



City of Racine

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

Meeting Agenda - Final Common Council

Mayor Cory Mason
Alderman Jeff Coe
Alderman Mollie Jones
Alderman John Tate II
Alderman Tracey Larrin
Alderman Steve Smetana
Alderman Sandy Weidner
Alderman Raymond DeHahn
Alderman Q.A. Shakoor II
Alderman Terry McCarthy
Alderman Dennis Wisner
Alderman Mary Land
Alderman Henry Perez
Alderman James Morgenroth
Alderman Jason Meekma
Alderman Melissa Lemke

Tuesday, March 6, 2018

7:00 PM

City Hall, Room 205

A. Call To Order

B. Pledge of Allegiance To The Flag

C. Approval of Journal of Council Proceedings (Minutes) February 21, 2018

E. Public Comments

F. Communications

Refer to Finance and Personnel Committee, by Ald. Shakoor II

[0205-18](#)

Subject: Communication from the City Attorney submitting the claim of Elias Moreno and Irma Moreno for consideration.

[0214-18](#)

Subject: Communication from the Chief of Police requesting to apply for and accept the Beat Patrol-Overtime 2018 Grant (Grant Control #00170)

[0215-18](#)

Subject: Communication from the Chief of Police to obtain permission to waive the formal bidding procedures and instruct the Purchasing Agent to negotiate sole source procurement with Axon Enterprises, Inc.

[0220-18](#)

Subject: Communication from the Purchasing Agent submitting results for Official Notice #3-2018, Forestry Maintenance for Golf Courses, Cemeteries & Wustum Museum.

[0227-18](#)

Subject: Communication from the Mayor requesting the Common Council issue the following Resolution:

Whereas, Visioning a Greater Racine is a grassroots movement driven by a community based-vision that wishes create a flourishing place residents are all proud to call home by 2030;

Whereas, Visioning a Greater Racine has connected with more than 1,400 Racinians by providing an outlet to express their hopes, dreams, and aspirations for the region;

Whereas, Visioning a Greater Racine has organized eleven Work, Action, Vision, Engagement (WAVE) Teams which work to implement the vision brought about by the Greater Racine community through collaboration, coordination & guided vision-based work;

Whereas, Visioning a Greater Racine will work to address Education & Youth, Culture and Recreation, Healthy Productive Lives, Revitalization, Thriving Economy, Model of Environmental Sustainability, Social Justice, Diverse and Collaborative Leadership, Transportation, Pride and Positive Self-Image, and a Vibrant Atmosphere for Young Adults;

Whereas, Visioning a Greater Racine has more than 400 volunteers participating in the implementation process;

Whereas, Visioning a Greater Racine and the City of Racine share similar goals in creating a community that provides opportunity for all;

Therefore, be it resolved, that the Mayor, Alders, and City of Racine Staff are encouraged to serve on a WAVE Team municipal operations and efforts may be aligned with the grassroots goals of the community;

Be it further resolved, that the City of Racine shall be a community partner of Visioning a Greater Racine in its mission to develop a flourishing place residents are all proud to call home.

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

[0217-18](#)

Subject: Communication from the Purchasing Agent submitting bids on

Official Notice No. 1-2018, two (2) heavy duty, low entry, dual steer cab truck chassis, with 25 cubic yard high compaction rear loading refuse packer with dual refuse cart lifters.

[0218-18](#)

Subject: Communication from the Purchasing Agent submitting bids on Official Notice No. 2-2018, furnish and install of 5 cubic yard diesel dump trucks with snowplows, tailgate spreaders and liquid dispensing systems on two (2) 35,000 GVW diesel truck chassis.

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

[0206-18](#)

Subject: (New) Application for a Class "B" and "Class C" Fermented Malt Beverage and Wine License for Nino's Tacos & Catering, LLC / DBA: 911 Tacos, located at 817 Main Street, Alice Saucedo, Agent. (1st District).

[0228-18](#)

Subject: (New) Application for a Class "B" and "Class C" Fermented Malt Beverage and Wine License for Beachside Oasis LLC dba Beachside Oasis, 100 Kewaunee Ave, Scott Jensen, Agent. (4th District)

Refer to Traffic Commission, by Ald. Jones

[0219-18](#)

Subject: Communication from the Alderwoman of the 2nd District, on behalf of Mrs. Diane Anderson - 1638 Main St., requesting to modify parking in the 1600 block of Main Street.

G. Committee Reports

Finance and Personnel Committee Report, by Ald. Shakoor II

[0072-18](#)

Subject: Communication from the City Attorney submitting the claim of Orville Gleason & Geraldine Gleason for consideration.

Recommendation of the Finance & Personnel Committee on

02.26.18: The claim of Orville & Geraldine Gleason, 5727 Spring St, Racine, WI 53406, for claim reimbursement in the amount of \$100.00 for an inspection fee charged by Unified Neighborhood Inspections / Building Dept. for an inspection performed on or about March 29, 2017 at their property at 1617 Indiana Street be denied.

Fiscal Note: N/A

[0081-18](#)

Subject: Communication from the Alderman of the 12th district requesting a change to the Donations Policy adopted as Item 6 of the February 1, 2005 Finance and Personnel Committee Report by changing the dollar limit delineated in restriction number 3 from \$500 to \$2,500. (Res. 0045-18)

Recommendation of the Finance & Personnel Committee on

02.12.2018: The Donations Policy adopted as Item 6 of the February 1, 2005 Finance and Personnel Committee Report be amended to change the dollar limit delineated in restriction number 3 from \$500 to \$2,500.

Recommendation of the Common Council on 02.21.2018: Refer back to Finance & Personnel Committee for further discussion.

Recommendation of the Finance & Personnel Committee on

02.26.2018: The Donations Policy adopted as Item 6 of the February 1, 2005 Finance and Personnel Committee Report be amended to change the dollar limit delineated in restriction number 3 from \$500 to \$2,500.

Fiscal Note: Efficiency gains will be realized by amendment of the policy.

[0119-18](#)

Subject: Communication from the City Attorney submitting the claim of Ceonia Paytes for consideration.

Recommendation of the Finance & Personnel Committee on

02.26.2018: The claim of Ceonia Paytes, 1306 Walton Ave, Racine, WI 53402 for vehicle damage allegedly arising after driving over a pothole adjacent to the driveway for 1826 Douglas Avenue on or about January 21, 2018 be denied.

Fiscal Note: N/A

[0139-18](#)

Subject: Communication from the City Attorney submitting the claim of Luis Cabrera for consideration.

Recommendation of the Finance & Personnel Committee on

02.26.18: The claim of Luis Cabrera, 965 Henry St, Lake Geneva, WI 53407, for vehicle damage allegedly from a falling branch from a City-tree at 1819 Blake Avenue on or about December 05, 2017 be denied.

Fiscal Note: N/A

[0166-18](#)

Subject: Communication from the City Attorney requesting the Mayor and City Clerk be authorized to enter into a license agreement and mutual hold harmless and indemnification agreement with the Redevelopment Authority of the City of Racine to permit City of Racine Fire Department personnel to conduct fire department training activities in Redevelopment Authority-owned buildings. (Res. 0061-18)

Recommendation of the Finance & Personnel Committee on

02.26.18: To authorize and direct the Mayor and City Clerk to execute and

enter into a license agreement and mutual hold harmless and indemnification agreement with the Redevelopment Authority of the City of Racine to permit City of Racine Fire Department personnel to conduct fire department training activities in Redevelopment Authority-owned buildings.

Fiscal Note: N/A

[0199-18](#)

Subject: (Direct Referral) Communication from the City Attorney requesting authorization to represent employees and officials in the case of *Estate of Shannon v. City of Racine, et al.*, U.S. District Court Eastern District of Wisconsin Case No. 18-CV-194-NJ.

Recommendation of the Finance & Personnel Committee on

02.26.2018: The City Attorney's office be authorized to represent employees and officials in the case of *Estate of Shannon v. City of Racine, et al.*, U.S. District Court Eastern District of Wisconsin Case No. 18-CV-194-NJ.

Fiscal Note: There will not be additional costs beyond the cost of defending the City of Racine.

[0200-18](#)

Subject: (Direct Referral) Communication from the City Attorney requesting authorization to represent employees and officials in the case of *Harmon, et al v. City of Racine, et al.*, U.S. District Court Eastern District of Wisconsin Case No. 18-CV-209-JPS.

Recommendation of the Finance & Personnel Committee on

02.26.2018: The City Attorney's office be authorized and directed to represent employees and officials in the case of *Harmon, et al v. City of Racine, et al.*, U.S. District Court Eastern District of Wisconsin Case No. 18-CV-209-JPS.

Fiscal Note: There will not be additional costs beyond the cost of defending the City of Racine.

Public Works and Services Committee Report, by Ald. McCarthy

[0083-18](#)

Subject: Final Payment on Contract 20160038, PS - Street & Building Lighting Energy Efficient Improvements, Johnson Controls, Inc. (JCI), consultant. (Res. 0069-18)

Recommendation of the Public Works and Services Committee on

01-30-18: Defer

Recommendation of the Public Works and Services Committee on 02-27-18: That the work done by Johnson Controls, Inc. (JCI), under contract 20160038, PS - Street & Building Lighting Energy Efficient Improvements, be accepted and final payment authorized for a total contract amount of \$738,014.00.

Fiscal Note: Contract was authorized under Resolution 0280-16, dated August 1, 2016.

[0131-18](#)

Subject: Change Order No. 1 on Contract 20170005, Replace Elevator, City Hall Annex, Advanced Elevator, Inc., contractor. (Res. 0064-18)

Recommendation of the Public Works and Services Committee on 02-27-18: That Change Order No. 1 on Contract 20170005, Replace Elevator - City Hall Annex, Advanced Elevator, Inc., contractor, be approved in the amount of \$1,110.00.

Further recommends that funding to defray the cost of the change order be appropriated from Org-Object 45040-57200, Annex-Upgrade N. Elevator.

Fiscal Note: Funds are available as herein delineated.

[0148-18](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works submitting the Semi-Automation of Solid Waste Collection Report.

Recommendation of the Public Works and Services Committee on 02-13-18: Defer

Recommendation of the Public Works and Services Committee on 02-27-18: Receive and file.

Fiscal Note: N/A

[0157-18](#)

Subject: Final Payment on Contract 20170025, PS - 2017 Illicit Discharge Detection & Elimination Services, AECOM, consultant. (Res. 0070-18)

Recommendation of the Public Works and Services Committee on 02-27-18: That the work done by AECOM, under contract 20170025, PS - 2017 Illicit Discharge Detection & Elimination Services, be accepted and final payment authorized for a total contract amount of \$19,737.40.

Fiscal Note: Contract was authorized under Resolution 0124-17, dated April 5, 2017.

[0159-18](#)

Subject: (Direct Referral) Communication from the Public Works and Services Committee requesting a detailed report regarding the new

sidewalk inspection and repair services.

Recommendation of the Public Works and Services Committee on 02-27-18: Receive and file.

Fiscal Note: N/A

[0160-18](#)

Subject: Communication from the Assistant Commissioner of Public Works/City Engineer submitting Contract 20180032, PS - 2018 Illicit Discharge Detection & Elimination Services, AECOM, consultant. (Res. 0065-18)

Recommendation of the Public Works and Services Committee on 02-27-18: That the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with AECOM, on Contract 20180032, PS - 2018 Illicit Discharge Detection & Elimination Services, in the not-to-exceed amount of \$20,000.00.

Further recommends that funds to defray the cost of these professional services be appropriated from Org-Object 60484-52160, Monitoring & Detection.

Fiscal Note: Funds are available as herein delineated.

[0161-18](#)

Subject: Bid results on Contract 20180003, Monroe Avenue Reconstruction (R1). (Res. 0063-18)

Recommendation of the Public Works and Services Committee on 02-27-18: That bids for Contract 20180003, Monroe Avenue Reconstruction (R1), be awarded to Cornerstone Pavers, LLC., at their bid price of \$1,503,120.84, it being the lowest responsible bidder.

Further recommends that funds to defray the cost of this Public Works Department project be appropriated from the below Org-Objects:

\$ 601,301.54 - Org-Object 45040-57500, DPW Paving
\$ 41,194.67 - Org-Object 45040-57515, DPW Sidewalks
\$ 69,878.75 - Org-Object 60484-57570, Storm Sewers
\$ 690,745.88 - Org-Object 22640-57560, Sanitary Sewers
\$ 100,000.00 - Org-Object 22640-57550, Sanitary Sewers-Paving
\$1,503,120.84 - Total

Fiscal Note: Funds are available as herein delineated.

[0163-18](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer submitting Revision 2 to the State/Municipal Agreement for State Project ID: 2260-08-00/70, Durand

Avenue (STH 11), Kearney Avenue to E of Memorial Drive. (Res. 0066-18)

Recommendation of the Public Works and Services Committee on

02-27-18: That Revision 2 to the State/Municipal Agreement for State Project ID: 2260-08-00/70, Durand Avenue (STH 11), Kearney Avenue to E of Memorial Drive, as submitted, be approved in the amount of \$3,246,850.00, with the WisDOT share being \$2,990,888.00 and the City of Racine share being \$243,463.00 (\$12,500 credit).

Fiscal Note: Funding for this project is available in Org-Object 45040-57500, Durand - Kearney to Sheridan.

[0180-18](#)

Subject: (Direct Referral) Change Order No. 1 on Contract 20170010, 2017 City Resurfacing (R1), Payne & Dolan, Inc., contractor. (Res. 0067-18)

Recommendation of the Public Works and Services Committee on

02-27-18: That Change Order No. 1 on Contract 20170010, 2017 City Resurfacing (R1), Payne & Dolan, Inc., contractor, be approved in the amount of \$22,368.44.

Further recommends that funding to defray the cost of the change order be appropriated from the below Org-Objects:

(\$39,026.78) - Org-Object 45040-57500, Asphalt Resurfacing
\$47,868.50 - Org-Object 60484-57570, Storm Sewers
(\$17,966.00) - Org-Object 22640-57560, Sanitary Sewers
\$14,985.46 - Org-Object 45050-57515, Sidewalk Replacement
\$19,637.26 - Org-Object 45050-57515, Crosswalk Ramps
(\$ 3,100.00) - Org-Object 45040-57530, Traffic Signal Replacements
\$22,368.44 - Total

[0181-18](#)

Subject: Final Payment on Contract 20170010, 2017 City Resurfacing (R1), Payne & Dolan, Inc., contractor. (Res. 0068-18)

Recommendation of the Public Works and Services Committee on

02-27-18: That the work done by Payne & Dolan, Inc., under contract 20170010, 2017 City Resurfacing (R1), be accepted and final payment authorized for a total contract amount of \$1,316,220.75. Final Payment to include retainage.

Fiscal Note: Contract was authorized under Resolution 0133-17, dated April 17, 2017.

[0188-18](#)

Subject: (Direct Referral) Communication from the Downtown Racine Corporation requesting to use City right-of-way for the St. Patrick's Day

Parade on Saturday, March 17, 2018. (Res. 0062-18)

Recommendation of the Public Works and Services Committee on

02-27-18: That permission be granted to the Downtown Racine Corporation to close Ontario Street from the CNH parking lot to State Street, State Street from Erie Street to Main Street, Main Street from State Street to 6th Street, and 6th Street from Main Street to Center Street, on Saturday, March 17, 2018, from 12:00 Noon to 2:00 P.M., for a St. Patrick's Day Parade, with the following stipulations:

- A. A hold harmless agreement be executed and a \$75.00 processing fee paid.
- B. A liability insurance certificate be filed prior to this event.
- C. Any overtime costs incurred by any City department be charged to the sponsor.
- D. The sponsor shall notify all abutting property owners seventy-two (72) hours in advance of this event.
- E. The sponsor shall pay a \$850.00 special event fee.
- F. If required, sponsor shall be responsible for submitting a Temporary Traffic Control Plan to the Engineering Department for approval, and providing and removing all temporary traffic control devices and detour signs.
- G. If required, sponsor shall provide a detour plan for the closure of all State connecting Highways, arterial and collector streets to the City Engineer for approval.
- H. If required, sponsor is responsible for cleaning the streets.
- I. If required, sponsor shall install parking meter hoods or temporary parking signs at least twenty-four (24) hours in advance of the event and if this is not done, sponsor is responsible for vehicle towing and parking violation expenses of the violators.

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

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

Public Safety and Licensing Committee Report, by Ald. Coe

[0137-18](#)

Subject: Communication from the City Attorney recommending deletion of section Sec. 3-4. - Child safety zone exceptions to loitering within the Code of Ordinances, which are no longer applicable. (Ord. 0001-18)

Recommendation of the Public Safety and Licensing Committee on

02-27-2018: That the City Attorney's office create an ordinance to delete

Sec. 3-4 - Child safety zone exceptions to loitering within the Code of Ordinances, which are no longer applicable be approved and the ordinance to come back before Public Safety and Licensing for final review.

Fiscal Note: N/A

[0164-18](#)

Subject: (New) Application for a Class "B" Fermented Malt Beverage License for Green Golf Partners LLC dba Johnson Park Golf Course, 6200 Northwestern Ave, Richard Leslie, Agent.

Recommendation of the Public Safety and Licensing Committee on 02-27-2018: That the (New) Application for a Class "B" Fermented Malt Beverage License for Green Golf Partners LLC dba Johnson Park Golf Course, 6200 Northwestern Ave, Richard Leslie, Agent be approved.

Fiscal Note: N/A

[0165-18](#)

Subject: (New) Application for a Class "B" Fermented Malt Beverage License for Green Golf Partners LLC dba Washington Park Golf Course, 2801 12th Street, Richard Leslie, Agent.

Recommendation of the Public Safety and Licensing Committee on 02-27-2018: That the (New) Application for a Class "B" Fermented Malt Beverage License for Green Golf Partners LLC dba Washington Park Golf Course, 2801 12th Street, Richard Leslie, Agent be approved.

Transit and Parking Commission Report, by Ald. DeHahn

[1100-17](#)

Subject: Communication from the Alderman of the 5th District requesting to discuss the removal of all parking meters in the City of Racine.

Recommendation of the Transit and Parking Commission on 02-21-18: Refer this item to the Committee of the Whole.

Fiscal Note: N/A

[1188-17](#)

Subject: (Direct Referral) Communication from the General Manager requesting changes to bus routes #20 and #27 in the Village of Sturtevant, Village of Mount Pleasant and the City of Racine.

Recommendation of the Transit and Parking Commission on 12-06-17: Defer

Recommendation of the Transit and Parking Commission on 02-21-18: Recommend ending Route #27 and complementary transit service in the Village of Sturtevant effective April 30, 2018.

Fiscal Note: N/A

[0062-18](#)

Subject: Communication from Rita Lewis, Racine Montessori School, requesting approval to rent Lakefront Lot No. 5 from 5:30 A.M. to 5:30 P.M. on Saturday, May 5, 2018, for the Lakefront Artist Fair. (Res. 0071-18)

Recommendation of the Transit and Parking Commission on

02-21-18: The Lakefront Artist Fair be granted permission to lease Lakefront Parking Lot #5 on May 5, 2018, subject to payment of lease costs of \$280 in accordance with City policies and subject to the execution of a hold harmless agreement with the City and payment of a \$75.00 processing fee.

Fiscal Note: Rental will provide \$280 of revenue to the Parking Utility.

City Plan Commission Report, by Ald. Wisner

[1038-17](#)

Subject: (Direct Referral) A request from Sam and Lori Azarian seeking a major amendment to a conditional use permit for the construction yard component of a multi-tenant property at 1535 High Street. (PC-17) (Res. 0076-18)

Recommendation of the City Plan Commission on 2-28-18: That the request be approved subject to conditions.

Fiscal Note: N/A

[0195-18](#)

Subject: (Direct Referral) A request from David Yandel, representing Harbor Park CrossFit, seeking a conditional use permit to operate a recreational facility (CrossFit and group training gym) at 3801 Blue River Avenue. (PC-18) (Res. 0072-18)

Recommendation of the City Plan Commission on 2-28-18: That the request be approved subject to conditions.

Fiscal Note: N/A

[0196-18](#)

Subject: (Direct Referral) A request from Leonel Montoya of Montoya's Mexican American Carry-out seeking a conditional use permit to operate a takeout/carryout restaurant in an existing building at 1949 State Street. (PC-18) (Res. 0073-18)

Recommendation of the City Plan Commission on 2-28-18: That the request be approved subject to conditions.

Fiscal Note: N/A

[0197-18](#)

Subject: (Direct Referral) A request from Anthony Paiano of Alliance Architects, agent for National Church Residences, seeking a major amendment to a conditional use permit for proposed site improvements and exterior building improvements, and building addition at 2250 Layard Avenue. (PC-18) (Res. 0074-18)

Recommendation of the City Plan Commission on 2-28-18: That the request be approved subject to conditions.

Fiscal Note: N/A

[0198-18](#)

Subject: (Direct Referral) A request from Mark Flynn, agent for Littleport Brewing Company, seeking a conditional use permit to operate a brewery with a tasting room in the existing building at 214 Third Street. (PC-18) (Res. 0075-18)

Recommendation of the City Plan Commission on 2-28-18: That the request be approved subject to conditions.

Fiscal Note: N/A

Office of the Mayor Report, by Ald. Wisner

[0216-18](#)

Subject: Communication from Mayor Mason nominating the following to the following Boards and Commissions:

Appoint John Tate, 2044 Kinzie Avenue, Racine, WI 53403 to the Water Works Commission, filling a vacancy expiring October 1, 2021.

Appoint Abbey Kurvuvilla, 1518 Spring Valley Drive, Racine WI 53405 to Sister City Committee, for a 3 year term, starting March 1, 2018 expiring on 2021.

Appoint Cory Mason, 3907 Lighthouse Drive, Racine, WI 53402 to the Redevelopment Authority Committee filling a vacancy expiring April 30, 2018.

Reappoint Patrick Cafferty, 3329 Chatham Street, Racine WI 53402 to the Board of Police and Fire Commissioners, for a 5 year term, expiring on May 1, 2023.

H. Consent Resolutions

[Res.0037-18](#)

Voluntary Collections Agreement Between the City of Racine and Airbnb

Resolved, that the Mayor and City Clerk are authorized and directed to execute the Voluntary Collection Agreement for City of Racine Room Tax, by and between Airbnb and the City of Racine, as attached herewith, thereafter allowing for the collection and remittance of Room Tax proceeds

from Airbnb hosts to the City of Racine.

Fiscal Note: It is difficult to estimate the expected yearly collections that the City might receive from Airbnb hosted room taxes except to know that they will, by ordinance, equal 8% of all fees charged for lodging stays. There currently is not a significant number of hosts operating within the City, however, we expect that number to increase exponentially as the demand for lodging posed by the influx of 10,000 Foxconn construction workers prompts many City property owners to begin offering an expanding supply of rooms to meet the growing demand.

Sponsors:

Q.A. Shakoor II

Res.0045-18

Change Donations Policy Adopted as Item 6 - February 1, 2005 Finance and Personnel Committee Report

Resolved, that the Donations Policy, adopted as Item 6 of the February 1, 2005, Finance and Personnel Committee Report, is amended to change the dollar limit delineated in restriction number 3 from \$500.00 to \$2,500.00.

Fiscal Note: Efficiency gains will be realized by amendment of the policy.

Sponsors:

Q.A. Shakoor II

Res.0061-18

City of Racine Fire Department Training Activities in Redevelopment Authority-Owned Buildings

Resolved, that Mayor and City Clerk are authorized and directed to execute and enter into a license agreement and mutual hold harmless and indemnification agreement with the Redevelopment Authority of the City of Racine to permit City of Racine Fire Department personnel to conduct fire department training activities in Redevelopment Authority-owned buildings.

Fiscal Note: N/A

Sponsors:

Q.A. Shakoor II

Res.0062-18

St. Patrick's Day Parade on Saturday, March 17, 2018

Resolved, that permission is granted to the Downtown Racine Corporation to close Ontario Street from the CNH parking lot to State Street; State Street from Erie Street to Main Street; Main Street from State Street to 6th Street; and 6th Street from Main Street to Center Street; on Saturday, March 17, 2018, from 12:00 Noon to 2:00 P.M., for a St. Patrick's Day Parade, with the following stipulations:

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

- B. A liability insurance certificate be filed prior to this event.
- C. Any overtime costs incurred by any City department be charged to the sponsor.
- D. The sponsor shall notify all abutting property owners 72 hours in advance of this event.
- E. The sponsor shall pay a \$850.00 special event fee.
- F. If required, sponsor shall be responsible for submitting a Temporary Traffic Control Plan to the Engineering Department for approval, and providing and removing all temporary traffic control devices and detour signs.
- G. If required, sponsor shall provide a detour plan for the closure of all State connecting Highways, arterial and collector streets to the City Engineer for approval.
- H. If required, sponsor is responsible for cleaning the streets.
- I. If required, sponsor shall install parking meter hoods or temporary parking signs at least 24 hours in advance of the event and if this is not done, sponsor is responsible for vehicle towing and parking violation expenses of the violators.

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

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

Sponsors:

Terry McCarthy

[Res.0063-18](#)

Contract 20180003 - Monroe Avenue Reconstruction (R1)

Resolved, that bids for Contract 20180003, Monroe Avenue Reconstruction (R1), is awarded to Cornerstone Pavers, LLC., at its bid price of \$1,503,120.84, it being the lowest responsible bidder.

Fiscal Note: Funds to defray the cost of this Public Works Department project be appropriated from the below Org-Objects:

- \$ 601,301.54 - Org-Object 45040-57500, DPW Paving
- \$ 41,194.67 - Org-Object 45040-57515, DPW Sidewalks
- \$ 69,878.75 - Org-Object 60484-57570, Storm Sewers

\$ 690,745.88 - Org-Object 22640-57560, Sanitary Sewers
\$ 100,000.00 - Org-Object 22640-57550, Sanitary Sewers-Paving
\$1,503,120.84 - Total

Sponsors: Terry McCarthy

Res.0064-18 Change Order No. 1 on Contract 20170005 - Replace Elevator at City Hall Annex

Resolved, that Change Order No. 1 on Contract 20170005, Replace Elevator - City Hall Annex, Advanced Elevator, Inc., contractor, is approved in the amount of \$1,110.00.

Fiscal Note: Funding to defray the cost of the change order be appropriated from Org-Object 45040-57200, Annex-Upgrade N. Elevator.

Sponsors: Terry McCarthy

Res.0065-18 Contract 20180032 - PS-2018 Illicit Discharge Detection & Elimination Services

Resolved, that the Mayor and City Clerk are authorized and directed to enter into a professional services agreement with AECOM, on Contract 20180032, PS - 2018 Illicit Discharge Detection & Elimination Services, in the not-to-exceed amount of \$20,000.00.

Fiscal Note: Funds to defray the cost of these professional services be appropriated from Org-Object 60484-52160, Monitoring & Detection.

Sponsors: Terry McCarthy

Res.0066-18 Revision 2 to the State/Municipal Agreement for State Project ID: 2260-08-00/70 - Durand Avenue (STH 11), Kearney Avenue to E of Memorial Drive

Resolved, that Revision 2 to the State/Municipal Agreement for State Project ID: 2260-08-00/70, Durand Avenue (STH 11), Kearney Avenue to E of Memorial Drive, as submitted, is approved in the amount of \$3,246,850.00, with the WisDOT share being \$2,990,888.00 and the City of Racine share being \$243,463.00 (\$12,500 credit).

Fiscal Note: Funding for this project is available in Org-Object 45040-57500, Durand - Kearney to Sheridan.

Sponsors: Terry McCarthy

Res.0067-18 Change Order No. 1 on Contract 20170010 - 2017 City Resurfacing (R1)

Resolved, that Change Order No. 1 on Contract 20170010, 2017 City Resurfacing (R1), Payne & Dolan, Inc., contractor, is approved in the amount of \$22,368.44.

Fiscal Note: Funding to defray the cost of the change order be appropriated from the below Org-Objects:

(\$39,026.78) - Org-Object 45040-57500, Asphalt Resurfacing
\$47,868.50 - Org-Object 60484-57570, Storm Sewers
(\$17,966.00) - Org-Object 22640-57560, Sanitary Sewers
\$14,985.46 - Org-Object 45050-57515, Sidewalk Replacement
\$19,637.26 - Org-Object 45050-57515, Crosswalk Ramps
(\$ 3,100.00) - Org-Object 45040-57530, Traffic Signal Replacements
\$22,368.44 - Total

Sponsors: Terry McCarthy

[Res.0068-18](#) Final Payment on Contract 20170010 - 2017 City Resurfacing (R1)

Resolved, that the work done by Payne & Dolan, Inc., under Contract 20170010, 2017 City Resurfacing (R1), is approved and final payment authorized for a total contract amount of \$1,316,220.75. Final Payment to include retainage.

Fiscal Note: Contract was authorized under Resolution 0133-17, dated April 17, 2017.

Sponsors: Terry McCarthy

[Res.0069-18](#) Final Payment on Contract 20160038 - PS-Street & Building Lighting Energy Efficient Improvements

Resolved, that the work done by Johnson Controls, Inc. (JCI), under Contract 20160038, PS - Street & Building Lighting Energy Efficient Improvements, is accepted and final payment authorized for a total contract amount of \$738,014.00.

Fiscal Note: Contract was authorized under Resolution 0280-16, dated August 1, 2016.

Sponsors: Terry McCarthy

[Res.0070-18](#) Final Payment on Contract 20170025 - PS-2017 Illicit Discharge Detection & Elimination Services

Resolved, that the work done by AECOM, under Contract 20170025, PS - 2017 Illicit Discharge Detection & Elimination Services, is approved and final payment authorized for a total contract amount of \$19,737.40.

Fiscal Note: Contract was authorized under Resolution 0124-17, dated April 5, 2017.

Sponsors: Terry McCarthy

[Res.0071-18](#) May 5, 2018 - Lakefront Artist Fair

Resolved, that the Racine Monessori School is approved to lease Lakefront Parking Lot #5 on May 5, 2018, from 5:30 a.m. to 5:30 p.m., subject to payment of lease costs of \$280.00 in accordance with City policies and subject to the execution of a hold harmless agreement with the City and payment of a \$75.00 processing fee.

Fiscal Note: Rental will provide \$280.00 of revenue to the Parking Utility.

Sponsors:

Raymond DeHahn

Res.0072-18

Recreation Building at 3801 Blue River Avenue

Resolved, that the request from David Yandel of Harbor Park Crossfit, seeking a conditional use permit to allow a recreation building at 3801 Blue River Avenue, is approved subject to the following conditions:

- a. That the plans presented to the Plan Commission on February 28, 2018, be approved subject to the conditions contained herein.
- b. That all license requirements from the State of Wisconsin and City of Racine be obtained, complied with, and kept current at all times.
- c. Submission and approval to the City Development Director of a trash storage plan by which shows that all trash and recycling be kept in closed containers which are completely screened from public view and includes a gate on the trash storage area.
- d. Restriping of parking spaces which do not meet length requirements and ensuring required minimum is met.
- e. Submission to and approval from the City Development Director of a landscaping plan, prior to obtaining occupancy for the building. The plan shall include plantings on the site, focused on, but not limited to, the Blue River frontage. Elements from approved plan shall be installed no later than August 31, 2018.
- f. That if, prior to the issuance of an Occupancy Permit, required site improvements listed in "c, d and e" above have not been or cannot be completed, a financial surety shall be provided to the City. The surety shall be in a format as approved by the City Attorney's office, and subject to all stipulations as identified for financial sureties in the City of Racine. The dollar amount shall be determined at the time of application based upon estimates provided by the applicants for any incomplete work, and shall be valid for no less than one year from the date of issuance. The surety format and content is subject to review and approval by the City Attorney.
- g. That hours of operation are from 5:30 a.m. to 8:00 p.m. on weekdays

and 8:00 a.m. to noon on weekends.

h. That an exception to the requirement that off street parking across from a residence district be screened and setback (Sec. 114-737) be granted with this conditional use.

i. That all codes and ordinances are complied with and required permits acquired.

j. That no minor 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.

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

Fiscal Note: N/A

Sponsors:

Dennis Wisner

Res.0073-18

Takeout-carryout Establishment at 1949 State Street

Resolved, that the request from Leonel Montoya, seeking a conditional use permit to allow a takeout-carryout establishment at 1949 State Street, is approved subject to the following conditions:

a. That the plans presented to the Plan Commission on February 28, 2018, be approved subject to the conditions contained herein.

b. That all license requirements from the State of Wisconsin and City of Racine be obtained, complied with, and kept current at all times.

c. Submission and approval to the City Development Director of a trash storage plan by which shows that all trash and recycling be kept in closed containers which are completely screened from public view and includes a gate on the trash storage area.

d. Restriping of parking spaces and resealing of the parking lot.

e. Submission to and approval from the City Development Director of a landscaping plan, prior to obtaining occupancy for the building. The plan shall addresses at a minimum, requirement of Zoning Ordinance Section 114-734, requiring screening along the Lawn Street frontage and includes other streetscape elements such as but not limited to plantings and seating. Elements from approved plan to be fully installed no later than August 31, 2018.

f. That if, prior to the issuance of an Occupancy Permit, required site improvements listed in “c, d, and e” above have not been or cannot be completed, a financial surety shall be provided to the City. The surety shall be in a format as approved by the City Attorney’s office, and subject to all stipulations as identified for financial sureties in the City of Racine. The dollar amount shall be determined at the time of application based upon estimates provided by the applicants for any incomplete work, and shall be valid for no less than one year from the date of issuance. The surety format and content is subject to review and approval by the City Attorney.

g. That hours of operation are from 6:00 a.m. to 10:00 p.m., daily.

h. That all codes and ordinances are complied with and required permits acquired.

i. That no minor 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.

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

Fiscal Note: N/A

Sponsors:

Dennis Wisner

Res.0074-18

2250 Layard Avenue

Resolved, that the request from National Church Residences, seeking a major amendment to an existing conditional use permit at 2250 Layard Avenue, is approved subject to the following conditions:

a. That the plans and applicant proposed adjustments related to the plans presented to the Plan Commission on February 28, 2018, be approved subject to the conditions contained herein.

b. That all license requirements from the State of Wisconsin and City of Racine be obtained, complied with, and kept current at all times.

c. That an exception to the requirement that an off street loading zone not occupy required parking facilities (Sec. 114-1205) be granted with this conditional use.

d. That all codes and ordinances are complied with and required permits acquired.

e. That no minor 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.

f. 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.0075-18

Brewery with a Tasting Room at 214 Third Street

Resolved, that the request from Mark Flynn, agent for Littleport Brewing Company, seeking a conditional use permit to operate a brewery with a tasting room in the existing building at 214 Third Street, is approved subject to the following conditions:

a. That the plans presented to the Plan Commission on February 28, 2018 be approved subject to the conditions contained herein.

b. That all applicable local, State and Federal permitting and licensing requirements be complied with.

c. That the maximum hours of operation be as follows:

- Tasting Room:

Sunday, Noon to 10:00 p.m., Monday thru Saturday 11:00 a.m. to 10:00 p.m.

- Brewery: 8:00 a.m. to 4:00 p.m., Monday through Friday.

d. That this approval is for the maximum of 1,000 barrels of yearly production, as allowed in the B-4 Central Business District. Increases in production volume may be entertained through the appropriate zoning and licensing mechanisms if monitoring by the Plan Commission finds that the operational aspects of the brewery have not been problematic to neighboring properties, businesses, or to traffic and parking on adjacent streets.

e. That an outside beer garden along Wisconsin Avenue is authorized by this conditional use permit, the final design of which shall be presented to the Downtown Area Design Review Commission for review and approval

prior to implementation.

f. That all trash and recyclables be stored in closed containers and screened from view.

g. That all signs be professionally made, comply with the zoning ordinance requirements and the final design details be submitted to the Downtown Area Design Review Commission for review and approval.

h. That all other applicable codes and ordinances be complied with and required permits acquired.

i. 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.

j. That this Conditional Use Permit is subject to compliance reviews by the Plan Commission.

Fiscal Note: N/A

Sponsors:

Dennis Wisner

Res.0076-18

Amendment to Conditional use Permit for the Construction Yard Component of a Multi-tenant Property

Resolved, that the request from Sam and Lori Azarian seeking a major amendment to a conditional use permit for the construction yard component of a multi-tenant property, is approved subject to the following conditions:

a. That the plans presented to the Plan Commission on February 28, 2018, be approved subject to the conditions contained herein.

b. That the maximum hours of contractor activities at the site be from 7:00 a.m. to 6:00 p.m., Monday through Saturday, with no hours on Sunday.

c. That all employee parking be contained on site.

d. That no junked or inoperable vehicles be parked or stored at this location.

e. That any construction debris or scrap materials be stored in the yard areas south of the main building and screened from view.

- f. That all trash and recyclables be stored in closed containers and screened from view.
- g. That all signs be professionally made, comply with the zoning ordinance requirements and the final design details be submitted to the Director of City Development for final review and approval.
- h. That the office trailer shall be removed from the property within six months from the date of this action. A building addition may be constructed as authorized herein, or the existing building's interior renovated to accommodate offices as authorized herein.
- i. That subject to the review and approval of the Director of City Development prior to their implementation, the following shall be accomplished:
1. Plans for any building expansion or interior renovation shall be submitted. Any such plans shall conform to the design standards for additions to primary buildings [Zoning Ordinance 114-.114-735.5(b)(1)], and those referenced in the Racine Steel Castings Industrial Area Redevelopment Plan (December 6, 2006).
 2. Fencing around all parking and storage areas shall be installed and achieve suitable privacy screening. Chain link fencing or chain link fencing with privacy screening enhancements shall not be accepted as a form of screening.
 3. All parking and drive areas be repaired, sealed and stripped.
 4. Painting of the new concrete wall along N. Memorial Dr. in an approved color.
 5. A four (4) to five (5) feet wide landscaping strip be maintained between the new concrete wall and the eastern edge of the sidewalk along N. Memorial Dr. A landscaping plan shall be submitted prior to the installation of any landscaping materials. Landscaping shall be consistent with those standards referenced in the Racine Steel Castings Industrial Area Redevelopment Plan (December 6, 2006).
- j. That if improvements described in conditions "i. 2, 3, 4 & 5" above are not completed by July 29, 2018, then a surety equal in value to the cost of the proposed improvements and their installation shall be submitted to the Director of City Development for review and approval. Said surety may be in the form of cash, a cashier's check, letter of credit, or bond. Said surety's form is subject to the approval of the City Attorney.

k. That final compliance to conditions “i. 2, 3, 4 & 5” shall be achieved by November 1, 2018.

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

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 Conditional Use Permit is subject to compliance reviews by the Plan Commission.

Fiscal Note: N/A

Sponsors:

Dennis Wisner

I. Consent Agenda

J. Ordinances

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

[Ord.0001-18](#) Ordinance 0001-18 - To repeal Chapter 3, Section 3-4

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

Part 1: Repeal Sec. 3-4. Child safety zone exceptions.

“A person does not commit a violation of section 3-3, and the enumerated uses may allow such person on the property supporting such use, if any of the following apply:

(1) The property supporting an enumerated use under section 3-2 also supports a use lawfully attended by a person's natural or adopted child(ren), which child's use reasonably requires the attendance of the person as the child's parent upon the property, subject to the following conditions:

a. Entrance and presence upon the property occurs only during hours of activity related to the use as posted to the public; and

b. Written advance notice is made from the person to an individual in charge of the use upon the property, and approval from an individual in

charge of the use upon the property as designated by the owner of the use upon the property is made in return, of the attendance by the person; and

(2) The property surrounding an enumerated use under section 3-2 also supports a polling location in a local, state, or federal election, subject to the following conditions:

- a. The person is eligible to vote;
- b. The designated polling place for the person is an enumerated use; and
- c. The person enters the polling place property, proceeds to cast a ballot with whatever usual and customary assistance is provided to any member of the electorate, and the designated sex offender vacates the property immediately after voting; and

(3) The attendance is authorized by the designated sex offender's conditions of supervision, if on parole or probation.

(4) The person is on the property for a specified permitted purpose including, but not limited to, visits related to employment, education or vocational courses, health appointments, and any other purpose for which the property owner has given prior written permission for the offender to be present on the property during such times and dates.”

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.

Fiscal Note: N/A

Sponsors: Jeff Coe

K. Common Council Announcements

Announcements are limited to recognition of City residents and employees, memorials, and non-political community events. Discussion of matters related to governmental business is prohibited.

L. 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.