



City of Racine Meeting Minutes 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, August 2, 2006

7:00 PM

Room 205, City Hall

A. Call To Order

PRESENT: Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Friedel,
Holding, Hart, Sollman, Spangenberg and Wisneski

EXCUSED: Karas

B. Pledge of Allegiance To The Flag

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

C. Approval of Journal of Council Proceedings (Minutes)

to Approve the Minutes

D. Public Comments

*Vivian Merlo
Don Rintz
Jim Spodick
Kurt Maehlmann
Jim Chamber
Megan Chambers
Mary Whitman*

E. Public Hearings

1. [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

No one appeared. The Mayor declared the public hearing closed.

2. [ZOrd.0004-06](#) AN ORDINANCE REZONING 2711 LATHROP AVENUE

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 2711 Lathrop Avenue, and more particularly described as follows:

"Begin at a point which is 500 feet south of the southeast corner of the intersection of Blue River and Lathrop, from that point travel easterly 481.03 feet, thence travel southerly 212.70 feet, thence travel easterly 60 feet, thence travel northerly 106.35 feet, thence travel westerly 421.03 feet to the east line of Lathrop Avenue, thence travel northerly along said line to the point of beginning of this description. Said land being in the City of Racine, Racine County, Wisconsin"

be rezoned from "I-1" Restricted Industrial District, to "I-1" with a Flex Development Overlay District, 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

No one appeared. The Mayor declared the public hearing closed.

3. [ZOrd.0005-06](#) AN ORDINANCE REZONING 1028 AND 1038 SOUTH MEMORIAL DRIVE

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 parcels located at 1028 and 1038 South Memorial Drive, and more particularly described as follows:

"Begin at a point which is 80 feet north of the northwest corner of Eleventh Street and S. Memorial Drive, from that point travel westerly 108.7 feet, travel thence northerly 34 feet, travel thence westerly 20.1 feet, travel thence northerly 137.6 feet, thence travel easterly 120.5 feet to the west line of S. Memorial Drive, thence travel southerly along said line to the point of beginning of this description. Said land being in the City of Racine, Racine County, Wisconsin"

be rezoned from "B-2" Community Shopping District, to "R-3" General Residence District, 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

No one appeared. The mayor declared the public hearing closed.

4. [ZOrd.0006-06](#) AN ORDINANCE REZONING 720 SOUTH MARQUETTE 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 parcel located at 720 South Marquette Street, and more particularly described as follows:

"The West ½ of Bush's Subdivision of Block 50 School Section Lots 1 thru 12 except part dedicated for street purposes as described in Volume 1617 page 440 as recorded in the office of the Register of Deeds of Racine County. Said land being in the City of Racine, Racine County, Wisconsin"

be rezoned from "I-2" General Industrial District, to "R-5" General Residence District with a Flex Development Overlay, 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

No one appeared. The mayor declared the public hearing closed.

F. Communications

Refer to Finance and Personnel Committee

5. [06-2248](#) **Subject:** Request to accept a \$5,000.00 donation to the Mayor's Back to School/Stay in School program to be used for backpacks and school supplies for youth in Racine.
Referred to Finance and Personnel Committee

6. [06-2301](#) **Subject:** Communication from the Municipal Judge announcing his resignation, effective August 13, 2006.
Referred to Finance and Personnel Committee

7. [06-2304](#) **Subject:** Communication from the City Attorney requesting that a portion of an invoice dated 12/17/04 to Downtown Racine Corporation Festival of Trees be written off. Please invite Parks, Recreation and Cultural Services Director to the meeting.
Referred to Finance and Personnel Committee

8. [06-2309](#) **Subject:** Communication from the Director of Human Resources requesting in closed session, discussing the collective bargaining agreement between the City of Racine and the Racine Professional Employees Association (RPEA).

Referred to Finance and Personnel Committee

9. [06-2311](#) **Subject:** Communication from City Administrator requesting to present a proposed processing fee for City Development bonds.

Referred to Finance and Personnel Committee

Refer to Public Works and Services Committee

10. [06-2303](#) **Subject:** Communication from the Commissioner of Public Works submitting the bid award for salt for ice control for the 2006-2007 winter season.

Referred to Public Works and Services Committee

11. [06-2308](#) **Subject:** Communication from the Alderman of the 12th District requesting that the following street repairs be deleted from the list of street repair projects in CY2007:

North Osborne Boulevard from Ravine Drive to Fairway Drive
North Osborne Boulevard from Harrington Drive to Ravine Drive

Referred to Public Works and Services Committee

Refer to License and Welfare Committee

12. [06-2272](#) **Subject:** (New)Application of KC Food Mart, LLC, Kamesh Chaind, Agent, for a Class "A" Retail Fermented Malt Beverage License for 1229 Eleventh Street. (1St District)

(Alderman of the 1st District included in reference) (The agent has been requested to appear)

Referred to License and Welfare Committee

Refer to Transit and Parking Commission

13. [06-2277](#) **Subject:** Communication from the Assistant Commissioner of Public Works/Engineering to discuss the extension of the current juror parking agreement with the Racine County Clerk of Courts.

Referred to Transit and Parking Commission

14. [06-2312](#) **Subject:** Communication from the Transit Planner submitting the June 2006 operating and financial report for the Belle Urban System.

Referred to Transit and Parking Commission

Refer to Mayor's Office

15. [06-2283](#) **Subject:** Communication from the Chairman of the City of Racine Board of Ethics submitting their 2005-2006 Annual Report.

Referred to Mayor

Refer to Board of Parks, Recreation, and Cultural Services

16. [06-2284](#) **Subject:** Request of Chairman of the Board of Harbor Commissioners to meet with the Board of Parks, Recreation & Cultural Services to discuss Pershing Park boat launch and revenue control.

Referred to Board of Park, Recreation and Cultural Services

G. Committee Reports

Finance and Personnel Committee Report

17. [06-1653](#) **Subject:** Communication submitted by Human Resources Director requesting to reclassify three (3) non-represented positions on the salary classification scale as GR-17. These positions would be Deputy Chief, Deputy City Attorney, and Assistant Commissioner of Public Works - Engineering. Common Council referred the item back to the Finance & Personnel Committee on 07-18-06.

Recommendation of the Finance & Personnel Committee of

03-27-06: The item be deferred.

Recommendation of the Finance & Personnel Committee of

04-24-06: The item be deferred.

Recommendation of the Finance & Personnel Committee of

07-10-06: The non-represented positions of Deputy Police Chief, Deputy

City Attorney and Assistant Commissioner of Public Works - Engineering be reclassified from salary classification GR-18 to GR-17 with the stipulation that the Deputy Police Chief positions be held in abeyance until there is a vacancy.

Recommendation of the Finance & Personnel Committee of

07-24-06: The non-represented positions of Deputy Police Chief, Deputy City Attorney and Assistant Commissioner of Public Works - Engineering be reclassified from salary classification GR-18 to GR-17 with the stipulation that the Deputy Police Chief positions and Deputy City Attorney be held in abeyance until there is a vacancy.

Fiscal Note: The changes will not currently affect the City budget.

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

18. [06-2190](#)

Subject: Communication from the Interim Finance Director requesting to present the City of Racine's 2005 Financial Statements and the Transit System.

Recommendation of the Finance & Personnel Committee 07-10-06:

The item be deferred.

Recommendation of the Finance & Personnel Committee 07-24-06:

The 2005 City Financial Statements, 2005 City Report on Internal Control, 2005 Transit System Financial Statements and the 2005 Transit System Report on Internal Control 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.

19. [06-2235](#)

Subject: Communication from the Public Health Administrator requesting permission to accept funding with State of Wisconsin Department of Natural Resources in the amount of \$5,875.00.

Recommendation of the Finance & Personnel Committee 07-24-06:

The Mayor and City Clerk be authorized and directed to enter into an agreement in the amount of \$5,875 with the State of Wisconsin, Department of Natural Resources (Grant Control No. 2006-035) to be utilized for Beach Monitoring Program that runs May 26, 2006 through September 30, 2006.

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

**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 James T. Spangenberg to Adopt the Report.
Adopted by the following vote:**

AYES: 14 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II,
Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

EXCUSED: 1 - Karas

Public Works and Services Committee Report

20. [06-2212](#) **Subject:** Communication from the Commissioner of Public Works/City Engineer requesting permission to enter into a CMAQ Program Agreement for the Walker Site Bike Pedestrian Path.
- Recommendation:** Mayor and City Clerk be authorized and directed to enter into a CMAQ program agreement with the Wisconsin Department of Transportation for the Lake Michigan Pathway, Phase IV. The total cost of this project is estimated at \$1,278,750.00, with 80%, or \$1,023,000.00 of federal funding, and a local share of 20%, or \$255,750.00.
- Fiscal Note:** Funding for this project is available in the 2007 Capital Improvement Program.
- A motion was made that this Communication be Received and Filed as Reported.
The motion was APPROVED.**
21. [06-2228](#) **Subject:** Communication from S.C. Johnson & Sons, Inc. requesting permission to install two duct packages crossing Racine Street between 14th and 16th Streets prior to paving.
- Recommendation:** S.C. Johnson & Sons, Inc. be granted permission to install duct packages crossing Racine Street, between 14th Street and 16th Street, as requested with the following stipulations:
- A. A hold harmless agreement be executed in accordance with State Statute 66.0425, Privileges in Street.
 - B. The property owner be required to become a member of Diggers Hotline for the length of time that the facilities are in the public right-of-way.
 - C. The property owner provide a survey description of the location of the duct packages.

D. The property owner be charged a \$50.00 fee to cover costs associated with filing this item with the Register of Deeds.

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

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

22. [06-2244](#)

Subject: Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting final payment on Contract 28-05 (K5-035), 2005 Sewer Asset Management, Earth Tech, Inc., consultant.

Recommendation: The professional services provided by Earth Tech, Inc. under Contract 28-05, (K5-035), 2005 Sewer Asset Management, be accepted and final payment authorized for a total contract amount of \$93,203.71, from funds heretofore appropriated.

Fiscal Note: This contract was approved by Resolution 6460, dated April 18, 2005.

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

23. [06-2245](#)

Subject: Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 33-05 (K5-050), 2005 Sewer Construction, A.W. Oakes & Son, contractor.

Recommendation: The work of A.W. Oakes & Son, Inc., under Contract 33-05 (K5-050), 2005 Sewer Construction, be accepted and final payment authorized for a total contract amount of \$236,060.25.

Fiscal Note: Contract was authorized under Resolution No. 6561 of July 5, 2005.

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

24. [06-2246](#)

Subject: Direct Referral. Communication from the Assistant Commissioner of Public Works/Engineering submitting Change Order No. 2 on Contract 49-05 (K5-056), Lake Michigan Pathway, Phase II, Bane-Nelson, Inc., contractor.

Recommendation: Change Order No. 2 on Contract 49-05 (K5-056), Lake Michigan Pathway, Phase II, Bane-Nelson, Inc., contractor, as submitted, be approved in the amount of \$11,400.00.

Further recommends that funding to defray the cost of this change order be appropriated from Account 985.913.5090, Michigan @ Goold Slope

Stabilization.

Further recommends that a time extension until September 1, 2006 to complete this contract, be approved.

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.

25. [06-2250](#)

Subject: Direct Referral. Communication from the Assistant Commissioner of Public Works/Engineering submitting Change Order No. 1 on Contract 14-06 (K6-015), Island Park Streambank Stabilization, K & L Construction, contractor.

Recommendation: Change Order No. 1 on Contract 14-06 (K6-015), Island Park Streambank Stabilization, K&L Construction, contractor, as submitted, be approved to provide a time extension until August 15, 2006, to complete this contract.

Fiscal Note: There will be no change in contract price as a result of this change order.

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

26. [06-2252](#)

Subject: Direct Referral. Communication from the Assistant Commissioner of Public Works/Engineering submitting a professional services agreement for the Marino Park Storm Sewer Design.

Recommendation: The Mayor and City Clerk be authorized and directed to enter into a professional services contract with Earth Tech, Inc. to provide professional services for the Marino Park and State Street Storm Sewer, at a cost not-to-exceed \$41,360.00.

Further recommends that funding to defray the cost of these professional services be appropriated from Account 104.985.5420, Storm Sewers-Variou Locations.

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.

27. [06-2260](#)

Subject: Direct Referral. Communication from the Historic Sixth Street Association requesting to close 6th Street between College Avenue and Center Street from 3:30 p.m. to 10:30 p.m. on Saturday, August 12, 2006 for the "Scoop the Loop" car show.

Recommendation: Permission be granted to the Historic Sixth Street Association to close four (4) blocks of 6th Street between Wisconsin Avenue and Center Street on Saturday, August 12, 2006, from 3:30 p.m. to 10:30 p.m. for the Scoop the Loop car show.

Further recommends that permission be granted 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;
- D. The sponsor shall pay a \$400.00 special event fee; and
- E. The sponsor shall be responsible for signing the detour for the State highway.

Further recommends that the Commissioner of Public Works/City Engineer, Chief of Police, and Director of Parks, Recreation and Cultural Services 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.

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

28. [06-2263](#)

Subject: Ordinance No. 30-06, to amend Sec. 18-42 of the Municipal Code of the City of Racine, Wisconsin relating to Buildings and building regulations - Substitute for buildings; use and placement restricted.

Recommendation: Ordinance No. 30-06, to amend Sec. 18-42 of the Municipal Code of the City of Racine, Wisconsin relating to Buildings and building regulations - Substitute for buildings; use and placement restricted, be adopted.

Fiscal Note: Not applicable.

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

29. [06-2264](#)

Subject: Ordinance No. 31-06, to amend Secs. 78-1, 78-7(b) and create Sec. 78-36 of the Municipal Code of the City of Racine, Wisconsin relating to Solid Waste - Definitions; Forfeitures and Setting out of medical waste

and hazardous or toxic waste.

Recommendation: Ordinance No. 31-06, to amend Secs. 78-1, 78-7(b) and create Sec. 78-36 of the Municipal Code of the City of Racine, Wisconsin relating to Solid Waste - Definitions; Forfeitures and Setting out of medical waste and hazardous or toxic waste, be adopted.

Fiscal Note: Not applicable.

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

30. [06-2274](#)

Subject: Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting bid results on Contract 11-06 (K6-012), Southside Industrial Park Infrastructure.

Recommendation: Contract 11-06 (K6-012), Southside Industrial Park Infrastructure, be awarded to The Wanasek Corporation, at their bid price of \$1,770,448.70, they being the lowest responsible bidder.

Further recommends that funding to defray the cost of this public works project be appropriated from the following accounts:

\$ 815,000.00 - Account 970.012.5810, TID 10 - EDA Infrastructure Grant
\$ 955,448.70 - TID 10
\$1,770.448.70 - 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.**

31. [06-2275](#)

Subject: Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting bid results on Contract 25-06 (K6-026), City Parking Lots (R1).

Recommendation: Contract 25-06 (K6-026), City Parking Lots (R1), be awarded to Cicchini Asphalt Paving, Inc., at their bid price of \$264,006.90, they being the lowest responsible bidder.

Further recommends that funding to defray the cost of this public works project be appropriated from the following accounts:

\$ 11,035.58 - Account 985.590.5010, Replace City Circuits
\$ 45,000.00 - Account 986.100.5020, City Hall-Parking Lot Improvements
\$ 26,511.96 - Account 986.200.5010, Annex-Parking Lot Resurfacing
\$ 14,000.00 - Account 986.740.5020, Zoo
\$ 8,500.00 - Account 104.985.5420, Storm Sewers-Misc. Locations

\$ 5,133.57 - Account 106.985.5110, Parking Lot Reconstruction
\$ 135,000.00 - Account 986.106.5010, Parking Lot Reconstruction
\$ 18,825.79 - Account 207.000.5750, Graceland Cemetery
\$264,006.90 - 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.**

32. [06-2276](#)

Subject: Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting bid results on Contract 35-06 (K6-037), Bridge Rehabilitation at Johnson Park Golf Course.

Recommendation: Contract 35-06 (K6-037), Bridge Rehabilitation at Johnson Park Golf Course, be awarded to Bane-Nelson, Inc., at their bid price of \$192,800.00, plus Alternate #1 in the amount of \$27,000.00 and Alternate #2 in the amount of \$15,000.00, for a total contract amount of \$234,800.00, they being the lowest responsible bidder.

Further recommends that funding to defray the cost of this public works project be appropriated from Account 107.000.5750, Replace 18th Hole Bridge.

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.**

33. [06-2278](#)

Subject: Direct Referral. Communication from the Assistant Commissioner of Public Work/Engineering submitting Change Order No. 2 on Contract 7-06(K6-007), 2006 CCTV Services and Manhole Inspections, Green Bay Pipe & TV, contractor.

Recommendation: Change Order No. 2 on Contract 7-06 (K6-007), 2006 CCTV Services and Manhole Inspections, Green Bay Pipe & TV, contractor, as submitted, be approved in the amount of \$1,280.00.

Further recommends that funding to defray the cost of this change order be appropriated from the following accounts:

\$ 640.00 - Account 986.907.5310, Sanitary Sewer, Var. Loc.
\$ 640.00 - Account 104.985.5420, Storm Sewers, Var. Loc.
\$1,280.00 - 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.**

34. [06-2299](#)

Subject: Direct Referral. Communication from the Assistant Commissioner of Public Works submitting Amendment No. 4 on State Contract 2350-10-00, Racine Street, 21st Street to Washington Avenue, Earth Tech, consultant.

Recommendation: Amendment No. 4 on State Contract 2350-10-00, Racine Street, 21st Street to Washington Avenue, Earth Tech, Inc., consultant be approved. The total cost of the amendment is \$3,931.10, with 75%, or, \$2,543.23, being the State's share, and 25%, or \$982.78, being the City's share.

Further recommends that funds to defray the cost of these professional services be appropriated from Account 985.908.5090, Racine Street Design Services.

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.**

35. [06-2300](#)

Subject: Direct Referral. Communication from the Assistant Commissioner of Public Works/Engineering submitting Amendment No. 1 on Contract 60-05 (K5-069), PS - Streambank Restoration in Island Park, Earth Tech, consultant.

Recommendation: Amendment No. 1 to Contract 60-05 (K5-069), Professional Services for Streambank Restoration in Island Park, Earth Tech, Inc., consultant, as submitted, be approved in the amount of \$3,500.00.

Further recommends that funding to defray the cost of these professional services be appropriated from Account 104.000.5610, Stormwater Enterprise - Professional Services.

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.**

36. [06-2302](#)

Subject: Direct Referral. Communication from Assistant Commissioner of Public Works/ Engineering submitting the request of the property owners of 1509 Harrington Drive and 3901 Frances Drive to extend the paving of the abutting assessable street.

Recommendation: The request of the property owners of 1509

Harrington Drive and 3901 Frances Drive for the City to pave an additional 17 feet on Harrington Drive be approved with the cost of this additional work being paid for 100% by the property owners.

Fiscal Note: There will be no cost to the City of Racine for performing this additional work.

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 Ronald D. Hart to Adopt the Report. Adopted by the following vote:

AYES: 14 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

EXCUSED: 1 - Karas

License and Welfare Committee Report

37. [06-2185](#) **Subject:** The following (**New**) Application for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License, for Tango Bar, Gloria Horbatenko, Agent, at 509 Sixth Street.

Recommendation of the License & Welfare Committee of 07/10/06:

That the license be granted with an amendment to the premises description.

Recommendation of the License & Welfare Committee of 07/24/06:

That the license be granted pending the new Agent, Gerald Vytlačil, records check and him also completing the Responsible Beverage Servers Course.

Fiscal Note: N/A

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

38. [06-2241](#) **Subject:** The following (**New**) Application for a "Class C" and Class "B" Retail Fermented Malt Beverage License for Nuevo Vallarta, Mario Espinoza, Agent, located at 3700 Durand Avenue.

Recommendation of the License and Welfare Committee of

07/24/06: That the license be granted.

Fiscal Note: N/A

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

39. [06-2294](#) **Subject:** Ordinance No. 32-06 to amend Sec. 82-153(c) and (d) and Sec. 82-155 of the Municipal Code of the City of Racine, Wisconsin relating to Streets, sidewalks, and certain other public places - Sidewalk cafe; application; renewal permit.

Recommendation of the License and Welfare Committee of 7/24/06: That Ord. 32-06 relating to streets, sidewalks and certain other public places - Sidewalk cafe; application; renewal permit, be approved.

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

40. [06-2256](#) **Subject: (Direct Referral)** Communication from the Purchasing agent submitting the report on bids received for the sale of Abandoned Vehicles, July 17, 2006.

Recommendation of the License and Welfare Committee of
07/24/06: That the item be received and filed.

Fiscal Note: \$5,043.02 in revenues.

**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 David L. Maack to Adopt the Report. Adopted by the following vote:

AYES: 14 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

EXCUSED: 1 - Karas

Traffic Commission Report

41. [06-1942](#) **Subject:** Communication regarding the installation of a Stop or Yield sign at the intersection of Monroe and Linderman.

Recommendation: The 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.**

42. [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.

Recommendation: The 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.**

Council Action

A motion was made by Alderman Ronald D. Hart to Adopt the Report. Adopted by the following vote:

AYES: 14 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

EXCUSED: 1 - Karas

43. [06-2230](#)

Subject: (Direct Referral) Communication from the ACPW/Engineer regarding the installation of school zone parking restrictions for 21st Century School and Next Generation Now.

Recommendation: The request to install school parking zone restrictions be approved.

Fiscal Note: The estimated cost of this signage will result in an installation cost of \$300.00 and an annual maintenance cost of \$120.00.

Alderman Hart requested that item 06-2230 be considered separately.

Referred to Traffic Commission

44. [06-2280](#)

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 94-141(1) of Schedule F of the Municipal Code of the General Ordinances of the City of Racine relative to "No parking anytime" be amended:

By Adding:

1. Mound Avenue, west side, from 1000 feet south of Liberty Street south 1,240 feet, and from West Sixth Street north 560 feet.
2. Mound Avenue, west side, from 16 feet south of Liberty Street, south 48 feet.
3. Mound Avenue, west side, from 235 feet south of Liberty Street, south 328 feet.

By Deleting:

1. Mound Avenue, west side, from 300 feet south of Liberty Street south 400 feet and from 1,000 feet to 1,240 feet south of Liberty Street, and from West Sixth Street north 560 feet.

B. Recommends that Section 94-141(9) of Schedule F of the Municipal Code of the General Ordinances of the City of Racine relative to "No stopping, standing or parking from 7:30 A.M. to 4:30 P.M. on any school day except for school buses" be amended:

By Adding:

1. Mound Avenue, west side, from 625 feet south of Liberty Street south 448 feet.

C. Recommends that Section 94-143(8) of Schedule G of the Municipal Code of the General Ordinances of the City of Racine relative to "One-hour parking from 9:00 A.M. to 6:00 P.M., except Sundays and holidays" be amended:

By Deleting:

1. Mound Avenue, west side, from 700 feet south of Liberty Street south 240 feet.

Alderman Hart requested that item 06-2280 be considered separately.

Referred to Traffic Commission

Transit and Parking Commission Report

45. [06-2242](#) **Subject:** (Direct Referral) Communication from the Mass Transit Planner submitting the 2006 State Urban Mass Transit Operating Assistance 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 agreement will provide funds for the Belle Urban System operations for 2006 in the amount of \$1,824,264.

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

46. [06-2243](#) **Subject:** (Direct Referral) Communication from the Mass Transit Planner submitting the 2006 State Urban Mass Transit Operating Assistance contract for Wisconsin Coach Lines.

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

Fiscal Note: The agreement will allow for the pass through of \$626,196 to Wisconsin Coach Lines. There are no City funds involved.

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

47. [06-2269](#) **Subject:** (Direct Referral) Communication from the Transit Planner submitting the June 2006 operating and financial report for Wisconsin Coach Lines Kenosha-Racine-Milwaukee intercity bus service.

Recommendation: 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.**

48. [06-2306](#) **Subject:** Ordinance No. 29-06, to amend Sec. 94-282(6) of the Municipal Code relating to Traffic and Vehicles - Violations.

Recommendation: Ordinance 29-06 be adopted as amended to start at 2:00 A.M.

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 Thomas M. Sollman to Adopt the Report.
Adopted by the following vote:**

AYES: 14 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

EXCUSED: 1 - Karas

City Plan Commission Report

49. [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

A motion was made that this Resolution be Received As Read. The motion was APPROVED.

50. [06-2122](#)

Subject: Compliance review of the conditional use permit for the Journal Times to expand operations at 212 & 300 Fourth Street.

Recommendation: That photographic documentation of the building and selected artifacts for preservation be accomplished to Wisconsin Historical Society standards and that a set of those photos be provided to the Landmarks Preservation Commission, the Racine Heritage Museum, the Racine Fire Belles and the Racine Fire Department.

Further, that the communication be received and filed.

Fiscal Note: N/A

Alderman Holding requested that item 06-2122 be considered separately.

Received and Filed

AYES: 9 - Kaplan, Maack, Weidner, Shakoor II, Friedel, Holding, Hart, Sollman and Spangenberg

NOES: 5 - Fair, Anderson, Hermes, DeHahn and Wisneski

EXCUSED: 1 - Karas

51. [06-2126](#)

Subject: Direct Referral. A request from Barbara Kegg seeking a conditional use permit to operate a carry-out restaurant at 3523 Douglas Avenue.

Recommendation: That the request from Barbara Kegg seeking a conditional use permit to operate a carry-out restaurant at 3523 Douglas Avenue be approved, subject to the following conditions:

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 the Plan Commission finds that a carry-out restaurant as described in the application materials is of the same general character as the uses permitted in the district.

- c. That all parking and drive areas be paved and striped.
- d. That only one pole sign and one building/wall sign be permitted.
- e. That detailed plans addressing landscaping, signage, trash handling, outside dining area and other exterior building and site modification be presented to the Access Corridor Development Review Committee for review and approval prior to the issuance of a building permit.
- f. That necessary building and occupancy permits be obtained from the Building Inspection Department.
- g. That the maximum hours of operation be Monday through Saturday from 11:00 a.m. to 10:00 p.m., and no hours on Sunday.
- h. That dumpster pick up be prohibited between the hours of 10:00 p.m. and 7:00 a.m., Monday through Saturday, with no pick up on Sunday.
- i. That all trash and recyclables be stored in closed containers and screened from view.
- j. That all yard areas, landscaping buildings and grounds be maintained on a daily basis.
- k. That all applicable codes and ordinances be complied with and required permits acquired.
- l. That no minor changes be made from the conditions of this permit without the approval of the Plan Commission and no major changes be made from the conditions of this permit without the approval of the Common Council.
- m. That this permit is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

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

52. [06-2290](#)

Subject: Ordinance Z0rd.0004-06 to rezone 2711 Lathrop Avenue from I-1 Restricted Industrial District to 1-1 Restricted Industrial District with a Flex Development Overlay District.

Recommendation: That the ordinance be adopted.

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

53. [06-2291](#) **Subject:** Ordinance ZOord.0005-06 to rezone 1028 and 1038 South Memorial Drive from "B-2" Community Shopping District to "R-3" General Residence District.

Recommendation: That the ordinance be adopted.

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

54. [06-2292](#) **Subject:** Ordinance ZOrd.0006-06 to rezone S. Marquette Street from "I-2" General Industrial District to "R-5" General Residence District with a Flex Development Overlay District.

Recommendation: That the ordinance be adopted.

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

55. [06-2293](#) **Subject:** Ordinance ZOrd.0003-06 to rezone the property at 710 Sixth Street from "B-5" Central Service District to "B-4" Central Business District.

Recommendation: That the ordinance be adopted.

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

56. [06-2297](#) **Subject:** Direct Referral. Request by Dorothy Metz of McDonald's seeking a conditional use permit to install awnings with logos, and to install an electronic reader board on the pole sign at 3037 Douglas Avenue.

Recommendation: That the request by Dorothy A. Metz of McDonald's seeking a conditional use permit to install awnings with logos on them, and to install a 24-square-foot electronic reader board on the existing pole sign at 3037 Douglas Avenue be approved, subject to the following conditions:

- a. That the plans presented to the Plan Commission on July 26, 2006 be approved subject to the conditions contained herein.

- b. That the design and placement of signage is subject to the review and approval of the Access Corridor Development Review Committee.
- c. That information sign be installed in the parking area and at driveways stating "No loud stereo playing", "No Loitering", "Please deposit trash in trash cans".
- d. That a sign be posted at the Kingston Drive exit stating "No Left turn after 10:00 p.m."
- e. That all codes and ordinances be complied unless otherwise varied herein, and required permits acquired.
- f. 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.
- g. That this permit is subject to Plan Commission review for compliance with the listed conditions.

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 Gregory Holding to Adopt the Report. Adopted by the following vote:

AYES: 14 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

EXCUSED: 1 - Karas

Community Development Committee

57. [06-2093](#) **Subject:** Project New Life requests an extension to January 1, 2007 of its 2005 Community Development Block Grant for the Nehemiah Place project.

Recommendation: That an extension to January 1, 2007 be approved.

Fiscal Note: N/A

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

58. [06-2120](#) **Subject:** Communication from Mayor Becker wishing to meet with CDBG committee to discuss the use of HOME funds or CDBG funds to help sponsor a tour of affordable homes, and home buying fair.

Recommendation: That up to \$2,500 be allocated from the CDBG Local Option Fund to sponsor a tour of affordable homes and home buying fair.

Fiscal Note: There are sufficient funds in the Local Option Fund for this request.

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

59. [06-2226](#) **Subject:** Recommended Allocation of 2006 Community Development Block Grant (CDBG) Short Round Funds.

Recommendation: That \$200,000 be allocated from the CDBG Local Option Fund as shown on the attached table.

Fiscal Note: There are sufficient funds in the Local Option Fund for this request.

Alderman Fair requested that item 06-2226 be considered separately.

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

60. [06-2227](#) **Subject:** Request of the president of the Community Economic Development Corporation (CEDCO) to revise CEDCO's 2005-06 budget.

Recommendation: That CEDCO's 2005-06 budget be revised as requested.

Fiscal Note: N/A

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

Office of the Mayor

61. [06-2282](#) **Subject:** Communication from Mayor Becker nominating

appointments/reappointments to the following Boards and Commissions for the City of Racine.

Landmarks and Preservation:

Appoint Alderman Robert Anderson for a one year term

Library Board:

Appoint Geoffrey Schiveley, 6230 Berkshire Lane, for a three-year term ending June, 2009

Appoint Deborah Embry, 4834 High Meadows, for a three-year term ending June, 2009

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

Wastewater Commission

- 62. [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

Recommendation: Adopt

Sponsors: Ronald D. Hart

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

H. Resolutions

63. [Res.06-7147](#) FINAL PAVING RESOLUTION

WHEREAS the Public Works & Services Committee of the Common Council of the City of Racine, Wisconsin, held a public hearing at the Council Chambers in the City Hall at 5:30 P.M. on the 25th day of July, 2006, for the purpose of hearing all interested persons concerning the preliminary resolution and report of the Commissioner of Public Works on the proposed improvement of:

PORTLAND CEMENT CONCRETE PAVING

Kewaunee Street from N. Main Street to Michigan Boulevard.
Lighthouse Drive from Sheffield Drive to Queens Court.
Lighthouse Drive from Queens Court to Steeplechase Drive.

BITUMINOUS CONCRETE PAVING

Monarch Drive from Emstan Hills Road to Regal Court.
Biscayne Avenue from Southwood Drive to Oakwood Drive.

SIDEWALK

Lighthouse Drive from Queens Court to Steeplechase Drive.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Racine as follows:

1. That the report of the Commissioner of Public Works pertaining to the construction of the above described public improvements, including plans and specifications therefore, as modified, is hereby adopted and approved.
2. That the Commissioner of Public Works is directed to advertise for bids and to carry out the work of such improvements in accordance with the report of the Commissioner of Public Works.
3. That payment for said improvements shall be made by assessing the cost to the property benefited as indicated in said report.

4. That benefits and damages shown on the report, as modified, are true and correct, have been determined on a reasonable basis, do not exceed the value accruing to the property therefrom, and are hereby confirmed.

5. That the assessments for all projects included in said report are hereby combined as a single assessment, but any interested property owner shall be entitled to object to each assessment separately or both assessments jointly for any purpose or purposes.

6. That the assessments may be paid in cash or, if any assessments are over \$200.00, may be paid in ten annual installments to the City Treasurer. Such deferred payments shall bear interest at the rate of 8% per annum on the unpaid balance. Installments or assessments not paid when due shall bear additional interest on the amount due at the rate of 9.6% per annum.

7. The City Clerk is directed to publish this resolution in the official newspaper of the City of Racine as a Class I notice in the assessment district.

8. The Clerk is further directed to mail a copy of this resolution and a statement of the final assessment against affected properties to every property owner whose name appears on the assessment roll and whose post office address is known or can with reasonable diligence be ascertained.

Dated:

Signed:

Mayor

Published:

Attest:

City Clerk

Sponsors: Ronald D. Hart

Referred to Public Works and Services Committee

64. [Res.06-7148](#) AGREEMENT WITH STATE FOR BEACH MONITORING PROGRAM

RESOLVED, that the Mayor and City Clerk be authorized and directed to enter into an agreement in the amount of \$5,875.00 with the State of Wisconsin Department of Natural Resources (Grant Control No. 2006-035) to be utilized for the Beach Monitoring Program for the period of May 26, 2006 through September 30, 2006.

FISCAL NOTE: No match required on the part of the City.

Sponsors: James T. Spangenberg

Adopted

65. [Res.06-7149](#) AMENDMENT TO BLOCK GRANT FOR NEHEMIAH PLACE PROJECT

RESOLVED, that the 2005 Community Development Block Grant Agreement for Project New Life, the Nehemiah Place project, be amended by extending the grant period to January 1, 2007.

FISCAL NOTE: N/A

Sponsors: Sandy Weidner

Adopted

66. [Res.06-7150](#) ALLOCATION OF CDBG FUNDS

RESOLVED, that up to \$2,500 be allocated from the CDBG Local Option Fund to sponsor a tour of affordable homes and home buying fair.

FISCAL NOTE: There are sufficient funds in the Local Option Fund for this request.

Sponsors: Sandy Weidner

A motion was made by Alderman Weidner that this Resolution be Adopted. The motion was APPROVED by the following vote:

AYES: 14 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

EXCUSED: 1 - Karas

67. [Res.06-7151](#) ALLOCATION OF 2006 COMMUNITY DEVELOPMENT BLOCK GRANT SHORT ROUND FUNDS

RESOLVED, that \$200,000 be allocated from the CDBG Local Option Fund as follows:

\$15,000 to Racine Habitat for Humanity for Site Preparation at 724 Villa Street.

\$10,000 to Racine County Food Bank & Homeless Assistance Leadership Organization (HALO) for Exterior Facility Improvements.

\$2,500 to City of Racine/King Community Center for GED/HSED Program.

\$2,000 to Uptown Improvement Organization for Summer/Fall Plantings & Maintenance.

\$78,000 allocated among the following activities: City of Racine/Tyler-Domer Community Center for Tyler-Domer Center Building Automation System Replacement; City of Racine/Dr. Bryant Community Center for Dr. Bryant Community Center Automation System Replacement; City of Racine/Cesar Chavez Community Center for Cesar Chavez Community Center Building Automation System Replacement; City of Racine/Dr. King Community Center for Dr. King Community Center Building Automation System Replacement; City of Racine/Dr. King Community Center for Dr. King Community Center Pneumatic Dryer and Compressor Replacement; City of Racine/Dr. Bryant Community Center for Dr. Bryant Community Center Pneumatic Dryer Replacement; City of Racine/Tyler-Domer Community Center for Tyler-Domer Community Center Steam Trap Replacement & Thermal Imaging Device Purchase; City of Racine/Tyler-Domer Community Center for Tyler-Domer Community Center Pneumatic Dryer Replacement; City of Racine/Humble Park Community Center for Humble Park Community Center Building Automation System Replacement.

\$2,500 for City of Racine/Dr. King Community Center and Greater Shiloh Church for Back 2 School.

\$10,000 to Downtown Racine Corporation for Historic Sixth Street Revitalization.

\$5,000 to Women's Resource Center for Security Camera System.

\$20,000 to Historic Sixth Street Association for Historic Sixth Street Renaissance.

\$15,000 to Racine Area Manufacturers and Commerce for Computer Numerical Control Boot Camp.

\$30,000 to City of Racine Department of City Development for Façade Grants.

\$10,000 to Racine Area Manufacturers and Commerce for Welding Boot Camp.

FISCAL NOTE: There are sufficient funds in the Local Option Fund for this request.

Sponsors: Sandy Weidner

A motion was made by Alderman Weidner that this Resolution be Adopted. The motion was APPROVED by the following vote:

AYES: 14 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

EXCUSED: 1 - Karas

68. [Res.06-7152](#) INSTALLATION OF DUCT PACKAGES ACROSS RACINE STREET

RESOLVED, that S.C. Johnson & Sons, Inc. be granted permission to install duct packages crossing Racine Street, between 14th Street and 16th Street, as requested with the following stipulations:

- A. A hold harmless agreement shall be executed in accordance with Wis. Stat. sec. 66.0425, Privileges in Streets;
- B. The property owner shall be required to become a member of Diggers Hotline for the length of time that the facilities are in the public right-of-way;
- C. The property owner shall provide a survey description of the location of the duct packages; and
- D. The property owner shall be charged a \$50.00 fee to cover costs associated with filing this item with the Register of Deeds.

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

Sponsors: Ronald D. Hart

Adopted

69. [Res.06-7153](#) HISTORIC SIXTH STREET CAR SHOW

RESOLVED, that permission be granted to the Historic Sixth Street Association to close four blocks of 6th Street between Wisconsin Avenue and Center Street on Saturday, August 12, 2006, from 3:30 p.m. to 10:30 p.m., for the Scoop the Loop car show.

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

- A. A hold harmless agreement shall be executed;
- B. Proof of liability insurance shall be filed prior to the event;
- C. Any overtime costs incurred by any City department shall be charged to the sponsor;

D. The sponsor shall pay a \$400.00 special event fee; and

E. The sponsor shall be responsible for signing the detour for the State highway.

FURTHER RESOLVED, that the Commissioner of Public Works/City Engineer, Chief of Police, and Director of Parks, Recreation and Cultural Services 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

Adopted

70. [Res.06-7154](#) AGREEMENT WITH WISCONSIN DOT FOR WALKER SITE BIKE PEDESTRIAN PATH

RESOLVED, that the Mayor and City Clerk be authorized and directed to enter into a CMAQ program agreement with the Wisconsin Department of Transportation for the Lake Michigan Pathway, Phase IV. The total cost of this project is estimated at \$1,278,750.00 with 80%, or \$1,023,000.00 federal funding, and a local share of 20% or \$255,750.00.

FISCAL NOTE: Funding for this project is available in the 2007 Capital Improvement Program.

Sponsors: Ronald D. Hart

A motion was made by Alderman Hart that this Resolution be Adopted. The motion was APPROVED by the following vote:

AYES: 14 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

EXCUSED: 1 - Karas

71. [Res.06-7155](#) CONTRACT FOR SOUTHSIDE INDUSTRIAL PARK INFRASTRUCTURE

RESOLVED, that Contract 11-06 (K6-012), Southside Industrial Park Infrastructure, be awarded to The Wanasek Corporation, at their bid price of \$1,770,448.70, they being the lowest responsible bidder.

FURTHER RESOLVED, that funding to defray the cost of this public works project be appropriated from the following accounts:

\$ 815,000.00 - Account 970.012.5810, TID 10 - EDA Infrastructure Grant
\$ 955,448.70 - TID 10
\$1,770,448.70 - Total

FISCAL NOTE: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

A motion was made by Alderman Hart that this Resolution be Adopted. The motion was APPROVED by the following vote:

AYES: 14 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

EXCUSED: 1 - Karas

72. Res.06-7156 CONTRACT FOR PAVING CITY PARKING LOTS

RESOLVED, that Contract 25-06 (K6-026), City Parking Lots (R1), be awarded to Cicchini Asphalt Paving, Inc., at their bid price of \$264,006.90, they being the lowest responsible bidder.

FURTHER RESOLVED, that funding to defray the cost of this public works project be appropriated from the following accounts:

\$ 11,035.58 - Account 985.590.5010, Replace City Circuits
\$ 45,000.00 - Account 986.100.5020, City Hall-Parking Lot Improvements
\$ 26,511.96 - Account 986.200.5010, Annex-Parking Lot Resurfacing
\$ 14,000.00 - Account 986.740.5020, Zoo
\$ 8,500.00 - Account 104.985.5420, Storm Sewers-Misc. Locations
\$ 5,133.57 - Account 106.985.5110, Parking Lot Reconstruction
\$ 135,000.00 - Account 986.106.5010, Parking Lot Reconstruction
\$ 18,825.79 - Account 207.000.5750, Graceland Cemetery
\$264,006.90 - Total

FISCAL NOTE: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

A motion was made by Alderman Hart that this Resolution be Adopted. The motion was APPROVED by the following vote:

AYES: 14 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

EXCUSED: 1 - Karas

73. [Res.06-7157](#) CONTRACT FOR BRIDGE REHABILITATION AT JOHNSON PARK GOLF COURSE

RESOLVED, that Contract 35-06 (K6-037), Bridge Rehabilitation at Johnson Park Golf Course, be awarded to Bane-Nelson, Inc., at their bid price of \$192,800.00, plus Alternate #1 in the amount of \$27,000.00 and Alternate #2 in the amount of \$15,000.00, for a total contract amount of \$234,800.00, they being the lowest responsible bidder.

FURTHER RESOLVED, that funding to defray the cost of this public works project be appropriated from Account 107.000.5750, Replace 18th Hole Bridge.

FISCAL NOTE: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

A motion was made by Alderman Hart that this Resolution be Adopted. The motion was APPROVED by the following vote:

AYES: 14 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

EXCUSED: 1 - Karas

74. [Res.06-7158](#) FINAL PAYMENT FOR 2005 SEWER ASSET MANAGEMENT CONTRACT

RESOLVED, that the professional services provided by Earth Tech, Inc. under Contract 28-05, (K5-035), 2005 Sewer Asset Management, be accepted and final payment authorized for a total contract amount of \$93,203.71, from funds heretofore appropriated.

FISCAL NOTE: This contract was approved by Resolution 6460, dated April 18, 2005.

Sponsors: Ronald D. Hart

Adopted

75. [Res.06-7159](#) FINAL PAYMENT FOR 2005 SEWER CONSTRUCTION CONTRACT

RESOLVED, that the work of A.W. Oakes & Son, Inc., under Contract 33-05 (K5-050), 2005 Sewer Construction, be accepted and final payment authorized for a total contract amount of \$236,060.25.

FISCAL NOTE: Contract was authorized under Resolution No. 6561 of July 5, 2005.

Sponsors: Ronald D. Hart

Adopted

76. [Res.06-7160](#) CHANGE ORDER FOR LAKE MICHIGAN PATHWAY CONTRACT

RESOLVED, that Change Order No. 2 on Contract 49-05 (K5-056), Lake Michigan Pathway, Phase II, Bane-Nelson, Inc., contractor, as submitted, be approved in the amount of \$11,400.00.

FURTHER RESOLVED, that funding to defray the cost of this change order be appropriated from Account 985.913.5090, Michigan at Goold Slope Stabilization.

FURTHER RESOLVED, that a time extension until September 1, 2006 to complete this contract is approved.

FISCAL NOTE: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

A motion was made by Alderman Hart that this Resolution be Adopted. The motion was APPROVED by the following vote:

AYES: 14 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

EXCUSED: 1 - Karas

77. [Res.06-7161](#) CHANGE ORDER ISLAND PARK STREAMBANK STABILIZATION CONTRACT

RESOLVED, that Change Order No. 1 on Contract 14-06 (K6-015), Island Park Streambank Stabilization, K&L Construction, contractor, as submitted, is approved to provide a time extension until August 15, 2006, to complete this contract.

FISCAL NOTE: There will be no change in contract price as a result of this change order.

Sponsors: Ronald D. Hart

Adopted

78. [Res.06-7162](#) CONTRACT FOR MARINO PARK STORM SEWER DESIGN

RESOLVED, that the Mayor and City Clerk be authorized and directed to enter into a professional services contract with Earth Tech, Inc. to provide professional services for the Marino Park and State Street Storm Sewer at a cost not-to-exceed \$41,360.00.

FURTHER RESOLVED, that funding to defray the cost of these professional services be appropriated from Account 104.985.5420, Storm Sewers-Variou Locations.

FISCAL NOTE: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

A motion was made by Alderman Hart that this Resolution be Adopted. The motion was APPROVED by the following vote:

AYES: 14 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

EXCUSED: 1 - Karas

79. [Res.06-7163](#) CHANGE ORDER 2006 CCTV SERVICES AND MANHOLE INSPECTIONS CONTRACT

RESOLVED, that Change Order No. 2 on Contract 7-06 (K6-007), 2006 CCTV Services and Manhole Inspections, Green Bay Pipe & TV, contractor, as submitted, be approved in the amount of \$1,280.00.

FURTHER RESOLVED, that funding to defray the cost of this change order be appropriated from the following accounts:

\$ 640.00 - Account 986.907.5310, Sanitary Sewer, Var. Loc.

\$ 640.00 - Account 104.985.5420, Storm Sewers, Var. Loc.

\$1,280.00 - Total

FISCAL NOTE: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

A motion was made by Alderman Hart that this Resolution be Adopted. The motion was APPROVED by the following vote:

AYES: 14 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

EXCUSED: 1 - Karas

80. [Res.06-7164](#) AMENDMENT TO STREAMBANK RESTORATION ISLAND PARK CONTRACT

RESOLVED, that Amendment No. 1 to Contract 60-05 (K5-069), Professional Services for Streambank Restoration in Island Park, Earth Tech, Inc., consultant, as submitted, be approved in the amount of \$3,500.00.

FURTHER RESOLVED, that funding to defray the cost of these professional services be appropriated from Account 104.000.5610, Stormwater Enterprise - Professional Services.

FISCAL NOTE: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

A motion was made by Alderman Hart that this Resolution be Adopted. The motion was APPROVED by the following vote:

AYES: 14 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

EXCUSED: 1 - Karas

81. [Res.06-7165](#) AMENDMENT TO STATE CONTRACT RACINE STREET, 21ST STREET TO WASHINGTON AVENUE

RESOLVED, that Amendment No. 4 on State Contract 2350-10-00, Racine Street, 21st Street to Washington Avenue, Earth Tech, Inc., consultant be approved. The total cost of the amendment is \$3,931.10 with 75%, or, \$2,543.23, being the State's share and 25%, or \$982.78, being the City's share.

FURTHER RESOLVED, that funds to defray the cost of these professional services be appropriated from Account 985.908.5090, Racine Street Design Services.

FISCAL NOTE: Funds are available as herein delineated.

Sponsors: Ronald D. Hart

A motion was made by Alderman Hart that this Resolution be Adopted. The motion was APPROVED by the following vote:

AYES: 14 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

EXCUSED: 1 - Karas

82. [Res.06-7166](#) 2006 STATE URBAN MASS TRANSIT OPERATING ASSISTANCE CONTRACT FOR WISCONSIN COACH LINES

RESOLVED, that the Mayor and City Clerk be authorized and directed to execute the 2006 State Urban Mass Transit Operating Assistance Agreement for Wisconsin Coach Lines, on behalf of the City of Racine, with the Wisconsin Department of Transportation Bureau of Transit and Local Roads.

FISCAL NOTE: The agreement will allow for the pass through of \$626,196 to Wisconsin Coach Lines. There are no City funds involved.

Sponsors: Thomas M. Sollman

Adopted

83. [Res.06-7167](#) 2006 STATE URBAN MASS TRANSIT OPERATING ASSISTANCE CONTRACT FOR BELLE URBAN SYSTEM

RESOLVED, that the Mayor and City Clerk be authorized and directed to execute the 2006 State Urban Mass Transit Operating Assistance Contract for the Belle Urban System with the Wisconsin Department of Transportation Bureau of Transit and Local Roads.

FISCAL NOTE: The agreement will provide funds for the Belle Urban System operations for 2006 in the amount of \$1,824,264.

Sponsors: Thomas M. Sollman

Adopted

84. [Res.06-7168](#) CONDITIONAL USE PERMIT FOR 3523 DOUGLAS AVENUE

RESOLVED, that the request from Barbara Kegg seeking a conditional use permit to operate a carry-out restaurant at 3523 Douglas Avenue be approved, subject to the following conditions:

- 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 the Plan Commission finds that a carry-out restaurant as described in the application materials is of the same general character as the uses permitted in the district;
- c. That all parking and drive areas be paved and striped;
- d. That only one pole sign and one building/wall sign be permitted;

- e. That detailed plans addressing landscaping, signage, trash handling, outside dining area, and other exterior building and site modification be presented to the Access Corridor Development Review Committee for review and approval prior to the issuance of a building permit;
- f. That necessary building and occupancy permits be obtained from the Building Inspection Department;
- g. That the maximum hours of operation be Monday through Saturday from 11:00 a.m. to 10:00 p.m. and no hours on Sunday;
- h. That dumpster pick up be prohibited between the hours of 10:00 p.m. and 7:00 a.m., Monday through Saturday, with no pick up on Sunday;
- i. That all trash and recyclables be stored in closed containers and screened from view;
- j. That all yard areas, landscaping buildings and grounds be maintained on a daily basis;
- k. That all applicable codes and ordinances be complied with and required permits acquired;
- l. That no minor changes be made from the conditions of this permit without the approval of the Plan Commission and no major changes be made from the conditions of this permit without the approval of the Common Council; and
- m. That this permit is subject to Plan Commission review for compliance with the listed conditions.

FISCAL NOTE: N/A

Sponsors: Gregory Holding

Adopted

85. [Res.06-7169](#) **CONDITIONAL USE PERMIT FOR 3037 DOUGLAS AVENUE**

RESOLVED, that the request by Dorothy A. Metz of McDonald's seeking a conditional use permit to install awnings with logos on them and to install a 24-square-foot electronic reader board on the existing pole sign at 3037 Douglas Avenue be approved subject to the following conditions:

- a. That the plans presented to the Plan Commission on July 26, 2006 be approved subject to the conditions contained herein;
- b. That the design and placement of signage is subject to the review and approval of the Access Corridor Development Review Committee;

- c. That information signs be installed in the parking area and at driveways stating "No loud stereo playing," "No Loitering," "Please deposit trash in trash cans;"
- d. That a sign be posted at the Kingston Drive exit stating "No Left turn after 10:00 p.m.;"
- e. That all codes and ordinances be complied with unless otherwise varied herein and required permits acquired;
- f. 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; and
- g. That this permit is subject to Plan Commission review for compliance with the listed conditions.

FISCAL NOTE: N/A

Sponsors: Gregory Holding

Adopted

I. Miscellaneous Business

86. [06-2307](#) **Subject:** Communication from Director of Human Resources recommending that Attorney Mark F. Nielsen be elected by the Common Council to serve as Municipal Judge effective August 14, 2006, until a successor is qualified following 2007 Spring Election.

Alderman Weidner made a motion to recommend that Attorney Mark F. Nielsen be elected to serve as Municipal Judge effective August 14, 2006, until a successor is qualified following 2007 Spring Election.

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

AYES: 14 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

EXCUSED: 1 - Karas

J. Adjourn

The meeting was adjourned at 8:35 P.M. by Alderman Shakoor. The next scheduled meeting of the Council is August 15, 2006.

ATTEST: JANICE M. JOHNSON-MARTIN
CITY CLERK

