



City of Racine

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

Meeting Minutes - Final Common Council

Mayor John T. Dickert, Alderman Q.A. Shakoor, II, Alderman Michael Shields, Alderman Ronald D. Hart, Alderman Jim Kaplan, Alderman Dennis Wiser, Alderman Sandy Weidner, Alderman Terry McCarthy, Alderman Raymond DeHahn, Alderman Gregory Holding, Alderman Robert Mozol, Alderman O. Keith Fair, Alderman Melissa Kaprelian-Becker, Alderman James Morgenroth, Alderman Krystyna Sarrazin, Alderman Molly Hall

Tuesday, March 19, 2013

7:00 PM

Room 205, City Hall

A. Call To Order

PRESENT: 14 - Fair, Shields, DeHahn, McCarthy, Holding, Morgenroth, Mozol, Wiser, Kaplan, Shakoor, II, Hart, Weidner, Sarrazin and Hall

EXCUSED: 1 - Kaprelian-Becker

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 Kaplan.

D. Public Comments

*Dave Bybee
Karl Fuller
Brian Macemon
Celeste Walker
Theresa Fandrei
Aron Wisneski*

E. Communications

Refer to Finance and Personnel Committee, by Ald. Shakoor

[13-8749](#)

Subject: Communication from the Director of City Development requesting the termination of Tax Incremental District No. 6 (Main - Lake).

Referred to Finance and Personnel Committee

[13-8750](#) **Subject:** Communication from the Director of City Development requesting the termination of Tax Incremental District No. 7 (Gaslight Drive).

Referred to Finance and Personnel Committee

[13-8755](#) **Subject:** Communication from the Director of Parks, Recreation & Cultural Services requesting permission to apply and accept the Wal-Mart Foundation's Local Community Contribution/Hunger Outreach Grant Program in the amount of \$2,500.00 for Back to School fest. No match is required. (Grant Control #2013-009).

Referred to Finance and Personnel Committee

[13-8753](#) **Subject:** Communication submitting the claim of Target Corporation, based on the alleged excessive 2012 real estate assessment and taxes for property located at 5300 Durand Avenue, for consideration.

Referred to Finance and Personnel Committee

[13-8754](#) **Subject:** Communication submitting the claim of Racine Joint Venture II LLC, based on the alleged excessive 2012 real estate assessment and taxes for properties located at 5502 and 5700 Durand Avenue, for consideration.

Referred to Finance and Personnel Committee

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

[13-8732](#) **Subject:** Communication from Junior Achievement requesting permission to close a portion of the 300 block of Main Street for a car show in conjunction with their "Entrepreneur Extravaganza" fundraiser.

Referred to Public Works and Services Committee

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

[13-8731](#) **Subject:** Communication from the Director of Parks, Recreation & Cultural Services requesting formal bidding be waived and the Purchasing Agent be authorized to negotiate with The Davey Tree Expert Company for GIS-Based Tree Inventory Services.

Referred to Public Safety and Licensing Committee

[13-8752](#) **Subject:** Communication from the Director of Parks, Recreation & Cultural Services requesting bidding be waived to purchase a 2012 Case Farmall 94, 4wd Tractor with Cab, and to authorize the Purchasing Agent to negotiate with Otter Sales and Service.

Referred to Public Safety and Licensing Committee

Refer to Traffic Commission, by Ald. Weidner[13-8751](#)

Subject: Communication from the Alderman of the 6th District, on behalf of Richard Christensen (1831 Neptune Ave), to install 2-hour parking only on school days for the 1800 - 1900 blocks of Neptune Avenue and No Parking on the south side of Yout Street on school days from Wustum Avenue to Mt. Pleasant Street.

Referred to Traffic Commission

F. Committee Reports**Finance and Personnel Committee Report, by Ald. Shakoor**[13-8691](#)

Subject: Communication from the City Attorney submitting the claim of Jeanette Jones for consideration.

Recommendation of the Finance & Personnel Committee on 3-11-13: The claim of Jeanette Jones, 1525 Maple St. Racine 53404, claims damages in the amount of \$7000.00 for injuries from an alleged trip and fall while crossing a public street on November 18, 2012 be denied.

Fiscal Note: N/A

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

[13-8700](#)

Subject: Communication from the City Attorney submitting the claim of Catherine Tice for consideration.

Recommendation of the Finance & Personnel Committee on 3-11-13: The claim of Catherine Tice, 1000 Three Mile Rd, Racine 53402, claims damages in the amount of \$105.10 for replacement of "traffic bond" material to create off-street parking at her home at the conclusion of the 2012 Three Mile Road reconstruction project be denied.

Fiscal Note: N/A

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

[13-8722](#)

Subject: Communication from the Assistant Commissioner of Public Works/City Engineer requesting authorization to accept a State of Wisconsin Urban Nonpoint Source & Storm Water (UNPS&SW) Construction Grant for the Washington Park Streambank Stabilization Project. (Grant Control No. 2012-009) (Res. No. 13-0126)

Recommendation of the Finance & Personnel Committee on

3-11-13: Permission be granted for the Assistant Commissioner of Public Works/City Engineer to accept and sign the grant agreement for a State of Wisconsin Urban Nonpoint Source & Storm Water (UNPS&SW) Construction Grant for the Washington Park Streambank Stabilization Project.(Grant Control No. 2012-009)

Fiscal Note: The grant is 50% maximum of eligible costs; total project cost \$300,000; \$150,000 maximum State share. Requires a City match of \$150,000.

Funding is available in account 104.993.5440, Washington Park Streambank B.

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

13-8723

Subject: Communication from the Assistant Commissioner of Public Works/City Engineer, on behalf of the Harbor Commission, requesting to use \$20,000 of Harbor Commission reserves, available in Account 215.000.4460 to fund \$20,000 of Capital Projects in Account 215.000.5750.

Recommendation of the Finance & Personnel Committee on

3-11-13:Harbor Commission reserves in the amount of \$20,000 be appropriated for use in the 2013 budget in account 215.000.5750, Harbor Commission, Land Improvements.

Fiscal Note:Funds are available in account 215.000.4460 to fund \$20,000 of Capital Projects in account 215.000.5750.

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

13-8724

Subject: Communication from the Purchasing Agent for window treatments and installation at Festival Hall, recommending to award the bid to the lowest responsible bidder, Unique Draperies at their bid price of \$25,321.00. (Res. No. 13-0128)

Recommendation of the Finance & Personnel Committee on

3-11-13: The bid for window treatments and installation at Festival Hall be awarded to the lowest responsible bidder, Unique Draperies at their bid price of \$25,321.00.

Fiscal Note: Funds for this purchase are available in account 108.992.5060.

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

13-8726

Subject: The Racine Civic Centre is requesting that formal bidding be waived and the Purchasing Agent be authorized to negotiate with Stage Right for the purchase of stadium seating for Memorial Hall.

Recommendation of the Finance & Personnel Committee on 3-11-13: Permission be granted for the Purchasing Agent to negotiate with Stage Right for the sole source purchase of stadium seating for Memorial Hall.

Fiscal Note: Funds are available in account 108.993.5520 for this purchase.

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

Council Action

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

AYES: 14 - Fair, Shields, DeHahn, McCarthy, Holding, Morgenroth, Mozol, Wisner, Kaplan, Shakoor, II, Hart, Weidner, Sarrazin and Hall

EXCUSED: 1 - Kaprelian-Becker

Public Works and Services Committee Report, by Ald. Weidner13-8634

Subject: Communication from Jeff Raffini, 2616 Green Street, requesting a lease agreement for use of river frontage at the terminus of Superior Street at the Root River. (Res. No. 13-0129)

Recommendation of the Public Works and Services Committee on 2-26-13: Defer

Recommendation of the Public Works and Services Committee on 3-12-13: That the City Attorney negotiate a lease agreement with Jeff Raffini, 2616 Green Street, for use of 60 lineal feet of river frontage at the terminus of Superior Street at the Root River, including the right-of-way to the south line of Liberty Street excepting that portion which is utilized by CNH, Inc. as a driveway entrance.

Further recommend that once an agreement is reached, the City Attorney and Mayor be authorized and directed to enter into such agreement.

Fiscal Note: Unknown at this time.

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

13-8704

Subject: (Direct Referral) Communication from the Commissioner of Public Works submitting a request for final payment on Contract 4-12 (K2-004), Professional Services-Repair Tunnel Between City Hall and Central Heating Plant, Arnold & O'Sheridan, Inc., consultant. (Res. No. 13-0133)

Recommendation of the Public Works and Services Committee on 3-12-13: That the professional services provided by Arnold & O'Sheridan, Inc., under Contract 4-12 (K2-004), Professional Services - Repair Tunnel Between City Hall and Central Heating Plant, be accepted and final payment authorized for a total contract amount of \$9,200.00.

Fiscal Note: Contract was authorized under Resolution No. 12-2950, dated February 7, 2012.

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

13-8721

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer submitting Change Order No. 1 to Contract 05-12 (K2-005), Three Mile Road Reconstruction (R1), LaLonde Contractors, Inc., contractor. (Res. No. 13-0134)

Recommendation of the Public Works and Services Committee on 3-12-13: That Change Order No. 1 on Contract 5-12 (K2-005), Three Mile Road Reconstruction (R1), LaLonde Contractors, Inc., contractor, as submitted, be approved in amount of \$308,656.71.

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

\$ 199,154.88 - Account 906.992.5010, Three Mile Road Construction
\$ 23,323.12 - Account 906.993.5010, Three Mile Road Construction
\$ 86,178.71 - Account 919.993.5010, Three Mile Road Construction
\$ 308,656.71 - Total

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

13-8727

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer requesting to rescind Resolution 08-0846 dated 06/03/08. (Res. No. 13-0137)

Recommendation of the Public Works and Services Committee on 3-12-13: That Resolution 08-0846, dated July 1, 2008, be rescinded.

Fiscal Note: N/A

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

[13-8728](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer submitting a street dedication for the southwest corner of State and Spring Street. (Res. No. 13-0138)

Recommendation of the Public Works and Services Committee on 3-12-13: That properties located at the corner of State Street and Spring Street, and more particularly described as follows, be dedicated for street right-of-way purposes:

That part of the Southeast $\frac{1}{4}$ of Section 8, Township 3 North, Range 23 East, in the City of Racine, Racine County, Wisconsin, bounded as follows:

That part of Lot 7 and vacated alley in Jacobson's Addition a recorded plat in the City of Racine, Racine County, Wisconsin, described as follows; Commence at the original southwesterly corner of Lot 1; thence South $50^{\circ} 41' 08''$ East and along the northeasterly line of Hill Street a distance of 0.38 feet to the POINT OF BEGINNING; Continue thence South $50^{\circ} 41' 08''$ East and along the northeasterly line of Hill Street a distance of 86.60 feet; thence North $42^{\circ} 12' 51''$ East and along the northwesterly line of Spring Street a distance of 34.79 feet; thence on a curve to the left having a radius of 90.60 feet and a chord of 13.49 feet bearing North $09^{\circ} 06' 54''$ East, thence northerly along said curve a distance of 13.50 feet; thence North $66^{\circ} 54' 53''$ West a distance of 38.32 feet; thence on a curve to the left having a radius of 36.50 feet and a chord of 25.03 feet bearing North $86^{\circ} 38' 48''$ West, thence westerly along said curve a distance of 25.55 feet; thence South $73^{\circ} 18' 12''$ West a distance of 14.95 feet; thence on a curve to the right, having a radius of 19.50 feet and a chord of 18.31 feet bearing North $78^{\circ} 41' 28''$ West, thence westerly along said curve a distance of 19.06 feet; to the POINT OF BEGINNING. Said tract containing 2,529.14 sq. ft. or 0.058 acres more-or-less.

And;

That part of the Southeast $\frac{1}{4}$ of Section 8, Township 3 North, Range 23 East, in the City of Racine, Racine County, Wisconsin, bounded as follows:

That part of Lot 7 and vacated alley in Jacobson's Addition a recorded plat in the City of Racine, Racine County, Wisconsin described as

follows; Begin at the original southeasterly corner of Lot 1; thence South 43° 31' 07" East and along the southwesterly line of State Street distance of 80.06 feet ; thence South 42° 12' 51" West and along the northwesterly line of Spring Street a distance of 49.09 feet ; thence on a curve to the left, having a radius of 90.60 feet and a chord of 58.81 feet bearing North 05° 33' 04" West, thence northerly along said curve a distance of 59.88 feet; thence North 24° 29' 08" West a distance of 37.99 feet; thence on a curve to the left having a radius of 4.43 feet and a chord of 1.46 feet bearing North 34° 00' 08" West, thence northerly along said curve a distance of 1.47 feet; thence North 46° 28' 52" East a distance of 0.14 feet; to the original southeasterly corner of Lot 1. Said tract containing 1,384.21 sq. ft. or 0.032 acres more-or-less.

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

Fiscal Note: N/A

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

13-8733

Subject: (Direct Referral) Communication from the Commissioner of Public Works submitting bid results on Contract 6-13 (K3-006), 2013 Concrete Street Reconstruction (R1). (Res. No. 13-0131)

Recommendation of the Public Works and Services Committee on 3-12-13: That Contract 6-13 (K3-006), 2013 Concrete Street Reconstruction (R1), be awarded to A.W. Oakes & Son, Inc., Racine, WI, at their bid price of \$1,037,688.00, they being the lowest responsible bidder.

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

\$ 116,749.36 - Account 992.908.5010, Concrete Street Paving, Misc.
 \$ 130,000.00 - Account 992.908.5020, Concrete Pavement Repl., Misc.
 \$ 196,471.64 - Account 993.908.5020, Concrete Pavement Repl., Misc.
 \$ 41,525.50 - Account 992.908.5320, Replacement Curb & Gutter
 \$ 276,000.00 - Account 993.908.5140, LRIP-City Match for State Grant
 \$ 26,927.50 - Account 993.590.5010, Replace City Circuits
 \$ 148,000.00 - Account 930.993.5010, 2013 LRIP Grant
 4 80,939.00 - Account 104.993.5420, Storm Sewers, Misc.

\$ 21,075.00 - Account 287.993.5310, Sanitary Sewer, Var. Loc.
\$ 1,037,688.00 - Total

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

[13-8734](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works submitting bid results on Contract 13-13 (K3-013), 2013 Sidewalk Replacement, Phase I (R1). (Res. No. 13-0132)

Recommendation of the Public Works and Services Committee on 3-12-13: That Contract 13-13 (K3-013), 2013 Sidewalk Replacement, Phase I (R1), be awarded to RAZA of Racine, Inc., Racine, WI, at their bid price of \$314,328.93, they being the lowest responsible bidder.

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

\$ 159,978.60 - Account 906.000.5520, Sidewalk Replacement (2012)
\$ 90,413.58 - Account 906.000.5520, Sidewalk Replacement (2013)
\$ 6,936.75 - Account 992.908.5520, Sidewalk Replacement (2012)
\$ 10,000.00 - Account 993.908.5520, Sidewalk Replacement (2013)
\$ 32,000.00 - Account 993.908.5320, Replacement Curb & Gutter
\$ 15,000.00 - Account 993.908.5530, Crosswalk Ramps
\$ 314,328.93 - Total

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

[13-8736](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting Change Order No. 4 to Contract 43-12 (K2-052), Masonry Restoration - City Hall and City Hall Annex, RAZA LLC, contractor. (Res. No. 13-0135)

Recommendation of the Public Works and Services Committee on 3-12-13: That Change Order No. 4 on Contract 43-12 (K2-052), Masonry Restoration-City Hall and City Hall Annex, RAZA LLC, contractor, be approved in the amount of \$4,468.84.

Fiscal Note: Funding to defray the cost of this change order be appropriated from Account 992.100.5020, City Hall Tuckpointing.

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

[13-8737](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting a check from Nationwide Mutual Insurance Company for damages to the City Hall fire alarm system. (Res. No. 13-0139)

Recommendation of the Public Works and Services Committee

on 3-12-13: That the City of Racine accept the check in the amount of \$5,604.62 from the Nationwide Mutual Insurance Company as settlement for the City's claim of damages to the fire alarm system at City Hall which was done during the restroom renovation project.

Fiscal Note: Funds from this check, in the amount of \$5,604.62, be deposited in Account 404.000.7990, Building Complex-Miscellaneous Income.

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

13-8738

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer submitting Amendment No. 1 to Contract 65-12 (K2-076) - W. 6th St. & Memorial Dr. Bridge Rehabilitation Reports, Bloom Companies, LLC., consultant. (Res. No. 13-0136)

Recommendation of the Public Works and Services Committee

on 3-12-13: That Amendment No. 1 to Contract 65-12 (K2-076), Professional Services - W. 6th Street & Memorial Drive Bridge Rehabilitation Reports, Bloom Companies, LLC, consultant, as submitted, be approved in the not-to-exceed amount of \$3,000.00.

Fiscal Note: Funding to defray the cost of these professional services be appropriated from the following accounts:

\$ 2,000.00 - Account 943.520.5010, City Owned Bridge Inspections
\$ 1,000.00 - Account 992.520.5020, Memorial Drive Bridge
\$ 3,000.00 - Total

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

AYES: 14 - Fair, Shields, DeHahn, McCarthy, Holding, Morgenroth, Mozol, Wisner, Kaplan, Shakoor, II, Hart, Weidner, Sarrazin and Hall

EXCUSED: 1 - Kaprelian-Becker

13-8743

Subject: (Direct Referral) Communication from the Purchasing Agent submitting Change Orders 1 and 2 for Official Notice #18 for Razing and Removal of Commercial Structure at 1516 Washington Avenue. (Res. No. 13-0130)

Recommendation of the Public Works and Services Committee on 3-12-13: That Change Orders No. 1 and No. 2 on Official Notice No. 18, Razing and Removal of Commercial Structure at 1516 Washington Avenue, Azarian Wrecking, contractor, be approved in the amount of \$26,144.16.

Fiscal Note: Funding to defray the cost of these change orders be appropriated from Account 101.370.5990, Boarding Up Buildings, and will be invoiced to the current property owner.

Alderman Weidner requested that item 13-8743 be considered separately.

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

AYES: 14 - Fair, Shields, DeHahn, McCarthy, Holding, Morgenroth, Mozol, Wisner, Kaplan, Shakoor, II, Hart, Weidner, Sarrazin and Hall

EXCUSED: 1 - Kaprelian-Becker

City Plan Commission Report, by Ald. Wisner

[13-8699](#)

Subject: (Direct Referral) Request by Ray Nicholson, representing Buffalo Wild Wings, to build a new restaurant at 5880 Durand Avenue. (PC-13) (Res. No. 13-0140)

Recommendation of the City Plan Commission on 3-13-13: That the item be approved subject to conditions.

Fiscal Note: N/A

A motion was made that this Conditional Use Permit be Considered as Reported . The motion was APPROVED.

Redevelopment Authority of the City of Racine Report, by Ald. Shakoor.

[13-8717](#)

Subject: (Direct Referral) Communication from Debra Karp, Director of Community Engagement, University of Wisconsin-Parkside, seeking reauthorization of matching funds for VISTA volunteers from the intergovernmental revenue sharing funds for the Launch Box initiative and the Department of City Development, and the Sustainable Edible Economic Development initiative.

Recommendation of the Redevelopment Authority on 3-4-13: That the Authority supports the use of \$22,000.00 from the Intergovernmental Sewer Revenue Sharing fund for matching funds for VISTA volunteers for business development programs.

Further recommends that this item be referred to the Finance and Personnel Committee for its review and approval.

Fiscal Note: The city has the opportunity to again obtain two VISTA volunteers. The volunteers would be utilized to support activities related to economic development initiatives. During this grant cycle, activities of the Launch Box business development initiative, the Department of City Development, and Sustainable Edible Economic Development (SEED) would be assisted. The VISTA program requires a local match/stipend of \$11,000.00 per volunteer. Funds are available in the Intergovernmental Revenue Sharing (919) Account.

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

Office of the Mayor Report, by Ald. Kaplan

13-8756

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

Appoint John Berge John W. Berge 1529 Crabapple Drive Racine 53405 to the Board of Standards for a 3 term, expiring May 1, 2014.

A motion was made by Alderman Jim Kaplan , seconded by Alderman Q.A. Shakoor, II, that this be Considered as Reported . The motion PASSED on the Consent Vote.

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

13-8601

Subject: Communication from Gary Chu requesting permission to use the city two parking lots located next to the Racine Yacht Club, August 1, 2013 through August 5, 2013, in conjunction with the scheduled F16 Catamaran National Championships and further requests a waiver of ordinance 70.104 for overnight parking of vehicles and trailers. (Res. No. 13-0141)

Recommendation of the Board of Parks, Recreation & Cultural Services on 3-13-13: To approve the communication from Gary Chu requesting permission to use the two City parking lots (Pugh & Rooney) located next to the Racine Yacht Club, August 1, 2013 through August 5, 2013, in conjunction with the scheduled F16 Catamaran National Championships and waive ordinance 70.104 for overnight parking of vehicles and trailers.

Fiscal Note: Reservation fee & deposit will apply

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

[13-8617](#)

Subject: To recreate Section 42-203(b), of the Municipal Code of the City of Racine, Wisconsin relating to application of fertilizers.

Recommendation of the Board of Parks, Recreation & Cultural Services on 1-9-13: To adopt Ord. 13-12 and approve the recreation of Section 42-203(b), of the Municipal Code of the City of Racine, Wisconsin, relating to Fertilizers.

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

AYES: 14 - Fair, Shields, DeHahn, McCarthy, Holding, Morgenroth, Mozol, Wisner, Kaplan, Shakoor, II, Hart, Weidner, Sarrazin and Hall

EXCUSED: 1 - Kaprelian-Becker

G. Consent Agenda - Resolutions

[Res.13-0124](#)

Johnson Park Tee & Green Renovation Project

Resolved, that the Mayor and Clerk are authorized to enter into a Professional Services Agreement with Lohmann Golf Desgns, Inc. to provide engineering and project management for Johnson Park Tee & Green Renovation Project.

Fiscal Note: Price is quoted as \$7,500.00, plus travel expenses. Funds are available in account 107.000.5750, Johnson Park, Rebuild 4th Green and 3rd Tee.

Sponsors: Gregory Holding

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

[Res.13-0125](#)

Stadium Seating for Memorial Hall (Res. No. 13-0125)

Resolved, that permission is granted for the Purchasing Agent to negotiate with Stage Right for the sole source purchase of stadium seating for Memorial Hall.

Fiscal Note: Funds are available in account 108.993.5520 for this purchase.

Sponsors: Q.A. Shakoor, II

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

Res.13-0126

Washington Park Streambank Stabilization Project

Resolved, that permission is granted for the Assistant Commissioner of Public Works/City Engineer to accept and sign the grant agreement for a State of Wisconsin Urban Nonpoint Source & Storm Water (UNPS&SW) Construction Grant for the Washington Park Streambank Stabilization Project. (Grant Control No. 2012-009)

Fiscal Note: The grant is 50% maximum of eligible costs; total project cost \$300,000; \$150,000 maximum State share. Requires a City match of \$150,000. Funding is available in account 104.993.5440, Washington Park Streambank B.

Sponsors: Q.A. Shakoor, II

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

Res.13-0127

Harbor Commission Land Improvements (Res. No. 13-0127)

Resolved, that Harbor Commission reserves in the amount of \$20,000 are approved to be appropriated for use in the 2013 budget in account 215.000.5750, Harbor Commission, Land Improvements.

Fiscal Note: Funds are available in account 215.000.4460 to fund \$20,000 of Capital Projects in account 215.000.5750.

Sponsors: Q.A. Shakoor, II

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

Res.13-0128

Window Treatments at Festival Hall

Resolved, that the bid for window treatments and installation at Festival Hall is awarded to the lowest responsible bidder, Unique Draperies at their bid price of \$25,321.00.

Fiscal Note: Funds for this purchase are available in account 108.992.5060.

Sponsors: Q.A. Shakoor, II

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

Res.13-0129

Use of River Frontage at the Terminus of Superior Street at the Root River

Resolved, that the Mayor and City Clerk negotiate a lease agreement with Jeff Raffini, 2616 Green Street, for use of 60 lineal feet of river frontage at the terminus of Superior Street at the Root River, including the right-of-way to the south line of Liberty Street excepting that portion which is utilized by CNH, Inc. as a driveway entrance.

Further resolved, that once an agreement is reached, the City Attorney and Mayor are authorized and directed to enter into such agreement.

Fiscal Note: Unknown at this time.

Sponsors: Sandy Weidner

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

Res.13-0130

Razing and Removal of Commercial Structure at 1516 Washington Avenue

Resolved, that Change Orders No. 1 and No. 2 on Official Notice No. 18, Razing and Removal of Commercial Structure at 1516 Washington Avenue, Azarian Wrecking, contractor, is approved in the amount of \$26,144.16.

Fiscal Note: Funding to defray the cost of these change orders be appropriated from Account 101.370.5990, Boarding Up Buildings, and will be invoiced to the current property owner.

Sponsors: Sandy Weidner

A motion was made by Alderman Kaplanr, II, seconded by Alderman Shakoor, II, that this Resolution be Referred to the Public Works and Services Committee. The motion was APPROVED by the following vote:

AYES: 14 - Fair, Shields, DeHahn, McCarthy, Holding, Morgenroth, Mozol, Wisner, Kaplan, Shakoor, II, Hart, Weidner, Sarrazin and Hall

EXCUSED: 1 - Kaprelian-Becker

Res.13-0131

2013 Concrete Street Reconstruction (R1)

Resolved, that Contract 6-13 (K3-006), 2013 Concrete Street Reconstruction (R1), is awarded to A.W. Oakes & Son, Inc., Racine, WI, at their bid price of \$1,037,688.00, they being the lowest responsible bidder.

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

\$ 116,749.36 - Account 992.908.5010, Concrete Street Paving, Misc.
\$ 130,000.00 - Account 992.908.5020, Concrete Pavement Repl., Misc.
\$ 196,471.64 - Account 993.908.5020, Concrete Pavement Repl., Misc.
\$ 41,525.50 - Account 992.908.5320, Replacement Curb & Gutter
\$ 276,000.00 - Account 993.908.5140, LRIP-City Match for State Grant
\$ 26,927.50 - Account 993.590.5010, Replace City Circuits
\$ 148,000.00 - Account 930.993.5010, 2013 LRIP Grant
4 80,939.00 - Account 104.993.5420, Storm Sewers, Misc.
\$ 21,075.00 - Account 287.993.5310, Sanitary Sewer, Var. Loc.
\$ 1,037,688.00 - Total

Sponsors: Sandy Weidner

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

Res.13-0132

2013 Sidewalk Replacement, Phase I (R1)

Resolved, that Contract 13-13 (K3-013), 2013 Sidewalk Replacement, Phase I (R1), is awarded to RAZA of Racine, Inc., Racine, WI, at their bid price of \$314,328.93, they being the lowest responsible bidder.

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

\$ 159,978.60 - Account 906.000.5520, Sidewalk Replacement (2012)
\$ 90,413.58 - Account 906.000.5520, Sidewalk Replacement (2013)
\$ 6,936.75 - Account 992.908.5520, Sidewalk Replacement (2012)
\$ 10,000.00 - Account 993.908.5520, Sidewalk Replacement (2013)
\$ 32,000.00 - Account 993.908.5320, Replacement Curb & Gutter
\$ 15,000.00 - Account 993.908.5530, Crosswalk Ramps
\$ 314,328.93 - Total

Sponsors: Sandy Weidner

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

Res.13-0133

Final Payment on Contract 4-12 (K2-004), Professional Services-Repair Tunnel Between City Hall and Central Heating Plant.

Resolved, that the professional services provided by Arnold & O'Sheridan, Inc., under Contract 4-12 (K2-004), Professional Services - Repair Tunnel Between City Hall and Central Heating Plant, is accepted and final payment authorized for a total contract amount of \$9,200.00.

Fiscal Note: Contract was authorized under Resolution No. 12-2950, dated February 7, 2012.

Sponsors: Sandy Weidner

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

[Res.13-0134](#)

Change Order No. 1 to Contract 05-12 (K2-005), Three Mile Road Reconstruction (R1)

Resolved, that Change Order No. 1 on Contract 5-12 (K2-005), Three Mile Road Reconstruction (R1), LaLonde Contractors, Inc., contractor, as submitted, is approved in amount of \$308,656.71.

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

\$199,154.88 - Account 906.992.5010, Three Mile Road Construction
\$ 23,323.12 - Account 906.993.5010, Three Mile Road Construction
\$ 86,178.71 - Account 919.993.5010, Three Mile Road Construction
\$308,656.71 - Total

Sponsors: Sandy Weidner

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

[Res.13-0135](#)

Change Order No. 4 to Contract 43-12 (K2-052), Masonry Restoration - City Hall and City Hall Annex

Resolved, that Change Order No. 4 on Contract 43-12 (K2-052), Masonry Restoration-City Hall and City Hall Annex, RAZA LLC, contractor, is approved in the amount of \$4,468.84.

Fiscal Note: Funding to defray the cost of this change order be appropriated from Account 992.100.5020, City Hall Tuckpointing.

Sponsors: Sandy Weidner

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

[Res.13-0136](#)

Amendment No. 1 to Contract 65-12 (K2-076) - W. 6th St. & Memorial Dr. Bridge Rehabilitation Reports

Resolved, that Amendment No. 1 to Contract 65-12 (K2-076), Professional Services - W. 6th Street & Memorial Drive Bridge Rehabilitation Reports, Bloom Companies, LLC, consultant, as submitted, is approved in the not-to-exceed amount of \$3,000.00.

Fiscal Note: Funding to defray the cost of these professional services be appropriated from the following accounts:

\$2,000.00 - Account 943.520.5010, City Owned Bridge Inspections

\$1,000.00 - Account 992.520.5020, Memorial Drive Bridge

\$3,000.00 - Total

Sponsors: Sandy Weidner

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

[Res.13-0137](#)

Rescind Resolution 08-0846 dated 06/03/08

Resolved, that Resolution 08-0846, dated July 1, 2008, is rescinded.

Fiscal Note: N/A

Sponsors: Sandy Weidner

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

[Res.13-0139](#)

Damages to City Hall Fire Alarm System

Resolved, that the City of Racine accept the check in the amount of \$5,604.62 from the Nationwide Mutual Insurance Company as settlement for the City's claim of damages to the fire alarm system at City Hall, which was done during the restroom renovation project.

Fiscal Note: Funds from this check, in the amount of \$5,604.62, be deposited in Account 404.000.7990, Building Complex-Miscellaneous Income.

Sponsors: Sandy Weidner

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

[Res.13-0140](#)

Buffalo Wild Wings

Resolved, that the request from Ryan Nicholson, representing Buffalo Wild Wings, seeking a conditional use permit for 5880 Durand Avenue to construct a new restaurant / bar, is approved, subject to the following conditions:

a. That the plans presented to the Plan Commission on March 13, 2013 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 hours of the operation shall be from 11:00 a.m. - 1:00 a.m., Monday through Thursday; 11:00 a.m. - 2:00 a.m. Friday and Saturday; and 11:00 a.m. - 12:00 a.m. Sundays.

d. That if required, revised building elevation plans be submitted for City Development review and approval prior to issuance of building permits.

e. That the televisions or any other audio/visual entertainment being provided within the patio area shall cease by 12:00 a.m., seven days a week.

f. That the patio shall be closed to patrons by 12:00 a.m., seven days a week.

g. That the owner shall be responsible for all site maintenance, including trimming and pruning of vegetation, grass cutting, removal of debris, and overall maintenance of the site.

h. That the applicant shall submit a revised landscaping plan showing all vegetative treatments on the site for review and approval by the Department of City Development prior to issuance of a building permit.

i. That the parking lot shall be re-stripped according to the approved site plan prior to issuance of a certificate of occupancy.

j. That if, prior to the issuance of an occupancy permit, the site improvements described herein are not completed, a financial surety shall be provided to the City in an amount equal in value to the required improvements, subject to the following terms:

1. Financial surety documents shall be submitted for the review and approval of the Director of City Development, shall be issued in the City's favor, shall be in effect for one year from the date of issuance, shall be extended beyond the expiration date if deemed necessary by the City of Racine, and shall require that the issuer give a 90 day notice to the Department of City Development prior to the expiration of said financial security.

2. The City is authorized by this Conditional Use permit to enter the site, implement the plans(s) and draw on the financial security for the cost of implementation if required improvements are not completed by the time of the issuance of an occupancy permit, or by an earlier date as may be required herein. Any costs incurred in excess of the value

of the financial security shall be paid by the applicant or the owner or shall be imposed as a special charge against the real property in accordance with applicable statute.

k. That the signage submitted for review indicating 6 signs be allowed; however, the total size shall not exceed 300 sq. ft.

l. That metal panels be allowed within 8 feet of grade as reflected on the elevation drawings.

m. 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.

n. That this permit is subject to Plan Commission review for compliance with the listed conditions.

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

p. That conditions "e", "f", "k", and "l" represent exceptions to Chapter 114 of the Municipal Code, Zoning Ordinance, with respect to outside activities in the B-2 Community Shopping District, number of signs per business establishment in the B-2 Community Shopping District, and the minimum building exterior design standards.

Fiscal Note: N/A

Sponsors: Dennis Wisner

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

Res.13-0141

Use of City Parking Lots Located Next to Racine Yacht Club

Resolved, that Gary Chu's request for permission to use the two City parking lots (Pugh & Rooney) located next to the Racine Yacht Club, August 1, 2013 through August 5, 2013, in conjunction with the scheduled F16 Catamaran National Championships and waive ordinance 70.104 for overnight parking of vehicles and trailers is approved.

Fiscal Note: Reservation fee & deposit will apply

Sponsors: Terry McCarthy and Melissa Kaprelian-Becker

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

Resolution**Res.13-0138**

Preliminary Resolution - Street Dedication for the Southwest Corner of State and Spring Street

Resolved, that properties located at the corner of State Street and Spring Street, and more particularly described as follows, are dedicated for street right-of-way purposes:

That part of the Southeast 1/4 of Section 8, Township 3 North, Range 23 East, in the City of Racine, Racine County, Wisconsin, bounded as follows:

That part of Lot 7 and vacated alley in Jacobson's Addition a recorded plat in the City of Racine, Racine County, Wisconsin, described as follows; Commence at the original southwesterly corner of Lot 1; thence South 50° 41' 08" East and along the northeasterly line of Hill Street a distance of 0.38 feet to the POINT OF BEGINNING; Continue thence South 50° 41' 08" East and along the northeasterly line of Hill Street a distance of 86.60 feet; thence North 42° 12' 51" East and along the northwesterly line of Spring Street a distance of 34.79 feet; thence on a curve to the left having a radius of 90.60 feet and a chord of 13.49 feet bearing North 09° 06' 54" East, thence northerly along said curve a distance of 13.50 feet; thence North 66° 54' 53" West a distance of 38.32 feet; thence on a curve to the left having a radius of 36.50 feet and a chord of 25.03 feet bearing North 86° 38' 48" West, thence westerly along said curve a distance of 25.55 feet; thence South 73° 18' 12" West a distance of 14.95 feet; thence on a curve to the right, having a radius of 19.50 feet and a chord of 18.31 feet bearing North 78° 41' 28" West, thence westerly along said curve a distance of 19.06 feet; to the POINT OF BEGINNING. Said tract containing 2,529.14 sq. ft. or 0.058 acres more-or-less; and

That part of the Southeast 1/4 of Section 8, Township 3 North, Range 23 East, in the City of Racine, Racine County, Wisconsin, bounded as follows:

That part of Lot 7 and vacated alley in Jacobson's Addition a recorded plat in the City of Racine, Racine County, Wisconsin described as follows; Begin at the original southeasterly corner of Lot 1; thence South 43° 31' 07" East and along the southwesterly line of State Street distance of 80.06 feet ; thence South 42° 12' 51" West and along the northwesterly line of Spring Street a distance of 49.09 feet ; thence on a curve to the left, having a radius of 90.60 feet and a chord of 58.81 feet bearing North 05° 33' 04" West, thence northerly along said curve a distance of 59.88 feet; thence North 24° 29' 08" West a

distance of 37.99 feet; thence on a curve to the left having a radius of 4.43 feet and a chord of 1.46 feet bearing North 34° 00' 08" West, thence northerly along said curve a distance of 1.47 feet; thence North 46° 28' 52" East a distance of 0.14 feet; to the original southeasterly corner of Lot 1. Said tract containing 1,384.21 sq. ft. or 0.032 acres more-or-less.

Further resolved, that this preliminary resolution be introduced to the Common Council and referred to the City Plan Commission.

Fiscal Note: N/A

Sponsors: Sandy Weidner

A motion was made by Alderman Weidner, seconded by Alderman Kaplan, that this Resolution be Referred to the City Plan Commission. The motion was APPROVED by the following Council vote:

Council Action

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

AYES: 14 - Fair, Shields, DeHahn, McCarthy, Holding, Morgenroth, Mozol, Wisner, Kaplan, Shakoor, II, Hart, Weidner, Sarrazin and Hall

EXCUSED: 1 - Kaprelian-Becker

H. Adjourn

The meeting was adjourned at 7:52p.m. by Alderman Shakoor. The next scheduled meeting of the Council is Wednesday, April 3, 2013. .

ATTEST: JANICE M. JOHNSON-MARTIN
CITY CLERK