



City of Racine

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

Meeting Minutes - Final Common Council

Mayor John T. Dickert
Alderman Jeff Coe, Alderman Robert Anderson
Alderman Michael Shields, Alderman Jim Kaplan, Alderman David L. Maack
Alderman Sandy Weidner, Alderman Terry McCarthy, Alderman Raymond DeHahn
Alderman Q.A. Shakoor, II, Alderman Aron Wisneski, Alderman Gregory Holding
Alderman James T. Spangenberg, Alderman Ronald D. Hart, Alderman Robert Mozol,
Alderman Kelli Stein

Tuesday, January 5, 2010

7:00 PM

Room 205, City Hall

A. Call To Order

PRESENT: 15 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, McCarthy, DeHahn, Shakoor, II, Holding, Wisneski, Spangenberg, Hart, Mozol and Stein

B. Pledge of Allegiance To The Flag

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

C. Approval of Journal of Council Proceedings (Minutes)

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

D. Public Comments

No one appeared.

E. Communications

Refer to Finance and Personnel Committee, by Ald. Spangenberg

[09-4572](#)

Subject: Communication from the Chief of Police, requesting authorization for the Purchasing Agent to negotiate sole-source procurement for the purchase of a Video File Management Software system.

Referred to Finance and Personnel Committee

[09-4574](#)

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting to accept a donation of \$575.00 from St. Catherine's Boys Soccer for a park bench at Lockwood Park playground.

Referred to Finance and Personnel Committee

[09-4592](#) **Subject:** Communication from the Interim Public Health Administrator requesting to accept additional funding of \$17,656 from the State of Wisconsin Department of Health Services for the Division of Public Health. (Grant Control #2006-049)

Referred to Finance and Personnel Committee

[09-4593](#) **Subject:** Communication from Friends of Seniors, Inc. requesting to renew their lease for 201 Goold Street for 2010 - 2011.

Referred to Finance and Personnel Committee

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

[09-4571](#) **Subject:** Communication from the General Manager, Racine Water and Wastewater Utilities, submitting an agreement for alterations to the Lathrop Avenue Storm Sewer.

Referred to Public Works and Services Committee

[09-4588](#) **Subject:** Communication from the Director of Parks, Recreation & Cultural Services requesting Amendment # 4 for Contract 14-09 (K9-014) Design of Parks Pavement Project by Nielsen Madsen & Barber, S.C.

Referred to Public Works and Services Committee

[09-4595](#) **Subject:** Communication from the Assistant Commissioner of Public Works/Operations requesting permission to waive formal bidding procedures for the purchase of a wheel loader vehicle.

Referred to Public Works and Services Committee

[09-4600](#) **Subject:** Communication from a representative of Thoughts for Food requesting permission to close the 300 block of Hamilton Street on Saturday, March 6, 2010, for their annual event.

Referred to Public Works and Services Committee

[09-4602](#) **Subject:** Communication from the Commissioner of Public Works/City Engineer requesting that Section 46 of the Municipal Code be amended to comply with changes to State Statute 66.0904.

Referred to Public Works and Services Committee

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

[09-4590](#) **Subject:** Communication from the Director of Parks, Recreation & Cultural Services requesting final payment for Mound Cemetery New Crypt Design and Fountain Restoration by MekusTanager.

Referred to Public Safety and Licensing Committee

[09-4597](#)

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting to reduce the contract retainage for Parks & Parking System Improvements by O & M Excavating & Grading Inc.

Referred to Public Safety and Licensing Committee

Refer to Community Development Committee, by Ald. Q. A. Shakoor, II

[09-4581](#)

Subject: Request of Neighborhood Housing Services (NHS) of Southeast Wisconsin to revise their 2009 Community Development Block Grant (CDBG) program budget.

Referred to Community Development Committee

Refer to Economic Development Committee, by Ald. Spangenberg

[09-4580](#)

Subject: Communication from Racine County Economic Development Corporation submitting its proposed 2010 agreement for general economic development services.

Referred to Economic Development Committee

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

[09-4578](#)

Subject: Communication from Racine County Economic Development Corporation submitting its proposed 2010 agreement for the commercial corridor redevelopment program.

(Also refer to Finance and Personnel Committee)

Referred to Redevelopment Authority of the City of Racine

Referred to Finance and Personnel Committee

[09-4579](#)

Subject: Communication from Racine County Economic Development Corporation submitting its proposed 2010 agreement for the brownfield redevelopment program.

(Also, refer to Finance and Personnel Committee)

Referred to Redevelopment Authority of the City of Racine

Referred to Finance and Personnel Committee

Refer to Mayor's Office, by Ald. Q. A. Shakoor, II

[09-4601](#)

Subject: Communication from the Alderman of the First District requesting to meet with appropriate committee to discuss the position in CAR25.

Original motion to refer to the Mayor's Office failed by the following vote:

AYES: DeHahn, Hart, Kaplan, Shakoor, and Anderson

NOES: Coe, Holding, Maack, McCarthy, Mozol, Shields, Spangenberg, Stein, Weidner and Wisneski

Motion made by Alderman Coe to refer item #09-4601 to Cable Commission and Committee of the Whole. Motion passed by the following vote:

AYES: Coe, Kaplan, Maack, McCarthy, Mozol, Shields, Spangenberg, Stein and Weidner

NOES: DeHahn, Hart, Holding, Shakoor, Wisneski and Anderson

Referred to Committee of the Whole

Referred to Cable Television Commission

Refer to Board of Parks, Recreation, and Cultural Services, by Ald. McCarthy

[09-4591](#)

Subject: Communication from Ron Britten wishing to discuss a potential agreement with the City of Racine and the Wisconsin Consolidated Sports Association, Ltd.

Referred to Board of Park, Recreation and Cultural Services

F. Committee Reports

Finance and Personnel Committee Report, by Ald. Spangenberg

[07-0857](#)

Subject: Communication from the City Attorney submitting the claim of Juan Oreta for consideration.

Recommendation of the Finance & Personnel Committee on

12-21-09: The claim of Juan Oreta, 451 W. Swan Circle, Oak Creek, requesting reimbursement of \$649.52 for damage to his vehicle that he suspects occurred when the DPW leaf removal crew worked during their operations in the area allegedly striking his vehicle be denied.

Fiscal Note: N/A

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

[09-4478](#)

Subject: Communication from the Human Resources Manager requesting to discuss the Stop Loss Insurance plan for 2010.

(Res.09-1773)

Recommendation of the Finance & Personnel Committee on

12-21-09: The City enter into a Health Insurance Stop-Loss Policy with SLG.

Fiscal Note: Funding for the City's portion is available in account 405.000.5870, Health Insurance, Stop Loss.

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

[09-4504](#)

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting to accept a donation from Wisconsin Coastal Management for Increasing Public Access to the Root River.

Recommendation of the Finance & Personnel Committee on

12-21-09: Permission be granted for the Director of Parks, Recreation & Cultural Services to accept a donation in the amount of \$9,890 from the Wisconsin Coastal Management to be utilized for increasing public access to the Root River and an appropriate letter of thanks be sent.

Fiscal Note: There is a dollar for dollar soft match required on the part of the City. The 2009 CIP included Root River Improvements budgeted at \$20,000 and will more than cover any required match.

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

[09-4545](#)

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting to accept a donation of pencil boxes for the Stay In School - Back to School Program from Iris USA.

Recommendation of the Finance & Personnel Committee on

12-21-09: Permission be granted for the Director of Parks, Recreation & Cultural Services accept a donation of pencil boxes to be utilized for the Stay in School - Back to School Program from the Iris USA and an appropriate letter of thanks be sent.

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

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

[09-4549](#)

Subject: Communication from the Cable Communication Coordinator requesting to transfer \$30,000 from account 203.000.5020, Salaries, to account 203.000.5430, Computer Equipment, to be utilized for the office move and network infrastructure relocation. Further request that

any unused portion be carried forward in 2010. (Res.09-1776)

Recommendation of the Finance & Personnel Committee on

12-21-09: Permission be granted for the Cable Communication Coordinator transfer \$30,000 from account 203.000.5020, Salaries, to account 203.000.5430, Computer Equipment, to be utilized for the office move and network infrastructure relocation. Further recommends that any unused portion be carried forward to 2010.

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

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

[09-4553](#)

Subject: Communication from the Interim Public Health Administrator requesting permission to accept funds from Wisconsin Department of Health Services for the 2010 Consolidated Contract Agreement. (Res.09-1779)

Recommendation of the Finance & Personnel Committee on

12-21-09: The Mayor and City Clerk be authorized and directed to enter into a \$228,116 agreement with the Department of Health Services, Grant Control No. 2009-076, to be utilized for consolidated contracts.

Fiscal Note: \$36,218 for Immunization, \$28,998 for Childhood Lead, \$12,862 for Prevention, \$77,469 for Wisconsin Well Woman Program, \$2,500 for Radon, and \$70,069 for Maternal Child Healthcare. There is a soft match of \$52,552 required on the part of the City for the Maternal Child Healthcare.

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

[09-4554](#)

Subject: Communication from the Interim Public Health Administrator requesting permission to accept funds from the Wisconsin Department of Health Services for the 2010 Public Health Preparedness - CDC Contract Agreement. (Res.09-1777)

Recommendation of the Finance & Personnel Committee on

12-21-09: The Mayor and City Clerk be authorized and directed to enter into a \$58,700 agreement with the Department of Health Services, Grant Control No. 2009-077, to be utilized for the 2010 Public Health Preparedness - CDC Program.

Fiscal Note: There is no match required on the part of the City.

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

09-4556

Subject: Communication from the Interim Public Health Administrator requesting permission to accept funds from the State of Wisconsin, Department of Natural Resources for the purpose of collecting and sharing water quality monitoring data. (Res.09-1778)

Recommendation of the Finance & Personnel Committee on

12-21-09: The Mayor and City Clerk be authorized and directed to enter into a \$20,000 agreement with the State of Wisconsin, Department of Natural Resources, Grant Control No. 2009-079, to be utilized for developing a tool for predicting bacterial contamination at beaches.

Fiscal Note: There is a \$28,471 soft match required on the part of the City.

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

09-4577

Subject: (Direct Referral) Communication from the Human Resources Manager and Deputy City Attorney submitting the Local 1199 - Health Department Nurses collective bargaining agreement for consideration. (Res.09-1772)

Recommendation of the Finance & Personnel Committee on

12-21-09: The collective bargaining agreement for Local 1199 - Health Department Nurses be approved.

Fiscal Note: N/A

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

09-4582

Subject: (Direct Referral) The Director of City Development request to apply for the Wisconsin Department of Commerce, Housing and Economic Recovery Act, Neighborhood Stabilization Program in the amount of \$1,491,025 to be utilized for acquisition, rehabilitation, and redevelopment of foreclosed and abandoned residential properties. (Res.09-1775)

Recommendation of the Finance & Personnel Committee on

12-21-09: Permission be granted for the Director of City Development apply for the Wisconsin Department of Commerce, Housing and Economic Recovery Act, Neighborhood Stabilization Program (Grant Control No. 2009-078) in the amount of \$1,491,025 to be utilized for acquisition, rehabilitation, and redevelopment of foreclosed and abandoned residential properties.

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

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

Council Action

A motion was made by Alderman James T. Spangenberg that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

AYES: 15 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, McCarthy, DeHahn, Shakoor, II, Holding, Wisneski, Spangenberg, Hart, Mozol and Stein

Public Works and Services Committee Report, by Ald. Holding

09-4568

Subject: Communication from Commissioner of Public Works/City Engineer wishing to discuss the need to pay invoices on Contract 52-07 (K7-061), Remodel Racine Zoological Gardens-Phase III, Seater Construction Co., Inc., contractor. (Res.09-1787)

Recommendation: The Finance Director and Commissioner of Public Works be authorized and directed to make payments to the contractor on Contract 52-07 (K7-061) Remodel Racine Zoological Garden - Phase III, Seater Construction Co., Inc., contractor.

Further recommends the City Attorney and Finance Director be authorized and directed to take necessary steps to receive reimbursement of project costs from the Racine Zoological Society.

Fiscal Note: Payments will be made from existing City funds as determined by the Finance Director.

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

AYES: 15 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, McCarthy, DeHahn, Shakoor, II, Holding, Wisneski, Spangenberg, Hart, Mozol and Stein

Public Safety and Licensing Committee Report, by Ald. Wisneski

09-4331

Subject: Communication from Shawn R. Olley seeking an exchange of land between the Olle Brothers and the City of Racine. The City now uses Olle Brothers property to access the Dog Park. (Res.09-1785)

Recommendation of the Public Safety and Licensing Committee on 11-09-09: That the item be referred to the Parks, Recreation & Cultural Services Board for a recommendation and then returned to this committee.

Recommendation of the Board of Parks, Recreation and Cultural

Services 12-09-09: That the request be approved.

Recommendation of the Public Safety & Licensing Committee on 12-21-09: That the request seeking an exchange of land between the Olle Brothers and the City of Racine be approved.

Fiscal Note: No Cost to the City.

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

[09-4429](#)

Subject: (Direct Referral)(New) Application of Mario's Italian Sportsbar (formerly Danny Palms), Mario Passarelli, Agent, for a Change of Agent for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 2322 Lathrop Avenue. (11th District)

Recommendation of the Public Safety & Licensing Committee on 12-21-09: That the application of Mario's Italian Sportsbar (formerly Danny Palms), Mario Passarelli, Agent, for a Change of Agent for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 2322 Lathrop Avenue be approved.

Fiscal Note: N/A

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

[09-4525](#)

Subject: Communication from the Chief of Police requesting authorization to purchase a new radio service monitor for Radio Communications Resources. (Res.09-1774)

Recommendation of the Finance & Personnel Committee on 12-21-09: Permission be granted for the Chief of Police to purchase a radio service monitor to be utilized for the Radio Communications Resources and that formal bidding be waived.

Recommendation of the Public Safety & Licensing Committee on 12-21-09: That the Chief of Police be granted permission to purchase a radio service monitor to be utilized for the Radio Communications Resources and that formal bidding be waived.

Fiscal Note: The estimated cost for the monitor is at \$41,000. There are sufficient funds available in account 266.000.5770, Radio Repair.

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

[09-4540](#)

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting change order # 2 for Garden Crypts and Niche Addition at Mound Cemetery. (Res.09-1780)

Recommendation of the Public Safety & Licensing Committee on 12-21-09: That change order #2 for Garden Crypts and Niche Addition at Mound Cemetery for an increased amount of \$60,202.50 be approved.

Fiscal Note: Funds are available in account 207.002.5760, Mound Crypts.

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

[09-4541](#)

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting final payment for the Garden Crypts and Niches at Mound Cemetery. (Res.09-1781)

Recommendation of the Public Safety & Licensing Committee on 12-21-09: That final payment for the Garden Crypts and Niches at Mound Cemetery be approved as presented.

Fiscal Note: Funds are available in account 207.002.5760.

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

[09-4542](#)

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting change order #1 for Washington Park Golf Course Lift Station by Wanasek Corp. (Res.09-1782)

Recommendation of the Public Safety & Licensing Committee on 12-21-09: That change order #1 for Washington Park Golf Course Lift Station for an increased amount of \$550.00 be approved.

Fiscal Note: Funds are available in account 107.000.5750, Washington Lift Station.

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

[09-4543](#)

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting final payment for Washington Park Golf Course Lift Station by the Wanasek Corp. (Res.09-1783)

Recommendation of the Public Safety & Licensing Committee on 12-21-09: That final payment for Washington Park Golf Course Lift Station be approved as presented.

Fiscal Note: Funds are available in account 107.000.5750, Washington Lift Station.

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

[09-4544](#)

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting change order # 1 for Parks & Parking System Improvements by O & M Excavating & Grading Inc. (Res.09-1784)

Recommendation of the Public Safety & Licensing Committee on 12-21-09: That change order #1 for Parks & Parking System Improvements by O & M Excavating & Grading Inc. be approved.

Fiscal Note: Funds are available in account 988.700.5020, Lincoln Parking Lot Asphalt.

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

[09-4550](#)

Subject: Communication from Racine Urban Garden Network Steering Committee requesting to update City ordinances regarding residential gardening so that they reflect changes in understanding of our natural environment and to support efforts among citizens to help make our City "green".

Recommendation of the Public Safety & Licensing Committee on 12-21-09: That the request be referred to the Public Works and Services Committee.

Fiscal Note: N/A

This Communication was Referred to the Public Works and Services Committee

[09-4552](#)

Subject: Communication from City of Racine Complete Count Committee requesting to use Monument Square from 6:00 p.m. on January 22, 2010 and remain over night until 8:00 a.m. on January 23, 2010. (Res.09-1786)

Recommendation of the Public Safety & Licensing Committee on 12-21-09: That the request to use Monument Square from 6:00p.m. on January 22, 2010 and remain over night until 8:00a.m. be approved as presented.

Fiscal Note: N/A

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

[09-4575](#)

Subject: (Direct Referral) Communication from the Purchasing Agent submitting the report of bids received on the sale of abandoned

vehicles 12-11-09.

Recommendation of the Public Safety & Licensing Committee on 12-21-09: That the item be received and filed.

Fiscal Note: This will generate \$4,002.01 in revenue.

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

09-4584

Subject: Ordinance - 22-09 -To amend Secs. 70-131, 94-279 and 70-1(b) of the Municipal Code of the City of Racine, Wisconsin relating to Boat ramps - Fifth Street boat ramp; Use of parking gates, and Violations; payment of forfeiture in lieu of court appearance.

Recommendation of the Public Safety & Licensing Committee of 12-21-09: That Ordinance 22-09 be adopted as presented.

Fiscal Note: N/A

Alderman Coe requested that item 09-4584 be considered separately.

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

AYES: 14 - Anderson, Shields, Kaplan, Maack, Weidner, McCarthy, DeHahn, Shakoor, II, Holding, Wisneski, Spangenberg, Hart, Mozol and Stein

NOES: 1 - Coe

09-4585

Subject: Ordinance No. 26-09

To amend Secs. 2-38 (1), (2), and (3) of the Municipal Code of the City of Racine, Wisconsin relating to Aldermanic district boundaries.

Recommendation of the Public Safety & Licensing Committee of 12-21-09: That Ordinance 26-09 be adopted as presented.

Fiscal Note: N/A

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

Council Action

A motion was made by Alderman Aron Wisneski that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

AYES: 15 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, McCarthy, DeHahn, Shakoor, II, Holding, Wisneski, Spangenberg, Hart, Mozol and Stein

**Redevelopment Authority of the City of Racine Report, by Ald.
Spangenberg**

09-4158

Subject: Communication from Tom Tousis submitting a plan wishing to negotiate a one year plan for purchase of the property and developers contract on the southwestern corner of Washington Avenue and West Boulevard.

Recommendation of Redevelopment Authority on 12-2-09: That the item be deferred.

Recommendation of the Redevelopment Authority on 12-14-09: That pursuant to sec.16.1333(9)(d), Wisconsin Statutes, the Common Council approve the option granted by the Authority to Tom Tousis, doing business as Better Day Petroleum Company.

Fiscal Note: Terms and conditions of the option are described in the attachments to this item.

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

AYES: 14 - Anderson, Shields, Kaplan, Maack, Weidner, McCarthy, DeHahn, Shakoor, II, Holding, Wisneski, Spangenberg, Hart, Mozol and Stein

NOES: 1 - Coe

Committee of the Whole Report, by Ald. Q. A. Shakoor, II

07-1061

Subject: (Direct Referral) Presentation regarding the State of Wisconsin smoke free air law that will go into effect on July 5, 2010, and the resources available through the Racine on the Lake Tobacco Free Coalition.

Recommendation: that the Item be received and filed.

Fiscal Note: N/A

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

AYES: 15 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, McCarthy, DeHahn, Shakoor, II, Holding, Wisneski, Spangenberg, Hart, Mozol and Stein

Wastewater Commission Report, by Ald Hart

09-4534

Subject: Amendment of the Household Hazardous Waste Agreements with Surrounding Communities for the New 2010 Rate of \$2.40/Year/Household

Recommendation of the Wastewater Commission on 12/15/09: That Mayor Dickert and the City Clerk be authorized to sign

amendments to the Household Hazardous Waste Agreement with participating communities. Refer to the Finance and Personnel Committee for approval.

Fiscal Note: N/A

A motion was made that this Communication be Referred to the Finance and Personnel Committee, . The motion was APPROVED by the following vote:

AYES: 15 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, McCarthy, DeHahn, Shakoor, II, Holding, Wisneski, Spangenberg, Hart, Mozol and Stein

Access Corridor Development Committee Report, by Ald. Spangenberg

[09-4566](#)

Subject: (Direct Referral) Consideration of a sign proposal submitted by Felix Servantez representing Servantez Automotive, Inc. at 1407 South Memorial Drive. (Res.09-1788)

Recommendation of the Access Corridor Development Review Committee on 12-17-09: That the sign be approved subject to the conditions contained in the action of the Access Corridor Development Review Committee on December 17, 2009 related to file 09-4566.

Further, that the approval is subject to an exception being granted to the Uptown Corridor District Design Guidelines, Section VIII. B., Sign Content.

Further, that the approval is in recognition of the unique circumstance associate with the operation of an automobile dealership, and is subject to limiting the use of the reader board to only inspirational messages and/or advertising of the year, model and price of vehicles offered for sale.

Fiscal Note: N/A

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

AYES: 12 - Coe, Anderson, Shields, Kaplan, Maack, McCarthy, DeHahn, Shakoor, II, Spangenberg, Hart, Mozol and Stein

NOES: 3 - Weidner, Holding and Wisneski

G. Consent Agenda - Resolutions

[Res.09-1772](#)

Collective Bargaining Agreement for Local 1199 - Health Department Nurses be approved

Resolved, that the collective bargaining agreement for Local 1199 - Health Department Nurses be approved.

Fiscal Note: N/A

Sponsors: James T. Spangenberg

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.09-1773

Mayor and City Clerk enter into an agreement with SLG for the Health Insurance Stop-Loss Insurance Plan for 2010

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with SLG for the Stop Loss Insurance Plan for 2010.

Fiscal Note: Funding for the City's portion is available in Account 405.000.5870, Health Insurance, Stop Loss.

Sponsors: James T. Spangenberg

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.09-1774

Waive formal bidding procedures for purchase of a new radio service monitor for Radio Communications Resources

Resolved, that formal bidding procedures be waived and the Chief of Police be granted permission to purchase a radio service monitor to be utilized for the Radio Communications Resource.

Fiscal Note: The estimated cost for the monitor is at \$41,000. There are sufficient funds available in Account 266.000.5770, Radio Repair.

Sponsors: James T. Spangenberg and Aron Wisneski

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.09-1775

Permission granted for the Director of City Development to apply for the Wisconsin Department of Commerce, Housing and Economic Recovery Act, Neighborhood Stabilization Program Grant

Resolved, that permission be granted for the Director of City Development apply for the Wisconsin Department of Commerce, Housing and Economic Recovery Act, Neighborhood Stabilization Program (Grant Control No. 2009-078) in the amount of \$1,491,025 to be utilized for acquisition, rehabilitation, and redevelopment of foreclosed and abandoned residential properties.

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

Sponsors: James T. Spangenberg

A motion was made that this Resolution be Adopted. The motion was

APPROVED.**Res.09-1776**

Permission granted to the Cable Communication Coordinator to transfer funds

Resolved, that permission be granted for the Cable Communication Coordinator transfer \$30,000 from Account 203.000.5020, Salaries, to Account 203.000.5430, Computer Equipment, to be utilized for the office move and network infrastructure relocation.

Further resolved, that any unused portion be carried forward to 2010.

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

Sponsors: James T. Spangenberg

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.09-1777

Mayor and City Clerk be authorized to enter into a grant agreement with the Wisconsin Department of Health Services for the 2010 Public Health Preparedness - CDC Contract Agreement

Resolved, that the Mayor and City Clerk be authorized and directed to enter into a \$58,700 agreement with the Department of Health Services, Grant Control No. 2009-077, to be utilized for the 2010 Public Health Preparedness - CDC Program.

Fiscal Note: There is no match required on the part of the City.

Sponsors: James T. Spangenberg

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.09-1778

Mayor and City Clerk be authorized to enter into a grant agreement with the State of Wisconsin Department of Natural Resources for bacterial contamination at beaches

Resolved, that the Mayor and City Clerk be authorized and directed to enter into a \$20,000 agreement with the State of Wisconsin, Department of Natural Resources, Grant Control No. 2009-079, to be utilized for developing a tool for predicting bacterial contamination at beaches. The grant period is from July 1, 2010 through June 30, 2011.

Fiscal Note: There is a \$28,471 soft match required on the part of the City.

Sponsors: James T. Spangenberg

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.09-1779

Mayor and City Clerk be authorized to enter into a grant agreement with the Wisconsin Department of Health Services for the 2010 Consolidated Contract Agreement

Resolved, that the Mayor and City Clerk be authorized and directed to enter into a \$228,116 agreement with the Department of Health Services, Grant Control No. 2009-076, to be utilized for consolidated contracts.

Fiscal Note: \$36,218 for Immunization, \$28,998 for Childhood Lead, \$12,862 for Prevention, \$77,469 for Wisconsin Well Woman Program, \$2,500 for Radon, and \$70,069 for Maternal Child Healthcare. There is a soft match of \$52,552 required on the part of the City for the Maternal Child Healthcare.

Sponsors: James T. Spangenberg

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.09-1780

Change Order No. 2, Contract 55-08 (K8-065), Garden Crypts and Niche Addition at Mound Cemetery, be approved

Resolved, that Change Order No. 2, Contract 55-08 (K8-065), Garden Crypts and Niche Addition at Mound Cemetery, Bane Nelson, Inc., for an increased amount of \$60,202.50, be approved. Total contract amount of \$1,412,612.78.

Fiscal Note: Funds are available in Account 207.002.5760, Mound Crypts.

Sponsors: Aron Wisneski

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.09-1781

Final payment for Contract 55-08 (K8-065), Garden Crypts and Niches at Mound Cemetery, Bane Nelson, Inc., be approved

Resolved, that final payment for Contract 55-08 (K8-065), Garden Crypts and Niches at Mound Cemetery, Bane Nelson, Inc., be approved for a total contract amount of \$1,412,612.78.

Fiscal Note: Funds are available in Account 207.002.5760.

Sponsors: Aron Wisneski

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.09-1782

Change Order No. 1, Contract 20-09 (K9-021), Washington Park Golf Course Lift Station, Wanasek Corporation, be approved

Resolved, that Change Order No. 1, Contract 20-09 (K9-021),

Washington Park Golf Course Lift Station, Wanasek Corporation, be approved in an increased amount of \$550.00, for a total contract amount of \$103,150.00.

Fiscal Note: Funds are available in Account 107.000.5750, Washington Lift Station.

Sponsors: Aron Wisneski

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.09-1783

Final payment on Contract 20-09 (K9-021), Washington Park Golf Course Lift Station, Wanasek Corporation. be approved

Resolved, that final payment for Contract 20-09 (K9-021), Washington Park Golf Course Lift Station, Wanasek Corporation, be approved for a total contract amount of \$103,150.00.

Fiscal Note: Funds will be appropriated from 2008 Account 107.000.5750, Washington Lift Station, \$54,925.00, and 2009 Account 107.000.5750, Washington Lift Station, \$48,225.00.

Sponsors: Aron Wisneski

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.09-1784

Change Order No. 1, Contract 50-09 (K9-051), Parks & Parking System Improvements, O&M Excavating & Grading, Inc., be approved

Resolved, that Change Order No. 1, Contract 50-09 (K9-051), Parks & Parking System Improvements by O & M Excavating & Grading Inc., be approved in an increased amount of \$1,309.00, for a total contract amount of \$411,170.00.

Fiscal Note: Funds are available in Account 988.700.5020, Lincoln Parking Lot Asphalt.

Sponsors: Aron Wisneski

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.09-1785

Exchange of Land between Olley Brothers and the City of Racine be approved

Whereas, City of Racine residents currently use Olley Brothers property to access the Dog Park on Highway 38; and

Whereas, Olley Brothers Farm is currently in the process of dividing up the assets of the farm; and

Whereas, in order to provide full control of the access road to the City of Racine, Olley Brothers propose an exchange of land at this time.

Now, therefore, be it resolved that the land currently managed by the City of Racine will be deeded over to the City in exchange for an equivalent land amount to the east of that same parcel, currently owned by the City of Racine.

Further resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with Olley Brothers Farm for the exchange of land.

Fiscal Note: This exchange is at no cost to the City.

Sponsors: Aron Wisneski and Terry McCarthy

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.09-1786

Permission granted to City of Racine Complete Count Committee to use Monument Square for an overnight event contingent upon signing Hold Harmless Agreement with the City

Resolved, that permission be granted for the City of Racine Complete Count Committee to use Monument Square from 6:00 p.m. on January 22, 2010 and remain over night until 8:00 a.m. on January 23, 2010, be approved contingent upon signing a Hold Harmless Agreement with the City. The goal of the committee is to draw attention to the importance of the upcoming 2010 Census Complete County effort in the City of Racine.

Fiscal Note: N/A

Sponsors: Aron Wisneski

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.09-1787

Finance Director and Commissioner of Public Works be authorized to make payment to contractor for Contract 52-07 (K7-061), Remodel Racine Zoological Garden - Phase III

Resolved, that the Finance Director and Commissioner of Public Works be authorized and directed to make payments to the contractor on Contract 52-07 (K7-061) Remodel Racine Zoological Garden - Phase III, Seater Construction Co., Inc., contractor.

Further resolved, that the City Attorney and Finance Director be authorized and directed to take necessary steps to receive reimbursement of project costs from the Racine Zoological Society.

Fiscal Note: Payments will be made from existing City funds as determined by the Finance Director.

Sponsors: Gregory Holding

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.09-1788

Sign be approved for 1407 South Memorial Drive, Servantez Automotive, Inc., subject to an exception being granted to Uptown Corridor Design Guidelines

Resolved, that the sign be approved for 1407 South Memorial Drive, Servantez Automotive, Inc., subject to the conditions contained in the action of the Access Corridor Development Review Committee on December 17, 2009 related to file 09-4566.

Further resolved, that the approval is subject to an exception being granted to the Uptown Corridor District Design Guidelines, Section VIII. B., Sign Content.

Further resolved, that the approval is in recognition of the unique circumstance associated with the operation of an automobile dealership, and is subject to limiting the use of the reader board to only inspirational messages and/or advertising of the year, model and price of vehicles offered for sale.

Fiscal Note: N/A

Sponsors: James T. Spangenberg

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Council Action

A motion was made by Alderman Q.A. Shakoor, II that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

AYES: 15 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, McCarthy, DeHahn, Shakoor, II, Holding, Wisneski, Spangenberg, Hart, Mozol and Stein

H. Ordinances

Ord.28-09

Ordinance No. 28-09

To amend Sec. 22-1131, Sec. 22-1146, and Sec. 22-1163(a), (b) and (c) of the Municipal Code of the City of Racine, Wisconsin relating to Stationary engineer; Definitions and Board of Examiners; Composition; appointment of members, term - Qualifications; fees; temporary license.

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

Part 1:

Sec. 22-1131 of the Municipal Code of the City of Racine is hereby amended by changing in the third paragraph the word "ASoPE" to read "ASOPE."

-Part 2:

Sec. 22-1146 of the Municipal Code of the City of Racine is hereby amended by changing in the last line the word "ASoPE" to read "ASOPE."

Part 3:

Sec. 22-1163 (a) of the Municipal Code of the City of Racine is hereby amended by changing in the first line the word "ASoPE" to read "ASOPE"; by changing in (b) the last line, the word "ASoPE" to read "ASOPE"; by changing in (c) the first sentence, the word "ASoPE" to read "ASOPE."

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: Aron Wisneski

Referred to Public Safety and Licensing Committee

I. Miscellaneous Business

Several Alderman extended holiday wishes. Several alderman asked for special prayers of community members who are seriously ill and for the family who loss their 8 year old son who fell in the dangerous waters.

J. Adjourn

The meeting was adjourned at 7:48p.m. by Alderman Shakoor. The next scheduled meeting of the Council is January 19, 2010.

ATTEST: JANICE M. JOHNSON-MARTIN
CITY CLERK