



City of Racine

Meeting Agenda - Revised

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*

Wednesday, February 21, 2007

7:00 PM

Room 205, City Hall

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

1. [ZOrd.0001-07](#) An Ordinance to rezone 936 South Main Street

To amend the map of the Zoning Ordinance of the City of Racine.

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

Part 1:

That the property located at 936 South Main Street and more particularly described as follows:

"Lot 9 and East 20 feet of Lot 10, Block 17 School Section. Said land being in the City of Racine, Racine County, Wisconsin."

be rezoned from "O" Restricted Office District, to "O/H" Restricted Office District with a Historic Properties District Overlay, and designated as Supplement No. _____, which Supplement is hereby made a part of this ordinance.

Part 2:

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

Passed by the Common Council:

Approved: _____

Mayor

Attest:

City Clerk

Fiscal Note: N/A

Sponsors: Gregory Holding

F. Communications

2. [07-0139](#) **Subject:** Building Report for January 2007.

Refer to Finance and Personnel Committee, by Ald. Spangenberg

3. [07-0146](#) **Subject:** Communication from the City Attorney submitting the claim of Sloan Friedl and Kenneth Friedl for consideration.

Staff recommendation: That the claim be paid in the amount of \$11,601.90.

4. [07-0178](#) **Subject:** The City of Racine's Fair Housing Department is requesting the donated \$1000 dollars from SC Johnson to be donated to the Wisconsin Fair Housing Network.

5. [07-0195](#) **Subject:** Communication from the Finance Director requesting permission to have Terry Maier, Senior Account, and Joy Hansche, Account, be designated as signers on all accounts associated with the Assets for Independence Demonstration Program (IDA) grant.

6. [07-0199](#) **Subject:** A communication from the Public Health Administrator requesting permission to apply for funding from the Root-Pike Watershed Initiative Network.

Also refer to the Board of Health.

7. [07-0201](#) **Subject:** Award of Historic Preservation Certified Local Government Subgrant, Grant Control No. 2006-033: Northside Reconnaissance Survey.

8. [07-0202](#) **Subject:** Request of the Director of Parks, Recreation & Cultural Services to meet with the Finance & Personnel Committee to discuss Parks, Recreation & Cultural Services fee structure.
9. [07-0203](#) **Subject:** Communication from the Secretary of the Harbor Commission submitting Racine County Board Resolution No. 2006-148 requesting funds for the harbor navigational improvements.

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

10. [07-0137](#) **Subject:** Communication from ATM Financial regarding placing ATM machines in City Hall and the Safety Building.
11. [07-0198](#) **Subject:** Communication from Racine Neighborhood Watch requesting to use the City Hall Annex parking lot for its plant sale fundraiser pickup on Saturday, May 19, 2007, from 5 a.m. until 3 p.m.

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

12. [07-0142](#) **Subject: (New)** Application of Douglas Petro, LLC., Surinder Singh, Agent, for a Class "A" Retail Fermented Malt Beverage License, Gasoline Station Owner's and Manager's License for 3357 Douglas Avenue. (7th District)
13. [07-0193](#) **Subject:** Request of the Director of Parks, Recreation & Cultural Services to meet with the Public Safety and Licensing Committee for permission to enter in an agreement with Industrial Roofing Services, Inc. to prepare plans and specifications and project administration for window and door replacement at Dr. Bryant Community Center.
14. [07-0200](#) **Subject:** Mound Cemetery new Crypt Design and Fountain Restoration.

Refer to Transit and Parking Commission, by Ald. DeHahn

15. [07-0138](#) **Subject:** Communication from the Transit Planner submitting the December 2006 operating and financial report for the Belle Urban System.
16. [07-0153](#) **Subject:** Communication from the Transit Planner submitting the January 2007 operating and financial report for the Wisconsin Coach Lines Kenosha-Racine-Milwaukee intercity bus service.

Refer to Committee on Housing & Neighborhoods, by Ald. Karas

17. [07-0196](#) **Subject:** Communication from Alderman of the 8th District requesting to change the name of committee to "Sustainable Neighborhood Listening Committee".

Refer to Committee of the Whole, by Ald. Weidner

18. [07-0197](#) **Subject:** Communication from Racine County Convention and Visitors Bureau requesting to give an update on their activities.

G. Committee Reports

Finance and Personnel Committee Report, by Ald. Spangenberg

19. [07-0072](#) **Subject:** Communication from the City Attorney submitting the claim of Michael Christensen & Aime Gordon for consideration.

Recommendation of the Finance & Personnel Committee on

2-12-07: That the claim of Michael Christensen and Aime Gordon of 1224 Layard Avenue claiming reimbursement of expenses for the repair of a sanitary sewer wye connection adjacent to their property be settled in the amount of \$7,727.26.

Fiscal Note: Funding for the settlement is available in Account 101.900.5910, Judgments and Claims.

20. [07-0067](#) **Subject:** Communication from the City Attorney submitting the claim of Aloma Kellam and Diedre Ozier for consideration.

Recommendation of the Finance & Personnel Committee on

2-12-07: The following claim be denied: Aloma Kellam and Deidre Ozier, 1636 Chatham Avenue, claim reimbursement for injuries and damages arising from an accident involving the BUS vehicle in which they were passengers on July 31, 2006. The BUS insurer (Transit Mutual) has determined that the other driver was negligent, therefore the City denies liability.

Fiscal Note: N/A.

21. [07-0075](#) **Subject:** Communication from Friends of Seniors, Inc requesting an extension of their present lease.

Recommendation of the Finance & Personnel Committee on

2-12-07: That the City Attorney be authorized and directed to negotiate with the Friends of Senior's for a year-to-year extension of their lease

agreement of the Lakeview Community Center.

Fiscal Note: The final year of the current contract calls for an annual lease payment of \$20,000.

22. [07-0077](#)

Subject: Proposal from R.W. Baird to facilitate bonding for 2007 CIP projects

Waterworks Commission Recommendation: Approve. Refer to the Finance & Personnel Committee for further consideration.

Recommendation of the Finance & Personnel Committee on

2-12-07: The \$11,510,000 Waterworks Revenue Bonds for 2007 Capital Improvements and the \$7,855,000 Waterworks Refunding Revenue Bonds as proposed by R.W. Baird be approved for issue and sale and that the Authorizing Resolution be presented at the March 6, 2007 Common Council meeting, being the proposed date of sale.

Fiscal Note: Water Utility Revenues will be used for debt service on these issues.

23. [07-0094](#)

Subject: Communication from the City Assessor requesting to discuss a correction to the 2006 assessment and tax rolls.

Recommendation of the Finance & Personnel Committee on

2-12-07: The 2006 Assessment on Personal Property Parcel P02624002, Frank's Adjustment Bureau, 521 High Steet, be reduced \$8,000 from \$9,000 to \$1,000 and that the associated levy of \$178.03 be credited back to the taxpayer.

Fiscal Note: Funding for the adjustment is available in Account 101.990.5930, R.E. & P.P. Taxes Cancelled.

24. [07-0130](#)

Subject: Communication from the Director of the City Library requesting reimbursement of \$6,876 from costs stemming from the Mobile Library broken into, items stolen and an alarm system installed into the Mobile Library.

Recommendation of the Finance & Personnel Committee on

2-12-07: Reimbursement of \$6,876 be paid to the city Library for costs stemming from the Mobile Library break in.

Fiscal Note: Funds will be appropriated from Account 101.990.5970

Public Works and Services Committee Report, by Ald. Hart

25. [06-2858](#) **Subject:** Communication from the Alderman of the 6th District wishing to amend Sec. 94-145 of the Municipal Code relating to alternate street side parking and handicap parking.

Recommendation: The communication be received and filed.

Fiscal Note: Not applicable.

26. [06-2955](#) **Subject:** Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 36-06 (K6-038), Window Replacement at Fire Station No. 8, Lueck's, Inc., contractor.

Recommendation: The work done by Lueck's, Inc., under Contract 36-06 (K6-038), Window Replacement at Fire Station No. 8, be accepted and final payment authorized for a total contract amount of \$31,912.00, from funds heretofore appropriated.

Fiscal Note: This contract was approved by Resolution 06-7175, dated August 15, 2006.

27. [07-0025](#) **Subject:** Communication from Kevin and Meghan Mielcarek, 1348 Deane Boulevard, requesting that the alley lights be replaced with higher wattage bulbs.

Recommendation: The communication be received and filed.

Fiscal Note: Not applicable.

28. [07-0107](#) **Subject:** Communication from Redline Tavern Corporation requesting to close North Wisconsin Street, between Hamilton and Hubbard, on August 18, 2007, for the 4th Annual "Cruz in for the Cause" benefit for the non-profit organization "SafeHaven of Racine".

Recommendation: Permission be granted to Redline Tavern Corporation, 1200 N. Wisconsin Street, to close N. Wisconsin Street from Hamilton Street to Hubbard Street, on Saturday, August 18, 2007, from 9 a.m. to 9 p.m., for the 4th annual "Cruz in for the Cause" benefit for Safehaven of Racine, with the following stipulations:

- A. A hold harmless agreement be executed;
- B. A liability insurance certificate be filed prior to this event;
- C. Any overtime costs incurred by any City department be charged to the sponsor;

D. The sponsor shall notify all abutting property owners seventy-two (72) hours in advance of this event.

E. No alcoholic beverages will be sold and/or dispensed within the street right-of-way.

F. Any tents placed on the public right-of-way shall not be anchored by any means to the roadway surface.

G. The sponsor shall pay a \$250.00 special event fee.

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

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

29. [07-0110](#) **Subject:** Communication from the Purchasing Agent submitting bid results on Official Notice #1 for two dump trucks with snowplow and tailgate material spreaders.

Recommendation: The contract for two (2) dump trucks with snowplow and tailgate material spreaders be awarded to Lakeside International Trucks, Sturtevant, WI, at their bid price of \$181,180.00, they being the lowest responsible bidder.

Further recommends that funds to defray the cost of this purchase be appropriated from Account 101.630.5780, Licensed Vehicles, Street Maintenance.

Fiscal Note: Funding is available as herein delineated.

30. [07-0112](#) **Subject:** Communication from the Purchasing Agent submitting bid results on Official Notice #2 for three truck chassis for the Department of Public Works.

Recommendation: The contract for three (3) truck chassis be awarded to Cumberland Servicer, at their bid price of \$366,048.00, they being the lowest responsible bidder.

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

Fiscal Note: Funding is available as herein delineated.

31. [07-0116](#) **Subject:** Communication from the Madison Environmental Group, Inc. for

continued funding from the City of Racine for the Environmental Education/Action Program.

Recommendation: The request of the Madison Environmental Group, Inc. for continued funding for the Environmental Education/Action Program be approved.

Further recommend that funding in the amount of \$2,500.00 be allocated from the Storm Water Utility Account 104.000.5350, Public Participation and Information, and that \$1,500.00 be allocated from Recycling Account 289.000.5540, Advertising.

Fiscal Note: Funds are available as herein delineated.

32. [07-0128](#)

Subject: Communication from the Racine Public Library Board of Trustees wishing to place banners on city light poles commemorating the 75th anniversary of the very first preschool storytime in the nation which was presented by the Racine Public Library in 1932.

Recommendation: In accordance to City policy, the Racine Public Library be granted permission to place banners on street light poles along Main Street and Sixth Street.

Fiscal Note: Not applicable.

33. [07-0131](#)

Subject: Communicaton from the Purchasing Agent submitting bid results for one street sweeper.

Recommendation: The contract for one (1) street sweeper be awarded to Bruce Municipal Equipment, at their bid price of \$136,373.00, they being the lowest responsible bidder.

Further recommends that funds to defray the cost of this purchase be appropriated from Account 104.000.5790, Unlicensed Vehicles.

Fiscal Note: Funding is available as herein delineated.

34. [07-0132](#)

Subject: Communication from the Downtown Racine Corporation requesting permission to use city right-of-way on Saturday, March 17, 2007, for a St. Patrick's Day Parade.

Recommendation: Permission be granted to the Downtown Racine Corporation to close Main Street from State Street to 11th Street, on Saturday, March 17, 2007, for a St. Patrick's Day Parade, with the following stipulations:

- A. A hold harmless agreement be executed;
- B. A liability insurance certificate be filed prior to this event;
- C. Any overtime costs incurred by any City department be charged to the sponsor;
- D. The sponsor shall notify all abutting property owners seventy-two (72) hours in advance of this event.
- E. The sponsor shall pay a \$750.00 special event fee.

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

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

35. [07-0134](#)

Subject: Communication from the Commissioner of Public Works/City Engineer requesting modifications to the Storm Water Utility Credits and Rebates Manual.

Recommendation: The Stormwater Utility Manual, Section 4, Stormwater Utility Credits and Rebates Manual, be amended by modifying the review fee to allow a property owner who is submitting ten (10) or more properties for review for eligibility for a credit, to pay a lump sum of \$2,000.00.

Fiscal Note: This will have minimal impact upon the stormwater utility rate structure.

36. [07-0147](#)

Subject: Direct Referral. Communication from the Assistant Commissioner of Public Works/Operations submitting Change Order No. 2 on Contract 44-06 (K6-047), Upgrade Temperature and HVAC Controls at Community Centers, Johnson Controls, Inc., contractor.

Recommendation: That Change Order No. 2 on Contract 44-06 (K6-047), Upgrade Temperature and HVAC Controls at Community Centers, Johnson Controls, Inc., contractor, as submitted, be approved in the amount of \$13,659.00.

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

\$ 3,198.00 - Account 987.650.5010, Humble Park Bldg Automation
\$10,461.00 - Account 987.660.5010, MLK Center Bldg Automation
\$13,659.00 - Total

Fiscal Note: Funds are available as herein delineated.

37. [07-0148](#) **Subject:** Direct Referral. Communication from the Assistant Commissioner of Public Works/Operations submitting a proposal for the preparation of Repair Specifications of the Roof Systems at Festival Hall.

Recommendation: The Mayor and City Clerk be authorized and directed to enter into an agreement with Industrial Roofing Services, Inc., Brookfield, WI, for the preparation of repair specifications for the roof systems at Festival Hall at a not-to-exceed cost of \$2,050.00.

Further recommends that funding to defray the cost of these professional services be appropriated from Account 108.987.5030, Festival Hall - Repair Roof.

Fiscal Note: Funds are available as herein delineated.

38. [07-0154](#) **Subject:** Ordinance No. 3-07 of February 6, 2007 to amend Secs. 18-693, 18-706(4) b. and c., repeal and recreate Secs. 18-706 (5), (6), and (7), amend Secs. 18-706 (9) and (11), and repeal Sec. 18-706 (13) c. of the Municipal Codes of the City of Racine, Wisconsin relating to Building and Building Regulations - Property maintenance code.

Recommendation: Ordinance No. 3-07 to amend Secs. 18-693, 18-706(4) b. and c., repeal and recreate Secs. 18-706 (5), (6), and (7), amend Secs. 18-706 (9) and (11), and repeal Sec. 18-706 (13) c. of the Municipal Codes of the City of Racine, Wisconsin relating to Building and Building Regulations - Property maintenance code, be amended by changing 67 degrees F to 68 degrees F in Part 3 (6) Heating facilities, and that the ordinance, as amended, be adopted.

Fiscal Note: Not applicable.

39. [07-0155](#) **Subject:** Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting bid results on Contract 1-07 (K7-001), City Hall Renovations-Phase I (R1).

Recommendation: Contract 1-07 (K7-001), City Hall Renovations, Phase I (R1), be awarded to Seater Construction Co., Inc., Racine, WI, at their bid price of \$542,000.00, plus Alternate #1 in the amount of \$4,906.00, for a total contract amount of \$546,906.00, they being the lowest responsible bidder.

Further recommends that funding to defray the cost of this public works project be appropriated from the following accounts:

\$ 64,674.00 - Account 985.100.5010, City Hall Window Replacement
\$ 47,000.00 - Account 985.100.5020, City Hall HVAC Upgrade
\$435,232.00 - Account 986.100.5010, Facility Plan Implementation
\$546,906.00 - Total

Fiscal Note: Funds are available as herein delineated.

40. [07-0156](#)

Subject: Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting bid results on Contract 8-07 (K7-008), 2007 Parking Ramp Maintenance.

Recommendation: Contract 8-07 (K7-008), 2007 Parking Ramp Maintenance, be awarded to RAM Building Restoration & Waterproofing, Inc., Little Canada, MN, at their bid price of \$125,546.00, plus Alternates #1 and #2 in the amount of \$8,602.00, for a total contract amount of \$134,148.00, they being the lowest responsible bidder.

Further recommends that funding to defray the cost of this public works project be appropriated from Account 106.987.5120, Ramp Improvements.

Fiscal Note: Funds are available as herein delineated.

41. [07-0157](#)

Subject: Direct Referral. Communication from the Assistant Commissioner of Public Works/Engineering submitting Change Order No. 4 on Contract 49-05 (K5-056), Lake Michigan Pathway, Phase II, Bane-Nelson, Inc., contractor.

Recommendation: Change Order No. 4 on Contract 49-05 (K5-056), Lake Michigan Pathway, Phase II, Bane-Nelson, Inc., contractor, as submitted, be approved in the amount of \$33,412.53.

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

\$11,310.74 - Account 104.986.5420, Storm Sewers, Various Locations
\$ 15.84 - Account 985.913.5090, Goold @ Michigan Slope Stabilization
\$ 4,593.89 - Account 986.908.5520, Sidewalk Replacement
\$ 8,700.23 - Account 986.908.5130, Asphalt Resurfacing
\$ 8,791.83 - Account 930.021.5810, CMAQ - Lake Michigan Pathway, Phase II
\$33,412.53

Fiscal Note: Funds are available as herein delineated.

42. [07-0158](#) **Subject:** Direct Referral. Communication from the Assistant Commissioner of Public Works/Engineering submitting a request for reduction in retainage on Contract 49-05 (K5-056) Lake Michigan Pathway, Phase II, Bane-Nelson, Inc., contractor.
- Recommendation:** The retainage on Contract 49-05 (K5-056) Lake Michigan Pathway, Phase II, Bane-Nelson, Inc., contractor, be reduced to the amount of \$50,000.00.
- Fiscal Note:** The amount of retainage is sufficient to cover the value of the remainder of the work on this project.
43. [07-0159](#) **Subject:** Direct Referral. Communication from the Assistant Commissioner of Public Works/Operations submitting Amendment No. 2 to Contract 4-06 (K6-004), Design Services for City Hall Data Center, Harwood Engineering Consultants, consultant.
- Recommendation:** Amendment No. 2 on Contract 4-06 (K6-004), Design Services for City Hall Data Center, Harwood Engineering Consultants, consultant, as submitted, be approved in the not-to-exceed amount of \$6,180.00.
- Further recommends that funding to defray the cost of these professional services be appropriated from Account 987.100.5030, City Hall - IS Computer Room HVAC.
- Fiscal Note:** Funds are available as herein delineated.
44. [07-0162](#) **Subject:** Direct Referral. Communication from the Assistant Commissioner of Public Works/Operations submitting the 2007 lease agreements for office space.
- Recommendation:** The Mayor and City Clerk be authorized and directed to enter into lease agreements for 2007 for rental of office space in the City Hall, City Hall Annex and Safety Building at the rental rates as submitted.
- Fiscal Note:** Rental rates will increase in 2007 due to the 2006 Consumer Price Index increasing by 3.4%. These leases will generate a total annual revenue of approximately \$160,000.00.
45. [07-0163](#) **Subject:** Direct Referral. Communication from the Assistant Commissioner of Public Works/Engineering submitting Change Order No. 1 on Contract 11-06 (K6-012), Southside Industrial Park Infrastructure, Wanasek Corporation, contractor.

Recommendation: That Change Order No. 1 on Contract 11-06 (K6-012), Southside Industrial Park Infrastructure, Wanasek Corporation, contractor, as submitted, be approved in the amount of \$52,150.46.

Further recommends that funding to defray to cost of this change order be appropriated from Account 970.012.5810, EDA Grant.

Fiscal Note: Funds are available as herein delineated.

46. [07-0166](#)

Subject: Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting an update on the Ohio Street from 16th Street to 21st Street reconstruction project.

Recommendation: The communication be received and filed.

Fiscal Note: Not applicable.

47. [07-0182](#)

Subject: Direct Referral. Communication from the Assistant Commissioner of Public Works/Operations submitting a proposal from HNTB Corporation for State Street Bridge Sidewalk Repairs.

Recommendation: The Mayor and City Clerk be authorized and directed to enter into an agreement with HNTB Corporation for professional engineering services for the replacement of the sidewalk at the State Street Lift Bridge at a price not-to-exceed \$26,750.00.

Further recommends that funds to defray the cost of these professional services are available in Account 930.048.5810, State Street Bridge Repairs.

Fiscal Note: Funds are available as herein delineated.

48. [07-0191](#)

Subject: Direct Referral. Communication from the Assistant Commissioner of Public Works/Operations submitting Amendment No. 1 to Contract 12-06 (K6-013), Professional Services - City Hall Renovations, Phase I, ARC Architectural Group, LLC, consultant.

Recommendation: Amendment No. 1 on Contract 12-06 (K6-013), Professional Services - City Hall Renovations, Phase I, ARC Architectural Group, LLC, consultant, as submitted, be approved in the not-to-exceed amount of \$10,080.00.

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

Fiscal Note: Funds are available as herein delineated.

Public Safety and Licensing Committee Report, by Ald. Maack

49. [06-2625](#) **Subject: (Direct Referral)** Incident relating to City Haul Lounge on 10-4-06.

Recommendation of the Public Safety & Licensing Committee of 10/09/06: That the owner of the City Haul Lounge, 835 Washington Avenue, be requested to appear at the October 23, 2006.

Recommendation of the Public Safety & Licensing Committee of 10/23/06: That the item be deferred until the November 13, 2006 meeting and City Attorney Weber along with Mr. Hand and his counsel, meet to come up with an agreed upon agreement.

Recommendation of the Public Safety & Licensing Committee of 11-13-06: That the matter of the City Haul Lounge be referred to a due process hearing to determine whether the license should be revoked or suspended.

Recommendation of the Public Safety & Licensing Committee of 02-12-07: That the settlement agreement be approved.

Fiscal Note: The approximate cost will be \$3,500.00.

50. [06-2992](#) **Subject:** Request of the Committee for the appearance of the following License holder - Central Foods, (formerly Lakeside Supermarket) 1003 Center Street, for an incident that appeared on the October, 2006 Licensed Premise Report.

Recommendation of the Public Safety & Licensing Committee of 12-11-06: That the matter of Central Foods, (formerly Lakeside Supermarket) 1003 Center Street, be referred to a due process hearing to determine whether the license should be revoked or suspended.

Recommendation of the Public Safety & Licensing Committee of 01-08-07: That the matter of Central Foods, (formerly Lakeside Supermarket) 1003 Center Street, be referred to the City Attorney to come up with an agreement and report back to the Committee with his findings.

Recommendation of the Public Safety & Licensing Committee of 01-22-07: That the matter be deferred until the February 12, 2007 meeting.

Recommendation of the Public Safety & Licensing Committee of**02-12-07:** That the settlement be approved, and the item be received and filed.**Fiscal Note:** N/A51. [06-2866](#)**Subject:** Cackle Jack's 3620 Northwestern Avenue
Jack Moreno, Agent**Recommendation of the Public Safety & Licensing Committee of****11-27-06:** That the item be deferred until the December 11, 2006 meeting.**Recommendation of the Public Safety & Licensing Committee of****12-11-06:** That the matter of Cackle Jack's be referred to a due process hearing to determine whether the license should be revoked or suspended.**Recommendation of the Public Safety & Licensing Committee of****2-8-07:** That the proposed settlement agreement be approved and the City Attorney be authorized and directed to execute all necessary documents.**Fiscal Note:** The approximate cost of the hearing will be \$5,800.0052. [07-0082](#)**Subject:** Application of Taqueria Aranda's Restaurant, Juan M. Leon, Agent for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 1501 Prospect Street.**Recommendation of the Public Safety & Licensing Committee of****02-12-07:** That the license be granted.**Fiscal Note:** N/A53. [07-0129](#)**Subject: (Direct Referral)** Communicaton from the Purchasing Agent submitting the monthly report for the sale of Abandoned Vehicles, January 29, 2007.**Recommendation of the Public Safety & Licensing Committee of****02-12-07:** That the item be received and filed.**Fiscal Note:** This will generate \$3,401.01 in revenues.54. [07-0136](#)**Subject:** Communication from the Purchasing Agent submitting bid results received for RFP #4, EMS Billing for the Racine Fire Department.

Recommendation of the Public Safety & Licensing Committee of

02-12-07: That the bid received for RFP #4, EMS Billing for the Racine Fire Department, be approved.

Fiscal Note: N/A

55. [07-0140](#)

Subject: (Direct Referral) Change Order #1 and Final Payment on Contract 15-06 (K6-016), Fence Replacement at Mound Cemetery by Statewide Fencing, Inc. of Franksville, WI.

Recommendation of the Public Safety & Licensing Committee of

02-12-07: That Change Order #1 and Final Payment on Contract 15-06 (K6-016), Fence Replacement at Mound Cemetery by Statewide Fencing, Inc. of Franksville, WI., be approved.

Fiscal Note: \$18,700.00 be appropriated from account 207.000.5750 Cemetery Fencing.

56. [07-0141](#)

Subject: (Direct Referral) Change Order #1 and Reducing Retainage on Contract 35-06 (K6-037), Bridge Rehabilitation at Johnson Park Golf Course by Bane Nelson, Inc., of Kenosha.

Recommendation of the Public Safety & Licensing Committee of

02-12-07: That Change Order #1 and Reducing Retainage on Contract 35-06 (K6-037), Bridge Rehabilitation at Johnson Park Golf Course by Bane Nelson, Inc., of Kenosha, be approved.

Fiscal Note: \$\$30,089.00 be appropriated from account 107.000.5750 Golf, Replace 18th Hole Bridge.

City Plan Commission Report, by Ald. Holding

57. [06-3044](#)

Subject: (Direct Referral) Request by Elias Conales seeking a conditional use permit for a carryout restaurant at 724 High Street.

Recommendation of City Plan Commission on January 10, 2007:
Deferred.

Recommendation of City Plan Commission on January 31, 2007:
Deferred.

Recommendation of City Plan Commission on February 14, 2007:
To be received and filed.

58. [07-0028](#) **Subject:** Request that the City of Racine amend the zoning code to better define and regulate drive-in establishments, fast food establishments and mixed use retail developments.

Recommendation of City Plan Commission on 2-14-07: That an ordinance be created and a public hearing scheduled.

59. [ZOrd.0001-07](#) An Ordinance to rezone 936 South Main Street

To amend the map of the Zoning Ordinance of the City of Racine.

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

Part 1:

That the property located at 936 South Main Street and more particularly described as follows:

"Lot 9 and East 20 feet of Lot 10, Block 17 School Section. Said land being in the City of Racine, Racine County, Wisconsin."

be rezoned from "O" Restricted Office District, to "O/H" Restricted Office District with a Historic Properties District Overlay, and designated as Supplement No. _____, which Supplement is hereby made a part of this ordinance.

Part 2:

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

Passed by the Common Council:

Approved: _____

Mayor

Attest:

City Clerk

Fiscal Note: N/A

Sponsors: Gregory Holding

60. [07-0167](#)

Subject: Consideration of language for a resolution recognizing the re-designation of the structure at 936 South Main Street as a Racine Landmark.

Recommendation of the City Plan Commission on 2-14-07: That the following criteria be adopted for use in the evaluation of requests for certificates of appropriateness for the structure at 936 S. Main Street, commonly known as the Blake House:

Whereas, Section 58-61 of the Municipal Code of the City of Racine establishes criteria for the designation of landmarks or landmark sites.

Whereas, the property at 936 S. Main Street meets two criteria in that it embodies distinguishing characteristics of architecture and craftsmanship, and it is identified with a person of historical importance as follows:

- a. Distinguishing characteristics of architecture and craftsmanship:

An exceptionally well preserved and high quality example of asymmetrical Italianate (Italian Villa style) residential architecture popular in the period 1840-1880. The property also features the distinctive cream brick native to Racine.

- b. Distinguishing characteristics identified with a person of historical importance:

Lucius Sawyer Blake: born 1816 in Burlington, Vermont; settled in Racine County in 1835; Racine Village Trustee about 1839-1840; manufacture of farm implements; County Treasurer in 1846; Provost Marshall for Camp Utley in 1862 and conducted first military draft in Wisconsin; Alderman for the Second Ward for eight years; Racine representative to State Assembly from 1871-72; owner of 936 S. Main Street from 1873 to 1894; built the opulent Blake Opera House in 1882 that once stood at the northeast corner of Sixth Street and College Ave.; died in 1894.

Whereas, in 1977 the Blake House was placed on the National Register of Historic Places as a contributing property to the Southside Historic District, and in 1987, the property received its initial designation as a Racine Landmark.

Whereas, on January 8, 2007 the City of Racine Landmarks Preservation Commission voted to re-nominate the property at 936 S. Main Street as a Racine Landmark.

Resolved by the Common Council of the City of Racine, that the following characteristics of architecture and craftsmanship are essential to the Blake House, 936 S. Main Street, should be preserved, and shall be considered by the City of Racine Landmarks Preservation Commission in evaluating requests for Certificates of Appropriateness for the property under Sections 58-63 and 58-64 of the Municipal Code:

- a. Exposed cream brick exterior.
- b. Double bracket cornice.
- c. Ornamental wood trim.
- d. Arched window openings with raised brick hood moldings.
- e. Three story campanile (tower).
- f. Three semicircular open arches with decorative brick work to accent the entryway beneath the tower.
- g. Double door entry under tower having art glass windows.
- h. Original restored third floor tower windows.
- i. Rear wooden porch.
- j. Stacked (two story) bay windows on the northern façade.
- k. Bay windows on the southern façade.

Note: Interior details worthy of preservation, but beyond the authority of Sections 58-63 and 58-64 of the Municipal Code of the City of Racine, include 13 foot ceilings with ornamental plaster cornices, an open stair case, restored parquet floors, original plank floors on the second floor, marble and oak fireplaces, heavy window casings with louvered built-in window shutters, and period light fixtures.

Fiscal Note: N/A

61. [07-0168](#) **Subject:** (Direct Referral) Request by Robert Westmoreland of Westmoreland Properites, LLC, seeking to rezone the property at 720-17th Street from B-1 Neighborhood Convenience District to R-4 General Residence District.

Recommendation of City Plan Commission on 2-14-07: Deferred.

62. [07-0169](#) **Subject:** (Direct Referral) Request by Dorothy Metz seeking a conditional use permit for an electronic sign as part of a comprehensive sign package for the McDonald's Restaurant at 2100 Lathrop Avenue.

Recommendation of the City Plan Commission on 2-14-07: That the request from Dorothy Metz seeking consideration of a proposal to install an electronic sign totaling 13.41 square feet as part of a comprehensive sign package for the McDonald' Restaurant at 2100 Lathrop Avenue be approved, subject to the following conditions:

- a. That the plans presented to the Plan Commission on February 14, 2007, which includes total sign square footage at this location of up to 378 square feet, be approved subject to the conditions contained herein.
- b. That all applicable permits be obtained from the Building Inspection Department.
- c. That the electronic sign be operated in compliance with the Racine Municipal Code, Section 114-1033.
- d. That design and placement of entrance signs, and drive through menu and order boards be submitted for the review and approval of the Director of City Development.
- e. That information sign be installed in the parking areas and at drive through lanes stating "No loud stereo playing", "No Loitering", "Please deposit trash in trash cans".
- f. That all codes and ordinances be complied unless otherwise varied herein, and required permits acquired.
- g. 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.
- h. That this permit is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

63. [07-0170](#)

Subject: (Direct Referral) Request by Village of Elmwood Park seeking a conditional use permit for a unified campus facility at 3131 Taylor Avenue with the potential for multiple uses.

Recommendation of the City Plan Commission on 2-14-07: That the request by Village of Elmwood Park seeking a conditional use permit for a unified campus facility at 3131 Taylor Avenue be approved, subject to the following conditions:

- a. That the plans presented to the Plan Commission on February 14, 2007 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 all uses listed as permitted uses in the O-I Office Institutional District (Section 114-426 of the Municipal Code of the City of Racine) shall be permitted uses by right.
- d. That the following uses may be permitted as major amendments to this conditional use permit requiring the approval of the Common Council (uses as defined by Chapter 114 of the Municipal Code of the City of Racine):
1. Public services uses.
 2. Educational institutions.
 3. Group daycare centers.
 4. Community based residential facilities having population restrictions, subject to confirmation by the Chief Building Inspector as to permissible occupancy levels, but in no case greater than the following:
 - a. Building "1" having no more than 8 residents.
 - b. Building "2" having no more than 12 residents.
 - c. Building "3" having no residents.
 - d. Building "4" having no residents.
 - e. Building "5" having no more than 16 residents.
 5. Other uses listed as conditional uses by Section 114-426 of the Municipal Code of the City of Racine, if determined by the City of Racine Plan Commission to be compatible with the spirit and intent of this conditional use permit.
- e. That in all cases, appropriate off-street parking facilities shall be provided.
- f. That all facilities and grounds shall be maintained on a daily basis.
- g. That all codes and ordinance be complied with and all applicable permits acquired.
- h. 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.
- i. That this permit is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

64. [07-0171](#)

Subject: Consideration of amendments to Chapter 114 concerning Pawnbrokers.

Recommendation of the City Plan Commission on 2-14-07: That an ordinance be created and a public hearing scheduled.

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

65. [07-0026](#) **Subject:** Request of Applied Ecological Services for an extension of their request for a research project to monitor water quality in a pond at Johnson Park.

Staff recommendation: Approve request for an extension.

Recommendation of the Board of Parks, Recreation & Cultural Services 2-14-07: that the request be approved.

Fiscal Note: N/A

66. [07-0081](#) **Subject: Direct Referral:** Communication from 5th District Alderman David Maack on behalf of the parents of Andrei Rutkowski who passed away, requesting to have a mural painted on the large retaining wall by the stairs on the north side of the Zoo in his honor.

Recommendation of the Board of Parks, Recreation & Cultural Services 2-14-07: to approve the request.

Fiscal note: No cost to the City.

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

67. [06-2997](#) **Subject:** Communication from the Alderman of the 1st District requesting \$25,000 to be utilized for the implementation stage of labeling Joshua Glover Underground Railroad Project as historic markers.

Recommendation of the Finance & Personnel Committee on 01-08-07: The item be deferred.

Recommendation of Landmarks Preservation Commission on 01-08-07: Supports the provision of appropriate financial assistance by the City for the implementation stage of the Joshua Glover Underground Railroad Project.

Recommendation of the Finance & Personnel Committee on 1-22-07: The item be deferred and directs finance staff to determine where funds are available for the Joshua Glover Underground Railroad

Project.

Recommendation of the Finance & Personnel Committee on

2-12-07: That unappropriated Room Tax funds in the amount of \$7,371.02 be allocated to the Racine County Roots of Freedom Underground Railroad Heritage Trail and that the Committee forward their recommendation of allocating any unappropriated City of Racine Special Event Funds as of December 31, 2006, currently estimated at \$2,200.00, being managed by the Racine Convention and Visitor's Bureau to this project. The Committee further recommends that the Racine County Roots of Freedom Underground Railroad Heritage Trail formally apply to the Racine County Convention and Visitors Bureau and The City of Racine Community Development Block Grant Committee for additional funding. Finally, the Committee recommends reintroducing this item as a new communication to further the exploration of funding when the petitioner has explored these other funding sources.

Fiscal Note: There are sufficient funds available.

H. Resolutions

68. [Res.07-0055](#) Settlement agreement for Cackle Jack's

Resolved, that the proposed settlement agreement arising from the due process proceeding held on February 8, 2007, for Cackle Jack's, 3620 Northwestern Avenue, be approved and that the City Attorney be authorized and directed to execute all necessary documents.

Fiscal Note: N/A

Sponsors: David L. Maack

69. [Res.07-0056](#) Agreement with ADP, Inc., for EMS billing services

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with ADP, Inc., Ft. Lauderdale, FL for EMS billing services for the Racine Fire Department, for a three year term beginning March 1, 2007, with a possible two year extension.

Fiscal Note: Funds are available in Account No. 101.300.5260, Ambulance Billing.

Sponsors: David L. Maack

70. [Res.07-0057](#) Mound Cemetery Fence Replacement

Resolved, that Change Order #1 and Final Payment on Contract 15-06 (K6-016), Fence Replacement at Mound Cemetery by Statewide Fencing, Inc. of Franksville, WI., be approved.

Fiscal Note: \$18,700.00 be appropriated from account 207.000.5750 Cemetery Fencing.

Sponsors: David L. Maack

71. [Res.07-0058](#) Change Order for Bridge Rehabilitation at Johnson Park Golf Course

Resolved, that Change Order #1 and Reducing Retainage on Contract 35-06 (K6-037), Bridge Rehabilitation at Johnson Park Golf Course, Bane Nelson, Inc., contractor, be approved.

Fiscal Note: \$30,089.00 be appropriated from account 107.000.5750, Golf, Replace 18th Hole Bridge.

Sponsors: David L. Maack

72. [Res.07-0059](#) Central Foods Settlement Agreement

Resolved, that the proposed settlement agreement for Central Foods, 1003 Center Street, be approved and that the City Attorney be authorized and directed to execute all necessary documents.

Fiscal Note: N/A

Sponsors: David L. Maack

73. [Res.07-0060](#) City Haul Lounge Settlement Agreement

Resolved, that the proposed settlement agreement for City Haul Lounge, 835 Washington Avenue, be approved and that the City Attorney be authorized and directed to execute all necessary documents.

Fiscal Note: N/A

Sponsors: David L. Maack

74. [Res.07-0061](#) 521 High Street Property Assessment

Resolved, that the 2006 Assessment on Personal Property Parcel P02624002, Frank's Adjustment Bureau, 521 High Street, be reduced \$8,000, from \$9,000 to \$1,000, and that the associated levy of \$178.03 be credited back to the taxpayer.

Fiscal Note: Funding for the adjustment is available in Account 101.990.5930, R.E. & P.P. Taxes Cancelled.

Sponsors: James T. Spangenberg

75. [Res.07-0062](#) Claim for repair of sanitary sewer wye connection 1224 Layard Avenue

Resolved, that the claim of Michael Christensen and Aime Gordon of 1224 Layard Avenue for reimbursement of expenses for the repair of a sanitary sewer wye connection adjacent to their property be settled in the amount of \$7,727.26.

Fiscal Note: Funding for the settlement is available in Account 101.900.5910, Judgments and Claims.

Sponsors: James T. Spangenberg

76. [Res.07-0063](#) Funding for Teen Parenting Support Program from United Way

Resolved, that the Public Health Administrator be authorized and directed to apply for funding in the amount of \$68,000 from United Way of Racine County for the Teen Parenting Support Program (City Grant Control Number 2007-004).

Fiscal Note: There is no match required by the City.

Sponsors: James T. Spangenberg

77. [Res.07-0064](#) Mobile Library Theft Reimbursement

Resolved, that the request from the City Librarian for reimbursement in the amount of \$6,876 for costs resulting from a break-in at the Mobile Library parked at the DPW garage lot be approved.

Fiscal Note: Funds will be appropriated from Account 101.990.5970.

Sponsors: James T. Spangenberg

78. [Res.07-0065](#) Stipulations for Cruz In For the Cause Benefit

Resolved, that permission be granted to Redline Tavern Corporation, 1200 N. Wisconsin Street, to close N. Wisconsin Street from Hamilton Street to Hubbard Street, on Saturday, August 18, 2007, from 9 a.m. to 9 p.m., for the 4th Annual "Cruz In For the Cause" Benefit for Safehaven of Racine, with the following stipulations:

A. A hold harmless agreement be executed;

- 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 at least seventy-two (72) hours in advance of this event;
- E. No alcoholic beverages will be sold and/or dispensed within the street right-of-way;
- F. Any tents placed on the public right-of-way shall not be anchored by any means to the roadway surface;
- G. The sponsor shall pay a \$250.00 special event fee.

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

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

Sponsors: Ronald D. Hart

79. [Res.07-0066](#) Racine Area Soap Box Derby closing of Hoffert Dr.

Resolved that, permission be granted to the Racine Area Soap Box Derby to use Hoffert Drive for rallies on Saturday and Sunday May 12-13, 2007, Saturday and Sunday, June 16-17, 2007 and Saturday and Sunday, September 8-9, 2007, with the following stipulations:

- A. A hold harmless agreement be executed;
- B. Proof of liability insurance be filed prior to this event;
- C. The set up and dismantling of barricades, snow fencing and placement of waste barrels will be the responsibility of the Soap Box Derby Association and must be erected no sooner than 24 hours prior to the event and must be removed no later than 24 hours after the event;
- D. Any overtime costs and/or equipment and material loss will be charged to the Soap Box Derby Association;
- E. The sponsor shall notify all residents on Michigan Boulevard and residents in the 200 blocks of Kewaunee Street, St. Patrick Street, High Street, and English Street at least seventy-two (72) hours in advance of this event.

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

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

Sponsors: Ronald D. Hart

80. [Res.07-0067](#) Stipulations for St. Patrick's Day Parade

Resolved, that permission be granted to the Downtown Racine Corporation to close Main Street from State Street to 11th Street, on Saturday, March 17, 2007, for a St. Patrick's Day Parade, with the following stipulations:

- A. A hold harmless agreement be executed;
- 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 at least seventy-two (72) hours in advance of this event;
- E. The sponsor shall pay a \$750.00 special event fee.

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

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

Sponsors: Ronald D. Hart

81. [Res.07-0068](#) Contract award for dump trucks and tailgate material spreaders

Resolved, that the contract for two dump trucks with snowplow and tailgate material spreaders be awarded to Lakeside International Trucks, Sturtevant, WI, at its bid price of \$181,180.00, it being the lowest responsible bidder.

Further resolved, that funds to defray the cost of this purchase be appropriated from Account 101.630.5780, Licensed Vehicles, Street Maintenance.

Fiscal Note: Funding is available as herein delineated.

Sponsors: Ronald D. Hart

82. [Res.07-0069](#) Contract award for three truck chassis for DPW

Resolved, that the contract for three truck chassis be awarded to Cumberland Servicer, at its bid price of \$366,048.00, it being the lowest responsible bidder.

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

Fiscal Note: Funding is available as herein delineated.

Sponsors: Ronald D. Hart

83. [Res.07-0070](#) Contract award for street sweeper

Resolved, that the contract for one street sweeper be awarded to Bruce Municipal Equipment, at its bid price of \$136,373.00, it being the lowest responsible bidder.

Further resolved, that funds to defray the cost of this purchase be appropriated from Account 104.000.5790, Unlicensed Vehicles.

Fiscal Note: Funding is available as herein delineated.

Sponsors: Ronald D. Hart

84. [Res.07-0071](#) Request for continued funding for Environment Education/Action Program

Resolved, that the request of the Madison Environmental Group, Inc. for continued funding for the City of Racine for Environmental Education/Action Program be approved.

Further resolved, that funding in the amount of \$2,500.00 be allocated from the Storm Water Utility Account 104.000.5350, Public Participation and Information, and that \$1,500.00 be allocated from Recycling Account 289.000.5540, Advertising.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

85. [Res.07-0072](#) Request for modifications to Storm Water Utility Credits and Rebates Manual

Resolved, that the Stormwater Utility Manual, Section 4, Stormwater Utility Credits and Rebates Manual, be amended by modifying the Review Fee to allow a property owner who is submitting 10 or more properties for review for eligibility for a credit to pay a lump sum of \$2,000.00.

Fiscal Note: This will have minimal impact upon the stormwater utility rate structure.

Sponsors: Ronald D. Hart

86. [Res.07-0073](#) Contract award for City Hall renovations

Resolved, that Contract 1-07 (K7-001), City Hall Renovations, Phase I (R1), be awarded to Seater Construction Co., Inc., Racine, WI, at its bid price of

\$542,000.00, plus Alternate #1 in the amount of \$4,906.00, for a total contract amount of \$546,906.00, it being the lowest responsible bidder.

Further resolved, that funding to defray the cost of this public works project be appropriated from the following accounts:

\$ 64,674.00 - Account 985.100.5010, City Hall Window Replacement
\$ 47,000.00 - Account 985.100.5020, City Hall HVAC Upgrade
\$435,232.00 - Account 986.100.5010, Facility Plan Implementation
\$546,906.00 - Total

Fiscal Note: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

87. [Res.07-0074](#) Contract award for 2007 Parking Ramp Maintenance

Resolved, that Contract 8-07 (K7-008), 2007 Parking Ramp Maintenance, be awarded to RAM Building Restoration & Waterproofing, Inc., Little Canada, MN, at its bid price of \$125,546.00, plus Alternates #1 and #2 in the amount of \$8,602.00, for a total contract amount of \$134,148.00, it being the lowest responsible bidder.

Further resolved, that funding to defray the cost of this public works project be appropriated from Account 106.987.5120, Ramp Improvements.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

88. [Res.07-0075](#) Request for final payment for window at Fire Station No. 8

Resolved, that the work done by Lueck's, Inc., under Contract 36-06 (K6-038), Window Replacement at Fire Station No. 8, be accepted and final payment authorized for a total contract amount of \$31,912.00, from funds heretofore appropriated.

Fiscal Note: This contract was approved by Resolution 06-7175, dated August 15, 2006.

Sponsors: Ronald D. Hart

89. [Res.07-0076](#) Lease Agreements for 2007 Office Space at City Hall, Annex, and Safety Buildings

Resolved, that the Mayor and City Clerk be authorized and directed to enter into lease agreements for 2007 for rental of office space in the City Hall, City Hall

Annex, and Safety Building at the rental rates as submitted.

Fiscal Note: Rental rates will increase in 2007 due to the 2006 Consumer Price Index increasing by 3.4%. These leases will generate a total annual revenue of approximately \$160,000.00.

Sponsors: Ronald D. Hart

90. [Res.07-0077](#) Agreement for Repair of Roof Systems at Festival Hall

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with Industrial Roofing Services, Inc., Brookfield, WI, for the preparation of repair specifications for the roof systems at Festival Hall at a not-to-exceed cost of \$2,050.00.

Further resolved, that funding to defray the cost of these professional services be appropriated from Account 108.987.5030, Festival Hall - Repair Roof.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

91. [Res.07-0078](#) Amendment No. 2 to Contract for Design Services for City Hall Data Center

Resolved, that Amendment No. 2 on Contract 4-06 (K6-004), Design Services for City Hall Data Center, Harwood Engineering Consultants, consultant, as submitted, be approved in the not-to-exceed amount of \$6,180.00.

Further resolved, that funding to defray the cost of these professional services be appropriated from Account 987.100.5030, City Hall - IS Computer Room HVAC.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

92. [Res.07-0079](#) Change Order No. 2 on Contract to Upgrade Controls at Community Centers

Resolved, that Change Order No. 2 on Contract 44-06 (K6-047), Upgrade Temperature and HVAC Controls at Community Centers, Johnson Controls, Inc., contractor, as submitted, be approved in the amount of \$13,659.00.

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

\$ 3,198.00 - Account 987.650.5010, Humble Park Bldg Automation

\$10,461.00 - Account 987.660.5010, MLK Center Bldg Automation
\$13,659.00 - Total

Fiscal Note: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

93. [Res.07-0080](#) Change Order No. 1 on Contract for Southside Industrial Park Infrastructure

Resolved, that Change Order No. 1 on Contract 11-06 (K6-012), Southside Industrial Park Infrastructure, Wanasek Corporation, contractor, as submitted, be approved in the amount of \$52,150.46.

Further resolved, that funding to defray to cost of this change order be appropriated from Account 970.012.5810, EDA Grant.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

94. [Res.07-0081](#) Change Order No. 4 on Contact for Lake Michigan Pathway, Phase II

Resolved, that Change Order No. 4 on Contract 49-05 (K5-056), Lake Michigan Pathway, Phase II, Bane-Nelson, Inc., contractor, as submitted, be approved in the amount of \$33,412.53.

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

\$11,310.74 - Account 104.986.5420, Storm Sewers, Various Locations
\$ 15.84 - Account 985.913.5090, Goid @ Michigan Slope Stabilization
\$ 4,593.89 - Account 986.908.5520, Sidewalk Replacement
\$ 8,700.23 - Account 986.908.5130, Asphalt Resurfacing
\$ 8,791.83 - Account 930.021.5810, CMAQ - Lake Michigan Pathway, Phase II
\$33,412.53

Fiscal Note: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

95. [Res.07-0082](#) Reduction of Retainage to Contract for Lake Michigan Pathway, Phase II

Resolved, that the retainage on Contract 49-05 (K5-056) Lake Michigan Pathway, Phase II, Bane-Nelson, Inc., contractor, be reduced to the amount of \$50,000.00.

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

Sponsors: Ronald D. Hart

96. [Res.07-0083](#) Agreement for Replacement of Sidewalk at the State Street Lift Bridge

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with HNTB Corporation for professional engineering services for the replacement of the sidewalk at the State Street Lift Bridge at a price not-to-exceed \$26,750.00.

Further resolved, that funds to defray the cost of these professional services are available in Account 930.048.5810, State Street Bridge Repairs.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

97. [Res.07-0084](#) Amendment No. 1 on Contract for City Hall Renovations, Phase I

Resolved, that Amendment No. 1 on Contract 12-06 (K6-013), Professional Services - City Hall Renovations, Phase I, ARC Architectural Group, LLC, consultant, as submitted, be approved in the not-to-exceed amount of \$10,080.00.

Further resolved, that funding to defray the cost of these professional services be appropriated from Account 986.100.5010, Facility Plan Implementation.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

98. [Res.07-0085](#) Criteria for Use in Evaluation of Requests for 936 S. Main Street Redesignation as Racine Landmark

Whereas, Section 58-61 of the Municipal Code of the City of Racine establishes criteria for the designation of landmarks or landmark sites; and

Whereas, the property at 936 S. Main Street meets two criteria in that it embodies distinguishing characteristics of architecture and craftsmanship, and it is identified with a person of historical importance as follows:

a. Distinguishing characteristics of architecture and craftsmanship:

An exceptionally well preserved and high quality example of asymmetrical Italianate

(Italian Villa style) residential architecture popular in the period 1840-1880. The property also features the distinctive cream brick native to Racine.

b. Distinguishing characteristics identified with a person of historical importance:

Lucius Sawyer Blake: born 1816 in Burlington, Vermont; settled in Racine County in 1835; Racine Village Trustee about 1839-1840; manufacture of farm implements; County Treasurer in 1846; Provost Marshall for Camp Utley in 1862 and conducted first military draft in Wisconsin; Alderman for the Second Ward for eight years; Racine representative to State Assembly from 1871-72; owner of 936 S. Main Street from 1873 to 1894; built the opulent Blake Opera House in 1882 that once stood at the northeast corner of Sixth Street and College Ave.; died in 1894; and

Whereas, in 1977 the Blake House was placed on the National Register of Historic Places as a contributing property to the Southside Historic District, and in 1987, the property received its initial designation as a Racine Landmark; and

Whereas, on January 8, 2007 the City of Racine Landmarks Preservation Commission voted to re-nominate the property at 936 S. Main Street as a Racine Landmark.

Resolved, by the Common Council of the City of Racine, that the following characteristics of architecture and craftsmanship are essential to the Blake House, 936 S. Main Street, should be preserved, and shall be considered by the City of Racine Landmarks Preservation Commission in evaluating requests for Certificates of Appropriateness for the property under Sections 58-63 and 58-64 of the Municipal Code:

- a. Exposed cream brick exterior.
- b. Double bracket cornice.
- c. Ornamental wood trim.
- d. Arched window openings with raised brick hood moldings.
- e. Three story campanile (tower).
- f. Three semicircular open arches with decorative brick work to accent the entryway beneath the tower.
- g. Double door entry under tower having art glass windows.
- h. Original restored third floor tower windows.
- i. Rear wooden porch.
- j. Stacked (two story) bay windows on the northern façade.
- k. Bay windows on the southern façade.

Note: Interior details worthy of preservation, but beyond the authority of Sections 58-63 and 58-64 of the Municipal Code of the City of Racine, include 13 foot ceilings with ornamental plaster cornices, an open stair case, restored parquet floors, original plank floors on the second floor, marble and oak fireplaces, heavy window casings with louvered built-in window shutters, and period light fixtures.

Fiscal Note: N/A

Sponsors: Gregory Holding

99. [Res.07-0086](#) Request for Conditional Use Permit for an Electronic Sign for McDonald's

Resolved, that the request from Dorothy Metz seeking to install an electronic sign totaling 13.41 square feet as part of a comprehensive sign package for the McDonald' Restaurant at 2100 Lathrop Avenue be approved subject to the following conditions:

- a. That the plans presented to the Plan Commission on February 14, 2007, which includes total sign square footage at this location of up to 378 square feet, be approved subject to the conditions contained herein.
- b. That all applicable permits be obtained from the Building Inspection Department.
- c. That the electronic sign be operated in compliance with the Racine Municipal Code, Section 114-1033.
- d. That design and placement of entrance signs and drive through menu and order boards be submitted for the review and approval of the Director of City Development.
- e. That information sign be installed in the parking areas and at drive through lanes stating "No Loud Stereo Playing," "No Loitering," "Please Deposit Trash in Trash Cans."
- f. That all codes and ordinances be complied with, unless otherwise varied herein, and required permits be acquired.
- g. 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.
- h. That this permit is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

Sponsors: Gregory Holding

100. [Res.07-0087](#) Request by Village of Elmwood Park for Conditional Use Permit for a Unified Campus Facility

Resolved, that the request by Village of Elmwood Park seeking a conditional use permit for a unified campus facility at 3131 Taylor Avenue be approved,

subject to the following conditions:

- a. That the plans presented to the Plan Commission on February 14, 2007 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 all uses listed as permitted uses in the O-I Office Institutional District (Section 114-426 of the Municipal Code of the City of Racine) shall be permitted uses by right.
- d. That the following uses may be permitted as major amendments to this conditional use permit requiring the approval of the Common Council (uses as defined by Chapter 114 of the Municipal Code of the City of Racine):
 1. Public services uses.
 2. Educational institutions.
 3. Group daycare centers.
 4. Community based residential facilities having population restrictions, subject to confirmation by the Chief Building Inspector as to permissible occupancy levels, but in no case greater than the following:
 - a. Building "1" having no more than 8 residents.
 - b. Building "2" having no more than 12 residents.
 - c. Building "3" having no residents.
 - d. Building "4" having no residents.
 - e. Building "5" having no more than 16 residents.
 5. Other uses listed as conditional uses by Section 114-426 of the Municipal Code of the City of Racine, if determined by the City of Racine Plan Commission to be compatible with the spirit and intent of this conditional use permit.
- e. That in all cases, appropriate off-street parking facilities shall be provided.
- f. That all facilities and grounds shall be maintained on a daily basis.
- g. That all codes and ordinance be complied with and all applicable permits acquired.
- h. 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.
- i. That this permit is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

Sponsors: Gregory Holding

101. [Res.07-0088](#) Extension to Agreement with Applied Ecological Services, Inc.

Resolved, that the City of Racine enter into an extension to the agreement with Applied Ecological Services, Inc., to monitor the ponds at the entrance roadway to Johnson Park relating to the Auburn Hills development, just west of the park, for a five-year period ending April, 2010.

Fiscal Note: There is no cost to the City.

Sponsors: Jim Kaplan

I. Ordinances

102. [Ord.04-07](#) Ordinance No. 4-07

To amend Sec. 114-1, repeal and recreate Sec. 114-468 (20), repeal Sec. 114-487 (24), and amend Sec. 114-488 of the Municipal Code of the City of Racine, Wisconsin relating to Zoning - Pawnbrokers; Conditional Uses.

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

Part 1:

Sec. 114-1 of the Municipal Code of the City of Racine is hereby amended by adding the following definition after the definition for "*parking space*":

"Pawnbroker business means any business that engages in the business of lending money on the deposit or pledge of any article or jewelry, or purchasing any article or jewelry with an expressed or implied agreement or understanding to sell it back at a subsequent time at a stipulated price."

Part 2:

Sec. 114-468 (20) of the Municipal Code of the City of Racine is hereby repealed and recreated to read as follows:

"(20) Pawnbroker businesses, provided that no other pawnbroker business is located within two thousand five hundred (2,500) feet and the business is located at least two hundred fifty (250) feet from a residential district."

Part 3:

Sec. 114-487 (24) of the Municipal Code of the City of Racine is hereby repealed and renumber the subsequent paragraphs accordingly.

Part 4:

Sec. 114-488 of the Municipal Code of the City of Racine is hereby amended by adding the following at the end of the section:

"(19) Pawnbroker businesses, provided that no other pawnbroker business is

TERRY MCCARTHY

FIFTEENTH DISTRICT

ROBERT MOZOL
WALLY RENDON

and are entitled to have their names placed upon the ballot at the Spring Election to be held April 3, 2007.

Dated this 21st day of February, 2007

BOARD OF CANVASSERS

GIGI OLIVER

BETH MINIKEL

JANICE M. JOHNSON-MARTIN, CITY CLERK

K. Adjourn

Office of The City Clerk

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