



# 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 Raymond DeHahn  
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 Terry McCarthy, Alderman Gregory Holding,  
Alderman James Morgenroth,  
Alderman Edward E. Diehl,  
Alderman Henry Perez*

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Tuesday, October 21, 2014

7:00 PM

Room 205, City Hall

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### A. Call To Order

**PRESENT:** 15 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor-II, McCarthy, Wisner, Holding, Perez, Morgenroth, Hart and Diehl

### 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 DeHahn, seconded by Alderman Shakoor.*

### D. Public Comments

*There was no one signed up to speak.*

### E. Communications

#### **Refer to Finance and Personnel Committee, by Ald. Shakoor**

[14-10665](#)

**Subject:** Communication from the City Attorney submitting the claim of Wardell Morgan and Michalea Morgan for consideration.

**Referred to Finance and Personnel Committee**

[14-10686](#)

**Subject:** Communication from the Finance Director requesting Brad Viegut, Director from Robert W. Baird and Company, address the Finance and Personnel Committee at their next scheduled meeting on

Monday, October 27, 2014 to discuss refunding our outstanding 2014 Note Anticipation Note.

**Referred to Finance and Personnel Committee**

**Refer to Public Works and Services Committee, by Ald. Kaplan**

[14-10668](#)

**Subject:** Communication from 425, Inc. requesting permission to install an awning in the City right-of-way at 510 College Avenue.

**Referred to Public Works and Services Committee**

[14-10671](#)

**Subject:** Communication from the Alderman of the 11th District requesting to amend Resolution 14-0229, dated May 20, 2014, to delete the Sidewalk for Maryland Avenue - Kentucky Street to Indiana Street (2015 construction).

**Referred to Public Works and Services Committee**

[14-10672](#)

**Subject:** Communication from the Assistant Commissioner of Public Works/City Engineer submitting Change Order No. 2 to Contract 09-14 (K4-009), 2014 Street and Alley Paving-North Side Assessable (R1), Milwaukee General Construction Company, contractor.

**Referred to Public Works and Services Committee**

## F. Committee Reports

### **Finance and Personnel Committee Report, by Ald. Shakoor**

[14-10593](#)

**Subject:** Communication from the City Attorney submitting the claim of Tim Moore for consideration.

**Recommendation of the Finance and Personnel Committee on 10-14-14:** The claim of Tim Moore for alleged damages after a car pushed a light pole into the structure at 1014 Washington Avenue on or about June 29, 2014, be denied.

**Fiscal Note:** N/A

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

[14-10600](#)

**Subject:** Communication from the City Attorney submitting the claim of Joy Knox for consideration.

**Recommendation of the Finance and Personnel Committee on 10-14-14:** The claim of Joy Knox for alleged damages after her basement flooded during the rain event of May 12-13, 2014, be

denied.

**Fiscal Note:** N/A

*Alderman Shakoor requested separate consideration on this item. There were no objections.*

**A motion was made that this Claim be Received and Filed as Reported. The motion was APPROVED by the following vote:**

**AYES:** 12 - Sarrazin, Shields, Kaplan, Kaprelian-Becker, DeHahn, Shakoor-II, McCarthy, Wisner, Holding, Morgenroth, Hart and Diehl

**NOES:** 3 - Coe, Weidner and Perez

**14-10601**

**Subject:** Communication from the City Attorney submitting the claim of Daniel Steberl and Kaleigh Steberl for consideration.

**Recommendation of the Finance and Personnel Committee on 10-14-14:** The claim of Daniel Steberl and Kaleigh Steberl for alleged damages after their basement flooded during the rain event of May 12-13, 2014, be denied.

**Fiscal Note:** N/A

*Alderman Shakoor requested separate consideration on this item. There were no objections.*

**A motion was made that this Claim be Received and Filed as Reported. The motion was APPROVED by the following vote:**

**AYES:** 10 - Sarrazin, Shields, Kaprelian-Becker, Shakoor-II, McCarthy, Wisner, Holding, Morgenroth, Hart and Diehl

**NOES:** 5 - Coe, Kaplan, Weidner, DeHahn and Perez

**14-10602**

**Subject:** Communication from the City Attorney submitting the claim of Tamara Basaldua for consideration.

**Recommendation of the Finance and Personnel Committee on 10-14-14:** The claim of Tamara Basaldua for alleged damages after her basement flooded during the rain event of May 12-13, 2014, be denied.

**Fiscal Note:** N/A

*Alderman Shakoor requested separate consideration on this item. There were no objections.*

**A motion was made that this Claim be Received and Filed as Reported. The motion was APPROVED by the following vote:**

**AYES:** 11 - Sarrazin, Shields, Kaplan, Kaprelian-Becker, Shakoor-II, McCarthy, Wisner, Holding, Morgenroth, Hart and Diehl

**NOES:** 4 - Coe, Weidner, DeHahn and Perez

14-10605

**Subject:** (Direct Referral) Communication from the Deputy City Attorney and Human Resources Manager presenting a health care plan to be the only plan available to all active and retired City of Racine police officers and firefighters hired on or before June 30, 2011, subject to the premium share caps applicable to retirees. (Res. No. 14-0395)

**Recommendation of the Finance & Personnel Committee on 09-22-14:** That the Finance and Personnel Committee recommend adoption of Plan 08A as the only health care plan available to all active and retired City of Racine police officers and firefighters hired on or before June 30, 2011, subject to the premium share caps applicable to retirees and the contractual premium share applicable to active employees.

**Recommendation of the Common Council on 10-7-14:** That this item be deferred.

**Recommendation of the Common Council on 10-21-14:** That this item be denied.

**Fiscal Note:** Savings associated with health care plan is dependent upon overall usage.

*Alderman Shakoor requested separate consideration on this item. There were no objections.*

*Alderman Shakoor made a motion to deny, seconded by Alderman McCarthy.*

**A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED by the following vote:**

**AYES:** 15 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor-II, McCarthy, Wisner, Holding, Perez, Morgenroth, Hart and Diehl

14-10621

**Subject:** Communication from the Chief of Police requesting to apply for and accept the IACP-Leadership in Police Organizations Grant. (Grant Control#2014-035) (Res. No. 14-0412)

**Recommendation of the Finance and Personnel Committee on 10-14-14:** Permission be granted to the Chief of Police to apply for and accept the IACP-Leadership in Police Organizations Grant. (Grant Control#2014-035)

**Fiscal Note:** There is no City match required. (Grant Control#2014-035)

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

14-10623

**Subject:** (Direct Referral) Communication from the City Attorney

requesting authorization to represent the police officers in the federal lawsuit filed in the Eastern District of Wisconsin under Case No. 14-C-293, Quordalis Sanders v. Peter Boeck, et al. (Res. No. 14-0416)

**Recommendation of the Finance and Personnel Committee on 10-14-14:** Permission be granted to the City Attorney to represent the police officers in the federal lawsuit filed in the Eastern District of Wisconsin under Case No. 14-C-293, Quordalis Sanders v. Peter Boeck, et al.

**Fiscal Note:** N/A

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

#### Council Action

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

**AYES:** 15 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor-II, McCarthy, Wisner, Holding, Perez, Morgenroth, Hart and Diehl

#### 14-10660

**Subject:** (Direct Referral) Communication from the Deputy City Attorney and the Human Resources Manager requesting to appear before the Finance & Personnel Committee to submit for consideration a collective bargaining agreement between the City of Racine and the Racine Police Association (RPA), covering the years 2015 to 2017. (Res. No. 14-0417)

**Recommendation of the Finance & Personnel Committee on 10-14-14:** To approve the negotiated collective bargaining agreement subject to ratification by the RPA.

**Fiscal Note:** Pending

*Alderman Shakoor requested separate consideration on this item. There were no objections.*

**A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED by the following vote:**

**AYES:** 15 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor-II, McCarthy, Wisner, Holding, Perez, Morgenroth, Hart and Diehl

#### 14-10661

**Subject:** (Direct Referral) Communication from the Deputy City Attorney and the Human Resources Manager requesting to appear before the Finance & Personnel Committee to submit for consideration a collective bargaining agreement between the City of Racine and International Association of Fire Fighters Local 321, covering the years

2015 to 2017. (Res. No. 14-0418)

**Recommendation of the Finance & Personnel Committee on 10-14-14:** To approve the negotiated collective bargaining agreement subject to ratification by Local 321 .

**Fiscal Note:** Pending

*Alderman Shakoor requested separate consideration on this item. There were no objections.*

**A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED by the following vote:**

**AYES:** 15 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor-II, McCarthy, Wisner, Holding , Perez, Morgenroth, Hart and Diehl

[14-10662](#)

**Subject:** (Direct Referral) Communication from the Deputy City Attorney and the Human Resources Manager requesting to appear before the Finance & Personnel Committee to submit for consideration a collective bargaining agreement between the City of Racine and the Staff Officers Association of the Racine Police Department (SOA), covering the years 2015 to 2017. (Res. No. 14-0419)

**Recommendation of the Finance & Personnel Committee on 10-14-14:** To approve the negotiated collective bargaining agreement subject to ratification by the SOA.

**Fiscal Note:** Pending

*Alderman Shakoor requested separate consideration on this item. There were no objections.*

**A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED by the following vote:**

**AYES:** 15 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor-II, McCarthy, Wisner, Holding , Perez, Morgenroth, Hart and Diehl

[14-10666](#)

**Subject:** (Direct Referral) Communication from the Deputy City Attorney and the Human Resources Manager requesting to appear before the Finance & Personnel Committee to submit for consideration a collective bargaining agreement between the City of Racine and the Staff Officers Association of the Racine Fire Department (RFD SOA), covering the years 2015 to 2017. (Res. No. 14-0420)

**Recommendation of the Finance & Personnel Committee on 10-14-14:** To approve the negotiated collective bargaining agreement subject to ratification by the RFD SOA.

**Fiscal Note:** Pending

*Alderman Shakoor requested separate consideration on this item. There were no objections.*

**A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED by the following vote:**

**AYES:** 15 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor-II, McCarthy, Wisner, Helling, Perez, Morgenroth, Hart and Diehl

### **Public Works and Services Committee Report, by Ald. Kaplan**

#### **13-8999**

**Subject:** (Direct Referral) Communication from the Commissioner of Public Works submitting a request for final payment on Contract 53-02 (K2-056), Environmental Site Investigation - 501 Lake Avenue, AECOM Technical Services, Inc., consultant. (Res. No. 14-0426)

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

**Recommendation of the Public Works and Services Committee on 10-14-14:** That the work done by AECOM Technical Services, Inc., under Contract 53-02 (K2-056), Environmental Site Investigation - 501 Lake Avenue, be accepted and final payment authorized for a total contract amount of \$20,823.48.

**Fiscal Note:** Contract was authorized under Resolution 4858, dated October 1, 2002.

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

#### **13-9503**

**Subject:** Communication from the Alderman of the 6th District, on behalf of RUSD, requesting a barrier on Rapids Drive to direct pedestrian traffic to the crosswalks.

**Recommendation of the Public Works and Services Committee on 11-12-13:** Defer

**Recommendation of the Public Works and Services Committee on 10-14-14:** That this communication be received and filed.

**Fiscal Note:** N/A

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

#### **14-10629**

**Subject:** Communication from the Assistant Commissioner of Public Works/City Engineer requesting to amend Resolution 14-0377 to delete Oregon Street - Westway Avenue to Ridgeway Avenue, from the list of streets to be considered for the 2015 Public Hearings for

2016 Construction. (Res. No. 14-0429)

**Recommendation of the Public Works and Services Committee on 10-14-14:** That Resolution 14-0377, of September 16, 2014, be amended by deleting:

**Portland Concrete Paving**

**Oregon Street** - Westway Avenue to Ridgeway Avenue

and, as amended, Resolution 14-0377, of September 16, 2014, be adopted.

**Fiscal Note:** Funds will be appropriated in the 2015 CIP for these street improvements, and special assessments will be paid by the abutting property owners for the street improvements.

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

**14-10630**

**Subject:** Communication from Robert Osborne and Vera Scekcic (Osborne-Scekcic Joint Revocable Trust), requesting an Air Rights Easement, in City right-of-way, at 600 Villa Street to construct a new building. (Res. No. 14-0422)

**Recommendation of the Public Works and Services Committee on 10-14-14:** That the City Attorney's Office be authorized to negotiate with the property owners for the requested air rights.

Further recommends that the property owner be charged actual attorney fees incurred by the City in the negotiation and/or preparation of any air rights transaction, with a \$500 deposit being due immediately.

**Fiscal Note:** There is no cost to the City.

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

**14-10631**

**Subject:** Communication from the Purchasing Agent submitting bid results on Official Notice No. 9, Alterations & Improvements to the RPD Female Officers' Locker Room. (Res. No. 14-0421)

**Recommendation of the Public Works and Services Committee on 10-14-14:** That Official Notice No. 9, Alterations & Improvements to the RPD Female Officers' Locker Room, be awarded to Katt Construction, at their base bid price of \$32,895, plus Alt. #2 in the amount of \$7,897, Alt. #3 in the amount of \$7,807 and Alt. #4 in the amount of \$1,528 for a total contract amount of \$50,127, they being



the lowest responsible bidder.

**Fiscal Note:** Funds for this purchase are available in Account 993.310.5050, Police Lockers.

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

[14-10637](#)

**Subject:** Communication from the Assistant Commissioner of Public Works/City Engineer submitting Amendment No. 1 to Contract 22-14 (K4-022), PS - Pershing Drive/Sam Myers/Parking Lot Project, AECOM, consultant. (Res. No. 14-0427)

**Recommendation of the Public Works and Services Committee on 10-14-14:** That Amendment No. 1 to Contract 22-14 (K4-022), PS - Pershing Drive/Sam Myers/Parking Lot Project, AECOM, consultant, as submitted, be approved in the amount of \$21,941.

Further recommends that funding to defray the cost of these professional services be appropriated from the following accounts:

\$ 4,424.00 - Account 994.700.5060, Pershing Park Dr. Repaving  
\$ 7,478.00 - Account 106.994.5750, Surface Lot Repaving  
\$10,039.00 - Account 104.994.5460, Pershing/Myers USEPA  
\$21,941.00 - Total

**Fiscal Note:** Funds are available as herein delineated.

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

[14-10649](#)

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer submitting the 2014 Sanitary and Storm Sewer Assessment Management Report.

**Recommendation of the Public Works and Services Committee on 10-14-14:** That this communication be referred to the Committee of the Whole.

**Fiscal Note:** N/A

**A motion was made that this Communication be Referred to the Committee of the Whole. The motion was APPROVED.**

[14-10650](#)

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer submitting the 2014 Pavement Management System Summary Report.

**Recommendation of the Public Works and Services Committee on 10-14-14:** That this communication be referred to the Committee of

the Whole.

**Fiscal Note:** N/A

**A motion was made that this Communication be Referred to the Committee of the Whole. The motion was APPROVED.**

**14-10654**

**Subject:** (Direct Referral) Communication from the Commissioner of Public Works submitting a request for final payment on Contract 15-14 (K4-015), PS - 2014 Bridge Inspection Services, Ayres & Associates, Inc., consultant. (Res. No. 14-0425)

**Recommendation of the Public Works and Services Committee on 10-14-14:** That the work done by Ayres & Associates, Inc., under Contract 15-14 (K4-015), PS - 2014 Bridge Inspection Services, be accepted and final payment authorized for a total contract amount of \$21,436.03.

**Fiscal Note:** Contract was authorized under Resolution 14-0094, dated March 4, 2014.

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

**14-10655**

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting a professional services agreement for Contract 52-14 (K4-052), PS - Parking Ramp Repairs, R.A. Smith National, consultant. (Res. No. 14-0423)

**Recommendation of the Public Works and Services Committee on 10-14-14:** That the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with R.A. Smith National, LLC., for Contract 52-14 (K4-052), PS - Parking Ramp Repairs, in the not-to-exceed amount of \$12,685.

Further recommends that funds to defray the cost of these professional services be appropriated from Account 106.993.5760, Building Improvements.

**Fiscal Note:** Funds are available as herein delineated.

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

**14-10656**

**Subject:** (Direct Referral) Communication from the Commissioner of Public Works requesting permission to close out Contract 11-13 (K3-011), PS - Parking Ramp Repairs, Arnold and O'Sheridan, consultant. (Res. No. 14-0424)

**Recommendation of the Public Works and Services Committee**

**on 10-14-14:** That the work done by Arnold and O'Sheridan, under Contract 11-13 (K3-011), PS - Parking Ramp Repairs, be accepted and final payment authorized for a total contract amount of \$13,313.72.

**Fiscal Note:** Contract was authorized under Resolution No. 13-0052, dated February 5, 2013.

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

**14-10658**

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer submitting Amendment No. 1 to Contract 51-14 (K4-051), PS - Tank Removal Services, Natural Resource Technology, Inc., consultant. (Res. No. 14-0428)

**Recommendation of the Public Works and Services Committee**

**on 10-14-14:** That Amendment No. 1 to Contract 51-14 (K4-051), PS - Tank Removal Services, Natural Resource Technology, Inc., consultant, as submitted, be approved in the amount of \$2,200.

Further recommends that funding to defray the cost of these professional services be appropriated from Account 993.913.5010, Environmental Remediation.

**Fiscal Note:** Funds are available as herein delineated.

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

**AYES:** 15 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor-II, McCarthy, Wisner, Holding, Perez, Morgenroth, Hart and Diehl

**Public Safety and Licensing Committee Report, by Ald. Holding**

**14-10628**

**Subject:** (New) Application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for Scores Sports Bar and Grill, located at 4915 Washington Avenue Suite E, Richard Shawhan, Agent. (12th District)

**Recommendation of the Public Safety and Licensing Committee**

**on October 14, 2014:** That the application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for Scores Sports Bar and Grill, located at 4915 Washington Avenue Suite E, be approved.

**Fiscal note:** N/A

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

[14-10642](#)

**Subject:** (New) Application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for Greg's Pub on Wisconsin, located at 525 Wisconsin Avenue, Greg Musack, Agent. (1st District)

**Recommendation of the Public Safety and Licensing Committee on October 14, 2014:** That the application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for Greg's Pub on Wisconsin, located at 525 Wisconsin Avenue, be approved.

**Fiscal note:** N/A

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

[14-10643](#)

**Subject:** (New) Application of Olympic Liquor Southside, for a "Class A" Fermented Malt Beverage and Intoxicating Liquor License for 1401 Washington Avenue (3rd District).

**Recommendation of the Public Safety and Licensing Committee on October 14, 2014:** That the application of Olympic Liquor Southside, for a "Class A" Fermented Malt Beverage and Intoxicating Liquor License for 1401 Washington Avenue, be approved.

**Fiscal note:** N/A

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

Council Action

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

**AYES:** 15 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor-II, McCarthy, Wisner, Holding, Perez, Morgenroth, Hart and Diehl

**Traffic Commission Report, by Ald. Kaplan**

[14-10386](#)

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer submitting a traffic study for the intersection of W. 6th Street and Memorial Drive.

**Recommendation of the Traffic Commission on July 21, 2014:**  
Deferred

**Recommendation of the Traffic Commission on August 18, 2014:**  
Receive and File

**Recommendation of the Traffic Commission on September 15, 2014:** Receive and File

**Fiscal Note:** N/A

**A motion was made by Alderman Kaplan, seconded by Alderman DeHahn, that this be Received and Filed as Reported. The motion PASSED by the following vote:**

**AYES:** 15 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoore-II, McCarthy, Wisner, Holding , Perez, Morgenroth, Hart and Diehl

### **City Plan Commission Report, by Ald. Wisner**

**14-10608**

**Subject:** (Direct Referral) A request from TMC Wisconsin, representing CVS Pharmacy, for conditional use approval for a new pharmacy/retail store at 3915/3917 Durand Avenue. (Res. No. 14-0430)

**Recommendation of the City Plan Commission on 10-08-14:** That the item 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.**

**14-10612**

**Subject:** (Direct Referral) A request by George Stinson to amend a conditional use permit to allow for laser tag and video games, in addition to an indoor flea market, at 1325 Sixteenth Street. (Res. No. 14-0431)

**Recommendation of the City Plan Commission on 10-08-14:** That the item 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 Wisner, seconded by Alderman DeHahn, that this be Considered as Reported to Adopt the Report. Adopted by the following vote:**

**AYES:** 15 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoore-II, McCarthy, Wisner, Holding , Perez, Morgenroth, Hart and Diehl

[14-10644](#)

**Subject:** (Direct Referral) A request by Harjeet S. Walia, representing Choice Petroleum LLC, for a major amendment to a conditional use permit to add: daily 24-hour operation of the convenient store; installation of a 25-foot pylon sign; and installation of a single-bay automatic car wash at 1130 Washington Avenue. (Res. No. 14-0432)

**Recommendation of the City Plan Commission on 10-08-14:** That the item be approved, subject to conditions.

**Fiscal Note:** N/A

*Alderman Wisner requested separate consideration on this item. There were no objections.*

**A motion was made that this Conditional Use Permit be Received and Filed as Reported. The motion was APPROVED by the following vote:**

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

**NOES:** 1 - Coe

**Redevelopment Authority of the City of Racine Report, by Ald.  
Morgenroth**

[14-10645](#)

**Subject:** (Direct Referral) Request by Racine County Economic Development Corporation (RCEDC) for the City to provide local matching funds in an amount not to exceed \$30,000 to augment funds from private partners, for a Wisconsin Coastal Management Grant for RootWorks Area Riverfront Planning. (Res. No. 14-0414)

**Recommendation of the Redevelopment Authority on 10-6-2014:**  
That the Authority recommends that funds be provided by the City to the Racine Economic Development Corporation (RCEDC) as matching funds, not to exceed \$30,000, to augment funds anticipated from private partners to engage in riverfront area planning for areas adjacent to the Root River in the RootWorks area.  
Further, that the City and RCEDC enter into a Memorandum of Understanding (MOU) to establish terms under which City funds shall be transferred to RCEDC.  
Further, that the Mayor, Chairman of the Redevelopment Authority, and the City Clerk be authorized to execute the MOU.

**Recommendation of the Finance and Personnel Committee on 10-14-14:** That up to \$30,000 be provided from the 919 Intergovernmental Shared Revenue Fund to the Racine Economic Development Corporation (RCEDC) as matching funds, to augment funds anticipated from private partners to engage in riverfront area planning for areas adjacent to the Root River in the RootWorks area.

Further, that the City and RCEDC enter into a Memorandum of Understanding (MOU) to establish terms under which City funds shall be transferred to RCEDC.

Further, that the Mayor, Chairman of the Redevelopment Authority, and the City Clerk be authorized to execute the MOU.

**Fiscal Note:** A grant of up to \$60,000 is to be applied for, accepted, executed, and implemented on behalf of the City by RCEDC. The grant requires a 50% local match. Funds are available in the 919 Intergovernmental Shared Revenue Fund.

*Alderman Diehl requested separate consideration on this item. There were no objections.*

**A motion was made that this Communication be Received and Filed as Reported. 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 Hart

**NOES:** 1 - Diehl

**14-10646**

**Subject:** (Direct Referral) Request by Racine County Economic Development Corporation for the City to provide local matching funds, in an amount not to exceed \$66,000 for a Wisconsin Coastal Management Grant, for the Machinery Row stormwater/green infrastructure (hard costs) implementation. (Res. No. 14-0415)

**Recommendation of the Redevelopment Authority on 10-6-14:** That funds be provided by the City to the Racine County Economic Development Corporation, not to exceed \$66,000, as a match to Wisconsin Coastal Management funds for stormwater/green infrastructure facilities in areas adjacent to the Root River in the Machinery Row area.

Further, that the City and RCEDC enter into a Memorandum of Understanding (MOU) to establish the terms under which City funds will be transferred to RCEDC.

Further, that the Mayor, the Chairman of the Redevelopment Authority, and the City Clerk execute a MOU with RCEDC.

**Recommendation of the Finance and Personnel Committee on 10-14-14:** That up to \$66,000 be provided from the 919 Intergovernmental Shared Revenue Fund to the Racine County Economic Development Corporation, as a match to Wisconsin Coastal Management funds for stormwater/green infrastructure facilities in areas adjacent to the Root River in the Machinery Row area.

Further, that the City and RCEDC enter into a Memorandum of

Understanding (MOU) to establish the terms under which City funds will be transferred to RCEDC.

Further, that the Mayor, the Chairman of the Redevelopment Authority, and the City Clerk execute a MOU with RCEDC.

**Fiscal Note:** A grant of up to \$110,000 is to be applied for, accepted, executed and implemented on behalf of the City by RCEDC. The grant requires a 60% local match. Funds are available in the 919 Intergovernmental Shared Revenue Fund.

*Alderman Diehl requested separate consideration on this item. There were no objections.*

**A motion was made that this Communication be Received and Filed as Reported. 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 Hart

**NOES:** 1 - Diehl

### **Housing Loan Board Report, by Ald. Wisner**

#### 14-10667

**Subject:** (Direct Referral) Request of the Director of City Development for authorization to transfer surplus vacant residential lots to owners of adjoining properties. (Res. No. 14-0433)

**Recommendation of the Loan Board of Review on October 16, 2014:** To approve the request of the Director of City Development for authorization to transfer surplus vacant residential lots (as listed on attachment to item) to owners of adjoining properties.

**Fiscal Note:** These transfers will save the City an estimated \$5,000 per year in maintenance costs.

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

#### 14-10670

**Subject:** (Direct Referral) Request of the Director of City Development to accept an offer from Jimmy Wai Lou to purchase 1634 Howe, an NSP property. (Res. No. 14-0434)

**Recommendation of the Loan Board of Review on October 16, 2014:** To approve the request of the Director of City Development to accept the offer of Jimmy Wai Lou to purchase 1634 Howe, with contingencies as listed on attachment.

**Fiscal Note:** The property was acquired and rehabilitated through the NSP-3 program. The city will receive \$45,600 in proceeds minus



commission and closing costs.

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

**AYES:** 15 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoore-II, McCarthy, Wisner, Holding , Perez, Morgenroth, Hart and Diehl

#### **Board of Health Report, by Ald. Kaplan**

##### 14-10659

**Subject:** (Direct Referral) Communication from the Public Health Administrator recommending modifications to the current Vicious Animals Ordinance (Chap. 10-104) and Payment of forfeiture in lieu of court appearance schedule (Sec. 10-4). Requesting the Board of Health recommend the proposed/revised City ordinance and payment schedule to the Common Council for approval. (Res. No. 14-0435)

##### **Recommendation of the Board of Health on October 14, 2014:**

That the Common Council vote to authorize and request/schedule a public hearing on Chap. 10-104. Defer any action on Sec. 10-4.

##### **Recommendation of the Common Council on October 21, 2014:**

To authorize and request/schedule a public hearing on Chap. 10-104 and on Sec. 10-4.

**Fiscal Note:** N/A

**A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED by the following vote:**

**AYES:** 15 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoore-II, McCarthy, Wisner, Holding , Perez, Morgenroth, Hart and Diehl

#### **Board of Parks, Recreation and Cultural Services, Alderman McCarthy**

##### 14-10296

**Subject: (Direct Referral)** Communication from the Alderman of the 6th District requesting referral to the PRCS Commission of a revision to amend Sec. 102.76 of the Municipal Code to include language granting authority to the City Forester to issue orders on private property within the city that constitute a hazard to life and property. (Res No. 14-0387)

**Recommendation from the Board of Parks, Recreation & Cultural**

**Services on 7-9-14:** To Defer the communication from District 6 Alderman Sandy Weidner to revise and amend Sec. 102.76 of the Municipal Code to include language granting authority to the City Forester to issue orders on private property within the city that constitute a hazard to life and property.

**Recommendation from the Board of Parks, Recreation & Cultural Services on 8-13-14:** To Defer.

**Recommendation from the Board of Parks, Recreation & Cultural Services on 9-10-14:** To have language drafted by the City Attorney's office to revise and amend Sec. 102.76 of the Municipal Code. Further recommend the drafted amended ordinance then be provided to the PRCS Board for review.

**Recommendation from the Board of Parks, Recreation & Cultural Services on 10-8-14:** To receive and file.

**Fiscal:** N/A

**A motion was made by Alderman McCarthy, seconded by Alderman DeHahn, that this be Received and Filed as Reported. The motion PASSED by the following vote:**

**AYES:** 12 - Sarrazin, Shields, Kaprelian-Becker, Weidner, DeHahn, Shakoor-II, McCarthy, Wiser, Perez, Morgenroth, Hart and Diehl

**NOES:** 3 - Coe, Kaplan and Holding

## G. Consent Agenda Resolutions

[Res.14-0412](#) IACP-Leadership in Police Organizations Grant

Resolved, that permission is granted to the Chief of Police to apply for and accept the IACP-Leadership in Police Organizations Grant.

Fiscal Note: There is no City match required. (Grant Control#2014-035)

Sponsors: Q.A. Shakoor-II

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

[Res.14-0414](#) Wisconsin Coastal Management Grant for RootWorks Area Riverfront Planning

Resolved, that up to \$30,000.00 is approved to be provided from the 919 Intergovernmental Shared Revenue Fund to the Racine Economic Development Corporation (RCEDC) as matching funds, to augment

funds anticipated from private partners to engage in riverfront area planning for areas adjacent to the Root River in the RootWorks area.

Further resolved, that the City and RCEDC enter into a Memorandum of Understanding (MOU) to establish terms under which City funds shall be transferred to RCEDC.

Further resolved, that the Mayor, Chairman of the Redevelopment Authority, and the City Clerk are authorized to execute the MOU.

Fiscal Note: A grant of up to \$60,000.00 is to be applied for, accepted, executed, and implemented on behalf of the City by RCEDC. The grant requires a 50% local match. Funds are available in the 919 Intergovernmental Shared Revenue Fund.

Sponsors: Q.A. Shakoor-II

**A motion was made by Alderman DeHahn, seconded by Alderman Shakoor II, that this Resolution be Adopted. 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 Hart

**NOES:** 1 - Diehl

**Res.14-0415**

Wisconsin Coastal Management Grant for Machinery Row Stormwater / Green Infrastructure (Hard Costs) Implementation

Resolved, that up to \$66,000.00 is approved to be provided from the 919 Intergovernmental Shared Revenue Fund to the Racine County Economic Development Corporation (RCEDC), as a match to Wisconsin Coastal Management funds for stormwater / green infrastructure facilities in areas adjacent to the Root River in the Machinery Row area.

Further resolved, that the City and RCEDC enter into a Memorandum of Understanding (MOU) to establish the terms under which City funds will be transferred to RCEDC.

Further resolved, that the Mayor, the Chairman of the Redevelopment Authority, and the City Clerk are authorized to execute a MOU with RCEDC.

Fiscal Note: A grant of up to \$110,000.00 is to be applied for, accepted, executed and implemented on behalf of the City by RCEDC. The grant requires a 60% local match. Funds are available in the 919 Intergovernmental Shared Revenue Fund.

Sponsors: Q.A. Shakoor-II

**A motion was made by Alderman DeHahn, seconded by Alderman Shakoor II, that this Resolution be Adopted. 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 Hart

**NOES:** 1 - Diehl

**Res.14-0416**

Eastern District of Wisconsin Case No. 14-C-293, *Quordalis Sanders v. Peter Boeck, et al*

Resolved, that permission is granted to the City Attorney to represent the police officers in the federal lawsuit filed in the Eastern District of Wisconsin under Case No. 14-C-293, *Quordalis Sanders v. Peter Boeck, et al*.

Fiscal Note: N/A

Sponsors: Q.A. Shakoor-II

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

**Res.14-0417**

Collective Bargaining Agreement Between City of Racine and the Racine Police Association (RPA)

Resolved, that the negotiated collective bargaining agreement between the City and the RPA is approved subject to ratification by the RPA, covering the years 2015 - 2017.

Fiscal Note: Pending

Sponsors: Q.A. Shakoor-II

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

**AYES:** 15 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor-II, McCarthy, Wisner, Holding, Perez, Morgenroth, Hart and Diehl

**Res.14-0418**

Collective Bargaining Agreement Between City of Racine and International Association of Fire Fighters Local 321

Resolved, that the negotiated collective bargaining agreement between the City and Local 321 is approved subject to ratification by Local 321, covering the years 2015 - 2017.

Fiscal Note: Pending

Sponsors: Q.A. Shakoor-II

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

**AYES:** 15 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor-II, McCarthy, Wisner, Holding, Perez, Morgenroth, Hart and Diehl

**Res.14-0419**

Collective Bargaining Agreement Between the City of Racine and the Staff Officers Association of the Racine Police Department (SOA)

Resolved, that the negotiated collective bargaining agreement between the City and the SOA is approved, subject to ratification by the SOA, covering the years 2015 - 2017.

Fiscal Note: Pending

Sponsors: Q.A. Shakoor-II

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

**AYES:** 15 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor-II, McCarthy, Wisner, Holding, Perez, Morgenroth, Hart and Diehl

**Res.14-0420**

Collective Bargaining Agreement Between the City of Racine and the Staff Officers Association of the Racine Fire Department (RFD SOA)

Resolved, that the negotiated collective bargaining agreement between the City and the RFD SOA is approved, subject to ratification by the RFD SOA, covering the years 2015 - 2017.

Fiscal Note: Pending

Sponsors: Q.A. Shakoor-II

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

**AYES:** 15 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor-II, McCarthy, Wisner, Holding, Perez, Morgenroth, Hart and Diehl

**Res.14-0421**

Official Notice No. 9 - Alterations & Improvements to the RPD Female Officers' Locker Room

Resolved, that Official Notice No. 9, Alterations & Improvements to the RPD Female Officers' Locker Room, is awarded to Katt Construction, at its base bid price of \$32,895.00, plus Alt. #2 in the amount of \$7,897.00, Alt. #3 in the amount of \$7,807.00 and Alt. #4 in the amount of \$1,528.00 for a total contract amount of \$50,127.00, it being the lowest responsible bidder.

Fiscal Note: Funds for this purchase are available in Account 993.310.5050, Police Lockers.

Sponsors: Jim Kaplan

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

**Res.14-0422**

Air Rights Easement at 600 Villa Street

Resolved, that the City Attorney's Office is authorized to negotiate with the property owners Robert Osborne and Vera Scekcic (Osborne-Scekcic Joint Revocable Trust) for their requested air rights easement at 600 Villa Street to construct a new building.

Further resolved, that the property owner be charged actual attorney fees incurred by the City in the negotiation and/or preparation of any air rights transaction, with a \$500.00 deposit being due immediately.

Fiscal Note: There is no cost to the City.

Sponsors: Jim Kaplan

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

**Res.14-0423**

Professional Services Agreement for Contract 52-14 (K4-052), PS - Parking Ramp Repairs

Resolved, that the Mayor and City Clerk are authorized and directed to enter into a professional services agreement with R.A. Smith National, LLC., for Contract 52-14 (K4-052), PS - Parking Ramp Repairs, in the not-to-exceed amount of \$12,685.00.

Further resolved, that funds to defray the cost of these professional services be appropriated from Account 106.993.5760, Building Improvements.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Jim Kaplan

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

**Res.14-0424**

Final Payment on Contract 11-13 (K3-011), PS - Parking Ramp Repairs

Resolved, that the work done by Arnold and O'Sheridan, under Contract 11-13 (K3-011), PS - Parking Ramp Repairs, is accepted and final payment authorized for a total contract amount of \$13,313.72.

Fiscal Note: Contract was authorized under Resolution No. 13-0052, dated February 5, 2013.

Sponsors: Jim Kaplan

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

**Res.14-0425**

Final Payment on Contract 15-14 (K4-015), PS - 2014 Bridge Inspection Services

Resolved, that the work done by Ayres & Associates, Inc., under Contract 15-14 (K4-015), PS - 2014 Bridge Inspection Services, is accepted and final payment authorized for a total contract amount of \$21,436.03.

Fiscal Note: Contract was authorized under Resolution 14-0094, dated March 4, 2014.

Sponsors: Jim Kaplan

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

**Res.14-0426**

Final payment on Contract 53-02 (K2-056), Environmental Site Investigation - 501 Lake Avenue

Resolved, that the work done by AECOM Technical Services, Inc., under Contract 53-02 (K2-056), Environmental Site Investigation - 501 Lake Avenue, is accepted and final payment authorized for a total contract amount of \$20,823.48.

Fiscal Note: Contract was authorized under Resolution 4858, dated October 1, 2002.

Sponsors: Jim Kaplan

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

**Res.14-0427**

Amendment No. 1 to Contract 22-14 (K4-022), PS - Pershing Drive / Sam Myers / Parking Lot Project

Resolved, that Amendment No. 1 to Contract 22-14 (K4-022), PS - Pershing Drive / Sam Myers / Parking Lot Project, AECOM, consultant, as submitted, is approved in the amount of \$21,941.00.

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

\$ 4,424.00 - Account 994.700.5060, Pershing Park Dr. Repaving  
\$ 7,478.00 - Account 106.994.5750, Surface Lot Repaving  
\$10,039.00 - Account 104.994.5460, Pershing/Myers USEPA  
\$21,941.00 - Total

**Sponsors:** Jim Kaplan

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

**Res.14-0428**

Amendment No. 1 to Contract 51-14 (K4-051), PS - Tank Removal Services

Resolved, that Amendment No. 1 to Contract 51-14 (K4-051), PS - Tank Removal Services, Natural Resource Technology, Inc., consultant, as submitted, is approved in the amount of \$2,200.00.

**Fiscal Note:** Funds are appropriated from Account 993.913.5010, Environmental Remediation.

**Sponsors:** Jim Kaplan

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

**Res.14-0429**

Amend Resolution 14-0377

Resolved, that Resolution 14-0377, of September 16, 2014, is to be amended by deleting:

**Portland Concrete Paving**

**Oregon Street - Westway Avenue to Ridgeway Avenue**

and, as amended, Resolution 14-0377, of September 16, 2014, shall be adopted.

**Fiscal Note:** Funds will be appropriated in the 2015 CIP for these street improvements, and special assessments will be paid by the abutting property owners for the street improvements.

**Sponsors:** Jim Kaplan

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

**Res.14-0430**

CVS at 3915 / 2917 Durand Avenue

That the request for a conditional use permit to construct a new CVS retail pharmacy at 3915 / 3917 Durand Avenue is approved, subject to the following conditions:



- a. That plans presented to the Plan Commission at the October 8, 2014 meeting be approved subject to the conditions contained herein.
- b. That all applicable building and occupancy permits be applied for and obtained through the Building Inspection Department.
- c. That the applicants shall submit a revised sign design for the pole sign to the Department of City Development, with a maximum height to be determined through discussions with staff and CVS representatives. The sign shall have a brick masonry base to match the building. All other signage shall be approved per the sign package as dated September 9, 2014.
- d. That a certified survey map shall be approved and recorded prior to the issuance of building permits.
- e. That a storm water management plan shall be submitted and approved by City Engineering prior to issuance of building permits.
- f. That a species plan for the proposed landscaping be provided for review and approval by the Department of City Development prior to issuance of building permits.
- g. That the hours of operation may be 24 hours per day, 7 days per week.
- h. That a pedestrian way be painted on the pavement from Lathrop Avenue to a sidewalk to be retained or replaced in front of the former Kohl's Food Store building.
- i. That there be no outside displays of any type of goods offered for sale at any time.
- j. That, if by time of request for occupancy, the site improvements required and described in the approved plans 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 to enter the site, implement the plan(s) and draw on the financial security for the cost of implementation of work if required improvements are not completed prior to occupancy, or by an earlier date as may be required. Any costs incurred in excess of the value of the financial security 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 document, the applicant and owner give permission to the City to enter upon the property for the purposes described herein.

k. That all codes and ordinances be complied with.

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

Fiscal Note: N/A

Sponsors: Dennis Wiser

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

[Res.14-0431](#)

Addition of Laser Tag and Video Game Room at 1325 Sixteenth Street

That the request by George Stinson for the addition of laser tag and a video game room to the flea market at 1325 Sixteenth Street is approved, subject to the following conditions:

a. That the applicant provide scaled site plans reflecting accurate lot dimensions, building location, all proposed parking for customers and vendors, all drive aisle meeting code requirements, all ingress and egress points, and other site amenities as required for a site plan for both 1325 Sixteenth Street and 1600 Racine Street. The plans shall

be reviewed approved by the Department of City Development prior to issuance of building and/or occupancy permits.

b. A minimum of 80 legal parking spaces shall be provided by the applicant for the sole uses of an indoor flea market, video game room, and laser tag. No additional uses are approved with this conditional use permit. All parking and maneuvering of vehicles must occur within property line boundaries.

c. That, if the applicant intends to utilize space along the west edge of the property for parking where the depth of the lot from the building to the property line is less than 31-feet, that written authorization from the railroad allowing parking/maneuvering of vehicles on railroad property shall be provided to the Department of City Development prior to occupancy.

d. That all applicable building and occupancy permits be applied for and obtained through the Building Inspection Department, and that the laser tag, video game operations, and any construction of walls or other construction activity cease immediately and remain inactive until final approval of this request is granted by the Common Council, and building permits / occupancy certificates are issued. Should activity continue prior to meeting these requirements, the applicant understands this will result in citations and/or fines being assessed as authorized per zoning and/or building ordinances.

e. That the number of flea market vendor spaces may be increased to 35.

f. That all signage requested shall be provided to the Department of City Development for review and approval prior to obtaining a sign permit and prior to installation.

g. That the plan be reviewed within one year of the original approval of May, 2014, for compliance with codes and ordinances.

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

i. That no minor changes be made be made from the conditions of this

permit without the approval of the Plan Commission, and no major changes be made to these conditions without the approval of the Common Council.

Fiscal Note: N/A

Sponsors: Dennis Wisner

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

[Res.14-0432](#)

Amendment to Conditional Use Permit at 1130 Washington Avenue

That the request by Harjeet S. Walia, representing Choice Petroleum LLC, for a major amendment to a conditional use permit at 1130 Washington Avenue is approved, subject to the following conditions:

- a. That the plans presented to the Plan Commission on October 8, 2014, be approved subject to the conditions contained herein.
- b. That all codes and ordinances shall be complied with and required permits acquired.
- c. That all conditions of approval contained in Common Council resolution Res.12-3286 of August 21, 2012 be complied with unless modified herein.
- d. That the hours of operation for the convenience store shall be 24 hours daily. Prior to 24 hour operation, a security plan shall be submitted to the director of City Development for review and approval.
- e. That the hours of operation of the car wash shall be from 24 hours daily. Doors of the car wash shall remain closed during the washing and drying cycle.
- f. That the pylon sign not exceed 19 feet in height and LED message board contained thereon be operated in a manner consistent with Section 114-1033(b) of the Racine Municipal Code. The increased height exception being justified due to additional advertising space needed for a multi-tenant facility, and the height will be consistent with the height of the existing canopy.
- g. That the total number of signs on the site not exceed nine (9) and the total square footage of signage on the site not exceed 362.
- h. The final design of the pylon sign and base shall be presented to

the Director of City Development for review and approval.

i. That prior to the issuance of a building permit final site, architectural, lighting, signage and landscaping plans for the car wash shall be submitted to the Director of City Development for review and approval.

j. That prior to the issuance of an occupancy permit for the car wash, all improvements depicted in the plans described herein shall be completed.

k. That if improvements as depicted in the plan described herein are not completed prior to the request for occupancy for the car wash, then prior to the issuance of the occupancy permit, financial surety shall be provided to the City in an amount equal in value to the required improvements described above, subject to the following terms:

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

2. The City is authorized by this Conditional Use permit to enter the site, implement the plan(s) and draw on the financial security for the cost of implementation if required improvements are not completed within 120 day from the date of the issuance of an occupancy permit.

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

4. 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.

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

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

n. That no minor changes shall be made from the conditions of this

permit without the approval of the Plan Commission, and no major changes shall be made from the conditions of this permit without the approval of the Common Council.

Fiscal Note: N/A

Sponsors: Dennis Wisner

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

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

**NOES:** 1 - Coe

[Res.14-0433](#)

Transfer of Surplus Vacant Residential Lots

Resolved, that the request of the Director of City Development is approved for authorization to transfer surplus vacant residential lots (as listed on attachment to item) to owners of adjoining properties.

Further resolved, that the Mayor, the City Clerk, and the Director of City Development are authorized to execute any documents necessary to complete the transfers.

Fiscal Note: These transfers will save the City an estimated \$5,000.00 per year in maintenance costs.

Sponsors: Dennis Wisner

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

[Res.14-0434](#)

Purchase of 1634 Howe

Resolved, that the request of the Director of City Development to accept an offer from Jimmy Wai Lou to purchase 1634 Howe, an NSP-3 property, with contingencies, is authorized.

Further resolved, that the Mayor, the City Clerk, and the Director of City Development are authorized to execute any documents necessary to complete the sale.

Fiscal Note: The property was acquired and rehabilitated through the NSP-3 program. The City will receive \$45,600.00 in proceeds minus commission and closing costs.

Sponsors: Dennis Wisner

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

**Res.14-0435** Vicious Animals Ordinance

Resolved, that the request to revise and amend the current Vicious Animals Ordinance (Ch. 10-104) of the Municipal Code and amend payment of forfeiture in lieu of court appearance schedule (Sec. 10-4) is approved.

Fiscal Note: N/A

Sponsors: Jim Kaplan

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

## Council Action

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

**AYES:** 15 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor-II, McCarthy, Wisner, Holding, Perez, Morgenroth, Hart and Diehl

**H. Resolutions****Res.14-0387** Amend Sec. 102.76 of the Municipal Code

Resolved, that the request to revise and amend Sec. 102.76 of the Municipal Code to include language granting authority to the City Forester to issue orders on private property within the City that constitute a hazard to life and property is approved.

Further resolved, that the drafted amended ordinance then be provided to the PRCS Board for review.

Fiscal Note: N/A

Sponsors: Sandy Weidner

**A motion was made by Alderman McCarthy, seconded by Alderman Shakoor II, that this Resolution be Received and Filed. The motion was APPROVED by the following vote:**

**AYES:** 13 - Coe, Sarrazin, Shields, Kaprelian-Becker, Weidner, DeHahn, Shakoor-II, McCarthy, Wisner, Perez, Morgenroth, Hart and Diehl

**NOES:** 2 - Kaplan and Holding

**Res.14-0395** Health Care Plan for Active and Retired City of Racine Police Officers and Firefighters Hired on or before June 30, 2011

Resolved, that the recommendation of the Finance and Personnel Committee to adopt Plan 08A as the only health care plan available to all active and retired City of Racine police officers and firefighters hired on or before June 30, 2011, subject to the premium share caps applicable to retirees and the contractual premium share applicable to active employees, is approved.

Fiscal Note: Savings associated with health care plan is dependent upon overall usage.

Sponsors: Q.A. Shakoor-II

**A motion was made by Alderman Shakoor II, seconded by Alderman DeHahn, that this Resolution be Received and Filed. The motion was APPROVED by the following vote:**

**AYES:** 15 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Shakoor-II, McCarthy, Wisner, Holding , Perez, Morgenroth, Hart and Diehl

## I. Adjourn

*The meeting was adjourned at 8:00 p.m. by Alderman Shakoor. The next scheduled meeting of the Council is Wednesday, November 5, 2014.*

ATTEST: JANICE M. JOHNSON-MARTIN  
CITY CLERK