



City of Racine

Meeting Minutes - 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*

Tuesday, November 6, 2007

7:00 PM

Room 205, City Hall

A. Call To Order

PRESENT: 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Spangenberg, Hart and Mozol
EXCUSED: 1 - Wisneski

B. Pledge of Allegiance To The Flag

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

C. Approval of Journal of Council Proceedings (Minutes)

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

D. Public Comments

*Ed Conrad
Ann Berka
Michael Kinnard
George Meyers
Mercedes Dzindzeletta*

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

Matt Flynn

Mary Whitman

Michael Frontier

David Bahlman

His Honor, the Mayor, declared the public hearing closed

[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

No one appeared.

His Honor, the Mayor, declared the public hearing closed

[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., Orttel'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

No one appeared.

His Honor, the Mayor, declared the public hearing closed

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.

Referred to Finance and Personnel Committee

07-1291 **Subject:** communication from the City Attorney submitting the claim of Joyce Breidinger for consideration.

Referred to Finance and Personnel Committee

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)

Referred to Finance and Personnel Committee

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)

Referred to Finance and Personnel Committee

[07-1344](#)

Subject: communication from the City Attorney submitting the claim of F. C. Randal Property Management, LLC for consideration.

Referred to Finance and Personnel Committee

[07-1345](#)

Subject: communication from the City Attorney submitting the claim of Lawrence Kimball & Marsha Kimball for consideration.

Referred to Finance and Personnel Committee

[07-1346](#)

Subject: communication from the City Attorney submitting the claim of the Willie J. Brown and Betty J. Brown Family Trust for consideration.

Referred to Finance and Personnel Committee

[07-1347](#)

Subject: communication from the City Attorney requesting additional funding for the 2007 budget, 101.160.5610, Professional Services.

Referred to Finance and Personnel Committee

[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)

Referred to Finance and Personnel Committee

[07-1364](#)

Subject: communication from the City Attorney submitting the claim of Jose Navarro for consideration.

Referred to Finance and Personnel Committee

[07-1367](#)

Subject: communication from the City Attorney submitting the claim of American Family Mutual Insurance Company (insured is Mr & Mrs. Prochnow) for consideration.

Referred to Finance and Personnel Committee

[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)

Referred to Finance and Personnel Committee

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.
Referred to Public Works and Services Committee
- [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.
Referred to Public Works and Services Committee
- [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.
Referred to Public Works and Services Committee
- [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.
Referred to Public Works and Services Committee
- [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

Referred to Public Works and Services Committee

Referred to City Plan Commission

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

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)
Referred to Public Safety and Licensing Committee
- [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)

Referred to Public Safety and Licensing Committee

[07-1387](#)

Subject: Communication from the Purchasing agent requesting to discuss the recommendation for the Leasing/Management of the City Golf Courses.

Referred to Public Safety and Licensing Committee

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.

Referred to Traffic Commission

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.

Referred to Transit and Parking Commission

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.

Referred to Community Development Committee

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.

Referred to Sustainable Neighborhood Listening Committee

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.

Referred to Redevelopment Authority of the City of Racine

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.

Alderman Karas requested that item 07-0261 be considered separately.

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

The motion was APPROVED by the following vote:

AYES: 10 - Coe, Anderson, Kaplan, Maack, Weidner, Shakoor II, Friedel, Holding, Spangenberg and Hart

NOES: 4 - Shields, DeHahn, Karas and Mozol

EXCUSED: 1 - Wisneski

[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.

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

The motion was APPROVED.

[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.

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

[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.

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

[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.

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

[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.

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

[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

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

[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

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

[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

Alderman Weidner requested that item 07-1271 be considered separately.

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

AYES: 13 - Coe, Anderson, Shields, Kaplan, Maack, DeHahn, Shakoor II, Karas, Friedel, Holding, Spangenberg, Hart and Mozol

NOES: 1 - Weidner

EXCUSED: 1 - Wisneski

[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

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

[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

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

[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

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

[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

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

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.

Alderman Holding requested that item 07-1193 be considered separately.

A motion was made by Alderman Holding to amend Resolution No. 07-0420 to include "Victorian Drive from Emstan Hills Road to Maryland Avenue", to the deleted list for Portland Cement Concrete Paving and Curb and Gutter.

AYES: Anderson, DeHahn, Hart, Holding, Kaplan, Maack, Mozol, Shakoor II, Shields, Spangenberg and Weidner

NOES: Coe, Friedel, and Karas

EXCUSED: Wisneski

A motion was made that this Communication be Adopted As Amended: . The motion was APPROVED by the following vote:

AYES: 13 - Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Spangenberg, Hart and Mozol

NOES: 1 - Coe

EXCUSED: 1 - Wisneski

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

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

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.

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

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.

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

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.

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

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.

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

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.

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

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.

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

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.

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

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.

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

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.

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

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.

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

[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.

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

[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.

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

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.

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

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.

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

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.

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

[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.

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

[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.

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

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

Alderman Shakoor II requested that item 07-1117 be considered separately.

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

AYES: 13 - Coe, Anderson, Shields, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Spangenberg, Hart and Mozol

NOES: 1 - Kaplan

EXCUSED: 1 - Wisneski

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.

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

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

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

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.

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

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.

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

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.

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

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.

Alderman Karas requested that item 07-1282 be considered separately.

This Communication was Referred to the Finance and Personnel Committee

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.

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

[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.

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

Council Action

A motion was made by Alderman Q.A. Shakoor II to Adopt the Report. Adopted by the following vote:

AYES: 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Spangenberg, Hart and Mozol

EXCUSED: 1 - Wisneski

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

Alderman Hart requested that item 06-2893 be considered separately.

Motion made by Alderman Hart to refer the item back to the Traffic Commission. Motion failed by the following vote:

AYES: Shields, Spangenberg, Anderson, DeHahn, Holding, Mozol, and Shakoor II

NOES: Weidner, Coe, Friedel, Hart, Kaplan, Karas and Maack

Excused: Wisneski

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

Mayor Becker voted "Aye" to break the tie vote on the committees recommendation to receive and file the item.

AYES: 7 - Anderson, Shields, Shakoor II, Friedel, Holding, Spangenberg and Hart

NOES: 7 - Coe, Kaplan, Maack, Weidner, DeHahn, Karas and Mozol

EXCUSED: 1 - Wisneski

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

Alderman Hart requested that item 07-1116 be considered separately.

Alderman Hart made a motion to approve the report notwithstanding.

Alderman Karas requested it be noted, he was in objection to the motion.

A motion was made that this Communication be Adopted As Amended: . The motion was APPROVED by the following vote:

AYES: 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Spangenberg, Hart and Mozol

EXCUSED: 1 - Wisneski

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

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

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

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

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.

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

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

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

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

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

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.

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

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

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

[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

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

[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

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

[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

The Mayor requested City Development Director Brian O'Connell to clarify zoning from R-3 to R-3.

Mr. O'Connell explained this is a Flex Overlay District, which will not change the zoning.

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

Council Action

A motion was made by Alderman Gregory Holding to Adopt the Report. Adopted by the following vote:

AYES: 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Spangenberg, Hart and Mozol

EXCUSED: 1 - Wisneski

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.

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

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.

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

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.

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

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

AYES: 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Spangenberg, Hart and Mozol

EXCUSED: 1 - Wisneski

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

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

AYES: 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Spangenberg, Hart and Mozol

EXCUSED: 1 - Wisneski

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

This Communication was Referredto the Finance and 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

A motion was made by Alderman Friedel that this Resolution be Adopted.

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

A motion was made by Alderman Friedel that this Resolution be Adopted.

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

A motion was made by Alderman Friedel that this Resolution be Adopted.

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

A motion was made by Alderman Friedel that this Resolution be Adopted.

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

A motion was made by Alderman Friedel that this Resolution be Adopted.

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

A motion was made by Alderman Friedel that this Resolution be Adopted.

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

A motion was made by Alderman Friedel that this Resolution be Adopted.

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

A motion was made by Alderman Friedel that this Resolution be Adopted.

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

A motion was made by Alderman Friedel that this Resolution be Adopted. The motion was APPROVED by the following vote:

AYES: 10 - Coe, Anderson, Kaplan, Maack, Weidner, Shakoor II, Friedel, Holding, Spangenberg and Hart

NOES: 4 - Shields, DeHahn, Karas and Mozol

EXCUSED: 1 - Wisneski

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

A motion was made to Refer to the Finance and Personnel Committee

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

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

AYES: 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Spangenberg, Hart and Mozol

EXCUSED: 1 - Wisneski

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

A motion was made by Alderman Shakoor that this Resolution be Adopted.

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

A motion was made by Alderman Hart that this Resolution be Adopted.

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

A motion was made by Alderman Hart that this Resolution be Adopted. The motion was APPROVED by the following vote:

AYES: 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Spangenberg, Hart and Mozol

EXCUSED: 1 - Wisneski

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

A motion was made by Alderman Hart that this Resolution be Adopted. The motion was APPROVED by the following vote:

AYES: 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Spangenberg, Hart and Mozol

EXCUSED: 1 - Wisneski

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

A motion was made by Alderman Hart that this Resolution be Adopted.

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

A motion was made by Alderman Hart that this Resolution be Adopted.

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

A motion was made by Alderman Hart that this Resolution be Adopted.

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

A motion was made by Alderman Hart that this Resolution be Adopted.

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

A motion was made by Alderman Hart that this Resolution be Adopted.

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

A motion was made by Alderman Hart that this Resolution be Adopted.

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

A motion was made by Alderman Hart that this Resolution be Adopted.

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

A motion was made by Alderman Hart that this Resolution be Adopted. The motion was APPROVED by the following vote:

AYES: 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Spangenberg, Hart and Mozol

EXCUSED: 1 - Wisneski

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

A motion was made by Alderman Hart that this Resolution be Adopted. The motion was APPROVED by the following vote:

AYES: 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Spangenberg, Hart and Mozol

EXCUSED: 1 - Wisneski

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

A motion was made by Alderman Hart that this Resolution be Adopted. The motion was APPROVED by the following vote:

AYES: 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Spangenberg, Hart and Mozol

EXCUSED: 1 - Wisneski

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

A motion was made by Alderman Hart that this Resolution be Adopted. The motion was APPROVED by the following vote:

AYES: 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Spangenberg, Hart and Mozol

EXCUSED: 1 - Wisneski

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

A motion was made by Alderman Hart that this Resolution be Adopted. The motion was APPROVED by the following vote:

AYES: 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Spangenberg, Hart and Mozol

EXCUSED: 1 - Wisneski

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

A motion was made by Alderman Holding that this Resolution be Adopted.

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

A motion was made by Alderman Holding that this Resolution be Adopted.

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

A motion was made by Alderman Holding that this Resolution be Adopted.

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

A motion was made by Alderman Hart that this Resolution be Adopted.

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

A motion was made by Alderman Hart that this Resolution be Adopted. The motion was APPROVED by the following vote:

AYES: 13 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Friedel, Holding, Spangenberg, Hart and Mozol

NOES: 1 - Karas

EXCUSED: 1 - Wisneski

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

A motion was made by Alderman Spangenberg that this Resolution be Adopted. The motion was APPROVED by the following vote:

EXCUSED: 1 - Wisneski

AYES: 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Spangenberg, Hart and Mozol

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

Referred to City Plan Commission

J. Miscellaneous Business

K. Adjourn

The meeting was adjourned at 9:01 pm. by Alderman Shakoor II. The next scheduled meeting of the Council is November 20, 2007.

ATTEST: JANICE M. JOHNSON-MARTIN
CITY CLERK