



City of Racine

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

Meeting Minutes - Final

Common Council

Alderman Jeff Coe
Alderman Mollie Jones
Alderman Michael Shields
Alderman Tracey Larrin
Alderman Steve Smetana
Alderman Sandy Weidner
Alderman Raymond DeHahn
Alderman Q.A. Shakoor II
Alderman Terry McCarthy
Alderman Dennis Wisner
Alderman Mary Land
Alderman Henry Perez
Alderman James Morgenroth
Alderman Jason Meekma
Alderman Melissa Lemke

Tuesday, May 3, 2016

7:00 PM

City Hall, Room 205

Mayor Dickert asked to be excused.

President Wisner presided over the Common Council meeting.

A. Call To Order

PRESENT: 14 - Coe, Jones, Shields, Larrin, Smetana, Weidner, DeHahn, Shakoor II, McCarthy, Wisner, Land, Perez, Morgenroth and Meekma

EXCUSED: 1 - Lemke

B. Pledge of Allegiance To The Flag

President Wisner led the Council in the Pledge of Allegiance to the Flag.

C. Approval of Journal of Council Proceedings (Minutes) for April 18 and April 19, 2016.

A motion was made by Alderman Shakoor, seconded by Alderman McCarthy that this be Adopted. The motion PASSED by the following vote:

AYES: 13 - Coe, Jones, Shields, Larrin, Smetana, Weidner, DeHahn, Shakoor II, McCarthy, Land, Perez, Morgenroth and Meekma

EXCUSED: 1 - Lemke

D. Public Comments

The following people appeared to speak before the Common Council:
Greg Holding
Sue Schmidt

*Steve Bellaire
Katie Bellaire
Brian Stevens
Yolanda Adams
Ken Yorgan
Vevlon Days-Kimmons
George Meyers
Yusuf Buckley
Beverly Hicks*

E. Communications

[0351-16](#)

Subject: Communication from the Chairman of the City of Racine Board of Ethics submitting their 2015-2016 Annual Report.

A motion was made by Alderman Shakoor II, seconded by Alderman DeHahn, that this Communication be Received and Filed.

AYES: 13 - Coe, Jones, Shields, Larrin, Smetana, Weidner, DeHahn, Shakoor II, McCarthy, Land, Perez, Morgenroth and Meekma

EXCUSED: 1 - Lemke

Refer to Finance and Personnel Committee, by Ald. Shakoor

[0350-16](#)

Subject: Communication from the Municipal Judge Mark Nielsen announcing his resignation, effective July 1, 2016.

Recommendation of the Finance & Personnel Committee on 05/09/2016: Recommend to receive and file.

Fiscal Note: N/A

Referred to Finance and Personnel Committee

[0385-16](#)

Subject: Communication from the City Clerk submitting the bid received for printing the Common Council Proceedings and legal notices for the period of June 1, 2016 through May 31, 2017. (Res No. 0167-16)

Recommendation of the Finance & Personnel Committee on May 9, 2016: The bid for printing Common Council Proceedings and all legal notices for the period June 1, 2016 through May 31, 2017 as required by Section 985.06 of the Wisconsin Statutes, received from The Journal Times, they being the only qualified bidder, be accepted for the sum of \$0.40 per line for the first insertion, \$0.39 per line for each subsequent insertion, \$1.00 per affidavits of publications, \$13.50 per page for printing Council Proceedings and \$55.00 per book of annual Council Proceedings.

Fiscal Note: There is an increase in the rate from \$.38 to \$.40 for first

insertion, and from \$.37 to \$.39 for each subsequent insertion. For Common Council proceedings the rate has increased from \$.39 to \$.40. Copies of Council proceedings have increased from \$13.00 per page to \$13.50 per page and from \$50.00 per book to \$55.00 per book.

Funds are available in account 11001 52315; City Council Advertising.

Referred to Finance and Personnel Committee

Refer to Public Safety and Licensing Committee, by Ald. Coe

[0346-16](#)

Subject: (New) Application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for Picos Tacos + Beer, LLC, dba Picos Tacos + Beer, 550 3 Mile, Angela Espinoza, Agent. (15th District)

Recommendation of the Public Safety and Licensing Committee on 05-10-16: That the (New) Application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for Picos Tacos + Beer, LLC, dba Picos Tacos + Beer, 550 3 Mile, Angela Espinoza, Agent be approved.

Fiscal Note: N/A

Referred to Public Safety and Licensing Committee

Refer to Redevelopment Authority of the City of Racine, by Ald Morgenroth

[0348-16](#)

Subject: (Direct Referral) A communication from the Interim Director of City Development seeking permission to accept a \$470,800.00 grant from the Wisconsin Department of Natural Resources - Knowles Nelson Stewardship Grant for the acquisition of 5.575 acres planned as the Machinery Row riverfront promenade (Grant Control #00035).

Referred to Redevelopment Authority of the City of Racine

Refer to Committee of the Whole, by Ald. Wisner

[0368-16](#)

Subject: Communication from the Alderman of the 6th District requesting to address, formalize and codify the balloting protocol for the election of the Council President. In specific, the question to be discussed is: should election of the Council President be the action of the Committee of the Whole, in which the mayor would not vote, or should the mayor be permitted, by ordinance, to break a tie, in essence, appoint, the Council President.

Referred to Committee of the Whole

Refer to Board of Parks, Recreation, and Cultural Services, by Ald. Land[0366-16](#)

Subject: Communication from Real Racine requesting use of Pershing Park and the Lake Michigan Pathway for the Wisconsin Senior Olympics 10k and 5k road races from Friday, August 12, 2016 through Saturday, August 13, 2016 and further requests set up to be permitted during park closed hours. (Res No. 0189-16)

Recommendation of the Board of Parks, Recreation & Cultural Services on May 11, 2016: To approve use of Pershing Park and the Lake Michigan Pathway for the Wisconsin Senior Olympics 10k and 5k road races from Friday, August 12, 2016 through Saturday, August 13, 2016 and further approve set up to occur during park closed hours.

Fiscal Note: Park Permit Fees & Charges as Applicable

Referred to Board of Parks, Recreation, and Cultural Services

F. Committee Reports**Finance and Personnel Committee Report, by Ald. Shakoor**[0302-16](#)

Subject: Communication from the City Attorney submitting the claim of Edward Hunt and Eleanore Hunt for consideration.

Recommendation of the Finance & Personnel Committee on 4/25/16: That the claim of Edward & Eleanore Hunt be denied.

Fiscal Note: N/A

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[0303-16](#)

Subject: Communication from the City Attorney submitting the claim of Julie Christiansen for consideration.

Recommendation of the Finance & Personnel Committee on 4/25/16: That the claim of Julie Christiansen be denied.

Fiscal Note: N/A

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[0329-16](#)

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting permission to accept \$35,000 in grant funds from NPRA/Wal-Mart Foundation to support the food service program at the Dr. John Bryant Community Center, Dr. Martin Luther

King Community Center and the Tyler Domer Community Center. (Res No. 0158-16)

Recommendation of the Finance & Personnel Committee on 4/25/16: Accept \$35,000.00 in grant funds from the NRPA/Walmart Foundation to support the food service program at the Dr. John Bryant Community Center, Dr. Martin Luther King Jr. Community Center and the Tyler Domer Community Center.

Fiscal Note: This grant does not require a match of funds. Grant #00088.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[0341-16](#)

Subject: Communication from the Purchasing Agent submitting bid results on Official Notice #9-2016 for TWENTY (20) CUMMINS DIESEL PARTICULATE FILTERS FOR GILLIG BUSES. (Res No. 0157-16)

Recommendation of the Finance & Personnel Committee on 4/25/16: Recommend that the bid for Official Notice #9-2016 for TWENTY (20) CUMMINS DIESEL PARTICULATE FILTERS FOR GILLIG BUSES be awarded to Wedge Radiator & AC, Inc. of Elkhorn, WI at the bid price of \$32,540.00 they being the lowest, responsive, responsible bidder.

Fiscal Note: Funds for this purchase are available in account 602 16110, Inventory.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[0356-16](#)

Subject: (Direct Referral) Communication from the Finance Director requesting City Council acknowledgement and endorsement of payment mandated by Racine County Circuit Court for Money Judgment 30301, in Case Number 10-CV-1963; Target Corporation vs. City of Racine, for refunds of 2009-2010 Real Estate Property Taxes, costs and interest totaling \$62,009.50 and authorization to execute a settlement agreement and payment with Target Corporation for partial refunds of 2011, 2013 and 2014 Real Estate Property Taxes. (Res No. 0160-16)

Recommendation of the Finance and Personnel Committee on 4/25/2016: The Racine County Circuit Court Money Judgement Number 30301 in Case Number 10-CV-1963, Target Corporation vs. City of Racine, in the amount of \$62,009.50 be paid from the 2015 Budget.

Further recommend that the Mayor and City Clerk be authorized and directed to execute a settlement agreement with Target Corporation for partial refunds of 2011, 2013 and 2014 real estate taxes in the amounts of \$81,517.65, \$93,204.36 and \$93,258.92 respectively for a total of \$267,980.93 be paid from the 2015 Budget.

Fiscal Note: There are sufficient funds available for the payment. Approximately half of payment amounts will be charged back to the other taxing jurisdictions.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[0362-16](#)

Subject: (Direct Referral) Communication request by the Interim Director of City Development seeking permission to apply for a \$400,000 WisDNR Knowles Nelson Stewardship grant for Machinery Row promenade development (design and construction). Grant Control #00094. (Res No. 0159-16)

Recommendation of the Finance & Personnel Committee on 4/25/16: Grant permission to apply for a \$400,000 WisDNR Knowles Nelson Stewardship grant for Machinery Row promenade development (design and construction). Grant Control #00094.

Fiscal Note: There is a local match of \$400,000. Funding sources are TID 18 and the Intergovernmental Revenue Sharing Fund

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

Public Works and Services Committee Report, by Ald. McCarthy

[0347-16](#)

Subject: (Direct Referral) Communication from Bob Holzem, Principal of St. Joseph Grade School, requesting to close St. Patrick Street between Erie Street and N. Wisconsin Street, on May 17, 2016, for a school event. (Res No. 0161-16)

This item was on the agenda for the April 26, 2016, meeting of the Public Works and Services Committee. However, the Committee was unable to act due to a lack of a quorum.

Staff Recommendation to the Public Works and Services Committee on 04-26-16: That St. Joseph's Grade School be granted permission to close St. Patrick Street, from Erie Street to N. Wisconsin Street, on May 17, 2016, for a Summer Olympics event approved with the following stipulation:

A. A hold harmless agreement be executed and a \$75.00 processing

fee paid.

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 notify all abutting property owners seventy-two (72) hours in advance of this event.

E. The sponsor shall pay a \$250.00 special event fee.

F. If required, sponsor shall be responsible for submitting a Temporary Traffic Control Plan to the Engineering Department for approval, and providing and removing all temporary traffic control devices and detour signs.

G. If required, sponsor shall provide a detour plan for the closure of all State connecting Highways, arterial and collector streets to the City Engineer for approval.

H. Sponsor is responsible for cleaning the streets.

I. If required, sponsor shall install parking meter hoods or temporary parking signs at least twenty-four (24) hours in advance of the event and if this is not done, sponsor is responsible for vehicle towing and parking violation expenses of the violators.

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 the various City departments, on a regular shift basis, to assist in implementing this event.

Alderman McCarthy requested that item 0347-16 be considered separately.

A motion was made by Alderman McCarthy, seconded by Alderman Coe, that this Communication be Approved as Presented. The motion PASSED by the following vote:

AYES: 13 - Coe, Jones, Shields, Larrin, Smetana, Weidner, DeHahn, Shakoor II, McCarthy, Land, Perez, Morgenroth and Meekma

EXCUSED: 1 - Lemke

Public Safety and Licensing Committee Report, by Ald. Coe

[0252-16](#)

Subject: Communication from the Municipal Judge and the City Attorney submitting the deposit schedule for violations Chapter 3 (Sex Offender Residency Restrictions), Chapter 6 (Alcoholic Beverages), Chapter 10 (Animals), Chapter 30 (Cemeteries), Chapter 42 (Environment), Chapter 66 (Offenses), and Chapter 94 (Traffic and Vehicles). (Ord No. 01-16)

Recommendation of the Public Safety and Licensing Committee on 04-12-16: That the deposit schedule provided by the Municipal

Judge and City Attorney be approved.

Fiscal Note: N/A

Recommendation of the Board of Cemetery Commissioners on 04-18-16: That the deposit schedule provided by the Municipal Judge and City Attorney be approved.

Fiscal Note: N/A

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[0318-16](#)

Subject: (New) Application for a "CLASS B" Fermented Malt Beverage and Intoxicating Liquor License for BT Eats LLC, 2920 Taylor Avenue, Brian P. Zielinski, Agent. (11th District).

Recommendation of the Public Safety and Licensing Committee on 04-26-16: That the application for a "CLASS B" Fermented Malt Beverage and Intoxicating Liquor License for BT Eats LLC, 2920 Taylor Avenue, Brian P. Zielinski, Agent be approved.

Fiscal Note: N/A

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[0324-16](#)

Subject: (New) Application of Santa Fe Grocery Store and Liquors LLC, Elsa Carrino Agent, for a New "Class A" Retail Fermented Malt Beverage and Intoxicating Liquor License for 516 High Street (4th District).

Recommendation of the Public Safety and Licensing Committee on 04-26-16: That the application of Santa Fe Grocery Store and Liquors LLC, Elsa Carrino Agent, for a New "Class A" Retail Fermented Malt Beverage and Intoxicating Liquor License for 516 High Street be approved.

Fiscal Note: N/A

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[0345-16](#)

Subject:(Direct Referral) (Renewal) Application of Floyd and Sons, Inc., for a 2016-2017 Motor Vehicle Towing License.

Recommendation of the Public Safety and Licensing Committee on 04-26-16: That the application of Floyd and Sons, Inc., for a 2016-2017 Motor Vehicle Towing License be approved.

Fiscal Note: N/A

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[0355-16](#)

Subject: (Direct Referral) Communication from the Purchasing Agent submitting the report on the bids received for the sale of Abandoned Vehicles, April 20, 2016.

Recommendation of the Public Safety and Licensing Committee on 04-26-16: That the item be Received and Filed as the highest responsible and only bidder was Sturtevant Auto Salvage.

Fiscal Note: This will generate \$15,768.00 in revenue for account 13101 48301.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

Transit and Parking Commission Report, by Ald. DeHahn

[0342-16](#)

Subject: Communication from the Transit and Parking System Manager requesting authorization for the Mayor and City Clerk to sign a 2016 contract for providing public transit service to the Racine Unified School District after review by the City Attorney. (Res No. 0163-16)

Recommendation of the Transit and Parking Commission on 04-20-16: That the Mayor and City Clerk be authorized and directed to enter into a 2016 contract with the Racine Unified School District to provide public transit service to the School District.

Fiscal Note: There will be a 0.5% increase in revenue for the transit system.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

City Plan Commission Report, by Ald. Wisner

[15-01056](#)

Subject: (Direct Referral) A request by Matt Richmond of Richmond Paints for a conditional use permit to operate an indoor painting and decorating contractor facility at 3402 Douglas Avenue. (PC-15)

Associate Planner Jill Johanneck advised the Commission that following the last deferral, there has been no contact from the applicant. Mr. Richmond was not present at the meeting to discuss his proposal or the conditions drafted by staff. Denial of the request is recommended.

Recommendation of the Plan Commission on 4/13/16: That this request be denied.

Fiscal Note: N/A

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[0108-16](#)

Subject: (Direct Referral) A request by Nicholas J. Infusino, representing Bill Moore & Associates Graphics, Inc. for exceptions to the Regency Mall Planned Development sign standards to permit signage exceeding the total square footage allowed for Ross Stores, Inc. (PC-16). (Res No. 0114-16)

Recommendation of the Plan Commission on 3/30/2016:

Recommends that the request by Nicholas J. Infusino, representing Bill Moore & Associates Graphics, Inc. for exceptions to the Regency Mall Planned Development sign standards to permit signage exceeding the total square footage allowed for Ross Stores, Inc. be approved subject to conditions.

Fiscal Note: N/A

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[0349-16](#)

Subject: (Direct Referral) A request by Karol Fahey of Insite, Inc., representing T-Mobile for consideration of a conditional use request to install antenna's and ancillary cellular equipment to the penthouse on the building located at 1207 State Street. (PC-16) (Res No. 0164-16)

Ms. Johanneck presented an overview of the area, surrounding properties, zoning and property views. The request presented would involve installation of three (3) antenna sector atop the penthouse for T-Mobile. All base equipment will be located in the building's basement.

This building is listed on the State Historical Registry and approval of the design was required by the State Historical Preservation Office (SHPO). The initial submittal was re-vamped and subsequently approved by SHPO. The antenna will be flush-mounted to the penthouse and screened with a photo vinyl wrapping which matches the existing brick work present on the building and penthouse. All ancillary mounts and cables will be painted to match the color of the building. Considering the stealth screening measures taken to screen the antenna, as well as the proposed location, the installation will have little to no visual impact and is recommended for approval.

Public Hearing Opened: 5:52 pm

1. Karol Fahey, applicant, summarized the request and was available for questions.

Public Hearing Closed: 5:53 p.m.

Recommendation of the Plan Commission on 04/27/16: That the request be approved, subject to conditions.

Fiscal Note: N/A

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[0352-16](#)

Subject: (Direct Referral) A request by Beatrice Johnson of Greater Works International, represented by Karen Sorenson for consideration of a conditional use to allow for an adult care and religious services facility at 1034 West Boulevard. (PC-16). (Res No. 0165-16)

Ms. Johanneck provided a review of the site location, property views, adjacent views and zoning information. Two operations, the Manna House Adult Day Care and Greater Works Prayer Center are requesting use of the property.

Manna House Adult Day Care is requesting approval to locate here from their current location to continue providing their adult care services for senior adults and those with dementia, Alzheimer's disease, traumatic brain injuries, developmental, emotional and mental disabilities and those of advanced age. The facility is currently licensed for up to 18 individuals and would occupy approximately 1/3 of the interior building area. Transportation services are not offered by the applicants, yet, there will be medical transport vans and Dart bus services coming to and from the site which the applicant advises averages between 8 and 12 trips daily. Hours of operation would be 6:00 am to 6:00 pm, Monday through Friday.

Greater Works Prayer Center is an organization offering worship services, Bible study classes, gatherings and community outreach. The center is requesting to locate in the building, occupying the remaining floor area with a sanctuary area. The applicant states that seating for 40 individuals will be provided. Hours of operation vary. They propose that main worship will be on Sunday's between 10:00 am and 1:00 pm; prayer meetings on Monday - Friday at 7:30 am and Bible study on Tuesday's at 10:30 am.

Sixteen (16) onsite parking spaces are required, as established by the informaton and uses presented. Though the site plan reflects 15 spaces available, this will drop to 13 with the installation of a dumpster

and enclosure, as well as a handicapped-access aisle. Staff feels the proposed combination of uses complement each other from a human services perspective, yet, retains reservations that the parking may be inadequate for the services offered. As the operations become functional, parking would be observed to ensure that the level of traffic and vehicle parking are within the parameters of approval. The parking lot is in need of being sealed and will require re-striping.

The building is constructed of concrete block and the exterior appears to be in good condition. It is recommended that the building be power-washed to enhance and brighten its appearance. Along the base of the east wall is a landscaping area. Upon inspection, the area was overgrown with mostly grass and will require maintenance and healthy landscape plantings. The existing pole sign structure will be fitted with new sign faces, which will represent both businesses. The sign area proposed is within district standards and no other signage was presented for review. Lighting on the south and west of the building is to be shielded downwards to reduce light spillage onto adjacent properties.

The findings of fact for the request were presented to the Commission for consideration in their recommendation to the Common Council.

Public Hearing Opened: 6:03 p.m.

There were no comments.

Public Hearing Closed: 6:03 p.m.

Recommendation of the Plan Commission 4/27/16: That the request be approved, subject to conditions.

Fiscal Note: N/A

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[0354-16](#)

Subject: (Direct Referral) A request from Ken Rusch, representing Romaine Wilson seeking a rezoning of the property at 2001 Racine Street from B-1 Neighborhood Convenience District to B-2 Community Shopping District with a FD-FLEX Development Overlay and a conditional use permit for a new and used tire facility. (PC-16) (ZOrd. 003-16)

Ms. Johanneck presented an overview of the area, surrounding properties and zoning of this and surrounding properties. The property, which houses a structure originally built and used for auto-related uses prior to the current Zoning Ordinance has been vacant for a period of over 12 consecutive months. As such, the non-conforming status for any automotive uses at the property has been lost. The current zoning

of B-1 does not allow auto-related uses, including the proposed tire facility. This is the basis for the rezoning request.

As the rezoning request was analyzed, it was apparent that maintaining the B-1 district development standards and uses was important to the area. The development pattern in the vicinity is of small-scale business operations and residential properties. The B-2 zoning district is not appropriate for the site based on the allowance for higher-intensity uses and the B-2 district development standards. To create additional business opportunities for small-scale, low-impact operations in conjunction with the underlying B-1 development standards, staff supports rezoning to add a FD Flex Development Overlay District. The current and any future proposals would remain subject to the B-1 development standards and the FD Flex Overlay Use Supplement, along with any conditional use requirements, to ensure business operations with minimal impacts. The proposal, as presented by the applicant could be accommodated with the addition of the FD Flex Development Overlay and accompanying conditional use application.

A brief overview of the conditional use proposal was provided, touching on the parking requirements, lighting, and hours of operation. A full analysis and recommendation on the conditional use is forthcoming and will be presented to the Commission, along with the proposed FD Flex Development Overlay Use Supplement at the next scheduled meeting.

Public Hearing Opened: 6:11 p.m.

1. Lee Finley, 2012 Mead Street. Spoke in opposition. Does not support the rezoning to B-2 and feels the use is bad for the neighborhood.
2. Attorney Ken Rusch spoke on the behalf of the petitioner, Romaine Wilson, explaining the proposed use and his and his client's understanding of the process before the commission. In response to Interim Director Sadowski, Atty. Rusch stated that B-1 Neighborhood Convenience zoning would be acceptable given the Flex and use supplement will allow his client use of the property as is proposed.

Public Hearing Closed: 6:13 p.m.

Motion by Commissioner Hall that a public hearing before the Common Council be scheduled and that an ordinance, a use supplement and a conditional use permit be prepared. The motion was seconded by Commissioner Durkin, motion carried. Ayes - all.

Recommendation of the Plan Commission 4/27/16: That a public hearing before the Common Council be scheduled, an ordinance prepared, a use supplement be prepared and a conditional use permit be prepared.

Fiscal Note: N/A

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

Office of the Mayor Report, by Ald. Shakoor

[0377-16](#)

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

Appoint Amy Connolly, Tinley Park, Illinois as Director of City Development.

Reappoint Alderman Jeff Coe, 1044 Villa St, Racine, 53403 to the Business Improvement District #1 (Downtown), for a 1 year term, expiring 5/2/17.

Reappoint Joey LeGath, 1423 Hickory Way, Racine, 53405 to the Business Improvement District #1 (Downtown), for a 3 year term, expiring 5/2/19.

Reappoint Ed Scharding, 606 6th St, Racine, 53403 to the Business Improvement District #1 (Downtown), for a 3 year term, expiring 5/2/19.

Reappoint Mark Levine, Darby Place, Racine, 53402 to the Business Improvement District #1 (Downtown), for a 3 year term, expiring 5/2/19.

Reappoint DeWayne Perry, 1300 Douglas Ave, Racine, 53402 to the Business Improvement District #4 (Douglas Ave), for a 3 year term, expiring 5/2/19.

Reappoint Chuck Mano, 1830 Charles Ave, Racine, 53404 to the Business Improvement District #4 (Douglas Ave), for a 3 year term, expiring 5/2/19.

Appoint Alderwoman Tracey Larrin 1228 N Wisconsin Ave, Racine, 53402 to the Business Improvement District #4 (Douglas Ave), for a 1 year term, expiring 5/2/17.

Reappoint Alderman Michael Shields, 1850 13th St, Racine, 53403 to the Business Improvement District #3 (Uptown), for a 3 year term, expiring 5/2/19.

Appoint Linnea Anthony, 1512 Washington Ave, Racine, 53403 to the Business Improvement District #3 (Uptown), for a 3 year term, expiring 5/2/19.

Appoint Alderman Terry McCarthy, 317 West Blvd, Racine, to the Wastewater Commission, to complete the term left vacant by retiring Ald. Hart, expiring 10/1/16.

Appoint Alderman Terry McCarthy, 317 West Blvd, Racine, to the Waterworks Commission, to complete the term left vacant by retiring Ald. Hart, expiring 10/1/16.

Reappoint Alderman James Morgenroth, 1500 Monroe Ave., Racine, 53405, to the Redevelopment Authority for a 1 year term, expiring 5/2/17.

Reappoint Alderwoman Mary Land, 2211 Hayes Ave., Racine, 53405, to the Board of Parks, Recreation, and Cultural Services for a 1 year term, expiring 5/2/17.

Reappoint Alderwoman Mary Land, 2211 Hayes Ave., Racine, 53405, to the Loan Board of Review for a 1 year term, expiring 5/2/17.

Reappoint Alderwoman Mary Land, 2211 Hayes Ave., Racine, 53405, to the Board of Health for a 1 year term, expiring 5/2/17.

Reappoint Alderman Ray DeHahn, 2706 Diane Ave, Racine, 53404, to the Affirmative Action Human Rights Commission for a 1 year term, expiring 5/2/17.

Appoint Alderwoman Melissa Lemke, 815 3-Mile Road, Racine, 53402, to the Affirmative Action Human Rights Commission for a 1 year term, expiring 5/2/17.

Appoint Alderman Terry McCarthy, 317 West Blvd, Racine, to the Traffic Commission, to a one year term, expiring 5/2/17.

Reappoint Alderman Ray DeHahn, 2706 Diane Ave, Racine, 53404, to the Community Development Block Grant Commission for a 1 year term, expiring 5/2/17.

Reappoint Alderman Ray DeHahn, 2706 Diane Ave, Racine, 53404, to the Transit and Parking Commission for a 1 year term, expiring 5/2/17.

Reappoint Alderman Henry Perez, 1017 Kentucky St, Racine, 53405, to the Community Development Block Grant Commission for a 1 year term, expiring 5/2/17.

Reappoint Alderman Jeff Coe, 1044 Villa St, Racine, 53403 to the Civic Center Commission for a 1 year term, expiring 5/2/17.

Reappoint Alderwoman Mollie Jones, 1900 Franklin St., Racine, 53403, to the Library Board, for a 1 year term, beginning 6/1/16, expiring 5/31/17.

Appoint Alderwoman Mollie Jones, 1900 Franklin St., Racine, 53403, to the Landmarks Preservation Commission, for a 1 year term, expiring 5/2/17.

Reappoint Alderman Dennis Wiser, 2517 Pinehurst Ave, Racine 53403 to the City Plan Commission, for a 1 year term, expiring 5/2/17.

Reappoint John Berge, Ph.D, 1529 Crabapple Dr, Racine 53405 to the Board of Health, for a 2 year term expiring 5/2/18.

Reappoint Alderwoman Mary Land, 2211 Hayes Ave., Racine, 53405, to the Board of Health for a 1 year term, expiring 5/2/17.

Appoint Alderwoman Tracey Larrin 1228 N Wisconsin Ave, Racine, 53402 to the Board of Health for a 1 year term, expiring 5/2/17.

Appoint James Kaplan 400 Kewaunee, Racine, 53404 to the Board of Health for a 2 year term, expiring 5/2/18.

Reappoint Laura Martinez, 800 Wisconsin Ave, Racine, 53403 to the Board of Health for a 2 year term, expiring 5/2/18.

Reappoint Sarah Fouse, PhD, 1900 21st St, Racine, 53403 to the Board of Health for a 2 year term, expiring 5/2/18.

Appoint Alderman Jason Meekma, 2839 Orchard St., 53045 to the Board of Parks, Recreation, and Cultural Services for a 1 year term, expiring 5/2/17

Appoint Jennifer Torres, 2122 Carmel Ave, Racine, 53405 to the Redevelopment Authority for a 5 year term expiring 5/2/21.

Appoint Anna Lisa Gonzalez, 2330 Chicory Rd, Racine, 53403 to the City Plan Commission, for a 3 year term expiring 5/2/19.

Alderman Shakoor requested that item 0377-16 be considered separately.

A motion was made by Alderman Shakoor II, seconded by Alderman DeHahn,

that this Communication be Approved as Presented. The motion PASSED by the following vote:

AYES: 12 - Coe, Jones, Larrin, Smetana, Weidner, DeHahn, Shakoor II, McCarthy, Land, Perez, Morgenroth and Meekma

NOES: 1 - Shields

EXCUSED: 1 - Lemke

G. Consent Resolution

[Res.0157-16](#)

Official Notice #9-2016 for Cummins Diesel Particulate Filters for Gillig Buses

Resolved, that the bid for Official Notice #9-2016 for twenty (20) Cummins diesel particulate filters for Gillig buses is awarded to Wedge Radiator & AC, Inc. of Elkhorn, WI at the bid price of \$32,540.00 it being the lowest, responsive, responsible bidder.

Fiscal Note: Funds for this purchase are available in account 602 16110, Inventory.

Sponsors: Q.A. Shakoor II

A motion was made that this Resolution be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[Res.0158-16](#)

Grant Funds from NPRA/Wal-Mart Foundation to Support Food Service Program

Resolved, that the Director of Parks, Recreation & Cultural Services is granted permission to accept \$35,000.00 in grant funds from the NRPA/Walmart Foundation to support the food service program at the Dr. John Bryant Community Center, Dr. Martin Luther King Jr. Community Center and the Tyler Domer Community Center.

Fiscal Note: This grant does not require a match of funds. (Grant Control #00088)

Sponsors: Q.A. Shakoor II

A motion was made that this Resolution be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[Res.0159-16](#)

WisDNR Knowles-Nelson Stewardship Grant for Machinery Row Promenade Development

Resolved, that the Interim Director of City Development is granted permission to apply for a \$400,000.00 WisDNR Knowles-Nelson

Stewardship grant for Machinery Row promenade development (design and construction).

Fiscal Note: There is a local match of \$400,000.00. Funding sources are TID 18 and the Intergovernmental Revenue Sharing Fund. (Grant Control #00094)

Sponsors: Q.A. Shakoor II

A motion was made that this Resolution be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[Res.0160-16](#)

Target Corporation vs. City of Racine Case No. 10-CV-1963

Resolved, that the money judgment ordered in Case No. 10-CV-1963, *Target Corporation vs. City of Racine*, for refunds of 2009-2010 real estate property taxes in the amount of \$62,009.50 are authorized to be paid from the 2015 Budget.

Further resolved, that the Mayor and City Clerk are authorized and directed to execute a settlement agreement with Target Corporation for partial refunds of 2011, 2013 and 2014 real estate taxes in the amounts of \$81,517.65, \$93,204.36 and \$93,258.92 respectively for a total of \$267,980.93 to be paid from the 2015 Budget.

Fiscal Note: There are sufficient funds available for the payment. Approximately half of payment amounts will be charged back to the other taxing jurisdictions.

Sponsors: Q.A. Shakoor II

A motion was made that this Resolution be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[Res.0161-16](#)

St. Joseph Grade School Street Closing for School Event

Resolved, that the request of the Principal of St. Joseph's Grade School is granted permission to close St. Patrick Street, from Erie Street to N. Wisconsin Street, on May 17, 2016, for a Summer Olympics event with the following stipulations:

A. A hold harmless agreement be executed and a \$75.00 processing fee paid.

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 notify all abutting property owners seventy-two (72) hours in advance of this event.

E. The sponsor shall pay a \$250.00 special event fee.

F. If required, sponsor shall be responsible for submitting a Temporary Traffic Control Plan to the Engineering Department for approval, and providing and removing all temporary traffic control devices and detour signs.

G. If required, sponsor shall provide a detour plan for the closure of all State connecting Highways, arterial and collector streets to the City Engineer for approval.

H. Sponsor is responsible for cleaning the streets.

I. If required, sponsor shall install parking meter hoods or temporary parking signs at least twenty-four (24) hours in advance of the event and if this is not done, sponsor is responsible for vehicle towing and parking violation expenses of the violators.

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 the various City departments, on a regular shift basis, to assist in implementing this event.

Sponsors: Terry McCarthy

A motion was made that this Resolution be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[Res.0163-16](#)

2016 Contract to Provide Public Transit Service to RUSD

Resolved, that the Mayor and City Clerk are authorized and directed to enter into a 2016 contract with the Racine Unified School District (RUSD) to provide public transit service to the Racine Unified School District.

Fiscal Note: There will be a 0.5% increase in revenue for the transit system.

Sponsors: Raymond DeHahn

A motion was made that this Resolution be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[Res.0164-16](#)

Antennas and Ancillary Cellular Equipment at 1207 State Street

Resolved, that the request by Karol Fahey of Insite, Inc., representing T-Mobile, for consideration of a conditional use request to install antennas and ancillary cellular equipment to the penthouse on the building located at 1207 State Street is approved subject to the following conditions:

- a. That the plans presented to the Plan Commission on April 27, 2016, be approved subject to the conditions contained herein.
- b. That approval is subject to plans with a Final revision date of March 23, 2016 and the Structural Analysis by Concordia Wireless, Inc. dated December 7, 2015.
- c. That all codes and ordinances be complied with and that all required permits be obtained.
- d. That the "high resolution vinyl brick pattern wrapping" surrounding the antenna shall be maintained and kept in a secure, clean, and acceptable condition at all times.
- e. That all ancillary exterior mounts, cables, etc. shall be painted to match the existing building.
- f. That the operator shall provide the City/County Communications Office within the Racine Police Department a current listing of all frequencies utilized by this facility and the name of a contact in charge of radio frequencies for the operator, and notify the City/County Communications Office of any changes in frequencies for this facility.
- g. That no minor changes be made from the conditions of this permit without the approval of the Plan Commission and no major changes be made from the conditions of this permit without the approval of the Common Council.
- h. That this permit is subject to review by the Plan Commission for compliance with the listed conditions.

Fiscal Note: N/A

Sponsors: Dennis Wisner

A motion was made that this Resolution be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[Res.0165-16](#)

Adult Day Care and Religious Services Facility at 1034 West Blvd.

Resolved, that the request by Beatrice Johnson of Greater Works International, represented by Karen Sorenson, for consideration of a conditional use request to allow an adult care and religious services facility at 1034 West Boulevard is approved, subject to the following conditions.

- a. That the plans presented to the Plan Commission on April 27, 2016 be approved subject to the conditions contained herein.
- b. That all applicable building and occupancy permits be obtained from the Building Inspection Department.
- c. That the hours of operation shall be from 6:00 a.m. - 6:00 p.m., Monday-Friday; and Sundays from 9:30 a.m. - 1:30 p.m.
- d. That the panels presented for replacement in the existing pole sign are approved. Any additional signage shall require review and approval by the Department of City Development prior to installation and issuance of any sign permits.
- e. That the exception allowing for 13 on-site parking spaces where 15 are required is approved. Should parking demand become a concern due to the amount of traffic generated by the site uses, the parking situation may be re-evaluated.
- f. That the following shall be accomplished prior to the issuance of an occupancy permit:
 - 1) Power-wash the building exterior.
 - 2) Install landscaping along the West Boulevard building frontage in accordance with plans submitted for the review and approval of the Director of City Development.
 - 3) Seal and stripe the parking lot. Provide the Department of City Development the re-striping plan.
 - 4) Present and implement a proposal for shielding existing exposed building lights away from adjacent properties.
 - 5) Add wheel stops to the parking spaces fronting the alleyway.
 - 6) Install dumpster and required screening, in accordance with plans to be submitted for the review and approval of the Director of City Development.
- g. That, if prior to occupancy, the requirements in condition f. are not

completed then a financial surety shall be provided to the City in an amount equal in value to the required improvements described in condition f. above, subject to the following terms:

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

2) The City is authorized by this Conditional Use permit to enter the site, implement the plan(s) and draw on the financial security for the cost of implementation if required improvements are not completed by time of the issuance of an occupancy permit, or by an earlier date as may be required herein. Any costs incurred in excess of the value of the financial security shall be paid by the applicant or owner or shall be imposed as a special charge against the real property in accordance with the applicable statute.

3) By operating under this Conditional Use, the applicant and owner give permission to the City to enter upon the property for the purposes described herein.

h. That failure to maintain operational and activities standards establish by this permit may result in the initiation of enforcement and/or revocation proceedings, the issuance of fines, or both.

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

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

Fiscal Note: N/A

Sponsors: Dennis Wisner

A motion was made that this Resolution be Approved as Presented. The motion was APPROVED on a voice vote in consent.

H. Resolutions

[Res.0162-16](#)

Final - Ten (10) Year
Benefits & Damages

WHEREAS, the Public Works & Services Committee of the Common

Council of the City of Racine, Wisconsin, held a public hearing at the Council Chambers in the City Hall at 5:30 P.M. on the 26th day of April, 2016 for the purpose of hearing all interested persons concerning the preliminary resolution and report of the Commissioner of Public Works on the proposed improvement of:

Portland Cement Concrete Paving

Boyd Avenue - Alley to Seventeenth Street

DeKoven Avenue - Clark Street to Racine Street

North Osborne Boulevard - Fairway Drive to Ravine Drive

Rickeman Street - Dead End to Liberty Street

Spring Valley Drive - 107' N. of Harrington Drive to Vista Drive

Alley - Between Washington Avenue to Lindermann Avenue, Arthur Avenue to Blaine Avenue

Sewer & Water Laterals

DeKoven Avenue - Clark Street to Racine Street

Sanitary Sewer

DeKoven Avenue - Clark Street to Racine Street

Sidewalk

North Osborne Boulevard - Fairway Drive to Ravine Drive

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

1. That the report of the Commissioner of Public Works pertaining to the construction of the above described public improvements, including plans and specifications therefore, as modified, is hereby adopted and approved.
2. That the Commissioner of Public Works is directed to advertise for bids and to carry out the work of such improvement in accordance with the report of the Commissioner of Public Works.
3. That payment for said improvements be made by assessing the cost to the property benefited as indicated in said report.
4. That benefits and damages shown on the report, as modified, are true and correct, have been determined on a reasonable basis; do not exceed the value accruing to the property therefrom; and are hereby

confirmed.

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

6. That the assessments may be paid in cash or if any assessments are over \$200.00 it may be paid in ten (10) annual installments to the City Treasurer, deferred payments to bear interest at the rate of 6% per annum on the unpaid balance.

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

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

Fiscal Note: N/A

Sponsors: Terry McCarthy

A motion was made by Alderman McCarthy, seconded by Alderman Coe, that this Resolution be Referred to the Public Works and Services Committee. The motion PASSED by the following vote:

AYES: 13 - Coe, Jones, Shields, Larrin, Smetana, Weidner, DeHahn, Shakoor II, McCarthy, Land, Perez, Morgenroth and Meekma

EXCUSED: 1 - Lemke

I. Common Council Vote on Consent Agenda (Communications, Committee Reports, Resolutions)

Council Action on Consent Agenda Items

A motion was made by Alderman Q.A. Shakoor II, seconded by Alderman Raymond DeHahn, that this be Adopted by the following vote

AYES: 13 - Coe, Jones, Shields, Larrin, Smetana, Weidner, DeHahn, Shakoor II, McCarthy, Land, Perez, Morgenroth and Meekma

EXCUSED: 1 - Lemke

J. Ordinances

Refer to City Plan Commission

[ZOrd.0003-16](#)

ZOrd. 003-16

An Ordinance Rezoning 2001 Racine Street

To amend the map of the Zoning Ordinance of the City of Racine.

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

Part 1: That the property located at 2001 Racine Street and more particularly described as follows:

“Said land being in Racine County, WI, City of Racine, Block 85 of the School Section, plus the North ½ of Section 21, Township 3 North, Range 23 East, Block 11, Partially described in Volume 1706 RECS, Page 870, containing 1.743 acres, more or less”

be rezoned from B-1 Neighborhood Convenience District to B-1 Neighborhood Convenience District with a FD-Flex Development Overlay District.

Part 2: This ordinance shall take effect upon passage by a majority vote of the members-elect of the City Common Council and publication or posting as required by law.

Passed by the Common Council:

Fiscal Note: N/A

Sponsors: Dennis Wiser

Referred to City Plan Commission

K. Adjourn

Alderman Shakoor made a motion to adjourn the meeting, which was APPROVED without objection, at 8:10 pm. The next scheduled meeting of the Council is Tuesday, May 17, 2016.

ATTEST: JANICE M. JOHNSON-MARTIN
CITY CLERK