



# City of Racine

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

## Meeting Agenda - Final Common Council

*Mayor John T. Dickert  
Alderman Jeff Coe, Alderman Robert Anderson  
Alderman Michael Shields, Alderman Jim Kaplan, Alderman David L. Maack  
Alderman Sandy Weidner, Alderman Terry McCarthy, Alderman Raymond DeHahn  
Alderman Q.A. Shakoor, II, Alderman Aron Wisneski, Alderman Gregory Holding  
Alderman James T. Spangenberg, Alderman Ronald D. Hart, Alderman Robert Mozol,  
Alderman Kelli Stein*

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Tuesday, December 1, 2009

7:00 PM

Room 205, City Hall

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

Refer to Finance and Personnel Committee, by Ald. Spangenberg

- [08-1670](#)      **Subject:** communication from the City Attorney submitting the claim of Zoe Outreach Ministries for consideration.
- [09-4467](#)      **Subject:** Amend the Wastewater Commission Capital Improvement Plan for 2010-2014
- [09-4468](#)      **Subject:** Approval of the 2010 Wastewater Utility Sewer Rates
- [09-4478](#)      **Subject:** Communication from the Purchasing Agent requesting to renew a three-year contract with Melrose Pyrotechnics, Inc. for the fireworks display at a cost of \$40,000 per year.
- [09-4480](#)      **Subject:** Communication from the Purchasing Agent requesting permission to negotiate a new three year contract with Melrose Pyrotechnics for the 4th of July fireworks for the years 2010, 2011, and 2012.
- [09-4481](#)      **Subject:** Communication from the Purchasing Agent and award recommendation regarding Official Notice #10, EMS Supplies for the

Racine Fire Department for the calendar year 2010. The recommendation for award beginning January 1, 2010 through December 31, 2010, is by individual line item, based on specific criteria.

Funding is available for this expense of \$96,200 in account 101.300.5690, for fiscal year 2010.

(Also refer to Public Safety and Licensing Committee)

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

[09-4479](#)      **Subject:** Communication from Mrs. Lance McClure, 2716 Northwestern Avenue, requesting that the sidewalk along the side of her home be closed.

[09-4483](#)      **Subject:** Communication from the Director of City Development requesting authorization to enter into a revised agreement with E.G. Developments, LLC, for the acquisition of 1425 N. Memorial Drive.

[09-4488](#)      **Subject:** Communication from the Assistant Commissioner of Public Works/Operations submitting the 2010 lease agreements for office space.

**Refer to Public Safety and Licensing Committee, by Ald. Wisneski**

[09-4453](#)      **Subject:** New Application for a Gasoline Station Owner's and Manager's License for Pritam Sodhi (Washington Petro Mart), 4301 Washington Avenue.

**Refer to Traffic Commission, by Ald. Holding**

[09-4471](#)      **Subject:** Communication from Pam Rice, 1600 Winslow Street, requesting parking restrictions for private walkways.

[09-4472](#)      **Subject:** Communication from the Alderman of the 11th District, on behalf of Tim Dominguez (2052 Grange Ave), asking for a review of parking restrictions on the 2000 block of Grange Ave.

**Refer to Redevelopment Authority of the City of Racine, by Ald Spangenberg**

[09-4482](#)      **Subject:** Communication from the Director of City Development requesting authorization to enter into a development agreement with American Tire and Recycling Corporation.

(Also refer to Finance and Personnel Committee)

**Refer to Board of Parks, Recreation, and Cultural Services, by Ald. McCarthy**

[09-4460](#)      **Subject:** Communication from Scott Schuit of Public Golf Associates requesting to change the eligibility of the full season golf pass from City of Racine residents to Racine County residents.

(Also refer to the Finance Committee)

[09-4466](#)      **Subject:** Communication from Jeff Schultz requesting to present a plan for resurfacing one of the tennis courts at Lockwood Park.

**F. Committee Reports****Finance and Personnel Committee Report, by Ald. Spangenberg**

[07-1065](#)      **Subject:** (Direct Referral) Communication from the City Attorney submitting the claim of Natasha Shaw for consideration. (Res.09-1723)

**Recommendation of the Finance & Personnel Committee on 11-23-09:** The claim of Natasha Shaw arising from an accident involving a DPW vehicle at the intersection of 6th Street and Wisconsin Avenue on 01-13-09 be settled in the amount of \$22,087.00.

**Fiscal Note:** There are sufficient funds available in Account 101.990.5910, Judgments and Claims for settlement.

[07-1575](#)      **Subject:** (Direct Referral) Communication from the City Attorney submitting the claim of Patricia Hazlett for consideration. (Res.09-1722)

**Recommendation of the Finance & Personnel Committee on 11-23-09:** The claim of Patricia Hazlett arising from an accident involving a fire truck at the intersection of Washington Avenue and Lathrop Avenue on 03-22-08 be settled in the amount of \$42,000.

**Fiscal Note:** There are sufficient funds available in Account 101.990.5910, Judgments and Claims for settlement.

[09-3984](#)      **Subject:** Communication from the City Attorney submitting the claim of Joseph & Shanna Hansen for consideration.

**Recommendation of the Finance & Personnel Committee on 11-23-09:** The claim of Joseph & Shanna Hansen, 3447 Daisy Lane, requesting reimbursement of \$7,125.26 for cleanup and damages allegedly arising from a sewer backup in their basement after a rain storm on 6-19-9 be denied.

**Fiscal Note:** N/A

[09-4388](#)

**Subject:** Communication from the Interim Public Health Administrator requesting permission to accept up to \$300,000 grant from the Water Environment Research Foundation. (Grant Control No. 2009-047) (Res.09-1719)

**Recommendation of the Finance & Personnel Committee on**

**11-23-09:** The Mayor and City Clerk be authorized and directed to enter into a \$300,000 agreement with the Water Environment Research Foundation (Grant Control No. 2009-047).

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

[09-4390](#)

**Subject:** Communication from Interim Public Health Administrator requesting permission to accept additional grant funds of \$139,955 from the State of Wisconsin represented by its Division of Public Health of the Department of Health Services. (Grant Control #2009-062) (Res.09-1720)

**Recommendation of the Finance & Personnel Committee on**

**11-23-09:** The Mayor and City Clerk be authorized and directed to enter into an amended contract with the State of Wisconsin Division of Public Health of the Department of Health Services for public health emergency response to the H1N1 virus. (Grant Control No. 2009-062).

**Fiscal Note:** The contract is increased in the amount of \$139,955. No match required on the part of the City.

[09-4399](#)

**Subject:** Communication from the Interim Public Health Administrator requesting permission to accept additional funding from the Division of Public Health, Department of Health Services for the Women, Infants and Children Program. (Grant Control #2006-049) (Res.09-1721)

**Recommendation of the Finance & Personnel Committee on**

**11-23-09:** The Mayor and City Clerk be authorized and directed to enter into an amended contract with the Division of Public Health, Department of Health Services for the Women, Infants and Children Program (Grant Control No. 2006-049).

**Fiscal Note:** The contract is increased in the amount of \$302,167 that will be based on case load. No match required on the part of the City.

[09-4449](#)

**Subject:** (Direct Referral) Communication from the Grants Facilitator requesting permission to apply for the Department of Justice,

Community Capacity Development 2010 Weed & Seed Grant (Grant Control No. 2009-075) in the amount of \$1,000,000 over a 5-year period. (Res.09-1718)

**Recommendation of the Finance & Personnel Committee on**

**11-23-09:** Permission be granted for the Grants Facilitator apply for the Department of Justice, Community Capacity Development 2010 Weed & Seed Grant (Grant Control No. 2009-075) in the amount up to \$1,000,000 over a 5-year period.

**Fiscal Note:** The 2010 allotment will be \$150,000. The 25% soft match will be \$37,500 on the part of the City.

**Public Works and Services Committee Report, by Ald. Holding**

[09-4151](#)

**Subject:** Communication from the Director of City Development requesting to repeal the Resolution 08-0835 regarding real property at 1425 N. Memorial Drive.

**Recommendation of the Public Works and Services Committee on 9-29-09, 10-13-09, 10-27-09 and 11-10-09:** Defer

**Recommendation of the Public Works and Services Committee on 11-24-09:** The communication be received and filed.

**Fiscal Note:** N/A

[09-4322](#)

**Subject:** (Direct Referral) Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 38-08 (K8-044), Professional Services - Renovations to Impound Lot, Butterfield, Rudie & Seitz, consultant. (Res.09-1735)

**Recommendation of the Public Works and Services Committee on 10-27-09 and 11-10-09:** Defer

**Recommendation of the Public Works and Services Committee on 11-24-09:** The professional services provided by Butterfield Rudie & Seitz, under 38-08 (K8-044), Professional Services - Renovations to Impound Lot, be accepted and final payment authorized for a total contract amount of \$38,880.00.

**Fiscal Note:** Contract was authorized under Resolution No. 08-0856, dated June 3, 2008.

[09-4324](#)

**Subject:** (Direct Referral) Communication from the Commissioner of Public Works/City Engineer submitting bid results on Contract 63-09 (K9-064), 2009 LED Street Lights - EECBG. (Res.09-1729)

**Recommendation of the Public Works and Services Committee on 10-27-09 and 11-10-09: Defer**

**Recommendation of the Public Works and Services Committee on 11-24-09:** That Contract 63-09 (K9-064), 2009 LED Street Lights, EECBG, be awarded to Spectrum Lighting, Ltd., Waukesha, WI, at their bid price of \$101,080.00, they being the lowest responsible bidder.

Further recommends that funding to defray the cost of this public works project be appropriated from 2009 EECBG funds.

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

[09-4325](#)

**Subject:** (Direct Referral) Communication from the Commissioner of Public Works/City Engineer submitting bid results on Contract 64-09 (K9-065), 2009 LED Building Lights - EECBG. (Res.09-1730)

**Recommendation of the Public Works and Services Committee on 10-27-09 and 11-10-09: Defer**

**Recommendation of the Public Works and Services Committee on 11-24-09:** That Contract 64-09 (K9-065), 2009 LED Building Lights, EECBG, be awarded to Ruud Lighting, Inc., dba Beta Lighting, Racine, WI, at their bid price of \$242,934.25, they being the lowest responsible bidder.

Further recommends that funding to defray the cost of this public works project be appropriated from 2009 EECBG funds.

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

[09-4378](#)

**Subject:** (Direct Referral) Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 5-09 (K9-005), Professional Services - Insulation at Solid Waste Garage, Industrial Roofing Services, Inc., consultant. (Res.09-1737)

**Recommendation of the Public Works and Services Committee on 11-10-09: Defer**

**Recommendation of the Public Works and Services Committee on 11-24-09:** The professional services provided by Industrial Roofing Services, Inc., under 5-09 (K9-005), Professional Services - Insulation of Solid Waste Garage, be accepted and final payment authorized for a total contract amount of \$7,000.00.

**Fiscal Note:** Contract was authorized under Resolution No. 09-1193, dated January 20, 2009.

[09-4379](#)

**Subject:** (Direct Referral) Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 43-09 (K9-044), Solid Waste Garage-Interior Wall Insulation, Absolute Construction Enterprises, Inc., contractor. (Res.09-1736)

**Recommendation of the Public Works and Services Committee on 11-10-09:** Defer

**Recommendation of the Public Works and Services Committee on 11-24-09:** The work done by Absolute Construction Enterprises, Inc. under Contract 43-09 (K9-044), Solid Waste Garage - Interior Wall Insulation, be accepted and final payment authorized for a total contract amount of \$91,000.00.

**Fiscal Note:** Contract was authorized under Resolution No. 09-1526, dated July 21, 2009.

[09-4392](#)

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/Engineering requesting to give a demonstration of the storm sewer GIS effort made by the City of Racine's Engineering Office.

**Recommendation of the Public Works and Services Committee on 11-24-09:** That the item be received and filed.

**Fiscal Note:** N/A

[09-4393](#)

**Subject:** (Direct Referral) Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 57-05 (K5-065), PS - Add Underground Cable to GIS, Earth Tech/AECOM, consultant. (Res.09-1732)

**Recommendation of the Public Works and Services Committee on 11-24-09:** The professional services provided by AECOM, formerly Earth Tech, Inc., under 57-05 (K5-065), Professional Services - Add Underground Cable to GIS, be accepted and final payment authorized for a total contract amount of \$12,220.00.

**Fiscal Note:** Contract was authorized under Resolution No. 6672, dated September 20, 2005.

[09-4396](#)

**Subject:** Communication from the Commissioner of Public Works/City Engineer submitting a proposal from Isthmus Architecture, Inc. for the West Canopy Platform Repair and Restoration at the State Street

Depot. (Res.09-1731)

**Recommendation of the Public Works and Services Committee on 11-24-09:** That the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with Isthmus Architecture, Inc. West Canopy Platform Repair and Restoration at the State Street Depot, on a time and materials basis at the not-to-exceed cost of \$45,350.00, plus reimbursable expenses not-to-exceed \$2,650.00, for a total cost not-to-exceed \$48,000.00.

Further recommends that funds to defray the cost of these professional services are available in the 2010 Capital Improvement Program.

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

09-4404

**Subject:** (Direct Referral) Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 40-06 (K6-042), PS - Marino Park/State Street Storm Sewer, AECOM, Consultant. (Res.09-1733)

**Recommendation of the Public Works and Services Committee on 11-24-09:** The professional services provided by AECOM, formerly Earth Tech, Inc., under 40-06 (K6-042), Professional Services - Marino Park/State Street Storm Sewer, be accepted and final payment authorized for a total contract amount of \$67,527.05.

**Fiscal Note:** Contract was authorized under Resolution No. 06-7162, dated August 2, 2006.

09-4405

**Subject:** (Direct Referral) Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 48-09 (K9-049), Cityworks Asset Management Implementation, Power Engineers, Inc., (formerly Velocitie Integration, Inc.), consultant. (Res.09-1739)

**Recommendation of the Public Works and Services Committee on 11-24-09:** The work provided by Power Engineers, Inc., formerly Velocitie Integration, Inc., under 48-09 (K9-049), Cityworks Asset Management Implementation, be accepted and final payment authorized for a total contract amount of \$57,800.00.

**Fiscal Note:** Contract was authorized under Resolution No. 09-1319, dated April 8, 2009.

09-4411

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/Engineering submitting Change Order No. 1 on Contract 18-09 (K9-018), 2009 Street Paving, A.W. Oakes &



Son, Inc., Contractor. (Res.09-1740)

**Recommendation of the Public Works and Services Committee on 11-24-09:** That Change Order No. 1 on Contract 18-09 (K9-018), 2009 Street Paving, A.W. Oakes & Son, Inc., contractor, be approved in the amount of \$23,766.90.

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

\$ 3,060.00 - Account 287.989.5310, Sanitary Sewers, Var. Loc.  
\$ 2,790.00 - Account 104.900.5420, Storm Sewer, Misc. Loc.  
\$17,916.90 - Account 988.908.5110, Bituminous Conc. St. Paving  
\$23,766.90 - Total

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

[09-4428](#)

**Subject:** Communication from the Alderman of the 5th District wishing to amend the flag policy for the City of Racine. (Res.09-1728)

**Recommendation of the Public Works and Services Committee on 11-24-09:** That the flag policy, as approved under Resolution 08-0726 of April 2, 2008, be amended to include flying the flag at half staff for the death of active duty military personnel from Racine County.

**Fiscal Note:** N/A

[09-4444](#)

**Subject:** Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 6-09 (K9-006), Profession Services - Memorial Hall Exterior Repairs, Industrial Roofing Services, Inc., consultant. (Res.09-1738)

**Recommendation of the Public Works and Services Committee on 11-24-09:** The professional services provided by Industrial Roofing Services, Inc., under 6-09 (K9-006), Professional Services - Memorial Hall Exterior Repairs, be accepted and final payment authorized for a total contract amount of \$5,250.00.

**Fiscal Note:** Contract was authorized under Resolution No. 09-1194, dated January 20, 2009.

[09-4451](#)

**Subject:** (Direct Referral) Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 32-09 (K9-033), Police Impound Lot Renovations (R1), Rasch Construction & Engineering Co., Inc., contractor. (Res.09-1734)

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

**11-24-09:** The work done by Rasch Construction & Engineering Co., Inc. under Contract 32-09 (K9-033), Police Impound Lot Renovations (R1), be accepted and final payment authorized for a total contract amount of \$552,391.20.

**Fiscal Note:** Contract was authorized under Resolution No. 09-1356, dated April 20, 2009.

09-4456

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting Change Order No. 1 on Contract 51-08(09) (K8-059), City Hall Exterior Renovations, RAM Construction Services of MI, Inc., contractor. (Res.09-1743)

**Recommendation of the Public Works and Services Committee on 11-24-09:** That Change Order No. 1 to Contract 51-08(09) (K8-059), City Hall Exterior Renovations, RAM Construction Services, contractor, as submitted, be approved in the deduct amount of \$39,463.00.

**Fiscal Note:** Change Order No. 1 will result in a decrease in contract price.

09-4459

**Subject:** (Direct Referral) Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 18-09 (K9-018), 2009 Street Paving, A.W. Oakes & Son, Inc., contractor. (Res.09-1741)

**Recommendation of the Public Works and Services Committee on 11-24-09:** The work done by A.W. Oakes & Son, Inc., under Contract 18-09 (K9-018), 2009 Street Paving (R1), be accepted and final payment authorized for a total contract amount of \$821,458.30.

**Fiscal Note:** Contract was authorized under Resolution No. 09-1391, dated May 6, 2009.

09-4462

**Subject:** (Direct Referral) Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 23-09 (K9-024) Basin 17 & 18 Sewer Improvements, Woodland Hills Contractors, contractor. (Res.09-1742)

**Recommendation of the Public Works and Services Committee on 11-24-09:** The work done by Woodland Hills Contractor, under Contract 23-09 (K9-024), Basin 17 & 18 Sewer Improvements be accepted and final payment authorized for a total contract amount of \$244,904.76.

Further recommends that the remaining balance be paid to Evergreen National Indemnity Company, or their representative, for distribution to the prime contractor and any unpaid or underpaid subcontractors.

**Fiscal Note:** Contract was authorized under Resolution No. 09-1316, dated April 8, 2009. The performance bond company will make all payments to the prime contractor and subcontractor(s) in accordance with the contract with no cost to the City of Racine for this agreement.

### Public Safety and Licensing Committee Report, by Ald. Wisneski

[09-4359](#)

**Subject:** Communication from Harbi Assad, Max Liquor Market, LLC, 1046 S. Memorial Drive, submitting a petition to exceed the "Class A" quota limit.

**Recommendation of the Public Safety & Licensing Committee on**

**11-23-09:** That the petition to exceed the "Class A" quota limit for Harbi Assad, Max Liquor Market, LLC, 1046 S. Memorial Drive be denied.

**Fiscal Note:** N/A

[09-4391](#)

**Subject:** (New) Application of Caliente, LLC., Edward W. Scharding, Agent for "Class B" Fermented Malt Beverage and Intoxicating Liquor License at 600 Sixth Street. (1st District)

**Recommendation of the Public Safety & Licensing Committee on**

**11-23-09:** That the Application of Caliente, LLC., Edward W. Scharding, Agent for "Class B" Fermented Malt Beverage and Intoxicating Liquor License at 600 Sixth Street be approved.

**Fiscal Note:** N/A

[09-4394](#)

**Subject:** Communication from the Director of Parks, Recreation & Cultural Services requesting final payment for Contract 49-09 (K9-050), HVAC Upgrades at Wustum Museum by United Mechanical Inc. (Res.09-1724)

**Recommendation of the Public Safety & Licensing Committee on**

**11-23-09:** That the final payment for Contract 49-09 (K9-050), HVAC Upgrades at Wustum Museum by United Mechanical Inc. be approved.

**Fiscal Note:** Funds be applied as follows: \$12,4000.00 from account 655.988-5010 and \$26,045.00 from 655.000.5980 for a total of \$38,445.00.

[09-4395](#)

**Subject:** Communication from the Director of Parks, Recreation & Cultural Services requesting change order no. 1 and final payment to

Southport Consulting for preparing plans and specifications for HVAC replacement at Wustum Museum. (Res.09-1725)

**Recommendation of the Public Safety & Licensing Committee on**

**11-23-09:** To approve the change order no. 1 and final payment to Southport Consulting for preparing plans and specifications for HVAC replacement at Wustum Museum.

**Fiscal Note:** This would result in an \$800.00 increase in costs, total cost \$3,300.00. Funds are available from account 655.000.5980.

[09-4397](#)

**Subject:** Application of Syed Mikhail's Inc., Atif Ali Shaikh, Agent, for a Change of Agent for a Class "A" Fermented Malt Beverage license for 930 Washington Avenue (1st District)

**Recommendation of the Public Safety & Licensing Committee on**

**11-23-09:** That the Application of Syed Mikhail's Inc., Atif Ali Shaikh, Agent, for a Change of Agent for a Class "A" Fermented Malt Beverage license for 930 Washington Avenue be received and filed

**Fiscal Note:** N/A

[09-4403](#)

**Subject:** (New) Application of G & M Entertainment, Inc., Robert Granger, Agent "Class B" Fermented Malt Beverage & Intoxicating Liquor License for 240 A Main Street. (1st District)

**Recommendation of the Public Safety & Licensing Committee on**

**11-23-09:** That the Application of G & M Entertainment, Inc., Robert Granger, Agent "Class B" Fermented Malt Beverage & Intoxicating Liquor License for 240 A Main Street be approved.

**Fiscal Note:** N/A

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

[09-4250](#)

**Subject:** Communication from the Alderman of the 11th District, on behalf of Todd Kramer, 2034 Cleveland, requesting a 4-way stop at 20th Street and Cleveland Avenue.

**Recommendation (10-19-09):** Defer

**Recommendation (11-16-09):** Receive and file

**Fiscal Note:** N/A

**09-4330**

**Subject:** Communication from Billie Novick, Principal of Goodland Elementary School (4800 Graceland Blvd.), requesting the signs at Ohio and Graceland be changed to "No Parking from 6:00 A.M. to 3:00 P.M."

**Recommendation:** Recommends that Schedule F of Section 94-141 be amended to create "No stopping, standing or parking from 6:00 A.M. to 4:30 P.M. on any school day except for school buses and mass transit vehicles owned and operated by the City."

Further recommends that this new section be amended to include:

1. Ohio Street, west side, from 340 feet north of Graceland Boulevard north 160 feet.
2. Graceland Boulevard, north side, from 200 feet west of Ohio Street, west 200 feet.

**Fiscal Note:** The estimated cost of this signage will result in an installation cost of \$200.00 and an annual maintenance cost of \$80.00.

**09-4342**

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/Engineering, on behalf of Alderman Maack, requesting changes in the limited term parking restrictions on Shoop Street.

**Recommendation:** Receive and file.

**Fiscal Note:** N/A

**09-4443**

**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 (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 and mass transit vehicles owned and operated by the City" be amended:**

**By Deleting:**

1. Graceland Avenue, north side, from 200 feet west of Ohio Street, west 200 feet.
2. Ohio Street, west side, from 340 feet north of Graceland Boulevard north 160 feet.

**Executive Committee Report, by Ald Q. A. Shakoor, II**

[09-4357](#)

**Subject:** Communication from Mayor Dickert requesting to change the polling place from Stephen Bull Fine Arts School to Dr. John Bryant Community Center, 601 21st Street beginning with the 2010 Elections. (Res.09-1726)

Recommendation of the Executive Committee: Recommends that the polling place be moved from Stephen Bull Fine Arts School 815 DeKoven Ave., Racine WI. 53403 to Dr. John Bryant Center, 601 21st St. Racine WI, beginning with the 2010 elections.

Fiscal Note: N/A

### Office of the Mayor Report, by Ald. Q. A. Shakoor, II

[09-4353](#)

**Subject:** Over the past several years, at least two projects have come before the City of Racine that would name a development after Corinne Owens. Much public support was garnered because this remarkable woman would be honored. However, I believe that associating her name with a development project has also clouded the issue. Any State Street project must

I am requesting the following:

1. That Corinne Owen's name be removed from any development project proposed for the State Street corridor and that any proposed project stand on its own merits. Perhaps this will take some of the emotion out of the equation and allow for all involved to evaluate the proposals based on sound business projections. This would not prevent a developer from honoring Ms. Owens after a project was completed.
2. That a commission be established as soon as possible for the purpose of identifying a park, plaza, building or other suitable venue to recognize and honor Ms. Owens for her contributions to the civil rights movement and this community. I would be willing to either chair this commission or at least serve on it.

(Res.09-1727)

**Mayor Recommendation:** The Mayor requests approval for the creation of an ad hoc committee regarding paying tribute to Corinne Reed Owens and that the ad hoc committee be required to report back to the Common Council in 90 days. The Mayor appoints the following members and requests that the Common Council confirm such appointments:

Alderman Q.A. Shakoor II 730 Washington Ave Racine, 53403  
Alderman David Maack, 730 Washington Ave, Racine 53403  
Alderman Jeff Coe, 730 Washington Ave Racine, 53403  
Pastor Melvin Hargrove 4144 LaSalle St Racine, 53402  
Reverend Charlene Mills 403 N. Memorial Dr Racine, 53404  
Vincent Esqueda 1105 N. Memorial Dr. Racine, 53404  
Marie Black 433 1/2 Main St Racine, 53403  
Ron Thomas 1429 Grange Ave Racine 53405

### Board of Health Report, by Ald. DeHahn

[09-4345](#)

**Subject:** Communication from Alderman Robert Mozol requesting the number of voting Board of Health members be increased from the current number of 8 voting members to 9 voting members. (Ord.21-09)

(Also refer to the Board of Health.)

**Recommendation of the Board of Health on 11-10-09:** That the number of voting Board of Health members be increased from the current number of 8 voting members to 9 voting members.

### G. Consent Agenda - Resolutions

[Res.09-1718](#)

Permission granted for Grants Facilitator to apply for Department of Justice, Community Capacity Development 2010 Weed & Seed Grant

Resolved, that permission be granted for the Grants Facilitator apply for the Department of Justice, Community Capacity Development 2010 Weed & Seed Grant (Grant Control No. 2009-075) in the amount up to \$1,000,000 over a 5-year period.

**Fiscal Note:** The 2010 allotment will be \$150,000. The 25% soft match will be \$37,500 on the part of the City.

**Sponsors:** James T. Spangenberg

[Res.09-1719](#)

Mayor and City Clerk be authorized to enter into an agreement with Water Environment Research Foundation

Resolved, that the Mayor and City Clerk be authorized and directed to enter into a \$300,000 agreement with the Water Environment Research Foundation (Grant Control No. 2009-047) for comparative evaluation of molecular and culture methods for fecal indicator bacteria for use in inland

recreational waters. The grant period is February 1, 2010 through January 31, 2011.

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

Sponsors: James T. Spangenberg

**Res.09-1720** Mayor and City Clerk be authorized to enter into an amended contract with State of Wisconsin for public health emergency response to the H1N1 virus

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an amended contract with the State of Wisconsin Division of Public Health of the Department of Health Services for public health emergency response to the H1N1 virus. (Grant Control No. 2009-062). The contract period is July 31, 2009 through July 30, 2010.

Fiscal Note: The contract is increased in the amount of \$139,955. No match required on the part of the City.

Sponsors: James T. Spangenberg

**Res.09-1721** Mayor and City Clerk be authorized to enter into an amended contract with Division of Public Health for the WIC Program

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an amended contract in the amount of \$302,167 (based on caseload) with the Division of Public Health, Department of Health Services for the Women, Infants and Children Program (Grant Control No. 2006-049) for the budget period of January 1, 2010 through December 31, 2010 for the WIC Program.

Fiscal Note: The contract is increased in the amount of \$302,167 that will be based on case load. No match required on the part of the City.

Sponsors: James T. Spangenberg

**Res.09-1722** Claim of Patricia Hazlett arising from an accident involving a fire truck be settled

Resolved, that the claim of Patricia Hazlett arising from an accident involving a fire truck at the intersection of Washington Avenue and Lathrop Avenue on 03-22-08 be settled in the amount of \$42,000.

Fiscal Note: There are sufficient funds available in Account 101.990.5910, Judgments and Claims for settlement.

Sponsors: James T. Spangenberg

**Res.09-1723** Claim of Natasha Shaw arising from an accident involving a DPW vehicle be settled

Resolved, that the claim of Natasha Shaw arising from an accident involving a DPW vehicle at the intersection of 6th Street and Wisconsin



Avenue on 01-13-09 be settled in the amount of \$22,087.00.

Fiscal Note: There are sufficient funds available in Account 101.990.5910, Judgments and Claims for settlement.

Sponsors: James T. Spangenberg

**Res.09-1724** Work be accepted and final payment be authorized for Contract 49-09 (K9-050), HVAC Upgrades at Wustum Museum by United Mechanical Inc.

Resolved, that the work be accepted and final payment be authorized on Contract 49-09 (K9-050), HVAC Upgrades at Wustum Museum, by United Mechanical Inc.

Fiscal Note: Funds be applied as follows: \$12,4000.00 from Account 655.988-5010 and \$26,045.00 from Account 655.000.5980 for a total of \$38,445.00.

Sponsors: Aron Wisneski

**Res.09-1725** Change Order No. 1 be approved and final payment authorized to Southport Consulting for preparing plans and specifications for HVAC Replacement at Wustum Museum

Resolved, that Change Order No. 1 be approved and final payment authorized to Southport Consulting for preparing plans and specifications for HVAC Replacement at Wustum Museum.

Fiscal Note: This would result in an \$800.00 increase in costs, total cost \$3,300.00. Funds are available from Account 655.000.5980.

Sponsors: Aron Wisneski

**Res.09-1726** Change polling place from Stephen Bull Fine Arts to Dr. John Bryant Community Center

Resolved, that the polling location currently located at Stephen Bull Fine Arts, 815 DeKoven Avenue, which currently serves District 2 Ward 4, District 2 Ward 5, and District 2 Ward 6, be relocated to Dr. John Bryant Community Center, 601 - 21st Street, beginning with the 2010 elections.

Fiscal Note: N/A

Sponsors: Q.A. Shakoor, II

**Res.09-1727** Permission granted to create an ad hoc committee paying tribute to Corinne Reed Owens

Resolved, that the request for the creation of an ad hoc committee regarding paying tribute to Corinne Reed Owens be approved and that the ad hoc committee report back to the Common Council in 90 days.

Further resolved, that the appointment of the following members of the ad

hoc committee is confirmed:

Alderman Q.A. Shakoor II, Chairman  
Alderman David Maack  
Alderman Jeff Coe  
Pastor Melvin Hargrove  
Reverent Charlene Mills  
Vincent Esqueda  
Marie Black  
Ron Thomas

Fiscal Note: N/A

Sponsors: Q.A. Shakoor, II

**Res.09-1728** Permission granted to amend the flag policy adopted under Res. 08-0726 of April 2, 2008

Resolved, that the flag policy, as approved under Resolution 08-0726 of April 2, 2008, be amended to include flying the flag at half staff for the death of active duty military personnel from Racine County.

Fiscal Note: N/A

Sponsors: Gregory Holding

**Res.09-1729** Contract 63-09 (K9-064), 2009 LED Street Lights, EECBG, be awarded to Spectrum Lighting, Ltd.

Resolved, that Contract 63-09 (K9-064), 2009 LED Street Lights, EECBG, be awarded to Spectrum Lighting, Ltd., Waukesha, WI, at their bid price of \$101,080.00, they being the lowest responsible bidder.

Further resolved, that funding to defray the cost of this public works project be appropriated from 2009 EECBG funds.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Gregory Holding

**Res.09-1730** Contract 64-09 (K9-065), 2009 LED Building Lights, EECBG, be awarded to Ruud Lighting, Inc.

Resolved, that Contract 64-09 (K9-065), 2009 LED Building Lights, EECBG, be awarded to Ruud Lighting, Inc., dba Beta Lighting, Racine, WI, at their bid price of \$242,934.25, they being the lowest responsible bidder.

Further resolved, that funding to defray the cost of this public works project be appropriated from 2009 EECBG funds.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Gregory Holding

**Res.09-1731** Mayor and City Clerk be authorized to enter into a Professional Services Agreement with Isthmus Architecture, Inc., for the West Canopy Platform Repair and Restoration at State Street Depot

Resolved, that the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with Isthmus Architecture, Inc. West Canopy Platform Repair and Restoration at the State Street Depot, on a time and materials basis at the not-to-exceed cost of \$45,350.00, plus reimbursable expenses not-to-exceed \$2,650.00, for a total cost not-to-exceed \$48,000.00.

Further resolved, that funds to defray the cost of these professional services are available in the 2010 Capital Improvement Program.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Gregory Holding

**Res.09-1732** Professional Services provided by Earth Tech/AECOM on Contract 57-05 (K5-065), Add Underground Cable to GIS, be accepted and final payment authorized

Resolved, that the professional services provided by AECOM, formerly Earth Tech, Inc., under Contract 57-05 (K5-065), Professional Services - Add Underground Cable to GIS, be accepted and final payment authorized for a total contract amount of \$12,220.00.

Fiscal Note: Contract was authorized under Resolution No. 6672, dated September 20, 2005.

Sponsors: Gregory Holding

**Res.09-1733** Professional services by AECOM under Contract 40-06 (K6-042), Marino Park/State Street Storm Sewer, be accepted and final payment authorized

Resolved, that the professional services provided by AECOM, formerly Earth Tech, Inc., under Contract 40-06 (K6-042), Professional Services - Marino Park/State Street Storm Sewer, be accepted and final payment authorized for a total contract amount of \$67,527.05.

Fiscal Note: Contract was authorized under Resolution No. 06-7162, dated August 2, 2006.

Sponsors: Gregory Holding

**Res.09-1734** Work done by Rasch Construction & Engineering Company under Contract 32-09 (K9-033), Police Impound Lot Renovations (R1), be accepted and final payment authorized

Resolved, that the work done by Rasch Construction & Engineering Co., Inc. under Contract 32-09 (K9-033), Police Impound Lot Renovations (R1),

be accepted and final payment authorized for a total contract amount of \$552,391.20.

Fiscal Note: Contract was authorized under Resolution No. 09-1356, dated April 20, 2009.

Sponsors: Gregory Holding

**Res.09-1735** Professional Services provided by Butterfield, Rudie & Seitz under Contract 38-08 (K8-044), Renovations to Impound Lot, be accepted and final payment authorized

Resolved, that the professional services provided by Butterfield, Rudie & Seitz, under Contract 38-08 (K8-044), Professional Services - Renovations to Impound Lot, be accepted and final payment authorized for a total contract amount of \$38,880.00.

Fiscal Note: Contract was authorized under Resolution No. 08-0856, dated June 3, 2008.

Sponsors: Gregory Holding

**Res.09-1736** Work done by Absolute Construction Enterprises under Contract 43-09 (K9-044), Solid Waste Garage - Interior Wall Insulation, be accepted and final payment authorized

Resolved, that the work done by Absolute Construction Enterprises, Inc. under Contract 43-09 (K9-044), Solid Waste Garage - Interior Wall Insulation, be accepted and final payment authorized for a total contract amount of \$91,000.00.

Fiscal Note: Contract was authorized under Resolution No. 09-1526, dated July 21, 2009.

Sponsors: Gregory Holding

**Res.09-1737** Professional Services provided by Industrial Roofing Services under Contract 5-09 (K9-005), Insulation at Solid Waste Garage, be accepted and final payment authorized

Resolved, that the professional services provided by Industrial Roofing Services, Inc., under 5-09 (K9-005), Professional Services - Insulation of Solid Waste Garage, be accepted and final payment authorized for a total contract amount of \$7,000.00.

Fiscal Note: Contract was authorized under Resolution No. 09-1193, dated January 20, 2009.

Sponsors: Gregory Holding

**Res.09-1738** Professional services provided by Industrial Roofing Services under Contract 6-09 (K9-006), Memorial Hall Exterior Repairs, be accepted and final payment authorized

Resolved, that the professional services provided by Industrial Roofing Services, Inc., under Contract 6-09 (K9-006), Professional Services - Memorial Hall Exterior Repairs, be accepted and final payment authorized for a total contract amount of \$5,250.00.

Fiscal Note: Contract was authorized under Resolution No. 09-1194, dated January 20, 2009.

Sponsors: Gregory Holding

Res.09-1739 Work provided by Power Engineers, formerly Velocite Integration, under Contract 48-09 (K9-049), Cityworks Asset Management Implementation, be accepted and final payment authorized

Resolved, that the work provided by Power Engineers, Inc., formerly Velocite Integration, Inc., under Contract 48-09 (K9-049), Cityworks Asset Management Implementation, be accepted and final payment authorized for a total contract amount of \$57,800.00.

Fiscal Note: Contract was authorized under Resolution No. 09-1319, dated April 8, 2009.

Sponsors: Gregory Holding

Res.09-1740 Change Order No. 1 on Contract 18-09 (K9-018), 2009 Street Paving, A.W. Oakes & Son, be approved

Resolved, that Change Order No. 1 on Contract 18-09 (K9-018), 2009 Street Paving, A.W. Oakes & Son, Inc., contractor, be approved in the amount of \$23,766.90.

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

\$ 3,060.00 - Account 287.989.5310, Sanitary Sewers, Var. Loc.  
\$ 2,790.00 - Account 104.900.5420, Storm Sewer, Misc. Loc.  
\$17,916.90 - Account 988.908.5110, Bituminous Conc. St. Paving  
\$23,766.90 - Total

Fiscal Note: Funds are available as herein delineated.

Sponsors: Gregory Holding

Res.09-1741 Work done by A.W. Oakes & Son under Contract 18-09 (K9-018), 2009 Street Paving (R1), be accepted and final payment authorized

Resolved, that the work done by A.W. Oakes & Son, Inc., under Contract 18-09 (K9-018), 2009 Street Paving (R1), be accepted and final payment authorized for a total contract amount of \$821,458.30.

Fiscal Note: Contract was authorized under Resolution No. 09-1391, dated

May 6, 2009.

**Sponsors:** Gregory Holding

**Res.09-1742** Work done by Woodland Hills Contractor under Contract 23-09 (K9-024), Basin 17 & 18 Sewer Improvements, be accepted and final payment authorized

Resolved, that the work done by Woodland Hills Contractor, under Contract 23-09 (K9-024), Basin 17 & 18 Sewer Improvements, be accepted and final payment authorized for a total contract amount of \$244,904.76.

Further resolved, that the remaining balance be paid to Evergreen National Indemnity Company, or their representative, for distribution to the prime contractor and any unpaid or underpaid subcontractors.

**Fiscal Note:** Contract was authorized under Resolution No. 09-1316, dated April 8, 2009. The performance bond company will make all payments to the prime contractor and subcontractor(s) in accordance with the contract with no cost to the City of Racine for this agreement.

**Sponsors:** Gregory Holding

**Res.09-1743** Change Order No. 1 on Contract 51-08(09) (K8-059), City Hall Exterior Renovations, RAM Construction Services, be approved

Resolved, that Change Order No. 1 to Contract 51-08(09) (K8-059), City Hall Exterior Renovations, RAM Construction Services, contractor, as submitted, be approved in the deduct amount of \$39,463.00.

**Fiscal Note:** Change Order No. 1 will result in a decrease in contract price.

**Sponsors:** Gregory Holding

## H. Ordinances

**Ord.22-09** Ordinance No. 22-09

To amend Secs. 70-131, 94-279 and 70-1(b) of the Municipal Code of the City of Racine, Wisconsin relating to Boat ramps - Fifth Street boat ramp; Use of parking gates, and Violations; payment of forfeiture in lieu of court appearance.

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

**Part 1:**

Sec. 70-131 of the Municipal Code of the City of Racine is hereby amended as follows:

Add at the beginning of "(a)": "Between May 1st and November 1st"; change the word "No" to lower case "no", and at the end of paragraph add the

following phrase: "or at the pay station."

Add at the end of paragraph "(b)": "between May 1st and November 1st."

Add at the end of the section the following:

"(f) Between October 2nd of each year and April 30th of the following year, vehicles may park in the Fifth Street boat ramp area for \$5.00 per day or any portion thereof."

Part 2:

Sec. 94-279 of the Municipal Code of the City of Racine is hereby amended as follows:

Change the title to read: "Sec. 94-279. Use of parking gates/or pay station."

After the word "gate", add the following phrase, ", pay station" ....

Part 3:

Amend Sec. 70-1(b) of the Municipal Code of the City of Racine by adding after "Sec. 70-131(d)" the following violation:

"70-131(f) Boat ramp parking violation \$35.00"

Part 4:

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

Passed by the Common Council:

\_\_\_\_\_

Approved: \_\_\_\_\_

\_\_\_\_\_

Mayor

Attest:

\_\_\_\_\_

City Clerk

Fiscal Note: N/A

Sponsors: Aron Wisneski

Ord.23-09

Ordinance No. 23-09

To repeal and recreate Sec. 2-511 of the Municipal Code of the City of Racine, Wisconsin relating to Administration - Municipal Judge; Bailiff.

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

Part 1:

Sec. 2-511 of the Municipal Code of the City of Racine is hereby repealed and recreated to read as follows:

“Sec. 2-511. Bailiff.

A full-time police officer selected by the chief of police and approved by the municipal judge shall be assigned to the municipal court.”

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: Aron Wisneski

Ord.24-09

Ordinance No. 24-09

To amend Secs. 66-3(b) and 66-299 of the Municipal Code of the City of Racine, Wisconsin relating to Payment of forfeiture in lieu of court appearance; Penalty for violation.

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

Part 1:

Sec. 66-3(b) of the Municipal Code of the City of Racine is hereby amended by changing the amount of forfeiture in 66-296 from “\$125.00” to read “\$500.00” and by changing the amount of forfeiture in 66-297 from “\$325.00” to read “\$500.00.”

Part 2:

Section 66-299 of the Municipal Code of the City of Racine is hereby amended by adding the following sentence at the end of the section:

“A conviction of a licensee under this article shall constitute grounds for revocation of a Class A license.”



Part 3:

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

Passed by the Common Council:

\_\_\_\_\_

Approved: \_\_\_\_\_

\_\_\_\_\_

Mayor

Attest:

\_\_\_\_\_

City Clerk

Fiscal Note: N/A

Sponsors: Aron Wisneski and James T. Spangenberg

Ord.25-09

Ordinance No. 25-09

To create Sec. 46-38 of the Municipal Code of the City of Racine, Wisconsin relating to Purchasing Procedure - Purchasing Coalition.

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

Part 1:

Sec. 46-38 of the Municipal Code of the City of Racine, Wisconsin is hereby created to read as follows:

“Sec. 46-38 Purchasing Coalitions

When it is in the best interest of the City of Racine and consistent with competitive purchasing practices and regulations set forth in Chapter 16, Wis. Stat., the purchasing agent may enter into agreements with purchasing agents of the federal government or of any other state or municipality or group of municipalities under which any of the parties may agree to participate in, administer or conduct purchasing of materials, supplies, equipment, permanent personal property or contractual services.”

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: James T. Spangenberg

**I. Miscellaneous Business**

**J. Adjourn**

**Office of The City Clerk**

**If you are disabled and have accessibility needs or need information interpreted for you, please call the City Clerk's Office at 636-9171 at least 48 hours prior to this meeting.**