



City of Racine

Meeting Agenda - Final

Common Council

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

*Alderman Jeff Coe, Alderman Robert Anderson, Alderman Michael Shields
Alderman Jim Kaplan, Alderman David L. Maack, Alderman Sandy Weidner
Alderman Raymond DeHahn, Alderman Q.A. Shakoore, 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, October 2, 2007

7:00 PM

Room 205, City Hall

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

Refer to Finance and Personnel Committee, by Ald. Friedel

07-1168 **Subject:** Communication from the Public Health Administrator requesting permission to apply for grant funds in the amount of \$1000 from UW Parkside. (Grant Control #2007-045)

(Also refer to the Board of Health.)

07-1202 **Subject:** communication from the City Attorney submitting the claim of Maria Rodriguez for consideration.

07-1203 **Subject:** communication from the City Attorney submitting the claim of HM Investments of Racine, LLC for consideration.

07-1226 **Subject:** Communications from the Fire Chief requesting the Mayor and City Clerk be authorized and directed to enter into a Clinical Affiliation Agreement with Waukesha County Technical College (WCTC) to provide precepting of paramedic students at the Racine Fire Department.

(Also refer to Public Safety & Licensing Committee)

[07-1227](#) **Subject:** Communications from the Fire Chief wishing to transfer funds to cover the acquisition of computer hardware in order to support the new Windows XP-based Phoenix RMS/CAD software.

[07-1228](#) **Subject:** Communication from Chief of Police Kurt S. Wahlen requesting authorization for the purchase of a personnel transport vehicle for the department's Special Investigations Unit.

(Also refer to the Public Safety & Licensing Committee.)

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

[07-1192](#) **Subject:** Communication from Shirl Smith, 2629 Washington Avenue, requesting an extension of time to complete sidewalk repairs.

[07-1195](#) **Subject:** Communication from Landmark Credit Union requesting the vacation of city right-of-way at 3413 Rapids Drive.

[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.

Also refer to Board of Waterworks and Board of Wastewater

[07-1223](#) **Subject:** Communication from the Downtown Racine Corporation requesting permission to close city streets for the annual Holiday Parade on November 10, 2007.

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

[07-1197](#) **Subject:** Application of Oakland Food Service Management, Inc., Joseph D. Oakland, Agent, for a "Class B" Retail Fermented Malt Beverage and Intociating Liquor License for 555 Main Street. (1st District)

[07-1218](#) **Subject:** Request of the Director of Parks, Recreation & Cultural Services to meet with the Public Safety & Licensing Committee to enter in an agreement with Nielsen Madsen & Barber SC to prepare a property survey of N. Owen Davies Park.

[07-1219](#) **Subject:** Request of the Director of Parks, Recreation & Cultural Services

to meet with the Public Safety and Licensing Committee for permission to enter into an agreement with Southern Wisconsin Appraisal to conduct an appraisal of properties for the Zoological Society Entrance Complex Project.

[07-1225](#) **Subject:** Application of D&K Real Estate Investments LLC (Indigo), Billie J. Chomicki, Agent for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 1501 Washington Avenue. (3rd District)

Refer to Committee of the Whole, by Ald. Spangenberg

[07-1232](#) **Subject:** Communication from the Alderman of the 8th District requesting the Chief of Police address the Council on crime for Greater Racine.

[07-1236](#) **Subject:** Communication from RUSD requesting the school board meet with the Mayor and Aldermen regarding the School Board's Listening and Linking Sessions.

F. Committee Reports

Finance and Personnel Committee Report, by Ald. Friedel

[07-1148](#) **Subject:** Communication from Police Chief Wahlen, requesting to transfer C.I.P. funds.

Recommendation of the Finance & Personnel Committee on

09-24-07: The 2006 C.I.P. funds be amended by transferring \$100,000 from account 986.310.5050 Police Locker Room Upgrades to account 986-310-5020 Police Office Relocations and \$43,094 from account 986.310.5050 Police Locker Room Upgrades to account 986.310.5060 Impound Lot Fence/Improvements.

Fiscal Note: There are sufficient funds available for the transfer.

[07-1149](#) **Subject:** Communication from Police Chief Wahlen to waive formal bidding for the purchase of a 911 telephone system.

Recommendation of the Finance & Personnel Committee on

09-24-07: Formal bidding procedures be waived and the purchasing agent be authorized and directed to negotiate with AT&T for the purchase of a 911 telephone system.

Fiscal Note: The item is included in the 2007 CIP.

[07-1167](#)

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 an increase/adjustment in the contracted WIC caseload.

Recommendation of the Finance & Personnel Committee on

09-24-07: The Mayor and City Clerk be authorized and directed to enter into an amended contract with the State of Wisconsin Department of Health and Family Services for the Women, Infants and Children Program (Grant Control No. 2006-049).

Fiscal Note: Contract is in the increased amount of \$15,312.

[07-1173](#)

Subject: (Direct Referral) Communication from the Finance Director wishing to discuss refunding the 2007 Capital Project Note Anticipation Notes.

Recommendation of the Finance & Personnel Committee on

09-24-07: The 2007 Capital Project Note Anticipation Notes and the callable portions of 1993 TID # 7 and 1993 TID #8 General Obligation Bonds be refunded.

Fiscal Note: 2007 Capital project Note Anticipation Notes will be refunded in an amount of approximately \$7,640,000 to be paid off over a 15 year period. The 1993 callable portions of the 1993 TID #7 and TID #8 General Obligation Bonds will be refunded at a lower interest rate but will be paid off over the same remaining life as the original bonds. Net present value savings of approximately \$250,000 will be realized by this refunding. Final bonding resolutions will be acted upon at the October 16, 2007 Common Council meeting. Final debt amounts will be determined by market conditions and total issuance costs.

Public Works and Services Committee Report, by Ald. Hart

[07-0404](#)

Subject: Communication from the Alderman of the 2nd District wishing to discuss the rehabilitation of the brick pavement on College Avenue from DeKoven Avenue to 14th Street.

Recommendation: The policy for reconstruction of streets with brick/concrete pavers be approved. The following requirements will be used for the construction or reconstruction of streets with brick/concrete pavers:

A. Street must be in a recognized Historic District.

- B. Street is classified as a local street.
- C. Street must have been paved with paver bricks at some point in its history.
- D. That the residents abutting the street agree to pay the equivalent of the assessment charge for construction with concrete.
- E. That the city utilizes sewer revenue dollars to cover the difference in cost between the total cost of the project and the amount owed by assessments.

Fiscal Note: This policy will allow for the rehabilitation of brick streets, such as College Avenue, with the abutting residents paying their fair share without placing a burden upon the remaining city taxpayers. This policy will also allow the means to expanded the number of streets paved with pavers which will be an asset to those neighborhoods helping to maintain or increase property values.

07-1049

Subject: Communication from Eddie Johnson, 2821 Norwood Drive, requesting additional street lighting on Norwood Drive.

Recommendation: In accordance with Section 2-94 of the Municipal Code of the general ordinances of the City of Racine, the following street lighting changes be approved: Install one (1) 150-watt high-pressure sodium street in the 2800 block of Norwood Drive.

Fiscal Note: The estimated installation cost of this lighting is \$800.00 for installation and the annual operating cost is \$150.00 per fixture.

07-1069

Subject: Communication from the Alderman of the 12th District regarding sewer problems in the 100 block of Virginia Street during heavy rains.

Also refer to the Water and Wastewater Commission

Recommendation of the Wastewater Commission on 8-28-07:

Receive and File

Recommendation of the Public Works and Services Commission on

9-25-07: The communication be received and filed.

Fiscal Note: The Racine Water and Wastewater Utility has approved plans to address this problem in the 2008 construction season.

07-1102

Subject: Communication from the Alderman of the 9th District regarding damage caused by construction in the alley bounded by 15th Street, Flett Avenue and Grange Avenue.

Recommendation: The communication be referred to the City Attorney's

office for consideration as a claim against the paving contractor for the reconstruction of 16th Street from West Boulevard to Taylor Avenue.

Fiscal Note: Not applicable.

07-1128

Subject: Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting bid results on Contract 51-07 (K7-059), State Street Bridge Sidewalk Replacement.

Recommendation: Contract 51-07 (K7-059), State Street Bridge Sidewalk Replacement, be awarded to Zenith-Tech, Inc., Waukesha, WI, at their bid price of \$126,500.00, 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:

\$ 42,758.89 - Account 930.048.5810, 2007 State Street Bridge Repairs
\$ 83,741.11 - 2008 Capital Improvement Program
\$126,500.00 - Total

Fiscal Note: The cost of this project is 100% reimburseable from the State of Wisconsin Lift Bridge Program.

07-1132

Subject: Communication from Gorman & Company, Inc. requesting permission to allow an awning and railing which encroaches on City right-of-way to remain at the State and Main development project.

Recommendation: The property owner of 101 Main Street be granted permission to install a stationary, projecting awning and hand rail, as requested, with the stipulation that a hold harmless agreement be executed, in accordance with State Statute 66.0425, Privileges in Streets.

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

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

07-1133

Subject: Communication from Ronald G. Halvorsen, 3444 8th Avenue, requesting the alley be re-approved for paving.

Recommendation: The alley bounded by Shoreland Drive, North Street, 8th Avenue and 9th Avenue be included in the 2008 public hearing schedule for projects to be constructed in 2009.

Fiscal Note: Not applicable at this time.

07-1151

Subject: Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 44-06 (K6-047), Upgrade Temperature and HVAC Controls at Community Centers, Johnson Controls, Inc., contractor.

Recommendation: The work done by Johnson Controls, Inc., under Contract 44-06 (K6-047), Upgrade Temperature and HVAC Controls at Community Centers, be accepted and final payment authorized for a total contract amount of \$106,080.00, from funds heretofore appropriated.

Fiscal Note: This contract was approved by Resolution 06-7198, dated September 5, 2006.

07-1169

Subject: Communication from the Wisconsin Department of Transportation regarding the rerouting of STH 32.

Recommendation: The Commissioner of Public Works be authorized and directed to take the necessary steps to facilitate the transfer of STH 32 from Goold Street between Douglas Avenue and Main Street; and Main Street between Goold Street and Hamilton Street; to Douglas Avenue between Goold Street and Hamilton Street; and Hamilton Street between Douglas Avenue and Main Street, with the understanding that the Wisconsin Department of Transportation and City of Racine Department of Public Works will evaluate options to improve two (2) intersections, which include:

- A. Albert Street, Douglas Avenue, Barker Street and Superior Street; and
- B. Kewaunee Street, LaSalle Street and Douglas Avenue.

The preferred alternative which best serves the Southeast Wisconsin Transportation System, City of Racine and the traveling public will be chosen to allow this portion of roadway to meeting State Connecting Highway standards.

Fiscal Note: Not applicable at this time. However, by making this portion of roadway meet State Connecting Highway system standards, State funds will pay approximately 75% of the cost to reconstruct the Douglas Avenue corridor.

07-1188

Subject: Direct Referral. Communication from the Assistant Commissioner of Public Works/Operations submitting Amendment No. 1 on Contract 33-06 (K6-035), Professional Services for 2006 Major Ramp Maintenance, HNTB, consultant.

Recommendation: That Amendment No. 1 on Contract 33-06 (K6-035), Professional Services for 2006 Major Ramp Maintenance, HNTB, consultant, as submitted, be approved in the not-to-exceed amount of \$600.00.

Further recommends that funding to defray the cost of these professional services be appropriated from Account 986.106.5010, Transfer to Fund 106 - Parking.

Fiscal Note: Funds are available as herein delineated.

[07-1191](#)

Subject: Direct Referral. Communication from the Assistant Commissioner of Public Works/Engineering submitting a proposal from Earth Tech for the inspection of a storm sewer failure at 16th Street and Park Avenue and recommendation for corrective action at this and other similar locations.

Recommendation: The Mayor and City Clerk be authorized and directed to enter into a professional services contract with Earth Tech, Inc. for the inspection of the storm sewer at 16th Street and Park Avenue at a cost not-to-exceed \$6,658.00.

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

Fiscal Note: Funds are available as herein delineated.

Transit and Parking Commission Report, by Ald. DeHahn

[07-1012](#)

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

Recommendation: The communication be received and filed.

Fiscal Note: N/A

[07-1039](#)

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

Recommendation: The communication be received and filed.

Fiscal Note: N/A

[07-1070](#)

Subject: (Direct Referral) Communication from the Transit Planner, submitting a request from Curt Foreman requesting free transportation for event participants to and from the Kilties Brew Fest on Saturday, September 15, 2007.

Recommendation: The communication be received and filed.

Fiscal Note: N/A

[07-1101](#)

Subject: (Direct Referral) Communication from the Transit Planner submitting the revised PTMR drug and alcohol policy.

Recommendation: The policy be adopted.

Fiscal Note: N/A

[07-1113](#)

Subject: Communication from the Transit Planner submitting the July 2007 Belle Urban System operating and financial reports.

Recommendation: The communication be received and filed.

Fiscal Note: N/A

[07-1137](#)

Subject: Communication from the Transit Planner submitting a contract amendment regarding grant WI-03-0080 (2002).

Recommendation: The Mayor and City Clerk be authorized and directed to execute the agreement on behalf of the City of Racine.

Fiscal Note: The amendment transfers funds from an Architect/Engineering line item to a construction line item, with no change in the amount of the grant.

[07-1138](#)

Subject: Communication from the Transit Planner wishing to discuss a grant that was awarded for the purchase and installation of bicycle racks on City buses, and a donation of \$1,500 from the KR Bike Club for this project.

Recommendation: The Purchasing Agent be authorized and directed to advertise for and accept bids for the manufacture and delivery of bike racks for Belle Urban System buses.

Fiscal Note: Grant and local funds, including a \$1,500 donation from the KR Bike Club, are available in the amount of \$44,500, to pay for the bike racks.

07-1139

Subject: Communication from the Transit Planner requesting to discuss the City updating its Cooperative Planning Agreement with the Southeast Wisconsin Regional Planning Commission.

Recommendation: The Mayor and City Clerk be authorized and directed to execute the agreement on behalf of the City of Racine.

Fiscal Note: The agreement is for cooperative planning and has no fiscal impact.

07-1146

Subject: Communication from the Transit Planner submitting a contract amendment reallocating capital grant funds in grant WI-03-0087 (2004) from Architect/Engineering to a Construction line item in the amount of \$278,462.78

Recommendation: The Mayor and City Clerk be authorized and directed to execute the agreement on behalf of the City of Racine.

Fiscal Note: The amendment transfers funds from an Architect/Engineering line item to a construction line item, with no change in the amount of the grant.

07-1147

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

Recommendation: The communication be received and filed.

Fiscal Note: N/A

07-1174

Subject: (Direct Referral) Communication from the purchasing agent submitting bids for Official Notice # 9.

Recommendation: A purchase order be placed with Ross and White Company, Cary, Illinois, for an EC-15 Bus Vacuum, at their bid price of \$87,850, in accordance with bids solicited under Official Notice No. 9, on July 31, 2007.

Fiscal Note: Funds are available in the 2005 Section 5309 Capital Assistance Contract (WI-03-0091) between the City and WISDOT, and the

2006 City of Racine Capital Improvement Program, Capital Grant account 105.900.5010.

City Plan Commission Report, by Ald. Holding

[Res.07-0243](#) Vacation of Reichert Court

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:

Reichert Court from Michigan Boulevard to its eastern most terminus

Fiscal Note: N/A

Sponsors: Ronald D. Hart and Gregory Holding

[07-1091](#)

Subject: (Direct Referral) Request by the City of Racine Landmarks Preservation Commission seeking to rezone certain properties in the area of 11th street and Lake Avenue for the designation of an H-Historic Properties District overlay.

Recommendation of the City Plan Commission on 8-29-07: That this item be deferred.

Recommendation of the City Plan Commission on 9-26-07: That an ordinance be drafted for the overlay district, excluding the property at 1121 Lake Avenue, and a public hearing scheduled.

Further, that a resolution be drafted, detailing the architectural and/or historic attributes of the contributing properties within the proposed district.

Fiscal Note: N/A

[07-1110](#)

Subject: Res. 07-0243 Vacation of Reichert Court

Recommendation of the City Plan Commission on 8-29-07: That the Res. 07-0243 be adopted.

Recommendation of the City Plan Commission on 9-26-07: That the Res. 07-0243 be adopted.

Fiscal Note: N/A

[07-1125](#)

Subject: (Direct Referral) Request by Kai Jensen seeking consideration

of a request to rezone property at 3801 Douglas Avenue from I-1 Restricted Industrial District to B-2 Community Shopping District.

Recommendation of the City Plan Commission on 9-26-07: That an ordinance be drafted and public hearing scheduled.

Fiscal Note: N/A

07-1126

Subject: (Direct Referral) Request by Antonio Crane of the People's Choice Adult Services seeking a conditional use permit at 1006 State Street to accommodate an adult daycare facility.

Recommendation of the City Plan Commission on 9-26-07: That the request by Antonio Crane of the People's Choice Adult Services seeking a conditional use permit at 1006 State Street to accommodate an adult daycare facility, be approved, subject to the following conditions:

- a. That the plans stamped Received August 29, 2007 and presented to the Plan Commission on September 26, 2007 be approved subject to the conditions contained herein.
- b. That all applicable building and occupancy permits be obtained from the Building Inspection Department.
- c. That the facility serve only those clients diagnosed with cognitive disabilities and not function as a day facility for any correctional or penal institutions.
- d. That this facility be confined to the first floor of the tenant space having the address of 1010 State Street.
- e. That all state permits and licenses be maintained and requirements complied with, and that said permits and licenses be provided to the Department of City Development.
- f. That no more than 20 clients be allowed at the facility at any one time.
- g. That the facility be professionally staffed during all days and hours of operation.
- h. That proper staff to client ratio be maintained, but in no case shall the number of staff drop lower than one staff member for every eight clients.
- i. That the days and hours of operation be Monday through Friday,

7:30 a.m. to 8:00 p.m. with no hours on Saturday or Sunday.

- j. That all staff parking be contained on site.
- k. That all trash and recyclables be stored in closed containers and screened from view.
- l. That if a sign is installed, that it be professionally made, comply with zoning ordinance requirements and be approved by the Director of City Development.
- m. That plans be presented to the Access Corridor Development Review Committee for the implementation of the restoration of the building's storefronts.
- 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 this permit is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

07-1204

Subject: (Direct Referral) Request by Jay Christie, President & CEO of the Racine Zoological Gardens, 2131 North Main Street seeking approval of a conditional use permit for an entry complex among others related to Phase 3.

Recommendation of the City Plan Commission on 9-26-07: That the request by Jay Christie, President and CEO of the Racine Zoological Gardens, 2131 North Main Street, seeking approval of a conditional use permit for an entry complex among others related to Phase 3, be approved, subject to the following conditions:

- a. That the plans presented to the Plan Commission on September 26, 2007 be approved, subject to the following conditions.
- b. That all applicable building and occupancy permits be obtained from the Building Inspection Department.
- c. That all trash and recyclables be stored in closed containers and

screened from view.

- d. That all codes and ordinances be complied with and required permits acquired.
- e. That no minor changes be made from the conditions of this permit without the approval of the Plan Commission, and no major changes be made from the conditions of this permit without the approval of the Common Council.
- f. That this permit is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

07-1206

Subject: (Direct Referral) Request by Edward Trudeau of Georgetown Markets, Inc. seeking a conditional use permit for a full color electronic sign at 3710 Meachem Road.

Recommendation of the City Plan Commission on 9-26-07: That the request by Edward Trudeau of Georgetown Markets, Inc. seeking a conditional use permit for a full color electronic sign a 3710 Meachem Road be approved, subject to the following conditions:

- a. That the plans received September 12, 2007 and presented to the Plan Commission on September 26, 2007 be approved, subject to the conditions contained herein.
- b. That all applicable building and occupancy permits be obtained from the Building Inspection Department.
- c. That the operation of the sign comply with Section 114-1033 Electronic Message Signs of the City of Racine Municipal Code.
- d. That all codes and ordinances be complied with and required permits acquired.
- e. That no minor changes be made from the conditions of this permit without the approval of the Plan Commission, and no major changes be made from the conditions of this permit without the approval of the Common Council.
- f. That this permit is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

07-1209

Subject: (Direct Referral) Request by Jay Christie, President & CEO of the Racine Zoological Gardens, 2131 North Main Street seeking approval of a revised zoo master plan.

Recommendation of the City Plan Commission on 9-26-07: That the request by Jay Christie, President and CEO of the Racine Zoological Gardens, 2131 North Main Street, seeking approval of a revised zoo master plan be approved, subject to the following conditions:

- a. That the plans presented to the Plan Commission on September 26, 2007 be approved, subject to the following conditions.
- b. That implementation of each phase be treated as follows:
 1. A major amendment will be required with a public hearing, if the improvements in a specific phase involve a new building that requires the issuance of an occupancy permit.
 2. All other improvements are to be treated as a minor amendment requiring no public hearing.
- c. That no minor changes be made without the approval of the Plan Commission, and no major changes be made without the approval of the Common Council.
- d. That this approval is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

Sustainable Neighborhood Listening Committee Report, by Ald. Karas07-0438

Subject: Communication from Wayne Clingman, Annie Chew, and Nicala Aiello regarding ongoing and unresolved problems at the Neighborhood Pantry, 1511 W. Sixth Street.

Recommendation of the Sustainable Neighborhood Listening Committee on 4-26-07: To defer.

Recommendation of the Sustainable Neighborhood Listening Committee on 5-17-07: To defer.

Recommendation of the Sustainable Neighborhood Listening Committee on 5-31-07: To defer.

Recommendation of the Sustainable Neighborhood Listening

Committee on 7-19-07: To defer for three months.

Recommendation of the Sustainable Neighborhood Listening

Committee on 9-26-07: That this item be received and filed.

Fiscal Note: N/A

07-0450

Subject: Request from the 5th District Alderman that citizen members be appointed to the Sustainable Neighborhood Listening Committee.

Recommendation of the Sustainable Neighborhood Listening

Committee on 5-17-07: To defer.

Recommendation of the Sustainable Neighborhood Listening

Committee on 7-19-07: To defer the item for 30 days.

Recommendation of the Sustainable Neighborhood Listening

Committee on 9-26-07: That this item be received and filed.

Fiscal Note: N/A

Water Works Committee Report, by Ald Hart

07-1156

Subject: Submittal of the report of the Finance Committee of the Racine Waterworks Commission regarding year 2008 Water Utility Operation & Maintenance Budget and the 2008-2012 Capital Improvements Budget Recommending Adoption

Recommendation of the Racine Waterworks Commission of

9/25/07: To adopt. Refer to the Committee of the Whole.

Wastewater Commission Report, by Ald Hart

07-1161

Subject: Submittal of the Report of the Finance Committee of the Racine Wastewater Commission Regarding Year 2008 Wastewater Utility Operation & Maintenance Budget and the 2008-2012 Capital Improvements Budget Recommending Adoption

Recommendation of the Racine Wastewater Commission of 9/25/07:

To adopt. Refer to the Committee of the Whole.

07-1224

Subject: Ordinance No. 18-07

To amend Sec. 98-151 (c)(1) of the Municipal Code of the City of Racine,

Wisconsin relating to Utilities - General sewer use requirements.

Recommendation of the Wastewater Commission of 9/25/07: That the ordinance be adopted.

Fiscal Note: N/A

Cemetery Commission Report, by Ald Weidner

07-0908

Subject: Approval of Burial Permission Form

Recommendation of the Board of Cemetery Commissioners 7-16-07: that the item be approved with corrections.

Fiscal Note: N/A

Recommendation of the Board of Cemetery Commissioners 8-20-07: that the item be deferred.

Fiscal note: N/A

Recommendation of the Board of Cemetery Commissioners 9-17-07: that the item be approved.

Fiscal note: N/A

G. Resolutions

Res.07-0421 Refunding 2007 Capital Project Note Anticipation Notes

Resolved, that the 2007 Capital Project Note Anticipation Notes and the callable portions of 1993 TID # 7 and 1993 TID #8 General Obligation Bonds be refunded.

Fiscal Note: 2007 Capital project Note Anticipation Notes will be refunded in an amount of approximately \$7,640,000 to be paid off over a 15 year period. The 1993 callable portions of the 1993 TID #7 and TID #8 General Obligation Bonds will be refunded at a lower interest rate but will be paid off over the same remaining life as the original bonds. Net present value savings of approximately \$250,000 will be realized by this refunding. Final bonding resolutions will be acted upon at the October 16, 2007 Common Council meeting. Final debt amounts will be determined by market conditions and total issuance costs.

Sponsors: Thomas Friedel

Res.07-0422 Enter into an amended contract with State of Wisconsin for WIC Program

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an amended contract with the State of Wisconsin Department of Health and Family Services for the Women, Infants and Children Program (Grant Control No. 2006-049) for the period of January 1, 2007 through December 31, 2007 with additional funding of \$15,312.

Fiscal Note: Contract is in the increased amount of \$15,312.

Sponsors: Thomas Friedel

Res.07-0423 Transfer of funds for Police Department

Resolved, that the 2006 C.I.P. funds be amended by transferring \$100,000 from account 986.310.5050, Police Locker Room Upgrades, to account 986-310-5020, Police Office Relocations, and \$43,094 from account 986.310.5050, Police Locker Room Upgrades, to account 986.310.5060, Impound Lot Fence/Improvements.

Fiscal Note: There are sufficient funds available for the transfer.

Sponsors: Thomas Friedel

Res.07-0424 Waive formal bidding procedures for purchase of 911 telephone system

Resolved, that being in the best interest of the City, formal bidding procedures be waived and the purchasing agent be authorized and directed to negotiate with AT&T for the purchase of a 911 telephone system.

Fiscal Note: The item is included in the 2007 CIP.

Sponsors: Thomas Friedel

Res.07-0425 Hold Harmless Agreement for 101 Main Street

Resolved, that the property owner of 101 Main Street be granted permission to install a stationary, projecting awning and hand rail, as requested, with the stipulation that a hold harmless agreement be executed, in accordance with Wis. Stat. sec. 66.0425, Privileges in Streets.

Further resolved, that the property owner be charged a \$50.00 fee to cover administrative 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

Res.07-0426 Wisconsin Department of Transportation rerouting of STH 32

Resolved, that the Commissioner of Public Works be authorized and directed to take the necessary steps to facilitate the transfer of STH 32 from Goold Street between Douglas Avenue and Main Street; and Main Street between Goold Street and Hamilton Street; to Douglas Avenue between Goold Street and Hamilton Street; and Hamilton Street between Douglas Avenue and Main Street, with the understanding that the Wisconsin Department of Transportation and City of Racine Department of Public Works will evaluate options to improve two (2) intersections, which include:

- A. Albert Street, Douglas Avenue, Barker Street and Superior Street; and
- B. Kewaunee Street, LaSalle Street and Douglas Avenue.

The preferred alternative which best serves the Southeast Wisconsin Transportation System, City of Racine and the traveling public will be chosen to allow this portion of roadway to meet State Connecting Highway standards.

Fiscal Note: Not applicable at this time. However, by making this portion of roadway meet State Connecting Highway system standards, State funds will pay approximately 75% of the cost to reconstruct the Douglas Avenue corridor.

Sponsors: Ronald D. Hart

Res.07-0427 Policy for reconstruction of streets with brick/concrete pavers

Resolved, that the policy for reconstruction of streets with brick/concrete pavers be approved. The following requirements will be used for the construction or reconstruction of streets with brick/concrete pavers:

- A. Street must be in a recognized Historic District.
- B. Street is classified as a local street.
- C. Street must have been paved with paver bricks at some point in its history.
- D. That the residents abutting the street agree to pay the equivalent of the assessment charge for construction with concrete.
- E. That the city utilizes sewer revenue dollars to cover the difference in cost between the total cost of the project and the amount owed by assessments.

Fiscal Note: This policy will allow for the rehabilitation of brick streets, such as College Avenue, with the abutting residents paying their fair share without placing a burden upon the remaining city taxpayers. This policy will also allow the means to increase the number of streets paved with pavers which will be an asset to those neighborhoods inasmuch as it helps maintain or increase

property values.

Sponsors: Ronald D. Hart

Res.07-0428 Contract for State Street Bridge Sidewalk Replacement

Resolved, that Contract 51-07 (K7-059), State Street Bridge Sidewalk Replacement, be awarded to Zenith-Tech, Inc., Waukesha, WI, at their bid price of \$126,500.00, 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:

\$ 42,758.89 - Account 930.048.5810, 2007 State Street Bridge Repairs
\$ 83,741.11 - 2008 Capital Improvement Program
\$126,500.00 - Total

Fiscal Note: The cost of this project is 100% reimbursable from the State of Wisconsin Lift Bridge Program.

Sponsors: Ronald D. Hart

Res.07-0429 Final payment on contract for Upgrade Temperature and HVAC Controls at Community Centers

Resolved, that the work done by Johnson Controls, Inc., under Contract 44-06 (K6-047), Upgrade Temperature and HVAC Controls at Community Centers, be accepted and final payment authorized for a total contract amount of \$106,080.00, from funds heretofore appropriated.

Fiscal Note: This contract was approved by Resolution 06-7198, dated September 5, 2006.

Sponsors: Ronald D. Hart

Res.07-0430 Amendment to professional services contract for 2006 Major Ramp Maintenance

Resolved, that Amendment No. 1 on Contract 33-06 (K6-035), Professional Services for 2006 Major Ramp Maintenance, HNTB, consultant, as submitted, be approved in the not-to-exceed amount of \$600.00.

Further resolved, that funding to defray the cost of these professional services be appropriated from Account 986.106.5010, Transfer to Fund 106 - Parking.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

Res.07-0431 Professional Services Agreement for inspection of storm sewer 16th Street and Park Avenue

Resolved, that the Mayor and City Clerk be authorized and directed to enter into a professional services contract with Earth Tech, Inc. for the inspection of the storm sewer at 16th Street and Park Avenue at a cost not-to-exceed \$6,658.00.

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

Fiscal Note: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

Res.07-0432 Enter into agreement with Southeast Wisconsin Regional Planning Commission

Resolved, that the Mayor and City Clerk be authorized and directed to execute the Cooperative Planning Agreement on behalf of the City of Racine with Southeast Wisconsin Regional Planning Commission for the City's transit program.

Fiscal Note: The agreement is for cooperative planning and has no fiscal impact.

Sponsors: Raymond DeHahn

Res.07-0433 Enter into a contract amendment with WIS DOT for BUS Administrative Offices

Resolved, that the Mayor and City Clerk be authorized and directed to execute the contract amendment on behalf of the City of Racine with WIS DOT, Grant WI-03-0080 (2002), for grant funds from Architect/Engineering to Construction for work to proceed on expansion of the Belle Urban System Administrative Offices.

Fiscal Note: The amendment transfers funds from an Architect/Engineering line item to a construction line item, with no change in the amount of the grant.

Sponsors: Raymond DeHahn

Res.07-0434 Contract Amendment with WIS DOT Reallocating Grant Funds

Resolved, that the Mayor and City Clerk be authorized and directed to execute the contract amendment on behalf of the City of Racine with WIS DOT for

reallocating capital grant funds in Grant WI-03-0087 (2004) from Architect/Engineering to a Construction line item in the amount of \$278,462.78.

Fiscal Note: The amendment transfers funds from an Architect/Engineering line item to a construction line item, with no change in the amount of the grant.

Sponsors: Raymond DeHahn

Res.07-0435 Purchasing Agent accept bid for purchase of bus vacuum

Resolved, that the Purchasing Agent be authorized and directed to accept the bid on Official Notice No. 9 of July 31, 2007, to purchase an EC-15 Bus Vacuum with Ross and White Company, Cary, Illinois, at their bid price of \$87,850.

Fiscal Note: Funds are available in the 2005 Section 5309 Capital Assistance Contract (WI-03-0091) between the city and WIS DOT, and the 2006 City of Racine Capital Improvement Program, Capital Grant Account 105.900.5010.

Sponsors: Raymond DeHahn

Res.07-0436 Purchasing Agent advertise for bids for bike racks for BUS buses

Resolved, that the Purchasing Agent be authorized and directed to advertise for and accept bids for the manufacture and delivery of bike racks for Belle Urban System buses.

Fiscal Note: Grant and local funds, including a \$1,500 donation from the KR Bike Club, are available in the amount of \$44,500, to pay for the bike racks.

Sponsors: Raymond DeHahn

Res.07-0437 Conditional Use Permit for 1006 State Street

Resolved, that the request by Antonio Crane of the People's Choice Adult Services seeking a conditional use permit at 1006 State Street to accommodate an adult daycare facility, be approved, subject to the following conditions:

- a. That the plans stamped Received August 29, 2007 and presented to the Plan Commission on September 26, 2007 be approved subject to the conditions contained herein.
- b. That all applicable building and occupancy permits be obtained from the Building Inspection Department.
- c. That the facility serve only those clients diagnosed with cognitive disabilities and not function as a day facility for any correctional or penal institutions.

- d. That this facility be confined to the first floor of the tenant space having the address of 1010 State Street.
- e. That all state permits and licenses be maintained and requirements complied with, and that said permits and licenses be provided to the Department of City Development.
- f. That no more than 20 clients be allowed at the facility at any one time.
- g. That the facility be professionally staffed during all days and hours of operation.
- h. That proper staff to client ratio be maintained, but in no case shall the number of staff drop lower than one staff member for every eight clients.
- i. That the days and hours of operation be Monday through Friday, 7:30 a.m. to 8:00 p.m. with no hours on Saturday or Sunday.
- j. That all staff parking be contained on site.
- k. That all trash and recyclables be stored in closed containers and screened from view.
- l. That if a sign is installed, that it be professionally made, comply with zoning ordinance requirements and be approved by the Director of City Development.
- m. That plans be presented to the Access Corridor Development Review Committee for the implementation of the restoration of the building's storefronts.
- 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 this permit is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

Sponsors: Gregory Holding

[Res.07-0438](#) Revised Zoo Master Plan for 2131 North Main Street

Resolved, that the request by Jay Christie, President and CEO of the Racine Zoological Gardens, 2131 North Main Street, seeking approval of a revised zoo master plan be approved, subject to the following conditions:

- a. That the plans presented to the Plan Commission on September 26, 2007 be approved, subject to the following conditions.
- b. That implementation of each phase be treated as follows:
 1. A major amendment will be required with a public hearing, if the improvements in a specific phase involve a new building that requires the issuance of an occupancy permit.
 2. All other improvements are to be treated as a minor amendment requiring no public hearing.
- c. That no minor changes be made without the approval of the Plan Commission, and no major changes be made without the approval of the Common Council.
- d. That this approval is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

Sponsors: Gregory Holding

Res.07-0439 Conditional Use Permit for 2131 Main Street

Resolved, that the request by Jay Christie, President and CEO of the Racine Zoological Gardens, 2131 North Main Street, seeking approval of a conditional use permit for an entry complex among others related to Phase 3, be approved, subject to the following conditions:

- a. That the plans presented to the Plan Commission on September 26, 2007 be approved, subject to the following conditions.
- b. That all applicable building and occupancy permits be obtained from the Building Inspection Department.
- c. That all trash and recyclables be stored in closed containers and screened from view.
- d. That all codes and ordinances be complied with and required permits acquired.
- e. That no minor changes be made from the conditions of this permit without the approval of the Plan Commission, and no major changes be made from the conditions of this permit without the approval of the Common Council.
- f. That this permit is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

Sponsors: Gregory Holding

Res.07-0440 Conditional Use Permit for 3710 Meachem Road

Resolved, that the request by Edward Trudeau of Georgetown Markets, Inc. seeking a conditional use permit for a full color electronic sign a 3710 Meachem Road be approved, subject to the following conditions:

- a. That the plans received September 12, 2007 and presented to the Plan Commission on September 26, 2007 be approved, subject to the conditions contained herein.
- b. That all applicable building and occupancy permits be obtained from the Building Inspection Department.
- c. That the operation of the sign comply with Section 114-1033 Electronic Message Signs of the City of Racine Municipal Code.
- d. That all codes and ordinances be complied with and required permits acquired.
- e. That no minor changes be made from the conditions of this permit without the approval of the Plan Commission, and no major changes be made from the conditions of this permit without the approval of the Common Council.
- f. That this permit is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

Sponsors: Gregory Holding

Res.07-0441 Wisconsin Alliance of Cities resolution on the state budget regarding state shared revenue

Whereas, the conference committee on the state budget is expected to reach agreement soon; and

Whereas, Wisconsin cannot thrive socially or economically without strong, healthy cities; and

Whereas, Wisconsin communities have endured stagnant growth in state shared revenue since 2004, when shared revenue was cut 6.5 percent because of state budget difficulties; and

Whereas, for members of the Wisconsin Alliance of Cities, that reduction represented a \$31.5 million loss of revenue - a 13% loss in state support, adjusted for inflation; and

Whereas, despite declining state support, local governments have continued to work in partnership with state government to bring new jobs to Wisconsin and improve Wisconsin's quality of life; and

Whereas, continuation of levy limits requires an increase in nonproperty tax revenues.

Now, therefore, be it resolved, that the Wisconsin Alliance of Cities impress upon members of the conference committee that anything less than the 1.75 percent increase in state shared revenue proposed by Gov. Jim Doyle is inadequate to meet the needs and expectations of residents of Wisconsin cities to receive public protection and to enjoy an unsurpassed quality of life in urban Wisconsin.

Further resolved, that the Wisconsin Alliance of Cities urge members of the conference committee to compromise between the Assembly and Senate positions on levy limits and adopt a levy limit of 3% over the prior year or net growth, whichever is greater.

Fiscal Note: N/A

Sponsors: James T. Spangenberg, Brian Anderson, Jeff Coe, Raymond DeHahn, Thomas Friedel, Ronald D. Hart, Gregory Holding, Jim Kaplan, Pete Karas, David L. Maack, Robert Mozol, Q.A. Shakoor II, Michael Shields, Sandy Weidner and Aron Wisneski

H. Ordinances

[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, 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 4, 5, & 6 of Block 27 of the School Section. Said land being in the City of Racine, Racine County, Wisconsin."

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

Part 2:

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

Passed by the Common Council:

Approved: _____

Mayor

Attest:

City Clerk

Fiscal Note: N/A

Sponsors: Gregory Holding

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

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

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

Part 1:

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

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

be rezoned from "I-1" Restricted Industrial District, to "B-2" Community Shopping District, and designated as Supplement No. _____, which Supplement is hereby made a part of this ordinance.

Part 2:

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

Passed by the Common Council:

Approved: _____

Mayor

Attest:

City Clerk

Fiscal Note: N/A

Sponsors: Gregory Holding

Ord.19-07

Ordinance No. 19-07

To amend Article 1, Chapter 6 of the Municipal Code of the City of Racine, Wisconsin relating to Alcoholic Beverages.

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

Part 1:

Article 1. Chapter 6 of the Municipal Code of the City of Racine is hereby amended by adding the following at the end of Article 1:

“Sec. 6-20. Purpose.

The identification of purchasers/providers of keg fermented malt beverages (beer) for consumption by underage persons is a major law enforcement concern in the City of Racine. When keg fermented malt beverages are found where underage persons are present it is necessary to readily identify those responsible. The investigation of offenses involving the furnishing of alcohol to minors and related offenses involving keg fermented malt beverages is inhibited by the inability to identify who purchased the keg alcohol.

Registration/identification information must be available on all keg fermented malt beverages in the City. Individual identification number, purchaser and retail seller identity information will better enable law enforcement to identify providers of keg fermented malt beverages to underage persons. Therefore, it is in the public interest to place reasonable keg registration/identification rules as hereafter set forth. This ordinance provides for the registration and documentation of retail sales of keg fermented malt beverage.

Sec. 6-21. Registration and Return Procedure.

All retail sales/purchases of fermented malt beverages by keg container of a two gallon volume or more in the City for off site (at a location which does not hold a liquor or fermented malt beverage license) consumption must comply with the following registration, documentation and labeling requirements and restrictions imposed by this ordinance:

(a) Purchasers shall provide a current government issued photo identification with the purchaser's name, address and individual identification number to the seller who shall then record and document that information in a log. The log shall also contain the individual keg identification assigned to the keg by the seller, and include the date of sale and indicate that the photo identification that was produced was matched to the purchaser. The log shall also contain some

identifier of each person, owner/employee who sold to each purchaser. This information shall be kept by the seller for a minimum period of six months from the date of sale.

(b) Sellers shall assign, record and attach to each retail keg sold for off site consumption an individual keg identification number/tamper-proof tag, at or before the time of sale to the purchaser, and the tamper-proof tag shall also include a prominent warning thereon that it is illegal to alter, damage or remove the tamper-proof tag from the keg, and that it is illegal to sell or distribute, or to permit the sale or distribution of fermented malt beverages from the keg to underage persons.

(c) Sellers of keg fermented malt beverages shall obtain the individual keg identification tamper-proof tag from the City Clerk's office which shall record to whom the consecutively numbered tamper-proof tags are distributed and shall restrict the distribution of the tamper-proof tags to licensed alcoholic beverage retailers. The City Clerk shall keep the record of distribution for one year.

(d) Sellers shall collect a deposit in an amount set by the retailer for each keg. Purchasers shall return kegs to the retail seller where it was purchased with the individual keg identification tamper-proof tag attached, intact and legible on or before sixty (60) days from the date of sale or the deposit shall be forfeited.

(e) Sellers shall record the date on which the keg is returned, who returned the keg and indicate whether the keg identification tamper-proof tag is present or absent by notation on the log.

(f) Sellers shall remove the individual keg identification tamper-proof tags from the kegs when they are returned and shall maintain them with the keg registration records.

(g) Sellers shall produce keg registration logs/records to the Racine police department upon request.

(h) This ordinance does not apply to keg sales to liquor or fermented malt beverage licensees.

Sec. 6-22. Keg possession requirements and restrictions.

No person shall possess a keg container of fermented malt beverages of two gallons or more which was purchased in the City of Racine for consumption, after the effective date of this ordinance, without an intact and legible individual keg identification tamper-proof tag attached (except for retail sellers of keg fermented malt beverages and liquor and fermented malt beverage licensees).

Sec. 6-23. Penalty for violation.

A seller or purchaser or other person who violates any of the above requirements and/or restrictions imposed by sections 6-21 and 6-22 shall be

subject to a forfeiture not to exceed \$ 500 and costs. Any unregistered keg found in violation of section 6-22 is subject to seizure by the Racine police department.”

Part 3:

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

I. Miscellaneous Business

J. Adjourn