



City of Racine

Meeting Agenda - Final

Common Council

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

*Alderman Keith Fair, Alderman Robert Anderson, Alderman Tim Hermes,
Alderman Jim Kaplan, Alderman David L. Maack, Alderman Sandy Weidner,
Alderman Raymond DeHahn, Alderman Q.A. Shakoor, II, Alderman Pete Karas,
Alderman Thomas Friedel, Alderman Gregory Holding, Alderman Ronald D. Hart,
Alderman Thomas M. Sollman, Alderman James T. Spangenberg, Alderman Aron Wisneski*

Wednesday, July 5, 2006

7:00 PM

Room 205, City Hall

AMENDED

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

[Ord.25-06](#)

Ordinance No. 25-06 to amend Sec. 114-1(b)(2) and Sec. 114-468 of the Municipal Code of the City of Racine, Wisconsin relating to Zoning - Conditional Uses.

ORDINANCE NO. 25-06

To amend Sec. 114-1(b)(2) and Sec. 114-468 of the Municipal Code of the City of Racine, Wisconsin relating to Zoning - Conditional Uses.

Legislative Intent:

The City of Racine is experiencing a proliferation of convenient-cash businesses making non-traditional, short term consumer loans. Such businesses tailor their services to make them attractive to persons experiencing unfavorable economic circumstances, often aggravating those circumstances. Additionally, it has been found that through their business practices, convenient-cash businesses are susceptible to attracting criminals seeking to commit robberies. Finally, when clustered in an area or strung out along an arterial street, such locational concentration creates an unwarranted negative impression regarding the economic vitality of a commercial district and

the community at large. Based on their proliferation, their susceptibility to crime, and the negative effects of their proliferation, the Common Council finds that the health, safety and welfare of the residents of the City of Racine should be protected by legislation limiting the geographic proliferation of convenient-cash businesses.

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

Part 1:

Sec. 114-1(b)(2) of the Municipal Code of the City of Racine is hereby amended by adding the following definition after the definition of "*Convalescent or nursing home*":

"Convenient-cash business. A convenient-cash business, also referred to as a payday loan business, title for cash business, check cashing business or similar enterprise is any person licensed pursuant to Wis. Stat. sec. 218.05, or a person licensed pursuant to Wis. Stat. sec. 138.09, who accepts a check or title, holds the check or title for a period of time before negotiating or presenting the check or title for payment, and pays to the issuer an agreed-upon amount of cash, or who refinances or consolidates such a transaction."

Part 2:

Sec. 114-468 of the Municipal Code of the City of Racine is hereby amended by adding the following at the end of the section:

"(28) Convenient-cash businesses, provided that no other convenient-cash business is located within two thousand five hundred (2,500) feet and the business is located at least two hundred fifty (250) feet from a residential district."

Part 3:

This ordinance shall take effect upon passage and the day after publication.

Passed by the Common Council:

Approved:

Mayor

Attest:

City Clerk

FISCAL NOTE: N/A

Sponsors: Sandy Weidner, Gregory Holding And Aron Wisneski

F. Communications

Refer to Finance and Personnel Committee

06-2154

Subject: Communication from Chief Hansen to request permission to accept a donation of \$1,000 from the Racine Municipal Employees Credit Union to the Racine Fire Department Public Education Fund.

Also refer to License & Welfare Committee.

06-2168

Subject: The Public Health Administrator is requesting permission to accept funding and to authorize the Mayor and City Clerk to enter into an agreement with the WI Coastal Management Program. The amount of funding, \$21,940, will be used for testing technology.

Permission to apply was granted per resolution #6754 on 11/15/05.
Please see attached.

Fiscal Note: \$21,940 (There is a 50% in-kind soft match required on the part of the city).

Please refer to the Board of Health.

06-2183

Subject: Communication from Vincent Ruffolo of Superior Industrial Coating, Inc., submitting a request for the initial resolution regarding Industrial Development Revenue Bond Financing for Superior Industrial Coating, Inc.” by the City of Racine in the amount of \$2,500,000.

06-2184

Subject: Communication from the Mayor requesting to apply for and accept a grant of \$96,900.00 to the Wisconsin Office of Justice Assistance.

06-2187 **SUBJECT:** Communication from the Director of City Development requesting the establishment of a tax increment district for the Pointe Blue redevelopment project.

Also refer to City Plan Commission

06-2188 **Subject:** Communication from the Executive Director of Neighborhood Housing Services requesting the creation of a Tax Increment Financing District to assist in the redevelopment of the site at 1014 Martin Luther King Drive.

Also refer to City Plan Commission

06-2189 **Subject:** Communication from the Director of City Development requesting permission to apply for a Historic Preservation Subgrant from the Wisconsin Historical Society to help fund the northside historical reconnaissance survey.

06-2190 **Subject:** Communication from the Interim Finance Director requesting to present City of Racine 2005 Financial Statements.

06-2191 **Subject:** Communication from Pastor Melvin D. Hargrove of Zoe Outreach Ministries requesting waiving or reductions in fees for the Cesar Chavez Community Center.

Refer to Public Works and Services Committee

06-2165 **Subject:** Vacation of north-south and east-west alleys in the block bounded by Washington Avenue, West Blvd., 13th Street and Grove Avenue.

Also refer to City Plan Commission

[06-2166](#) **Subject:** Partial vacation of the 700 block of Racine Street.

Also refer to City Plan Commission

[06-2167](#) **Subject:** Vacation of Reichert Court.

Also refer to City Plan Commission.

[06-2176](#) **Subject:** Communication from the West Racine Business and Professional Association requesting permission to use public right-of-way for the Western Day parade on Saturday, July 15, 2006.

[06-2177](#) **Subject:** Communication from Riverbend Lofts, LLC, 720 Marquette Street, requesting permission to build decks over city right-of-way.

[06-2181](#) **Subject:** Communication from a representative of Salmon-A-Rama requesting to close the turn-arounds at Festival Park on Festival Park Drive and Christopher Columbus Causeway.

Refer to License and Welfare Committee

[06-2123](#) **Subject:** The following (renewal) Application for a 2006-2007 "Class C" and Class "B" Retail Fermented Malt Beverage and Wine license for:

Asiana, LLC 423 Sixth Street
HaeYoung Choi, Agent

[06-2179](#) **Subject:** Communication from Fire Chief Hansen to request permission to accept a donation of \$1,000 from the Racine Community Foundation to the Racine Fire Department Public Education Fund. (Grant Control #2006-013)

(Also refer to the Finance and Personnel Committee)

[06-2185](#) **Subject:** The following application for a "Class B" Retail Fermented Malt

Beverage and Intoxicating Liquor License to include Sidewalk Cafe Permit for Tango Bar, Gloria Horbatenko, Agent, at 509 6th Street.

06-2186

Subject: The following (**Renewal**) application for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 2006-2007:

Rosie H. Carothers 1333 Douglas Avenue

Refer to Traffic Commission**06-2182**

Subject: Communication from the Alderman of the 11th District, on behalf of Peter Rubel, 2012 Deane Blvd., submitting a petition for placement of a four-way stop at the intersection of 20th Street and Deane Boulevard.

Refer to Committee of the Whole**06-2159**

Subject: Communication from the Alderman of the 14th District wishing to discuss combining the Department of Public Works and the Parks Department.

06-2161

Subject: Communication from Alderman Holding proposing the License and Welfare committee change the name to the "Public Safety and Licensing" committee.

06-2162

Subject: Communication from Alderman Shakoor requesting to have the License and Welfare Committee name changed to the "Public Protection and License Committee.

Refer to Mayor's Office**06-2169**

Subject: Communication from Alderman of the 8th District requesting staff to pursue ways and means to place subject item: (Shot Spotter System) in the 2007 Capitol Projects.

Refer to Waterworks Commission**06-2180**

Subject: Request for temporary waiver from the site drainage, storm water requirements of the City of Racine until 2007 for the permanent Household Hazardous Waste facility project until the Utility has procured sufficient interest in adjoining properties to address the entire project as a whole. Also request to appear before the appropriate committee that can recommend that a waiver be granted.

G. Committee Reports**Finance and Personnel Committee Report****05-1279**

Subject: Communication from the City Attorney submitting the claim of Raymond Leitheiser for consideration.

Recommendation: That the claim of Raymond Leitheiser be settled with payment of \$9,988.76 for vehicle repairs and an additional payment of \$18,000 for medical for a total settlement of \$27,988.76.

Fiscal Note: There are sufficient funds available in account 101.160.5910, Judgment and Claims for the settlement.

05-1260

Subject: Communication from the City Attorney submitting the claim of Jennifer Polzin-Groth for consideration.

Recommendation: That the claim be denied.

Jennifer Polzin-Groth, 1613 Perry Avenue, claims reimbursement in the amount of \$778 for items damaged during the sewer backup in her basement on or about May 8, 2006. The City received a complaint about the sewer system and the garbage blocking the main was cleared. It is impossible to determine who tried to flush the garbage into the sanitary system. The City responded promptly to correct the situation and therefore denies responsibility.

Fiscal Note: N/A

06-2032

Subject: Communication from the City Attorney submitting the claim of Progressive Insurance for consideration.

Recommendation: That the claim be denied.

Progressive Insurance claims reimbursement in the amount of \$8,633.88 for damages to their insurer's auto, Ryan Smith, which slid on an icy roadway into the rear of a DPW Solid Waste collection truck that was backing into the intersection of Taylor Avenue and Jerome Blvd. The insurance company claims that the City's driver was more negligent by backing up then Mr. Smith was for sliding several car lengths into the back of the truck. The City denies it was more negligent than the other driver.

Fiscal Note: N/A

06-1646

Subject: Communication from the Racine Zoological Society requesting that the fees for the stage on wheels be reduced for six events at the Racine Zoo this summer.

Recommendation of 03-14-06: That the item be deferred

Recommendation of 03-27-06: That the item be deferred.

Recommendation of 06-26-06: That the item be received and filed.

Fiscal Note: N/A

06-1936

Subject: Communication from Racine County Economic Development Corporation requesting a City loan guarantee for a business loan to Schmidt Industrial Truck.

Recommendation of 06-12-06: That the item be deferred

Recommendation of 06-26-06: That the City of Racine guarantee a business loan from the Racine County Economic Development Corporation to Schmidt Industrial Truck, Inc., said guarantee not to exceed \$100,000.00 for a term of five years. Further recommends that the appropriate City officials be authorized to execute a Limited Guaranty of Specific Transaction documenting said guarantee.

Fiscal Note: There are sufficient funds available in the City Industrial/Economic Development fund.

06-2031

Subject: Communication from the City Attorney submitting the claim of Megan O'Driscoll for consideration.

Recommendation: That the claim be denied.

Megan O'Driscoll, 406 Main Street, apt. 2, claims reimbursement for damages to her auto after a temporary stop sign at the intersection of State Street and Main Street was blown over by unusually strong winds and struck the hood of her car as it was passing. The City denies any negligence in the maintenance of the stop sign.

Fiscal Note: N/A

06-2029

Subject: Communication from the City Attorney submitting the claim of Jimmie & Lois Beaulieu for consideration.

Recommendation: That the claim be denied.

Jimme & Lois Beaulieu, 3312 Victory Ave, claim reimbursement for damages in the amount of \$196.60 arising from an auto striking his fence. The Beaulieus assert the City is liable due to the fact that the car was fleeing police officers. The City denies any negligence in the manner of pursuing the offenders.

Fiscal Note: N/A

06-2090

Subject: Communication from the Director of City Development requesting approval to apply for the State of Wisconsin Housing Cost Reduction Initiative (HCRI) funding to promote home ownership in targeted areas of Racine.

Recommendation: That the Director of City Development granted permission to apply for the Housing Cost Reduction Initiative (HCRI) grant, in the amount of \$127,000, to be utilized to support home ownership in the north side and south side Weed and Seed areas that will be administered

by the Wisconsin Department of Commerce's Bureau of Housing.

Fiscal Note: No match required on the part of the City.

06-2091

Subject: Communication from the Housing Department requesting approval to enter into an on-line credit services agreement with Trans Union Residential Credit Solutions to receive credit reports on-line.

Recommendation: That the Mayor and City Clerk be authorized and directed to enter into an on-line credit service agreement with Trans Union Residential Credit Solutions to be able to receive credit reports on line for the Housing Department.

Fiscal Note: Fees for credit reporting service are available in Account No. 811.000.5610, Housing Department Professional Services.

06-2092

Subject: Communication from the City Attorney submitting a letter of resignation due to retirement.

Recommendation: That the item be received and filed.

Fiscal Note: N/A

06-2113

Subject: Communication from the Director of City Development requesting amendments to the agreement for a site assessment grant for the Horlick Malted Milk Company campus.

Recommendation: That the Mayor and City Clerk be authorized and directed to enter into amended contracts with Horlick Haban, LLC., to provide the funding necessary to satisfy the site assessment grant for the Horlick Malted Milk Company campus.

Fiscal Note: On behalf of Horlick Haban LLC., the city applied for and was awarded a site assessment grant from Wisconsin DNR totaling \$59,790. The grant required at least a dollar for dollar match, which Horlick Haban LLC. has agreed to provide. Total project costs are now estimated at \$137,057. The amendment is needed to reflect the higher project costs and to restate that the project is at no cost to the city.

06-2121

Subject: Communication from the Library Board of Trustees requesting the City adopts a resolution to support the libraries in Racine County.

Recommendation: Adoption of the draft resolution to provide 100% reimbursement for library services provided to Racine County residents.

Fiscal Note: N/A

06-2156

Subject: (Direct Referral) Communication from the City Attorney requesting to discuss in closed session the proposed settlement of Dennis Hart v. Transit Mutual of Racine, et al.

Recommendation: That the actions pending in U.S. District Court for the Eastern District of Wisconsin entitled Dennis Hart v. Transit Management of Racine, Inc., First Group America, Inc., John Diers and Dan McCabe, Case No. 01-C-766 and Dennis C. Hart v. Transit Management of Racine, Inc., Brad Putzier & John Diers, Case No. 04-C-0721, be settled in the total amount of \$60,000.

Fiscal Note: Settlement to be charged to account 105.600.5950 BUS - claims

Public Works and Services Committee Report

06-1905

Subject: Communication from The Journal Times requesting additional alley lighting.

Recommendation: The Department of Public Works be authorized and directed to upgrade the 50 watt high pressure sodium light to 100 watts to better serve the needs of this alley.

Fiscal Note: There will be nominal costs for the City of Racine to engage the services of WE Energies to implement this change.

06-2088

Subject: Communication from the Commissioner of Public Works/City Engineer wishing to submit a Green Space and Public Facilities Grant to the Wisconsin Department of Natural Resources.

Recommendation: The Commissioner of Public Works be authorized and directed to submit a Green Space and Public Facilities Grant to the Wisconsin Department of Natural Resources for the clean up of a portion of

the Pointe Blue Redevelopment project.

Fiscal Note: The project development agreement requires the City of Racine to cooperate with the developer to assist in acquiring various State and Federal grants to offset the cost of this development project.

06-2095

Subject: Communication from the owner of Too Good to be Through, 720 High Street, requesting permission to install a projecting sign over the public right-of-way.

Recommendation: The property owner of 720 High Street be granted permission to install stationary, projecting sign, as requested, with the stipulation that a hold harmless agreement be executed, in accordance with State Statute 66.0425, Privileges in Streets.

Further recommends that the property owner be charged a \$50.00 fee to cover administrative costs associated with filing this item with the Register of Deeds office.

Fiscal Note: There will be no cost to the City of Racine.

06-2096

Subject: Communication from Rojo's Pub, 1311 Yout Street, requesting permission to close Charles Street between Douglas Avenue and Yout Street for a fundraiser on Saturday, July 29, 2006.

Recommendation: Permission be granted to Rojo's Pub, 1311 Yout Street, to close Charles Street from Douglas Avenue to Yout Street, from 8 a.m. to 8 p.m. on Saturday, July 29, 2006, for a fundraiser, with the following stipulations:

- A. A hold harmless agreement be executed;
- B. Proof of 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. No alcoholic beverages will be sold and/or dispensed within the street right-of-way.
- F. Any tents placed on the public right-of-way shall not be anchored by any means to the roadway surface.

G. The sponsor shall pay a \$250.00 special event fee.

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

FISCAL NOTE: There will be nominal costs to various City departments, on a regular shift basis, in implementing this event.

06-2099

Subject: Communication from the Director of City Development submitting an amendment to the contract with Earth Tech, Inc., for design and engineering of Southside Industrial Park Infrastructure.

Recommendation: Amendment No. 3 on Contract 5-05 (K5-005), Professional Services - Design of Jacobsen-Textron Redevelopment Site, Earth Tech, Inc., consultant, as submitted, be approved in the amount of \$4,008.00.

Further recommends that funding to defray the cost of these professional services be appropriated from TID No. 10.

Fiscal Note: Funds are available as herein delineated.

06-2100

Subject: Communication from the Commissioner of Public Works/City Engineer submitting a revised project agreement for Racine Street reconstruction, ID 2350-10-00/20/70.

Recommendation: The Commissioner of Public Works be authorized and directed to sign on behalf of the City of Racine the revised project agreement for the Racine Street Reconstruction, Project ID No. 2350-10-00/20/70.

Fiscal Note: The revised project agreement will result in an increase in the City share of \$406,000.00 to \$707,125.00 due to an increase in the overall project from \$3,103,000.00 to \$4,851,900.00. Funding is available in the 2006 Capital Improvement Project budget to cover the increase in cost due to the revised project agreement.

06-2102

Subject: Communication from the Commissioner of Public Works/City Engineer requesting to fill a Stationary Engineer position in the Building Complex Division.

Recommendation: The position of Building Complex Maintenance Worker, HU-9, which is vacant due to a retirement, be filled and any

subsequent positions that result from the posting of this position.

Further recommends that this item be referred to the Finance and Personnel Committee for their consideration.

Fiscal Note: Funds are provided in the 2006 Operating Budget.

06-2104

Subject: Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 36-05 (K5-043), 2005 City Resurfacing, Payne & Dolan, Inc., contractor.

Recommendation: The work of Payne & Dolan, Inc., under Contract 36-05 (K5-043), 2005 City Resurfacing, be accepted and final payment authorized for a total contract amount of \$767,144.17.

Fiscal Note: Contract was authorized under Resolution No. 6575 of July 19, 2005.

06-2116

Subject: Direct Referral. Communication from Fourth Fest of Greater Racine, Inc. requesting permission to use the Walker Site parking lot on Tuesday, July 4, 2006.

Recommendation: Permission be granted to Fourth Fest of Greater Racine, Inc. to use the Walker Site on Tuesday, July 4, 2006, for parking of vehicles in conjunction with the Fourth of July fireworks display.

Fiscal Note: Fourth Fest is one of two City co-sponsored events. Therefore, there is no need for liability insurance or a hold harmless agreement.

06-2117

Subject: Communication from Claes Wennerth of Alloc Inc., submitting a Supplemental Agreement between the Union Pacific Railroad Company and the City of Racine relating to the Alloc rail spur.

Recommendation: The Mayor and City Clerk be authorized and directed to enter into a supplemental agreement with the Union Pacific and City of Racine Basic Agreement Audit Number 212180 of January 27, 1999 which provides for the extension of a spur line to the Alloc Inc. manufacturing complex.

Fiscal Note: There will be no cost to the City of Racine.

06-2118

Subject: Communication from James Andrews requesting an ordinance to allow electric energy efficient vehicles on the roads.

Recommendation: The communication be referred to the City Attorney's office for their review of appropriate State statutes regarding this issue and to advise the committee as to the appropriate action.

Fiscal Note: Not applicable.

06-2142

Subject: Res. 06-7045 of June 20, 2006 relating to street improvements.

Recommendation: Resolution No. 06-7045, of June 20, 2006, be amended to delete:

PORTLAND CEMENT CONCRETE PAVING

VISTA DRIVE from Spring Valley Drive to Harrington Drive
SPRING VALLEY DRIVE from Harrington Drive to Vista Drive
WESTWAY AVENUE from Perry Avenue to Echo Lane
WESTWAY AVENUE from Echo Lane to Crab Tree Lane
LOMBARD AVENUE from N. Main Street to Chatham Street

and, as amended , Resolution No. 06-7045, of June 20, 2006, be adopted.

Fiscal Note: Funds will be appropriated in the 2007 C.I.P. for these street improvements, and special assessments will be paid by the abutting property owners for the street improvements

06-2147

Subject: Direct Referral. Communication from the Assistant Commissioner of Public Works submitting a three-party agreement for design engineering services for State Project ID: 2703-03-05, Ohio Street, 16th Street to 21st Street.

Recommendation: The Mayor and City Clerk be authorized and directed to enter into a three-party agreement with the State of Wisconsin Department of Transportation and Clark Dietz, Inc. for preparing plans and specifications for the reconstruction of Ohio Street from 16th Street to 21st Street, for the not-to-exceed cost of \$200,015.51, which is funded 80%, or \$160,012.41, by the State of Wisconsin, and 20%, or \$40,003.10, by the City of Racine.

Further recommends that funds to defray the cost of these professional services are available in the 2007 CIP.

Fiscal Note: Funds are available as herein delineated.

06-2170

Subject: Communication from the Sales/Marketing Director of the Racine County Convention and Visitors Bureau requesting permission to use the Walker Site for parking for the Spirit of Racine Triathlon.

Recommendation: Permission be granted to the Racine County Convention and Visitors Bureau to use the City owned property, commonly referred to as the Walker Site, for special event parking on Sunday, July 23, 2006, in connection with the Spirit of Racine Triathlon with the following stipulations:

- A. A hold harmless agreement be executed;
- B. A liability insurance certificate be filed prior to the event;
- C. Any overtime costs incurred by any City department be charged to the sponsor; and,
- D. The sponsor pay the City \$1.50 for each car which is allowed to park on this public property.

Fiscal Note: The City of Racine will share a percentage of the proceeds which the Racine County Convention and Visitors Bureau obtains through charging for parking on this property.

License and Welfare Committee Report

06-2055

Subject: (New- 2005-2006) Application of Neighborhood Bar of Racine, LLC., Slobodan Lazarevic, Agent, for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 2002 Erie Street.

(5th District) (**Alderman of the 5th District included in reference**) (The Agent has been requested to appear)

Recommendation of the License & Welfare Committee of 06/12/06:

That the item be deferred to the 06/26/06 License & Welfare Committee meeting.

Recommendation of the License & Welfare Committee of 06/26/06:

That the license be granted.

Fiscal Note: N/A

06-2058

Subject: (Direct Referral) Concession Contract at Pershing Park Launch Ramp.

Recommendation of the License & Welfare Committee of 06/12/06: That the item be deferred until the 06/26/06 License & Welfare Committee meeting.

Recommendation of the License & Welfare Committee of 06/26/06: That

the Mayor and City Clerk be authorized and directed to enter into a two year agreement with Joseph Hrouda dba J & D Enterprise.

Fiscal Note: N/A

06-2080

Subject: (Direct Referral) Renewal application for a Gasoline Service Station Owner's and Manager's License, for Skipper Marine Development, at 2 Christopher Columbus Causeway.

Recommendation of the License & Welfare Committee of 06/26/06:

That the license be granted.

Fiscal Note: N/A

06-2089

Subject: The following **(Renewal)** applications for a 2006-2007 "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for:

La Condesa, LLC 1743 State Street
Margarita Vasquez, Agent

Hillside Lanes, Inc. 1400 Thirteenth Street
Richard Wonders, Agent

The following **(Renewal)** application for a Class "A" Retail Fermented Malt Beverage License for:

MA Investments 930 Washington Avenue
Maqbool Muhammad, Agent

Recommendation of the License & Welfare Committee of 06/26/06:

That the licenses be granted.

Fiscal Note: N/A

06-2094

Subject: Application of K-ZAG Enterprise, LLC., Jon Keiffer, Agent, for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 1300 N. Main Street.

Recommendation of the License & Welfare Committee of 06/26/06:

That the license be granted.

Fiscal Note: N/A

Ord.26-06

Ordinance No. 26-06 to create Sec. 66-670 of the Municipal Code of the City of Racine, Wisconsin relating to Offenses - Sale or gift of cigarettes or tobacco products to minors prohibited.

ORDINANCE NO. 26-06

To create Sec. 66-670 of the Municipal Code of the City of Racine, Wisconsin relating to Offenses - Sale or gift of cigarettes or tobacco products to minors prohibited.

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

Part 1:

Sec. 66-670 of the Municipal Code of the City of Racine is hereby created to read as follows:

"Sec. 66-670. Procurement prohibited.

(a) Except as provided in sec. 66-667, no person may intentionally procure for, sell, dispense, or give away cigarettes or tobacco products to a minor.

(b) Whoever violates this section shall forfeit not more than \$100.00."

Part 2:

This ordinance shall take effect upon passage and the day after publication.

Passed by the Common Council:

Approved:

Mayor

Attest:

City Clerk

FISCAL NOTE: N/A

Recommendation of the License & Welfare Committee of 06/26/06: That Ord. 26-06 relating to Offenses - Sale or gift of cigarettes or tobacco products

to minors prohibited, be approved.

Fiscal Note: N/A

Sponsors: David L. Maack

06-2101

Subject: Request permission to enter into an agreement with Industrial Roofing Services, Inc. to prepare plans and specifications for paint removal, masonry restoration and construction management at Mound Cemetery maintenance building.

Recommendation of the License & Welfare Committee on 06/26/06:

That the Mayor and City Clerk be given permission to enter into an agreement with Industrial Roofing Services, Inc. to prepare plans and specifications for paint removal, masonry restoration and construction management at Mound Cemetery maintenance building.

Fiscal Note: 7% with a minimum of \$2,500 Renovate Mound Maintenance Building Account #207.000.5760.

06-2114

Subject:(Direct Referral) Communication from the Purchasing Agent submitting the report on bids received for the sale of Abandoned Vehicles, June 14, 2006.

Recommendation of the License & Welfare Committee of 06/26/06:

That the item be received and filed.

Fiscal Note: \$7,038.06 in revenues.

06-2119

Subject: (New) Application of Waheguru, LLC, Satinder Singh, Agent, for a Class "A" Retail Fermented Malt Beverage License for 1720 Douglas Avenue. (4th District)

(Alderman of the 4th District included in reference) (The agent has been requested to appear)

Recommendation of the License & Welfare of 06/26/06: That the license be granted.

Fiscal Note: N/A

06-2153

Subject: (Direct referral) Request of the Director of Parks, Recreation & Cultural Services to meet with the License and Welfare Committee to

discuss Change Order #1 on contract 27-05 (K5-034), Monument Square Site and Landscape Improvement.

Recommendation of the License & Welfare Committee of 06/26/06:

That Change Order #2 on contract 27-05 (K5-034), Monument Square Site and Landscape Improvement, Bane Nelson, Inc., contractor, be approved in the increased amount of \$40,234.00.

Fiscal Note: \$40,234.00 change in Contract amount due to Change Order from account #932.000.5950. This contract was approved by Resolution 6516 of 06/07/05.

06-2155

Subject: (Direct Referral) Communication from the Purchasing agent submitting the report on bids received for the sale of Abandoned Vehicles, June 21, 2006.

Recommendation of the License & Welfare Committee on 06/26/06:

That the item be received and filed.

Fiscal Note: \$4,992.01 in revenues.

06-2114

Subject:(Direct Referral) Communication from the Purchasing Agent submitting the report on bids received for the sale of Abandoned Vehicles, June 14, 2006.

Recommendation of the License & Welfare Committee of 06/26/06:

That the item be received and filed.

Fiscal Note: \$7,038.06 in revenues.

Traffic Commission Report

06-1828

Subject: Communication from 2nd District Alderman and County Supervisor Gaynell Dyess requesting a four way stop sign be installed at the intersection at 20th and Mead Street.

Recommendation: A four-way stop sign be installed at the intersection of Mead Street and 20th Street.

Fiscal Note: The estimated cost of this signage will result in an

installation cost of \$200.00 and an annual maintenance cost of \$80.00.

06-2027

Subject: Communication from the Racine Art Guild, Inc. requesting "Temporary No Parking" signs be posted on the east side of South Main Street, between 10th and 11th Streets during the Starving Artists Outdoor Art Fair on August 6, 2006.

Recommendation: The request to use Temporary No Parking signs on the east side of S. Main Street between 10th and 11th Streets on August 6, 2006, between 9:00 A.M. and 4:00 P.M. be granted.

Further recommends that the request to waive the "No Parking Any Time" restriction on 10th and 11th Streets before 9:00 A.M. and from 4:00 P.M. to 5:00 P.M. on August 6, 2006, in connection with the Starving Artists Outdoor Art Fair, be granted.

Fiscal Note: N/A

06-2049

Subject: Communication from Daniel Eternicka regarding the timing of the traffic light on Washington Avenue and Green Bay Road.

Recommendation: The communication be received and filed.

Fiscal Note: N/A

06-2060

Subject: Communication from Love Has No Boundaries Childcare & Learning Center, 702 High Street requesting a loading zone sign be placed on the entrance side of the center.

Recommendation: The communication be received and filed.

Fiscal Note: N/A

06-2144

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

A. Recommends that Section 94-66(3) of Schedule C of the Municipal Code of the General Ordinances of the City of Racine relative to "All-way stop intersections" be amended:

By Adding:

1. Mead Street and 20th Street.

Transit and Parking Commission Report

06-1870

Subject: Communication from the Mayor asking to discuss parking restrictions on the SW corner of 13th Street and Washington Avenue.

Recommendation: Section 94-282 of the Municipal Code be amended to prohibit parking from 2:00 A.M. to 6:00 A.M. in Uptown Lot No. 5, upper and lower levels.

Fiscal Note: N/A

06-2039

Subject: Communication from the Transit Planner submitting the April 2006 operating and financial report for the Belle Urban System.

Recommendation: The communication be received and filed.

Fiscal Note: N/A

06-2084

Subject: Communication from Family Service of Racine requesting the extension of the trolley service on Sunday, August 6, 2006 to the DeKoven Center at 20th and Wisconsin for the Taste of Racine.

Recommendation: Request be granted and that a second trolley be placed in service on Sunday, August 6, 2006, to serve the Taste of Racine Festival at the DeKoven Center, and further recommend that the City of Racine accept a \$250 donation from Family Services of Racine to help offset the cost of the extra service.

Fiscal Note: The City will accept a donation of \$250 to help offset the cost of additional trolley service on August 6, 2006.

06-2085

Subject: Communication from the Wisconsin Department of Transportation submitting a 2006 CMAQ marketing contract for the Belle Urban System.

Recommendation: The Mayor and City Clerk be authorized and directed to execute the agreement on behalf of the City of Racine.

Fiscal Note: The grant provides \$86,266 in federal funds for marketing of the Belle Urban System.

06-2111

Subject: Communication from the Kenosha Racine Bike Club requesting permission for the Belle Urban System to accept a \$1,500 donation for the purchase of bike racks for city buses.

Recommendation: The funds be accepted and placed in account 105.000.2480, Deferred Revenue, and be combined with grant funds in 2007 for the purchase of bicycle racks on Belle Urban System buses.

Fiscal Note: The City is accepting a donation of \$1,500 to purchase two bicycle racks for installation on Belle Urban System buses.

06-2115

Subject: Communication from the Transit Planner submitting the May 2006 operating and financial report for Wisconsin Coach Lines Kenosha-Racine-Milwaukee intercity bus service.

Recommendation: The communication be received and filed.

Fiscal Note: N/A

06-2146

Subject: (Direct Referral) Communication from the Transit Planner submitting the May 2006 operating and financial report for the Belle Urban System.

Recommendation: The communication be received and filed.

Fiscal Note: N/A

[06-2171](#)

Subject: (Direct Referral) Communication from Virchow Krause submitting the 2005 audit and management letter for the Belle Urban System.

Recommendation: The communication be received and filed.

Fiscal Note: N/A

[06-2172](#)

Subject: (Direct Referral) Communication from the Transit Planner wishing to discuss the purchase and installation of Ticket Reader/Issue Machines for the fareboxes on the buses of the Belle Urban System.

Recommendation: Formal bidding procedures be waived and the Purchasing Agent be authorized and directed to negotiate with GFI Genfare for the acquisition of Ticket Reader/Issue Machine (TRiM) for the fareboxes on Belle Urban System buses, including 27 units, spare parts, training transfer cards and miscellaneous expenses, at a cost not to exceed \$145,000, with 80% of the cost of the units to be provided by Federal Capital Grants WI-03-0080, WI-03-0084, and WI-03-0091, and City of Racine CIP Capital projects Account 105.900.5010 (20%).

Fiscal Note: N/A

City Plan Commission Report

[06-1939](#)

Subject: Amendment to the zoning ordinance to regulate pay day loan and other "convenient cash" agencies as a conditional uses in certain business zoning districts.

Recommendation: That the communication be received and filed.

Fiscal Note: N/A

[06-2026](#)

Subject: Creation of a Business Improvement District for the West Racine commercial area.

Recommendation: That the communication be received and filed.

[Res.06-7051](#)

ACQUISITION OF EASEMENT FOR HOUSEHOLD HAZARDOUS WASTE PROJECT

RESOLVED, that the project to acquire easement rights across Sam's Club parking lot to serve the Household Hazardous Waste Facility project be approved.

FURTHER RESOLVED, that the City Attorney be authorized and directed to take all necessary steps to acquire this property interest, and that the Mayor and City Clerk be authorized and directed to execute all documents associated with this project.

FISCAL NOTE: Unknown at this time. Funding is available through the Wastewater Utility HHW project.

CPC 06-14-06

Recommendation: Acquisition of easement rights across Sam's Club parking lot is not in conflict with City plans and programs.

Further, that the resolution be adopted.

Sponsors: Ronald D. Hart

06-2112

Subject: (New) The following Application for a "Class C" & Class "B" Fermented Malt Beverage and Wine License to include Sidewalk Cafe Permit for Javavino, 424 Main Street.

Also refer to City Plan Commission.

Recommendation of the License & Welfare Committee of 06/26/06:

That the item be approved.

Fiscal Note: N/A

Recommendation of the City Plan Commission 6-28-06: That the request by Ramez Abdunour of-Javavion for a sidewalk café at 424 Main Street be approved subject to the following conditions:

- a. That the design of the tables and chairs as presented to the Plan Commission on June 28, 2006 are found to not detract from the aesthetics of the surrounding area and that the locations of the sidewalk café are found to be suitable for a sidewalk café.
- b. That a total of three tables be allowed, with each table having no more than two chairs. Due to the concerns regarding sidewalk obstruction, maintenance of proper barriers and need for clear paths, one or more table may need to be designate

“non-alcohol” tables.

- c. That it is noted that the application also proposes outdoor tables and seating to the north of the building, outside of the public right-of-way.
- d. That the design of the barrier be presented to the Director of City Development for review and approval.
- e. That all applicable ordinances be complied with and all applicable permits acquired.

Fiscal Note: N/A

06-2125

Subject: Direct Referral. Creation of a Business Improvement District for the West Racine Commercial area.

Recommendation: Approve.

06-2127

Subject: Direct Referral. A request from Michael Jensen seeking a conditional use permit to establish a business conducting automobile towing, storage, repair, and sale at 2625 N. Green Bay Road.

Recommendation: That the request from Michael Jensen seeking a conditional use permit to establish a business at 2625 N. Green Bay Road conducting automobile towing, storage, repair, and sales be approved, subject to the following:

- a. That the plans stamped “Received June 15, 2006” and presented to the Plan Commission on June 28, 2006 be approved, subject to the conditions contained herein.
- b. That approval be obtained from the Federal Aviation Administration (FAA) by Michael Jensen for his proposal and that documentation of FAA approval be provided to the Director of City Development, the Chief Building Inspector, and the appropriate official at Batten International Airport prior to the issuance of permits from the Building Department.
- c. That a building permit and occupancy permit be requested from the Building Department prior to the operation of this business at this location.

- d. That the following activities are prohibited at this location:
 - 1. Auto body work or auto painting.
 - 2. Vehicle salvage.
 - 3. Outdoor vehicle repair, assembly and disassembly.
 - 4. Storage of wrecked vehicles, vehicles parts and accessories, and equipment outside the designated enclosed storage area.

- e. That all vehicles waiting repair, or those which have been repaired shall be stored on the subject property in an orderly fashion but in no case longer than 20 days.

- g. That by August 1, 2006 the following shall be submitted to the Director of City Development for review and approval:
 - 1. Landscape plan. If occupancy is requested prior to the installation of landscaping than a letter of credit equal to the value of the landscape plan shall be submitted for the review and approval of the Director of City Development. In any case, landscaping shall be installed no later than October 1, 2006.
 - 2. Scaled site plan illustrating individual parking spaces for customers, employees, vehicles awaiting repair or pick-up, vehicles sales display areas, and vehicle storage areas. All such areas shall be striped by October 1, 2006.
 - 4. Details of fencing and dumpster area(s) to be installed illustrating height, color, and style. No barbed wire or razor wire is permitted.
 - 5. Detailed plans for the "Temp Sales Office" illustrating design, materials, height, lighting, and colors.
 - 6. Detailed sign plan for all tenants in compliance with zoning ordinance allowances for signage. All signage shall be professionally made and comply with applicable zoning ordinance requirements.
 - 7. Detailed lighting plan illustrating type of fixture, placement, height of poles, and the direction, and intensity of light.

- h. That all trash and recyclables shall be stored in closed containers and screened from view.

- i.. That the maximum hours of operation shall be from 7:00 a.m. until; 6:00 p.m. Monday through Saturday, and no hours on Sundays. The towing operation may from time to time drop off vehicles for storage in the fenced storage in the fenced storage area, outside of the approved hours of operation, in emergency

situations.

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

Fiscal Note: N/A

06-2128

Subject: Direct Referral. Request by Department of City Development to rezone 710 Sixth Street from B-5 Central Service to B-4 Central Business.

Recommendation: That an ordinance be created,

06-2129

Subject: Direct Referral. Request from Bob Stell of Limberg Electric, representing Walgreen's seeking a conditional use permit to install a 42 square foot full color electronic reader board at 4810 Washington Ave.

Recommendation: That the request from Bob Stell of Limberg Electric, representing Walgreens, seeking a conditional use permit to install a 42 square feet full-color electronic reader board at 4810 Washington Avenue be approved, subject to the following conditions:

- a. That the request for a full color electronic reader board be approved subject to the conditions contained herein.
- b. That plans be submitted to the Director of City Development for review and approval that illustrate the elimination of the existing pylon sign and structure and their replacement with a monument sign that includes full-color electronic reader board. Total square footage of the monument sign shall not exceed that of existing pylon.
- c. That all applicable codes and ordinances be complied with and required permits acquired from the Building Department.
- d. That prior to the issuance of a sign permit the following shall be

accomplished:

1. Cease of all outside display and sales including the removal from the property of the propane exchange center.
 2. Submittal for the review and approval of the Director of City Development a plan to address the professional trimming or replacement of aged landscaping.
- e. That the sign be professionally made.
- f. That use of the sign comply with Sec. 114-1033 Electronic message signs of the City of Racine Municipal Code.
- g. That no pennants, banners, streamers or other temporary signs shall be displayed at this location.
- h.. 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.
- i. That this permit is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

06-2131

Subject: Direct Referral. A request from Felix Servantez of Servantez Property, Inc. seeking to rezone the property at 4101 & 4105 Washington Avenue from B-1 Neighborhood Convenience District and R-3 Limited General Residence District to B-2 Community Shopping District.

Recommendation: Deny

Committee of the Whole Report

06-1929

Subject: Communication from the City Administrator requesting to present an update to the City of Racine's 5-year Capital Improvement Plan.

Recommend: that IT Infrastructure Replacement plan be amended to read as follows: 2007 - \$21,000; 2008 - \$64,000; 2009 - \$72,000; 2010 - \$72,000; 2011 - \$72,000;

FURTHER RECOMMEND that Graceland Maintenance Building Renovate Doors and Windows plan be amended to read as follows: 2007 - \$20,000; 2008 - \$0; 2009 - \$0; 2010 - \$0; 2011 - \$0;

FURTHER RECOMMEND that Mound Chapel and Office power wash and Seal plan be amended to read as follows: 2007 - \$10,000; 2008 - \$0; 2009 - \$0; 2010 - \$0; 2011 - \$0;

FURTHER RECOMMEND that the 2007-2011 Capital Improvement Plan be approved as amended.

Fiscal Note: Funding for projects will be addressed in the 2007 Budget.

Office of the Mayor

06-2175

Subject: Communication from Mayor Becker nominating appointments/reappointments to the following Boards and Commissions for the City of Racine.

Appoint Robert K. Weber, 3042 Chatham Street, as City Attorney with effective date of August 14, 2006.

Committee on Housing and Neighborhoods:

Appoint Alderman Pete Karas for a one-year term as chairman ending in May 2007.

Appoint Alderman Keith Fair for a one-year term ending in May 2007.

Appoint Alderman Q.A. Shakoor, II for a one-year term ending in May 2007.

Appoint Alderman Timothy Hermes for a one-year term ending in May 2007.

Appoint Alderman James Kaplan for a one-year term ending in May 2007.

Appoint Alderman Aron Wisneski for a one-year term ending in May 2007.

Appoint Alderman Robert Anderson for a one-year term ending in May 2007.

Civic Centre Commission

- [06-1956](#) **Subject:** (Direct Referral) The Director of the Civic Centre would like to discuss the Attendance Report for April.
- [06-1957](#) **Subject:** (Direct Referral) The Director of the Civic Centre wishing to discuss the resignation of the Event Services Manager.
- [06-1958](#) **Subject:** (Direct Referral) The Director of the Civic Centre wishing to discuss the January (revised), February, March, April 2006 Financial Report and the first quarter Comparison Report 2005/2006.
- [06-1959](#) **Subject:** (Direct Referral) The Director of the Civic Centre wishing to discuss a 60 x 120 tent rental, set-up, and tear down at Festival Park.
- [06-1961](#) **Subject:**(Direct Referral) The Director of the Civic Centre wishing to discuss in-house promotional funds funded by Compass Facility Management Inc. and the hiring of the National Director of Compass Events.

H. Resolutions

[Res.06-7102](#) CHANGE ORDER MONUMENT SQUARE LANDSCAPE

RESOLVED, that Change Order #2 on Contract 27-05 (K5-034), Monument Square Site and Landscape Improvement, Bane Nelson, Inc., contractor, be approved in the increased amount of \$40,234.00.

FISCAL NOTE: \$40,234.00 change in contract amount due to change order from account #932.000.5950. This contract was approved by Resolution 6516 of 06/07/05.

Sponsors: David L. Maack

[Res.06-7103](#) AGREEMENT WITH INDUSTRIAL ROOFING FOR MOUND CEMETERY BUILDING

RESOLVED, that the Mayor and City Clerk be authorized and directed to enter into an agreement with Industrial Roofing Services, Inc. to prepare plans and specifications for paint removal, masonry restoration and construction management at Mound Cemetery maintenance building.

FISCAL NOTE: 17% with a minimum of \$2,500 Renovate Mound Maintenance Building Account #207.000.5760.

Sponsors: David L. Maack

Res.06-7104 AGREEMENT FOR OPERATING CONCESSION AT PERSHING PARK BOAT LAUNCH RAMP

RESOLVED, that the Mayor and City Clerk be authorized and directed to enter into a two year agreement with Joseph Hrouda, d/b/a J & D Enterprises, for Operating the Concession at the Pershing Park Boat Launch Ramp with a projected revenue of \$1,000 per year.

FISCAL NOTE: N/A

Sponsors: David L. Maack

Res.06-7105 PUBLIC FACILITY PERMITS

RESOLVED, that the following establishments be granted a public facilities permit for the permit year July 1, 2006 through June 30, 2008:

RACINE ZOOLOGICAL SOCIETY, D/B/A RACINE ZOO
2131 N. MAIN STREET

COMPASS OF RACINE, LLC, D/B/A RACINE CIVIC CENTRE
5 FIFTH STREET

COMPASS OF RACINE, LLC, D/B/A/ RACINE CIVIC CENTRE
72 SEVENTH STREET

FISCAL NOTE: N/A

Sponsors: David L. Maack

Res.06-7106 SUPPORT FOR LIBRARIES IN RACINE COUNTY FROM CITY OF RACINE

WHEREAS, the State of Wisconsin requires public libraries to serve all residents of the state at the same level of service they serve their own residents (except Milwaukee County); and

WHEREAS, Racine County has agreed to reimburse municipalities with libraries for serving Racine County residents; and

WHEREAS, the municipalities with libraries provide this service to county residents with the understanding that they will be reimbursed by Racine County; and

WHEREAS, Racine County had been moving on a progressive track to reach 100% reimbursement over the past ten years or so; and

WHEREAS, a reduction in the mil rate by Racine County for past service would create undue financial hardship that shifts this burden to the residents of the local municipality.

NOW, THEREFORE, BE IT RESOLVED, that the City of Racine, in Racine County, requests 100% reimbursement for library service provided to county residents.

FISCAL NOTE: N/A

Sponsors: James T. Spangenberg

Res.06-7107 AMENDMENT TO GRANT FOR HORLICK MALTED MILK COMPANY CAMPUS

RESOLVED, that the Mayor and City Clerk be authorized and directed to enter into contract amendments with Horlick Haban, LLC., to provide the funding necessary to satisfy the site assessment grant for the Horlick Malted Milk Company campus.

FISCAL NOTE: On behalf of Horlick Haban LLC., the city applied for and was awarded a site assessment grant from Wisconsin DNR totaling \$59,790. The grant required at least a dollar for dollar match, which Horlick Haban LLC. has agreed to provide. Total project costs are now estimated at \$137,057. The amendment is needed to reflect the higher project costs and to restate that the project is at no cost to the city.

Sponsors: James T. Spangenberg

Res.06-7108 ON-LINE CREDIT SERVICE AGREEMENT WITH TRANSUNION

RESOLVED, that the Mayor and City Clerk be authorized and directed to enter into an on-line credit service agreement with TransUnion Residential Credit Solutions to be able to receive credit reports, including TransUnion Residential Credit Solutions' fee schedule, Security Addendum to Service Agreement, and Addendum to TransUnion Service Agreement for OFAC Advisor Services, for the Housing Department.

FISCAL NOTE: Fees for credit reporting service are available in Account No. 811.000.5610, Housing Department Professional Services.

Sponsors: James T. Spangenberg

Res.06-7109 SETTLEMENT OF CLAIM

RESOLVED, that the personal injury claim of Raymond Leitheiser be settled in the amount \$18,000.

FISCAL NOTE: The property damage claim was previously settled for \$9,988.76. There are sufficient funds available in account 101.160.5910, Judgment and Claims for the settlement.

Sponsors: James T. Spangenberg

Res.06-7110 CITY LOAN GUARANTEE TO SCHMIDT INDUSTRIAL TRUCK

RESOLVED, that the City of Racine guarantee a business loan from the Racine County Economic Development Corporation to Schmidt Industrial Truck, Inc., said guarantee not to exceed \$100,000.00 for a term of five years.

FURTHER RESOLVED, that appropriate City officials be authorized to execute a Limited Guaranty of Specific Transaction documenting said guarantee.

FISCAL NOTE: There are sufficient funds available in the City Industrial/Economic Development fund.

Sponsors: James T. Spangenberg

Res.06-7111 SETTLEMENT OF DENNIS HART V TRANSIT MANAGEMENT OF RACINE, INC

RESOLVED, that the actions pending in U.S. District Court for the Eastern District of Wisconsin entitled Dennis Hart v. Transit Management of Racine, Inc., First Group America, Inc., John Diers and Dan McCabe, Case No. 01-C-766 and Dennis C. Hart v. Transit Management of Racine, Inc., Brad Putzier & John Diers, Case No. 04-C-0721, be settled in the total amount of \$60,000.

FISCAL NOTE: Settlement to be charged to account 105.600.5950, BUS-Claims.

Sponsors: James T. Spangenberg

Res.06-7112 HOLD HARMLESS AGREEMENT FOR PROJECTING SIGN INSTALLATION
720 HIGH STREET

RESOLVED, that the property owner of 720 High Street be granted permission to install a stationary, projecting sign, as requested, with the stipulation that a hold harmless agreement be executed, in accordance with Wis. Stat. sec. 66.0425, Privileges in Streets.

FURTHER RESOLVED, that the property owner be charged a \$50.00 fee to cover administrative costs associated with filing this item with the Register of Deeds office.

FISCAL NOTE: There will be no cost to the City of Racine.

Sponsors: Ronald D. Hart

Res.06-7113 STIPULATIONS FOR FUNDRAISER ROJO'S PUB 1311 YOUT STREET

RESOLVED, that permission be granted to Rojo's Pub, 1311 Yout Street, to close Charles Street from Douglas Avenue to Yout Street, from 8 a.m. to 8 p.m. on Saturday, July 29, 2006, for a fundraiser, with the following stipulations:

- A. A hold harmless agreement be executed;
- B. Proof of liability insurance 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. No alcohol beverages will be sold and/or dispensed within the street right-of-way.

F. Any tents placed on the public right-of-way shall not be anchored to the roadway surface by any means.

G. The sponsor shall pay a \$250.00 special event fee.

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

FISCAL NOTE: There will be nominal costs to various City departments, on a regular shift basis, in implementing this event.

Sponsors: Ronald D. Hart

Res.06-7114 SUPPLEMENTAL AGREEMENT WITH UNION PACIFIC RAILROAD FOR ALLOC RAIL SPUR

RESOLVED, that the Mayor and City Clerk be authorized and directed to enter into a supplemental agreement with the Union Pacific and City of Racine Basic Agreement Audit Number 212180 of January 27, 1999 which provides for the extension of a spur line to the Alloc Inc. manufacturing complex.

FISCAL NOTE: There will be no cost to the City of Racine.

Sponsors: Ronald D. Hart

Res.06-7115 DESIGN CONTRACT AMENDMENT FOR SOUTHSIDE INDUSTRIAL PARK

RESOLVED, that Amendment No. 3 on Contract 5-05 (K5-005), Professional Services - Design of Jacobsen-Extron Redevelopment Site, Earth Tech, Inc., consultant, as submitted, be approved in the amount of \$4,008.00.

FURTHER RESOLVED, that funding to defray the cost of these professional services be appropriated from TID No. 10.

FISCAL NOTE: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

Res.06-7116 SUBMIT GREEN SPACE AND PUBLIC FACILITIES GRANT TO WISCONSIN DNR

RESOLVED, that the Commissioner of Public Works be authorized and directed to submit a Green Space and Public Facilities Grant to the Wisconsin Department of Natural Resources for the clean up of a portion of the Pointe Blue Redevelopment project.

FISCAL NOTE: The project development agreement requires the City of Racine to cooperate with the developer to assist in acquiring various State and Federal grants to offset the cost of this development project.

Sponsors: Ronald D. Hart

Res.06-7117 REVISED PROJECT AGREEMENT FOR RACINE STREET RECONSTRUCTION

RESOLVED, that the Commissioner of Public Works be authorized and directed to sign, on behalf of the City of Racine, the revised project agreement for the Racine Street Reconstruction, Project ID No. 2350-10-00/20/70.

FISCAL NOTE: The revised project agreement will result in an increase in the City share of \$406,000.00 to \$707,125.00 due to an increase in the overall project from \$3,103.00.00 to \$4,851,900.00. Funding is available in the 2006 Capital Improvement Project budget to cover the increase in cost due to the revised project agreement.

Sponsors: Ronald D. Hart

Res.06-7118 FINAL PAYMENT FOR 2005 CITY RESURFACING CONTRACT

RESOLVED, that the work of Payne & Dolan, Inc., under Contract 36-05 (K5-043), 2005 City Resurfacing, be accepted and final payment authorized for a total contract amount of \$767,144.17.

FISCAL NOTE: Contract was authorized under Resolution No. 6575 of July 19, 2005.

Sponsors: Ronald D. Hart

Res.06-7119 THREE PARTY AGREEMENT FOR RECONSTRUCTION OF OHIO, 16TH & 21ST STREETS

RESOLVED, that the Mayor and City Clerk be authorized and directed to enter into a three-party agreement with the State of Wisconsin Department of Transportation and Clark Dietz, Inc. for preparing plans and specifications for the reconstruction of Ohio Street from 16th Street to 21st Street, for the not-to-exceed cost of \$200,015.51, which is funded 80%, or \$160,012.41, by the State of Wisconsin, and 20%, or \$40,003.10, by the City of Racine.

FURTHER RESOLVED, that funds to defray the cost of these professional services are available in the 2007 CIP.

FISCAL NOTE: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

Res.06-7120 WALKER SITE PARKING FOR SPIRIT OF RACINE TRIATHLON

RESOLVED, that permission be granted to the Racine County Convention and Visitors Bureau to use the City owned property, commonly referred to as the Walker Site, for special event parking on Sunday, July 23, 2006, in connection with the Spirit of Racine Triathlon with the following stipulations:

- A. A hold harmless agreement be executed;
- B. A liability insurance certificate be filed prior to the event;
- C. Any overtime costs incurred by any City department be charged to the sponsor; and,
- D. The sponsor pay the City \$1.50 for each car that is allowed to park on this public property.

FISCAL NOTE: The City of Racine will share a percentage of the proceeds which the Racine County Convention and Visitors Bureau obtains through charging for parking on this property.

Sponsors: Ronald D. Hart

Res.06-7121 2006 CMAQ MARKETING CONTRACT FOR BELLE URBAN SYSTEM

RESOLVED, that the Mayor and City Clerk be authorized and directed to

execute, on behalf of the City of Racine, the 2006 Section 5307 Assistance Contract between the State of Wisconsin and the City of Racine (CMAQ) for the Belle Urban System.

FISCAL NOTE: The contract provides \$86,266 in federal funds for marketing of the Belle Urban System.

Sponsors: Thomas M. Sollman

Res.06-7122 WAIVE FORMAL BIDDING PROCEDURES FOR PURCHASE OF FAREBOXES FOR BELLE URBAN SYSTEM

RESOLVED, that formal bidding procedures be waived and the Purchasing Agent be authorized and directed to negotiate with GFI Genfare for the acquisition of Ticket Reader/Issue Machine (TRiM) for the fareboxes on Belle Urban System buses, including 27 units, spare parts, training transfer cards and miscellaneous expenses, at a cost not to exceed \$145,000, with 80% of the cost of the units to be provided by Federal Capital Grants WI-03-0080, WI-03-0084, and WI-03-0091, and City of Racine CIP Capital projects Account 105.900.5010 (20%).

FISCAL NOTE: Funds are available as delineated above.

Sponsors: Thomas M. Sollman

Res.06-7123 2005 AUDIT OF THE RACINE WASTEWATER UTILITY

RESOLVED, that the 2005 audit of the Racine Wastewater Utility as presented by Clifton-Gunderson be approved.

FISCAL NOTE: N/A

Sponsors: Ronald D. Hart

Res.06-7124 2005 AUDIT OF RACINE WATER UTILITY

RESOLVED, that the 2005 audit of the Racine Water Utility as presented by Clifton-Gunderson be approved.

FISCAL NOTE: N/A

Sponsors: Ronald D. Hart

Res.06-7125 EASEMENT FROM WE ENERGIES FOR NEWMAN ROAD BOOSTER STATION

RESOLVED, that the General Manager be authorized and directed to sign the easement agreement from WE Energies relating to the Newman Road Booster Station project on behalf of the City of Racine.

FISCAL NOTE: N/A

Sponsors: Ronald D. Hart

Res.06-7126 CONDITIONAL USE PERMIT FOR 2625 N GREEN BAY ROAD

RESOLVED, that the request from Michael Jensen seeking a conditional use permit to establish a business at 2625 N. Green Bay Road conducting automobile towing, storage, repair, and sales be approved, subject to the following:

- a. That the plans stamped "Received June 15, 2006" and presented to the Plan Commission on June 28, 2006 be approved, subject to the conditions contained herein.
- b. That approval be obtained from the Federal Aviation Administration (FAA) by Michael Jensen for his proposal and that documentation of FAA approval be provided to the Director of City Development, the Chief Building Inspector, and the appropriate official at Batten International Airport prior to the issuance of permits from the Building Department.
- c. That a building permit and occupancy permit be requested from the Building Department prior to the operation of this business at this location.
- d. That the following activities are prohibited at this location:
 1. Auto body work or auto painting.
 2. Vehicle salvage.
 3. Outdoor vehicle repair, assembly and disassembly.
 4. Storage of wrecked vehicles, vehicles parts and accessories, and equipment outside the designated enclosed storage area.
- e. That all vehicles awaiting repair, or those that have been repaired, shall be stored on the subject property in an orderly fashion, but in no case for longer than 20 days.
- f. That by August 1, 2006 the following shall be submitted to the Director of City Development for review and approval:
 1. Landscape plan. If occupancy is requested prior to the installation of landscaping then a letter of credit equal to the value of the landscape plan shall

be submitted for the review and approval of the Director of City Development. In any case, landscaping shall be installed no later than October 1, 2006.

2. Scaled site plan illustrating individual parking spaces for customers, employees, vehicles awaiting repair or pick-up, vehicle sales display areas, and vehicle storage areas. All such areas shall be striped by October 1, 2006.

3. Details of fencing and dumpster area(s) to be installed illustrating height, color, and style. No barbed wire or razor wire is permitted.

4. Detailed plans for the "Temp Sales Office" illustrating design, materials, height, lighting, and colors.

5. Detailed sign plan for all tenants in compliance with zoning ordinance allowances for signage. All signage shall be professionally made and comply with applicable zoning ordinance requirements.

6. Detailed lighting plan illustrating type of fixture, placement, height of poles, and the direction and intensity of light.

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

h. That the maximum hours of operation shall be from 7:00 a.m. until 6:00 p.m. Monday through Saturday, and no hours on Sundays. The towing operation may from time to time drop off vehicles for storage in the fenced storage in the fenced storage area, outside of the approved hours of operation, in emergency situations.

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

j. 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.

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

FISCAL NOTE: N/A

Sponsors: Gregory Holding

[Res.06-7127](#)

CONDITIONAL USE PERMIT FOR WALGREENS AT 4810 WASHINGTON AVENUE

RESOLVED, that the request from Bob Stell of Limberg Electric, representing Walgreens, seeking a conditional use permit to install a 42 square feet full-color electronic reader board at 4810 Washington Avenue be approved, subject to the following conditions:

- a. That the request for a full color electronic reader board be approved subject to the conditions contained herein.
- b. That plans be submitted to the Director of City Development for review and approval that illustrate the elimination of the existing pylon sign and structure and their replacement with a monument sign that includes a full-color electronic reader board. Total square footage of the monument sign shall not exceed that of the existing pylon.
- c. That all applicable codes and ordinances be complied with and required permits acquired from the Building Department.
- d. That prior to the issuance of a sign permit the following shall be accomplished:
 - 1. Cease all outside display and sales, including removal from the property of the propane exchange center.
 - 2. Submittal for the review and approval of the Director of City Development a plan to address the professional trimming or replacement of aged landscaping.
- e. That the sign be professionally made.
- f. That use of the sign comply with Sec. 114-1033 of the City of Racine Municipal Code-- Electronic message signs.
- g. That no pennants, banners, streamers or other temporary signs shall be displayed at this location.
- h. That no minor changes shall 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 approval of the Common Council.
- i. That this permit is subject to Plan Commission review for compliance with the listed conditions.

FISCAL NOTE: N/A

Sponsors: Gregory Holding

Res.06-7128 WESTERN DAYS AGREEMENT

RESOLVED, that permission be granted to the West Racine Business and Professional Association to close the following streets:

Washington Avenue (STH "20") between West Lawn Avenue and West Boulevard on Saturday, July 15, 2006, from 12:00 p.m. to 2:00 p.m. for the annual Western Days Parade, and Hayes Avenue, from Washington Avenue south to Infusino's driveway, for stationing the Stage on Wheels during Western Days, to be held Thursday, Friday, and Saturday, July 13, 14 and 15, 2006.

FURTHER RESOLVED, that permission be granted with the following stipulations:

- A. A hold harmless agreement be executed;
- B. Proof of liability insurance be filed prior to the 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 \$550.00 special event fee.

FURTHER RESOLVED, that the Commissioner of Public Works, Chief of Police and City Engineer provide necessary assistance, in the interest of public safety, to implement this event.

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

Sponsors: Ronald D. Hart

I. Ordinances

ZOrd.0003-06 AN ORDINANCE TO REZONE 710 SIXTH 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 710 Sixth Street, and more particularly described as follows:

"Lots 5, 6, & West 25 feet of Lot 4 of Block 7 of the Harbor Addition to the City of Racine. Said land being in the City of Racine, Racine County, Wisconsin"

be rezoned from "B-5" Central Service, to "B-4" Central Business, and designated as Supplement No. _____, which Supplement is hereby made a part of this ordinance.

Part 2:

This ordinance shall take effect upon passage and the day after publication.

Passed by the Common Council:

Approved:

Mayor

Attest:

City Clerk

FISCAL NOTE: N/A

Sponsors: Gregory Holding

Ord.27-06

ORDINANCE NO. 27-06, TO AMEND SEC. 98-85(1) OF THE MUNICIPAL CODE RELATING TO CITY CONNECTION CHARGE-RESIDENTIAL EQUIVALENT CONNECTION TABLES

To amend Sec. 98-85(1) of the Municipal Code of the City of Racine, Wisconsin relating to City connection charge - Residential equivalent connection tables.

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

Part 1:

Sec. 98-85(1) of the Municipal Code of the City of Racine is hereby amended by deleting "2.00" in the Duplex REC charge and inserting "1.50" in its place.

Part 2:

This ordinance shall take effect upon passage and the day after publication.

Passed by the Common Council:

Approved:

Mayor

Attest:

City Clerk

FISCAL NOTE: N/A

Sponsors: Ronald D. Hart

Ord.28-06

ORDINANCE NO. 28-06 TO AMEND SEC. 2-118, REPEAL SEC. 2-120 AND AMEND SEC. 2-121 OF THE MUNICIPAL CODE RELATING TO ADMINISTRATION.

To amend Sec. 2-118, repeal Sec. 2-120, and to amend Sec. 2-121 of the Municipal Code of the City of Racine, Wisconsin relating to Administration - Actions on resolutions; Alderman included in reference; notice of consideration; Motions which take precedence.

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

Part 1:

Sec. 2-118 of the Municipal Code of the City of Racine is hereby amended by deleting the second sentence in the paragraph.

Part 2:

Sec. 2-120 of the Municipal Code of the City of Racine is hereby repealed.

Part 3:

Sec. 2-121 of the Municipal Code of the City of Racine is hereby amended by adding the phrase "to receive and file," before the phrase "to lay on the table" in the third line.

Part 4:

This ordinance shall take effect upon passage and the day after publication.

Passed by the Common Council:

Approved:

Mayor

Attest:

City Clerk

FISCAL NOTE: N/A

Sponsors: Gregory Holding

Ord.29-06

ORDINANCE NO. 29-06, TO AMEND SEC. 94-282(6) OF THE MUNICIPAL CODE RELATING TO TRAFFIC AND VEHICLES - VIOLATIONS.

To amend Sec. 94-282(6) of the Municipal Code of the City of Racine, Wisconsin relating to Traffic and vehicles - Violations.

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

Part 1:

Sec. 94-282(6) of the Municipal Code of the City of Racine is hereby amended by adding the following at the end of the paragraph: ", excepting that no person shall park or allow to be parked any vehicle in the upper or lower levels of Uptown Parking Facility #5 between the hours of 2:30 a.m. and 6:00 a.m."

Part 2:

This ordinance shall take effect upon passage and the day after publication.

Passed by the Common Council:

Approved:

Mayor

Attest:

City Clerk

FISCAL NOTE: N/A

Sponsors: Thomas M. Sollman

J. Miscellaneous Business

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.