on pawnbrokers in the City of Racine.

Recommendation of the Public Safety & Licensing Committee of

09-11-06: That the City Attorney's Office draft a resolution for the 90 day moratorium.

Recommendation of the Public Safety & Licensing Committee of

09-25-06: That the item be received and filed.

Fiscal Note: N/A
Received and Filed as Reported

31. [06-2513](#) **Subject: (Direct Referral)** Request for reduction of retainage, contract #27-05 (K5-034) Monument Square Site and Landscape Improvements.

Recommendation of the Public Safety & Licensing Committee of

09/25/06: That the request for reduction of retainage, contract #27-05 (K5-034) Monument Square Site and Landscape Improvements work is complete and the retainage amount be reduced to \$5,000.00.

Fiscal Note: N/A

Received and Filed as Reported

32. [Res.06-7243](#) Moratorium on Pawnbrokers

Whereas, the City of Racine currently has no licensed pawnbrokers; and

Whereas, current ordinances concerning pawnbrokers were last updated 15 years ago and still require written paper and ink records; and

Whereas, the services offered by pawnbrokers provide an opportunity for individuals to readily transfer stolen property to those businesses; and

Whereas, tracking pawnbroker transactions and investigating claims of stolen property could increase the workload of the Racine Police Department and increase the financial burden to all property taxpayers; and

Whereas, pawnbrokers charge as much as 60% for what is in essence a collateralized loan and consumer protection regulation is warranted in transactions involving these businesses; and

Whereas, the public health, safety, and general welfare of the citizens of Racine should be protected by legislation restricting the location and record keeping requirements of such businesses and establishing consumer protections pursuant to the authority granted in Wis. Stat. sec. 134.71.

Now, therefore, be it resolved, that the Common Council of the City of Racine hereby imposes a 90 day moratorium upon the granting of any occupancy permit for a pawnbroker business or pawnbroker's license to provide time for the Common Council to develop and implement ordinances containing appropriate restrictions for the establishment of such businesses.

Recommendation of the Public Safety & Licensing Committee of 09-25-06:

That the Moratorium on Pawnbrokers be adopted with amendments.

Fiscal Note: N/A

Sponsors: Gregory Holding

Alderman Maack requested that item 06-7243 be considered separately.

Alderman Holding requested that Res. 06-7243 be adopted and amended as follows; the 5th paragraph be deleted and should read: Whereas, consumer protection regulation is warranted in transactions involving these businesses; and

Adopted

AYES: 15 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

33. [06-2569](#) **Subject:** Application of Louis Sliker for a Public Passenger Driver's License.

Recommendation of the Public Safety & Licensing Committee of 09-25-06: That the license be granted.

Fiscal Note: N/A
Received and Filed as Reported

34. [06-2576](#) **Subject: (Direct Referral)** Communication from Dione Aiello, Representative for Racine Erickson's Baseball Club requesting the City's support for their invitation to participate in the 2007 Boys of Summer invitational Tournament in Coopertown, New York.

Recommendation of the Public Safety & Licensing Committee of 09-25-06: That the item be adopted and the City Attorney's Office create a resolution to be introduced at the next meeting, supporting Erickson's Baseball team.

Fiscal Note: N/A
Received and Filed as Reported

Council Action

Considered as Reported

AYES: 15 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

Traffic Commission Report, by Ald. Hart

35. [06-2525](#) **Subject:** (Direct Referral) Communication from Bruce Jensen requesting a "No Parking" sign be removed from in front of his building at 1908 De Koven Avenue.

Recommendation: The request to remove "No Parking" be approved.

Fiscal Note: N/A
Received and Filed as Reported

36. [06-2579](#) **Subject:** In accordance with Section 2-95 of the Municipal Code of the

general ordinances of the City of Racine, recommends that the following requests for changes in traffic code be granted:

A. Recommends that Section 94-141 (6) of Schedule F of the Municipal Code of the General Ordinances of the City of Racine relative to "No parking from 7:00 A.M. to 6:00 P.M. except on Saturdays, Sundays and holidays" be amended:

By Deleting:

**1. DeKoven Avenue, north side, from Phillips Avenue west 100 feet.
Received and Filed as Reported**

Council Action

Considered as Reported

AYES: 15 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

City Plan Commission Report, by Ald. Holding

37. [06-2566](#) **Subject:** (Direct Referral). Request by Jennafer Jackson of Alley Books seeking a conditional use permit for a teen lounge at 2501 Douglas Avenue.

Recommendation: That the request by Jennafer Jackson of Alley Books seeking a conditional use permit to locate a teen lounge at 2501 Douglas Avenue be approved subject to the following conditions:

- a. That the plans stamped "Received September 6, 2006" and presented to the Plan Commission on September 27, 2006 be approved, subject to the following conditions.
- b. That an occupancy permit and all other applicable permits be requested from the Building Department.
- c. That all yard areas, landscaping, buildings, and grounds be maintained in a professional manner and on a daily basis.
- d. That for purposes of this permit, the term "teen" shall be defined as a youth between and including those who have attained the age of 13 through 18 years.
- e. That the maximum hours of operation be from 3:00 p.m. to 10:30 p.m. Monday through Friday, and 12:00 noon until 10:30 p.m. Saturday and Sunday. Children younger than 13 years of age shall be barred from the facility after 6:30 p.m.

- f. That the Douglas Avenue Design Guidelines be followed for any exterior improvements, window signs or window tinting. Window art and signage shall not cover an area exceeding 15% of the window surface.
- g. That by June 1, 2007 a tree be installed within the parkway along Douglas Avenue. The grass within the parkway along Romayne Avenue shall be maintained.
- h. That all trash, recyclables, and dumpsters be stored in stored closed containers and screened from view, and that commercial grade trash receptacles having spring loaded doors be installed immediately, or as soon as practicably possible on both Douglas & Romanye Avenues.
- i. That sufficient lighting be installed immediately or as soon as practicably possible around the exterior of the building. Lighting shall not cause a glare onto adjacent properties.
- j. That all signs be professionally made, comply with the zoning ordinance requirements and be submitted for review and approval by Access Corridor Development Review Committee.
- k. That all codes and ordinances be complied with and required permits acquired.
- l. 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.
- m. That this permit is subject to review by the Plan Commission for compliance with the listed conditions.

Fiscal Note: N/A

Received and Filed as Reported

38. [06-2568](#) **Subject:** (Direct Referral). In reference to 06-1978 a communication from Ed Possing, 2625 Lathrop Avenue requesting to purchase the property at 504 Hawthorne Drive.

Recommendation: Received and Filed.

Received and Filed as Reported

Committee on Housing & Neighborhoods Report, by Ald. Karas

39. [06-2515](#) **Subject:** To discuss concerns regarding deteriorating neighborhood conditions in the Lincoln Heights/Lincoln Park neighborhoods.

Recommendation of Committee on Housing & Neighborhood

9-28-06

That the requestors of this communication refer this item to Public Works and Services Committee; Parks, Recreation and Cultural Services; and Traffic Commission.

Further that the Committee on Housing & Neighborhood has deferred on this item until it receives the recommendations from the above mentioned committees.

Received and Filed as Reported

AYES: 15 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

Referred

Referred

Referred

05-1378

Subject: Communication from the Alderman of the 8th District requesting changes to revise the duties as it relates to Committee on Housing & Neighborhoods.

Alderman Shakoor requested that item 05-1378 be considered, and that it be referred to the ADHOC Committee for further study and that the ADHOC Committee report back to the Committee on Housing & Neighborhoods, and that a resolution be created, if any changes are necessary.

Referred

Office of the Mayor Report, by Ald. Weidner

40. [06-2593](#) **Subject:** Communication from Mayor Becker nominating appointments/reappointments to the following Boards and Commissions for the City of Racine.

Redevelopment Authority:

Reappoint Robert Ledvina, 1208 Main Street, for a 5-year term ending in April 2011.

Stationary Engineers Examining Board:

Appoint Tom Vakos to fill an unexpired term (replacing Jerome Fredericks) ending in April 2008.

Received and Filed as Reported

AYES: 15 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

Water Works Committee Report, by Ald Hart

41. [06-2547](#) **Subject:** Submittal of the report of the Finance Committee of the Racine Water Works Commission regarding year 2007 Water Works Utility Operation & Maintenance Budget and the 2007-2011 Capital Improvements Budget recommending adoption.

Recommendation: To adopt. Refer to the Finance & Personnel Committee for approval.

Referred

AYES: 15 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

Wastewater Commission Report, by Ald Hart

42. [06-2536](#) **Subject:** Submittal of the report of the Finance Committee of the Racine Wastewater Commission regarding year 2007 Wastewater Utility Operation & Maintenance Budget and the 2007-2011 Capital Improvements Budget recommending adoption.

Recommendation: To adopt. Refer to the Finance & Personnel Committee for approval.

Referred

AYES: 15 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

G. Resolutions

43. [Res.06-7245](#) Reduction of retainage Monument Square Landscape Improvements

Resolved, that the retainage on Contract 27-05 (K5-034), Monument Square Site and Landscape Improvements, Bane-Nelson, contractor, be reduced to the amount of \$5,000.00.

Fiscal Note: The amount of retainage is sufficient to cover the value of the remainder of the work on this project.

Sponsors: David L. Maack

Adopted

44. [Res.06-7246](#) City support of Erickson's Baseball Team

Resolved, that the City of Racine hereby supports Erickson Baseball Team and

encourages the private and corporate communities to make it possible for the team to attend and participate in the July, 2007, Boys of Summer Invitational Tournament in Cooperstown, N.Y. This team of 12 year old boys is one of a few teams representing Wisconsin in the national competition. The coach of the team is Mike Scholzen. Team players are: Michael Aiello, Brandon Bebow, Matthew Christensen, Eric Eitel, Daniel Landerman, Brandon McCrae, Coty Ortiz, Teddy Scholzen, Shae Smith, Zack Taylor, Alex Wall and Eric Weisbrod.

Fiscal Note: N/A

Sponsors: David L. Maack
Adopted

45. [Res.06-7247](#) Amendment to City's Health Benefits

Resolved, that the City of Racine Health Benefits Plan be amended to include yearly mammograms for women starting at the age of 40.

Fiscal Note: The City will incur an additional cost of \$31,963.00.

Sponsors: James T. Spangenberg
Adopted

AYES: 15 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

46. [Res.06-7248](#) Permission to install projecting flags over public right-of-way 611 Wisconsin Avenue

Resolved, that the property owner of 611 Wisconsin Avenue be granted permission to install projecting flags, as requested, with the following stipulations:

A. A hold harmless agreement be executed in accordance with Wis. Stat. sec. 66.0425, Privileges in Streets.

B. The height above the sidewalk to the lowest point of the flags must be a minimum of 7.5 feet.

C. The property owner be charged a \$50.00 fee to cover administrative costs associated with filing this item with the Register of Deeds office.

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

Sponsors: Ronald D. Hart
Adopted

47. [Res.06-7249](#) Final payment for Racine Street Utility Construction, A. W. Oakes & Son

Resolved, that the work done by A.W. Oakes & Son, Inc., under Contract 22-05 (K5-029), Racine Street Utility Construction, be accepted and final payment authorized for a total contract amount of \$1,851,727.91, from funds heretofore appropriated.

Fiscal Note: This contract was approved by Resolution 6496, dated May 17, 2005.

Sponsors: Ronald D. Hart
Adopted

48. [Res.06-7250](#) Change Order for City Resurfacing, Contract 16-06 (K6-017)

Resolved, that Change Order No. 1 on Contract 16-06 (K6-017), City Resurfacing, Payne & Dolan, Inc., contractor, as submitted, be approved in the amount of \$35,104.00.

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

\$ 9,510.00 - Account 104.986.5420, Storm Sewers - Misc. Locations
\$25,594.00 - Account 986.907.5310, Sanitary Sewer Const. - Various Locations
\$35,104.00 - Total

Fiscal Note: Funds are available as herein delineated.

Sponsors: Ronald D. Hart
Adopted

AYES: 15 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

49. [Res.06-7251](#) Change Order Contract 21-06 (K6-022), 2006 Street Lighting Renovations

Resolved, that Change Order No. 1 on Contract 21-06(K6-022), 2006 Street Lighting Renovations, C.D.B.G., J.F. Edwards Construction Company, contractor, as submitted, be approved in the amount of \$3,814.24.

Further resolved, that funding to defray the cost of this change order be appropriated from Account 986.590.5010, Replace City Circuits.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Ronald D. Hart
Adopted

AYES: 15 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

50. [Res.06-7252](#) Final payment 2006 Street Lighting Renovations, Contract 21-06 (K6-022)

Resolved, that the work done by J.F. Edwards Construction Company, under Contract 21-06(K6-022), 2006 Street Lighting Renovations, C.D.B.G., be accepted and final payment authorized for a total contract amount of \$156,704.42, from funds heretofore appropriated.

Fiscal Note: This contract was approved by Resolution 7025, dated May 16, 2006.

Sponsors: Ronald D. Hart
Adopted

51. [Res.06-7253](#) Change Order Contract 25-06 (K6-026), City Parking Lots

Resolved, that Change Order No. 1 on Contract 25-06(K6-026), City Parking Lots, Cicchini Asphalt Paving, Inc., contractor, as submitted, be approved in the amount of \$62,152.80.

Further resolved, that funding to defray the cost of this change order be appropriated from Account 986.908.5130, Asphalt Resurfacing.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Ronald D. Hart
Adopted

AYES: 15 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

52. [Res.06-7254](#) Amendment No. 1 Contract 53-02 (K2-056), 501 Lake Avenue

Resolved, that Amendment No. 1 on Contract 53-02 (K2-056), Environmental Site Investigation - 501 Lake Avenue, STS Consultants, consultant, as submitted, be approved in the not-to-exceed amount of \$14,500.00

Further resolved, that funding to defray the cost of these professional services be appropriated from the Parking System Reserve Fund.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Ronald D. Hart
Adopted

AYES: 15 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

53. [Res.06-7255](#) Conditional Use Permit for 2501 Douglas Avenue

Resolved, that request by Jennafer Jackson of Alley Books seeking a conditional use permit to locate a teen lounge at 2501 Douglas Avenue be approved subject to the following conditions:

- a. That the plans stamped "Received September 6, 2006" and presented to the Plan Commission on September 27, 2006 be approved.
- b. That an occupancy permit and all other applicable permits be requested from the Building Department.
- c. That all yard areas, landscaping, buildings, and grounds be maintained in a professional manner and on a daily basis.
- d. That for purposes of this permit, the term "teen" shall be defined as a youth between and including those who have attained the age of 13 through 18 years.
- e. That the maximum hours of operation be from 3:00 p.m. to 10:30 p.m. Monday through Friday, and 12:00 noon until 10:30 p.m. Saturday and Sunday. Children younger than 13 years of age shall be barred from the facility after 6:30 p.m.
- f. That the Douglas Avenue Design Guidelines be followed for any exterior improvements, window signs or window tinting. Window art and signage shall not cover an area exceeding 15% of the window surface.
- g. That by June 1, 2007 a tree be installed within the parkway along Douglas Avenue. The grass within the parkway along Romaine Avenue shall be maintained.
- h. That all trash, recyclables, and dumpsters be stored in stored closed containers and screened from view, and that commercial grade trash receptacles having spring loaded doors be installed immediately, or as soon as practicably possible on both Douglas & Romaine Avenues.
- i. That sufficient lighting be installed immediately or as soon as practicably possible around the exterior of the building. Lighting shall not cause a glare onto adjacent properties.
- j. That all signs be professionally made, comply with the zoning ordinance requirements and be submitted for review and approval by Access Corridor Development Review Committee.
- k. That all codes and ordinances be complied with and required permits acquired.
- l. 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.
- m. That this permit is subject to review by the Plan Commission for compliance

with the listed conditions.

Fiscal Note: N/A

Sponsors: Gregory Holding

Adopted

I. Adjourn

The meeting was adjourned at 7:55 P.M. by Alderman Shakoor. The next scheduled meeting of the Council is October 17, 2006.

ATTEST: JANICE M. JOHNSON-MARTIN
CITY CLERK