



City of Racine

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

Meeting Minutes - Final Common Council

*Mayor John T. Dickert, President, Alderman Terry McCarthy
Alderman Dennis Wisner, Alderman Jim Kaplan
Alderman Q.A. Shakoor, II, Alderman Ronald D. Hart,
Alderman Sandy Weidner
Alderman Krystyna Sarrazin, Alderman Jeff Coe, Alderman
Michael Shields
Alderman Melissa Kaprelian-Becker, Alderman Raymond
DeHahn,
Alderman Gregory Holding, Alderman James Morgenroth
Alderman Edward E. Diehl, Alderman Henry Perez*

Tuesday, March 18, 2014

7:00 PM

Room 205, City Hall

A. Call To Order

PRESENT: 13 - Coe, Sarrazin, Shields, Kaprelian-Becker, Weidner, Shakoor, II, McCarthy, Wisner, Holding, Perez, Morgenroth, Hart and Diehl
EXCUSED: 2 - Kaplan and DeHahn

B. Pledge of Allegiance To The Flag

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

C. Approval of Journal of Council Proceedings (Minutes)

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

D. Public Comments

*Kelly Gallager
Tamerin Hayward
Pastor Ernest Garrison
Mike Frontier
Rev. Dr. Tony Larsen
Wayne Clingman
Carl Lindner
Cassie Platt
Joanni Williams*

E. Communications

Refer to Finance and Personnel Committee, by Ald. Shakoor

[14-9867](#)

Subject: communication from the City Attorney submitting the claim of Margarita Ramirez for consideration.

Referred to Finance and Personnel Committee

[14-9905](#)

Subject: communication from the City Attorney submitting the claim of Jacqueline Salas for consideration.

Referred to Finance and Personnel Committee

[14-9906](#)

Subject: communication from the City Attorney submitting the claim of Pauline Mitchell for consideration.

Referred to Finance and Personnel Committee

[14-9915](#)

Subject: Communication from the Assistant Commissioner of Public Works/City Engineer submitting a request to accept U.S. Environmental Protection Agency Grant No. GL 00E01266-0 in the amount of \$250,000 for the Pershing Park/Samuel Meyers Park/Lakefront Lot No. 5 Parking Lot Project.

Referred to Finance and Personnel Committee

[14-9916](#)

Subject: communication from the City Attorney submitting the claim of Racine Properties Group, LLC for consideration

Referred to Finance and Personnel Committee

[14-9918](#)

Subject: Communication from the Assistant Director of City Development requesting permission to accept a Knowles Nelson Stewardship Grant from the Wisconsin Department of Natural Resources in the amount of \$242,261.00 to assist in the acquisition of properties associated with the RootWorks West Bluff Overlook project.

Alderman Diehl requested this item be considered separately, there was no objection. Discussion was held regarding the item.

Alderman Shakoor moved to refer the item to the Finance and Personnel Committee, Alderman McCarthy seconded the motion. More discussion was held.

Alderman Perez moved to suspend the rules and discuss the item, Alderman Shields seconded the motion. A roll call vote was taken and the motion failed.

*Ayes- 5 - Sarrazin, Shields, Kaprelian-Becker, Perez, Diehl
Noes- 7 -Coe, Weidner, Shakoor, McCarthy, Helling, Morgenroth, Hart
Excused – 2- Kaplan, DeHahn
Non-voting - Wiser*

A vote was called to refer the item to the Finance and Personnel Committee, motion passed.

Referred to Finance and Personnel Committee.

[14-9921](#)

Subject: Communication from the Fire Chief requesting permission to waive formal bidding, authorizing, and directing the Purchasing Agent

to purchase Phillips defibrillators for the paramedic rescue squads.

Referred to Finance and Personnel Committee

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

[14-9902](#)

Subject: Communication from Chris Sklba, Art Metals Studio, submitting a request to use Monument Square and to close 5th Street, from Main Street to Wisconsin Avenue, from 5:00 P.M. Friday, May 30, 2014 until 7:00 P.M. Sunday, June 1, 2014, for the Monument Square Art Fair.

Referred to Public Works and Services Committee

Refer to Community Development Committee, Ald. McCarthy

[14-9920](#)

Subject: Request by the Racine/Kenosha Community Action Agency to extend the period for completion of its Tenant-Based Rent Assistance contract.

Referred to the Community Development Committee

Refer to Redevelopment Authority of the City of Racine, by Ald Holding

[14-9919](#)

Subject: Request by the Community Economic Development Corporation to extend the period for completion of its Small Business Development Services contract.

Referred to Redevelopment Authority of the City of Racine

Refer to Committee of the Whole, by Ald. McCarthy

[14-9910](#)

Subject: communication from the Second District Alderman requesting that the Common Council support a resolution urging the Wisconsin Legislature to approve SB38 and AB53. (Res. No. 14-0126)

Alderman McCarthy moved to refer this item to Committee of the Whole, Alderman Shakoor seconded the motion. Discussion was held on the item.

Alderman Shields moved to suspend the rules and discuss the item, Alderman Shakoor seconded the motion. Discussion was held on the item.

Alderman Shields amended his motion to also take up Resolution 14-0126, Alderman Shakoor seconded the amendment. Discussion was held. A recess was taken to determine point of order. Alderman Shields moved to Receive and File this communication. Motion passed on a voice vote. Alderman Shields moved to suspend the rules and act on Resolution 14-0126, Alderman Shakoor seconded the motion. Alderman Weidner moved to refer Resolution 14-0126 to Committee of the Whole, Alderman Coe seconded the motion. Motion passed to refer the resolution to Committee of the Whole.

Received and Filed.

F. Committee Reports

Finance and Personnel Committee Report, by Ald. Shakoor

14-9848

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting permission to accept grant funds in the amount of \$25,000.00 from the Wisconsin Department of Natural Resources for the Tree Inventory Project. (Grant Control # 2012-024) (Res. No. 14-0102)

Recommendation of the Finance & Personnel Committee on

3-10-14: To authorize the Director of Parks, Recreation & Cultural Services to accept reimbursement grant funds in the amount of \$25,000.00 from the Wisconsin Department of Natural Resources for the Tree Inventory Project. (Grant Control # 2012-024)

Fiscal Note: Funds were expended in account 993.700.5220 City-Wide Tree Inventory.

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

14-9854

Subject: Communication from the Police Chief, requesting to apply for and accept the Wisconsin DOT 2014 Seatbelt Grant. (Res. No. 14-0101)

Recommendation of the Finance & Personnel Committee on

3-10-14: To authorize the Police Chief to apply for and accept the Wisconsin DOT 2014 Seatbelt Grant in the amount of \$5,000.00.

Fiscal Note: 25% soft City match of \$1,250.00 required.

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

14-9855

Subject: Communication from the Public Health Administrator requesting permission to accept \$13,000 from the State of Wisconsin represented by its Division of Public Health of the Department of Health Services for HIV Prevention Partner Services. (Grant Control # 2014-009) (Res. No. 14-0103)

Recommendation of the Finance & Personnel Committee on

3-10-14: To authorize the Public Health Administrator to accept \$13,000 from the State of Wisconsin represented by its Division of Public Health of the Department of Health Services for HIV Prevention Partner Services. (Grant Control # 2014-009)

Fiscal Note: No City Match required.

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

[14-9856](#)

Subject: Communication from the Public Health Administrator requesting permission to accept funding from the Root-Pike Watershed Initiative Network for \$10,000 to support the Samuel Myers Park Restoration - Phase II project. (Grant Control # 2013-031) (Res. No. 14-0104)

Recommendation of the Finance & Personnel Committee on 3-10-14: To authorize the Public Health Administrator to accept funding from the Root-Pike Watershed Initiative Network for \$10,000 to support the Samuel Myers Park Restoration - Phase II project. (Grant Control # 2013-031)

Fiscal Note: No City Match required.

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

Council Action

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

AYES: 11 - Coe, Sarrazin, Kaprelian-Becker, Weidner, Shakoor, II, McCarthy, Holding, Perez, Morgenroth, Hart and Diehl

EXCUSED: 2 - Kaplan and DeHahn

NON VOTING: 2 - Shields and Wisner

Public Works and Services Committee Report, by Ald. Weidner

[14-9853](#)

Subject: Communication from the Assistant Commissioner of Public Works/City Engineer submitting a request from the General Manager of Racine Water and Wastewater Utilities to use the Civic Centre Parking Ramp for the relocation of the Lift Station Electrical Control Panel. (Res. No. 14-0105)

Recommendation of the Public Works and Services Committee on 03-11-14: Approval for Racine Water and Wastewater Utilities to use the Civic Centre Parking Ramp for the relocation of the lift station electrical control panel.

Fiscal Note: N/A

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

[14-9870](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting Change Order No. 1 on Contract 53-13 (K3-058), HVAC Upgrades - IS Server Room, Grunau Company, Inc., contractor. (Res. No. 14-0107)

Recommendation of the Public Works and Services Committee on 03-11-14: That Change Order No. 1 on Contract 53-13 (K3-058), HVAC Upgrades - IS Server Room, Grunau Company, Inc., contractor be approved in the amount of \$1,100.00.

Further recommends that funding to defray the cost of this change order be appropriated from Account 993.100.5030, HVAC - IS Server Room.

Fiscal Note: Funds are available as herein delineated.

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

[14-9871](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works submitting a request for final payment on Contract 53-13 (K3-058), HVAC Upgrades - IS Server Room, Grunau Company, Inc., contractor. (Res. No. 14-0108)

Recommendation of the Public Works and Services Committee on 03-11-14: That the work done by Grunau Company, Inc., under Contract 53-13 (K3-058), HVAC Upgrades - IS Server Room, be accepted and final payment authorized for a total contract amount of \$64,600.00.

Fiscal Note: Contract was authorized under Resolution No. 13-0409, dated October 15, 2013.

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

[14-9874](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works submitting a request for final payment on Contract 22-10 (K0-025) - Design Services for City Hall Facilities Plan Implementation - Phase III, Butterfield, Rudie & Seitz, consultant. (Res. No. 14-0109)

Recommendation of the Public Works and Services Committee on 03-11-14: That the work done by Butterfield, Rudie & Seitz under Contract 22-10 (K0-025), PS-Design Services for City Hall Facilities Plan Implementation - Phase III, be accepted and final payment authorized for a total contract amount of \$63,919.23.

Fiscal Note: Contract was authorized under Resolution No. 10-1876,

dated February 16, 2010.

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

14-9875

Subject: (Direct Referral) Communication from the Commissioner of Public Works submitting a request for final payment on Contract 16-12 (K2-017), PS - Roof Replacement at Festival Hall, Equipment Maintenance Garage and Salt Shed, Industrial Roofing Services, Inc., consultant. (Res. No. 14-0110)

Recommendation of the Public Works and Services Committee on 03-11-14: That the work done by Industrial Roofing Services, Inc., under Contract 16-12 (K2-017), PS - Roof Replacement at Festival Hall, Equipment Maintenance Garage and Salt Shed, be accepted and final payment authorized for a total contract amount of \$73,025.00.

Fiscal Note: Contract was authorized under Resolution No. 12-2970, dated February 22, 2012.

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

14-9876

Subject: (Direct Referral) Communication from the Commissioner of Public Works submitting a request for final payment on Contract 30-10 (K0-035), PS - Expand Cityworks to Facility Management, Power Engineers, consultant. (Res. No. 14-0111)

Recommendation of the Public Works and Services Committee on 03-11-14: That the work done by Power Engineers under Contract 30-10 (K0-35), PS - Expand Cityworks to Facility Management, be accepted and final payment authorized for a total contract amount of \$19,313.50.

Fiscal Note: Contract was authorized under Resolution No. 10-1895, dated March 2, 2010.

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

14-9878

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer submitting Change Order No. 1 on Contract 08-13 (K3-008), 2013 CDBG Concrete Reconstruct, LaLonde Contractors, Inc., contractor. (Res. No. 14-0112)

Recommendation of the Public Works and Services Committee on 03-11-14: That Change Order No. 1 on Contract 08-13 (K3-008), 2013 CDBG Concrete Reconstruct, LaLonde Contractors, Inc., contractor, be approved in the amount of \$47,409.18.

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

\$ 8,220.03 - Account 893.030.5540, CDBG Paving
\$ 29,144.47 - Account 993.908.5020, Concrete Pavement Replacement
\$ 13,609.94 - Account 993.908.5010, Concrete Street Paving, Misc.
\$ (3,260.00) - Account 104.993.5420, Storm Sewers, Misc.
\$ (305.26) - Account 287.993.5310, Sanitary Sewers, Var. Loc.
\$ 47,409.18 - Total

Fiscal Note: Funds are available as herein delineated.

Alderman Kaprelian-Becker requested that this item be given separate consideration. There were no objections.

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

AYES: 11 - Coe, Sarrazin, Shields, Weidner, Shakoor, II, McCarthy, Holding, Perez, Morgenroth, Hart and Diehl

NOES: 1 - Kaprelian-Becker

EXCUSED: 2 - Kaplan and DeHahn

NON VOTING: 1 - Wisner

14-9879

Subject: (Direct Referral) Communication from the Commissioner of Public Works submitting a request for final payment on Contract 08-13 (K3-008), 2013 CDBG Concrete Reconstruct, LaLonde Contractors, Inc., contractor. (Res. No. 14-0114)

Recommendation of the Public Works and Services Committee on 03-11-14: That the work done by LaLonde Contractors, Inc. under Contract 08-13 (K3-008), 2013 CDBG Concrete Reconstruct, be accepted and final payment authorized for a total contract amount of \$597,431.57.

Fiscal Note: Contract was authorized under Resolution No. 13-0147, dated April 3, 2013.

Alderman Kaprelian-Becker requested that this item be given separate consideration. There were no objections.

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

AYES: 11 - Coe, Sarrazin, Shields, Weidner, Shakoor, II, McCarthy, Holding, Perez, Morgenroth, Hart and Diehl

NOES: 1 - Kaprelian-Becker

EXCUSED: 2 - Kaplan and DeHahn

NON VOTING: 1 - Wisner

[14-9881](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works submitting a request for final payment on Contract 29-10 (K0-034), PS-2010 Information Consulting Services, AECOM, consultant. (Res. No. 14-0115)

Recommendation of the Public Works and Services Committee on 03-11-14: That the professional services provided by AECOM, under Contract 29-10 (K0-034), PS - 2010 Information Consulting Services, be accepted and final payment authorized for a total contract amount of \$47,969.60.

Fiscal Note: Contract was authorized under Resolution No. 10-1894, dated March 2, 2010.

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

[14-9886](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting a professional services agreement for Contract 19-14 (K4-019), City Hall Annex Fire Alarm. (Res. No. 14-0106)

Recommendation of the Public Works and Services Committee on 03-11-14: That the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with Strang, Inc., for Contract 19-14 (K4-019), City Hall Annex Fire Alarm in the not-to-exceed amount of \$19,000.00.

Further recommends that funds to defray the cost of these professional services be appropriated from Account 994.200.5020, Annex-Upgrade Fire Alarm.

Fiscal Note: Funds are available as herein delineated.

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

[14-9890](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer submitting Change Order No. 1 on Contract 23-12 (K2-025), Traffic Signal Interconnect and System Timing, Pro Electric, contractor. (Res. No. 14-0116)

Recommendation of the Public Works and Services Committee on 03-11-14: That Change Order No. 1 on Contract 23-12 (K2-025), Traffic Signal Interconnect and System Timing, Pro Electric, contractor, be approved in the amount of \$143,558.51.

Further recommends that funding to defray the cost of this change order be appropriated from Account 993.908.5020, Concrete Pavement Replacement, Misc.

Fiscal Note: Funds are available as herein delineated.

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

14-9891

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer submitting Change Order No. 1 on Contract 14-13 (K3-014), Alley Paving Phase I Assessable (R1), LaLonde Contractors, Inc., contractor. (Res. No. 14-0117)

Recommendation of the Public Works and Services Committee on 03-11-14: That Change Order No. 1 on Contract 14-13 (K3-014), Alley Paving Phase I Assessable (R1), LaLonde Contractors, Inc., contractor, be approved in the amount of \$24,172.09.

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

\$ 16,815.80 - Account 906.000.5030, Concrete Alley Paving Misc.
\$ 7,356.29 - Account 993.908.5030, Concrete Alley Paving Misc.
\$ 24,172.09 - Total

Fiscal Note: Funds are available as herein delineated.

Alderman Kaprelian-Becker requested that this item be given separate consideration. There were no objections.

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

AYES: 11 - Coe, Sarrazin, Shields, Weidner, Shakoore, II, McCarthy, Holding, Perez, Morgenroth, Hart and Diehl

NOES: 1 - Kaprelian-Becker

EXCUSED: 2 - Kaplan and DeHahn

NON VOTING: 1 - Wisner

14-9892

Subject: (Direct Referral) Communication from the Commissioner of Public Works submitting a request for final payment on Contract 14-13 (K3-014), Alley Paving Phase I Assessable (R1), LaLonde Contractors, Inc., contractor. (Res. No. 14-0118)

Recommendation of the Public Works and Services Committee on 03-11-14: That the work done by LaLonde Contractors, Inc. under

Contract 14-13 (K3-014), Alley Paving Phase I Assessable (R1), be accepted and final payment authorized for a total contract amount of \$446,461.88.

Fiscal Note: Contract was authorized under Resolution No. 13-0148, dated April 3, 2013.

Alderman Kaprelian-Becker requested that this item be given separate consideration. There were no objections.

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

AYES: 11 - Coe, Sarrazin, Shields, Weidner, Shakoor, II, McCarthy, Holding, Perez, Morgenroth, Hart and Diehl

NOES: 1 - Kaprelian-Becker

EXCUSED: 2 - Kaplan and DeHahn

NON VOTING: 1 - Wisner

[14-9899](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works submitting a request for final payment on Contract 12-13 (K3-012), Aerial Imaging Services for GIS, Pictometry International Corporation, consultant. (Res. No. 14-0113)

Recommendation of the Public Works and Services Committee on 03-11-14: The the work done by Pictometry International Corp., under Contract 12-13 (K3-012), Aerial Imaging Services for GIS, be accepted and final payment authorized for a total contract amount of \$42,314.00.

Fiscal Note: Contract was authorized under Resolution No. 13-0023, dated January 15, 2013.

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

Council Action

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

AYES: 12 - Coe, Sarrazin, Shields, Kaprelian-Becker, Weidner, Shakoor, II, McCarthy, Holding, Perez, Morgenroth, Hart and Diehl

EXCUSED: 2 - Kaplan and DeHahn

NON VOTING: 1 - Wisner

Public Safety and Licensing Committee Report, by Ald. Holding

[13-8542](#)

Subject: Communication from the Mayor requesting that the City Attorney repeal and recreate Sec. 6-106 prohibiting the issuance of a liquor license to premises that have delinquent accounts with the City.

Recommendation of the Public Safety & Licensing Committee on 2-13-13: That the item be deferred until we can get further information on some of the questions that were raised.

Recommendation of the Public Safety & Licensing Committee on 2-25-13: That the item be deferred.

Recommendation of the Public Safety and Licensing Committee on 2-26-14: That the item be deferred.

Recommendation of the Public Safety and Licensing Committee on 03-11-14: That the communication from the Mayor requesting that the City Attorney repeal and recreate Sec. 6-106 prohibiting the issuance of a liquor license to premises that have delinquent accounts with the City be denied based on advice of legal counsel.

Fiscal Note: N/A

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

[13-9621](#)

Subject:(AMENDED) Application of Wisconsin CVS Pharmacy, LLC. Eric A Ennocenti, Agent, for a Class "A" Retail Fermented Malt Beverage License for 1122 West Boulevard (9th District)

Recommendation of the Public Safety and Licensing Committee on 01-14-14: Defer this item until a new agent is named for CVS.

Recommendation of the Public Safety and Licensing Committee on 03-11-14: That the application of Wisconsin CVS Pharmacy, LLC. Eric A Ennocenti, Agent, for a Class "A" Retail Fermented Malt Beverage License for 1122 West Boulevard be approved. Motion failed.

Ayes: Alderman Morgenroth, Alderman Perez

Noes: Alderman Holding, Alderman Kaprelian-Becker

Fiscal Note: N/A

Alderman Holding requested this item be considered separately. There were no objections.

Alderman Holding moved to Deny this item, Alderman Shakoor seconded the motion.

A motion was made by Alderman Sarrazin, seconded by Alderman Coe, that this be Referred to the Public Safety and Licensing Committee. The motion PASSED by the following vote:

AYES: 8 - Coe, Sarrazin, Shields, Kaprelian-Becker, Weidner, Shakoor, II, Hart and Diehl

NOES: 4 - McCarthy, Holding, Perez and Morgenroth

EXCUSED: 2 - Kaplan and DeHahn

NON VOTING: 1 - Wisner

14-9814

Subject: Request of the Committee for the appearance of Radojko Radicevic at the February 25, 2014 meeting regarding his application for an Operator's (Bartender) License.

Recommendation of the Public Safety and Licensing Committee on 2-26-14: That the item be deferred.

Recommendation of the Public Safety and Licensing Committee on 03-11-14: That Radojko Radicevic's application for an Operator's (Bartender) License be denied as applicant did not appear at the last to two meetings and due to his record check.

Fiscal Note: N/A

Alderman Holding requested separate consideration for this item, there were no objections.

A motion was made that this Communication be referred back to Public Safety and Licensing Committee. . The motion was APPROVED by the following vote:

AYES: 12 - Coe, Sarrazin, Shields, Kaprelian-Becker, Weidner, Shakoor, II, McCarthy, Holding, Perez, Morgenroth, Hart and Diehl

EXCUSED: 2 - Kaplan and DeHahn

NON VOTING: 1 - Wisner

14-9846

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting formal bidding be waived and the purchasing agent be authorized to negotiate with Reindeers as the sole source for the purchase of a Toro 5910 Mower. (Res. No. 14-0119)

Recommendation of the Public Safety and Licensing Committee on 03-11-14: That formal bidding be waived and the purchasing agent be authorized to negotiate with Reindeers as the sole source for the purchase of a Toro 5910 Mower be approved.

Fiscal Note: N/A

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

[14-9847](#)

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting formal bidding be waived and authorization to negotiate with Ramaker & Associates as the sole source for the purchase of specialized cemetery software upgrade. (Res. No. 14-0120)

Recommendation of the Public Safety and Licensing Committee on 03-11-14: That formal bidding be waived and authorization to negotiate with Ramaker & Associates as the sole source for the purchase of specialized cemetery software upgrade be approved.

Fiscal Note: N/A

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

[14-9865](#)

Subject: (New) Application of K&D AFH, LLC Lavanda Perkins, Agent for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 1333 Douglas Ave. (4th District)

Recommendation of the Public Safety and Licensing Committee on 03-11-14: That the application of K&D AFH, LLC Lavanda Perkins, Agent for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 1333 Douglas Ave be approved.

Fiscal Note: N/A

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

[14-9887](#)

Subject: Ordinance 02-13

To recreate Section 6-106 of the Municipal Code of the City of Racine, Wisconsin relating to payment of property tax.

Recommendation of the Public Safety and Licensing Committee on 03-11-14: That Ordinance 02-13 be received and filed.

Fiscal Note: N/A

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

Council Action

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

AYES: 12 - Coe, Sarrazin, Shields, Kaprelian-Becker, Weidner, Shakoor, II, McCarthy, Holding, Perez, Morgenroth, Hart and Diehl

EXCUSED: 2 - Kaplan and DeHahn

NON VOTING: 1 - Wisner

City Plan Commission Report, by Ald. Wisner

Alderman Wisner arrived at 8:35 p.m. and took his seat.

14-9852

Subject: Communication from the Director of City Development requesting to adopt the Pike River Watershed-Based Plan. (Res. No. 14-0121)

Recommendation of the City Plan Commission on 3-12-14: To adopt the plan as a guide in implementing the 2035 Comprehensive Plan.

Fiscal Note: N/A

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

14-9901

Subject: (Direct Referral) Request from John Elicson of Elicson Architecture & Illustration, representing Richard Larsen of Racine Montessori School, for an amendment to a conditional use permit for a classroom addition and remodel at 2317 Howe Street. (Res. No. 14-0122)

Recommendation of the City Plan Commission on 3-12-14: That the item be approved subject to conditions.

Fiscal Note: N/A

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

Council Action

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

AYES: 13 - Coe, Sarrazin, Shields, Kaprelian-Becker, Weidner, Shakoor, II, McCarthy, Wisner, Holding, Perez, Morgenroth, Hart and Diehl

EXCUSED: 2 - Kaplan and DeHahn

Community Development Committee Report, by Ald. McCarthy[14-9811](#)

Subject: Communication from the Director of City Development requesting approval of a revision to the 2014 Annual Housing and Community Development Action Plan. (Res. No. 14-0123)

Recommendation of the Community Development Committee on 3-3-14: That the text titled "Revision to 2014 Action Plan - March 2014" be approved and added to the 2014 Annual Housing and Community Development Action Plan; and

Further, that Resolution 13-0498, dated December 17, 2013 be rescinded; and

Further, that the recommended allocation of the 2014 Community Development Block Grant and Emergency Solutions Grant is approved and, if the total grant received is less than the funds allocated to activities, then each activity's budget be reduced to the same proportion as the percentage difference between the estimated total grant and the actual total grant, and if the total grant received is more than the funds allocated to activities, then the budget of any activity that received an allocation less than the amount requested by the applicant, due to the estimated lack of funds, be increased in the same proportion as the percentage difference between the estimated total grant and the actual total grant, up to the amount of the applicant's original request; and

Further, that the appropriate city officials are authorized and directed to execute and submit to the U.S. Department of Housing and Urban Development the documents required to secure the grants and to execute third-party contracts with the agencies approved for the use of the funds.

Fiscal Note: The actual amount of community development funding that the city will received is still unknown. The revision provides a method for adjusting the allocation of CDBG and ESG funds to specific projects and programs in case the grant amounts vary from the amounts currently anticipated.

A motion was made by Alderman McCarthy, seconded by Alderman Shakoor, that this be Received and Filed as Reported. The motion PASSED by the following vote:

AYES: 13 - Coe, Sarrazin, Shields, Kaprelian-Becker, Weidner, Shakoor, II, McCarthy, Wisner, Holding, Perez, Morgenroth, Hart and Diehl

EXCUSED: 2 - Kaplan and DeHahn

Committee of the Whole Report, by Ald. McCarthy[14-9864](#)

Subject: Communication from the City Attorney requesting to meet with the Committee of the Whole in Closed Session pursuant to Wisconsin Statutes section 19.85(1)(g), to confer concerning strategy with respect to certain litigation specifically Holmes, et al v. Dickert, City of Racine, et al., US District Court for the Eastern District of Wisconsin Case No. 14-CV-208 (Res. No. 14-0124)

Recommendation of the Committee of the Whole on 03-11-2014:

Permission be granted to the City Attorney to represent John T. Dickert; Gary E. Becker; Kurt S. Wahlen; Jeffrey A. Coe; James Kaplan; Raymond DeHahn; Gregory T. Holding; David L. Maack; Aron M. Wisneski; Robert E. Mozol; Devin P. Sutherland; Mark L. Levin; Joseph G. LeGath; and Gregory S. Bach, in the lawsuit, Holmes, et al., v. Dickert, et al, U.S. District Court Eastern District Case No. 14-CV-0208, with indemnification issues to be decided later.

Fiscal Note: the cost of legal representation is not anticipated to exceed \$100,000 due to insurance policies in place.

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

AYES: 10 - Sarrazin, Kaprelian-Becker, Weidner, Shakoor, II, McCarthy, Wisner, Perez, Morgenroth, Hart and Diehl

EXCUSED: 2 - Kaplan and DeHahn

ABSTENTIONS: 3 - Coe, Shields and Holding

Mayor's Report, by Ald. McCarthy[14-9923](#)

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

Reappoint Andy Hay 1642 Washington Ave. Racine, 53403 to the Business Improvement District Board 3 - Uptown for a 3 year term expiring December 31, 2016

Reappoint Guy Singer 1514 Junction Ave Racine, 53403 to the Business Improvement District Board 3 - Uptown for a 3 year term expiring December 31, 2016

Reappoint Bob Carlson 2412 Douglas Ave Racine, 53402 to the Business Improvement District #4 - Douglas Ave for a 3 year term, expiring December 31, 2016

Appoint Andrea Clausen 1920 Douglas Ave Racine, 53402 to the Business Improvement District #4 - Douglas Ave for a 3 year term, expiring December 31, 2016

A motion was made by Alderman McCarthy, seconded by Alderman Shakoor, that this be Received and Filed as Reported. The motion PASSED by the following vote:

AYES: 13 - Coe, Sarrazin, Shields, Kaprelian-Becker, Weidner, Shakoor, II, McCarthy, Wiser, Holding, Perez, Morgenroth, Hart and Diehl

EXCUSED: 2 - Kaplan and DeHahn

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

14-9835

Subject: (Direct Referral) Communication from Kari Dawson, Real Racine, submitting the request to use City right-of-way for The Color Run on May 24, 2014. (Res. No. 14-0125)

Recommendation of the Public Works and Services Committee on 02-26-14: That permission be granted to Real Racine to close the following streets and to utilize certain other city streets, as indicated, on their race map, for The Color Run on Saturday, May 24, 2014.

Pershing Park Drive from 6th Street to 11th Street
11th Street from Main Street to Pershing Park Drive
Main Street from 10th Street to 11th Street
10th Street from Main Street to Lake Avenue
Lake Avenue from 10th Street to State Street
6th Street from Pershing Park Drive to Center Street
7th Street from Lake Avenue to Center Street
Main Street from 7th Street to Main Street Bridge
Gaslight Drive from Lake Avenue to cul-de-sac
2nd Street from Main Street to Wisconsin Avenue
Wisconsin Avenue from 2nd Street to 3rd Street
3rd Street from Wisconsin Avenue to Main Street

with the following stipulations:

- A. A hold harmless agreement be executed and a \$75.00 processing fee paid.
- B. Proof of liability insurance be filed prior to this event.
- C. Any overtime costs incurred by any City department be charged to the sponsor.
- D. The sponsor shall notify all abutting property owners seventy-two (72) hours in advance of this event.
- E. The sponsor shall pay a \$1,700.00 special event fee.

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

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

H. Sponsor shall pay \$750.00 for street sweeping.

I. Sponsor shall pay \$6.25 per impacted parking meter.

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

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

Recommendation of the Parks, Recreation & Cultural Services Committee on 3/13/14: To waive ordinance 70:104 park closing hours to allow the Color Run staff on Pershing Park premises outside of park hours on Saturday, May 24, 2014 to accomodate event set up.

Fiscal Note: Park reservation permit fees and deposit for use of Pershing Park.

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

AYES: 13 - Coe, Sarrazin, Shields, Kaprelian-Becker, Weidner, Shakoor, II, McCarthy, Wiser, Holding, Perez, Morgenroth, Hart and Diehl

EXCUSED: 2 - Kaplan and DeHahn

City Landmark's Preservation Commission Report, by Ald. Sarrazin

14-9900

Subject: (Direct Referral) Request from the Assistant Director of City Development to accept a Wisconsin Historical Society Certified Local Government sub-grant in the amount of \$15,000.00 to conduct a reconnaissance survey of the Manree Park area. (Grant Control Number 2013-33)

Recommendation of the Landmarks Preservation Commission on 3-10-14: That the Mayor and City Clerk be authorized and directed to enter into an agreement with the Wisconsin Historical Society through the Certified Local Government Subgrant program to accept a \$15,000.00 grant to be utilized for the conduct of a reconnaissance survey of an area described as Manree Park.

Further, that the Mayor and City Clerk be authorized and directed to

enter into a contract with a WHS qualified historic preservation professional to prepare and submit the Manree Park reconnaissance survey.

Further, that this be referred to the Finance and Personnel Committee for their review and recommendation.

Fiscal Note: There is no local match required for this grant: City Grant Control No. 2013-33, Manree Park, 798 fund.

A motion was made that this Communication be Referred to Finance and Personnel Committee. The motion was APPROVED by the following vote:

AYES: 13 - Coe, Sarrazin, Shields, Kaprelian-Becker, Weidner, Shakoor, II, McCarthy, Wiser, Holding, Perez, Morgenroth, Hart and Diehl

EXCUSED: 2 - Kaplan and DeHahn

G. Consent Agenda / Resolutions

[Res.14-0101](#) Wisconsin DOT 2014 Seatbelt Grant

Resolved, that the Police Chief is authorized to apply for and accept the Wisconsin DOT 2014 Seatbelt Grant in the amount of \$5,000.00.

Fiscal Note: 25% soft City match of \$1,250.00 required.

Sponsors: Q.A. Shakoor, II

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

[Res.14-0102](#) Tree Inventory Project

Resolved, that the Director of Parks, Recreation & Cultural Services is authorized to accept reimbursement grant funds in the amount of \$25,000.00 from the Wisconsin Department of Natural Resources for the Tree Inventory Project. (Grant Control # 2012-024)

Fiscal Note: Funds were expended in account 993.700.5220 City-Wide Tree Inventory.

Sponsors: Q.A. Shakoor, II

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

[Res.14-0103](#) HIV Prevention Partner Services

Resolved, that the Public Health Administrator is authorized to accept \$13,000.00 from the State of Wisconsin represented by its Division of Public Health of the Department of Health Services for HIV Prevention

Partner Services. (Grant Control # 2014-009)

Fiscal Note: No City match required.

Sponsors: Q.A. Shakoor, II

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

Res.14-0104

Samuel Myers Park Restoration - Phase II

Resolved, that the Public Health Administrator is authorized to accept funding from the Root-Pike Watershed Initiative Network for \$10,000.00 to support the Samuel Myers Park Restoration - Phase II project. (Grant Control # 2013-031)

Fiscal Note: No City match required.

Sponsors: Q.A. Shakoor, II

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

Res.14-0105

Use of Civic Centre Parking Ramp for Relocation of the Lift Station Electrical Control Panel

Resolved, that the Racine Water and Wastewater Utilities are authorized to use the Civic Centre Parking Ramp for the relocation of the lift station electrical Control panel.

Fiscal Note: N/A

Sponsors: Sandy Weidner

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

Res.14-0106

Professional Services Agreement for Contract 19-14 (K4-019), City Hall Annex Fire Alarm

Resolved, that the Mayor and City Clerk are authorized and directed to enter into a professional services agreement with Strang, Inc., for Contract 19-14 (K4-019), City Hall Annex Fire Alarm in the not-to-exceed amount of \$19,000.00.

Fiscal Note: Funds to defray the cost of these professional services be appropriated from Account 994.200.5020, Annex-Upgrade Fire Alarm.

Sponsors: Sandy Weidner

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

Res.14-0107

Change Order No. 1 on Contract 53-13 (K3-058), HVAC Upgrades - IS Server Room

Resolved, that Change Order No. 1 on Contract 53-13 (K3-058), HVAC Upgrades - IS Server Room, Grunau Company, Inc., contractor is approved in the amount of \$1,100.00.

Fiscal Note: Funding to defray the cost of this change order be appropriated from Account 993.100.5030, HVAC - IS Server Room.

Sponsors: Sandy Weidner

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

Res.14-0108

Final Payment on Contract 53-13 (K3-058), HVAC Upgrades - IS Server Room

Resolved, that the work done by Grunau Company, Inc., under Contract 53-13 (K3-058), HVAC Upgrades - IS Server Room, is accepted and final payment authorized for a total contract amount of \$64,600.00.

Fiscal Note: Contract was authorized under Resolution No. 13-0409, dated October 15, 2013.

Sponsors: Sandy Weidner

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

Res.14-0109

Final Payment on Contract 22-10 (K0-025) - Design Services for City Hall Facilities Plan Implementation - Phase III

Resolved, that the work done by Butterfield, Rudie & Seitz under Contract 22-10 (K0-025), PS-Design Services for City Hall Facilities Plan Implementation - Phase III, is accepted and final payment authorized for a total contract amount of \$63,919.23.

Fiscal Note: Contract was authorized under Resolution No. 10-1876, dated February 16, 2010.

Sponsors: Sandy Weidner

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

Res.14-0110

Final Payment on Contract 16-12 (K2-017), PS - Roof Replacement at Festival Hall, Equipment Maintenance Garage and Salt Shed

Resolved, that the work done by Industrial Roofing Services, Inc.,

under Contract 16-12 (K2-017), PS - Roof Replacement at Festival Hall, Equipment Maintenance Garage and Salt Shed, is accepted and final payment authorized for a total contract amount of \$73,025.00.

Fiscal Note: Contract was authorized under Resolution No. 12-2970, dated February 22, 2012.

Sponsors: Sandy Weidner

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

Res.14-0111

Final Payment on Contract 30-10 (K0-035), PS - Expand Cityworks to Facility Management, Power Engineers

Resolved, that the work done by Power Engineers under Contract 30-10 (K0-35), PS - Expand Cityworks to Facility Management, is accepted and final payment authorized for a total contract amount of \$19,313.50.

Fiscal Note: Contract was authorized under Resolution No. 10-1895, dated March 2, 2010.

Sponsors: Sandy Weidner

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

Res.14-0112

Change Order No. 1 on Contract 08-13 (K3-008), 2013 CDBG Concrete Reconstruct

Resolved, that Change Order No. 1 on Contract 08-13 (K3-008), 2013 CDBG Concrete Reconstruct, LaLonde Contractors, Inc., contractor, is approved in the amount of \$47,409.18.

Fiscal Note: Funding to defray the cost of this change order be appropriated from the following accounts:

\$ 8,220.03	-	Account 893.030.5540, CDBG Paving
\$ 29,144.47	-	Account 993.908.5020, Concrete Pavement Replacement
\$ 13,609.94	-	Account 993.908.5010, Concrete Street Paving, Misc.
\$ (3,260.00)	-	Account 104.993.5420, Storm Sewers, Misc.
<u>\$ (305.26)</u>	-	Account 287.993.5310, Sanitary Sewers, Var. Loc.
\$ 47,409.18	-	Total

Sponsors: Sandy Weidner

Alderman McCarthy requested separate consideration for this resolution. There were no objections.

A motion was made by Alderman McCarthy, seconded by Alderman Shakoor, that this Resolution be Adopted. The motion was APPROVED by the following vote:

AYES: 12 - Coe, Sarrazin, Shields, Weidner, Shakoor, II, McCarthy, Wisner, Holding, Perez, Morgenroth, Hart and Diehl

NOES: 1 - Kaprelian-Becker

EXCUSED: 2 - Kaplan and DeHahn

Res.14-0113 Final payment on Contract 12-13 (K3-012), Aerial Imaging Services for GIS

Resolved, that the work done by Pictometry International Corp., under Contract 12-13 (K3-012), Aerial Imaging Services for GIS, is accepted and final payment authorized for a total contract amount of \$42,314.00.

Fiscal Note: Contract was authorized under Resolution No. 13-0023, dated January 15, 2013.

Sponsors: Sandy Weidner

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

Res.14-0114 Final Payment on Contract 08-13 (K3-008), 2013 CDBG Concrete Reconstruct

Resolved, that the work done by LaLonde Contractors, Inc. under Contract 08-13 (K3-008), 2013 CDBG Concrete Reconstruct, is accepted and final payment authorized for a total contract amount of \$597,431.57.

Fiscal Note: Contract was authorized under Resolution No. 13-0147, dated April 3, 2013.

Sponsors: Sandy Weidner

Alderman McCarthy requested separate consideration for this resolution. There were no objections.

A motion was made by Alderman McCarthy, seconded by Alderman Shakoor, that this Resolution be Adopted. The motion was APPROVED by the following vote:

AYES: 12 - Coe, Sarrazin, Shields, Weidner, Shakoor, II, McCarthy, Wisner, Holding, Perez, Morgenroth, Hart and Diehl

NOES: 1 - Kaprelian-Becker

EXCUSED: 2 - Kaplan and DeHahn

Res.14-0115 Final Payment on Contract 29-10 (K0-034), PS-2010 Information

Consulting Services

Resolved, that the professional services provided by AECOM, under Contract 29-10 (K0-034), PS - 2010 Information Consulting Services, is accepted and final payment authorized for a total contract amount of \$47,969.60.

Fiscal Note: Contract was authorized under Resolution No. 10-1894, dated March 2, 2010.

Sponsors: Sandy Weidner

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

Res.14-0116

Change Order No. 1 on Contract 23-12 (K2-025), Traffic Signal Interconnect and System Timing

Resolved, that Change Order No. 1 on Contract 23-12 (K2-025), Traffic Signal Interconnect and System Timing, Pro Electric, contractor, is approved in the amount of \$143,558.51..

Fiscal Note: Funding to defray the cost of this change order be appropriated from Account 993.908.5020, Concrete Pavement Replacement, Misc

Sponsors: Sandy Weidner

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

Res.14-0117

Change Order No. 1 on Contract 14-13 (K3-014), Alley Paving Phase I Assessable (R1)

Resolved, that Change Order No. 1 on Contract 14-13 (K3-014), Alley Paving Phase I Assessable (R1), LaLonde Contractors, Inc., contractor, is approved in the amount of \$24,172.09.

Fiscal Note: Funding to defray the cost of this change order be appropriated from the following accounts:

\$16,815.80	-	Account 906.000.5030, Concrete Alley Paving Misc.
<u>\$ 7,356.29</u>	-	Account 993.908.5030, Concrete Alley Paving Misc.
\$24,172.09	-	Total

Sponsors: Sandy Weidner

Alderman McCarthy requested separate consideration for this resolution. There were no objections.

A motion was made by Alderman McCarthy, seconded by Alderman Shakoor, that this Resolution be Adopted. The motion was APPROVED by the following

vote:

AYES: 12 - Coe, Sarrazin, Shields, Weidner, Shakoor, II, McCarthy, Wisner, Holding, Perez, Morgenroth, Hart and Diehl

NOES: 1 - Kaprelian-Becker

EXCUSED: 2 - Kaplan and DeHahn

Res.14-0118

Final payment on Contract 14-13 (K3-014), Alley Paving Phase I Assessable (R1)

Resolved, that the work done by LaLonde Contractors, Inc. under Contract 14-13 (K3-014), Alley Paving Phase I Assessable (R1), is accepted and final payment authorized for a total contract amount of \$446,461.88.

Fiscal Note: Contract was authorized under Resolution No. 13-0148, dated April 3, 2013.

Sponsors: Sandy Weidner

Alderman McCarthy requested separate consideration for this resolution. There were no objections.

A motion was made by Alderman McCarthy, seconded by Alderman Shakoor, that this Resolution be Adopted. The motion was APPROVED by the following vote:

AYES: 12 - Coe, Sarrazin, Shields, Weidner, Shakoor, II, McCarthy, Wisner, Holding, Perez, Morgenroth, Hart and Diehl

NOES: 1 - Kaprelian-Becker

EXCUSED: 2 - Kaplan and DeHahn

Res.14-0119

Purchase of Toro 5910 Mower

Resolved, that formal bidding be waived and the purchasing agent is authorized to negotiate with Reindeers as the sole source for the purchase of a Toro 5910 Mower.

Fiscal Note: N/A

Sponsors: Gregory Holding

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

Res.14-0120

Specialized Cemetery Software Upgrade

Resolved, that formal bidding is waived and authorization to negotiate with Ramaker & Associates as the sole source for the purchase of specialized cemetery software upgrade is approved.

Fiscal Note: N/A

Sponsors: Gregory Holding

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

Res.14-0121

Pike River Watershed-Based Plan

Resolved, that the Director of City Development is authorized to adopt the Pike River Watershed-Based Plan as a guide in implementing the 2035 Comprehensive Plan.

Fiscal Note: N/A

Sponsors: Dennis Wisser

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

Res.14-0122

Classroom Addition and Remodel at 2317 Howe Street - Racine Montessori School

Resolved, that the request from John Elicson of Elicson Architecture & Illustration, representing Richard Larsen of Racine Montessori School, for an amendment to a conditional use permit for a classroom addition and remodel at 2317 Howe Street is approved, subject to the following conditions:

- a. That the plans presented to the Plan Commission on March 12, 2014 be approved subject to the conditions contained herein.
- b. That all applicable building and occupancy permits be obtained from the Building Inspection Department.
- c. That a detailed landscape plan describing size, location and species be submitted for the review and approval of the Director of City Development prior to the issuance of a building permit, and that the landscaping be installed prior to the issuance of an occupancy permit.
- d. That if, prior to the issuance of an occupancy permit, landscaping is not completed, a financial surety shall be provided to the City in an amount equal in value to the required improvements, subject to the following terms:
 1. Financial surety documents shall be 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 plans(s) and draw on the financial security for the cost of implementation if required improvements are not completed by the time of the issuance of an occupancy permit, 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 the owner or shall be imposed as a special charge against the real property in accordance with applicable statute.

e. 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.

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

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

Fiscal Note: N/A

Sponsors: Dennis Wiser

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

Res.14-0123

Revision to the 2014 Annual Housing and Community Development Action Plan

WHEREAS, it is necessary to make revisions to the 2014 Annual Housing and Community Development Action Plan to maintain consistency with guidance provided by the U.S. Department of Housing and Urban Development.

Resolved, that the text titled "Revision to 2014 Action Plan - March 2014" is approved and added to the 2014 Annual Housing and Community Development Action Plan; and

Further resolved, that the recommended allocation of the 2014 Community Development Block Grant and Emergency Solutions Grant is approved and, if the total grant received is less than the funds allocated to activities, then each activity's budget be reduced in the same proportion as the percentage difference between the estimated

total grant and the actual total grant and, if the total grant received is more than the funds allocated to activities, then the budget of any activity that received an allocation less than the amount requested by the applicant, due to the estimated lack of funds, be increased in the same proportion as the percentage difference between the estimated total grant and the actual total grant, up to the amount of the applicant's original request; and

Further resolved, that the appropriate City officials are authorized and directed to execute and submit to the U.S. Department of Housing and Urban Development the documents required to secure the grants and to execute third-party contracts with the agencies approved for the use of the funds; and

Further resolved, that Resolution No. 13-0498, dated December 17, 2013, is rescinded.

Fiscal Note: The actual amount of community development funding that the City will receive is still unknown. The revision provides a method for adjusting the allocation of CDBG and ESG funds to specific projects and programs in case the grant amounts vary from the amounts currently anticipated.

Sponsors: Terry McCarthy

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

Res.14-0124

Holmes, et al v. Dickert, City of Racine, et al., US District Court for the Eastern District of Wisconsin Case No. 14-CV-208

Resolved, that permission is granted to the City Attorney to represent John T. Dickert; Gary E. Becker; Kurt S. Wahlen; Jeffrey A. Coe; James Kaplan; Raymond DeHahn; Gregory T. Holding; David L. Maack; Aron M. Wisneski; Robert E. Mozol; Devin P. Sutherland; Mark L. Levin; Joseph G. LeGath; and Gregory S. Bach, in the lawsuit, *Holmes, et al., v. Dickert, et al*, U.S. District Court Eastern District Case No. 14-CV-0208, with indemnification issues to be decided later.

Fiscal Note: the cost of legal representation is not anticipated to exceed \$100,000 due to insurance policies in place.

Sponsors: Terry McCarthy

Alderman McCarthy requested separate consideration for this resolution. There were no objections.

A motion was made by Alderman McCarthy, seconded by Alderman Shakoor, that this Resolution be Adopted. The motion was APPROVED by the following vote:

AYES: 10 - Sarrazin, Kaprelian-Becker, Weidner, Shakoor, II, McCarthy, Wisner, Perez, Morgenroth, Hart and Diehl

EXCUSED: 2 - Kaplan and DeHahn

ABSTENTIONS: 3 - Coe, Shields and Holding

Res.14-0125 2014 Color Run

Resolved, that permission is granted to Real Racine to close the following streets and to utilize certain other city streets, as indicated, on their race map, for The Color Run on Saturday, May 24, 2014.

Pershing Park Drive from 6th Street to 11th Street
11th Street from Main Street to Pershing Park Drive
Main Street from 10th Street to 11th Street
10th Street from Main Street to Lake Avenue
Lake Avenue from 10th Street to State Street
6th Street from Pershing Park Drive to Center Street
7th Street from Lake Avenue to Center Street
Main Street from 7th Street to Main Street Bridge
Gaslight Drive from Lake Avenue to cul-de-sac
2nd Street from Main Street to Wisconsin Avenue
Wisconsin Avenue from 2nd Street to 3rd Street
3rd Street from Wisconsin Avenue to Main Street

with the following stipulations:

- A. A hold harmless agreement be executed and a \$75.00 processing fee paid.
- B. Proof of liability insurance be filed prior to this event.
- C. Any overtime costs incurred by any City department be charged to the sponsor.
- D. The sponsor shall notify all abutting property owners seventy-two (72) hours in advance of this event.
- E. The sponsor shall pay a \$1,700.00 special event fee.
- F. Sponsor shall be responsible for submitting a Temporary Traffic Control Plan to the Engineering Department for approval; and providing and removing all temporary traffic control devices and detour signs.
- G. Sponsor shall provide a detour plan for the closure of all State Connecting Highways, arterial and collector streets to the City

Engineer for approval.

H. Sponsor shall pay \$750.00 for street sweeping.

I. Sponsor shall pay \$6.25 per impacted parking meter.

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

Further resolved, that ordinance 70:104 park closing hours will be waived to allow the Color Run staff on Pershing Park premises outside of park hours on Saturday, May 24, 2014 to accommodate event set up.

Fiscal Note: Park reservation permit fees and deposit for use of Pershing Park. There will be nominal costs to various City departments, on a regular shift basis, to assist in implementing this event.

Sponsors: Terry McCarthy

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

Council Action

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

AYES: 13 - Coe, Sarrazin, Shields, Kaprelian-Becker, Weidner, Shakoor, II, McCarthy, Wisner, Holding, Perez, Morgenroth, Hart and Diehl

EXCUSED: 2 - Kaplan and DeHahn

Res.14-0126

Resolution Urging the Full Use of Federal Grants to Improve the Wisconsin Health Care System

WHEREAS, the federal Affordable Care Act encourages innovation in states provided the goal is to ensure a greater level of health coverage. The decision to turn down federal grants for Wisconsin, however, will not improve health care coverage; it actually makes it harder for people to qualify for Badger Care. An estimated 88,000 adults who currently qualify for the program will be dropped, including thousands from Racine County. Leaving up to \$1.3 billion of Medicaid grants on the table by 2017 will improve neither the economy nor our health care system. Some of these federal funds will flow through insurance exchanges rather than Medicaid, but much will be lost; and

WHEREAS, in 2014 thousands of Medicaid recipients will be placed in private health insurance exchanges and required to pay premiums. The transition from Medicaid to private insurance and the premium cost could result in the loss of health care due to confusion and inability to pay; and

WHEREAS, in Racine County over 19,000 (10%) people remain uninsured. Some Racine County health issues include: 52% more people per doctor, 9% more early deaths, 14% more low birth weight babies, 11% more air particulate, 13% more poor mental health days, 35% more sexual infections, and more obesity, smoking, etc. compared to the rest of the State ¹; and

WHEREAS, being underinsured and uninsured impacts County Human Services Departments because it can lead to untreated mental health or substance abuse and lack of preventive health care that can lead to loss of jobs, the inability to function and loss of self-sufficiency. Being underinsured and uninsured impacts local health care provider Wheaton Franciscan, whose Racine hospital deals with \$20 million per year of unfunded healthcare.

Wisconsin Assembly Bill 53, and its companion, Senate Bill 38, require the state to take action to qualify for enhanced Medicaid grants.

NOW THEREFORE BE IT RESOLVED that the Racine Common Council urges the Wisconsin Legislature to support Assembly Bill 53 and Senate Bill 38 and accept enhanced federal Medicaid grants to improve the state's health care system.

BE IT FURTHER RESOLVED that, as an alternative, the Racine Common Council encourages the Governor and the Wisconsin Legislature to authorize and enable counties to enhance Medicaid funding at the county level, thereby ensuring their citizens in participating counties have access to affordable health coverage

BE IT FINALLY RESOLVED that a copy of this resolution be provided to Governor Walker, Wisconsin Department of Health Services Secretary Rhoades, and the Racine County state legislative delegation.

¹ www.countyhealthrankings.org

Sponsors: Krystyna Sarrazin

A motion was made by Alderman McCarthy, seconded by Alderman Weidner, that this Resolution be Referred to the Committee of the Whole. The motion was APPROVED by the following vote:

AYES: 7 - Coe, Sarrazin, Weidner, McCarthy, Morgenroth, Hart and Diehl

NOES: 5 - Shields, Kaprelian-Becker, Shakoor, II, Holding and Perez

EXCUSED: 2 - Kaplan and DeHahn

NON VOTING: 1 - Wisner

H. Adjourn

The meeting was adjourned at 8:55 p.m. by Alderman Shakoor. The next scheduled meeting of the Council is Wednesday, April 2, 2014

*ATTEST: JANICE M. JOHNSON-MARTIN
CITY CLERK*