



City of Racine

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

Meeting Minutes - Final Common Council

*Mayor John T. Dickert, President, Alderman Raymond
DeHahn*

*Alderman Dennis Wisner, Alderman Jim Kaplan
Alderman Q.A. Shakoor, II, Alderman Ronald D. Hart,
Alderman Sandy Weidner*

*Alderman Krystyna Sarrazin, Alderman Jeff Coe, Alderman
Michael Shields*

*Alderman Melissa Kaprelian-Becker, Alderman Terry
McCarthy*

*Alderman Gregory Holding Alderman James Morgenroth
Alderman Edward E. Diehl, Alderman Henry Perez*

Wednesday, September 3, 2014

7:00 PM

Room 205, City Hall

Wednesday due to furlough day

A. Call To Order

PRESENT: 15 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor, II, McCarthy, Wisner, Holding, Perez, Morgenroth, Hart and Diehl

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 DeHahn.

D. Public Comments

*Carol Wemmert
Sue De Keuster
Nikki Aiello
William Brown*

E. Communications

Refer to Finance and Personnel Committee, by Ald. Shakoor

[14-10494](#)

Subject: Communication from the City Attorney submitting the claim of Dwayne Olsen and Myrna Olsen for consideration.

Staff Recommendation to the Finance and Personnel Committee on 9-8-14: The claim of Dwayne Olsen and Myrna Olsen for alleged

damages from a sewer backup arising from the rain event on May 12-13, 2014 be denied.

Fiscal Note: N/A

Referred to Finance and Personnel Committee

[14-10495](#)

Subject: Communication from the City Attorney submitting the claim of Gary Simonsen for consideration.

Staff Recommendation to the Finance and Personnel Committee

on 9-8-14: The claim of Gary Simonsen for repairs after a tree branch allegedly fell on his car while it was parked in the 2300 block of Carmel Avenue on August 13, 2014 be denied.

Fiscal Note: N/A

Referred to Finance and Personnel Committee

[14-10496](#)

Subject: Communication from the City Attorney submitting the claim of American Family Mutual Insurance (Medasie) for consideration.

Staff Recommendation to the Finance and Personnel Committee

on 9-8-14: The claim of American Family Mutual Insurance (Medasie) for alleged repairs arising from water flooding the basement at 3510 - 16th Street on February 25, 2014 be denied.

Fiscal Note: N/A

Referred to Finance and Personnel Committee

[14-10504](#)

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting permission to accept donations for the Dr. John Bryant Community Center's Performing Arts Program.

Staff Recommendation to the Finance and Personnel Committee

on 9-8-14: Permission be granted to the Director of Parks, Recreation & Cultural Services to accept donations for the Dr. John Bryant Community Center's Performing Arts Program.

Fiscal Note: Unknown at this time.

Referred to Finance and Personnel Committee

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

[14-10510](#)

Subject: Communication from the Alder of the 9th District requesting referral to Public Works and Services Committee his request asking that staff develop a proposal to ensure that Ordinance 18-529, as

applicable to sump pumps and other drainage, is enforced in order to minimize clear water infiltration into sanitary sewers and the impact that it causes on basement backups. **Alderman McCarthy invited to the meeting.**

Referred to Public Works and Services Committee

14-10517

Subject: Communication from the Assistant Commissioner of Public Works/City Engineer submitting a list of streets to be included in the 2015 Public Hearings for 2016 Construction.

Referred to Public Works and Services Committee

Refer to Committee of the Whole, by Ald. DeHahn

14-10505

Subject: Communication from the Alderman of the 9th District requesting referral to Committee of the Whole his request to have the City Attorney's office present a review of Robert's Rules and of State required protocols for the City Council and subordinate committees.

Referred to Committee of the Whole

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

14-10503

Subject: Communication from Alderman Kaprelian-Becker, Tom Rutkowski, and Natalie Chulew seeking approval for the placement of a second mural on the Zoo Beach stair well.

Referred to Board of Park, Recreation and Cultural Services

F. Committee Reports

Finance and Personnel Committee Report, by Ald. Shakoor

14-10449

Subject: The Fire Department is requesting permission to accept the 2013 FEMA Assistance to Fire Fighters (AFG) grant (Control #2014-019) for purchasing radio hardware and upgrading our radio interoperability capabilities to the statewide VHF trunking system known as WISCOM. (Res. No. 14-0358)

Recommendation of the Finance and Personnel Committee on 8-25-14: Permission be granted to the fire department to accept the 2013 FEMA Assistance to Fire Fighters (AFG) grant (Control #2014-019) for purchasing radio hardware and upgrading our radio interoperability capabilities to the statewide VHF trunking system known as WISCOM.

Fiscal Note: The grant request is for \$210,500 of which the City's

hard match is 10% or \$21,050. AFG will provide \$189,450 with the City's match covering the balance of the project. Funds are available in account 944.300.5030 to cover this request. (Control #2014-019)

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

14-10484

Subject: Communication from the Police Chief, requesting to waive formal bidding requirements and instruct the Purchasing Agent to negotiate sole-source procurement with Snap Trends of Austin, Texas, for the purchase of SnapTrends, a location-based social media monitoring solution. (Res. No. 14-0359)

Recommendation of the Finance and Personnel Committee on 8-25-14: To approve the request from the Police Chief to waive formal bidding requirements and instruct the Purchasing Agent to negotiate sole-source procurement with Snap Trends of Austin, Texas, for the purchase of SnapTrends, a location-based social media monitoring solution.

Fiscal Note: Approximate cost is \$4,200. To be funded with Federal Asset Forfeiture Funds.

Alderman Shakoor requested separate consideration for 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 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor, II, McCarthy, Wisner, Holding , Perez, Morgenroth and Hart

NOES: 1 - Diehl

14-10500

Subject: (Direct Referral) Communication from the City Attorney wishing to convene in closed session to discuss, with the Finance and Personnel Committee, strategy with respect to litigation in which the City of Racine is or is likely to become involved, specifically potential settlement of Sears Holdings Corporation v. City of Racine, Racine County Case No. 13 CV 1451. (Res. No. 14-0360)

Recommendation of the Finance and Personnel Committee on 8-25-14: To approve the potential settlement of Sears Holdings Corporation v. City of Racine, Racine County Case No. 13 CV 1451.

Fiscal Note: Refund of \$205,748 will be budgeted and paid out of the General Fund in 2015. Approximately \$97,700 or 47% of this payment will be charged back to the overlying taxing jurisdictions and collected at some point in the future. Additionally, the 2014 real estate assessment will be set at \$4,500,000.

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 Shakoor, seconded by Alderman McCarthy, that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

AYES: 15 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor, II, McCarthy, Wisner, Holding, Perez, Morgenroth, Hart and Diehl

Public Works and Services Committee Report, by Ald. Kaplan

14-10460

Subject: (Direct Referral) Communication from the Commissioner of Public Works submitting bid results on Contract 42-14 (K4-042), Pershing Park, Sam Meyers, LF #5 Reconstruction. (Res. No. 14-0363)

Recommendation of the Public Works and Services Committee on 08-12-14: Deferred

Recommendation of the Public Works and Services Committee on 08-26-14: That Contract 42-14 (K4-042), Pershing Park, Sam Meyers, LF #5 Reconstruction, be awarded to A.W. Oakes & Son, Inc., at their base bid of \$969,868.80, it being the lowest responsible bidder.

Fiscal Note: Funding to defray the cost of this public works project be appropriated from the following accounts:

\$236,982.15 - Account 994.700.5060, Pershing Park Dr. Repaving
\$276,515.98 - Account 106.991.5750, Surface Lot Repaving
\$407,878.02 - Account 104.994.5460, Pershing/Meyers USEPA
\$ 48,492.65 - Account 756.020.5590, Fund for Lake Michigan Grant
\$969,868.80 - Total

Alderman Kaplan requested separate consideration for this item.

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

AYES: 15 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor, II, McCarthy, Wisner, Holding, Perez, Morgenroth, Hart and Diehl

14-10485

Subject: Communication from St. Edward Parish requesting to close 15th Street between West Blvd. and Grove Ave. and the alley between 15th Street and 16th Street for their annual Fun Fest. (Res.

No. 14-0361)

Recommendation of the Public Works and Services Committee

on 08-26-14: That St. Edward's Parish be granted permission to close 15th Street between West Boulevard and Grove Avenue, and the alley bounded by 15th Street, 16th Street, West Boulevard and Grove Avenue, from 9:00 A.M. Saturday, September 20, 2014, to 8:00 P.M. Sunday, September 21, 2014, for a church festival.

Further recommends that permission be granted with the following stipulations:

- A. A hold harmless agreement be executed and a \$75.00 processing fee paid.
- B. A liability insurance certificate be filed prior to this event.
- C. Any overtime costs incurred by any City department be charged to the sponsor.
- D. Sponsor shall notify all abutting property owners seventy-two (72) hours in advance of this event.
- E. Sponsor shall pay a \$250.00 special event fee.

Further recommends that the Commissioner of Public Works, City Engineer and Chief of Police provide limited assistance, in the interest of public safety, to implement this event.

Fiscal Note: There will be nominal costs to various City departments on a regular shift basis to assist in implementing this event.

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

[14-10486](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer submitting Amendment No. 3 to State Project ID: 1693-34-07, Lake Michigan Pathway Phase 3. (Res. No. 14-0365)

Recommendation of the Public Works and Services Committee

on 08-26-14: That Amendment No. 3 to State Project ID: 1693-34-07, Lake Michigan Pathway Phase 3, as submitted, be approved.

Fiscal Note: This is a no additional cost time extension to the contract.

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

[14-10497](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer submitting Change Order No. 1 on Contract 42-14 (K4-042), Pershing Park, Sam Meyers,

LF #5 Reconstruction. (Res. No. 14-0364)

Recommendation of the Public Works and Services Committee on 08-26-14: That Change Order No. 1 on Contract 42-14 (K4-042), Pershing Park, Sam Meyers, LF #5 Reconstruction, A.W. Oakes & Son, Inc., contractor, as submitted, be approved in the deduct amount of (\$262,493.50).

Further recommends that the funding accounts be adjusted by the following amounts:

(\$ 60,858.13) - Account 994.700.5060, Pershing Park Dr. Repaving
(\$ 38,380.56) - Account 106.991.5750, Surface Lot Repaving
(\$146,191.04) - Account 104.994.5460, Pershing/Meyers USEPA
(\$ 17,063.77) - Account 756.020.5590, Fund for Lake Michigan Grant
(\$262,493.50) - Total Deduct

Fiscal Note: Change Order No. 1 will result in a decrease in contract price.

Alderman Kaplan requested separate consideration for this item.

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

AYES: 15 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor, II, McCarthy, Wisner, Holding, Perez, Morgenroth, Hart and Diehl

14-10498

Subject: (Direct Referral) Communication from Downtown Racine Corporation requesting permission to close Main Street from State Street to 7th Street and 6th Street from Main Street to Grand Avenue for Party on the Pavement on Saturday, September 27, 2014, from 12:00 P.M. to 7:00 P.M. (Res. No. 14-0362)

Recommendation of the Public Works and Services Committee on 08-26-14: That permission be granted to the Downtown Racine Corporation to close Main Street from State Street to 7th Street and 6th Street from Main Street to Grand Avenue, on Saturday, September 27, 2014, from 12:00 P.M. to 7:00 P.M., for the 12th Annual Party on the Pavement event.

Further recommends that permission be granted with the following stipulations:

- A. A hold harmless agreement be executed and a \$75.00 processing fee paid.
- B. A liability insurance certificate be filed prior to this event.
- C. Any overtime costs incurred by any City department be charged to the sponsor.

D. Sponsor shall notify all abutting property owners seventy-two (72) hours in advance of the event.

E. Sponsor shall pay a \$700.00 special event fee.

F. Sponsor shall submit for approval a Temporary Traffic Control Plan for all arterial and collector streets and, if applicable, a detour plan for the closure of all State Connecting Highways. Sponsor shall also provide and remove all temporary traffic control devices and detour signs required for the event.

G. Sponsor shall install parking meter hoods or temporary parking signs at least twenty-four (24) hours in advance of the event and if not done, sponsor is responsible for vehicle towing and parking violation expenses for the violators.

Further recommends that the Commissioner of Public Works, City Engineer and Chief of Police provide limited assistance, in the interest of public safety, to implement this event.

Fiscal Note: There will be nominal costs incurred on a regular shift basis to provide limited assistance to implement this event.

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 Kaplan, seconded by Alderman DeHahn, that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

AYES: 14 - Sarrazin, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor, II, McCarthy, Wisner, Holding, Perez, Morgenroth, Hart and Diehl

NON VOTING: 1 - Coe

Public Safety and Licensing Committee Report, by Ald. Holding

[14-10347](#)

Subject: Communication from the 7th District Alderman to revise Article III of the Municipal Code to create exemptions for use of a bow and arrow or crossbow within City limits. (Ord. No. 09-14)

Recommendation of the Public Safety and Licensing Committee on July 22, 2014: That the communication from the 7th District Alderman to revise Article III of the Municipal Code to create exemptions for use of a bow and arrow or crossbow within City limits. (Ord. No. 09-14) be deferred.

Recommendation of the Public Safety and Licensing Committee on August 12, 2014: That the communication from the 7th District Alderman to revise Article III of the Municipal Code to create

exemptions for use of a bow and arrow or crossbow within City limits. (Ord. No. 09-14) be deferred.

Recommendation of the Public Safety and Licensing Committee on August 26, 2014: That the communication from the 7th District Alderman to revise Article III of the Municipal Code to create exemptions for use of a bow and arrow or crossbow within City limits. (Ord. No. 09-14) be approved with amended language.

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, Sarrazin, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor, II, McCarthy, Wiser, Holding , Perez, Morgenroth, Hart and Diehl

Traffic Commission Report, by Ald. Kaplan

14-10386

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer submitting a traffic study for the intersection of W. 6th Street and Memorial Drive.

Recommendation of the Traffic Commission on July 21, 2014:
Deferred

Recommendation of the Traffic Commission on August 18, 2014:
Receive and File

Fiscal Note: N/A

Alderman Kaplan requested separate consideration for this item.

A motion was made that this Communication be Referred to the Traffic Commission. The motion was APPROVED by the following vote:

AYES: 15 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor, II, McCarthy, Wiser, Holding , Perez, Morgenroth, Hart and Diehl

14-10405

Subject: Communication from the Alderman of the 11th District requesting referral to the Traffic Commission for an ordinance amending Sec. 94-128 of Municipal Code to allow an exemption for campers and recreational vehicles to be parked on city streets for up to 48 hours before or after using the camper or recreational vehicle for camping or traveling.

Recommendation of the Traffic Commission on August 18, 2014:
Receive and File.

Fiscal Note: N/A

Alderman Kaplan requested separate consideration for this item.

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

AYES: 9 - Shields, Kaplan, DeHahn, Shakoor, II, McCarthy, Wisner, Perez, Morgenroth and Hart

NOES: 6 - Coe, Sarrazin, Kaprelian-Becker, Weidner, Holding and Diehl

14-10415

Subject: Communication from the Alderman of the 5th District, on behalf of Pat Miller, requesting removal of the one-hour restrictive parking near 1639 Yout St.

Recommendation of the Traffic Commission on August 18, 2014: Recommends that the one-hour parking restriction near 1639 Yout Street be eliminated.

Fiscal Note: N/A

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

14-10508

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

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

By Deleting:

1. Yout Street, north side, from 120 feet east of Blake Avenue east 190 feet.

2. Yout Street, south side, from Blake Avenue east 280 feet.

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 Kaplan, seconded by Alderman DeHahn, that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

AYES: 13 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor, II, Wisner, Perez, Morgenroth, Hart and Diehl

NOES: 2 - McCarthy and Holding

City Plan Commission Report, by Ald.Wiser**14-10441**

Subject: Communication from the Alderman of the 15th District requesting referral to the City Plan Commission a request to amend Section 114-1038 of the Municipal Code to eliminate restrictions on signs in windows.

Recommendation of the City Plan Commission on 8-13-14: That the item be received and filed.

Recommendation of the Common Council on 8-19-14: That the item be referred to the City Plan Commission, to repeal and recreate Sec. 114-1038(c) of the Municipal Code of the City of Racine in its entirety as follows: "No restrictions shall be placed on street level facade window signage".

Recommendation of the City Plan Commission on 8-27-14: That the item be received and filed.

Fiscal Note: N/A

Alderman Wiser requested separate consideration for this item.

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

AYES: 9 - Coe, Kaprelian-Becker, DeHahn, Shakoor, II, McCarthy, Wiser, Holding, Morgenroth and Diehl

NOES: 6 - Sarrazin, Shields, Kaplan, Weidner, Perez and Hart

14-10313

Subject: (Direct Referral) Amendments to the sign ordinance: walk-up establishments and roof signs. (PC-14) (Ord. No. 11-14)

Recommendation of the City Plan Commission on 7-30-14: That an ordinance be prepared and a public hearing scheduled.

Recommendation of the City Plan Commission on 8-27-14: That Ordinance 11-14 be amended to accommodate 50% window signage and exempt seasonal businesses in operation as of August 19, 2014, and adopt Ordinance 11-14 as amended.

Fiscal Note: N/A

Alderman Diehl requested separate consideration for this item.

A motion was made by Alderman Diehl, seconded by Alderman Hart that this Communication be Adopted to include 100% allowable space for signage. The motion was DEFEATED by the following vote:

AYES: 5 - Sarrazin, Shields, Kaplan, Perez and Hart

NOES: 10 - Coe, Kaprelian-Becker, Weidner, DeHahn, Shakoor, II, McCarthy, Wisner, Holding, Morgenroth and Diehl

A motion was made by Alderman Diehl, seconded by Alderman Hart, that this item be amended to allow reciprocal signage. The motion PASSED by the following vote:

AYES: 15 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor, II, McCarthy, Wisner, Holding, Perez, Morgenroth, Hart and Diehl

A motion was made by Alderman Shields, seconded by Alderman Diehl that this be Adopted. The motion FAILED by the following vote:

AYES: 4 - Shields, Kaplan, Perez and Diehl

NOES: 11 - Coe, Sarrazin, Kaprelian-Becker, Weidner, DeHahn, Shakoor, II, McCarthy, Wisner, Holding, Morgenroth and Hart

A motion was made by Alderman Wisner, seconded by Alderman DeHahn, that this be Adopted As Amended: The motion PASSED by the following vote:

AYES: 11 - Coe, Kaplan, Weidner, DeHahn, Shakoor, II, McCarthy, Wisner, Holding, Morgenroth, Hart and Diehl

NOES: 4 - Sarrazin, Shields, Kaprelian-Becker and Perez

14-10373

Subject: Communication from the Alderman of the 6th District requesting to rescind the fee associated with an individual's request to file a zoning variance - Section 114-111 of the Municipal Code of the City of Racine, Resolution 08-0684. (Res. No. 14-0317)

Recommendations of the Public Works and Services Committee on 07-29-14: That the fees associated with an individual's request to file a zoning variance - Section 114-111 of the Municipal Code of the City of Racine, Resolution 08-0684, be rescinded.

Recommendation of the City Plan Commission on 8-27-14: That the fees associated with an individual's request to file a zoning variance not be rescinded.

Further, that this item be referred to the Finance and Personnel Committee.

Fiscal Note: There will be a reduction in revenue to the general fund.

Alderman Wisner requested separate consideration for this item.

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

AYES: 13 - Sarrazin, Shields, Kaplan, Kaprelian-Becker, DeHahn, Shakoor, II, McCarthy, Wisner, Holding, Perez, Morgenroth, Hart and Diehl

NOES: 1 - Coe

NON VOTING: 1 - Weidner

14-10501

Subject: (Direct Referral) Request by Racine Riverside Marine, Inc. for conditional use approval to utilize space and buildings for boat storage and repair at 1028 Douglas Avenue. (Res. No. 14-0366)

Recommendation of the City Plan Commission on 8-27-2014: That the item be approved, subject to conditions.

Fiscal Note: N/A

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

Office of the Mayor Report, by Ald. DeHahn

14-10509

Subject: Communication from Mayor Dickert nominating appointments/reappointments to the following committees, boards and/or commissions:

Appoint Melissa Lemke 815 3 Mile Rd. Racine, 53402 to the Board of Parks, Recreation and Cultural Services for a 3 year term, expiring April 1, 2017

Reappoint Alderman Ron Hart 4420 Republic Ave. Racine, 53405 to the Wastewater Commission for a 1 year term, expiring October 1, 2015

Reappoint Alderman Ron Hart 4420 Republic Ave. Racine, 53405 to the Water Commission for a 1 year term, expiring October 1, 2015

Reappoint Alderman James Morgenroth 1500 Monroe Ave. Racine, 53405 to the Wastewater Commission for a 1 year term, expiring October 1, 2015

Reappoint Alderman James Morgenroth 1500 Monroe Ave. Racine, 53405 to the Water Commission for a 1 year term, expiring October 1, 2015

Reappoint Alderman Terry McCarthy 317 West Blvd. Racine, 53405 as an alternate to the Wastewater Commission for a 1 year term, expiring October 1, 2015

Reappoint Tom Bunker 804 Lathrop Ave. Racine, 53405 to the Wastewater Commission for a 3 year term, expiring October 1, 2017

Reappoint Tom Bunker 804 Lathrop Ave. Racine, 53405 to the Water

Commission for a 3 year term, expiring October 1, 2017

Reappoint Tom Friedel 1904 Dwight St. Racine, 53403 as an alternate to the Water Commission for a 1 year term, expiring October 1, 2015

Reappoint Tom Friedel 1904 Dwight St. Racine, 53403 as an alternate to the Wasterwater Commission for a 1 year term, expiring October 1, 2015

Appoint Angel Ramoz-Ortize 610 6th St. Racine, 53403 to the Business Improvement District Board #1 - Downtown to fill the current vacancy, expiring December 1, 2014

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

AYES: 14 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, DeHahn, Shakoor, II, McCarthy, Wisner, Holding , Perez, Morgenroth, Hart and Diehl

NON VOTING: 1 - Weidner

Water Works Committee Report, by Ald Hart

14-10489

Subject: General Manager Request to Reallocate Funds in the 2014 Capital Improvement Plan (CIP) for Purchase of a Backhoe

Recommendation of the Waterworks Commission on 8/26/14: To approve purchase of a 2014 backhoe and transfer funds from "Dodge and Chatham Transmission pit - \$75,000" and "VFD's High Lift Pump Upgrade - \$28,000" to "Backhoe - \$103,000"

FURTHER RECOMMENDS THAT THIS ITEM BE REFERRED TO THE FINANCE AND PERSONNEL COMMITTEE FOR APPROVAL

Staff Recommendation to the Finance and Personnel Committee on 9-8-14: To approve the purchase of a 2014 backhoe and transfer funds from "Dodge and Chatham Transmission pit - \$75,000" and "VFD's High Lift Pump Upgrade - \$28,000" to "Backhoe - \$103,000"

Fiscal Note: Funds will be provided from Water Utility Reserves

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

AYES: 14 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, DeHahn, Shakoor, II, McCarthy, Wisner, Holding , Perez, Morgenroth, Hart and Diehl

NON VOTING: 1 - Weidner

G. Consent Agenda - Resolutions

Res.14-0358

2013 FEMA Assistance to Fire Fighters (AFG) Grant

Resolved, that permission is granted to the fire department to accept the 2013 FEMA Assistance to Fire Fighters (AFG) grant (Control #2014-019) for purchasing radio hardware and upgrading our radio interoperability capabilities to the statewide VHF trunking system known as WISCOM.

Fiscal Note: The grant request is for \$210,500.00 of which the City's hard match is 10% or \$21,050.00. AFG will provide \$189,450.00 with the City's match covering the balance of the project. Funds are available in account 944.300.5030 to cover this request. (Control #2014-019)

Sponsors: Q.A. Shakoor, II

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

Res.14-0360*Sears Holdings Corporation v. City of Racine*, Racine County Case No. 13 CV 1451

Resolved, that the potential settlement of *Sears Holdings Corporation v. City of Racine*, Racine County Case No. 13 CV 1451 is approved.

Fiscal Note: Refund of \$205,748.00 will be budgeted and paid out of the General Fund in 2015. Approximately \$97,700.00 or 47% of this payment will be charged back to the overlying taxing jurisdictions and collected at some point in the future. Additionally, the 2014 real estate assessment will be set at \$4,500,000.00.

Sponsors: Q.A. Shakoor, II

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

Res.14-0361

St. Edward Parish Annual Fun Fest 2014

Resolved, that St. Edward's Parish is granted permission to close 15th Street between West Boulevard and Grove Avenue, and the alley bounded by 15th Street, 16th Street, West Boulevard and Grove Avenue, from 9:00 A.M. Saturday, September 20, 2014, to 8:00 P.M. Sunday, September 21, 2014, for a church festival.

Further resolved, that permission is granted with the following stipulations:

A. A hold harmless agreement be executed and a \$75.00 processing fee paid.

- B. A liability insurance certificate be filed prior to this event.
- C. Any overtime costs incurred by any City department be charged to the sponsor.
- D. Sponsor shall notify all abutting property owners seventy-two (72) hours in advance of this event.
- E. Sponsor shall pay a \$250.00 special event fee.

Further resolved, that the Commissioner of Public Works, City Engineer and Chief of Police provide limited assistance, in the interest of public safety, to implement this event.

Fiscal Note: There will be nominal costs to various City departments on a regular shift basis to assist in implementing this event.

Sponsors: Jim Kaplan

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

[Res.14-0362](#)

12th Annual Party on the Pavement

Resolved, that permission is granted to the Downtown Racine Corporation to close Main Street from State Street to 7th Street and 6th Street from Main Street to Grand Avenue, on Saturday, September 27, 2014, from 12:00 P.M. to 7:00 P.M., for the 12th Annual Party on the Pavement event.

Further resolved, that permission is granted with the following stipulations:

- A. A hold harmless agreement be executed and a \$75.00 processing fee paid.
- B. A liability insurance certificate be filed prior to this event.
- C. Any overtime costs incurred by any City department be charged to the sponsor.
- D. Sponsor shall notify all abutting property owners seventy-two (72) hours in advance of the event.
- E. Sponsor shall pay a \$700.00 special event fee.
- F. Sponsor shall submit for approval a Temporary Traffic Control Plan for all arterial and collector streets and, if applicable, a detour plan for

the closure of all State Connecting Highways. Sponsor shall also provide and remove all temporary traffic control devices and detour signs required for the event.

G. Sponsor shall install parking meter hoods or temporary parking signs at least twenty-four (24) hours in advance of the event and if not done, sponsor is responsible for vehicle towing and parking violation expenses for the violators.

Further resolved, that the Commissioner of Public Works, City Engineer and Chief of Police provide limited assistance, in the interest of public safety, to implement this event.

Fiscal Note: There will be nominal costs incurred on a regular shift basis to provide limited assistance to implement this event.

Sponsors: Jim Kaplan

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

Res.14-0365

Amendment No. 3 to State Project ID: 1693-34-07, Lake Michigan Pathway Phase 3

Resolved, that Amendment No. 3 to State Project ID: 1693-34-07, Lake Michigan Pathway Phase 3, as submitted, is approved.

Fiscal Note: This is a no additional cost time extension to the contract.

Sponsors: Jim Kaplan

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

Res.14-0366

Racine Riverside Marine, Inc. Use of 1028 Douglas Avenue

That the request by Racine Riverside Marine, Inc. for conditional use approval to utilize 1028 Douglas Avenue as boat storage and service is approved, subject to the following conditions:

- a. That plans presented to the Plan Commission at the August 27, 2014 meeting be approved subject to the conditions contained herein.
- b. That this approval does not extend to 1021 Douglas Avenue at this time, and at such time the legal description has been rectified the applicant may come back to the Commission for a minor amendment to this approval if they still wish to use that parcel for storage.
- c. That all applicable building and occupancy permits be applied for

and obtained through the Building Inspection Department.

d. That all outdoor storage areas shall be screened with a minimum of 6-foot tall fence with an opaque screening material.

e. That no unlicensed or inoperable vehicles, tires, or storage of junk of any kind shall be allowed at any time within the buildings or in the fenced areas.

f. That the parking spaces shall be striped and wheel stops installed as required per ordinance.

g. That all trash shall be stored inside the buildings until such time it can be properly disposed of.

h. That is signage is requested, it shall be professionally made and installed, and subject to the review and approval of the Department of City Development prior to issuance of a sign permit.

i. That all overgrowth and weeds shall be cleared from the perimeter areas along the west side of the property prior to occupancy.

j. That the applicant shall submit a financial surety, such as a bond, letter of credit, or other recognized assurance, in the amount of the repairs that are not completed prior to occupancy. An estimate of these unfinished items is to be provided by the applicant. The financial assurance shall be kept on file with the Department of City Development, with content and format of said assurance subject to review and approval of the City Attorney.

k. That all codes and ordinances be complied with.

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

Fiscal Note: N/A

Sponsors: Dennis Wisner

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

Council Action

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

AYES: 14 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, DeHahn, Shakoor, II, McCarthy, Wiser, Holding , Perez, Morgenroth, Hart and Diehl

NON VOTING: 1 - Weidner

H. Resolutions

Res.14-0317 Rescind Fees Associated With an Individual's Request to File a Zoning Variance - Section 114-111

Resolved, that the fees associated with an individual's request to file a zoning variance - Section 114-111 of the Municipal Code of the City of Racine, Resolution 08-0684, is to be rescinded.

Fiscal Note: N/A

Sponsors: Jim Kaplan

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

AYES: 12 - Sarrazin, Shields, Kaplan, Kaprelian-Becker, DeHahn, Shakoor, II, McCarthy, Wiser, Holding , Perez, Morgenroth and Hart

NOES: 2 - Coe and Diehl

NON VOTING: 1 - Weidner

Res.14-0359 Purchase of SnapTrends

Resolved, that the request from the Police Chief to waive formal bidding requirements and instruct the Purchasing Agent to negotiate sole-source procurement with Snap Trends of Austin, Texas, for the purchase of SnapTrends, a location-based social media monitoring solution is approved.

Fiscal Note: Approximate cost is \$4,200.00. To be funded with Federal Asset Forfeiture Funds.

Sponsors: Q.A. Shakoor, II

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

AYES: 13 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, DeHahn, Shakoor, II, McCarthy, Wiser, Holding , Perez, Morgenroth and Hart

NOES: 1 - Diehl

NON VOTING: 1 - Weidner

Res.14-0363

Contract 42-14 (K4-042), Pershing Park, Sam Meyers, LF #5 Reconstruction

Resolved, that Contract 42-14 (K4-042), Pershing Park, Sam Meyers, LF #5 Reconstruction, is awarded to A.W. Oakes & Son, Inc., at its base bid of \$969,868.80, it being the lowest responsible bidder.

Fiscal Note: Funding to defray the cost of this public works project be appropriated from the following accounts:

\$236,982.15 - Account 994.700.5060, Pershing Park Dr. Repaving
\$276,515.98 - Account 106.991.5750, Surface Lot Repaving
\$407,878.02 - Account 104.994.5460, Pershing / Meyers USEPA
\$ 48,492.65 - Account 756.020.5590, Fund for Lake Michigan Grant
\$969,868.80 - Total

Sponsors: Jim Kaplan

A motion was made by Alderman DeHahn, seconded by Alderman Shakoor, that this Resolution be Received and Filed. The motion was APPROVED by the following vote:

AYES: 14 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, DeHahn, Shakoor, II, McCarthy, Wisner, Holding, Perez, Morgenroth, Hart and Diehl

NOES: 1 - Weidner

Res.14-0364

Change Order No. 1 on Contract 42-14 (K4-042), Pershing Park, Sam Meyers, LF #5 Reconstruction

Resolved, that Change Order No. 1 on Contract 42-14 (K4-042), Pershing Park, Sam Meyers, LF #5 Reconstruction, A.W. Oakes & Son, Inc., contractor, as submitted, is approved in the deduct amount of (\$262,493.50).

Further resolved, that the funding accounts be adjusted by the following amounts:

(\$ 60,858.13) - Account 994.700.5060, Pershing Park Dr. Repaving
(\$ 38,380.56) - Account 106.991.5750, Surface Lot Repaving
(\$146,191.04) - Account 104.994.5460, Pershing / Meyers USEPA
(\$ 17,063.77) - Account 756.020.5590, Fund for Lake Michigan Grant
(\$262,493.50) - Total Deduct

Fiscal Note: Change Order No. 1 will result in a decrease in contract price.

Sponsors: Jim Kaplan

A motion was made by Alderman DeHahn, seconded by Alderman Shakoor, that this Resolution be Received and Filed. The motion was APPROVED by the following vote:

AYES: 14 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, DeHahn, Shakoor, II, McCarthy, Wisner, Holding, Perez, Morgenroth, Hart and Diehl

NON VOTING: 1 - Weidner

I. Adjourn