



City of Racine

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

Meeting Minutes - Final Public Safety and Licensing Committee

*Chairman Aron Wisneski, Alderman David Maack, Alderman
Jim Kaplan, Alderman Robert Mozol, Alderman Sandy
Weidner*

Monday, February 8, 2010

5:00 PM

City Hall, Room 205

Call To Order

PRESENT: 5 - Alderman Wisneski, Jim Kaplan, Robert Mozol, David L. Maack and Sandy Weidner

Approval of Minutes for the January 25, 2010 Meeting.

Minutes of the previous meeting were approved as printed on motion of Alderman Maack.

10-4695

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting to enter in an agreement with Butterfield, Rudie & Seitz Architects, Inc. to update plans and specifications for roof column repairs at the Zoological Gardens. (Res.10-1861)

Recommendation of the Public Safety and Licensing Committee on 2-8-10: That the agreement with Butterfield, Rudie and Seitz Architects, Inc to update plans and specifications for roof column repairs at the Zoological Gardens be approved.

Fiscal Note: Funds of \$330.00 are available in account 990.740.5020, Zoo North End Building

Director Snow spoke on the plans and agreements for roof column repairs.

Recommended For Approval

10-4696

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting final payment for Design of Root River Canoe access by Nielsen Madsen & Barber, S.C. (Res.10-1862)

Recommendation of the Public Safety and Licensing Committee on 2-8-10: That the final payment be made for the Design of Root River Canoe access by Nielsen Madsen & Barber, S.C.

Fiscal Note: \$4,000.00 is available in account 101.170.5610.

Director Snow spoke on the final payment for the Root River Canoe Access.

Recommended For Approval

[10-4697](#)

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting to enter in an agreement with Southport Consulting, Inc. to prepare plans and specifications for Boiler Replacement at Dr. Bryant Community Center. (Res.10-1863)

Recommendation of the Public Safety and Licensing Committee on 2-8-10: That permission be granted to the Director of Parks, Recreation & Cultural Services to enter into an agreement with Southport Consulting, Inc. to prepare plans and specifications for Boiler Replacement at Dr. Bryant Community Center.

Fiscal Note: The cost not to exceed \$5,900.00 plus reimbursable costs are available in account 990-680-5010.

Director Snow spoke on the plans and specifications for Boiler Replacement at Dr. Bryant Community Center.

Recommended For Approval

[10-4698](#)

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting to enter in an agreement with Southport Consulting, Inc. to prepare plans and specifications for HVAC updates at Wustum Museum. (Res.10-1864)

Recommendation of the Public Safety and Licensing Committee on 2-8-10: That permission be granted to the Director of Parks, Recreation & Cultural Services to enter into an agreement with Southport Consulting, Inc. to prepare plans and specifications for HVAC updates at Wustum Museum.

Fiscal Note: Cost not to exceed \$3,700.00 plus reimbursable costs. Funds are available in account 655.000.5980 Wustum HVAC.

Director Snow spoke on the plans and specifications for HVAC updates at Wustum Museum.

Recommended For Approval

[10-4703](#)

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting to enter in an agreement with Nielsen Madsen & Barber to prepare plans and specifications for Parks Department Pavement Projects. (Res.10-1865)

Recommendation of the Public Safety and Licensing Committee on 2-8-10: That permission be granted to the Director of Parks, Recreation & Cultural Services to enter into an agreement with Nielsen Madsen & Barber to prepare plans and specifications for Parks Department Pavement Projects be approved.

Fiscal Note: The cost is not to exceed \$24,500 plus reimbursable costs. Funds are available in the following accounts:

990.700.5020. Parks Paving Projects 10 yr. plan, \$17,605.00

990.650.5020, Humble Repave Loop Road, \$2,127.00

990.740.5010, Blacktop Paths through Zoo, \$1,100.00

207.000.5750, Cemetery Roads & Walks, \$3,668.00

Director Snow spoke on the agreement with Nielsen Madsen & Barber to prepare plans and specifications for Parks Department Pavement Projects.

Recommended For Approval

[10-4707](#)

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting to enter in an agreement with U.S. Cellular Operating Company LLC for right of entry and testing at Lockwood Park for the purpose of assessing the feasibility of installing a cell tower at the park. (Res.10-1866)

Recommendation of the Public Safety and Licensing Committee

on 2-8-10: That permission be granted to the Director of Parks, Recreation & Cultural Services to enter into an agreement with U.S. Cellular Operating Company LLC for right of entry and testing at Lockwood Park for the purpose of assessing the feasibility of installing a cell tower at the park.

Fiscal Note: N/A

Director Snow spoke on accessing Lockwood Park for the purpose of assessing the feasibility of installing a cell tower at the park.

Recommended For Approval

[10-4715](#)

Subject: (New Change of Agent) Application of Piggly Wiggly, Gregory Duban, Agent, for a "Class A" Fermented Malt Beverage and Intoxicating Liquor License for 3900 Erie Street (15th District)

Recommendation of the Public Safety and Licensing Committee

on 2-8-10: That the change of agent application of Piggly Wiggly, Gregory Duban, Agent, for a "Class A" Fermented Malt Beverage and Intoxicating Liquor License for 3900 Erie Street be granted.

Fiscal Note: N/A

Gregory Duban, Agent, for a "Class A" Fermented Malt Beverage and Intoxicating Liquor License for 3900 Erie Street appeared on his own behalf.

Recommended For Approval

[10-4705](#)

Subject: (Direct Referral) Request of the Committee for the appearance of Mohammad O. Al-Abed, owner of Sunshine Supermarket for recent incidents at his establishment involving the sale of single cigarettes.

Recommendation of the Public Safety and Licensing Committee

on 2-8-10: That the City Attorney pursue communication with the State Licensing Office if the result of the upcoming court proceeding is anything less than a dismissal. Motion Carried.

Fiscal Note: N/A

Mohammad O. Al-Abed, owner of Sunshine Supermarket appeared on his own behalf involving the sale of single cigarettes. Officer Mahnke also spoke on the incidents. Alderman Maack made a motion to have the City Attorney contact the State Licensing Office and request follow up action based on the outcome of the agents appearance at City Court next week. The motion was amended by Alderman Mozol to have the City Attorney contact the State Licensing Office if the finding of the court hearing is anything less than dismissal.

Received and Filed

[10-4708](#)

Subject: (Direct Referral) Communication from Scott Hansen, Agent for The Warning Track, 1301 Washington Avenue requesting to appear before the committee to discuss amending his side agreement with the City.

Recommendation of the Public Safety and Licensing Committee

on 2-8-10: That the side agreement be amended to change the closing time to 2:30, and all other information in the side agreement remain as it stands.

Fiscal Note: N/A

Scott Hansen appeared on his own behalf.

Received and Filed

[10-4706](#)

Subject: (Direct Referral) Discussion on the Blind Alligator, 1655 Taylor Avenue.

Recommendation of the Public Safety and Licesning Committee

on 2-8-10: That the matter of the Blind Alligator, 1655 Taylor Avenue be referred to a due process hearing based on the number of police calls including 2 recent incidents, the existing health violations and the existing building violations to determine whether the license should be revoked or suspended.

Fiscal Note: The approximate cost is \$8,000.

Marcia Fernholtz and Officer Mahnke spoke on behalf of the City's findings.

Recommended For Approval

[10-4704](#)

Subject: (Direct Referral) Discussion of whether the committee should send a letter to establishments that hold a liquor license but are not

currently in operation per Ordinance 42-06.

Recommendation of the Public Safety and Licensing Committee on 2-8-10: That the letters would be a duplication and the item be received and filed

Fiscal Note: N/A

Received and Filed

[09-4469](#)

Subject:(Direct Referral) Request of the committee to review documentation submitted by City Attorney on alcohol applications and supplemental documents currently being used by other municipalities.

Recommendation of the Public Safety & Licensing Committee on 12-7-09: That the item be deferred until the next meeting and the members look over the forms submitted and be ready to discuss new procedures.

Recommendation of the Public Safety & Licensing Committee on 12-21-09: That the item be deferred until the next meeting.

Recommendation of the Public Safety & Licensing Committee on 1-1-10: That the item be deferred for two weeks and committee members e-mail clerk's office with suggestions to form a working copy.

Recommendation of the Public Safety & Licensing Committee on 2-8-10: That the forms from Milwaukee be amended to reflect the changes created by Alderman Maack and implemented for use in the Clerks Office.

Fiscal Note: N/A

Alderman Maack made a motion for the forms from Milwaukee be amended to reflect the changes created by Alderman Maack and implemented for use in the Clerks Office.

Approved

[10-4731](#)

Subject: Licensed Premise Report 1-14-10 thru 2-3-10.

Recommendation of the Public Safety & Licensing Committee on 2-8-10: That the following agents be requested to appear at the next meeting based on recently reported occurrences: Grangers, 240 Main St.; American Legion, 1234 Douglas Ave.; The Place on 6th, 509 6th Street and Park 6, 500 6th Street and that a 12 month licensed

premise report be available for each site. The balance of the report to be received and filed.

Fiscal Note: N/A

Alderman Maack made a motion that the following establishments be called in based on recently reported occurrences: Grangers 240 Main St., American Legion 1234 Douglas Ave, The Place on 6th 509 6th Street and Park 6, 500 6th Street. and that the balance of the report to be received and filed.

Received and Filed

[10-4711](#)

Subject: (Direct Referral) Communication from the Purchasing Agent submitting the report of bids received on the sale of abandoned vehicles 1-25-2010.

Recommendation of the Public Safety & Licensing Committee on 2-8-10: That this item be received and filed.

Fiscal Note: This will generate revenue of \$7,123.01.

Recommended to be Received and Filed

[10-4721](#)

Subject: (Direct Referral) Applications for Operator's (Bartender's) Licenses for 2-8-2010.

Recommendation of the Public Safety & Licensing Committee on 2-8-10: That the licenses be granted.

Fiscal Note: N/A

Granted

[10-4700](#)

Subject: Ordinance 1-10

To repeal and recreate Sec. 6-59(b) and amend Secs. 6-59(c) and (d) of the Municipal Code of the City of Racine, Wisconsin relating to Alcoholic beverages - Grant of conditional license.

Recommendation of the Public Safety and Licensing Committee on 1-25-10: That the item be deferred until the next meeting.

Recommendation of the Public Safety and Licensing Committee on 2-8-10: Alderman Wisneski made a motion to adopt 1-10 with the following change the language in Part 1 third paragraph removing bi-monthly and adding every 60 days to the end of the sentence and add that the license fee be non-refundable, and the license would not be issued should the applicant complete construction after the granted deadlines.

Motion carried with the following vote: Ayes: Wisneski, Maack, Kaplan, Mozol Noes: Weidner.

Fiscal Note: N/A

Recommended For Approval

[10-4699](#)

Subject: Ordinance 2-10

To create Section 94-22 of the Municipal Code of the City of Racine, Wisconsin relating to Traffic and vehicles - Disorderly conduct with a motor vehicle.

Recommendation of the Public Safety & Licensing

Committee on 1-25-10: That Ordinance 2-10 be adopted as amended.

Recommendation of the Public Safety & Licensing

Committee on 2-8-10: That Ordinance 2-10 be adopted as presented.

Fiscal Note: N/A

Attorney Nicole Loop, Attorney Robert Weber spoke on behalf of the city on this matter and Dan Cramer 1254 Illinois St and David Segert 2716 19th St spoke against Ordinance 2-10.

Recommended For Approval

Adjournment

Meeting was adjourned at 8:35pm.