



# 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, September 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**

**09-4055**      **Subject:** communication from the City Attorney submitting the claim of Emile Mathis II for consideration.

**09-4056**      **Subject:** communication from the City Attorney submitting the claim of William Wilson and Cindy Wilson for consideration.

**09-4059**      **Subject:** Communication from the Grant Facilitator requesting permission to apply for and accept the Youth Gang Diversion 2010 Grant Announcement (Grant Control No. 2008-046) through the Wisconsin Office of Justice Assistance in the amount of \$91,000.

**09-4065**      **Subject:** Communication from the Assistant Commissioner of Public Works / Engineering requesting to transfer funds in the amount of \$103,500.00 from account 101.590.5750 - Street Light Pole Removal to account 940.000.5810 - Survey & Design for American Recovery and Reinvestment Act (ARRA) Stage 2 & 3 professional services - Contract 41-09.

**09-4076**      **Subject:** Communication from the Assistant Commissioner of Public

Works/Engineering requesting to apply for the Focus on Energy LED Streetlight Retrofit grant.

[09-4078](#)

**Subject:** Request for a reallocation of funds to cover the demolition of 210 Goold Street.

[09-4079](#)

**Subject:** Request from Gorman and Company to amend the development agreement for the State at Main Development to increase the tax increment revenue bond by \$88,000.

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

[09-4080](#)

**Subject:** Communication from Emmaus Lutheran Church requesting to close Summit Avenue on September 20, 2009, from 12:00 noon to 6:00 p.m. for Festival Kermes - Independencia de Mexico.

**F. Committee Reports**

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

[09-3861](#)

**Subject:** (Direct Referral) Communication from Alderman Wisneski of the 12th District submitting a petition from the neighbors of the 700, 800 and 900 blocks of Lathrop Avenue regarding the lighting.

**Recommendation of the Public Works and Services Committee on 7-14-09:** Defer

**Recommendation of the Public Works and Services Committee on 7-28-09:** That the replacement of the six city-owned street lights with decorative lighting units be approved.

Further recommends that the item be referred to the Finance and Personnel Committee for funding.

**Recommendation of the Finance & Personnel Committee on 08-24-09:** The item to be referred to the Committee of the Whole with action within two weeks.

**Fiscal Note:** The current estimate of additional costs for modifying the outstanding contract for decorative poles and lights is \$16,250. The city will also lose an estimated \$200 per year savings in utility costs by not utilizing the LED fixtures already purchased.

[09-3966](#)

**Subject:** Communication from the Interim Public Health Administrator requesting permission to accept funds and that the Mayor and City Clerk

enter into a contract with the Wisconsin Department of Health Services for the CDC Childhood Lead Poisoning Prevention Program. (Grant Control #2009-041) (Res.09-1582)

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

**08-24-09:** The Mayor and City Clerk be authorized and directed to enter into an \$83,317 agreement with the Wisconsin Department of Health Services for the Center for Disease and Control Lead Poisoning Prevention Grant (Grant Control No. 2009-041) to be utilized for the Childhood Lead Poisoning Prevention Program during the period of July 1, 2009 through June 30, 2010.

**Fiscal Note:** There is a 50% soft match required on the part of the City.

[09-3967](#)

**Subject:** Communication from the Interim Public Health Administrator requesting permission to accept funds and for the Mayor and City Clerk to enter into a contract with the Wisconsin Department of Agriculture Trade and Consumer Protection for prescription drug collection. (Grant Control #2009-042) (Res.09-1583)

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

**08-24-09:** The Mayor and City Clerk be authorized and directed to enter into a \$9,000 agreement with the Wisconsin Department of Agriculture for the Trade and Consumer Protection Prescription Drug Grant (Grant Control No. 2009-042) to be utilized for prescription drug collection partnering with Racine County Health Departments during the period of April 1, 2009 through December 31, 2009.

**Fiscal Note:** There is an in-kind soft match of \$3,000 required on the part of the City.

[09-3968](#)

**Subject:** Communication from the Interim Public Health Administrator requesting permission to accept funds and for the Mayor and City Clerk to enter into a contract with the Wisconsin Department of Health Services for the Racine Healthy Births Healthy Families Program. (Grant Control #2009-043) (Res.09-1584)

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

**08-24-09:** The Mayor and City Clerk be authorized and directed to enter into a \$545,000 agreement with the Wisconsin Department of Health Services for the Racine Healthy Births Healthy Families Program (Grant Control #2009-043) to be utilized for the Infant Mortality Prevention Program during the period of July 1, 2009 through June 30, 2011.

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

**09-3995**

**Subject:** Communication from the Director of Parks, Recreation & Cultural Services requesting to accept a donation from the Lions Club of Racine Civic Fund to purchase two Burke park benches for the Lockwood Park playground.

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

**08-24-09:** Permission be granted for the Director of Parks, Recreation & Cultural Services to accept a \$500 donation from the Lions Club of Racine to be utilized for the purchase of two Burke park benches for Lockwood Park and a letter of thanks be sent.

**Fiscal Note:** N/A

**09-4005**

**Subject:** Communication from Kuko Padilla requesting to waive the fee for the use of Pershing Skate Park for the annual "Bike Jam". (Res.09-1581)

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

**08-24-09:** Permission be granted for the fees to be waived for Kuko Padilla to utilize the Pershing Skate Park for the annual "Bike Jam" on August 29, 2009 with a Hold Harmless Agreement .

**Fiscal Note:** The fee would be \$318. Mr. Padilla has maintained the Pershing Skate Park for the last 12 years at no cost to the City.

**09-4008**

**Subject:** Communication from the City Attorney submitting the claim of Progressive Insurance regarding the insured John Debonis for consideration.

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

**08-24-09:** Progressive Insurance's claim requesting reimbursement in the amount of \$1,999.68 for damages to their insurer's auto, John Debonis, which allegedly ran over a manhole with a dislodged cover on Lathrop Ave. during a rain storm on June 19, 2009 be denied.

**Fiscal Note:** N/A

**09-4010**

**Subject:** Communication from the City Attorney submitting the claim of Mary Myers for consideration.

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

**08-24-09:** The claim of Mary Myers, 2838 Illinois St., requesting reimbursement of \$20,000 for cleanup and damaged items in her basement allegedly arising from a sewer backup on June 19, 2009 be denied.

**Fiscal Note:** N/A

09-4011

**Subject:** Communication from the Director of Parks, Recreation & Cultural Services requesting to accept a donation from New Concepts Self Development Center Inc. in the amount of \$1,500.00 for King Community Center programming.

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

**08-24-09:** Permission be granted for the Director of Parks, Recreation & Cultural Services accept a \$1,500 donation from New Concepts Self Development Center Inc. to be utilized for the King Community Center programming and a letter of thanks be sent.

**Fiscal Note:** N/A

09-4015

**Subject:** A communication from the Director of City Development requesting an advance of city funds to Community Development Block Grant and Emergency Shelter Grant programs to allow the City reimbursement to the grantee in anticipation of receipt of funds from the U.S. Department of Housing and Urban Development. (Res.09-1585)

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

**08-24-09:** Permission be granted for the City to advance funds to the Community Development Block Grant and Emergency Shelter Grant programs in the amount up to \$1,000,000 and the Committee be informed when the U.S. Department of Housing and Urban Development releases the awarded money to the City.

**Fiscal Note:** There are sufficient funds available for the advancement.

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

05-1353

**Subject:** Item 5 of January 3, 2006, communication from the owner of DeRango's Restaurant, 3114 Washington Avenue requesting the installation of traffic barriers on the north side of Washington Avenue, east of the restaurant.

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

**8-25-09:** The communication be received and filed.

**Fiscal Note:** N/A

06-1516

**Subject:** Item 11 of February 7, 2006, communication from Racine Sister City Planning Council requesting the City replace the present sister cities signs that are located on the "main" road/highway entrances to the City of Racine.

**Recommendation of the Public Works and Services Committee on****8-25-09:** The communication be received and filed.**Fiscal Note:** N/A**09-3990****Subject:** Communication from St. Catherine's High School requesting to close Park Avenue between 12th and 13th Streets on Sunday, September 5, 2010, from 10 a.m. to 5 p.m. for an Angel Block Party. (Res.09-1574)**Recommendation of the Public Works and Services Committee on****8-25-09:** That St. Catherine's High School be granted permission to close Park Avenue from 12th Street to 13th Street, on Saturday, September 5, 2009, from 10:00 a.m. to 5:00 p.m., for an angel block party.

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 this event.
- C. Any overtime costs incurred by any City department be charged to the sponsor.
- D. The sponsor shall pay a \$250.00 special event fee.

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

**Fiscal Note:** There will be nominal costs to various City departments, on a regular shift basis, to assist in implementing this event.

**09-4014****Subject:** Communication from the Senor de Tlacolula Committee requesting permission to use public right-of-way for a parade to commemorate the Mayordomia del Senor de Tlacolula on September 19, 2009. (Res.09-1575)**Recommendation of the Public Works and Services Committee on****8-25-09:** That the Senor de Tlacolula Committee be granted permission to close Park Avenue from 6th Street to Water Street, Water Street from Villa Street to Wisconsin Avenue, and Wisconsin Avenue from 3rd Street to 5th Street, on Saturday, September 19, 2009, from 4:30 p.m. to 5:30 p.m., for the Mayordomia del Senor de Tlacolula parade.

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 this event.
- C. Any overtime costs incurred by any City department be charged to the sponsor.
- D. The sponsor shall pay a \$250.00 special event fee.

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

**Fiscal Note:** There will be nominal costs to various City departments, on a regular shift basis, to assist in implementing this event.

09-4017

**Subject:** Communication from the Aldermen of the 4th, 7th, 8th, 12th and 14th Districts requesting to review the ordinances related to seasonal alternate side parking. (Ord.18-09)

**Recommendation of the Public Works and Services Committee on 8-25-09:** That Section 94-145, Parking prohibited between 2:00 a.m. and 6:00 a.m.; exceptions, be amended to provide for 7 day-a-week alternate side street parking restrictions to be enforced from December 1st to April 1st of each year.

**Fiscal Note:** Not applicable at this time.

09-4022

**Subject:** (Direct Referral) Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 23-08 (K8-027), PS - Bridge Inspection Services, Ayres Associates, consultant. (Res.09-1577)

**Recommendation of the Public Works and Services Committee on 8-25-09:** The professional services provided by Ayres Associates under Contract 23-08 (K8-027), Professional Services - Bridge Inspection Services, be accepted and final payment authorized for a total contract amount of \$20,747.32.

**Fiscal Note:** Contract was authorized under Resolution No. 08-0790, dated May 6, 2008.

09-4031

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/Engineering, on behalf of Nancy Teloh (2005 Phillips Ave) and Frank Bado (2045 Phillips Ave), requesting a public hearing for alley improvements bounded by 20th Street, 21st Street, Phillips Avenue and S. Memorial Drive. (Res.09-1586)

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

**8-25-09:** That the prayer of the petitioners be granted and that a preliminary resolution be introduced for the paving of the alley bounded by 20th Street, 21st Street, Phillips Avenue and S. Memorial Drive.

**Fiscal Note:** This is an assessable alley project and, therefore, all costs will be paid for by the abutting property owners.

[09-4036](#)

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/ Engineering submitting a professional services agreement for Basin KK Dye Water Flooding. (Res.09-1578)

**Recommendation of the Public Works and Services Committee on 8-25-09:** That the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with AECOM Technical Services for Basin KK Dye Water Flooding, at a price not-to-exceed \$14,193.00.

Further recommends that funds to defray the cost of these professional services be appropriated from Account 287.989.5310, Sanitary Sewer, Various Locations.

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

[09-4057](#)

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/Engineering submitting the State/Municipal Agreement for Stage 3 Local ARRA 2010, State ID: 2703-00-00/2703-00-70, South Memorial Drive (Chicory Rd to Brentwood Ct). (Res.09-1579)

**Recommendation of the Public Works and Services Committee on 8-25-09:** That the Assistant Commissioner of Public Works/Engineering be authorized and directed to enter into a State/Municipal Agreement for Stage 3 Local ARRA 2010, State ID: 2703-00-00/2703-00-70, S. Memorial Drive, from Chicory Road to Brentwood Court.

**Fiscal Note:** The estimated cost of this construction project is \$678,750.00 with \$667,890.00 of federal stimulus funds with the City's share being \$10,860.00. The City's share of the cost for this project will be included in the 2010 Capital Improvement Program.

[09-4066](#)

**Subject:** (Direct Referral) Communication from the Commissioner of Public Works/City Engineer submitting the Notice of Intent to Award a Performance Contract to Johnson Controls, Inc. for Energy Conservation and Facility Improvements. (Res.09-1576)

**Recommendation of the Public Works and Services Committee on 8-25-09:** That the Mayor and City Clerk be authorized and directed to



enter into an Energy Conservation and Facility Improvement Performance Contract for the installation of a 36.9 KW Solarvoltaic System and Lighting Improvements at the City Hall Annex in accordance with the proposal as submitted by Johnson Controls, Inc. in the amount of \$374,670.00.

Further recommends that funds to defray the cost of this contract be appropriated from the following accounts:

\$200,000.00 - Account 989.200.5030, Annex Solar Energy Project  
\$ 35,000.00 - Account 989.200.5010, Annex Retaining Wall Repairs  
\$ 4,670.00 - Account 988.220.5030, CHP Structural Repairs  
\$100,000.00 - WE Energies Grant  
\$ 35,000.00 - Focus on Energy Grant  
\$374,670.00 - Total

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

09-4075

**Subject:** (Direct Referral) Change Order No. 7 to Contract 52-07 (K7-061), Remodel Racine Zoological Gardens, Phase III, Seater Construction Co., Inc., contractor. (Res.09-1580)

**Recommendation of the Public Works and Services Committee on 8-25-09:** That Change Order No. 7 on Contract 52-07 (K7-061), Remodel Racine Zoological Gardens, Phase III, Seater Construction Co., Inc., contractor, be approved in the amount of \$45,780.31.

Further recommends that funding to defray the cost of this change order be appropriated from Account 930.054.5860, Zoo Remodel Phase III.

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

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

09-3952

**Subject:** Communication from the Director of Parks, Recreation & Cultural Services requesting to present the bids for Contract 54-09 (K9-055) Replace Softball Lights - Island Park South.

**Recommendation of the Public Safety and Licensing Committee on 8-10-09:** That the bid for replacement lights (Contract 54-09 (K9-055)) be approved if the Finance and Personnel committee can find the additional funding.

Further recommends that the request for additional funding be referred to the Finance & Personnel Committee.

**Fiscal Note:** Bid is \$38,000 excess of budget, \$126,108 total. (Contract 54-09).

09-3970

**Subject:** Application of Tango Bar LLC., O. Keith Fair, for a Change of Agent for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 509 Sixth Street. (1st District)

**Recommendation of the Public Safety and Licensing Committee on 8-10-09:** That the application of Tango Bar LLC., O. Keith Fair, for a Change of Agent for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 509 Sixth Street be approved.

**Recommendation of the Public Safety and Licensing Committee on 8-24-09:** That the application of Tango Bar LLC., O. Keith Fair, for a Change of Agent for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 509 Sixth Street be approved.

**Fiscal Note:** N/A

09-4062

**Subject:** (Direct referral) The Fire Chief requests the City waive formal bidding, allowing the City's Purchasing Agent to negotiate and sign an agreement with Pierce Fire Apparatus, committing to order a 2010 Fire Pumper. Initiating the process now avoids a significant price increase which begins January 1, 2010. (Res.09-1573)

Sixty percent (60%) of the funding is available in account 989.300.5020. The balance to be allocated in the 2010 Bonded Capital Outlay Program, as submitted in 2008.

**Recommendation of the Public Safety and Licensing Committee on 8-24-09:** The City waive formal bidding, allowing the City's Purchasing Agent to negotiate and sign an agreement with Pierce Fire Apparatus, committing to order a 2010 Fire Pumper be approved.

**Fiscal Note:** Sixty percent (60%) of the funding is available in account 989-300-5020. The balance to be allocated in the 2010 Bonded Capital Outlay Program as submitted in 2008.

### Traffic Commission Report, by Ald. Holding

09-3628

**Subject:** Communication from Lisa Baker, 1301 Romaine Ave, requesting a school crossing guard at the corner of Goid and Geneva for the 2009-2010 school year. (Res. 09-1572)

**Recommendation (6-15-09):** Defer

**Recommendation (7-20-09):** Defer

**Recommendation (8-17-09):** A crossing guard be implemented at the intersection of Geneva Street and Goold Street for the 2009 - 2010 school year.

**Fiscal Note:** Estimated additional salary cost is \$4,000.00 with funding needed to be appropriated in Account 101.310.5020, Police - Other Salaries.

[09-3691](#)

**Subject:** Communication from the Alderman of the 9th District requesting traffic control in the areas around Harvey and Maple Grove Parks.

**Recommendation (6-15-09):** Defer

**Recommendation (7-20-09):** Defer

**Recommendation (8-17-09):** Targeted enforcement be provided in the area and the item be received and filed.

**Fiscal Note:** N/A

[09-3696](#)

**Subject:** Communication from Eugene Modesti, Modesti Realty (1309 - 1311 High Street), requesting the removal of "One Hour" parking signs on High Street.

**Recommendation (7-20-09):** Defer

**Recommendation (8-17-09):** All parking restrictions be removed on High Street, both sides, from Dr. Martin Luther King, Jr. Drive to Charles Street.

**Fiscal Note:** There is a nominal cost to remove these signs.

[09-3789](#)

**Subject:** Communication from Bennett Olson, 4401 Lindermann Ave, requesting the placement of a stop sign on Lindermann Avenue between Ohio and Indiana Streets.

**Recommendation (7-20-09):** Defer

**Recommendation (8-17-09):** Targeted enforcement be provided in the area and the item be received and filed.

**Fiscal Note:** N/A

**09-4039**

**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 at any time" be amended:**

**By Deleting:**

1. High Street, south side, from 150 feet east of Charles Street east 60 feet.
2. High Street, north side, from Dr. Martin Luther King, Jr. Drive to Charles Street.

**B. 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. High Street, south side, from Dr. Martin Luther King, Jr. Drive to Charles Street.

#### **Transit and Parking Commission Report, by Ald. DeHahn**

**09-3825**

**Subject:** Communication from the Executive Director of PTMR requesting permission to relocate the bus stop at Douglas north of Hamilton to the south.

**Recommendation of Transit and Parking (7-29-09):** To approve the relocation of the bus stop at Douglas north of Hamilton to the south.

**Fiscal Note:** N/A

**Recommendation of the Traffic Commission (8-17-09):** Receive and file.

**Fiscal Note:** N/A

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

**09-4060**

**Subject:** (Direct Referral) Request from Ray Sanin of Copy Cat Music

seeking a conditional use permit to operate a music instruction and sales facility at 3425 Kinzie Avenue. (Res.09-1587)

**Recommendation of the City Plan Commission on 8-26-09:** That the item be Approved subject to staff conditions.

**Fiscal Note:** N/A

[09-4064](#)

**Subject:** (Direct Referral) Ordinance No. 16-09 relating to Purchas Incentive Program for municipal employees who are non-residents or renters.

**Recommendation of the City Plan Commission on 8-26-09:** That the item be Received and Filed.

**Fiscal Note:** N/A

#### **Community Development Committee Report, by Ald. Shakoor**

[09-3840](#)

**Subject:** Request of JML Healthcare Services LLC for HOME Housing Investment Partnerships Funding.

**Recommendation of the Community Development Committee on 8-27-09:** That the item be received and filed.

**Fiscal Note:** N/A

[09-3961](#)

**Subject:** Request of SAFE Haven, Inc. to transfer Community Development Block Grant (CDBG) funds from the Gang Crime Diversion Task Force to re-roofing the Safe Passage house, 1600 West Sixth Street.

**Recommendation of the Community Development Committee on 8-27-09:** That the request of SAFE Haven, Inc. to transfer funds be denied.

**Fiscal Note:** Funds are subject to recapture to the Local Option Fund.

[09-3964](#)

**Subject:** Request of Project New Life Community Development Corporation for additional HOME Housing Investment Partnerships funds. (Res.09-1589)

**Recommendation of the Community Development Committee on 8-27-09:** That up to \$45,677 in HOME Housing Investment Partnership funds be granted to Project New Life Community Development Corporation to complete renovation of 1017 Marquette Street.

**Fiscal Note:** HOME funds are available in the amount recommended.

[09-4004](#)

**Subject:** Request of the Racine Interfaith Coalition to revise the scope of services and program budget of a CDBG-funded activity.  
(Res.09-1590)

**Recommendation of the Community Development Committee on 8-27-09:** That the scope of services and budget of the Violence No More program be revised to include training in web design, photography and graphic arts and coordinated with the George Bray and Dr. Martin Luther King, Jr. community centers.

**Fiscal Note:** There is no change in the amount of funds allocated to this activity.

**Housing Loan Board Report, by Ald. Shakoor**

[09-4016](#)

**Subject:** Request to establish a Choose Racine Home Purchase Program for city, county, and school district employees. (Res.09-1588)

**Recommendation of the Loan Board of Review on August 20, 2009:** That the Common Council establish a Choose Racine home purchase program through which eligible employees of the city, county, school district, technical college and employees of the state may purchase city-owned homes at 50% of the listed price.

**Fiscal Note:** The program will broaden the market for homes that are already in city ownership and listed for sale. No additional costs will be incurred because of the program.

**Mayor's Office Report, by Ald. Q. A. Shakoor, II**

[09-4077](#)

**Subject:** Communication from Mayor Dickert nominating appointments/reappointments to the following committees, boards and/or commissions:

Appoint Mr James DeMatthew 2908 Chatham Street Racine WI 53402 to the Civic Centre Commission filling the current vacancy for a term expiring May 1, 2011

Appoint Ms. Krystyna Sarrazin 1753 College Ave Racine, WI 53403 to the Civic Centre Commission filling the current vacancy for a term expiring May 1, 2011

Reappoint Michael Fox 427 Jonathon Dr Racine WI 53402 to the Board

of Harbor Commissioners for a 3 year term expiring June 1, 2012

Reappoint Tony Herman 3430 Michigan Blvd Racine, WI 53402 to the Board of Harbor Commisioners for a 3 year term expiring June 1, 2012

Appoint Gary Anderson 1536 Wolff St Racine, WI 53402 to the Civic Centre Commission filling the current vacancy for a term expiring May 1, 2011

## G. Consent Agenda - Resolutions

**Res.09-1572** Approval for crossing guard for the 2009-2010 school year at intersection of Geneva Street and Goold Street

Resolved, that a crossing guard be implemented at the intersection of Geneva Street and Goold Street for the 2009-2010 school year.

Fiscal Note: Estimated additional salary cost is \$4,000.00 with funds appropriated from Account 101.310.5020, Police - Other Salaries.

Sponsors: Gregory Holding

**Res.09-1573** Waive formal bidding procedures and authorize Purchasing Agent to negotiate and sign agreement with Pierce Fire Apparatus for 2010 Fire Pumper

Resolved, that formal bidding procedures be waived and that the Purchasing Agent be authorized and directed to negotiate and sign an agreement with Pierce Fire Apparatus, committing to order a 2010 Fire Pumper.

Fiscal Note: Sixty percent (60%) of the funding is available in Account 989-300-5020. The balance to be allocated in the 2010 Bonded Capital Outlay Program as submitted in 2008.

Sponsors: Aron Wisneski

**Res.09-1574** St. Catherine's High School granted permission to close Park Avenue for Angel Block Party

Resolved, that St. Catherine's High School be granted permission to close Park Avenue from 12th Street to 13th Street, on Saturday, September 5, 2009, from 10:00 a.m. to 5:00 p.m., for an angel block party.

Further resolved, that permission be granted with the following stipulations:

- A. A hold harmless agreement be executed.
- B. Proof of liability insurance be filed prior to this event.
- C. Any overtime costs incurred by any City department be charged to the sponsor.
- D. The sponsor shall pay a \$250.00 special event fee.

Further resolved, that the Commissioner of Public Works/City Engineer and

Chief of Police provide limited assistance, in the interest of public safety, to implement this event.

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

Sponsors: Gregory Holding

**Res.09-1575** Senor de Tlacolula Committee granted permission to close Park Avenue on September 19 for a parade

Resolved, that the Senor de Tlacolula Committee be granted permission to close Park Avenue from 6th Street to Water Street, Water Street from Villa Street to Wisconsin Avenue, and Wisconsin Avenue from 3rd Street to 5th Street, on Saturday, September 19, 2009, from 4:30 p.m. to 5:30 p.m., for the Mayordomia del Senor de Tlacolula parade.

Further resolved, that permission be granted with the following stipulations:

- A. A hold harmless agreement be executed.
- B. Proof of liability insurance be filed prior to this event.
- C. Any overtime costs incurred by any City department be charged to the sponsor.
- D. The sponsor shall pay a \$250.00 special event fee.

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

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

Sponsors: Gregory Holding

**Res.09-1576** Permission to enter into Energy Conservation and Facility Improvement Contract for lighting improvements at City Hall Annex with Johnson Controls

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an Energy Conservation and Facility Improvement Performance Contract for the installation of a 36.9 KW Solarvoltaic System and Lighting Improvements at the City Hall Annex in accordance with the proposal as submitted by Johnson Controls, Inc. in the amount of \$374,670.00.

Further resolved, that funds to defray the cost of this contract be appropriated from the following accounts:

\$200,000.00 - Account 989.200.5030, Annex Solar Energy Project  
\$ 35,000.00 - Account 989.200.5010, Annex Retaining Wall Repairs  
\$ 4,670.00 - Account 988.220.5030, CHP Structural Repairs  
\$100,000.00 - WE Energies Grant  
\$ 35,000.00 - Focus on Energy Grant



\$374,670.00 - Total

Fiscal Note: Funds are available as herein delineated.

Sponsors: Gregory Holding

**Res.09-1577** Professional services provided by Ayres Associates under Contract 23-08 (K8-027), Bridge Inspection Services, be accepted and final payment authorized

Resolved, that the professional services provided by Ayres Associates under Contract 23-08 (K8-027), Professional Services - Bridge Inspection Services, be accepted and final payment authorized for a total contract amount of \$20,747.32.

Fiscal Note: Contract was authorized under Resolution No. 08-0790, dated May 6, 2008.

Sponsors: Gregory Holding

**Res.09-1578** Professional Services Agreement with AECOM for Basin KK Dye Water Flooding be approved

Resolved, that the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with AECOM Technical Services for Basin KK Dye Water Flooding, at a price not-to-exceed \$14,193.00.

Further resolved, that funds to defray the cost of these professional services be appropriated from Account 287.989.5310, Sanitary Sewer, Various Locations.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Gregory Holding

**Res.09-1579** Permission to enter into a State/Municipal Agreement for Stage 3 Local ARRA 2010, S. Memorial Drive Project

Resolved, that the Assistant Commissioner of Public Works/Engineering be authorized and directed to enter into a State/Municipal Agreement for Stage 3 Local ARRA 2010, State ID: 2703-00-00/2703-00-70, S. Memorial Drive, from Chicory Road to Brentwood Court.

Fiscal Note: The estimated cost of this construction project is 4678,750.00 with \$667,890.00 of federal stimulus funds with the City's share being \$10,860.00. The City's share of the cost for this project will be included in the 2010 Capital Improvement Program.

Sponsors: Gregory Holding

**Res.09-1580** Change Order No. 7 to Contract 52-07 (K7-061), Remodel Racine Zoological Gardens, Phase III, Seater Construction, be approved

Resolved, that Change Order No. 7 on Contract 52-07 (K7-061), Remodel Racine Zoological Gardens, Phase III, Seater Construction Co., Inc., contractor, be approved in the amount of \$45,780.31.

Further resolved, that funding to defray the cost of this change order be appropriated from Account 930.054.5860, Zoo Remodel Phase III.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Gregory Holding

[Res.09-1581](#) Permission to waive fees for "Bike Jam" at Pershing Park Skate Park contingent on entering into a Hold Harmless Agreement with the City

Resolved, that permission be granted for the fees to be waived for Kuko Padilla to utilize the Pershing Skate Park for the annual "Bike Jam" on August 29, 2009 with a Hold Harmless Agreement .

Fiscal Note: The fee would be \$318. Mr. Padilla has maintained the Pershing Skate Park for the last 12 years at no cost to the City.

Sponsors: James T. Spangenberg

[Res.09-1582](#) Permission to accept funds and enter into contract with Wisconsin Department of Health Services for CDC Childhood Lead Poisoning Prevention Program

Resolved, that permission be granted to accept funds, and the Mayor and City Clerk be authorized and directed to enter into an \$83,317 agreement with the Wisconsin Department of Health Services for the Center for Disease and Control Lead Poisoning Prevention Grant (Grant Control No. 2009-041) to be utilized for the Childhood Lead Poisoning Prevention Program during the period of July 1, 2009 through June 30, 2010.

Fiscal Note: There is a 50% soft match required on the part of the City.

Sponsors: James T. Spangenberg

[Res.09-1583](#) Permission to accept funds and enter into contract with Wisconsin Department of Agriculture Trade and Consumer Protection for prescription drug collection

Resolved, that permission be granted to accept funds, and the Mayor and City Clerk be authorized and directed to enter into a \$9,000 agreement with the Wisconsin Department of Agriculture for the Trade and Consumer Protection Prescription Drug Grant (Grant Control No. 2009-042) to be utilized for prescription drug collection partnering with Racine County Health Departments during the period of April 1, 2009 through December 31, 2009.

Fiscal Note: There is an in-kind soft match of \$3,000 required on the part of the City.

Sponsors: James T. Spangenberg

[Res.09-1584](#) Permission to accept funds and enter into contract with Wisconsin Department of Health Services for Racine Healthy Births Healthy Families Program

Resolved, that permission be granted to accept funds, and the Mayor and City Clerk be authorized and directed to enter into a \$545,000 agreement with the Wisconsin Department of Health Services for the Racine Healthy Births Healthy Families Program (Grant Control #2009-043) to be utilized for the Infant Mortality Prevention Program during the period of July 1, 2009 through June 30, 2011.

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

Sponsors: James T. Spangenberg

[Res.09-1585](#) Permission to advance funds to Community Development Block Grant and Emergency Shelter Grant programs

Resolved, that permission be granted for the City to advance funds to the Community Development Block Grant and Emergency Shelter Grant programs in the amount up to \$1,000,000, and the Committee be informed when the U.S. Department of Housing and Urban Development releases the awarded money to the City.

Fiscal Note: There are sufficient funds available for the advancement.

Sponsors: James T. Spangenberg

[Res.09-1586](#) Preliminary - Ten (10) Year Benefits and Damages

Resolved, by the Common Council of the City of Racine, Wisconsin:

1. The Common Council hereby declares its intention to exercise its power under §. 66.0703, Wisconsin Statutes, to levy special assessments upon property within the following described area for benefits conferred upon such property by improvement of the following street(s):

All property fronting upon both sides:

**PORTLAND CEMENT CONCRETE PAVING**

**Alley bounded by 20th Street, 21st Street, Phillips Avenue and South Memorial Drive.**

2. Said public improvement shall consist of **PORTLAND CEMENT CONCRETE PAVING**.
3. The total amount assessed against such district shall not exceed the total cost of the improvements and the amount assessed against any parcel

shall not be greater than the benefits accruing thereto from said improvements.

4. The assessments against any parcel may be paid in cash or in ten (10) annual installments.
5. The Commissioner of Public Works is directed to prepare a report consisting of:
  - a. Preliminary or final plans and specifications for said improvement.
  - b. An estimate of the entire cost of the proposed work or improvement.
  - c. An estimate, as to each parcel of property within the assessment district, of:
    - (1) The assessment of benefits to be levied.
    - (2) The damages to be awarded for property taken or damaged.
    - (3) The net amount of such benefits over damages or the net amount of such damages over benefits.

Upon completing such report, the Commissioner of Public Works is directed to file a copy thereof on the City Clerk's Office for public inspection.

6. Upon receiving the report of the Commissioner of Public Works, the City Clerk is directed to give a Class 1 notice of a public hearing on such report as specified in §. 66.60(7), Wisconsin Statutes.

The hearing shall be held at the Council Chambers in the City Hall at a time set by the Clerk in accordance with §. 66.0703 (7)(a), Wisconsin Statutes.

**Sponsors:** Gregory Holding

**Res.09-1587** Conditional Use Permit to operate a music instruction and sales facility at 3425 Kinzie Avenue be approved

Resolved, that the request of Ray Sanin for a Conditional Use Permit to operate a music instruction and sales facility at 3425 Kinzie Avenue be approved subject to the following conditions:

- a. That the plans dated August 11 and August 17, 2009, and presented to the Plan Commission on August 26, 2009, be approved subject to the conditions of section 114-274 (13), Municipal Code of Ordinances, and the conditions contained herein.
- b. That the hours that the business is open to the public are: Monday through Friday, 10:00 a.m. to 8:00 p.m.; Saturday, 10:00 a.m. to 6:00 p.m.; closed on Sunday.
- c. That signage is limited to the window signage described in the

submitted plans.

- d. That all applicable permits be obtained from the Building Inspection Department.
- e. That no minor changes be made from the conditions of this permit without the approval of the Director of City Development, and no major changes be made from the conditions of this permit without the approval of the Plan Commission and/or the Common Council.
- f. That this permit is subject to Plan Commission review for compliance with these conditions.

Fiscal Note: N/A

Sponsors: Gregory Holding

**Res.09-1589** Additional funds be granted to Project New Life Community Development Corporation for renovation of 1017 Marquette Street

Resolved, that up to \$45,677 in HOME Housing Investment Partnership funds be granted to Project New Life Community Development Corporation to complete renovation of 1017 Marquette Street.

Fiscal Note: HOME funds are available in the amount recommended.

Sponsors: Q.A. Shakoor, II

**Res.09-1590** Permission granted to revise scope of services and program budget of Violence No More Program

Resolved, that the scope of services and budget of the Violence No More program be revised to include training in web design, photography and graphic arts and coordinated with the George Bray and Dr. Martin Luther King, Jr. community centers.

Fiscal Note: There is no change in the amount of funds allocated to this activity.

Sponsors: Q.A. Shakoor, II

## H. Resolution

**Res.09-1588** Permission granted to establish a Chose Racine Program for sale of city-owned homes to qualified employees of the City of Racine, Racine County, Racine Unified School District, and Gateway Technical College

Resolved, that there is hereby established a Chose Racine program for sale of city-owned homes to qualified employees of the City of Racine, Racine County, Racine Unified School District, and Gateway Technical College.

Further resolved, that the program shall have the following characteristics and

eligibility criteria:

An eligible employee is a person employed by one of the governmental units who does not currently reside in the City of Racine or who rents a residence in the City of Racine.

The home would be sold to the employee for 50% of the list price of the home, on the condition that the employee resides in the home for five (5) years. Compliance with this condition would be secured by a recorded mortgage and/or deed restriction.

The employee would have to demonstrate financial capacity and/or creditworthiness sufficient for any home improvements that are planned and for basic repairs and maintenance.

If federal funding that requires maintenance of housing affordability was used in the acquisition or repair of the home, the employee-buyer must be income qualified.

Further resolved, that Housing Department shall administer the program, subject to standards and procedures adopted by the Loan Board of Review. The Loan Board of Review shall approve or disapprove applications for home purchases under the program.

Fiscal Note: The program will broaden the market for homes that are already in city ownership and listed for sale. No additional costs will be incurred because of the program.

Sponsors: Q.A. Shakoor, II

## I. Ordinances

### Ord.18-09 Ordinance No. 18-09

To repeal and recreate Section 94-145 of the Municipal Code of the City of Racine, Wisconsin relating to Parking Regulations; Parking prohibited between 2:00 a.m. and 6:00 a.m.; exceptions.

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

#### Part 1:

Section 94-145 of the Municipal Code of the City of Racine is hereby repealed and recreated to read as follows:

“Sec. 94-145. Parking prohibited between 2:00 a.m. and 6:00 a.m.; exceptions.

The operator or owner of any vehicle shall not park such vehicle between the hours of 2:00 a.m. and 6:00 a.m. on any street in the city, except that this prohibition shall not apply to the following:

- (1) Any Saturday or Sunday morning excepting from December 1st to April 1st of each year.
- (2) Any holiday as designated in Section 94-20.
- (3) Those blocks where parking is prohibited along one entire side.
- (4) The even-numbered side of any street on the morning of any even-numbered day.
- (5) The odd-numbered side of any street on the morning of any odd-numbered day.
- (6) Those blocks where parking is prohibited from 6:00 a.m. to 8:00 a.m.
- (7) Those blocks designated as cul-de-sacs.
- (8) Those blocks within two blocks of a construction zone.”

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

**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.**