



# City of Racine

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

## Meeting Agenda - Final Common Council

*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 Thomas Friedel  
Alderman Gregory Holding, Alderman Aron Wisneski  
Alderman James T. Spangenberg, Alderman Ronald D. Hart, Alderman Robert Mozol*

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Wednesday, April 2, 2008

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. Communications

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

**08-1888**      **Subject:** Communication from the Director of Parks, Recreation & Cultural Services to request permission to accept a \$1,000.00 donation from the Racine Education Council for the Black History Youth Achievement Awards program.

**08-1917**      **Subject:** Communication from the Director of Racine Area Soap Box Derby requesting to waive the fees for closing Hoefert Drive for their 2008 race dates.

**08-1920**      **Subject:** Communication from Chief of Police Wahlen requesting to use federal law to allow qualified retired officers to carry concealed weapons.

(Also refer to Public Safety & Licensing Committee.)

**08-1921**      **Subject:** Communication from the Public Health Administrator requesting permission to accept funds from the Children's Hospital of Wisconsin.  
(Grant Control #2008-005)

**08-1922**      **Subject:** Communication from the Public Health Administrator requesting

permission to accept additional funding from the State of Wisconsin Department of Health and Family Services due to the increase in the Division of Public Health Contract Agreement Amendment for the WIC Program. (Grant Control #2006-049)

**08-1923**      **Subject:** Communication from the Executive Director of Racine Civic Center requesting to appear before the Finance & Personnel Committee to discuss waiving formal bidding and instructing the Purchasing Agent to negotiate with Mahaffey Fabric Structures for the purchase of a Sprung Structure Tent.

**08-1924**      **Subject:** Communication from the Public Health Administrator requesting permission to accept additional funds from the Department of Health and Family Services for the Tobacco Prevention and Control grant. (Grant Control #2007-047)

**08-1936**      **Subject:** Communication from the Assistant Finance Director requesting to appear before the Finance & Personnel Committee to discuss transferring \$55,288 of State of Wisconsin, Department of Transportation funds for specialized transportation, from Racine County to the City of Racine for the 2007 calendar year.

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

**08-1871**      **Subject:** Communication from the Executive Director of the Big Fish Bash requesting to use the turn-arounds at Festival Park for parking during the Big Fish Bash on July 17-20, 2008.

**08-1950**      **Subject:** Communication from the Alderman of the 6th District, on behalf of the residents in the 1700-1900 blocks of Mt. Pleasant Street, to delete the proposed boulevard from the 2008 City Resurfacing project.

**08-1951**      **Subject:** Communication from a representative of the Downtown Rotary Club requesting a special events noise variance and permission to extend the curfew, use the 5th Street Parking Ramp, hang banners at Civic Centre and Festival Hall, use city streets for a parade, and operate a spotlight and run interactive games at Festival Park on May 17 & 18, 2008 in connection with the Rotary Post Prom.

Also refer to Police and Fire Commission, Transit and Parking Commission, and Board of Parks, Recreation and Cultural Services.

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

[08-1925](#)      **Subject:** (New) Application of Sticky Rice, Morakot Khampane, Agent for a "Class B" Fermented Malt Beverage and intoxicating Liquor License for 337 Main Avenue. (1st District)

[08-1927](#)      **Subject:** Communication from the Purchasing Agent submitting bid results for Official Notice #3 for one (1) brush chipper with minimum 18" capacity.

[08-1944](#)      **Subject:** (Direct Referral) Communication from Charles F. Brandt, Agent for Bucket's Pub, 2031 Lathrop Avenue wishing to amend his Premise Description to include the adjacent parking lot.

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

[08-1935](#)      **Subject:** Communication from the Mayor requesting to appear before the Traffic Commission to discuss a No Parking restriction on the east side of Phillips south of 17th Street.

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

[08-1929](#)      **Subject:** Communication from the Transit Planner submitting the February 2008 operating and financial report for the Belle Urban System.

**Refer to City Plan Commission, by Ald. Holding**

[08-1931](#)      **Subject:** Communication from the Director of City Development requesting to amend the project plan and boundary of Tax Incremental District No. 10.

[08-1934](#)      **Subject:** Subject: Communication from the Director of City Development requesting to amend the project plans of Tax Incremental Districts No. 2, No. 5, and No. 7.

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

[08-1933](#)      **Subject:** Communication from Alderman of the 5th District requesting the Sustainable Neighborhood Listening Committee meet to discuss problems in the 1500 block of Augusta Street and Sue DeKuester of 1537 Augusta St. appear to discuss her concerns regarding vandalism, drug dealing and gang activity in the neighborhood.

**Refer to Committee of the Whole, by Ald. Spangenberg**[08-1932](#)

**Subject:** Communication from the Alderman of the 5th District requesting the Racine County Economic Development Corporation and Workforce Development Center appear before the Committee of the Whole and provide an update on the job outlook in the greater Racine region and strategies being implemented.

**Refer to Board of Health, by Ald. DeHahn**[08-1945](#)

**Subject:** Communication from Alderman DeHahn, 7th District, requesting the existing vicious dog ordinance be revised.

**Refer to Board of Parks, Recreation, and Cultural Services, by Ald. Wisneski**[08-1879](#)

**Subject:** Communication from the Executive Director, Racine Arts Council wishing to discuss placing a mosaic with a Hispanic flair on an exterior wall of the North Beach Oasis. The mosaic would be created by the Main Gallery program. The Hispanic Business Association would raise \$3,000 for the project.

**F. Committee Reports****Finance and Personnel Committee Report, by Ald. Friedel**[08-1835](#)

**Subject:** Request for the waiver of the Policy Regarding the Sale of City-Owned Property, under Resolution 07-0415, for the transfer of the property at 1135 Racine Street, as approved by Resolution 07-0527. (Res. #08-0720)

**Recommendation of the Finance and Personnel Committee on 3-24-08:** Permission be granted to waive the Policy Regarding the Sale of City-Owned Property for 1135 Racine Street.

**Fiscal Note:** None

[08-1844](#)

**Subject:** Communication from the Public Health Administrator requesting permission to apply for funding from the Root-Pike Watershed Initiative Network. (Grant Control #2008-008). (Res. #08-0719)

**Recommendation of the Finance and Personnel Committee on 3-24-08:** Permission be granted for the Public Health Administrator to apply for funding of \$9,431.41 to be used to build on the 2007 biological and chemical indicator assessment on the Root River from the Horlick

Dam to the mouth of the river. (Grant Control #2008-008).

**Fiscal Note:** No match required by the City.

**08-1858**

**Subject:** Communication from the Director of Parks, Recreation & Cultural Services wishing to discuss the donation and or costs involved to restore the cannons to Monument Square with the recommended granite base. (Res. #08-0721)

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

**3-24-08:** Up to \$15,000 be appropriated from Monument Square Fund 932 for the costs associated with returning the two Civil War cannons back to Monument Square and that a revenue account be established for donations from individuals and organizations that have publicly stated they would help fund the costs of this project. Donations will be accepted up to the amount of actual expenses incurred.

**Fiscal Note:** There are sufficient funds available to be advanced, anticipating donations sufficient to fund the project.

**08-1865**

**Subject:** Communication from the Finance Director wishing to discuss the vacated Payroll Manager position.

**Recommendation to the Finance and Personnel Committee on**

**3-24-08:** To eliminate the position of Accountant III/Payroll Supervisor (PU-18) and create the position of Payroll Manager (NR-11).

**Fiscal Note:** Sufficient funds have been budgeted in 2008 for this position.

**08-1872**

**Subject:** Communication from the Finance Director wishing to appear before the Finance and Personnel Committee to discuss annual budget carry forwards from 2007 to 2008. (Res. #08-0722)

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

**3-24-08:** Recommend that the following budgets be carried forward from 2007 to 2008: Encumbrances in 31 separate funds totaling \$4,108,353.73 in outstanding purchase orders and contracts; 2006 Capital Projects of \$1,509,984.67; 2007 Capital Projects of \$1,870,776.96; General Fund operations of \$169,755.87; CAR 25 operations of \$1,115.50; Equipment Maintenance Garage operations of \$11,192.83; Building Complex operations of \$50,000.00; Storm Water Utility Projects of \$831,156.95; Cemetery Projects of \$98,234.16.

**Fiscal Note:** There are sufficient funds remaining and needed to be carried forward from 2007 to 2008.

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

**08-1634**

**Subject:** Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 11-06 (K6-012), Southside Industrial Park Infrastructure, Wanasek Corporation, contractor. (Res. 08-0734)

**Recommendation:** The work done by The Wanasek Corporation under Contract 11-06 (K6-012), Southside Industrial Park Infrastructure, be accepted and final payment authorized for a total contract amount of \$1,965,012.94,, from funds heretofore appropriated.

**Fiscal Note:** This contract was approved by Resolution 06-7155, dated August 2, 2006.

**08-1682**

**Subject:** Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting Amendment No. 1 to Contract 23-07 (K7-027), Professional Services - State Street Bridge Sidewalk Repair, HNTB Corporation, consultant. (Res. 08-0738)

**Recommendation:** Amendment No. 1 on Contract 23-07 (K7-027), Professional Services - State Street Bridge Sidewalk Repair, HNTB, Inc., consultant, as submitted, be approved in the not-to-exceed amount of \$5,757.04.

Further recommends that funding to defray the cost of these professional services be appropriated from Account 101.520.5550, Repairs and Maintenance.

**Fiscal Note:** Funds are available as herein delineated and reimbursable from the State of Wisconsin.

**08-1889**

**Subject:** Direct Referral. Communication from the Assistant Commissioner of Public Works/Operations submitting a proposal from Industrial Roofing Services, Inc. for Professional Services for City Hall Exterior Restoration. (Res.08-0740)

**Recommendation:** The Mayor and City Clerk be authorized and directed to enter into an agreement with Industrial Roofing Services, Inc., Butler, WI, for Professional Services for City Hall Exterior Restoration, at a price not-to-exceed \$4,250.00.

Further recommend that funds to defray the cost of these professional services be appropriated from Account 987.100.5020, City Hall Tuckpointing.

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

08-1804

**Subject:** Communication from David Resop, 1940 Jay Eye See Avenue, submitting a petition to partially vacate the north-south alley bounded by Jay Eye See Avenue, Twentieth Street, Case Avenue and DeKoven Avenue. (Res. 08-0727)

**Recommendation:** Since public interest requires it, that the following parcel of land, more particularly described as follows, be and hereby is vacated and discontinued:

The north-south alley bounded by Dekoven Avenue, 20th Street, Jay Eye See Avenue and Case Avenue.

Further recommends that a preliminary resolution be introduced to the Common Council and referred to the City Plan Commission.

**Fiscal Note:** Not applicable.

08-1828

**Subject:** Communication from Porters of Racine requesting to install a sign in the NW corner of the Courthouse Plaza during construction. (Res. 08-0728)

**Recommendation:** That Porters of Racine be granted permission to install a temporary sign in the public right-of-way in the 300 block of 7th Street with the following stipulations:

- A. A hold harmless agreement be executed, in accordance with State Statute 66.0425, Privileges in Streets.
- B. A certificate of liability insurance be filed.
- C. Porters of Racine shall place said sign.
- D. Any damages caused to said sign shall be the responsibility of Porters of Racine.

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

08-1829

**Subject:** Communication from the Sierra Club Southeast Gateway Group submitting a proposal for the use of rain barrels to reduce storm water runoff and municipal water usage. (Res. 08-0729)

**Recommendation:** The Commissioner of Public Works be authorized

and directed to purchase 200 rain barrels.

Further recommend that the Mayor and City Clerk be authorized and directed to enter into an agreement with the Southeast Gateway Group of the Sierra Club for distribution and installation of rain barrels for City of Racine Residents.

1. Rain Barrels will be made available only to City Residents at a cost of \$20.00 for the rain barrel and \$35.00 for delivery and installation.
2. Sierra Club will collect all fees and shall pay the City of Racine \$20.00 for each rain barrel which is distributed.
3. City of Racine and Sierra Club agree to jointly promote the project.

**Fiscal Note:** This program will provide rain barrels only to City of Racine residents. The estimated cost of the program is \$7,000.00 and is funded through the Storm Water Utility.

08-1843

**Subject:** Use of east end of Melvin Avenue extended for placement of an emergency generator and an underground electrical line in the public right of way on Michigan Boulevard

**Recommendation:** That the request to install an emergency generator at the terminus of Melvin Avenue at Lake Michigan be approved.

**Fiscal Note:** As a city owned utility, the Wastewater Utility does not require permission to place its infrastructure in the public right-of-way.

08-1852

**Subject:** Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 14-07 (K7-014), PS - 2007 Ground Penetrating Radar, HNTB, Inc., consultant. (Res. 08-0736)

**Recommendation:** The professional services provided by HNTB Corporation under Contract 14-07 (K7-014), Professional Services - 2007 Ground Penetrating Radar, be accepted and final payment authorized for a total contract amount of \$37,725.00, from funds heretofore appropriated.

**Fiscal Note:** This contract was approved by Resolution 07-0008, dated January 16, 2007.

08-1890

**Subject:** Direct Referral. Communication from the Assistant Commissioner of Public Works/Operations submitting Amendment No. 1 to Contract 12-08 (K8-013), Professional Services - Roof Replacement at

Various Facilities, Industrial Roofing Services, Inc., consultant. (Res. 08-0739)

**Recommendation:** Amendment No. 1 on Contract 12-08 (K8-013), Professional Services - Roof Replacement at Various Facilities, Industrial Roofing Services, Inc., consultant, as submitted, be approved in the not-to-exceed amount of \$14,300.00.

Further recommends that funding to defray the cost of these professional services be appropriated from the following accounts:

\$ 7,150.00 - Account 255.000.5760, Replace Library Roof Areas  
\$ 7,150.00 - Account 988.410.5010, Solid Waste Garage Roof Area 4  
\$14,300.00 - Total

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

08-1893

**Subject:** Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 42-06 (K6-044), PS - Const. Mgmt. Services Pritchard/Reservoir Parks, Earth Tech, Inc., consultant. (Res. 08-0735)

**Recommendation:** The professional services provided by Earth Tech, Inc. under Contract 42-06 (K6-044), Professional Services - Construction Management Services for Pritchard/Reservoir Parks, be accepted and final payment authorized for a total contract amount of \$52,780.10, from funds heretofore appropriated.

**Fiscal Note:** This contract was approved by Resolution 06-7208, dated September 5, 2006.

08-1895

**Subject:** Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting bid results on Contract 14-08 (K8-015), 2008 Street Paving (R1). (Res. 08-0730)

**Recommendation:** Contract 14-08 (K8-015), 2008 Street Paving (R1), be awarded to John's Concrete Inc, at their bid price of \$363,064.05 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:

\$ 17,278.00 - Account 104.900.5420, Storm Sewer - Misc. Loc.  
\$ 7,500.00 - Account 987.907.5310, Sanitary Sewers Construction  
\$248,866.25 - Account 906.000.5010, Concrete Street Paving - Assessed

\$ 4,092.45 - Account 987.908.5010, Misc. Concrete Paving  
\$ 85,327.35 - Account 988.908.5010, Misc. Concrete Paving  
\$363,064.05 - Total

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

[08-1896](#)

**Subject:** Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 53-07 (K7-063), PS - Storm Sewer Inspection for 16th Street and Park Avenue, Earth Tech, Inc., consultant. (Res. 08-0737)

**Recommendation:** The professional services provided by Earth Tech, Inc. under Contract 53-07 (K7-063), Professional Services - Storm Sewer Inspection for 16th Street and Park Avenue, be accepted and final payment authorized for a total contract amount of \$14,922.11, from funds heretofore appropriated.

**Fiscal Note:** This contract was approved by Resolution 07-0431, dated October 2, 2007.

[08-1897](#)

**Subject:** Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting bid results on Contract 16-08 (K8-017), 2008 Sidewalk Replacement, Phase I. (Res. 08-0731)

**Recommendation:** Contract 16-08 (K8-017), 2008 Sidewalk Replacement, Phase I, be awarded to John's Concrete, Inc., at their bid price of \$161,277.30, 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:

\$144,000.00 - Account 906.000.5520, Sidewalk Replacement  
\$ 1,277.30 - Account 988.908.5520, Sidewalk Replacement  
\$ 16,000.00 - Account 906.000.5510, Sidewalks New  
\$161,277.30 - Total

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

[08-1898](#)

**Subject:** Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting bid results on Contract 17-08 (K8-018), CCTV Service and Manhole Inspection. (Res.08-0732)

**Recommendation:** Contract 17-08 (K8-018), CCTV Service and Manhole Inspection, be awarded to Green Bay Pipe & TV, LLC, at their bid

price of \$289,184.30, 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:

\$168,819.92 - Account 104.900.5420, Replacement Storm Sewer Const.  
\$ 80,843.88 - Account 987.907.5310, Sanitary Sewer, Misc. Loc.  
\$ 9,540.00 - Account 287.988.5320, Sanitary Manhole, Var. Loc.  
\$ 29,980.50 - Account 287.988.5310, Sanitary Sewer, Var. Loc.  
\$289,184.30 - Total

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

08-1899

**Subject:** Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting bid results on Contract 18-08 (K8-019), 2008 Storm Sewer Investigation - CCTV and Manhole Inspection. (Res. 08-0733)

**Recommendation:** Contract 18-08 (K8-019), 2008 Storm Sewer Investigation - CCTV and Manhole Inspection, be awarded to Green Bay Pipe & TV, LLC, at their bid price of \$197,794.75, they being the lowest responsible bidder.

Further recommends that funding to defray the cost of this public works project be appropriated from Account 104.900.5420, Storm Sewer, Misc. Locations.

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

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

08-1739

**Subject:** Application of The Tropical, Juan S. Jimenez, Agent for a "Class B" Fermented Malt Beverage and intoxicating Liquor License for 1510 Junction Avenue. (3rd District)

**Recommendation of the Public Safety and Licensing Committee on 2-25-08:** That the application of The Tropical, Juan S. Jimenez, Agent for a "Class B" Fermented Malt Beverage and intoxicating Liquor License for 1510 Junction Avenue be deferred until the next Public Safety and Licensing Committee Meeting on March 10, 2008.

**Recommendation of the Public Safety and Licensing Committee on 3-10-08:** That the application of The Tropical, Juan S. Jimenez, Agent for a "Class B" Fermented Malt Beverage and intoxicating Liquor License for 1510 Junction Avenue be deferred until the next Public Safety and

Licensing Committee Meeting on March 24, 2008.

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

**3-24-08:** That the application of The Tropical, Juan S. Jimenez, Agent for a "Class B" Fermented Malt Beverage and intoxicating Liquor License for 1510 Junction Avenue be granted.

Fiscal Note: N/A

08-1842

**Subject:** A Communication from the Fire Chief requesting permission to accept \$1,310 from Emergency One and \$400 from Wingfoot Commercial Tire for reimbursement of repairs to Racine Fire Department apparatus. (Res. #08-0716)

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

**3-24-08:** Permission be granted to accept \$1,310 from Emergency One and \$400 from Wingfoot Commercial Tire for reimbursement of repairs to Racine Fire Department apparatus.

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

**3-24-08:** That permission be granted for the Fire Chief to accept \$1,310 from Emergency One and \$400 from Wingfoot Commercial Tire for reimbursement of repairs to Racine Fire Department apparatus.

**Fiscal Note:** To be credited to account: 101.300.7990 Fire Dept. Misc Revenue.

08-1848

**Subject:** Communication from the Purchasing Agent submitting bid results for one (1) stump cutter. (Res. #08-0718)

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

**3-24-08:** That permission be granted for the Purchasing Agent to award the bid for one (1) stump cutter to Wins Equipment, LLC for \$29,998.00 for a Rayco 1672DXH.

**Fiscal Note:** Funds are available in account 101.700.5780, Licensed Vehicles.

08-1849

**Subject:** A Communication from the Fire Chief requesting permission to apply and accept an Urban Area Security Initiative (UASI) Grant for \$50,000 to upgrade the fire department's Tactical Command Post. There is no match required. Grant Control Number 2008-009. (Res. #08-0717)

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

**3-24-08:** Permission be granted for the Fire Chief to apply for and accept funding up to \$50,000.00 to be used to upgrade the Fire Department's Tactical Command Post. (Grant Control #2008-009).

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

**3-24-08:** That permission be granted for the Fire Chief to apply and accept an Urban Area Security Initiative (UASI) Grant for \$50,000 to upgrade the Fire Department's Tactical Command Post. There is no match required. Grant Control Number 2008-009.

**Fiscal Note:** No match required by the City

**Traffic Commission Report, by Ald. Hart****08-1629**

**Subject:** Communication from Sharon Fliss, owner of The Cabinetry Shop Inc., regarding limited parking in front of her store at 1800 N. Main Street.

**Recommendation:** The request for 2 hour limited parking from 9 A.M. to 6 P.M. except Saturdays, Sundays, and holidays be approved.

**Fiscal Note:** The estimated cost of this signage will result in an installation cost of \$200.00 and an annual maintenance cost of \$80.00.

**08-1903**

**Subject:** In accordance with Section 2-95 of the Municipal Code of the general ordinances of the City of Racine, recommends that the following requests for changes in traffic code be granted:

**A. Recommends that Section 94-143 (17) of Schedule G of the Municipal Code of the General Ordinances of the City of Racine relative to "Two-hour parking from 9:00 A.M. to 6:00 P.M., except Saturdays, Sundays and holidays." be amended:**

**By Including:**

**1. North Main Street, west side, from 348 feet north of High Street north 50 feet.**

**Transit and Parking Commission Report, by Ald. DeHahn****08-1722**

**Subject:** Communication from the Transit Planner submitting a request for the extension to the bus management contract. (Res. 08-0724)

**Recommendation (2-27-08):** Defer

**Recommendation (3-26-08):** The current bus management agreement be extended for two years, from February 1, 2009 through January 31, 2011, with annual fees of \$152,123 from February 1, 2009 through January 31, 2010, and \$156,687 from February 1, 2010 through January 31, 2011, representing 3% annual increases.

Further recommend that either party be able to request that the agreement be reopened prior to the start of the final contract year on February 1, 2010.

Further recommend that the Mayor and City Clerk be authorized and directed to execute the amendment on behalf of the City of Racine.

**Fiscal Note:** The current agreement will not change and the 2008 Belle Urban System budget will not be affected. The amendment will obligate the City for two more years of contract management of the Belle Urban System.

08-1820

**Subject:** Communication from the Transit Planner wishing to discuss proposed changes to Belle Urban System, Policy No. 6, Use of Racine Railroad Depot.

**Recommendation:** The policy be amended as directed.

**Fiscal Note:** N/A

08-1826

**Subject:** Communication from Rita Lewis, Racine Montessori School, wishing to rent Lakefront Lot No. 5 from 6 A.M. to 5 P.M. for the Lakefront Artist Fair on Saturday, May 3, 2008. (Res. #08-0723)

**Recommendation:** The Lakefront Artist Fair be granted permission to lease Lakefront Parking Lot No. 5 on May 3, 2008, subject to payment of lease costs of \$1.50 per space for the parking lot in accordance with existing City policies, and subject to the execution of a hold harmless agreement with the City.

**Fiscal Note:** Rental will provide \$180 for the Parking System.

08-1834

**Subject:** Communication from the Transit Planner wishing to review and approve a grant contract with the State of Wisconsin Department of Transportation for the purchase of six (6) small, human services style, wheelchair lift equipped buses. (Res. 08-0725)

**Recommendation:** The Mayor and City Clerk be authorized and directed

to execute the agreement on behalf of the City of Racine.

**Fiscal Note:** The City of Racine will receive up to \$323,760 for the purchase of six (6) human services-type cutaway buses to replace aging paratransit vehicles in the Belle Urban System fleet.

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

#### **08-1902**

**Subject:** (Direct Referral) Request by Jeff Krupp seeking consideration of a request to rezone property at 407-409 Hubbard Street from B-2 Community Shopping District to R-3 General Residence District to accommodate an existing residential structure. (ZOrd.0002-08)

#### **Recommendation of the City Plan Commission on 3/26/2008:**

THAT AN ORDINANCE BE DRAFTED AND PUBLIC HEARING SCHEDULED.

#### **08-1905**

**Subject:** (Direct Referral) Request by Stan Egerson seeking a conditional use permit for an establishment conducting the sales and installation of automotive accessories such as wheel rims, tires, radios, and security systems at 1304 Douglas Avenue. (Res.08-0744)

#### **Recommendation of the City Plan Commission on 3/26/2008:**

THAT THE REQUEST BY STAN EGERSON FOR AN ESTABLISHMENT CONDUCTING THE SALE AND INSTALLATION OF AUTOMOTIVE ACCESSORIES AT 1304 DOUGLAS AVENUE BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

- a. That the plans presented to the Plan Commission on March 26, 2008 be approved subject to the conditions contained herein.
- b. That no automobile sale or repair be conducted at this location.
- c. That the commencement of this use shall not proceed unless:
  1. The proposal receives an approving recommendation from the Access Corridor Development Review Committee.
  2. Provisions for overflow parking be made for at least 7 parking spaces at a remote site, and that proof of said provisions be presented to the Director of City Development for review and approval.
- d. That no more than seven (7) vehicles be parked outdoors on site in

an orderly fashion and in a manner that does not hinder access to the building or restrict vehicle movements on the property.

- e. The maximum hours of operation be Monday through Saturday, 8:00 a.m. to 6:00 p.m. with no hours on Sundays.
- f. That there be no advertising flags, pennants, banners streamers or balloons.
- g. That customer and employee parking spaces be clearly marked.
- h. That all overnight storage of vehicles be contained indoors.
- i. That all installation of equipment be conducted indoors and there be no outdoor testing of alarms, stereos and other equipment.
- j. That the windows not be obstructed or covered in excess of 15% of their area.
- k.. That there be no outside storage of vehicle parts, equipment or products.
- l. That by July 1, 2008, the following shall be accomplished:
  - 1. A landscape plan be submitted for the review and approval of the Director of City Development following review and recommendation by the Access Corridor Development Review Committee. If landscaping is not installed by July 1, 2008, then a letter of credit for said landscaping shall be submitted to the Director of City Development for review and approval and held by the City until such time as the landscaping is installed.
  - 2. That the subject building and wall sections be painted in a uniform color. Color chips shall be submitted for the review and approval of the Director of City Development following review and recommendation by the Access Corridor Development Review Committee.
  - 3. That a sign plan be submitted to the Access Corridor Development Review Committee for review and approval.
- m. That all trash and recyclables be stores in closed containers and screened from view.
- n. That all codes and ordinances be complied with and required permits acquired.
- o. That no minor changes be made from the conditions of this permit without the approval of the Plan Commission and no major changes be made from the conditions of this permit without the approval of

the Common Council.

- p. That Conditional Use Permit is subject to review by the Plan Commission for Compliance with the listed conditions.
- q. That this permit be reviewed within six months of approval to determine the level of compliance with the listed conditions.

**08-1907**

**Subject:** (Direct Referral) Request by Michelle Crockett of Genesis Behavioral Services, Inc. seeking to amend a conditional use permit for a community based residential facility for women at 3131 Taylor Avenue, Building #5. (Res.08-0745)

**Recommendation of the City Plan Commission on 3/26/2008:**

THAT THE REQUEST BY MICHELLE CROCKETT REPRESENTING GENESIS BEHAVIORAL SERVICES TO AMEND A CONDITIONAL USE PERMIT FOR A COMMUNITY BASED RESIDENTIAL FACILITY FOR WOMEN AT 3131 TAYLOR AVENUE, BUILDING #5 BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

- a. That condition "x" be amended to allow second shift staffing to be reduced from two persons to one person.
- b. That staffing levels be reviewed within sixth months of the date of this approval to determine the impact of decreased second shift staffing on overall compliance and the ability to maintain control of Genesis residents, with the Plan Commission retaining the option to require the re-instatement of an additional second shift staff person if warranted.

**08-1909**

**Subject:** (Direct Referral) Land transfer at 1402 Liberty Street (aka 1423 State Street)

**Recommendation of the City Plan Commission on 3/26/2008:**

THAT THE PROPOSED NORTH - SOUTH ALLEY NOT BE DEDICATED AT THIS TIME.

FURTHER, THAT THE TRANSFER IS NOT IN CONFLICT WITH CITY PLANS AND PROGRAMS.

**08-1908**

**Subject:** (Direct Referral) Ordinance amendment for art galleries and art studios. (Ord.04-08)

**Recommendation of the City Plan Commission on 3/26/08:**

THAT AN ORDINANCE BE DRAFTED WITH THE FOLLOWING TEXT AMENDMENTS:

Repeal and recreate paragraph (2), Section 114-447 as follows: "(2) Studios or work spaces above the building's street level for artist, sculptor, photographer, composer or other similar artisans or artists, or at the building's street level but no closer than 30 feet to the store front and screened from public view."

Repeal and recreate paragraph (3), Section 114-447 as follows: "(3) Galleries for artist, sculptor, photographer, composer or other similar artisans or artists."

Amend Section 114-448 by creating paragraph as follows: "(16) Studios or work space located at the buildings street level for artist, photographer, sculptor, composer, dance or other similar artisans or artists

Amend Section 114-567 by creating paragraph (30) as follows: "(30) Studios or work spaces for artist, sculptor, photographer, composer or other similar artisans or artists.

FURTHER, THAT A PUBLIC HEARING BE SCHEDULED.

### **Committee of the Whole Report, by Ald. Spangenberg**

#### **06-2838**

**Subject:** Communication from the President of the Council submitting on behalf of Dale H. Slaasted, 1723 Shoop Street, requesting the City implement & enforce a policy within the scope of Federal Law for proper flying of the United States of America Flag. (Res.08-0726)

**Recommendation of the Committee of the Whole of 06-05-2007:** that Deputy City Attorney Scott Letteney assist members of the Common Council with a review of the current policy.

**Recommendation of the Committee of the Whole of 03-18-2008:** that the current flag policy be amended as presented.

Fiscal Note: N/A

#### **08-1718**

**Subject:** Communication from Mayor Becker wishing to meet with the appropriate committee to discuss the use of a "consent agenda" for council proceedings. (Ord. 06-08)

**Recommendation of the Committee of the Whole of 03-18-08:** that

the City Attorney draft an ordinance describing the rules of order for the conduct of council meetings in order to provide for a consent agenda.

Fiscal Note: N/A

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

#### **08-1930**

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

Access Corridor Development Review Committee:

Reappoint Randy Aukland, State St. Corridor Business Representative, for a three-year term ending in May 2010.

Reappoint Steven Joosten, State St. Corridor Business Representative, for a three-year term ending in May 2010.

Reappoint Linda Messerschmidt, 3219 Washington Ave., for a three-year term ending in May 2011.

Appoint Brian Anderson, 1525 Howe St., (replacing Kristin Niemiec) for a three-year term ending in May 2011.

Reappoint Sally Neitzel, 1239 West Blvd., for a three-year term ending in May 2011.

Reappoint Alderman David Maack, 2019 Erie St., for a one-year term ending in May 2009.

Reappoint Alderman James Spangenberg, 1238 Hayes Ave., for a one-year term ending in May 2009.

Reappoint Alderman Mike Shields, 1850 13th St., for a one-year term ending in May 2009.

Reappoint Alderman James Kaplan, 400 Kewaunee St., for a one-year term ending in May 2009.

Board of Health:

Reappoint Alderman Robert Mozol, 407 Jonathon Dr., for a one-year term ending in April 2009.

Reappoint Maria Morales, 952 N. Memorial Dr., for a two-year term ending in April 2010.

Reappoint Sarah Fouse, 1900 21st St., for a two-year term ending in April 2010.

Reappoint John Berge, 1529 Crabapple Dr., for a two-year ending in April 2010.

Reappoint Dr. William Little, 444 Dena Circle, for a two-year term ending in April 2010.

Reappoint Alderman Raymond DeHahn, 2706 Diane Ave., for a one-year term ending in April 2009.

Board of Standards:

Reappoint Alderman James Spangenberg, 1238 Hayes Ave., for a one-year term ending in May 2009.

Reappoint Brent Oglesby, 1427 Thurston Ave., for a three-year term ending in May 2011.

Reappoint Dr. Mearl Mahl, 3645 N. St. Clair St., for a three-year term ending in May 2011.

Business Improvement District Board 1 - Downtown:

Reappoint Monte Osterman, 409 Main St., for a term ending in December 2009.

Reappoint Alderman Jeff Coe, 1044 Villa St., for a term ending in December 2008.

Business Improvement District Board 2 - West Racine:

Reappoint Frank Smith, 3308 Washington Ave., for a three-year term ending in December 2011.

Reappoint Alderman Aron Wisneski, 1025 Arthur Ave., for a one-year term ending in December 2009.

Cemetery Board:

Reappoint Alderman Sandy Weidner, 2310 Thor Ave., for a one-year term ending in April 2009.

City Plan Commission:

Reappoint Vincent Esqueda, 1540 Prospect St., for a three-year term ending in May 2011.

Reappoint Alderman Greg Holding, 1144 Osborne Blvd., for a one-year term ending in May 2009.

Community Development Committee:

Appoint Benjamin Hughes, 730 Washington Ave., for a three-year term ending in May 2011.

Downtown Area Design Review Commission:

Appoint Dave Popoff, 1201 N. Main St., for a three-year term ending in November 2010.

Elderly Housing Authority:

Reappoint Brian O'Connell, 730 Washington Ave., for a five-year term ending in June 2013.

Health and Sanitation Appeals Board:

Reappoint Betty Larsen, 2250 Layard Ave., for a three-year term ending in May 2011.

Reappoint Alderman Sandy Weidner, 2310 Thor Ave., for a one-year term

ending in May 2009.

Landmarks Preservation Commission:

Reappoint Geoff Greiveldinger, 900 Lake Ave., for a three-year term ending in May 2011.

Loan Board of Review:

Appoint Attorney Robert Weber, 730 Washington Ave. for an indefinite term.

Police and Fire Commission:

Reappoint Van Wanggaard, 1246 Blaine Ave., for a five-year term ending in May 2013.

Racine Economic Development Committee:

Appoint Dave Namowicz, 3100 Mt. Pleasant St., for a three-year term ending in June 2010.

Racine Sister City Planning Council:

Appoint Rev. Pedro Lopez, 3001 Carpenter Ave., for a three-year term ending in December 2010.

Redevelopment Authority:

Reappoint Alderman James Spangenberg, 1238 Hayes Ave., for a one-year term ending in April 2009.

Reappoint Scott Terry, 2121 Superior St., for a five-year term ending in April 2013.

Reappoint Pete Karas, 821 Blaine Ave., for a five-year term ending in April 2013.

### **Water Works Committee Report, by Ald. Friedel**

**08-1851**

**Subject:** Communication from the City Attorney submitting the claim of Stephen Schwallie for consideration

**Recommendation of the Waterworks Commission on 3/25/08:** Deny the claim of Stephen Schwallie

**08-1901**

**Subject:** Agreement Between Racine Water Utility and Village of Sturtevant Relating to Construction of Water Mains in Sturtevant

**Recommendation of the Waterworks Commission on 3/25/08:** That the Racine/Sturtevant Joint Engineering/Construction Management Agreement be approved and referred to the Finance and Personnel Committee.

**Cemetery Commission Report, by Ald Weidner****07-0808**

**Subject:** (Direct Referral) Cemetery Board and Board of Parks, Recreation and Cultural Services to meet with Donnie Snow, Director of Parks, Recreation and Cultural Services, to review and recommend resolution of apparent conflicts in their functional operations as set forth in the Code of Ordinances. (Ord.03-08)

**Recommendation of the Board of Parks, Recreation & Cultural Services 8-8-07:** that the item be deferred.

**Fiscal Note:** N/A

**Recommendation of the Board of Parks, Recreation & Cultural Services 9-12-07:** that the item be deferred.

**Further recommend that the item be referred to the Board of Cemetery Commissioners**

**Fiscal note:** N/A

**Recommendation of the Board of Cemetery Commissioners**

**9-17-07:** There is a conflict with the City Ordinance 7038 and 3044. The ordinances have conflicting language regarding who has authority over the other - Parks, Recreation and Cultural Services Department, or Cemetery commission - that needs to be discussed and resolved. Donnie Snow would like everyone to bring his or her thoughts on the subject to the next meeting to discuss. item deferred.

**Fiscal note:** N/A

**Recommendation of the Board of Cemetery Commissioners**

**12-03-07:** That the item be received and filed.

**Fiscal note:** N/A

**Recommendation of the Board of Parks, Recreation & Cultural Services 12-12-07:** that the item be deferred.

**Fiscal note:** N/A

**Recommendation of Park Recreation Director Donnie Snow:** that this item be removed from the Cemetery Commission's agenda, but according to the last recommendation it should have been removed

deferred by the Board of Parks, Recreation & Cultural Services on 12-12-07. In order to remove it, It will be given a final date of 12-12-07. Per Donnie Snow. Created by Laurie Cemetery Secretary.

**Recommendation of the Board of Parks, Recreation & Cultural Services 3-12-08:** to change the wording in Municipal Code 30-44 to read: The Cemetery Board together with the Department of Parks, Recreation & Cultural Services shall have general supervision and charge of the cemeteries, subject to the rules and regulations established by the Common Council. Change the wording in Municipal Code 30-56 from Manager to Supervisor. Change the wording in Municipal Code 30-57 from Manager to Supervisor and strike the word Supervisor after the word cemetery.

**Fiscal note:** N/A

[08-1856](#)

**Moratorium of Grave Buy Back Program**

**Subject:** Discussion on the future of the Grave Buy Back Program

**Recommendation of the Board of Cemetery Commissioners**

**3/17/08:** To lift the moratorium and discontinue the grave buy back program.

**Fiscal note:** Savings of \$3,000 - \$8,000 annually.

## G. Resolutions

[Res.08-0716](#)

Permission for Fire Department to accept reimbursement

Resolved, that the Fire Chief be granted permission to accept \$1,310 from Emergency One and \$400 from Wingfoot Commercial Tire for reimbursement of repairs to Racine Fire Department apparatus.

**Fiscal Note:** To be credited to account: 101.300.7990 Fire Dept. Misc Revenue.

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

[Res.08-0717](#)

Permission for Fire Chief to apply and accept an Urban Area Security Initiative Grant

Resolved, that the Fire Chief be granted permission to apply for and accept an Urban Area Security Initiative (UASI) Grant for \$50,000 to upgrade the Fire Department's Tactical Command Post. There is no match required. Grant Control Number 2008-009.

Fiscal Note: No match required by the City.

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

**Res.08-0718** Purchasing Agent be granted permission to accept bid for stump cutter

Resolved, that being in the best interest of the City, the Purchasing Agent be authorized and directed to accept the bid for one (1) stump cutter from Wins Equipment, LLC for \$29,998.00 for a Rayco 1672DXH.

Fiscal Note: Funds are available in account 101.700.5780, Licensed Vehicles.

**Sponsors:** Q.A. Shakoor, II

**Res.08-0719** Permission for Public Health Administrator to apply for funding from Root-Pike Watershed Initiative Network

Resolved, that the Public Health Administrator be granted permission to apply for funding of \$9,431.41 to be used to build on the 2007 biological and chemical indicator assessment on the Root River from the Horlick Dam to the mouth of the river. (Grant Control #2008-008).

Fiscal Note: No match required by the City.

**Sponsors:** Thomas Friedel

**Res.08-0720** Permission to waive policy regarding the sale of city-owned property at 1135 Racine Street

Resolved, that permission be granted to waive the Policy Regarding the Sale of City-Owned Property for the transfer of property at 1135 Racine Street.

Fiscal Note: N/A

**Sponsors:** Thomas Friedel

**Res.08-0721** Donations and costs to restore cannons at Monument Square

Resolved, that up to \$15,000 be appropriated from Monument Square Fund 932 for the costs associated with returning the two Civil War cannons back to Monument Square, and that a revenue account be established for donations from individuals and organizations that have publicly stated they would help fund the costs of this project. Donations will be accepted up to the amount of actual expenses incurred.

Fiscal Note: There are sufficient funds available to be advanced, anticipating donations sufficient to fund the project.

**Sponsors:** Thomas Friedel

**Res.08-0722** Permission to carry forwards from 2007 to 2008 budgets

Resolved, that the following budgets be carried forward from 2007 to 2008:

Encumbrances in 31 separate funds totaling \$4,108,353.73 in outstanding purchase orders and contracts; 2006 Capital Projects of \$1,509,984.67; 2007 Capital Projects of \$1,870,776.96; General Fund operations of \$169,755.87; CAR 25 operations of \$1,115.50; Equipment Maintenance Garage operations of \$11,192.83; Building Complex operations of \$50,000.00; Storm Water Utility Projects of \$831,156.95, and Cemetery Projects of \$98,234.16.

Fiscal Note: There are sufficient funds remaining and needed to be carried forward from 2007 to 2008.

**Sponsors:** Thomas Friedel

**Res.08-0723** Hold Harmless Agreement for Lakefront Artist Fair

Resolved, that the Lakefront Artist Fair be granted permission to lease Lakefront Parking Lot No. 5 on May 3, 2008, subject to payment of lease costs of \$1.50 per space for the parking lot in accordance with existing City policies, and subject to the execution of a hold harmless agreement with the City.

Fiscal Note: Rental will provide \$180 for the Parking System.

**Sponsors:** Raymond DeHahn

**Res.08-0724** Extension of Bus Management Contract

Resolved, that the current bus management agreement with Professional Transit Management, Ltd., be extended for two years, from February 1, 2009 through January 31, 2011, with annual fees of \$152,123 from February 1, 2009 through January 31, 2010, and \$156,687 from February 1, 2010 through January 31, 2011, representing 3% annual increases.

Further resolved, that either party be able to request that the agreement be reopened prior to the start of the final contract year on February 1, 2010.

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

Fiscal Note: The current agreement will not change and the 2008 Belle Urban System budget will not be affected. The amendment will obligate the City for two more years of contract management of the Belle Urban System.

**Sponsors:** Raymond DeHahn

**Res.08-0725** Approval of grant contract with State of Wisconsin

Resolved, that the Mayor and City Clerk be authorized and directed to execute the agreement, on behalf of the City of Racine, with the State of Wisconsin Department of Transportation for the purchase of six (6) small, human services style, wheelchair lift equipped buses.

Fiscal Note: The City of Racine will receive up to \$323,760 for the purchase of six (6) human services-type cutaway buses to replace aging paratransit vehicles in the Belle Urban System fleet.

**Sponsors:** Raymond DeHahn

**Res.08-0726** Flag Policy for the City of Racine

Whereas, it is appropriate that the United States of American Flag be accorded proper respect and dignity; and

Whereas, it is the custom within the United States of America that its Flag be flown at half-staff to commemorate the death of certain persons of significant national, state, or local standing and for special periods of mourning; and

Whereas, it is proper that standards be in place for flying the flag at half-staff.

Now, therefore, be it resolved, that all United States of America Flags flown over City of Racine buildings and property shall be flown at half-staff on occasions in accordance with Federal law, upon executive order of the President of the United States; upon executive order of the Governor of the State of Wisconsin; and on the day of burial in the event of the death of a Racine police officer or firefighter killed in the line of duty.

Fiscal Note: N/A

**Sponsors:** James T. Spangenberg

**Res.08-0727** Vacation of alley

Resolved, that since public interest requires it, that the following parcel of land, more particularly described as follows, be and hereby is vacated and discontinued:

"The north-south alley bounded by DeKoven Avenue, 20th Street, Jay Eye See

Avenue and Case Avenue."

Fiscal Note: N/A

Sponsors: Ronald D. Hart

Res.08-0728 Hold Harmless Agreement

Resolved, that Porters of Racine be granted permission to install a temporary sign in the public right-of-way in the 300 block of 7th Street with the following stipulations:

- A. A hold harmless agreement be executed, in accordance with State Statute 66.0425, Privileges in Streets.
- B. Proof of liability insurance be filed.
- C. Porters of Racine shall place said sign.
- D. Any damages caused to said sign shall be the responsibility of Porters of Racine.

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

Sponsors: Ronald D. Hart

Res.08-0729 Agreement with Southeast Gateway Group of the Sierra Club

Resolved, that the Commissioner of Public Works be authorized and directed to purchase 200 rain barrels.

Further resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with the Southeast Gateway Group of the Sierra Club for distribution and installation of rain barrels for City of Racine residents to be used to reduce storm water runoff and municipal water usage.

1. Rain barrels will be made available only to City residents at a cost of \$20.00 for the rain barrel and \$35.00 for delivery and installation.
2. Sierra Club will collect all fees and shall pay the City of Racine \$20.00 for each rain barrel which is distributed.
3. City of Racine and Sierra Club agree to jointly promote the project.

Fiscal Note: This program will provide rain barrels only to City of Racine residents. The estimated cost of the program is \$7,000.00 and is funded through the Storm Water Utility.

Sponsors: Ronald D. Hart

[Res.08-0730](#) Contract for 2008 Street Paving with John's Concrete, Inc.

Resolved, that Contract 14-08 (K8-015), 2008 Street Paving (R1), be awarded to John's Concrete Inc, at its bid price of \$363,064.05, it being the lowest responsible bidder.

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

\$ 17,278.00 - Account 104.900.5420, Storm Sewer - Misc. Loc.  
\$ 7,500.00 - Account 987.907.5310, Sanitary Sewers Construction  
\$248,866.25 - Account 906.000.5010, Concrete Street Paving - Assessed  
\$ 4,092.45 - Account 987.908.5010, Misc. Concrete Paving  
\$ 85,327.35 - Account 988.908.5010, Misc. Concrete Paving  
\$363,064.05 - Total

Fiscal Note: Funds are available as herein delineated.

**Sponsors:** Ronald D. Hart

[Res.08-0731](#) Contract for 2008 Sidewalk Replacement, Phase I with John's Concrete, Inc.

Resolved, that Contract 16-08 (K8-017), 2008 Sidewalk Replacement, Phase I, be awarded to John's Concrete, Inc., at their bid price of \$161,277.30, 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:

\$144,000.00 - Account 906.000.5520, Sidewalk Replacement  
\$ 1,277.30 - Account 988.908.5520, Sidewalk Replacement  
\$ 16,000.00 - Account 906.000.5510, Sidewalks New  
\$161,277.30 - Total

Fiscal Note: Funds are available as herein delineated.

**Sponsors:** Ronald D. Hart

[Res.08-0732](#) Contract for CCTV Service and Manhole Inspection with Green Bay Pipe & TV

Resolved, that Contract 17-08 (K8-018), CCTV Service and Manhole Inspection, be awarded to Green Bay Pipe & TV, LLC, at their bid price of \$289,184.30, 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:

\$168,819.92 - Account 104.900.5420, Replacement Storm Sewer Const.  
\$ 80,843.88 - Account 987.907.5310, Sanitary Sewer, Misc. Loc.  
\$ 9,540.00 - Account 287.988.5320, Sanitary Manhole, Var. Loc.  
\$ 29,980.50 - Account 287.988.5310, Sanitary Sewer, Var. Loc.  
\$289,184.30 - Total

Fiscal Note: Funds are available as herein delineated.

**Sponsors:** Ronald D. Hart

**Res.08-0733** Contract for 2008 Storm Sewer Investigation with Green Bay Pipe & TV

Resolved, that Contract 18-08 (K8-019), 2008 Storm Sewer Investigation - CCTV and Manhole Inspection, be awarded to Green Bay Pipe & TV, LLC, at their bid price of \$197,794.75, they being the lowest responsible bidder.

Further resolved, that funding to defray the cost of this public works project be appropriated from Account 104.900.5420, Storm Sewer, Misc. Locations.

Fiscal Note: Funds are available as herein delineated.

**Sponsors:** Ronald D. Hart

**Res.08-0734** Work accepted and final payment made for Southside Industrial Park Infrastructure

Resolved, that the work done by The Wanasek Corporation under Contract 11-06 (K6-012), Southside Industrial Park Infrastructure, be accepted and final payment authorized for a total contract amount of \$1,965,012.94, from funds heretofore appropriated.

Fiscal Note: This contract was approved by Resolution 06-7155, dated August 2, 2006.

**Sponsors:** Ronald D. Hart

**Res.08-0735** Professional services accepted and final payment made for Pritchard/Reservoir Parks

Resolved, that the professional services provided by Earth Tech, Inc. under Contract 42-06 (K6-044), Professional Services - Construction Management Services for Pritchard/Reservoir Parks, be accepted and final payment authorized for a total contract amount of \$52,780.10, from funds heretofore appropriated.

Fiscal Note: This contract was approved by Resolution 06-7208, dated September 5, 2006.

**Sponsors:** Ronald D. Hart

**Res.08-0736** Professional services accepted and final payment made for 2007 Ground Penetrating Radar

Resolved, that the professional services provided by HNTB Corporation under Contract 14-07 (K7-014), Professional Services - 2007 Ground Penetrating Radar, be accepted and final payment authorized for a total contract amount of \$37,725.00, from funds heretofore appropriated.

Fiscal Note: This contract was approved by Resolution 07-0008, dated January 16, 2007.

**Sponsors:** Ronald D. Hart

**Res.08-0737** Professional services accepted and final payment made for Storm Sewer Inspection 16th Street and Park Avenue

Resolved, that the professional services provided by Earth Tech, Inc. under Contract 53-07 (K7-063), Professional Services - Storm Sewer Inspection for 16th Street and Park Avenue, be accepted and final payment authorized for a total contract amount of \$14,922.11, from funds heretofore appropriated.

Fiscal Note: This contract was approved by Resolution 07-0431, dated October 2, 2007.

**Sponsors:** Ronald D. Hart

**Res.08-0738** Amendment to contract for Professional Services - State Street Bridge Sidewalk Repair

Resolved, that Amendment No. 1 on Contract 23-07 (K7-027), Professional Services - State Street Bridge Sidewalk Repair, HNTB, Inc., consultant, as submitted, be approved in the not-to-exceed amount of \$5,757.04.

Further resolved, that funding to defray the cost of these professional services be appropriated from Account 101.520.5550, Repairs and Maintenance.

Fiscal Note: Funds are available as herein delineated and reimbursable from the State of Wisconsin.

**Sponsors:** Ronald D. Hart

**Res.08-0739** Amendment to contract for Roof Replacement at Various City Facilities

Resolved, that Amendment No. 1 on Contract 12-08 (K8-013), Professional Services - Roof Replacement at Various Facilities, Industrial Roofing Services, Inc., consultant, as submitted, be approved in the not-to-exceed amount of \$14,300.00.

Further resolved, that funding to defray the cost of these professional services be appropriated from the following accounts:

\$ 7,150.00 - Account 255.000.5760, Replace Library Roof Areas  
\$ 7,150.00 - Account 988.410.5010, Solid Waste Garage Roof Area 4  
\$14,300.00 - Total

Fiscal Note: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

Res.08-0740 Professional Services Agreement for City Hall Exterior Restoration

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with Industrial Roofing Services, Inc., Butler, WI, for Professional Services for City Hall Exterior Restoration, at a price not-to-exceed \$4,250.00.

Further resolved, that funds to defray the cost of these professional services be appropriated from Account 987.100.5020, City Hall Tuckpointing.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

Res.08-0741 Preliminary - Ten (10) Year  
Benefits and Damages

RESOLVED, by the Common Council of the City of Racine,  
Wisconsin:

1. The Common Council hereby declares its intention to exercise its power under s. 66.0703, Wisconsin Statutes, to levy special assessments upon property within the following described area for benefits conferred upon such property by improvement of the following street(s):

All property fronting upon both sides:

SEWER AND WATER LATERALS

Victory Avenue from 17th Street to 17th Street  
Olive Street from Ohio Street to Virginia Street.

2. Said public improvement shall consist of SEWER AND

## WATER LATERALS.

3. The total amount assessed against such district shall not exceed the total cost of the improvements and the amount assessed against any parcel shall not be greater than the benefits accruing thereto from said improvements.

4. The assessments against any parcel may be paid in cash or in ten (10) annual installments.

5. The Commissioner of Public works is directed to prepare a report consisting of:

- a. Preliminary or final plans and specifications for said improvement
- b. An estimate of the entire cost of the proposed work or improvement
- c. An estimate, as to each parcel of property within the assessment district, of:

- (1) The assessment of benefits to be levied.
- (2) The damages to be awarded for property taken or damaged.
- (3) The net amount of such benefits over damages or the net amount of such damages over benefits.

Upon completing such report the Commissioner of Public Works is directed to file a copy thereof in the City Clerk's office for public inspection.

6. Upon receiving the report of the Commissioner of Public Works, the City Clerk is directed to give a Class 1 notice of a public hearing on such report as specified in s. 66.60 (7), Wisconsin Statutes.

The hearing shall be held at the Council Chambers in the City Hall at a time set by the Clerk in accordance with S. 66.0703 (7) (a), Wisconsin Statutes.

**Sponsors:** Ronald D. Hart

**Res.08-0742**

Final - Ten (10) Year  
Benefits & Damages

WHEREAS, the Public Works & Services Committee of the Common Council of the City of Racine, Wisconsin, held a public hearing at the Council Chambers in the City Hall at 5:30 P.M. on the 25th day of March, 2008, for the purpose of hearing all interested persons concerning the preliminary resolution and report of the Commissioner of Public Works on the proposed improvement of:

## PORTLAND CEMENT CONCRETE PAVING

Jonathon Drive from cul-de-sac to North Main Street.

North Bay Drive from Sheffield Drive to Cul-de-sac.

Westminster Square from Steeplechase Drive (W) to Steeplechase Drive (E).

Ruby Avenue from Melvin Avenue to Lombard Avenue.

Riverside Drive from Cedar Bend Avenue to Clayton Avenue

Hickory Way from Ravine Drive to Crabapple Drive.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Racine as follows:

1. That the report of the Commissioner of Public Works pertaining to the construction of the above described public improvements, including plans and specifications therefore, as modified, is hereby adopted and approved.
2. That the Commissioner of Public Works is directed to advertise for bids and to carry out the work of such improvement in accordance with the report of the Commissioner of Public Works.
3. That payment for said improvements be made by assessing the cost to the property benefited as indicated in said report.
4. That benefits and damages shown on the report, as modified, are true and correct, have been determined on a reasonable basis; do not exceed the value accruing to the property therefrom; and are hereby confirmed.
5. That the assessments for all projects included in said report are hereby combined as a single assessment, but any interested property owner shall be entitled to object to each assessment separately or both assessments jointly for any purpose or purposes.
6. That the assessments may be paid in cash or if any assessments are over \$200.00 it may be paid in ten (10) annual installments to the City Treasurer, deferred payments to bear interest at the rate of 8% per annum on the unpaid balance. Installments or assessments not paid when due shall bear additional interest on the amount due at the rate of 9.6% per annum.
7. The City Clerk is directed to publish this resolution in the official newspaper of the City of Racine as a Class I notice in the assessment district.

8. The Clerk is further directed to mail a copy of this resolution and a statement of the final assessment against his property, to every property owner whose name appears on the assessment roll, whose post office address is known or can with reasonable diligence be ascertained.

Dated \_\_\_\_\_

Signed \_\_\_\_\_

Mayor

Published \_\_\_\_\_

Attest \_\_\_\_\_

City Clerk

**Res.08-0743** Conditional Use Permit for 1617 Goold Street

Resolved, that the request from from Petes Crete, LLC. and D'Alie Masonry, LLC. seeking a conditional use permit for contractors' storage at 1617 Goold Street be approved, subject to the following conditions:

- a. That the plans presented to the Plan Commission on March 26, 2008 be approved subject to the conditions contained herein.
- b. That the maximum hours of contractor activities at the site be from 7:00 a.m. to 9:00 p.m., Monday through Saturday, with no hours on Sunday.
- c. That no painting, processing or fabrication of materials and equipment be conducted at this location except that concrete counter tops and associated components may be fabricated indoors at this location.
- d. That outside materials storage areas be screened from public view with an enclosure, the style and color of which is to be approved by the Director of City Development.
- e. That by July 1, 2008, the following shall be accomplished:
  1. All employee and customer parking be contained on site, be on an asphalt or concrete surface, and the parking areas be striped.
  2. The gravel drive from N. Memorial Drive be paved in concrete or asphalt for a distance of at least 50 feet from the curb line.
  3. A landscape plan be submitted for the review and approval of the director of City Development illustrating the refreshing and/or replacement of existing overgrown or damaged trees and shrubs. If landscaping is not installed by July 1, 2008, then a letter of credit for said landscaping shall be submitted to the Director of City Development for review and approval and held by the City until such time as the landscaping is installed.
  4. That the subject building section be painted in a uniform color. Color chips

shall be presented to the director to City Development for review and approval.

f. That no junked or inoperable vehicles be parked at this location.

g. That no junk, debris or scrap materials be stored at this location.

h. That all trash and recyclables be stored in closed containers and screened from view.

i. That all signs be professionally made, comply with the zoning ordinance requirements and be submitted for review and approval by the Director of City Development.

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

k. That no minor changes be made from the conditions of this permit without the approval of the Plan Commission and no major changes be made from the conditions of this permit without the approval of the Common Council.

l. That this Conditional Use Permit is subject to review by the Plan Commission for Compliance with the listed conditions.

Fiscal Note: N/A

**Sponsors:** Gregory Holding

**Res.08-0744** Conditional Use Permit for 1304 Douglas Avenue

Resolved, that the request of Stan Egerson for an establishment conducting the sale and installation of automobile accessories at 1304 Douglas Avenue approved, subject to the following conditions:

a. That the plans presented to the Plan Commission on March 26, 2008 be approved subject to the conditions contained herein.

b. That no automobile sale or repair be conducted at this location.

c. That the commencement of this use shall not proceed unless:

1. The proposal receives an approving recommendation from the Access Corridor Development Review Committee.

2. Provisions for overflow parking be made for at least 7 parking spaces at a remote site, and that proof of said provisions be presented to the Director of City Development for review and approval.

d. That no more than seven (7) vehicles be parked outdoors on site in an orderly fashion and in a manner that does not hinder access to the building or restrict vehicle movements on the property.

- e. The maximum hours of operation be Monday through Saturday, 8:00 a.m. to 6:00 p.m. with no hours on Sundays.
- f. That there be no advertising flags, pennants, banners streamers or balloons.
- g. That customer and employee parking spaces be clearly marked.
- h. That all overnight storage of vehicles be contained indoors.
- i. That all installation of equipment be conducted indoors and there be no outdoor testing of alarms, stereos and other equipment.
- j. That the windows not be obstructed or covered in excess of 15% of their area.
- k. That there be no outside storage of vehicle parts, equipment or products.
- l. That by July 1, 2008, the following shall be accomplished:
  - 1. A landscape plan be submitted for the review and approval of the Director of City Development following review and recommendation by the Access Corridor Development Review Committee. If landscaping is not installed by July 1, 2008, then a letter of credit for said landscaping shall be submitted to the Director of City Development for review and approval and held by the City until such time as the landscaping is installed.
  - 2. That the subject building and wall sections be painted in a uniform color. Color chips shall be submitted for the review and approval of the Director of City Development following review and recommendation by the Access Corridor Development Review Committee.
  - 3. That a sign plan be submitted to the Access Corridor Development Review Committee for review and approval.
- m. That all trash and recyclables be stores in closed containers and screened from view.
- n. That all codes and ordinances be complied with and required permits acquired.
- o. That no minor changes be made from the conditions of this permit without the approval of the Plan Commission and no major changes be made from the conditions of this permit without the approval of the Common Council.
- p. That Conditional Use Permit is subject to review by the Plan Commission for Compliance with the listed conditions.
- q. That this permit be reviewed within six months of approval to determine the level of compliance with the listed conditions.

Fiscal Note: N/A

**Sponsors:** Gregory Holding

**Res.08-0745** Conditional Use Permit for 3131 Taylor Avenue, Building #5

Resolved, that the request of Genesis Behavioral Services to amend a Conditional Use Permit for a community based residential facility for women at 3131 Taylor Avenue, Building #5, be approved, subject to the following conditions:

- a. That condition "x" be amended to allow second shift staffing to be reduced from two persons to one person.
- b. That staffing levels be reviewed within sixth months of the date of this approval to determine the impact of decreased second shift staffing on overall compliance and the ability to maintain control of Genesis residents, with the Plan Commission retaining the option to require the re-instatement of an additional second shift staff person if warranted.

Fiscal Note: N/A

**Sponsors:** Gregory Holding

**Res.08-0746** Racine City Council's support of Great Lakes Basin Compact

WHEREAS, the governors of the eight states that border the Great Lakes, to-wit: Minnesota, Wisconsin, Illinois, Indiana, Ohio, Michigan, Pennsylvania and New York, signed the Great Lakes Basin Compact in 2005, the purposes of which are set out in Article I of the Compact, as follows:

1. To promote the orderly, integrated, and comprehensive development, use, and conservation of the water resources of the Great Lakes Basin (hereinafter called the Basin).
2. To plan for the welfare and development of the water resources of the Basin as a whole as well as for those portions of the Basin which may have problems of special concern.
3. To make it possible for the states of the Basin and their people to derive the maximum benefit from utilization of public works, in the form of navigational aids or otherwise, which may exist or which may be constructed from time to time.
4. To advise in securing and maintaining a proper balance among industrial, commercial, agricultural, water supply, residential, recreational, and other legitimate uses of the water resources of the Basin.
5. To establish and maintain an intergovernmental agency the end that the purposes of this compact may be accomplished more effectively; and

WHEREAS, congressional approval of, and consent to, said Compact is dependent upon the passage of the Compact by the legislatures of each of the party states; and

WHEREAS, the Compact is currently pending before the Wisconsin legislature; and

WHEREAS, the Common Council of the City of Racine feels passage of the Compact is in the best interest of the people of the City of Racine, the State of Wisconsin and the entire Great Lakes region.

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Racine Common Council to support the immediate passage of the Compact and to notify all members of the Wisconsin legislature of the Council's support for the Compact and its request for legislative action.

Fiscal Note: N/A

Sponsors: James T. Spangenberg

## H. Ordinances

[ZOrd.0002-08](#) An Ordinance for Rezoning 407-409 Hubbard Street

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

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

### Part 1:

That the property known as 407-409 Hubbard Street and more particularly described as follows:

"The west 50 feet of Lot 1 & the west 50 feet of the north 25 feet of Lot 2 of Block 53 of the Original Plat of Racine. Said land being in the City of Racine, Racine County, Wisconsin"

be rezoned from "B-2" Community Shopping District, to "R-3" Limited General Residence 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

Ord.04-08

Ordinance No. 04-08

To repeal and recreate Secs. 114-447(2) and (3), amend Sec. 114-448 and amend Sec. 114-567 of the Municipal Code of the City of Racine, Wisconsin relating to Zoning - Permitted uses and regulations; Conditional Uses.

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

Part 1:

Sec. 114-447 (2) of the Municipal Code of the City of Racine is hereby repealed and recreated to read as follows:

"(2) Studios or work spaces above the building's street level for artist, sculptor, photographer, composer or other similar artisans or artists, or at the building's street level but no closer than 30 feet to the store front and screened from public view."

Part 2:

Sec. 114-447 (3) of the Municipal Code of the City of Racine is hereby repealed and recreated to read as follows:

"(3) Galleries for artist, sculptor, photographer, composer or other similar artisans or artists."

Part 3:

Sec. 114-448 of the Municipal Code of the City of Racine is hereby amended by adding the following at the end of the section:

"(16) Studios or work space located at the buildings street level for artist, photographer, sculptor, composer, dance or other similar artisans or artists."

Part 4:

Sec. 114-567 of the Municipal Code of the City of Racine is hereby amended by adding the following at the end of the section:

"(30) Studios or work spaces for artist, sculptor, photographer, composer or other similar artisans or artists."

Part 4:

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

Ord.05-08

Ordinance No. 05-08

To create Sec. 94-21 of the Municipal Code of the City of Racine, Wisconsin relating to Traffic and Vehicles - Neighborhood Electric Vehicles.

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

Part 1:

Sec. 94-21 of the Municipal Code of the City of Racine is hereby created to read as follows:

"94-21. Neighborhood Electric Vehicles.

(a) *Definitions.* A *neighborhood electric vehicle* (NEV) means a self-propelled electrically-powered motor vehicle that has successfully completed the neighborhood electric vehicle America test program conducted by the federal department of energy and that conforms to the definition and requirements for low-speed vehicles, as adopted in the federal motor vehicle safety standards for "low-speed vehicles" under 49 CFR 571.3(b) and 571.500. Electric golf carts are not included within the foregoing definition.

A neighborhood electric vehicle shall be 4-wheeled and have a speed range of at least 20 miles per hour and not more than 25 miles per hour on a paved surface and have a gross vehicle weight of less than 2,500 pounds. Neighborhood electric vehicles shall have all of the following specifications:

- (1) Headlamps;
- (2) Front and rear turn signals;
- (3) Stop lamps;
- (4) Reflex reflectors; one red on each side as far to the rear as

- practicable and one red on the rear;
- (5) An exterior mirror mounted on the driver's side and either an exterior mirror on the passenger side or an interior rearview mirror;
- (6) Parking break;
- (7) A windshield that conforms to the requirements of the federal motor vehicle safety standard on glazing materials (49 CFR 571.205);
- (8) A vehicle identification number (VIN) that complies with federal law as provided in 949 CFR 565;
- (9) A type 1 or type 2 seatbelt assembly conforming to 49 CFR 571.209 and federal motor vehicle standard no. 209 for each designated seating position; and
- (10) Meets the general test conditions under 49 CFR 571.50056.

(b) *Use permitted on city streets.*

A licensed individual may operate a neighborhood electric vehicle on those city streets having a posted speed limit of 35 miles per hour or less, and headlamps must be on during operation.

(c) *License.*

Neighborhood electric vehicles shall be registered, titled and license by the State of Wisconsin.

(d) *Permitted users.*

Any person who operates a neighborhood electric vehicle on any City street must hold a valid State of Wisconsin operator's license. The operation of a neighborhood electric vehicle must in all respects comply with Chapter 94 of the Racine Code of Ordinances.

(e) *Penalty.*

Any person convicted of violating any of the provisions of this chapter shall forfeit an amount as provided in sec.1-15."

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 and Aron Wisneski

Ord.06-08

Ordinance No. 06-08

To amend Sec. 2-64, to repeal and recreate Secs. 2-121 and 2-124 of the Municipal Code of the City of Racine, Wisconsin relating to Administration - Order of business, Motions which take precedence, and Robert's Rules of Order.

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

Part 1:

Sec. 2-64 of the Municipal Code of the City of Racine is hereby amended by inserting a new subsection "(9) Consent Agenda.", and by renumbering existing subsections "(9) - (11)" accordingly.

Part 2:

Sec. 2-121 of the Municipal Code of the City of Racine is hereby repealed and recreated to read as follows:

"Sec. 2-121. Precedence of Motions

The common council shall consider motions in order of precedence as set out by Robert's Rules of Order Newly Revised, with the addition of the subsidiary motion to receive and file, which shall be ranked immediately above the motion to postpone indefinitely."

Part 3:

Sec. 2-124 of the Municipal Code of the City of Racine is hereby repealed and recreated to read as follows:

"Sec. 2-124. Parliamentary Authority.

The rules of parliamentary practice contained in Robert's Rules of Order Newly Revised, shall govern the common council in all cases in which such rules are applicable and in which such rules are not inconsistent with the rules contained in this division."

Part 4:

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

Passed by the Common Council:

\_\_\_\_\_

Approved: \_\_\_\_\_



Next Council Meetings as follows:  
Monday, April 14, 2008 (Old Council)  
Tuesday, April 15, 2008 (New Council)

**J. 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.