



# City of Racine

## Meeting Agenda - Final

### Common Council

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

*Alderman Jeff Coe, Alderman Robert Anderson, Alderman Michael Shields  
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 Aron Wisneski  
Alderman James T. Spangenberg, Alderman Ronald D. Hart, Alderman Robert Mozol*

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Tuesday, November 6, 2007

7:00 PM

Room 205, City Hall

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

[ZOrd.0005-07](#) An Ordinance to rezone properties in the 11th Street and Lake Avenue Area

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:

Those properties known as 1135 & 1145 South Main Street, 1121, 1127, 1132, 1135 & 1147 Lake Avenue as well as 100 & 107 Twelfth Street and more particularly described as follows:

"Lots 9, 10, 11, 12 as well as the south 60 feet of Lot 7 Block 28 of the School Section and Lots 1,2,3 (plus part of adjacent vacated Lake Avenue as described in Volume 1734, page 926, except those parts deeded to the City), 4, 5, & 6 of Block 27 of the School Section. Said land being in the City of Racine, Racine County, Wisconsin."

be rezoned from "R-2" Single Family Residence District, or "R-3" Limited General Residence District, or "O-I" Office/Institutional District, to "R-2" Single Family Residence District, or "R-3" Limited General Residence District, or "O-I" Office/Institutional District, all with an H - Historic Property 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

ZOrd.0006-07 An Ordinance to rezone 3801 Douglas Avenue

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 property known as 3801 Douglas Avenue and more particularly described as follows:

"That parcel located in the North ½ of the Northeast Section 32-4-23 as described on page 30, volume 949 as recorded in the office of the Racine County Register of Deed's Office. Said land being in the City of Racine, Racine County, Wisconsin"

be rezoned from "I-1" Restricted Industrial District, to "B-2" Community Shopping District, 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

ZOrd.0007-07 An Ordinance to rezone 2415 Douglas Avenue

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 parcel of property located at 2415 Douglas Avenue, and more particularly described as follows:

"That parcel located in the SE 1/4 of the NE 1/4 of Section 5, T.3.N.R. 23E., Ortzel's Division, Block 1, Lot 5 as recorded in the office of the Racine County Register of Deed's Office. Said land being in the City of Racine, Racine County, Wisconsin."

be rezoned from "R-3" Limited General Residence District, to "R-3" Limited General Residence District with an FD Flex Development Overlay District, 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

### Refer to Finance and Personnel Committee, by Ald. Friedel

- [07-1052](#)      **Subject:** Communication from the Alderman of the 9th District requesting to appear before the Finance & Personnel Committee to discuss drafting a policy for a reimbursement policy for presidential campaign visits.
- [07-1291](#)      **Subject:** communication from the City Attorney submitting the claim of Joyce Breidinger for consideration.
- [07-1334](#)      **Subject:** Communication from the Public Health Administrator requesting permission to apply for grant funds in the amount of \$63,045 from the Wisconsin Department of Health and Family Services for the CDC Preparedness contract. (Grant Control #2007-050)
- [07-1335](#)      **Subject:** Communication from the Public Health Administrator requesting permission to accept grant funds in the amount of \$39,834 from the Wisconsin Department of Health and Family Services for the Cities Readiness Initiative contract. (Grant Control #2007-051)
- [07-1344](#)      **Subject:** communication from the City Attorney submitting the claim of F. C. Randal Property Management, LLC for consideration.
- [07-1345](#)      **Subject:** communication from the City Attorney submitting the claim of Lawrence Kimball & Marsha Kimball for consideration.
- [07-1346](#)      **Subject:** communication from the City Attorney submitting the claim of the Willie J. Brown and Betty J. Brown Family Trust for consideration.
- [07-1347](#)      **Subject:** communication from the City Attorney requesting additional funding for the 2007 budget, 101.160.5610, Professional Services.
- [07-1351](#)      **Subject:** Communication from the Public Health Administrator requesting permission to accept grant funds in the amount of \$1000 from UW Parkside. (Grant Control #2007-045)
- [07-1364](#)      **Subject:** communication from the City Attorney submitting the claim of Jose Navarro for consideration.

[07-1367](#)      **Subject:** communication from the City Attorney submitting the claim of American Family Mutual Insurance Company (insured is Mr & Mrs. Prochnow) for consideration.

[07-1388](#)      **Subject:** Communication from the Public Health Administrator requesting permission to apply for grant funds in the amount of \$29,563 from Wisconsin Coastal Management. (Grant Control #2007-052)

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

[07-1333](#)      **Subject:** Communication from the Alderman of the 2nd District requesting additional street lighting at the intersection of 16th and Clark.

[07-1348](#)      **Subject:** Communication from the Commissioner of Public Works submitting a request for final payment on Contract 61-03 (K3-074), Professional Services - City Hall Windows, Engberg Anderson Design Partnership, Inc., consultant.

[07-1349](#)      **Subject:** Communication from the Commissioner of Public Works submitting a request for final payment on Contract 1-05 (K5-001), Professional Services - 2005 Ramp Improvements, HNTB, consultant.

[07-1350](#)      **Subject:** Communication from the Commissioner of Public Works submitting a request for final payment on Contract 33-06 (K6-035), Professional Services - 2006 Major Ramp Maintenance, HNTB, consultant.

[07-1377](#)      **Subject:** Communication from Nora Grosse of Racine Habitat for Humanity that the City ask Racine County to transfer a small piece of nonbuildable property to the City to provide off-street parking for the home at 1124-12th Street.

**Item also referred to the City Plan Commission**

[07-1393](#)      **Subject:** Communication from the Alderman of the 9th District submitting revisions to the sign ordinance.

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

[07-1329](#)      **Subject:** (New) Application of Aranda Mario Alonzo, Sr., for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 1240 Washington Avenue. (3rd District)

[07-1359](#)      **Subject:** (New) Application of Super Mercado Jimenez, Ricardo Jimenez (Agent) for a Class "A" Retail Fermented Malt Beverage license for 2210

Sixteenth Street. (3rd District)

- [07-1387](#)      **Subject:** Communication from the Purchasing agent requesting to discuss the recommendation for the Leasing/Management of the City Golf Courses.

**Refer to Traffic Commission, by Ald. Hart**

- [07-1368](#)      **Subject:** Communication from Bill Rodenberg, Supervisor of Maintenance, RUSD, requesting a change in parking regulations on behalf of the Racine Early Education Center located at 2015 Franklin Street.

**Refer to Transit and Parking Commission, by Ald. DeHahn**

- [07-1392](#)      **Subject:** Communication from the Transit Planner submitting the October 2007 operating and financial report for Wisconsin Coach Lines Kenosha-Racine-Milwaukee intercity bus service.

**Refer to Community Development Committee, by Ald. Spangenberg**

- [07-1341](#)      **Subject:** (Direct Referral) Communication from OIC of Racine County, Inc. requesting a Local Option Fund allocation.

**Refer to Sustainable Neighborhood Listening Committee, by Ald. Karas**

- [07-1328](#)      **Subject:** Communication from the 5th District Alderman requesting that the concerns of Mr. Ben Mascaretti, 1915 N. Main Street, regarding the unsecured shopping carts at the Sav-A-Lot store on State Street be addressed.

**Refer to Redevelopment Authority of the City of Racine, by Ald Spangenberg**

- [07-1389](#)      **Subject:** Communication from the Mayor requesting to discuss the acceptance of a parcel of land from ARB Enterprises. Parcel addresses include: 1116, 1128, 1130, 1152 Washington Avenue, and 1309 11th Street.

## **G. Committee Reports**

**Finance and Personnel Committee Report, by Ald. Friedel**

- [07-0261](#)      **Subject:** Communication from the Director of Human Resources requesting an opportunity to discuss updating employment status and

allocation of benefits for Non-represented employees.

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

**3-12-07:** Item to be deferred.

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

**08-27-07:** The item to be deferred.

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

**10-22-07:** The part-time non-represented employee benefit allocation plan be adopted as submitted.

**Fiscal Note:** Sufficient funds have been allocated to cover the plan.

**07-1249**

**Subject:** Communication transmitting the 2008 operating plan and assessments for the downtown business improvement district (BID No. 1).

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

**10-22-07:** Approval of the 2008 Operating Plan and proposed special assessments for Business Improvement District No. 1, Downtown Racine.

**Fiscal Note:** It is estimated \$204,466 will be raised through B.I.D. assessments to be placed into the Downtown B.I.D.'s revenue account.

**07-1251**

**Subject:** Communication transmitting the 2008 operating plan and assessments for the West Racine business improvement district (BID No. 2).

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

**10-22-07:** Approval of the 2008 Operating Plan and proposed special assessments for Business Improvement District No. 2, West Racine.

**Fiscal Note:** It is estimated \$21,250 will be raised through B.I.D. assessments to be placed into the West Racine B.I.D.'s revenue account.

**07-1264**

**Subject:** Communication from the Public Health Administrator requesting permission to apply for grant funding from the Department of Health and Family Services for Consolidated Contract #15835. (Grant Control #2007-046)

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

**10-22-07:** Permission granted for the Public Health Administrator to apply for funding in an amount up to \$265,000 with the State of Wisconsin Department of Health and Family Services, Grant Control No. 2007-046, to be utilized for Consolidated Contract # 15835.

**Fiscal Note:** \$61,837 soft match required from Maternal Child Healthcare.

07-1265

**Subject:** Communication from the Public Health Administrator requesting permission to apply for funding from the Department of Health and Family Services for Tobacco Prevention and Control (#15984). (Grant Control #2007-047)

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

**10-22-07:** Permission granted for the Public Health Administrator to apply for \$880 grant with the Department of Health and Family Services to be utilized for Tobacco Prevention and Control, Grant Control No. 2007-047.

**Fiscal Note:** No match required on the part of the City.

07-1266

**Subject:** Communication from the Public Health Administrator requesting permission to accept funding from the Division of Employment and Training on behalf of the Department of Workforce Development for refugee screening and education. (Grant Control #2007-048)

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

**10-22-07:** The Mayor and City Clerk be authorized and directed to enter into a \$20,250 agreement with the Division of Employment and Training on behalf of the Department of Workforce Development to be utilized for screening and education for eligible refugees.

**Fiscal Note:** No match required on the part of the City.

07-1269

**Subject:** Communication from the City Attorney submitting the claim of Leilani Bento for consideration.

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

**10-22-07:** Claim of Leilani Bento, 5224 Spring Street, requesting reimbursement of \$967.41 for auto repairs be denied.

**Fiscal Note:** N/A

07-1270

**Subject:** Communication from the City Attorney submitting the claim of Ace Stamping & Machine Co, Inc. for consideration.

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

**10-22-07:** Claim of Ace Stamping & Machine Co, Inc., 2801 South



Memorial Drive, requesting reimbursement of \$1,813.22 for auto repairs be denied.

**Fiscal Note:** N/A

07-1271

**Subject:** Communication from the City Attorney submitting the claim of Becky & Damion Knudtson for consideration.

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

**10-22-07:** Claim of Becky and Damion Knudtson, 313 Mertens Avenue, requesting reimbursement of \$5,923 for repairs due to sewer backup be denied.

**Fiscal Note:** N/A

07-1273

**Subject:** Communication from the City Attorney submitting the claim of R&D Fashions Inc. for consideration.

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

**10-22-07:** Claim of R & D Fashions, Inc., 1144 South Memorial Drive, and landlords Roger and Dwana Carson and Willie Johnson Jr. requesting reimbursement of \$5,388.81 for repairs and damaged goods due to sewer backup be denied.

**Fiscal Note:** N/A

07-1274

**Subject:** Communication from the City Attorney submitting the claim of Andrew & Amanda Jordan-Heinowski for consideration.

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

**10-22-07:** Claim of Andrew and Amanda Jordan-Heinowski, 800 Crab Tree Lane, requesting reimbursement of \$6,798 for repairs due to sewer backup be denied.

**Fiscal Note:** N/A

07-1275

**Subject:** Communication from the City Attorney submitting the claim of James & Amy Ketchum for consideration.

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

**10-22-07:** Claim of James and Amy Ketchum, 123 Virginia Street, requesting reimbursement of \$20,000 for repairs due to sewer backup be denied.

**Fiscal Note:** N/A

[07-1277](#)

**Subject:** Communication from the City Attorney submitting the claim of Carla Ward for consideration.

**Recommendation of the Finance & Personnel Committee on 10-22-07:** Claim of Carla Ward of Mt. Pleasant is requesting reimbursement of \$547.58 for the purchase of a tire and alignment be denied.

**Fiscal Note:** N/A

### **Public Works and Services Committee Report, by Ald. Hart**

[07-1193](#)

**Subject:** Resolution No. 07-0420, of September 18, 2007, relating to street improvements.

**Recommendation:** Resolution No. 07-0420, of September 18, 2007, be amended to delete:

PORTLAND CEMENT CONCRETE PAVING, SEWER AND WATER  
AND SANITARY SEWER

Hillcrest Circle from Wright Avenue to the Cul-de-sac

SIDEWALK

Indiana Street at 2908 Indiana Street

and, as amended , Resolution No. 07-0420, of September 18, 2007, be adopted.

**Fiscal Note:** Funds will be appropriated in the 2008 C.I.P. for these street and sidewalk improvements, and special assessments will be paid by the abutting property owners.

[07-1196](#)

**Subject:** Request from Midwest Professional to install a free-standing, electronic, monument sign over a water and sewer easement crossing their property at 1 Main Street (1 Main Centre).

The placement of the sign was approved by the Downtown Design Review Committee, upon compliance with certain conditions, under File # 07-1007.

**Recommendation of the Public Works and Services Committee on 10-9-07:** The property owner of 1 Main Street be granted permission to install a free-standing, electronic monument sign over a water and sewer

easement, as requested, with the following stipulations:

- A. A hold harmless agreement be executed, in accordance with State Statute 66.0425, Privileges in Streets.
- B. In the event of required repairs, the property owner gives permission to the City of Racine to disconnect electrical connections and to remove the sign for the performance of such work.
- C. Any damages caused to said sign shall be the responsibility of the abutting property owner.

Further recommends that the property owner be charged a \$50.00 fee to cover costs associated with filing this item with the Register of Deeds office.

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

**Recommendation of the Board of Wastewater Commissioners on 10/30/07:** Receive and file.

**Recommendation of the Board of Waterworks Commissioners on 10/30/07:** The property owner at 1 Main Street be granted permission to install a free-standing, electronic monument sign over a water and sewer easement, as requested, with the same stipulations noted above by the Public Works and Services Committee.

**Fiscal Note:** N/A

07-1239

**Subject:** Direct Referral. Communication from the Assistant Commissioner of Public Works/Engineering submitting a request for reduction in retainage on Contract 39-06 (K6-041), Pritchard/Reservoir Park Pond Retrofit, K & L Construction, Inc., contractor.

**Recommendation:** That the communication be received and filed.

**Fiscal Note:** Not applicable.

07-1252

**Subject:** Communication from the Redevelopment Authority regarding the transfer of 1718 S. Memorial Drive to the City of Racine for storm water management purposes.

**Recommendation:** The property designated as Tax ID #16850015, 1718 S. Memorial Drive, be transferred from the Redevelopment Authority to the City of Racine and maintained by the Department of Public Works through its Stormwater Utility.

**Fiscal Note:** This property is a bio-remediation stormwater pond. Subsequently, funds are available in the Stormwater Utility to provide the required maintenance to this facility.

07-1258

**Subject:** Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 10-06 (K6-011), Chicory Road Reconstruction, Milwaukee General Construction Co., Inc., contractor.

**Recommendation:** The work of Milwaukee General Construction Company, Inc., under Contract 10-06 (K6-011), Chicory Road Reconstruction, be accepted and final payment authorized for a total contract amount of \$1,721,365.95, from funds heretofore appropriated.

**Fiscal Note:** Contract was authorized under Resolution 06-6957, dated April 5, 2006.

07-1261

**Subject:** Communication from D.N. Sterling Co., 2100 Douglas Avenue, requesting a variance for a depressed sidewalk.

**Recommendation:** Permission be granted to the property owner of 2100 Douglas Avenue for the installation of a depressed sidewalk.

**Fiscal Note:** There will be no cost to the City of Racine for the installation of this depressed sidewalk.

07-1281

**Subject:** Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 44-05 (K5-051), Laurel Clark Memorial Fountain, Bane-Nelson, Inc., contractor.

**Recommendation:** The work of Bane-Nelson, Inc., under Contract 44-05 (K5-051), Laurel Clark Memorial Fountain, be accepted and final payment authorized for a total contract amount of \$136,641.00, from funds heretofore appropriated.

**Fiscal Note:** Contract was authorized under Resolution 6919, dated March 7, 2006.

07-1292

**Subject:** Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 8-05 (K5-013) Professional Services - On-Call Stormwater Utility Services, Earth Tech, Inc., consultant.

**Recommendation:** The professional services provided by Earth Tech, Inc., under Contract 8-05 (K5-013), Professional Services - On-Call

Stormwater Utility Services, be accepted and final payment authorized for a total contract amount of \$34,225.06, from funds heretofore appropriated.

**Fiscal Note:** Contract was authorized under Resolution 6383, dated February 16, 2005.

07-1293

**Subject:** Direct Referral. Communication from the Racine Instinctive Bowmen's Club offering to take 100 loads of leaves from the City to mulch into a field.

**Recommendation:** The Mayor and City Clerk be authorized and directed to enter into an agreement with Racine Instinctive Bowmen's Club, Sturtevant, WI, for the disposal of approximately 100 loads of leaves, which are collected from city streets, with payment to be \$100.00 per truck load.

**Fiscal Note:** Funds are available to provide for the cost of these services in Account 104.000.5690, Special Services.

07-1311

**Subject:** Communication from the Assistant Commissioner of Public Works/Operations to amend Resolution No. 07-0457 regarding Change Order No. 3 to Contract 1-07 (K7-001), City Hall Renovations - Phase I, Seater Construction Co., Inc., contractor.

**Recommendation:** That Resolution No. 07-0457, dated October 16, 2007, be rescinded.

Further recommend that Change Order No. 3 to Contract 1-07 (K7-001), City Hall Renovations - Phase I, Seater Construction Co., Inc., contractor, as submitted, be approved in the amount of \$12,149.00.

Further recommends that funding to defray the cost of this change order be appropriated from Account 986.100.5010, City Hall Facility Plan Implementation.

**Fiscal Note:** Funds are available as herein delineated.

07-1324

**Subject:** Direct Referral. Communication from the Assistant Commissioner of Public Works/Engineering submitting Change Order No. 3 on Contract 39-06 (K6-041), Pritchard/Reservoir Park Pond Retrofit, K & L Construction, contractor.

**Recommendation:** That Change Order No. 3 on Contract 39-06 (K6-041), Pritchard/Reservoir Park Pond Retrofit, K & L Construction, contractor, as submitted, be approved in the amount of \$29,650.00.

Further recommends that funding to defray the cost of this change order be appropriated from Account 104.987.5420, Storm Sewers, Various Locations.

Further recommends that the time to complete this contract be extended until November 1, 2007.

**Fiscal Note:** Funds are available as herein delineated.

**07-1325**

**Subject:** Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 17-07 (K7-020), 2007 Sidewalk Construction, Phase I, D.C. Burbach, Inc., contractor.

**Recommendation:** The work of D.C. Burbach, Inc., under Contract 17-07 (K7-020), 2007 Sidewalk Construction, Phase I, be accepted and final payment authorized for a total contract amount of \$231,508.95, from funds heretofore appropriated.

**Fiscal Note:** Contract was authorized under Resolution 07-0166, dated April 16, 2007.

**07-1326**

**Subject:** Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 24-06 (K6-025), Concrete Street Reconstruction and Paving, Milwaukee General Construction Company, contractor.

**Recommendation:** The work of Milwaukee General Construction Company, Inc., under Contract 24-06 (K6-025), Concrete Street Reconstruction and Paving, be accepted and final payment authorized for a total contract amount of \$1,401,662.60, from funds heretofore appropriated.

**Fiscal Note:** Contract was authorized under Resolution 06-7060, dated June 6, 2006.

**07-1327**

**Subject:** Direct Referral. Communication from the Assistant Commissioner of Public Works/Engineering, submitting Amendment No. 1 on Contract 53-07 (K7-063), PS - Storm Sewer Inspection at 16th Street and Park Avenue, Earth Tech, Inc., consultant.

**Recommendation:** That Amendment No. 1 on Contract 53-07 (K7-063), Professional Services - Storm Sewer Inspection at 16th Street and Park Avenue, Earth Tech, Inc., consultant, as submitted, be approved in the

not-to-exceed amount of \$8,600.00.

Further recommends that funding to defray the cost of these professional services be appropriated from Account 104.987.5420, Storm Sewer, Misc. Loc.

**Fiscal Note:** Funds are available as herein delineated.

07-1331

**Subject:** Direct Referral. Communication from the Assistant Commissioner of Public Works/Engineering submitting Change Order No. 6 on Contract 49-05 (K5-056), Lake Michigan Pathway, Phase II, Bane-Nelson, Inc., contractor.

**Recommendation:** That Change Order No. 6 on Contract 49-05 (K5-056), Lake Michigan Pathway - Phase II, Bane-Nelson, Inc., contractor, as submitted, be approved in the amount of \$9,293.50.

Further recommends that funding to defray the cost of this change order be appropriated from Account 987.908.5130, Asphalt Resurfacing.

**Fiscal Note:** Funds are available as herein delineated.

07-1332

**Subject:** Direct Referral. Communication from the Assistant Commissioner of Public Works/Engineering submitting Change Order No. 1 on Contract 11-07 (K7-011), Traffic Signal LED Retrofit, HES (HISP), TAPCO, Inc., contractor.

**Recommendation:** That Change Order No. 1 on Contract 11-07 (K7-011), Traffic Signal LED Retrofit, HES (HISP), TAPCO, Inc, contractor, as submitted, be approved in the amount of \$10,320.00.

Further recommends that funding to defray the cost of this change order be appropriated from Account 930.047.5810, WisDOT Hazard Elimination Safety Grant.

**Fiscal Note:** Funds are available as herein delineated.

07-1336

**Subject:** Direct Referral. Communication from the Commissioner of Public Works/City Engineer declaring an emergency under State Statute 62.15(1b), Exception as to Public Emergency, for the repair of the storm sewer at 16th Street and Park Avenue.

**Recommendation:** The Commissioner of Public Works be authorized and directed to declare an emergency, under Wisconsin State Statute 62.15(1b), necessary to facilitate emergency repairs to the storm sewer

system located at 16th Street and Park Avenue.

**Fiscal Note:** The total cost of repairs to the stormwater manhole and vertical storm sewer pipe is estimated between \$50,000.00 and \$100,000.00.

[07-1337](#)

**Subject:** Direct Referral. Communication from the Assistant Commissioner of Public Works/Operations submitting the 2008 Be Smart Municipal Partner Membership agreement.

**Recommendation:** The City of Racine enter into an agreement with the Wisconsin Be Smart Coalition for the provision of regional and local recycling education and conservation programs in the amount of \$12,809.60.

**Fiscal Note:** By being part of this cooperative partnership the City of Racine will qualify for a Recycling Efficiency Grant from the State of Wisconsin which will result in revenues totaling \$50,000.00 which are included in the 2008 budget.

[07-1338](#)

**Subject:** Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting bid results on Contract 50-07 (K7-058), City Hall Annex - Photovoltaic Generation System.

**Recommendation:** Contract 50-07 (K7-058), City Hall Annex - Photovoltaic Generation System, be awarded to Magaw Electric Construction, Inc., Sturtevant, WI, at their bid price of \$341,934.00, 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:

\$111,542.28 - Account 987.200.5020, Annex Solar Electric Generating system

\$ 23,488.04 - Account 986.200.5010, City Hall Annex Parking Lot

\$ 71,928.68 - Account 986.100.5010, City Hall Facility Plan

\$ 99,975.00 - WE Energy Grant

\$ 35,000.00 - Wisconsin Energy Conservation Corporation Grant

\$341,934.00 - Total

**Fiscal Note:** Funds are available as herein delineated.

**Public Safety and Licensing Committee Report, by Ald. Shakoor**

[07-1117](#)

**Subject:** (New) Application of Tinita LLC, James W. McCann Agent, for a



"Class B" Fermented Malt beverage and Intoxicating liquor license at 500 Sixth Street. (1st District )

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

**09-10-07:** That the Application of Tinita LLC, James W. McCann Agent, for a "Class B" Fermented Malt beverage and Intoxicating liquor license at 500 Sixth Street be deferred until the September 24, 2007.

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

**09-24-07:** That the Application of Tinita LLC, James W. McCann Agent, for a "Class B" Fermented Malt beverage and Intoxicating liquor license at 500 Sixth Street be deferred until October 8, 2007.

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

**10-08-07:** That the item be deferred per applicants request to the next Public Safety & Licensing Meeting on 10-22-07.

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

**10-22-07:** That the application of Tinita LLC, James W. McCann Agent, for a "Class B" Fermented Malt beverage and Intoxicating liquor license at 500 Sixth Street be granted.

**Fiscal Note:** N/A

**07-1235**

**Subject: Direct Referral** Bids for Contract 52-07 (K7-061) Remodel Racine Zoological Gardens Phase III

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

**10-08-07:** The item be deferred to the next Public Safety and Licensing Meeting October 22, 2007.

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

**10-22-07:** That the Mayor and City Clerk be authorized and directed to enter into an agreement with Seater Construction Co., Inc. of Racine, WI for a total of \$1,576,000.00 for contract 52-07 (K7-061) Remodel Racine Zoological Gardens Phase III.

**Fiscal Note:** City's portion is \$300,000.00.

**07-1259**

**Subject:** Application of The Waterfront Grill (Sand Pipers Waterfront Grill), Lori A. Medendorp, Agent, for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 303 Dodge Street. (4th District)

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

**10-22-07:** That the application of The Waterfront Grill (Sand Pipers

Waterfront Grill), Lori A. Medendorp, Agent, for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 303 Dodge Street be granted.

**Fiscal Note:** N/A

[07-1272](#)

**Subject:** (Direct Referral) Communication from the Purchasing Agent submitting the monthly report for the sale of abandoned vehicles for October 10, 2007.

**Recommendation of the Public Safety & Licensing Committee on 10-22-07:** That the item be received and filed.

**Fiscal Note:** This will generate \$11,556.02 in revenues.

[07-1279](#)

**Subject:** Communication from Chief of Police Wahlen, requesting to waive formal bidding for the purchase of four Panasonic Toughbook Arbitrator in-squad video cameras.

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

**10-22-07:** Formal bidding procedures be waived and the purchasing agent be authorized and directed to negotiate with authorized Panasonic vendors for the purchase of (4) four Panasonic Toughbook Arbitrator in-squad video cameras.

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

**10-22-07:** That permission be granted to waive formal bidding and the purchasing agent be authorized and directed to negotiate the purchase of four Panasonic Toughbook Arbitrator in-squad video cameras.

**Fiscal Note:** Total cost of equipment shall not exceed \$20,000 and the cost defrayed from 2007 Bureau of Justice Assistance Grant.

[07-1280](#)

**Subject:** Communication from Police Chief Wahlen, requesting permission to negotiate and sign an agreement with Automated Pawn System, to provide a collective, searchable database of pawn transactions, in order to comply with Ordinance No. 1-07.

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

**10-22-07:** Permission granted for the Chief of Police to negotiate and sign an agreement with Automated Pawn System of Minneapolis Minnesota to provide a database of pawn transactions.

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

**10-22-07:** That permission be granted to the Chief of Police to negotiate and sign an agreement with Automated Pawn System, Minneapolis, Minnesota for a database for pawn transactions.

**Fiscal Note:** There will be no financial impact on the City.

**07-1282**

**Subject:** Request of the Director of Parks, Recreation & Cultural Services to meet with Public Safety & Licensing Committee for approval of the extension of the Zoological Society contract.

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

**10-22-07:** That the Mayor and City Clerk be authorized and directed to enter into a seven year extension for the Zoological Society contract.

**Fiscal Note:** \$550,000 annually for first five years, \$650,000 annually for last 2 years should be appropriated from account 101.740.5610, Zoological Professional Services, \$32,000 maintenance fee each year should be appropriated from account 107.740.5550, Zoo Maintenance and Repairs.

**07-1285**

**Subject:** Communication from Police Chief Wahlen, requesting permission to apply for, and accept, the 2008 Wisconsin Office of Justice Assistance Juvenile Accountability Block Grant (Grant Control #2007-049).

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

**10-22-07:** Permission granted for the Chief of Police to apply for and accept a \$30,000 grant, from the 2008 Wisconsin Office of Justice Assistance Juvenile Accountability Block Grant, Grant Control No. 2007-049.

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

**10-22-07:** That permission be granted to the Chief of Police to accept the 2008 Wisconsin Office of Justice Assistance Juvenile Accountability Grant.

**Fiscal Note:** \$15,000 match is required and will be supplied by Safe Haven.

**07-1286**

**Subject: Direct Referral:** Change order #1 and final payment for engineering services for preparing plans and specifications for repairing the 18th hole bridge at Johnson Park Golf Course by Strass-Maguire & Associates, Inc.

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

**10-22-07:** That permission be granted to change order #1 for an increase

of \$985.79 be approved and final payment for the repair to the 18th hole bridge at Johnson Park Golf Course.

**Fiscal Note:** Funds are available in account 107.000.5560 Golf Course Professional Services.

### **Traffic Commission Report, by Ald. Hart**

**06-2893**

**Subject:** Communication from the Alderman of the 6th District, on behalf of Merlyn & Joanne Tamblingson, 2207 Rupert Blvd., and Sue Griego, 2208 Rupert Blvd., to install traffic signal controls at the intersection of Chicago & Spring Streets. **Merlyn & Joanne Tamblingson, Sue Griego, and Alderman Weidner invited to the meeting.**

**Recommendation of the Traffic Commission (1-15-07):** Defer

**Recommendation of the Traffic Commission (8-20-07):** Defer

**Recommendation of the Traffic Commission (9-17-07):** Defer

**Recommendation of the Traffic Commission (10-15-07):** Receive and file.

**Fiscal Note:** N/A

**07-1116**

**Subject:** Communication from Alderman Weidner, on behalf of Holly Brown, 419 Harvey Drive, requesting a stop sign on the corner of Rupert Street and Harvey Drive. **Alderman Weidner and Holly Brown invited to the meeting.**

**Recommendation of the Traffic Commission (09-17-07):** Defer

**Recommendation of the Traffic Commission (10-15-07):** Receive and file.

**Fiscal Note:** N/A

### **Transit and Parking Commission Report, by Ald. DeHahn**

**07-1248**

**Subject:** Communication from the Transit Planner submitting the August 2007 operating and financial report for the Belle Urban System bus service.

**Recommendation:** Receive and file.

**Fiscal Note:** N/A

[07-1250](#)

**Subject:** Communication from the Transit Planner submitting the September 2007 operating and financial report for the Wisconsin Coach Lines, Kenosha-Racine-Milwaukee intercity bus service.

**Recommendation:** Receive and file.

**Fiscal Note:** N/A

[07-1278](#)

**Subject:** Communication from the Transit Planner wishing to discuss weekend service improvements to routes and schedules of the Belle Urban System.

**Recommendation:** The weekend service improvements on the Belle Urban System as presented in the report dated October 23, 2007, be adopted, effective January 5, 2008.

**Fiscal Note:** Funds are included in the 2008 Belle Urban System operating budget to accommodate the changes.

[07-1371](#)

**Subject:** (Direct Referral) Communication from the Transit Planner submitting the September 2007 operating and financial report for the Belle Urban System.

**Recommendation:** Receive and file.

**Fiscal Note:** N/A

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

[07-1353](#)

**Subject:** (Direct Referral) Review of flex development authorization language for Chris and Aleisha Djuricic related to a request for a conditional use permit for a sound studio at 2415 Douglas Avenue.

**Recommendation of City Plan Commission on 10-31-07:** That a use supplement be adopted by a resolution of the Common Council in association with a Flex Development Overlay District at 2415 Douglas Avenue, subject to the following conditions:

- a. That all uses listed in the underlying R-3 Limited General Residence District are permissible by right or by conditional use permit unless otherwise specified herein.

- b. That all applicable permits are obtained from the Building Inspection Department.
- c. That the following flex uses are permitted as a conditional use permit through Ordinance No. ZOrd.0003-07 in addition to those permitted the R-3 Limited General Residence District: sound and recording studio.
- d. That the following uses shall be prohibited: community living arrangements, educational institutions providing boarding.
- e. That all aspects of the flex uses and all other uses be contained on site.
- f. That all trash and recyclables be stored in closed containers and screened from view.
- g. That the Chief Building inspector or Director of City Development may impose additional conditions on a single or a group of flex uses to mitigate potential negative impacts on the subject or surrounding properties. Decisions in this regard may be appealed by the affected operator(s) to the Plan Commission who will forward a recommendation to the Common Council.
- h. That upon consultation between the Chief Building Inspector and Director of City Development, additional uses not listed in this resolution may be permitted, if they comply with the spirit and intent of this flex development and the Flex Development Overlay District
- i. That all applicable codes and ordinances be complied with and required permits acquired.
- j. That no minor changes be made from the conditions of this flex development without the approval of the Plan Commission and no major changes be made without the approval of the Common Council.
- k. That this flex development is subject to Plan Commission review for compliance with the listed conditions.

**Fiscal Note:** N/A

[07-1355](#)

**Subject:** (Direct Referral) Discussion regarding amending the process for the review of use changes in the designated access corridor areas.

**Recommendation of City Plan Commission on 10-31-07:** That an ordinance be prepared and a public hearing scheduled.

[07-1356](#)

**Subject:** (Direct Referral) Request by Jian Zheng seeking a conditional

use permit for a restaurant at 3316 Douglas Avenue.

**Recommendation of City Plan Commission on 10-31-07:** That the request by Jain Zheng seeking a conditional use permit for a restaurant at 3316 Douglas Avenue be approved, subject to the following conditions:

- a. That the plans presented to the Plan Commission on October 31, 2007 be approved, subject to the following conditions.
- b. That all applicable building and occupancy permits be applied for.
- c. That the hours of operation be from 10:00 a.m. to 10:00 p.m., daily.
- d. That the building be tuck-pointed and painted. The color scheme of the building is to be submitted for the review and approval of the Director of City Development.
- e. That all signs be professionally made, comply with the zoning ordinance and Douglas Avenue design guidelines and be submitted to the Douglas Avenue Business Association for recommendations, and the Director of City Development for review and approval prior to installation.
- f. That a detailed landscape plan be submitted to the Director of City Development for review and approval prior to the issuance of an occupancy permit. Landscaping shall be installed in accordance with the approved plans by June 1, 2008 unless a letter of credit, equal to the value of the landscaping, is submitted to the Director of City Development for review and approval.
- g. That the parking lot be re-stripped by June 1, 2008.
- h. That all trash and recyclables be stored in closed containers and screen from view.
- i. That all codes and ordinances be complied with and required permits acquired.
- j. That no minor changes be made from the conditions of this permit without approval of the Plan Commission and no major changes be made from the conditions of this permit without the approval of the Common Council.
- k. That this approval is subject to Plan Commission review for compliance with the listed conditions.

**Fiscal Note:** N/A

07-1357

**Subject:** (Direct Referral) Request by Joseph Sherer, agent for Time Warner Entertainment, seeking an amendment to a conditional use permit for the expansion of a storage building at 5812-21st Street.

**Recommendation of City Plan Commission on 10-31-07:** That the request by Joseph Sherer, agent for Time Warner entertainment, seeking an amendment to a conditional use permit for the expansion of a storage building at 5812 - 21st Street be approved, subject to the following conditions:

- a. That the plans presented to the Plan Commission on October 31, 2007 be approved, subject to the following conditions.
- b. That all applicable building and occupancy permits be applied for.
- c. That a detailed landscape plan be submitted to the Director of City Development for review and approval prior to the issuance of an occupancy permit. The plan shall illustrate new landscaping along the parking lot facing S. Green Bay Road, and in the area of the drop box present along 21st Street.
- d. That by June 1, 2008 the following shall be accomplished.
  1. All faded wall panels be repainted in a color scheme to be submitted for the review and approval of the Director of City Development.
  2. Stripe the parking lot and clearly indicate traffic patterns through the use of arrows and lane striping.
  3. Install landscaping in accordance with the approved plans unless a letter of credit, equal to the value of the landscaping, is submitted to the Director of City Development for review and approval. In no case shall new landscaping be installed later than July 1, 2008.
  4. Trim and/or prune existing landscaping.
  5. Remove all unused and/or obsolete satellite dishes from the property.
- e. The entire site shall be policed daily for the removal of trash and debris from fencing, yard, parking and landscape areas.
- f. That all trash and recyclables be stored in closed containers and screen from view.
- g. That all codes and ordinances be complied with and required permits acquired.



h. That no minor changes be made from the conditions of this permit without 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 approval is subject to Plan Commission review for compliance with the listed conditions.

**Fiscal Note:** N/A

[07-1373](#)

**Subject:** ZOrd.0006-07 is to rezone 3801 Douglas Avenue from I-1 to B-2.

**Recommendation of City Plan Commission on 10-31-07:** That the ordinance ZOrd.0006-07 be adopted.

**Fiscal Note:** N/A

[07-1374](#)

**Subject:** ZOrd.0007-07 is to rezone 2415 Douglas Avenue from R-3 to R-3.

**Recommendation of City Plan Commission on 10-31-07:** That the ordinance ZOrd.0007-07 be adopted.

**Fiscal Note:** N/A

**Community Development Committee Report, by Ald. Spangenberg**

[07-1072](#)

**Subject:** (Direct Referral) Allocation of 2008 Community Development Block Grant (CDBG) funds.

**Recommendation of Community Development Committee on 10-25-07:** To approve the recommended allocation of Community Development Block Grant funds for public and non-public service activities; if funds are received in excess of those allocated, those funds be placed in the Local Option/Contingency fund, and if the grant is less than estimated, the Local Option/Contingency fund be reduced accordingly.

**Further** to authorize and direct the appropriate City officials to execute and submit the appropriate documents on the City's behalf to the U.S. Department of Housing and Urban Development to secure the City's 2008 Community Development Block Grant funds.

**Further** to authorize the appropriate City officials to execute third-party

contracts with agencies approved for use of the 2008 Community Development Block Grant funds.

**Fiscal Note:** The 2008 Community Development Block Grant is estimated to be \$2,000,000.

07-1262

**Subject:** Communication transmitting the Homeless Assistance Coalition's recommended allocation of 2007 Emergency Shelter Grant (ESG) funds.

**Recommendation of Community Development Committee on 10-25-07:** To approve the allocation of 2007 Emergency Shelter Grant funds.

**Further** to authorize and direct the appropriate City officials to execute and submit the appropriate documents on the City's behalf to secure the City's 2007 Emergency Shelter Grant funds.

**Further** to authorize the appropriate City officials to execute third-party agreements with agencies approved for use of the 2007 Emergency Shelter Grant funds.

**Fiscal Note:** An Emergency Shelter Grant of \$88,000 has been awarded to the City.

**Office of the Mayor Report, by Ald. Spangenberg**

07-1376

**Subject:** Communication from Mayor Becker nominating appointments/reappointments to the following Committees and Commissions for the City of Racine:

Board of Building Appeals

Reappoint Frank Tingle, 1740 Park Avenue, for a 2-year term ending in August 2009.

Reappoint Mark Madsen, 913 William Street, for a 2-year term ending in August 2009.

Reappoint John Dorn, 3059 St. Clair Street, for a 2-year term ending in August 2009.

Reappoint Charles A. Rice, 1705 Wisconsin Avenue, for a 2-year term ending in August 2009.

Reappoint Barbara Walter, 3726 North Bay Drive, for a 2-year term ending in August 2009.

Stationary Engineers Examining Board

Reappoint David Desotell, 5635 Erie Street, for a term ending in April

2009.

Reappoint Dale Miller, 6520 Douglas Avenue, for a term ending in April 2010.

### **Water Works Committee Report, by Ald Hart**

[07-1375](#)      **Subject:** Ordinance No. 20-07

To repeal and recreate Chapter 98, Article III, Division 4 of the Municipal Code of the City of Racine, Wisconsin relating to Water Utility - Impact Fee.

**Recommendation of the Board of Waterworks Commissioners on 10/30/07:** Adopt Ordinance No. 20-07

### **Cable Television Commission Report, by Ald. Holding**

[07-1164](#)      **Subject:** Budget Review for CAR25 Personnel

**Recommendation of Cable Commission:** That the item be referred to Finance & Personnel Committee

## **H. Resolutions**

[Res.07-0467](#)      Permission to apply for funding from Department of Health and Family Services for Consolidated Contract #15835

Resolved, that permission be granted for the Public Health Administrator to apply for funding in an amount up to \$265,000 with the State of Wisconsin Department of Health and Family Services, Grant Control No. 2007-046, to be utilized for Consolidated Contract # 15835.

Fiscal Note: \$61,837 soft match required from Maternal Child Healthcare.

Sponsors:      Thomas Friedel

[Res.07-0468](#)      Permission to apply for funding from Department of Health and Family Services for Tobacco Prevention

Resolved, that the Public Health Administrator be granted permission to apply

for a grant in the amount of \$880 with the Department of Health and Family Services, to be utilized for Tobacco Prevention and Control, Grant Control No. 2007-047.

Fiscal Note: No match required on the part of the City.

Sponsors: Thomas Friedel

**Res.07-0469** Accept funding and enter into agreement with Division of Employment and Training for Refugee Screening and Education

Resolved, that the Public Health Administrator be authorized and directed to accept funding from the Division of Employment and Training on behalf of the Department of Workforce Development for refugee screening and education, Grant Control #2007-048, and that the Mayor and City Clerk be authorized and directed to enter into a \$20,250 agreement with the Division of Employment and Training on behalf of the Department of Workforce Development to be utilized for screening and education for eligible refugees, Grant Control #2007-048 for the contract period October 1, 2007 through September 30, 2008.

Fiscal Note: No match required on the part of the City.

Sponsors: Thomas Friedel

**Res.07-0470** 2008 Operating Plan for Business Improvement District No. 2, West Racine

Resolved, that the 2008 operating plan for Business Improvement District No. 2, West Racine, dated October 4, 2007, be approved, and the Finance Director be authorized and directed to place the special assessments listed in the plan on the property tax bills of the parcels within the District.

Fiscal Note: It is estimated \$21,250 will be raised through B.I.D. assessments to be placed into the West Racine B.I.D.'s revenue account.

Sponsors: Thomas Friedel

**Res.07-0471** 2008 Operating Plan for Business Improvement District No. 1, Downtown Racine

Resolved, that the 2008 operating plan for Business Improvement District No. 1, Downtown Racine, dated September 20, 2007, be approved, and the Finance Director be authorized and directed to place the special assessments listed in the plan on the property tax bills of the parcels within the District.

Fiscal Note: It is estimated \$204,466 will be raised through B.I.D. assessments to be placed into the Downtown B.I.D.'s revenue account.

**Sponsors:** Thomas Friedel

**Res.07-0472** Waive formal bidding for purchase of Panasonic Toughbook Arbitrator in-squad video cameras

Resolved, that formal bidding procedures be waived and the purchasing agent be authorized and directed to negotiate with authorized Panasonic vendors for the purchase of (4) four Panasonic Toughbook Arbitrator in-squad video cameras.

**Fiscal Note:** Total cost of equipment shall not exceed \$20,000 and the cost defrayed from 2007 Bureau of Justice Assistance Grant.

**Sponsors:** Thomas Friedel and Q.A. Shakoor II

**Res.07-0473** Apply for and accept funding from 2008 Wisconsin Office of Justice Assistance Juvenile Accountability Block Grant

Resolved, that the Chief of Police be granted permission to apply for and accept a \$30,000 grant, from the 2008 Wisconsin Office of Justice Assistance Juvenile Accountability Block Grant, Grant Control No. 2007-049.

Further resolved, that the Mayor and City Clerk be authorized and directed to execute the grant agreement on behalf of the City.

**Fiscal Note:** \$15,000 match is required and will be supplied by Safe Haven.

**Sponsors:** Thomas Friedel and Q.A. Shakoor II

**Res.07-0474** Permission to negotiate and sign agreement with Automated Pawn System

Resolved, that Chief of Police be authorized and directed to negotiate and sign an agreement with Automated Pawn System of Minneapolis, Minnesota to provide a collective, searchable database of pawn transactions to comply with City Ordinance No. 1-07, that being in the best interest of the City.

**Fiscal Note:** There will be no financial impact on the City.

**Sponsors:** Thomas Friedel and Q.A. Shakoor II

**Res.07-0475** Update of Employment Status and Allocation of Benefits for Part-Time Non-represented Employees

Resolved, that the part-time non-represented employee benefit allocation plan as submitted to the Finance and Personnel Committee on October 22, 2007 be

approved.

Fiscal Note: Sufficient funds have been allocated to cover the plan.

Sponsors: Thomas Friedel

**Res.07-0476** Extension of the Zoological Society Contract

Resolved, that the Mayor and City Clerk be authorized and directed to enter into a seven year extension with the Racine Zoological Society, Inc., for the Operating Agreement - Racine Zoological Gardens.

Fiscal Note: \$550,000 annually for first five years, \$650,000 annually for last 2 years should be appropriated from account 101.740.5610, Zoological Professional Services, \$32,000 maintenance fee each year should be appropriated from account 107.740.5550, Zoo Maintenance and Repairs.

Sponsors: Q.A. Shakoor II

**Res.07-0477** Enter into agreement for Remodeling Racine Zoological Gardens Phase III

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with Seater Construction Co., Inc. of Racine, WI for a total of \$1,576,000.00 for Contract 52-07 (K7-061), Remodel Racine Zoological Gardens Phase III.

Fiscal Note: City's portion is \$300,000.00.

Sponsors: Q.A. Shakoor II

**Res.07-0478** Change Order for engineering services at 18th hole bridge Johnson Park Golf Course

Resolved, that Change Order #1, Engineering services for preparing plans and specifications for repairing the 18th hole bridge at Johnson Park Golf Course, Strass-Maguire & Associates, Inc., in an increased amount of \$985.79, for a total contract amount of \$13,415.79, be approved, and funds are available in account 107.000.5560, Golf Course Professional Services.

Further resolved, that the work be accepted and final payment be authorized from funds heretofore appropriated.

Fiscal Note: Funds are available in account 107.000.5560 Golf Course Professional Services, Repair of bridge at Johnson Park Golf Course.

Sponsors: Q.A. Shakoor II

**Res.07-0479** Agreement with Racine Instinctive Bowmen's Club for disposal of leaves

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with Racine Instinctive Bowmen's Club, Sturtevant, WI, for the disposal of approximately 100 loads of leaves, which are collected from city streets, with payment to be \$100.00 per truck load.

Fiscal Note: Funds are available to provide for the cost of these services in Account 104.000.5690, Special Services.

Sponsors: Ronald D. Hart

**Res.07-0480** Transfer of property 1718 S. Memorial Drive

Resolved, that the property designated as Tax ID #16850015, 1718 S. Memorial Drive, be transferred from the Redevelopment Authority to the City of Racine and maintained by the Department of Public Works through its Stormwater Utility.

Fiscal Note: This property is a bio-remediation stormwater pond. Subsequently, funds are available in the Stormwater Utility to provide the required maintenance to this facility.

Sponsors: Ronald D. Hart

**Res.07-0481** Repair of storm sewer at 16th Street and Park Avenue

Resolved, that the Commissioner of Public Works be authorized and directed to declare an emergency, under Wisconsin State Statute 62.15(1b), necessary to facilitate emergency repairs to the storm sewer system located at 16th Street and Park Avenue.

Fiscal Note: The total cost of repairs to the stormwater manhole and vertical storm sewer pipe is estimated between \$50,000.00 and \$100,000.00.

Sponsors: Ronald D. Hart

**Res.07-0482** Contract for City Hall Annex - Photovoltaic Generation System

Resolved, that Contract 50-07 (K7-058), City Hall Annex - Photovoltaic Generation System, be awarded to Magaw Electric Construction, Inc., Sturtevant, WI, at their bid price of \$341,934.00, they being the lowest responsible bidder.

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

\$111,542.28 - Account 987.200.5020, Annex Solar Electric Generating system  
\$ 23,488.04 - Account 986.200.5010, City Hall Annex Parking Lot  
\$ 71,928.68 - Account 986.100.5010, City Hall Facility Plan  
\$ 99,975.00 - WE Energy Grant  
\$ 35,000.00 - Wisconsin Energy Conservation Corporation Grant  
\$341,934.00 - Total

Fiscal Note: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

**Res.07-0483** Work accepted and final payment authorized for professional services contract  
- On-Call Stormwater Utility Services

Resolved, that the professional services provided by Earth Tech, Inc., under Contract 8-05 (K5-013), Professional Services - On-Call Stormwater Utility Services, be accepted and final payment authorized for a total contract amount of \$34,225.06, from funds heretofore appropriated.

Fiscal Note: Contract was authorized under Resolution 6383, dated February 16, 2005.

Sponsors: Ronald D. Hart

**Res.07-0484** Work accepted and final payment for Laurel Clark Memorial Fountain

Resolved, that the work of Bane-Nelson, Inc., under Contract 44-05 (K5-051), Laurel Clark Memorial Fountain, be accepted and final payment authorized for a total contract amount of \$136,641.00, from funds heretofore appropriated.

Fiscal Note: Contract was authorized under Resolution 6919, dated March 7, 2006.

Sponsors: Ronald D. Hart

**Res.07-0485** Work accepted and final payment authorized for Chicory Road Reconstruction contract

Resolved, that the work of Milwaukee General Construction Company, Inc., under Contract 10-06 (K6-011), Chicory Road Reconstruction, be accepted and final payment authorized for a total contract amount of \$1,721,365.95, from funds heretofore appropriated.

Fiscal Note: Contract was authorized under Resolution 06-6957, dated April 5, 2006.



**Sponsors:** Ronald D. Hart

**Res.07-0486** Work accepted and final payment authorized for Concrete Street Reconstruction and Paving contract

Resolved, that the work of Milwaukee General Construction Company, Inc., under Contract 24-06 (K6-025), Concrete Street Reconstruction and Paving, be accepted and final payment authorized for a total contract amount of \$1,401,662.60, from funds heretofore appropriated.

**Fiscal Note:** Contract was authorized under Resolution 06-7060, dated June 6, 2006.

**Sponsors:** Ronald D. Hart

**Res.07-0487** Work accepted and final payment on 2007 Sidewalk Construction Phase 1 contract

Resolved, that the work of D.C. Burbach, Inc., under Contract 17-07 (K7-020), 2007 Sidewalk Construction, Phase I, be accepted and final payment authorized for a total contract amount of \$231,508.95, from funds heretofore appropriated.

**Fiscal Note:** Contract was authorized under Resolution 07-0166, dated April 16, 2007.

**Sponsors:** Ronald D. Hart

**Res.07-0488** Agreement with Wisconsin Be Smart Coalition

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with the Wisconsin Be Smart Coalition for the provision of regional and local recycling education and conservation programs in the amount of \$12,809.60.

**Fiscal Note:** By being part of this cooperative partnership the City of Racine will qualify for a Recycling Efficiency Grant from the State of Wisconsin which will result in revenues totaling \$50,000.00 which are included in the 2008 budget.

**Sponsors:** Ronald D. Hart

**Res.07-0489** Rescind Resolution No. 07-0457 and change order be approved for City Hall Renovations - Phase I

Resolved, that Resolution No. 07-0457, dated October 16, 2007, be rescinded.

Further resolved, that Change Order No. 3 to Contract 1-07 (K7-001), City Hall Renovations - Phase I, Seater Construction Co., Inc., contractor, as submitted, be approved in the amount of \$12,149.00.

Further resolved, that funding to defray the cost of this change order be appropriated from Account 986.100.5010, City Hall Facility Plan Implementation.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

**Res.07-0490** Amendment to contract for Storm Sewer Inspection at 16th Street and Park Avenue

Resolved, that Amendment No. 1 on Contract 53-07 (K7-063), Professional Services - Storm Sewer Inspection at 16th Street and Park Avenue, Earth Tech, Inc., consultant, as submitted, be approved in the not-to-exceed amount of \$8,600.00.

Further resolved, that funding to defray the cost of these professional services be appropriated from Account 104.987.5420, Storm Sewer, Misc. Loc.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

**Res.07-0491** Change Order for contract Pritchard/Reservoir Park Pond Retrofit

Resolved, that Change Order No. 3 on Contract 39-06 (K6-041), Pritchard/Reservoir Park Pond Retrofit, K & L Construction, contractor, as submitted, be approved in the amount of \$29,650.00.

Further resolved, that funding to defray the cost of this change order be appropriated from Account 104.987.5420, Storm Sewers, Various Locations.

Further resolved, that the time to complete this contract be extended until November 1, 2007.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

**Res.07-0492** Change Order on contract for Lake Michigan Pathway - Phase II

Resolved, that Change Order No. 6 on Contract 49-05 (K5-056), Lake Michigan Pathway - Phase II, Bane-Nelson, Inc., contractor, as submitted, be approved in

the amount of \$9,293.50.

Further resolved, that funding to defray the cost of this change order be appropriated from Account 987.908.5130, Asphalt Resurfacing.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

**Res.07-0493** Change Order on contract for Traffic Signal LED Retrofit

Resolved, that Change Order No. 1 on Contract 11-07 (K7-011), Traffic Signal LED Retrofit, HES (HISP), TAPCO, Inc, contractor, as submitted, be approved in the amount of \$10,320.00.

Further resolved, that funding to defray the cost of this change order be appropriated from Account 930.047.5810, WisDOT Hazard Elimination Safety Grant.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

**Res.07-0494** Use Supplement for sound studio at 2415 Douglas Avenue

Resolved, that a use supplement be adopted by a resolution of the Common Council in association with a Flex Development Overlay District at 2415 Douglas Avenue, subject to the following conditions:

- a. That all uses listed in the underlying R-3 Limited General Residence District are permissible by right or by conditional use permit unless otherwise specified herein.
- b. That all applicable permits are obtained from the Building Inspection Department.
- c. That the following flex uses are permitted as a conditional use permit through Ordinance No. ZOrd.0003-07 in addition to those permitted the R-3 Limited General Residence District: sound and recording studio.
- d. That the following uses shall be prohibited: community living arrangements, educational institutions providing boarding.
- e. That all aspects of the flex uses and all other uses be contained on site.
- f. That all trash and recyclables be stored in closed containers and screened from view.

- g. That the Chief Building inspector or Director of City Development may impose additional conditions on a single or a group of flex uses to mitigate potential negative impacts on the subject or surrounding properties. Decisions in this regard may be appealed by the affected operator(s) to the Plan Commission who will forward a recommendation to the Common Council.
- h. That upon consultation between the Chief Building Inspector and Director of City Development, additional uses not listed in this resolution may be permitted, if they comply with the spirit and intent of this flex development and the Flex Development Overlay District
- i. That all applicable codes and ordinances be complied with and required permits acquired.
- j. That no minor changes be made from the conditions of this flex development without the approval of the Plan Commission and no major changes be made without the approval of the Common Council.
- k. That this flex development is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

Sponsors: Gregory Holding

[Res.07-0495](#) Conditional Use Permit for 3316 Douglas Avenue

Resolved, that the request by Jain Zheng seeking a conditional use permit for a restaurant at 3316 Douglas Avenue be approved, subject to the following conditions:

- a. That the plans presented to the Plan Commission on October 31, 2007 be approved, subject to the following conditions.
- b. That all applicable building and occupancy permits be applied for.
- c. That the hours of operation be from 10:00 a.m. to 10:00 p.m., daily.
- d. That the building be tuck-pointed and painted. The color scheme of the building is to be submitted for the review and approval of the Director of City Development.
- e. That all signs be professionally made, comply with the zoning ordinance and Douglas Avenue design guidelines and be submitted to the Douglas Avenue Business Association for recommendations, and the Director of City Development for review and approval prior to installation.
- f. That a detailed landscape plan be submitted to the Director of City

Development for review and approval prior to the issuance of an occupancy permit. Landscaping shall be installed in accordance with the approved plans by June 1, 2008 unless a letter of credit, equal to the value of the landscaping, is submitted to the Director of City Development for review and approval.

- g. That the parking lot be re-stripped by June 1, 2008.
- h. That all trash and recyclables be stored in closed containers and screen from view.
- i. That all codes and ordinances be complied with and required permits acquired.
- j. That no minor changes be made from the conditions of this permit without approval of the Plan Commission and no major changes be made from the conditions of this permit without the approval of the Common Council.
- k. That this approval is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

Sponsors: Gregory Holding

**Res.07-0496** Amendment to Conditional Use Permit for 5812 - 21st Street

Resolved, that the request by Joseph Sherer, agent for Time Warner entertainment, seeking an amendment to a conditional use permit for the expansion of a storage building at 5812 - 21st Street be approved, subject to the following conditions:

- a. That the plans presented to the Plan Commission on October 31, 2007 be approved, subject to the following conditions.
- b. That all applicable building and occupancy permits be applied for.
- c. That a detailed landscape plan be submitted to the Director of City Development for review and approval prior to the issuance of an occupancy permit. The plan shall illustrate new landscaping along the parking lot facing S. Green Bay Road, and in the area of the drop box present along 21st Street.
- d. That by June 1, 2008 the following shall be accomplished.
  - 1. All faded wall panels be repainted in a color scheme to be submitted for the review and approval of the Director of City Development.
  - 2. Stripe the parking lot and clearly indicate traffic patterns through the use of arrows and lane striping.
  - 3. Install landscaping in accordance with the approved plans unless a letter of credit, equal to the value of the landscaping, is submitted to the Director of City Development for review and approval. In no case shall new landscaping be

installed later than July 1, 2008.

4. Trim and/or prune existing landscaping.
  5. Remove all unused and/or obsolete satellite dishes from the property.
- e. The entire site shall be policed daily for the removal of trash and debris from fencing, yard, parking and landscape areas.
- f. That all trash and recyclables be stored in closed containers and screen from view.
- g. That all codes and ordinances be complied with and required permits acquired.
- h. That no minor changes be made from the conditions of this permit without 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 approval is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

Sponsors: Gregory Holding

**Res.07-0497** Permission to install free-standing sign at 1 Main Street (1 Main Centre)

Resolved, that the property owner of 1 Main Street be granted permission to install a free-standing, electronic monument sign over a water and sewer easement, as requested, with the following stipulations:

- A. A hold harmless agreement be executed, in accordance with Wis. Stat. sec. 66.0425, Privileges in Streets.
- B. In the event of required repairs, the property owner gives permission to the City of Racine to disconnect electrical connections and to remove the sign for the performance of such work.
- C. Any damages caused to said sign shall be the responsibility of the property owner.

Further resolved, that the property owner be charged a \$50.00 fee to cover costs associated with filing this item with the Register of Deeds office.

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

Sponsors: Ronald D. Hart and Thomas Friedel

**Res.07-0498** Allocation of 2008 Community Development Block Grant (CDBG) Funds

Resolved, that the allocation of Community Development Block Grant funds for public and non-public service activities be approved; if funds are received in

excess of those allocated, those funds be placed in the Local Option/Contingency fund, and if the grant is less than estimated, the Local Option/Contingency fund be reduced accordingly.

Further resolved, that the appropriate City officials be authorized and directed to execute and submit the appropriate documents on the City's behalf to the U.S. Department of Housing and Urban Development to secure the City's 2008 Community Development Block Grant funds.

Further resolved, that the appropriate City officials be authorized and directed to execute third-party contracts with agencies approved for use of the 2008 Community Development Block Grant funds.

Fiscal Note: The 2008 Community Development Block Grant is estimated to be \$2,000,000.

Sponsors: James T. Spangenberg

Res.07-0499 2007 Emergency Shelter Grant (ESG) Funds

Resolved, that the allocation of 2007 Emergency Shelter Grant Funds be approved.

Further resolved, that the appropriate City officials be authorized and directed to execute and submit the appropriate documents on the City's behalf to secure the City's 2007 Emergency Shelter Grant funds.

Further resolved, that the appropriate City officials be authorized and directed to execute third-party agreements with agencies approved for use of the 2007 Emergency Shelter Grant funds.

Fiscal Note: An Emergency Shelter Grant of \$88,000 has been awarded to the City.

Sponsors: James T. Spangenberg

## I. Ordinances

Ord.22-07 Ordinance No. 22-07

To repeal and recreate Chapter 114, Article VI, Section 638, Land uses, of the Municipal Code of the City of Racine, Wisconsin relating to Zoning.

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

Part 1:

Chapter 114, Article VI, Section 638 is hereby repealed and recreated to read as

follows:

“All listed permitted and conditional uses in the underlying zoning district shall be conditional uses in the access corridor district except single and two-family residences and those uses which will occupy existing buildings and are compatible with the applicable corridor plans that may be adopted (as interpreted by the director of city development). Upon submittal of a conditional use permit application, the appointed access corridor representatives of the affected area shall receive a public hearing notice, and a copy of the application and supporting materials. The representatives may appear at the plan commission to offer a review and recommendation for city plan commission consideration.”

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

**J. Miscellaneous Business**

**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.