



City of Racine

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

Meeting Agenda - Final Common Council

*Mayor John T. Dickert, President, Alderman Terry McCarthy
Alderman Dennis Wiser, 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 Raymond
DeHahn,
Alderman Gregory Holding, Alderman James Morgenroth
Alderman Edward E. Diehl, Alderman Henry Perez*

Tuesday, June 18, 2013

7:00 PM

Room 205, City Hall

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

[ZOrd.003-13](#) Zoning Ordinance 003-13

An Ordinance Rezoning 1906 St. Patrick Street

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

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

Part 1: That the property located at 1906 St. Patrick Street and more particularly described as follows:

“Said lands being in Racine County, WI, City of Racine, in the SE 1/4 AND SW 1/4 SECTION 5-3-23 AND NE 1/4 AND NW 1/4 SECTION 8-3-23 AND BLOCK 4 HORLICK’S SUBDIVISION, PART OF LOTS 12 AND 13, LOT 3 CSM #3070, REC`D 12/2/12 AS DOCUMENT #2337340 WEST OF ST PATRICK STREET. 1.707 ACRES MORE OR LESS.”

be rezoned from O-I Office Institutional to I-2 General Industrial.

Part 2: This ordinance shall take effect upon passage by a majority vote of the members-elect of the City Common Council and publication or

posting as required by law.

Passed by the Common Council:

Approved:

Mayor
Attest:

City Clerk
Fiscal Note: N/A

Sponsors: Dennis Wiser

E. Public Comments

F. Communications

Refer to Finance and Personnel Committee, by Ald. Shakoor

[13-9053](#) **Subject:** communication from the City Attorney submitting the claim of Andrew Zeien for consideration.

[13-9065](#) **Subject:** Communication from the Finance Director requesting to discuss modifying the property tax collection schedule to two installments, putting us in line with all the other governmental jurisdictions in Racine County.

[13-9067](#) **Subject:** communication from the City Attorney submitting the claim of Frank Krescanko for consideration.

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

[13-9026](#) **Subject:** Communication from the Alderman of the 9th District requesting a preliminary resolution for the alley bounded by Washington Ave to 15th St; Grange Ave to Flett Ave (EW).

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

[13-9046](#) **Subject:** (New) Application for Secondhand Article Dealer License, Panhandlers Resale Shop LLC - 1819 State Street (6th District)

[13-9051](#) **Subject:** The following renewal application(s) for a Class "A" Fermented Malt Beverage Licenses for 2013-2014:

Vincent Esqueda
(Tradename) Gran Morelos LLC

1105 N. Memorial Drive

[13-9052](#)

Subject: Communication requesting Change of Agent for Blazin Wings, (dba Buffalo Wild Wings) 5880 Durand Avenue- Mary Susens, Agent, "Class B" Fermented Malt Beverage and Intoxicating Liquor license (14th District).

Refer to Committee of the Whole, by Ald. McCarthy

[13-9040](#)

Subject: Communication from the Alderman of the 8th District directing the City Attorney's Office generate a proposed ordinance to make language changes in the public comments section of our ordinance.

G. Committee Reports

Finance and Personnel Committee Report, by Ald. Shakoor

[13-8830](#)

Subject: Communication from the City Attorney submitting the claim of Regency West Apartments LLC for an excessive real estate assessment and taxes of the property located at 2300 Loni Lane for the 2012 tax year for consideration.

Recommendation of the Finance & Personnel Committee on

4-22-13: Defer the item until the next scheduled Finance & Personnel Meeting.

Recommendation of the Finance & Personnel Committee on

5-28-13: Defer the item until the next scheduled Finance & Personnel Meeting to be held in closed session with legal consult.

Recommendation of the Finance & Personnel Committee on

6-10-13: The claim of Regency West Apartments LLC for an excessive real estate assessment and taxes of the property located at 2300 Loni Lane for the 2012 tax year be denied.

Fiscal Note: N/A

[13-9012](#)

Subject: (Direct Referral) Request to meet in closed session pursuant to Wis. Stat. §19.85(g) with the Office of the City Attorney concerning strategy and/or possible settlement with respect to the claims and PILOT agreement with McMynn Tower, LLC for the property at 100 Seventh Street, and with Future Wisconsin, LLC for the property at 5539 Byrd Avenue.

Recommendation of the Finance & Personnel Committee on

6-10-13: That the Mayor and City Clerk be authorized and directed to enter into Municipal Services Agreements with McMynn Tower, LLC for the property located at 100 7th Street and Future Wisconsin Racine, LLC for the property located at 5539 Byrd Avenue.

Fiscal Note: The agreements will generate revenues of approximately \$140,000 per year.

[13-9017](#)

Subject: Communication from Assistant Finance Director and Lt. Aldred Days requesting authorization to apply for the 2013 Department of Justice Second Chance Adult Re-Entry Demonstration Grant (Control #2013-017).

Recommendation of the Finance & Personnel Committee on

6-10-13: Permission be granted for the Assistant Finance Director and Lt. Aldred Days to apply for the 2013 Department of Justice Second Chance Adult Re-Entry Demonstration Grant. (Grant Control #2013-017)

Fiscal Note: Federal funds in an amount not to exceed \$350,000 will be applied for. The federal grant requires a soft local match of up to \$350,000. Racine Vocational Ministry will be required to provide the local match. A request will be made to waive the 25% hard match.

[13-9038](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer requesting permission to apply for the WisDOT 2014-2018 CMAQ Program application for Lake Michigan Pathway, Phase 4.

Recommendation of the Finance & Personnel Committee on

6-10-13: Permission be granted for the Assistant Commissioner of Public Works/City Engineer to apply for the WisDOT 2014-2018 CMAQ program application for Lake Michigan Pathway, Phase 4.

Fiscal Note: The estimated cost of design, construction and real estate acquisition is \$801,000 with the WisDOT share being 80% or \$640,800, and the City share being 20% or \$160,200. Funding will be provided in the 2014-2023 CIP.

Public Works and Services Committee Report, by Ald. Weidner

[13-8975](#)

Subject: Communication from the Alderman of the 4th District inquiring how many additional radius, curb and gutter, handicap radius approaches and street repairs could be done in-house.

Recommendation of the Public Works and Services Committee on
5-28-13: Defer

Recommendation of the Public Works and Services Committee on 6-11-13: That the communication be received and filed.

Fiscal Note: N/A

[13-8976](#)

Subject: Communication from the Alderman of the 4th District inquiring how many water main street repairs done with concrete and concrete and asphalt now done by outsourced private entities could get done by the City's DPW cement crew.

Recommendation of the Public Works and Services Committee on 5-28-13: Defer

Recommendation of the Public Works and Services Committee on 6-11-13: That the communication be received and filed.

Further recommends that the Commissioner of Public Works meet with Local 67 to discuss their ideas.

Fiscal Note: N/A

[13-9013](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineering submitting Amendment No. 3 to State Project ID: 2290-17-00, Northwestern Avenue (STH 38) - Memorial Drive to Golf Avenue, Strand Associates, Inc., consultant.

Recommendation of the Public Works and Services Committee on 6-11-13: That Amendment No. 3 to the three-party contract between the State of Wisconsin, City of Racine and Strand Associates, Inc., State Contract ID: 2290-17-00, Northwestern Avenue (STH38) - Memorial Drive to Golf Avenue, be approved in the amount of \$5,663.35 with the City's share being \$1,415.84 (25%) and the State share being \$4,247.51 (75%).

Fiscal Note: Funding to defray the cost of the City's share of these professional services be appropriated from Account 992.908.5060, Northwestern-Memorial to Golf.

[13-9025](#)

Subject: Communication from the Chief Building Inspector/Weed Commissioner regarding revisions to the Racine Municipal Code Chapter 42 - Environment, Article 3 - Weeds.

Recommendation of the Public Works and Services Committee on 6-11-13: That revisions to Chapter 42 of the Municipal Code relating to Weeds be approved that will allow the City of Racine to issue one official notification letter per year to property owners who fail to keep

weeds and/or grasses below 9 inches in height. After the first notification, direct referrals to the Department of Public Works for cutting would be made without further notice to the property owner.

Fiscal Note: N/A

[13-9028](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer submitting Amendment No. 2 to State Project ID: 1693-34-07, Lake Michigan Pathway Phase 3.

Recommendation of the Public Works and Services Committee on 6-11-13: That Amendment No. 2 on the two-party contract between the State of Wisconsin and the City of Racine, State Contract ID: 1693-34-07 - Lake Michigan Pathway Phase 3, be approved in the amount of \$64,669.76, with the City's share being \$12,933.95 (20%) and the State share being \$51,735.81 (80%).

Fiscal Note: Funding to defray the cost of the City's share of these professional services be appropriated from Account 992.908.5620 - Lake Michigan Pathway Phases 3A and 3B.

[13-9030](#)

Subject: Resolution No. 13-0255, created June 4, 2013, relating to street improvements on:

PORTLAND CEMENT CONCRETE PAVING

Great Elm Lane - Taylor Avenue to Wheelock Drive

Pine Ridge Lane - Pine Ridge Circle (S) to the Dead End

Shadow Lane - Daisy Lane to Kentucky Street

Daisy Lane - Shadow Lane to Taylor Avenue

Steeplechase Drive - North Bay Drive to Westminster Square (W)

Steeplechase Drive - Westminster Square (E) to Westminster Square (W)

Steeplechase Drive - Westminster Square (E) to Lighthouse Drive

Spring Valley Drive - Spring Street to Harrington Drive

Alley - Kinzie Avenue to Lindermann Avenue; Hayes Ave. to Grove Ave.

SEWER & WATER

Spring Valley Drive - Spring Street to Harrington Drive

CURB & GUTTER

Pine Ridge Lane - Pine Ridge Circle (S) to the Dead End

SIDEWALK

Shadow Lane - Daisy Lane to Kentucky Street

Recommendation of the Public Works and Services Committee on 6-11-13: That Resolution No. 13-0255, created June 4, 2013, be amended to delete:

PORTLAND CEMENT CONCRETE PAVING

Great Elm Lane - Taylor Avenue to Wheelock Drive

Pine Ridge Lane - Pine Ridge Circle (S) to the Dead End

Steeplechase Drive - Westminster Square (E) to Lighthouse Drive

CURB & GUTTER

Pine Ridge Lane - Pine Ridge Circle (S) to the Dead End

and, as amended, Resolution No. 13-0255, created June 4, 2013, be adopted.

Fiscal Note: Funds will be appropriated in the 2014 C.I.P. for these street improvements, and special assessments will be paid by the abutting property owners for the street improvements.

[13-9036](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting Change Order No. 2 to Contract 59-12 (K2-070), Painting of Main Street Lift Bridge, Drax, Inc., contractor.

Recommendation of the Public Works and Services Committee on 6-11-13: That Change Order No. 2 on Contract 59-12 (K2-070), Painting of Main Street Lift Bridge, Drax, Inc., contractor, be approved in the amount of \$4,392.30.

Fiscal Note: Funding to defray the cost of this change order be appropriated from Account 930.086.5810, Main Street Lift Bridge.

[13-9037](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works submitting a request for final payment on Contract 59-12 (K2-070), Painting of Main Street Lift Bridge, Drax, Inc., contractor.

Recommendation of the Public Works and Services Committee on 6-11-13: That the work done by Drax, Inc. under Contract 59-12 (K2-070), Painting of Main Street Lift Bridge, be accepted and final payment authorized for a total contract amount of \$964,931.86.

Fiscal Note: Contract was authorized under Resolution No. 12-3397, dated November 7, 2012.

[13-9039](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works submitting final payment on Contract 65-12 (K2-076) - W.

6th St. & Memorial Dr. Bridge Rehabilitation Reports, Bloom Companies, consultant.

Recommendation of the Public Works and Services Committee on 6-11-13: That the professional services provided by Bloom Companies, under Contract 65-12 (K2-076), Professional Services - W. 6th Street & Memorial Drive Bridge Rehabilitation Reports, be accepted and final payment authorized for a total contract amount of \$12,000.00.

Fiscal Note: Contract was authorized under Resolution No. 12-3379, dated October 16, 2012.

Public Safety and Licensing Committee Report, by Ald. Holding

13-8961

Subject: The following renewal application(s) for a "Class A" Fermented Malt Beverage and Intoxicating Liquor License for 2013-2014:

Aldi Inc. 3110 Douglas Avenue
(Tradenname) Aldi #28

CHANGE OF AGENT - CECILI FRANCO

N. Smit N. Corp. 918 West Boulevard
(Tradenname) Port of Call Liquors
Chandresh Patel, Agent

Champion Liquor and Food, LLC 1629 Douglas Avenue
(Tradenname) Champion Liquor & Food
Jarnail Singh, Agent

Ali Fade 1949 Racine Street
(Tradenname) The Market

The Argo Group, Inc. 3710 Meachem Road
(Tradenname) Georgetown Market
Samuel D. Lidester, Agent

Kamaljit K. Dhaliwal 1917 Sixteenth Street
(Tradenname) Ad United Petroleum

2418 Douglas Avenue, Inc. 2418 Douglas Avenue
(Tradenname) X-Press Food Mart
Narendra Shah, Agent

DJK Foods, LLC 3900 Erie Street
(Tradenname) Piggly Wiggly #344
David J. Koenig, Agent

Nagra Pump & Pantry, LLC 1826 Douglas Avenue
(Tradename) Nagra Pump & Pantry
Sukhwkndar S. Nagra, Agent

Karen Kong 817 S. Main Street
(Tradename) Open Pantry DBA Odd Fellows

Sami Ali 3326 Sixteenth Street
(Tradename) Westown Foods

Erie Gas & Food, LLC 3945 Erie Street
(Tradename) Erie Gas & Grocery
Chirag Ajmeri, Agent

Washington Avenue LLC 1130 Washington Avenue
(Tradename) Ayra's Gas & Grocery
Fahim Ajmeri, Agent

Rapids Food & Liquor 3015 Rapids Drive
(Tradename) Rapids Food and Liquor
Devendar Singh, Agent

Iyad M. Alabed 1711 N. Main Street
(Tradename) One Stop Food & Liquor

Maria C. Davalos 1336 State Street
(Tradename) Super Carniceria La Mexicana

Recommendation of the Public Safety and Licensing Committee on 6-10-13: The above listed renewal application(s) for a "Class A" Fermented Malt Beverage and Intoxicating Liquor License for 2013-2014 and the Change of Agent for Aldi Inc., 3110 Douglas Avenue, - **CECILI FRANCO** be approved.

Fiscal Note: N/A

13-8983

Subject: The following renewal application(s) for a Class "B" Public Facility Retail Fermented Malt Beverage License for 2013-2014:

Racine Zoological Society 2131 N. Main Street
(Tradename) Racine Zoo
Jay Christie, Agent

Venu Works of Racine LLC 72 Seventh Street
(Tradename) Memorial Hall
Richard Edgar, Agent

Venu Works of Racine LLC
(Tradename) Festival Hall
Richard Edgar, Agent

5 Fifth Street

Recommendation of the Public Safety and Licensing Committee on 6-10-13: The above listed renewal application(s) for a Class "B" Public Facility Retail Fermented Malt Beverage License for 2013-2014 be approved.

Fiscal Note: N/A

[13-8988](#)

Subject: (New) Application of Bella Cibo, Joanne M Raffini, Agent for a "Class C" and Class "B" Fermented Malt Beverage and Wine License for 3751 Douglas Ave. (15th District)

Recommendation of the Public Safety and Licensing Committee on 6-10-13: The (New) Application of Bella Cibo, Joanne M Raffini, Agent for a "Class C" and Class "B" Fermented Malt Beverage and Wine License for 3751 Douglas Ave be approved pending all department inspections.

Fiscal Note: N/A

[13-9007](#)

Subject: The following renewal application(s) for a Class "B" Fermented Malt Beverage License for 2013-2014:

Racine Raiders Football Club, Inc.
(Tradename) Horlick Concessions
Matthew Nelson, Agent

1648 N. Memorial Drive

Cornelio Mora
(Tradename) Jalisco & Michoacan

1950 Racine Street

The Sausage Kitchen, Inc.
(Tradename) Sausage Kitchen

1706 Rapids Drive

Recommendation of the Public Safety and Licensing Committee on 6-10-13: The above listed renewal application(s) for a Class "B" Fermented Malt Beverage License for 2013-2014 be approved.

Fiscal Note: N/A

[13-9008](#)

Subject: The following renewal application(s) for a "Class C" & Class "B" Fermented Malt Beverage and Wine License for 2013-2014:

The Bowen's Incorporated
(Tradename) Break and Run Billiards

2037 Lathrop Avenue

Greg Bowen, Agent

Whey Chai Chinese Restaurant, LLC 400 Main Street
(Tradenname) Whey Chai Chinese Restaurant
Michael Mei, Agent

Willing & Willing Inc. 1238 Lathrop Avenue
(Tradenname) Bernie's Pizzeria
Bernard Willing II, Agent

Recommendation of the Public Safety and Licensing Committee on 6-10-13: The above listed renewal application(s) for a "Class C" & Class "B" Fermented Malt Beverage and Wine License for 2013-2014 be approved.

Fiscal Note: N/A

13-9009

Subject: The following renewal application(s) for a "Class B" Club Fermented Malt Beverage Intoxicating Liquor Licenses for 2013-2014:

Somerset Club, Inc. 201 Sixth Street
(Tradenname) Somerset Club
David M. Perkins, Agent

Deutscher Maenner Verein 701 Villa Street
(Tradenname) German Men's Club
Robert J. Hill, Agent

Fifth Street Yacht Club 761 Marquette Street
(Tradenname) Fifth Street Yacht Club
James Campbell, Agent

Racine Yacht Club, Inc. 1 Barker Street
(Tradenname) Racine Yacht Club
Joseph R. McGauran, Agent

Racine Country Club 2801 Northwestern Avenue
(Tradenname) Racine Country Club
Lance Cotton, Agent

Recommendation of the Public Safety and Licensing Committee on 6-10-13: The above listed renewal application(s) for a "Class B" Club Fermented Malt Beverage and Intoxicating Liquor License for 2013-2014 be approved.

Fiscal Note: N/A

13-9010

Subject: The following renewal application(s) for a Class "A" Fermented Malt Beverage Licenses for 2013-2014:

VS Gill LLC 2240 Northwestern Avenue
(Tradename) Northwestern Citgo
Virinder S. Gill, Agent

Lieungh's on Lathrop, LLC 1933 Lathrop Avenue
(Tradename) Lieungh's On Lathrop
Andrea L. Lieungh, Agent

Dipsha Inc. 2056 Taylor Avenue
(Tradename) Pantry Plus
Tushar Patel, Agent

Sunny, Inc. 1511 W. Sixth Street
(Tradename) Neighborhood Pantry
Pargat Singh Randhawa, Agent

1819 Durand, Inc. 1819 Durand Avenue
(Tradename) Fine Fare Foods
Narendra V. Shah, Agent

Lauro Davalos 1951 Mead Street
(Tradename) La Tapatia

Balwinder Dhillon 1530 Douglas Avenue
(Tradename) Queensway Food Mart

Douglas Petro, LLC 3357 Douglas Avenue
(Tradename) Douglas Petro, LLC
Surinder Singh, Agent

Iyad M. Alabed 1559 Taylor Avenue
(Tradename) Sunshine Supermarket

Taylor Mart, Inc. 1813 Taylor Avenue
(Tradename) Taylor Mart
Harban Daliwal, Agent

Mangat Inc. 2100 N. Main Street
(Tradename) Mangat Inc.

Jatinder Singh Mangat, Agent

Jalil Mian 1100 Sixth Street
(Tradename) M.J. Petroleum

Gursimr, LLC 5302 Washington Ave.
(Tradename) Washington Avenue Citgo
Kuldip S. Ahuja

High Cone, Inc. 704 High Street
(Tradename) High Street Food Mart
Usha A. Shah, Agent

Mohinder Singh 1627 Washington Avenue
(Tradename) U.S. Pantry

Midtown Market/simone Enterprises LLC 1229 Eleventh Street
(Tradename) Midtown Market
Harinder Kaur, Agent

Priya Corporation 3818 Durand Avenue
(Tradename) Priya Corp. DBA Andy's
Kavita Khullar, Agent

S & S Racine Business Enterprises, LLC. 3700 Spring Street
(Tradename) Spring Street Mobile
Chandra Sekhar R. Pula, Agent

Speedway LLC 2110 S. Green Bay Road
(Tradename) Speedway #4451
Shirley Colter, Agent

MJ Gas & Food Mart, Inc. 1720 Douglas Avenue
(Tradename) MJ Gas & Food
Jagjit S. Viridi, Agent

Robert M. Ruditys 3441 Spring Street
(Tradename) Spring Street Station
Robert M. Ruditys, Agent

**Recommendation of the Public Safety and Licensing Committee on
6-10-13:** The above listed renewal application(s) for a Class "A"
Fermented Malt Beverage and Intoxicating Liquor License for
2013-2014 be approved.

Fiscal Note: N/A

13-9011

Subject: The following renewal application(s) for a "Class B" Fermented Malt Beverage and Intoxicating L Licenses for 2013-2014:

GMRI, Inc. 6000 Durand Avenue
(Tradenname) Olive Garden #1371

CHANGE OF AGENT- Megan D. Romero

Hammes Tavern, LLC 2005 Taylor Avenue
(Tradenname)Hammes Tavern
Michael J. Hammes, Agent

Coasters Inc. 1301 N. Main Street
(Tradenname) Coasters
Charles Beth, Agent

Quitze's Little Oasis, LLC 5748 Durand Avenue
(Tradenname) Quitze's Mexican Grill
Jesus Andres Dadillo Tejeda, Agent

Roma Associates of Racine, Inc. 3701 Durand Avenue
(Tradenname) Vintage Rock Cafe
Anthony J. Marino, Agent

Roberts Roost LLC 600 Sixth Street
(Tradenname) Roberts Roost LLC
Edward Scharding, Agent

Bourbon Street Blues & Jazz Bar LLC 1111 Washington
Avenue
(Tradenname) Bourbon Street Blues & Jazz Bar
Joe Harris, Agent

El Cotorreo, Inc. 1224 Sixteenth Street
(Tradenname) El Cotorreo
Jong Pong Change, Agent

Hi-O Inc. 1816 Seventeenth Street
(Tradenname) Hi-O Headquarters
Michael A. Henes, Agent

Redline Tavern Corp. 1200 N. Wisconsin Street
(Tradenname) Redline Tavern
Connie M. Nau, Agent

Shogun of Racine, Inc. 518 College Avenue
(Tradenname) Shogun Japanese Restaurant

Kwangseok Youn, Agent

Russ's Tap
(Tradename) Russ's Tap
Robert J. Kohel, Agent
2203 DeKoven Avenue

Asiana, LLC
(Tradename) Asiana Restaurant
Kyo Soon Yoon, Agent
423 Sixth Street

Slobodan Lazarevic
(Tradename) Neighborhood Bar of Racine, LLC
Slobodan Lazarevic, Agent
2002 Erie Street

George's Tavern of Racine WI, Inc.
(Tradename) George's Tavern
David Popoff, Agent
1201 N. Main Street

Mario Espinoza
(Tradename) Taqueria Nuevo Vallarta
3700 Durand Avenue

Crazytown, LLC
(Tradename) Toad Hall
Corey Szaryc, Agent
611 Wisconsin Street

Thang D. Pham
(Tradename) River Run Restaurant
3616 Northwestern Avenue

2 Sheets To the Wind Pub & Grill, LLC
Avenue
(Tradename) 2 Sheets To The Wind
Sheila R. Sheets, Agent
3316 Douglas

Odd Fellows Bistro
(Tradename) Odd Fellows Bistro
Emily Jean Day, Agent
817 Main Street

CBI of Racine, Inc.
(Tradename) Tropical Paradise
Carl Stewart, Agent
1446 Dr. M.L. King, Jr. Drive

The DeKoven Foundation
(Tradename) The DeKoven Center
Max Dershem, Agent
600 21st Street

Rudy's
(Tradename) Rudy's
2515 Douglas Avenue

Roger's Place, Inc. (Tradenname) Roger's Roger Springsteen, Agent	1843 N. Wisconsin Street
Lo Ventures, LLC (Tradenname) Reefpoint Brew House Patricia Ann Landreman, Agent	2 Christopher Columbus
DeRango, LTD. (Tradenname) Derango's Pizza Place Benedetto F. Derango, Agent	3840 Douglas Avenue
JFitz627, LLC (Tradenname) JJ Pour House Jeffrey S. Fitzgerald, Agent	1307 Douglas Avenue
John P. McAuliffe (Tradenname) McAuliffe's Pub	3700 Meachem Road
DAR. L. Inc. (Tradenname) Stil Country Darlene Louise Larson, Agent	1100 Douglas Avenue
DeMark's Bar & Restaurant (Tradenname) DeMark's Tavern Sharon A. Burman, Agent	1600 Albert Street
Perri's on Main (Tradenname) Perri's on Main Melissa Abromaitis, Agent	240 B Main Street
Veteran's Club, Inc. (Tradenname) Vet's Club Alan E. Winter, Agent	820 Main Street
Teezers of Racine, Inc. (Tradenname) Teezers Erin E. Anstett, Agent	1936 Lathrop Avenue
Racine Labor Hall, Inc. (Tradenname) Racine Labor Center Richard K. Fought, Agent	2100 Layard Avenue
Mr. Kool's Sports Bar, LLC (Tradenname) Mr. Kool's Sports Bar James O. Oliver, Sr., Agent	1330 Washington Avenue

The Corner House, Inc. (Tradename) Corner House John G. Kopulos, Agent	1521 Washington Avenue
R&K Kong LLC (Tradename) Pepi's Pub & Grill Joe Madison, Agent	618 Sixth Street
Natalie R. Salinas LLC (Tradename) Olde Madrid Natalie Salinas, Agent	418 Sixth Street
Anchor Inn & Bowling Corporation (Tradename) Plaza Bowling Center John Landerman, Agent	3701 Durand Avenue
Paul's Pub LLC (Tradename) Paul's Pub Paul Lueke, Agent	2416 Lathrop Avenue
Lush Life, LLC (Tradename) Out of the Pan Roberta Schulz, Agent	550 State Street
Donna L. Daams (Tradename) Chartroom "Charlies" Donna L. Daams, Agent	209 Dodge Street
Jack J. Moreno (Tradename) Cackle Jacks'	3620 Northwestern Avenue
Fraternal Order of Eagles Aerie 281, Inc. Street (Tradename) Eagles Club Richard C. Fortier	319 Hamilton
John Dunk (Tradename) John's Dock	303 Dodge Street
Juan M. Leon (Tradename) Taqueria Arandas Restaurant	1501 Prospect Street
Ricky's Place, Inc. (Tradename) Ricky's Place Richard Smetana, Agent	236 Main Street

Crazytown, LLC (Tradename) Toad Hall Corey Szaryc, Agent	611 Wisconsin Avenue
Casablanca de Mexico, Inc. (Tradename) Casablanca de Mexico Blanca L. Webers, Agent	230 Main Street
2 Christopher Columbus, LLC (Tradename) Ayra's on the Lake Ketan Patel, Agent	2A Christopher Columbus
DeRose Bar & Restaurant, LLC (Tradename) DeRose Bar & Restaurant Sandra J. Barz, Agent	1444 Blake Avenue
Brucker LTD. (Tradename) Tommy's Justin Coe, Agent	1921 DeKoven Avenue
Liquid Productions (Tradename) The Drink Michael Mlsna, Agent	961 Dr. M.L. King Jr. Drive
Salute Incorporated (Tradename) Salute Italian Restaurant Gemma De Bartolo-Wells, Agent	314 Main Street
James J. Graves (Tradename) Radisson Inn Harbourwalk	223 Gaslight Circle
Lee Allen Gaither (Tradename) The Old School Way	1300 Sixteenth Street
James J. Graves (Tradename) Radisson Inn Harbourwalk	223 Gaslight Circle
The Rhino Bar, LLC (Tradename) The Rhino Bar	1659 N. Main Street
Mario's Italian Restaurant (Tradename) Mario's Italian Sports Bar Mario Passarelli, Agent	2322 Lathrop Avenue
Bar 525, LLC (Tradename) Bar 525 Jim Dipasquale, Agent	525 Wisconsin Avenue

Maria & Ivan Davalos (Tradename) El Rodeo Mexican Restaurant	1743 State Street
Racine Theatre Guild, Inc. (Tradename) Racine Theatre Guild Douglas Instenes, Agent	2519 Northwestern Avenue
Avarice Enterprises, LLC (Tradename) Michigan Pub Scott A. Jensen, Agent	1300 Michigan Blvd.
TBG'S Inc. (Tradename) TBG's Chad E. Londre, Agent	1814 Taylor Avenue
Restaurant of Racine, Inc. (Tradename) Chancery Pub & Restaurant Brian K. Grabher, Agent	207 Gaslight Circle
Harbor Lite Yacht Club, Inc. (Tradename) Harbor Lite Yacht Club John Whaley, Agent	559 State Street
Uncorkt LLC. (Tradename) Uncorkt Cheryl A. Etes, Agent	240A Main Street
Hillside Lanes, Inc. (Tradename) Hillside Lanes Richard Wonders, Agent	1400 Thirteenth Street
Max Mueckler (Tradename) The Max	3101 Douglas Avenue
Divino Gelato Cafe LTD (Tradename) Divino Gelato Cafe Lori A. Lester, Agent	245 Main Street
Sam's Riverbank, LLC (Tradename) Days Inn Riverside Sam Naimi, Agent	3700 Northwestern Avenue
WLS Wild Bill, Inc. (Tradename) Chief's William Sorenson, Agent	1641 Douglas Avenue

Blue Rock Lounge, LLC (Tradename) Blue Rock Lounge & Eatery Mark Thomas, Agent	306 Sixth Street
Torres Brenda Socorro (Tradename) R & B Latin Club	1600 Douglas Avenue
Vero's LLC (Tradename) Vero's Jodi Spranger, Agent	211 Sixth Street
Curmudgeon's Pub & Grill LLC (Tradename) Curmudgeon's Pub & Grill Dawn Burbey, Agent	3458 Rapids Drive
3EMINEE, LLC (Tradename) Henry & Wanda's Michael T. McDermott, Agent	501 Sixth Street
Club Main Inc. (Tradename) Evelyn's Club Main Catherine R. Kett, Agent	331 Main Street
Oakland Food Service MGT, Inc. (Tradename) The Red Onion Cafe Joseph D. Oakland, Agent	535 Main Street
Dennis Pias (Tradename) Pias Pizzeria	1756 Taylor Avenue
Rosalie's LLC (Tradename) Dino's Restaurant	1816 Sixteenth Street
The Char-Grill, Inc. (Tradename) Charcoal Grill Jeff Marsh, Agent	3839 Douglas Avenue
Dragan Sekuloski (Tradename) The Balkan Restaurant	605 Sixth Street
Smok'D on the Water (Tradename) Smok'D on the Water	3 Fifth Street
Tacos El Rey, Inc. (Tradename) Tacos El Rey Sonia Harris, Agent	2207 Lathrop Avenue

Sandy Toes, LLC
(Tradename) Beachside Oasis
Scott Jensen, Agent
100 Kewaunee Street

Peg & Lou's Bar and Grill LLC
(Tradename) Peg & Lou's
Peggy L. Larson, Agent
3113 Douglas Avenue

Randall L. Larson
(Tradename) The Brass Monkey
1436 Junction Avenue

Peg & Lou's Bar and Grill LLC
(Tradename) Maxine's
835 Washington Avenue

Marina's Wine Cafe
(Tradename) Marina's
Marina Vela, Agent
422 Main Street

Mary's Diamond Corporation
(Tradename) Cinco De Mayor Mexican Restaurant
Marilu Perez, Agent
1221 Douglas Avenue

Recommendation of the Public Safety and Licensing Committee on 6-10-13: The above listed renewal application(s) for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 2013-2014 with the exception of Odd Fellows Bistro, 817 Main Street and the Change of Agent for GMRI, Inc.,(dba Olive Garden) 6000 Durand Avenue - **CHANGE OF AGENT- Megan D. Romero** be approved.

Recommendation of the Public Safety and Licensing Committee on 6-10-13: That the renewal application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for Odd Fellows Bistro, 817 Main Street, Emily Jean Day, Agent be approved.

ROLL CALL VOTE WAS TAKEN:
AYES: Holding and Perez
NOES: Kaprelian-Becker
EXCUSED: Morgenroth and Sarrazin

Fiscal Note: N/A

[13-9019](#)

Subject: Application for a Second Hand Jewellery Dealers License for Iyad Alabed, Sunshine Supermarket, 1559 Taylor Avenue.

Recommendation of the Public Safety and Licensing Committee on

6-10-13: That the application for a Second Hand Jewellery Dealers License for Iyad Alabed, Sunshine Supermarket, 1559 Taylor Avenue be denied due to past occurrences and citations issued at the premise.

Fiscal Note: N/A

13-9021

Subject: (New) Application of John Patrick McAuliffe, John McAuliffe, Agent for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 213 Sixth Street (1st District) - Currently Licensed as "Class B" - New Applicant

Recommendation of the Public Safety and Licensing Committee on

6-10-13: The (New) Application of John Patrick McAuliffe, John McAuliffe, Agent for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 213 Sixth Street be approved pending all departmental inspections.

Fiscal Note: N/A

13-9022

Subject: (New) Application of Rudy's LLC, Dale Decker, Agent for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 2515 Douglas Avenue (5th District) - Currently Licensed as "Class B" - New Applicant

Recommendation of the Public Safety and Licensing Committee on

6-10-13: The (New) Application of Rudy's LLC, Dale Decker, Agent for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 2515 Douglas Avenue be approved pending all departmental inspections.

Fiscal Note: N/A

13-9023

Subject: (New) Application of R Garcia LLC, Iliana Rodriguez, Agent for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 3408 Douglas Avenue (7th District) - Currently Licensed as "Class B" - New Applicant

Recommendation of the Public Safety and Licensing Committee on

6-10-13: The (New) Application of R Garcia LLC, Iliana Rodriguez, Agent for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 3408 Douglas Avenue be approved pending all departmental inspections.

Fiscal Note: N/A

[13-9024](#)

Subject: (New) Application of Eco Salon Inc., Kristine Beaugrand, Agent for a Class "B" and "Class C" Fermented Malt Beverage and Wine License for 309 Main Street (1st District) - New Applicant

Recommendation of the Public Safety and Licensing Committee on 6-10-13: The (New) Application of Eco Salon Inc., Kristine Beaugrand, Agent for a Class "B" and "Class C" Fermented Malt Beverage and Wine License for 309 Main Street be approved pending all departmental inspections.

Fiscal Note: N/A

City Plan Commission Report, by Ald. Wiser

[13-9049](#)

Subject: (Direct Referral) Request by Heather Bennett and Omar Barron, representing Spitfire Ink Custom Creations, LLC, for a conditional use permit to allow for a tattoo establishment at 3417 Douglas Avenue.

Recommendation of the City Plan Commission on 6-12-13: That the item be approved subject to conditions.

Fiscal Note: N/A

[13-9050](#)

Subject: (Direct Referral) Request by Brian Weisbrod to operate a dog grooming establishment at 2421 Geneva Street. (PC-13)

Recommendation of the City Plan Commission on 6-12-13: That the item be approved subject to conditions.

Fiscal Note: N/A

[13-9066](#)

Subject: (ZOrd.003-13) An Ordinance rezoning 1906 St. Patrick Street from O-I Office Institutional to I-2 General Industrial.

Recommendation of the City Plan Commission on 6-12-13: That the ordinance be adopted.

Fiscal Note: N/A

Committee of the Whole Report, by Ald. McCarthy

[13-9014](#)

Subject: (Direct Referral) communication from the Council President

requesting a review of the duties, responsibilities and obligations of the Racine Water and Wastewater Utilities.

Recommendation of the Committee of the Whole on 06-04-2013:
the Item be Received and Filed.

Fiscal Note: N/A

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

[13-9031](#)

Subject: (Direct Referral) Communication from Kelly Condotti, American Cancer Society, requesting the use of Pershing Park to host the American Cancer Society Bark for Life from 7:00 a.m. until 1:00 p.m. on Saturday, August 17, 2013.

Recommendation of the Board of Parks, Recreation and Cultural Services on 6/12/13: To approve the communication from Kelli Condotti, American Cancer Society, requesting the use of Pershing Park to host the American Cancer Society Bark for Life from 7:00 AM until 1:00 PM on Saturday, August 17, 2013. Approval is subsequent to a walk-through with the Parks, Recreation and Cultural Services Department to assure that any special needs of the department are met.

Fiscal Note: N/A

H. Consent Agenda - Resolutions

[Res.13-0266](#)

2013 Department of Justice Second Chance Adult Re-Entry Demonstration Grant

Resolved, that permission is granted for the Assistant Finance Director and Lt. Aldred Days to apply for the 2013 Department of Justice Second Chance Adult Re-Entry Demonstration Grant. (Grant Control #2013-017)

Fiscal Note: Federal funds in an amount not to exceed \$350,000.00 will be applied for. The federal grant requires a soft local match of up to \$350,000.00. Racine Vocational Ministry will be required to provide the local match. A request will be made to waive the 25% hard match.

Sponsors: Q.A. Shakoor, II

[Res.13-0267](#)

Lake Michigan Pathway, Phase 4

Resolved, that permission is granted for the Assistant Commissioner of Public Works / City Engineer to apply for the WisDOT 2014-2018 CMAQ program application for Lake Michigan Pathway, Phase 4.

Fiscal Note: The estimated cost of design, construction and real estate

acquisition is \$801,000.00 with the WisDOT share being 80% or \$640,800.00, and the City share being 20% or \$160,200.00. Funding will be provided in the 2014-2023 CIP.

Sponsors: Q.A. Shakoor, II

Res.13-0268 Municipal Services Agreement with McMynn Tower, LLC and Future Wisconsin, LLC

Resolved, that the Mayor and City Clerk are authorized and directed to enter into Municipal Services Agreements with McMynn Tower, LLC for the property located at 100 7th Street and Future Wisconsin Racine, LLC for the property located at 5539 Byrd Avenue.

Fiscal Note: The agreements will generate revenues of approximately \$140,000.00 per year.

Sponsors: Q.A. Shakoor, II

Res.13-0270 Change Order No. 2 to Contract 59-12 (K2-070), Painting of Main Street Lift Bridge

Resolved, that Change Order No. 2 on Contract 59-12 (K2-070), Painting of Main Street Lift Bridge, Drax, Inc., contractor, is approved in the amount of \$4,392.30.

Fiscal Note: Funding to defray the cost of this change order be appropriated from Account 930.086.5810, Main Street Lift Bridge.

Sponsors: Sandy Weidner

Res.13-0271 Final payment on Contract 59-12 (K2-070), Painting of Main Street Lift Bridge

Resolved, that the work done by Drax, Inc. under Contract 59-12 (K2-070), Painting of Main Street Lift Bridge, is accepted and final payment authorized for a total contract amount of \$964,931.86.

Fiscal Note: Contract was authorized under Resolution No. 12-3397, dated November 7, 2012.

Sponsors: Sandy Weidner

Res.13-0272 Final Payment on Contract 65-12 (K2-076) - W. 6th St. & Memorial Dr. Bridge Rehabilitation Reports

Resolved, that the professional services provided by Bloom Companies, under Contract 65-12 (K2-076), Professional Services - W. 6th Street & Memorial Drive Bridge Rehabilitation Reports, is accepted and final payment authorized for a total contract amount of \$12,000.00.

Fiscal Note: Contract was authorized under Resolution No. 12-3379, dated October 16, 2012.

Sponsors: Sandy Weidner

Res.13-0273 Amendment No. 3 to State Project ID: 2290-17-00, Northwestern Avenue (STH 38) - Memorial Drive to Golf Avenue

Resolved, that Amendment No. 3 to the three-party contract between the State of Wisconsin, City of Racine and Strand Associates, Inc., State Contract ID: 2290-17-00, Northwestern Avenue (STH38) - Memorial Drive to Golf Avenue, is approved in the amount of \$5,663.35 with the City's share being \$1,415.84 (25%) and the State share being \$4,247.51 (75%).

Fiscal Note: Funding to defray the cost of the City's share of these professional services be appropriated from Account 992.908.5060, Northwestern-Memorial to Golf.

Sponsors: Sandy Weidner

Res.13-0274 Amendment No. 2 to State Project ID: 1693-34-07, Lake Michigan Pathway Phase 3

Resolved, that Amendment No. 2 on the two-party contract between the State of Wisconsin and the City of Racine, State Contract ID: 1693-34-07 - Lake Michigan Pathway Phase 3, is approved in the amount of \$64,669.76, with the City's share being \$12,933.95 (20%) and the State share being \$51,735.81 (80%).

Fiscal Note: Funding to defray the cost of the City's share of these professional services be appropriated from Account 992.908.5620 - Lake Michigan Pathway Phases 3A and 3B.

Sponsors: Sandy Weidner

Res.13-0275 Spitfire Ink Custom Creations, LLC

That the request of Omar Barron and Heather Bennett representing Spitfire Ink Custom Creations, LLC tattoo establishment is approved subject to the following conditions:

- a. That the plans submitted to the Plan Commission on June 12, 2013 be approved subject to the conditions contained herein.
- b. That all license requirements with the State Department of Health Services and with the City of Racine be obtained and kept current.
- c. That the applicant shall keep all trash and contaminates produces in the tattooing process for proper pick up and disposal on a weekly basis.

- d. That no loitering be allowed in or around the tattoo establishment at any time. All patrons or persons accompanying patrons shall be at least 18 years of age.
- e. That the business may not expand to include additional tattoo stations. The maximum stations shall be limited to two.
- f. That the business operators and clients shall park in the designated parking areas as shown on the site plan.
- g. That the hours of operation shall be Monday - Friday, 11:00 a.m. - 10:00 p.m., and Saturdays 10:00 p.m. - 10 p.m. No Sunday hours are permitted.
- h. That the tattoo stations be screened from view from the waiting area and exterior of the business.
- i. That the sale of food or drink not be allowed.
- j. That any signage proposed shall be reviewed and approved by City Development Staff.
- k. That the plans shall be subject to review and potential additional requirements by the Douglas Avenue Redevelopment Association and BID Board.
- l. That all codes and ordinances be complied with and required permits acquired.
- m. That no major changes be made from the conditions of this permit without 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 conditional use permit is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

Sponsors: Dennis Wiser

Res.13-0276 Dog Grooming at 2421 Geneva Street

That the request by Brian Weisbrod to operate a dog grooming business at 2421 Geneva Street is approved, subject to the following conditions:

- a. That the plans presented to the Plan Commission on June 12, 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 Plan Commission concurs with Staff interpretation that a dog grooming establishment is of the same general character as other uses permitted in the B-1 Neighborhood Convenience zoning district.
- d. That the hours of operation shall be from 7:00 a.m. - 5:00 p.m.,

Monday through Friday.

e. That there be no more than 2 kennels for dogs awaiting pick-up. Said kennels must be located inside the building.

f. That there be no overnight boarding of animals.

g. That all trash shall be stored inside or in a dumpster enclosure to be reviewed by City Development staff for location and screening.

h. That the areas around the building remain clear of any dog droppings and litter. The site shall be cleaned daily.

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

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

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

Fiscal Note: N/A

Sponsors: Dennis Wisner

I. Resolutions

Res.13-0220 RESOLUTION AUTHORIZING THE ISSUANCE OF \$11,040,000 general obligation promissory notes AND THE ISSUANCE AND SALE OF \$11,040,000 note anticipation notes in ANTICIPATION thereof

WHEREAS, the City of Racine, Racine County, Wisconsin (the "City") is presently in need of the sum of \$11,040,000 for public purposes, including paying the cost of various capital improvement and acquisition projects set forth in the City's Capital Improvement Plan and acquisition of municipal equipment (the "Project");

WHEREAS, the Common Council hereby finds and determines that the Project is within the City's power to undertake and therefore serves a "public purpose" as that term is defined in Section 67.04(1)(b), Wisconsin Statutes;

WHEREAS, cities are authorized by the provisions of Chapter 67, Wisconsin Statutes, to borrow money and issue general obligation promissory notes for such public purposes;

WHEREAS, it is the finding of the Common Council that it is necessary, desirable and in the best interest of the City to authorize the issuance of and covenant to issue general obligation promissory notes (the "Securities") to provide permanent financing for the Project;

WHEREAS, the Securities have not yet been issued or sold;

WHEREAS, cities are authorized by the provisions of Section 67.12(1)(b), Wisconsin Statutes, to issue note anticipation notes in

anticipation of receiving the proceeds from the issuance and sale of the Securities;

WHEREAS, it is the finding of the Common Council that it is necessary, desirable and in the best interest of the City to authorize the issuance and sale of note anticipation notes pursuant to Section 67.12(1)(b), Wisconsin Statutes (the "Notes"), in anticipation of receiving the proceeds from the issuance and sale of the Securities, to provide interim financing to pay costs of the Project; and

WHEREAS, it is the finding of the Common Council that it is necessary, desirable and in the best interest of the City to sell the Notes to Robert W. Baird & Co. Incorporated (the "Purchaser"), pursuant to the terms and conditions of its note purchase proposal attached hereto as Exhibit A and incorporated herein by this reference (the "Proposal").

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City that:

Section 1. Authorization of Securities. The City hereby authorizes the issuance and declares its intention and covenants to issue the Securities pursuant to the provisions of Chapter 67, Wisconsin Statutes, in an amount sufficient to retire any outstanding note anticipation notes issued for the purpose of paying costs of the Project. There is hereby levied on all the taxable property in the City a direct, annual, irrevocable tax sufficient to pay the interest on said Securities as it becomes due, and also to pay and discharge the principal thereof.

Section 2. Authorization and Sale of the Notes. In anticipation of the sale of the Securities, for the purpose of paying costs of the Project, there shall be borrowed pursuant to Section 67.12(1)(b), Wisconsin Statutes, the principal sum of ELEVEN MILLION FORTY THOUSAND DOLLARS (\$11,040,000) from the Purchaser in accordance with the terms and conditions of the Proposal. The Proposal is hereby accepted and the Mayor and City Clerk or other appropriate officers of the City are authorized and directed to execute an acceptance of the Proposal on behalf of the City. To evidence the obligation of the City, the Mayor and City Clerk are hereby authorized, empowered and directed to make, execute, issue and sell to the Purchaser for, on behalf of and in the name of the City, the Notes aggregating the principal amount of ELEVEN MILLION FORTY THOUSAND DOLLARS (\$11,040,000) for the sum set forth on the Proposal, plus accrued interest to the date of delivery.

Section 3. Terms of the Notes. The Notes shall be designated "Note Anticipation Notes"; shall be issued in the aggregate principal amount of \$11,040,000; shall be dated July 9, 2013; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and shall bear interest at the rate and mature on June 9, 2014 as set forth on the schedule attached hereto as Exhibit B and incorporated herein by this reference (the "Schedule"). Interest is payable at maturity. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded

pursuant to the rules of the Municipal Securities Rulemaking Board.

Section 4. Redemption Provisions. The Notes shall be subject to redemption prior to maturity, at the option of the City, on December 9, 2013 or on any date thereafter. Said Notes shall be redeemable as a whole or in part, and if in part, by lot, at the principal amount thereof, plus accrued interest to the date of redemption.

Section 5. Form of the Notes. The Notes shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit C and incorporated herein by this reference.

Section 6. Security. The Notes shall in no event be a general obligation of the City and do not constitute an indebtedness of the City nor a charge against its general credit or taxing power. No lien is created upon the Project or any other property of the City as a result of the issuance of the Notes. The Notes shall be payable only from (a) any proceeds of the Notes set aside for payment of interest on the Notes as it becomes due and (b) proceeds to be derived from the issuance and sale of the Securities, which proceeds are hereby declared to constitute a special trust fund, hereby created and established, to be held by the City Clerk and expended solely for the payment of the principal of and interest on the Notes until paid. The City hereby agrees that, in the event such monies are not sufficient to pay the principal of and interest on the Notes when due, if necessary, the City will pay such deficiency out of its annual general tax levy or other available funds of the City; provided, however, that such payment shall be subject to annual budgetary appropriations therefor and any applicable levy limits; and provided further, that neither this Resolution nor any such payment shall be construed as constituting an obligation of the City to make any such appropriation or any further payments.

Section 7. Segregated Debt Service Fund Account.

(A) Creation and Deposits. There be and there hereby is established in the treasury of the City a separate and distinct fund account designated as the "Debt Service Fund Account for \$11,040,000 Note Anticipation Notes, dated July 9, 2013" (the "Debt Service Fund Account"), and such account shall be maintained until the indebtedness evidenced by the Notes is fully paid or otherwise extinguished. The City Treasurer shall deposit in the Debt Service Fund Account (i) all accrued interest received by the City at the time of delivery of and payment for the Notes; (ii) any premium which may be received by the City above the par value of the Notes and accrued interest thereon; (iii) any proceeds of the Notes representing capitalized interest on the Notes or other funds appropriated by the City for payment of interest on the Notes, as needed to pay the interest on the Notes when due; (iv) proceeds of the Securities (or other obligations of the City issued to pay principal of or interest on the Notes); (v) such other sums, including tax monies, as may be necessary at any time to pay principal of and interest on the Notes when due and which are appropriated by the Common Council for

that purpose; and (vi) surplus monies in the Borrowed Money Fund as specified in Section 9 hereof.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Notes until all such principal and interest has been paid in full and the Notes canceled; provided that such monies may be invested in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"), which investments shall continue to be a part of the Debt Service Fund Account. Said account shall be used for the sole purpose of paying the principal of and interest on the Notes and shall be maintained for such purpose until the Notes are fully paid or otherwise extinguished, and shall at all times be invested in a manner that conforms with the provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and any applicable Treasury Regulations (the "Regulations").

(C) Remaining Monies. When all of the Notes have been paid in full and canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account shall be transferred and deposited in the general fund of the City, unless the Common Council directs otherwise.

Section 8. Covenants of the City. The City hereby covenants with the owners of the Notes as follows:

(A) It shall issue and sell the Securities as soon as practicable, as necessary to provide for payment of the Notes;

(B) It shall segregate the proceeds derived from the sale of the Securities into the special trust fund herein created and established and shall permit such special trust fund to be used for no purpose other than the payment of principal of and interest on the Notes until paid. After the payment of principal of and interest on the Notes in full, said special trust fund may be used for such other purposes as the Common Council may direct in accordance with law; and,

(C) It shall maintain a debt limit capacity such that its combined outstanding principal amount of general obligation bonds or notes or certificates of indebtedness and the \$11,040,000 authorized for the issuance of the Securities shall at no time exceed its constitutional debt limit.

Section 9. Proceeds of the Notes; Segregated Borrowed Money Fund. All monies received by the City upon the delivery of the Notes to the Purchaser thereof (other than any premium and accrued interest which must be paid at the time of the delivery of the Notes into the Debt Service Fund Account created above) shall be deposited by the City Clerk into a special fund (the "Borrowed Money Fund") which shall be maintained separate and distinct from all other funds of the City and shall be used for no purpose other than the purposes for which the Notes are issued. Monies in the Borrowed Money Fund may be temporarily invested in Permitted Investments. Any monies, including

any income from Permitted Investments, remaining in the Borrowed Money Fund after the purposes for which the Notes have been issued have been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purposes, shall be deposited in the Debt Service Fund Account created herein.

Section 10. No Arbitrage. All investments made pursuant to this Resolution shall be Permitted Investments, but no such investment shall be made in such a manner as would cause the Notes to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations and an officer of the City, charged with the responsibility for issuing the Notes, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Notes to the Purchaser which will permit the conclusion that the Notes are not "arbitrage bonds," within the meaning of the Code or Regulations.

Section 11. Compliance with Federal Tax Laws. (a) The City represents and covenants that the projects financed by the Notes and the ownership, management and use of the projects will not cause the Notes to be "private activity bonds" within the meaning of Section 141 of the Code. The City further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of the interest on the Notes including, if applicable, the rebate requirements of Section 148(f) of the Code. The City further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Notes) if taking, permitting or omitting to take such action would cause any of the Notes to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Notes to be included in the gross income of the recipients thereof for federal income tax purposes. The City Clerk or other officer of the City charged with the responsibility of issuing the Notes shall provide an appropriate certificate of the City certifying that the City can and covenanting that it will comply with the provisions of the Code and Regulations.

(b) The City also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Notes provided that in meeting such requirements the City will do so only to the extent consistent with the proceedings authorizing the Notes and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

Section 12. Execution of the Notes; Closing; Professional Services. The Notes shall be issued in printed form, executed on behalf of the City by the manual or facsimile signatures of the Mayor and City Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof and

delivered to the Purchaser upon payment to the City of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Notes may be imprinted on the Notes in lieu of the manual signature of the officer but, unless the City has contracted with a fiscal agent to authenticate the Notes, at least one of the signatures appearing on each Note shall be a manual signature. In the event that either of the officers whose signatures appear on the Notes shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Notes and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The City hereby authorizes the officers and agents of the City to enter into, on its behalf, agreements and contracts in conjunction with the Notes, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Notes is hereby ratified and approved in all respects.

Section 13. Payment of the Notes; Fiscal Agent. The principal of and interest on the Notes shall be paid by the City Clerk or City Treasurer (the "Fiscal Agent").

Section 14. Persons Treated as Owners; Transfer of Notes. The City shall cause books for the registration and for the transfer of the Notes to be kept by the Fiscal Agent. The person in whose name any Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Note shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

Any Note may be transferred by the registered owner thereof by surrender of the Note at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Mayor and City Clerk shall execute and deliver in the name of the transferee or transferees a new Note or Notes of a like aggregate principal amount, series and maturity and the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Note surrendered for transfer.

The City shall cooperate in any such transfer, and the Mayor and City Clerk are authorized to execute any new Note or Notes necessary to effect any such transfer.

Section 15. Record Date. The fifteenth calendar day preceding the interest payment date shall be the record date for the Notes (the "Record Date"). Payment of interest on the Notes on any interest

payment date shall be made to the registered owners of the Notes as they appear on the registration book of the City at the close of business on the Record Date.

Section 16. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Notes eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the City agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations previously executed on behalf of the City and on file in the City Clerk's office.

Section 17. Official Statement. The Common Council hereby approves the Preliminary Official Statement with respect to the Notes and deems the Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the City in connection with the preparation of such Preliminary Official Statement and any addenda to it or Final Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate City official shall certify the Preliminary Official Statement and any addenda or Final Official Statement. The City Clerk shall cause copies of the Preliminary Official Statement and any addenda or Final Official Statement to be distributed to the Purchaser.

Section 18. Undertaking to Provide Continuing Disclosure. The City hereby covenants and agrees, for the benefit of the owners of the Notes, to enter into a written undertaking (the "Undertaking") if required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Notes or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the City to comply with the provisions of the Undertaking shall not be an event of default with respect to the Notes).

To the extent required under the Rule, the Mayor and City Clerk, or other officer of the City charged with the responsibility for issuing the Notes, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the City's Undertaking.

Section 19. Record Book. The City Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Notes in the Record Book.

Section 20. Bond Insurance. If the Purchaser determines to obtain municipal bond insurance with respect to the Notes, the officers of the City are authorized to take all actions necessary to obtain such

municipal bond insurance. The Mayor and City Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Mayor and City Clerk including provisions regarding restrictions on investment of Note proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Notes by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Note provided herein.

Section 21. Conflicting Resolutions; Severability; Effective Date.

All prior resolutions, rules or other actions of the Common Council or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Adopted, approved and recorded June 18, 2013.

John Dickert
Mayor

Attest:

Janice M. Johnson-Martin
City Clerk

(SEAL)

Sponsors: Q.A. Shakoor, II

J. Ordinances

Ord.09-13

Ordinance 09-13

To recreate Sec. 2-64. - Order of business of the general ordinances of the City of Racine, Racine County, Wisconsin.

Part 1: The first sentence of Sec. 2-64. - Order of business of the Municipal Code of the City of Racine is hereby recreated to be labeled section "(a)."

Part 2: In Sec. 2-64. - Order of business, of the Municipal Code of the City of Racine, create section (b) to read as follows:

"(b) The following rules of decorum shall apply to the public comment period of the common council meeting:

(1) Proper decorum must be observed by speakers in providing testimony and remarks during the public comment period. Speakers are expected to conduct themselves with civility and to accord a measure of dignity and respect.

(2) The Mayor or presiding officer shall keep control of the meeting and require speakers and audience to refrain from abusive or profane remarks, disruptive outbursts, applause, protest, or other conduct which disrupts or interferes with the orderly conduct of the business of the meeting.

(3) Personal attacks on alderpersons, City staff, other City officials or members of the public are not allowed.

(4) Engaging in such conduct will be grounds for ending a speaker's time at the podium or for removal from the meeting room at the discretion of the Mayor or presiding officer.

(5) Each speaker shall be allotted a maximum of three (3) minutes to speak on any item."

Part 3: This ordinance shall take effect upon passage by a majority vote of the members-elect of the City Common Council and publication or posting as required by law.

Passed by the Common Council:

Approved:

Mayor

Attest:

City Clerk

Fiscal Note: N/A

Sponsors: Jim Kaplan

K. Adjourn

Office of The City Clerk

If you are disabled and have accessibility needs or need information interpreted for you, please call the City Clerk's Office at 636-9171 at least 48 hours prior to this meeting.