



City of Racine

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

Meeting Minutes - Final Common Council

*Mayor John T. Dickert, President, Alderman Terry McCarthy
Alderman Dennis Wisner, Alderman Jim Kaplan
Alderman Q.A. Shakoor, II, Alderman Ronald D. Hart,
Alderman Sandy Weidner
Alderman Krystyna Sarrazin, Alderman Jeff Coe, Alderman
Michael Shields
Alderman Melissa Kaprelian-Becker, Alderman Raymond
DeHahn,
Alderman Gregory Holding, Alderman James Morgenroth
Alderman Edward E. Diehl, Alderman Henry Perez*

Tuesday, December 17, 2013

7:00 PM

Room 205, City Hall

A. Call To Order

At a regular meeting of the Common Council held this December 17, 2013, His Honor, Mayor Dickert presided and the following Aldermen were present at Roll Call:

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

EXCUSED: 1 - Hart

B. Pledge of Allegiance To The Flag

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

C. Approval of Journal of Council Proceedings (Minutes)

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

D. Public Comments

*Sue DeKeuster
Wayne Clingman*

E. Communications

Refer to Finance and Personnel Committee, by Ald. Shakoor

[13-9609](#)

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting permission to accept a \$500.00 donation for youth sports programs from Tuesday Optimist.

Referred to Finance and Personnel Committee

[13-9644](#)

Subject: communication from the City Attorney submitting the claim of Jeff Therkelsen for consideration.

Referred to Finance and Personnel Committee

[13-9661](#)

Subject: Communication from the Public Health Administrator and Laboratory Director requesting permission to accept funds for *Multijurisdictional Implementation of Beach Redesigns to Improve Water Quality and Restore Habitat* in the amount of \$300,000 from the Fund for Lake Michigan. (Apply Res. #13-0345) (Grant Control #2013-023)

A motion was made by Alderman Shakoor, seconded by President McCarthy to suspend the rules and vote on item number 13-9661 due to time constraints. There were no objections.

A motion was made by Alderman Shakoor, II, seconded by President McCarthy to Adopt 13-9661. The motion was Approved by the following vote:

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

EXCUSED: 1 - Hart

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

[13-9621](#)

Subject: Application of Wisconsin CVS Pharmacy, LLC. Thomas McGrath, Agent, for a Class "A" Retail Fermented Malt Beverage License for 1122 West Boulevard (9th District)

Referred to Public Safety and Licensing Committee

[13-9624](#)

Subject: (Renewal) Application of One Stop Food and Liquor for a Secondhand Jewelry Dealer License for 1711 N Main Street. (4th District)

Referred to Public Safety and Licensing Committee

[13-9643](#)

Subject: Communication from Cherie Griffin requesting to appear before the Public Safety and Licensing Committee to discuss some absolutely wonderful projects that are going on with the Racine Police Department and collaboratively with the Courts, other law enforcement jurisdictions and the DA's office regarding practices to reduce domestic violence and to ensure the safety of the people of Racine.

Referred to Public Safety and Licensing Committee

[13-9667](#)

Subject: (New) Application of Tops Supermarket Inc. Manpreet Singh, Agent for a Class "A" Fermented Malt Beverage License for 1200 Villa Street. (1st District)

Referred to Public Safety and Licensing Committee

Refer to City Plan Commission, by Ald. Wisner

[13-9664](#)

Subject: Communication from the Director of City Development requesting to amend development related fees for consistency with the 2014 budget.

Referred to City Plan Commission

Refer to Committee of the Whole, by Ald. McCarthy

[13-9625](#)

Subject: communication from the City Attorney recommending Council consideration of a press pass policy.

Referred to Committee of the Whole

[13-9654](#)

Subject: Communication from Alderman of the 15th District to revise Sec. 2-166. Vacating office due to nonattendance of meetings of the Racine Municipal Code as follows:

"The office of any individual appointed to any special committee, board, or commission of the city, who fails to attend three meetings in any term year (May 1 until April 30th), shall be automatically vacated. This would also include, but is not limited to, medical reasons which would cause that member to miss the three meetings."

Referred to Committee of the Whole

F. Committee Reports

Finance and Personnel Committee Report, by Ald. Shakoor

[13-9583](#)

Subject: Communication from the City Attorney submitting the claim of LaRon Franklin for consideration.

Recommendation of the Finance and Personnel Committee on 12-9-13: The claim of LaRon Franklin for alleged damages to his car arising from a branch of a street tree falling on his car while parked in the 1400 block of Cleveland Avenue on November 11, 2013 be denied.

Fiscal Note: N/A

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

[13-9584](#)

Subject: Communication from the Fire Chief requesting the Mayor and City Clerk be authorized to sign Fire and EMS protection contracts with Wind Point, North Bay and Elmwood Park. (Res. No. 13-0484)

Recommendation of the Finance and Personnel Committee on 12-9-13: To authorize the Mayor and City Clerk to sign Fire and EMS protection contracts with Wind Point, North Bay and Elmwood Park.

Fiscal Note: Contracts will generate approximately \$351,000 in fire department revenue for 2014 and \$358,000 for 2015.

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

[13-9585](#)

Subject: Communication from the Fire Chief requesting permission to accept the 2013 Port Security Grant in the amount of \$49,000 for water rescue training and equipment. (Res. No. 13-0485)

Recommendation of the Finance and Personnel Committee on 12-9-13: To accept the 2013 Port Security Grant in the amount of \$49,000 for water rescue training and equipment.

Fiscal Note: City match is 25% and is included in the 2014 Capital Improvement Budget.

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

[13-9586](#)

Subject: Communication from the Fire Chief requesting permission to waive formal bidding, authorizing and directing the Purchasing Agent to negotiate the purchase of a 2014 fire department aerial platform from Pierce Fire Apparatus of Appleton, Wisconsin. (Res. No. 13-0486)

Recommendation of the Finance and Personnel Committee on 12-9-13: To authorize and direct the Purchasing Agent to waive formal bidding and negotiate with Pierce Fire Apparatus of Appleton, Wisconsin.

Fiscal Note: Funding is available in the 2014 Capital Improvement Budget.

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

[13-9618](#)

Subject: (Direct Communication) Communication from the Finance Director requesting to appear before the Finance and Personnel Committee at their next scheduled meeting on December 9, 2013 to request audit related adjustments to the 2013 and 2014 adopted CIP budget. (Res. No. 13-0487)

Recommendation of the Finance and Personnel Committee on 12-9-13: The 2013 Bonded Capital Improvement budget be amended

to properly reflect the Equipment Replacement bond proceeds by Increasing accounts 993.000.6030, Bond Proceeds, and account 993.944.4940, Transfer to Equipment Replacement, by \$2,000,000.

Further recommend that the 2014 Bonded Capital Improvement budget be amended to properly reflect the Equipment Replacement bond proceeds by Increasing accounts 994.000.6030, Bond Proceeds, and account 994.945.4940, Transfer to Equipment Replacement, by \$2,000,000.

Fiscal Note: The amendments will allow for the proper accounting of bond proceeds.

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

Council Action

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

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

EXCUSED: 1 - Hart

Public Safety and Licensing Committee Report, by Ald. Holding

13-9578

Subject: Communication requesting Change of Agent for Taylor Mart Inc., (Taylor Mart) 1813 Taylor Avenue - Harinder Kaur, Agent, Class "A" Fermented Malt Beverage (3rd District).

Recommendation of the Public Safety and Licensing Committee on 12-09-13: The Change of Agent for Taylor Mart Inc., (Taylor Mart) 1813 Taylor Avenue - Harinder Kaur, Agent, Class "A" Fermented Malt Beverage be approved.

Fiscal Note: N/A

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

13-9592

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

Recommendation of the Public Safety and Licensing Committee on 12-09-13: The Change of Agent for Blazin Wings, Inc. (dba

Buffalo Wild Wings) 5880 Durand Avenue - Richard Buchanan, Agent, "Class B" Fermented Malt Beverage and Intoxicating Liquor license be approved.

Fiscal Note: N/A

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

[13-9605](#)

Subject: Communication for the Recommendation of Award, Official Notice #12 Emergency Medical Supplies for the Racine Fire Department. (Res. No. 13-0488)

Recommendation of the Public Safety and Licensing Committee on 12-09-13: The Recommendation of Award, Official Notice #12 Emergency Medical Supplies for the Racine Fire Department be approved as presented.

Fiscal Note: Funding for this expense in FY 2014 is \$102,200 in account 101.300.5690

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

[13-9606](#)

Subject: Communication from the Purchasing Agent and award recommendation regarding Official Notice #11, Medical Direction for Emergency Medical Services for the Racine Fire Department. (Res. No. 13-0489)

Recommendation of the Public Safety and Licensing Committee on 12-09-13: The Recommendation of Award, Official Notice #11, Medical Direction for Emergency Medical Services for the Racine Fire Department be approved.

Fiscal Note: Funding is available in account 101.300.5680 Medical Direction and Account 101.300.5690 in FY 2014.

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

Council Action

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

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

EXCUSED: 1 - Hart

City Plan Commission Report, by Ald.Wiser[13-9350](#)

Subject: (Direct Referral) Review of a Certified Survey Map for 1423 State Street. (Res. No. 13-0495)

Recommendation of the City Plan Commission 9-11-13: That the Certified Survey Map for 1423 State Street be approved, subject to conditions.

Fiscal Note: N/A

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

[13-9626](#)

Subject: (Direct Referral) Review of a 3-Lot Certified Survey Map for 6006 - 21st Street. (PC-13) (Res. No. 13-0490)

Recommendation of the City Plan Commission on 12-11-13: That the Certified Survey Map for 6006 - 21st Street be approved, subject to conditions.

Fiscal Note: N/A

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

[13-9628](#)

Subject: (Direct Referral) Request by Keith Buisse of Wheels Small Engine Repair for a conditional use permit to operate a small engine repair shop at 3625 Sixteenth Street. (PC-13) (Res. No. 13-0491)

Recommendation of the City Plan Commission on 12-11-13: That the request be approved, subject to conditions.

Fiscal Note: N/A

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

[13-9629](#)

Subject: (Direct Referral) Request by Margaret Brockman to amend the conditions for the meeting club at 1333 Douglas Avenue and allow the club to operate without restriction on hours. (PC-13) (Res. No. 13-0492)

Recommendation of the City Plan Commission on 12-11-13: That the request be approved, subject to conditions.

Fiscal Note: N/A

Alderman Wiser moved, seconded by Alderman Holding to review this item separately.

Alderman Weidner moved, seconded by Alderman Kaplan to refer this Conditional Use Permit to the City Plan Commission. It was approved by the following vote:

AYES: 10 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor, II, Perez and Morgenroth

NOES: 4 - McCarthy, Wiser, Holding and Diehl

EXCUSED: 1 - Hart

13-9630

Subject: (Direct Referral) Request by Mariela Martinez to operate a small grocery store at 1917 Mead Street. (PC-13) (Res. No. 13-0493)

Recommendation of the City Plan Commission on 12-11-13: That the request be approved, subject to conditions.

Fiscal Note: N/A

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

13-9631

Subject: (Direct Referral) Request of Jai Shree Swaminarayan, LLC to construct an addition to the existing building at 918 West Boulevard. (PC-13) (Res. No. 13-0494)

Recommendation of the City Plan Commission on 12-11-13: That the request be approved, subject to conditions.

Fiscal Note: N/A

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

Council Action

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

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

EXCUSED: 1 - Hart

Community Development Committee Report, by Ald. McCarthy

13-9611

Subject: (Direct Referral) Request from the Wisconsin Women's Business Initiative Corporation to amend their FY2013 CDBG budget. (Res. No. 13-0496)

Recommendation of the Community Development Committee on

12-4-13: That the Wisconsin Women's Business Initiative Corporation's FY2013 CDBG program budget be revised by: increasing the Total Salaries line item by \$775.00 (new total \$73,309.00) and increasing the Employee Benefit line item by \$403.00 (new total \$17,947.00); reducing the Rent line item by \$1,205.00 (new total \$1,795.00).

Fiscal Note: There is no change in the funding amount.

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

[13-9612](#)

Subject: (Direct Referral) Request from the YMCA to amend their FY2013 CDBG budget for the Home Remodeling and Rehabilitation Project. (Res. No. 13-0497)

Recommendation of the Community Development Committee on 12-4-13: That the YMCA's FY2013 CDBG budget for the Home and Rehabilitation Project be revised by: increasing the Site Supervisor line item by \$2,600.00 (new total \$8,600.00); reducing the Lead Abatement Training line by \$2600.00 (new total \$1,200.00).

Fiscal Note: There is no change in the funding amount.

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

[13-9613](#)

Subject: (Direct Referral) Proposed allocation of 2014 Community Development Block Grant (CDBG) and Emergency Solutions Grant (ESG) funding. (Res. No. 13-0498)

Recommendation of the Community Development Committee on 12-11-13: That the recommended allocation of the 2014 Community Development Block Grant (CDBG) and Emergency Solutions Grant (ESG) be approved; and, if the total grant received exceeds the funds allocated, that the excess be placed in the Local Option Fund; and, if the total grant received is less than funds allocated, that the Local Option Fund be reduced by the amount of the shortfall; and, that the appropriate city officials be authorized and directed to execute and submit to the U.S. Department of Housing and Urban Development the documents required to secure the grants; and, that the appropriate city officials be authorized to execute third-party contracts with the agencies approved for the use of the funds.

Fiscal Note: This action allocates an anticipated \$1,695,000 in CDBG funds and \$117,000 in ESG funds to specific projects, programs, and administration. The specific allocations are listed on the table attached to item 13-9613 in Legistar.

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

13-9649

Subject: (Direct Referral) Request of the Continuum of Care (COC) to re-allocate FY2013 Emergency Solutions Grant (ESG) funds. (Res. No. 13-0499)

Recommendation of the Community Development Committee on 12-11-13: That the revised allocation of Emergency Shelter Grant funds be approved.

Fiscal Note: The reallocation reduces the amounts provided to agencies to reflect the federal grant being \$117,746, which is \$5,085 less than expected. The specific allocations are listed on the table attached to item 13-9649 in Legistar.

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

Council Action

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

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

EXCUSED: 1 - Hart

ABSTENTIONS: 1 - Weidner

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

13-9558

Subject: Communication from Cynthia Hernandez requesting permission to have ponies at Johnson Park from 2:00 p.m. until 6:00 p.m. on May 25, 2014. (Res. No. 13-0500)

Recommendation of the Board of Parks, Recreation & Cultural Services on 12-11-13: To approve Cynthia Hernandez's request to have ponies at Johnson Park from 2:00 p.m. until 6:00 p.m. on May 25, 2014.

Fiscal Note: To be determined by Johnson Park/Golf Course Staff

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

13-9559

Subject: Communication from Jo Bauswein, Ragnar Race Director, requesting permission to utilize Pershing Park as an exchange chute

location, parking and rest area for the 2014 Ragnar Relay from 10:30 p.m. Friday, June 6, 2014 until 9:30 a.m. Saturday, June 7, 2014. (Res. No. 13-0501)

Recommendation of the Board of Parks, Recreation & Cultural Services on 12-11-13: To approve the Ragnar Race Director's request to utilize Pershing Park as an exchange chute location, parking and rest area for the 2014 Ragnar Relay from 10:30 p.m. Friday June 6, 2014 until 9:30 a.m. Saturday, June 7, 2014.

Fiscal Note: Public Special Event Fees & Charges to be determined by the PRCS Department.

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

Council Action

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

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

EXCUSED: 1 - Hart

G. Consent Agenda - Resolutions

[Res.13-0484](#) Fire and EMS Protection Contracts with Wind Point, North Bay and Elmwood Park

Resolved, that the Mayor and City Clerk are authorized to to enter into Fire and EMS protection contracts with Wind Point, North Bay and Elmwood Park.

Fiscal Note: Contracts will generate approximately \$351,000.00 in fire department revenue for 2014 and \$358,000.00 for 2015.

Sponsors: Q.A. Shakoor, II

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

[Res.13-0485](#) 2013 Port Security Grant

Resolved, that the Fire Chief's request to accept the 2013 Port Security Grant in the amount of \$49,000.00 for water rescue training and equipment is approved.

Fiscal Note: Cost to the City will not exceed \$22,000.00 and is included in the 2014 Capital Improvement Budget.

Sponsors: Q.A. Shakoor, II

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

Res.13-0486 2014 Fire Department Aerial Platform

Resolved, that the Purchasing Agent is authorized to waive formal bidding and negotiate with Pierce Fire Apparatus of Appleton, Wisconsin for the purchase of a 2014 fire department aerial platform.

Fiscal Note: Funding is available in the 2014 Capital Improvement Budget.

Sponsors: Q.A. Shakoor, II

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

Res.13-0487 Audit Related Adjustments to 2013 and 2014 Adopted CIP Budget

Resolved, that the 2013 Bonded Capital Improvement budget is to be amended to properly reflect the Equipment Replacement bond proceeds by Increasing accounts 993.000.6030, Bond Proceeds, and account 993.944.4940, Transfer to Equipment Replacement, by \$2,000,000.

Further resolved that the 2014 Bonded Capital Improvement budget is to be amended to properly reflect the Equipment Replacement bond proceeds by increasing accounts 994.000.6030, Bond Proceeds, and account 994.945.4940, Transfer to Equipment Replacement, by \$2,000,000.

Fiscal Note: The amendments will allow for the proper accounting of bond proceeds.

Sponsors: Q.A. Shakoor, II

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

Res.13-0488 Official Notice #12 Emergency Medical Supplies for the Racine Fire Department

Resolved, that Official Notice #12 Emergency Medical Supplies for the Racine Fire Department is approved.

Fiscal Note: Funding for this expense in FY 2014 is \$102,200.00 in account 101.300.5690

Sponsors: Gregory Holding

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

Res.13-0489

Official Notice #11, Medical Direction for Emergency Medical Services for the Racine Fire Department

Resolved, that Official Notice #11, Medical Direction for Emergency Medical Services for the Racine Fire Department is approved.

Fiscal Note: Funding is available in account 101.300.5680 Medical Direction and Account 101.300.5690 in FY 2014.

Sponsors: Gregory Holding

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

Res.13-0490

3-Lot Certified Survey Map for 6006 - 21st Street (PC-13)

Resolved, that the request for a three-lot certified survey map for 6006 Twenty-First Street is approved, subject to the following conditions:

a. That the certified survey map as prepared by Nielsen, Madsen, & Barber presented to the Plan Commission on December 11, 2013 be approved subject to the conditions contained herein.

b. That a 10-foot screening easement be added along the north property lines to ensure buffering between the commercial and residential properties, is addressed when lots are developed.

c. That the approved CSM will not alter any dedicated right-of-way, easements, or other use restrictions and covenants of record.

d. That the map be physically created in accordance with State Statutes.

e. That the signature lines on behalf of the City of Racine shall be updated for the full and proper names of the Mayor and City Clerk: John T. Dickert, Mayor, and Janice M. Johnson-Martin, City Clerk

f. That within thirty (30) days of recording the CSM, a certified recorded copy shall be provided to the Department of City Development. Failure to provide the recorded copy will result in nullification of the approval.

Fiscal Note: N/A

Sponsors: Dennis Wisner

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

Res.13-0491

Small Engine Repair Shop - 3625 Sixteenth Street

Resolved, that the request by Keith Buisse of Wheels Small Engine Repair for a conditional use permit to operate a small engine repair shop at 3625 Sixteenth Street is approved, subject to the following conditions:

- a. That the plans presented to the Plan Commission on December 11, 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 all applicable state and federal laws and codes, and all applicable local codes and ordinances be complied with and required permits acquired.
- d. That this approval is only for a facility conducting small engine repair and servicing for equipment such as lawn mowers, snow blowers and chain saws, power trimmers and leaf blowers, and equipment and vehicles with an engine size no greater than 300 cc's such as wood grinders, mulchers, ATV's, motor scooters/mopeds, outboard marine engines, generators and compressors.
- e. That this approval is not for a facility that repairs or services automobiles, vans, trucks, boats, motorcycles, motor homes, campers, snow mobiles, or other equipment or vehicles not listed in condition "d." herein.
- f. That prior to the issuance of an occupancy permit the following shall be submitted for the review and approval of the Director of City Development:
 1. Landscaping plan indicating the location, size and type of planting to be installed along Sixteenth Street and West Lawn Avenue.
 2. Outside storage area screening plan indicating type of fencing to be used and method of screening from view indicating location, materials, colors, design.
 3. Trash and recyclable storage area enclosure indicating location, materials, colors, design.

4. Signage plan indicating size color, placement, materials, and method of illumination.

g. That by June 1, 2014 the following shall be accomplished in accordance with the approved plans:

1. Landscaping.
2. Outside storage screening.
3. Trash and Recyclables enclosure.
4. Parking lot sealed and striped, and wheel stops or curbing installed.

h. That at this location, the following activities are prohibited:

1. The conduct of work between the hours of 5:00 p.m. to 9:00 a.m. Monday through Saturday, and all of Sunday.
2. Storage of boats, construction equipment, recreational vehicles or other. This site shall be used solely for the repair and servicing of small engine equipment and vehicles as indicated in condition "d." herein.
3. The repair and servicing of equipment and vehicles outdoors.
4. Vehicle painting and/or body work.
5. Equipment and vehicle salvage or sales.
6. The storage of equipment and vehicle outside the approved screened storage area.
7. The conduct of work on equipment or vehicles outside of the building, or on the streets.
8. Storage of customer or employee vehicles for more than 20 days.
9. Sales of equipment or vehicles.

i. That the hours of operation shall be from 9:00 a.m. to 5:00 p.m., Monday through Saturday, with no hours on Sunday.

j. That if by June 1, 2014 the site improvements required and described in conditions "g." herein are not completed, a financial surety shall be provided to the City in an amount equal in value to the required improvements, subject to the following terms:

1. Financial surety documents shall be submitted for the review and approval of the Director of City Development, shall be issued in the City's favor, shall be in effect for one year from the date of issuance, shall be extended beyond the expiration date if deemed necessary by

the City of Racine, and shall require that the issuer give a 90 day notice to the Department of City Development prior to the expiration of said financial surety.

2. The City is authorized by the Conditional Use permit to enter the site, implement the plan(s) and draw on the financial surety for the cost of implementation of work if required improvements are not completed by the time of the issuance of an occupancy permit, or by an earlier date as may be required herein. Any costs incurred in excess of the value of the financial surety shall be paid by the applicant or owner or shall be imposed as a special charge against the real property in accordance with applicable statute.

3. By operating under this Conditional Use, the applicant and owner give permission to the City to enter upon the property for the purposes described herein.

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.

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

Fiscal Note: N/A

Sponsors: Dennis Wisner

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

[Res.13-0492](#)

High Rollers Club - 1333 Douglas Avenue

Resolved, that the request from Margaret Brockman to allow for 24/7 hours of operation at the High Rollers Club at 1333 Douglas Avenue is approved, subject to the following conditions:

a. That the plans submitted to the Plan Commission on December 11, 2013, be approved subject to the conditions herein.

b. That compliance with all past approvals is required, except as modified by this approval.

c. That all applicable building and occupancy permits be obtained from the Building Inspection department. Occupancy shall not exceed 88

individuals.

d. That signage is not approved with this review.

e. That there be no sale of alcohol on the premises. The serving of alcohol may be allowed as regulated by the City Clerk's office.

f. That there be no food sold on the premises. The serving of food may be allowed as regulated by the City Health Department.

g. That the premises be open for inspection by the Building Department, Health Department, Police Department, City Development, or other applicable entity as needed to inspect or verify conditions of approval are being met.

h. That the overflow parking shall be utilized if traffic congestion, blocking of roadways, or other traffic disturbances occur.

i. That the security plan as submitted to Staff shall be in effect with this approval.

j. That failure to adhere to all the conditions set forth, and/or if the use again begins to generate calls to the Police Department for disturbances including but not limited to loitering, traffic problems, or other nuisances, that this item will be brought back to the Plan Commission by Staff with the recommendation the conditional use be revoked.

k. That the hours of operation shall be 24 hours a day, 7 days a week.

l. 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.

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

Fiscal Note: N/A

Sponsors: Dennis Wisner

Alderman Wisner requested that this item be considered separately. There were no

objections from the Council.

A motion was made Alderman Wisner, seconded by Alderman Holding that this item be Referred to the City Plan Commission.

There was no objection from the Council to refer this resolution back to the City Plan Commission for consideration along with item 13-9629.

Res.13-0493

Grocery Store at 1917 Mead Street

Resolved, that the request from Mariela Martinez for a conditional use permit to operate a grocery store at 1917 Mead Street is approved, subject to the following conditions:

- a. That the plans presented to the Plan Commission on December 11, 2013 be approved subject to the conditions contained herein.
- b. That all applicable building and occupancy permits be obtained from the Building Inspection department prior to occupancy.
- c. That all applicable state and federal laws and codes, and all applicable local codes and ordinances be complied with and required permits acquired.
- d. That all trash and recyclables be stored in closed containers and screened from view by a trash enclosure. The location and materials for the enclosure shall be approved by City Development Staff prior to occupancy permit.
- e. That there shall be no outdoor displays of food, drink, or any other items at any time.
- f. That signage is not approved with this request. Signage shall require approval by the Department of City Development prior to installation.
- g. That there shall be no sale or consumption of alcoholic beverages or tobacco products on the premises.
- h. That there will be no coin-operated amusement devices on the premises.
- i. That this conditional use shall not be transferred.

j. That the hours of operation shall be 10:00 a.m. - 7:00 p.m. seven days a week.

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

Fiscal Note: N/A

Sponsors: Dennis Wisler

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

Res.13-0494

Construction of Addition to Building at 918 West Boulevard

Resolved, that the request by Jai Shree Swaminarayan, LLC to construct an addition to the building at 918 West Boulevard is approved, subject to the following conditions:

- a. That the plans presented to the Plan Commission on December 11, 2013 be approved, subject to the conditions contained herein.
- b. That the parking lot shall be striped, and wheel stops be installed, prior to issuance of an occupancy permit.
- c. That all applicable state and federal laws and codes, all applicable local codes and ordinances be complied with and required permits acquired, and occupancy permit be obtained from the Building Inspection department.
- d. That the hours of operation shall be from 9:00 a.m. - 9:00 p.m., seven days a week.
- e. That signage is not approved with this plan. Any requests for signage shall be approved by the Department of City Development and Building Inspection department prior to installation. Banner and window signage may be exhibited subject to Building Code and Zoning Ordinance standards. No signage shall be approved on the south or west sides of the building.
- f. That parking shall be limited to the spaces provided by the applicant. Parking on adjacent lots by either customers or employees, without a shared parking agreement, is prohibited.
- g. That a dumpster enclosure shall be required, and the building

materials and appearance of the enclosure shall be approved by the Department of City Development prior to issuance of an occupancy permit.

h. That all applicable permits are applied for and obtained prior to occupancy.

i. That this conditional use permit shall be subject to review by the Plan Commission for compliance with the listed conditions.

j. That no minor changes be made to the conditions of approval without the review and approval of the Planning Commission, and that no major changes be made without the approval of the City Council.

Fiscal Note: N/A

Sponsors: Dennis Wisner

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

Res.13-0495

Certified Survey Map for 1423 State Street

Resolved, that the certified survey map for 1423 State Street is approved, subject to the following conditions:

a. That those technical discrepancies as identified by City Staff be resolved prior to the execution of the document.

Fiscal Note: N/A

Sponsors: Dennis Wisner

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

Res.13-0496

Amend Wisconsin Women's Business Initiative Corporation FY2013 CDBG Budget

Resolved, that it is approved that the Wisconsin Women's Business Initiative Corporation's FY2013 CDBG program budget be revised by: increasing the Total Salaries line item by \$775.00 (new total \$73,309.00); increasing the Employee Benefit line item by \$403.00 (new total \$17,947.00); and reducing the Rent line item by \$1,205.00 (new total \$1,795.00).

Fiscal Note: There is no change in the funding amount.

Sponsors: Jim Kaplan

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

APPROVED.**Res.13-0497** Amend YMCA FY2013 CDBG Budget

Resolved, that it is approved that the YMCA's FY2013 CDBG budget for the Home and Rehabilitation Project be revised by: increasing the Site Supervisor line item by \$2,600.00 (new total \$8,600.00) and reducing the Lead Abatement Training line by \$2600.00 (new total \$1,200.00).

Fiscal Note: There is no change in the funding amount.

Sponsors: Jim Kaplan

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

Res.13-0498 2014 Community Development Block Grant (CDBG) and Emergency Solutions Grant (ESG)

Resolved, that the recommended allocation of the 2014 Community Development Block Grant (CDBG) and Emergency Solutions Grant (ESG) is approved; and, if the total grant received exceeds the funds allocated, that the excess be placed in the Local Option Fund; and, if the total grant received is less than funds allocated, that the Local Option Fund be reduced by the amount of the shortfall; and, that the appropriate City officials are authorized and directed to execute and submit to the U.S. Department of Housing and Urban Development the documents required to secure the grants; and, that the appropriate City officials are authorized to execute third-party contracts with the agencies approved for the use of the funds.

Fiscal Note: This action allocates an anticipated \$1,695,000.00 in CDBG funds and \$117,000.00 in ESG funds to specific projects, programs, and administration. The specific allocations are listed on the table attached to item 13-9613 in Legistar.

Sponsors: Jim Kaplan

Alderman Weidner requested this item be considered separately. There were no objections from the Council.

A motion was made by Alderman Shakoor, II, seconded by President McCarthy, that this Resolution be Adopted. The motion was APPROVED by the following vote:

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

EXCUSED: 1 - Hart

ABSTENTIONS: 1 - Weidner

Res.13-0499

Re-allocate Continuum of Care (COC) FY2013 Emergency Solutions Grant (ESG)

Resolved, that the revised allocation of Emergency Shelter Grant funds is approved.

Fiscal Note: The reallocation reduces the amounts provided to agencies to reflect the federal grant being \$117,746.00, which is \$5,085.00 less than expected. The specific allocations are listed on the table attached to item 13-9649 in Legistar.

Sponsors: Jim Kaplan

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

Res.13-0500

Ponies at Johnson Park

Resolved, that permission is granted to Cynthia Hernandez to have ponies at Johnson Park from 2:00 p.m. until 6:00 p.m. on May 25, 2014.

Fiscal Note: To be determined by Johnson Park / Golf Course Staff

Sponsors: Terry McCarthy and Melissa Kaprelian-Becker

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

Res.13-0501

2014 Ragnar Relay - Exchange Chute Location

Resolved, that Ragnar Race Director's request to utilize Pershing Park as an exchange chute location, parking and rest area for the 2014 Ragnar Relay from 10:30 p.m. Friday June 6, 2014 until 9:30 a.m. Saturday, June 7, 2014 is approved.

Fiscal Note: Public Special Event Fees & Charges to be determined by the PRCS Department.

Sponsors: Terry McCarthy and Melissa Kaprelian-Becker

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

Council Action

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

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

EXCUSED: 1 - Hart

H. Adjourn

The meeting was adjourned at 7:50 p.m. by Alderman Shakoor. The next scheduled meeting of the Council is January 7, 2014.

ATTEST: JANICE M. JOHNSON-MARTIN
CITY CLERK