



City of Racine Meeting Minutes

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

Public Works and Services Committee

*Chairman Ronald D. Hart, Vice Chair Pete Karas
Alderman Robert Anderson, Alderman Raymond DeHahn, Alderman Jeff Coe*

Tuesday, June 26, 2007

5:30 PM

City Hall, Room 205

PUBLIC HEARING ON SPECIAL ASSESSMENTS FOR STREET IMPROVEMENTS

June 26, 2007

5:30 P.M.

Room 205, Council Chambers

PUBLIC WORKS AND SERVICES COMMITTEE AGENDA

6:00 P.M.

Call To Order

Meeting was called to order at 5:30 PM

Also Present: Nancy Payne, Engineering; Ray Knapp, RPD; Dave Blank, RCCVB; John Dziekan, Big Fish Bash; Mike McDermott, Henry & Wanda's; Rita Flores, Senor de Tlacolula

Approval of Minutes for the June 12, 2007 Meeting.

On a motion by Karas, seconded by DeHahn, the minutes were approved as printed.

1. [07-0807](#) **Subject:** Ordinance No. 15-07, of June 19, 2007, to create Sections 82-44, 82-45 and 82-46 of the Municipal Code of the City of Racine, Wisconsin relating to streets, sidewalks and certain other public places - Street festivals; Application for permit; Street closing.

Recommendation: That Ordinance No. 15-07 to create Sections 82-44, 82-45 and 82-46 of the Municipal Code of the City of Racine, Wisconsin relating to streets, sidewalks and certain other public places - Street festivals; Application for permit; Street closing, be adopted.

Fiscal Note: Not applicable.

Rick Jones read through Ordinance 15-07 to create street festivals. He noted the street festivals were for non-profit organizations to obtain Class "B" temporary liquor licenses. He noted this would permit the sale of fermented malt beverages in the public right-of-way. He read a memo from Nicole Loop, City Attorney's Office, describing some of the issues regarding the proposed ordinance. This would allow the sale of fermented

malt beverages but also consumption of those and discussed some of the pros and cons of the proposed ordinance. It was noted that if certain street festivals became problematic the Committee could always refuse to grant a street closing permit for the festival in the future.

After further discussion, a motion was made by Karas, seconded by DeHahn to adopt Ordinance 15-07, passed unanimously.

Recommended For Approval

2. [07-0786](#) **Subject:** Communication from the Executive Director of the Big Fish Bash requesting to use the turn-arounds at Festival Park for parking during the Big Fish Bash on July 19-22, 2007.

Recommendation: That Big Fish Bash be granted permission to close the turnarounds adjacent to Festival Park Drive and Christopher Columbus Causeway, on July 19-22, 2007, in accordance with their request.

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.

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. Since only a partial street closing is involved, no special event fee will be charged.

John Dzieken appeared before the Committee on behalf of the Big Fish Bash requesting the turnarounds at Festival Park during the event, July 19 - 22, 2007.

Rick Jones noted the closure of the turnarounds does not constitute a complete road closure; therefore, no charges would be needed for the road closing. However, he did note a typical hold harmless and liability insurance would have to be filed before their use of the right of way.

Motion made by Karas, seconded by DeHahn to approve. Passed unanimously.

Recommended For Approval

3. [07-0750](#) **Subject:** Communication from Henry & Wanda's to close Park Avenue between 6th Street and 7th Street on Saturday, August 18, 2007, from 9 a.m. to midnight, for the Wisconsin Harley Owners Group Rally.

Recommendation: That Henry & Wanda's be granted permission to close Park Avenue from 6th Street to 7th Street on Saturday, August 18, 2007, from 9 a.m. to 12 midnight for the Wisconsin Harley Owners Group Rally.

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 notify all abutting property owners seventy-two (72) hours in advance of this event.
- E. No alcoholic beverages will be sold and/or dispensed within the street right-of-way.
- F. 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.

Rick Jones read the request from Henry & Wanda's to close Park Avenue between 6th and 7th Street on Saturday, August 18, 2007, from 9 A.M. to midnight.

Mike McDermott, from Henry & Wanda's, explained the event.

Rick Jones noted at this point he couldn't sell alcohol in the street, but however, you could have music, food, and the like. Furthermore, he noted you could not charge a fee for the entrance into the block as it is public right-of-way.

There was a discussion on the possession of alcohol in the public right-of-way and how it related to Ordinance 15-07. Rick Jones noted this wasn't a non-profit group and indicated the ordinance wouldn't apply even if it existed today.

After further discussion, a motion was made by Karas, seconded by DeHahn to approve the request subject to the usual stipulations and fees. Passed unanimously.

Recommended For Approval

4. [07-0790](#)

Subject: Communication from the Recreational Leadership Co., LLC, requesting permission to close the Christopher Columbus Causeway for the Racine Boat & RV Show on August 6-12, 2007.

Recommendation: That Recreational Leadership Company, LLC be granted permission to close the Christopher Columbus Causeway, from

Lake Avenue east to the water's edge, from 8:00 a.m. on August 6, 2007 to 10:00 p.m. on August 12, 2007, for the Racine Boat & RV Show.

Further recommends that permission be granted with the following stipulations:

- A. A hold harmless agreement be executed.
- B. A liability insurance certificate be filed prior to 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.

Rick Jones read the communication from Recreation Leadership Co., LLC. requesting permission to close the Christopher Columbus Causeway for the Racine Boat & RV Show on August 6 - 12, 2007. He noted this request has been made in the past and has been approved in accordance with the normal stipulations.

Motion made by Karas, seconded by DeHahn to approve. Passed unanimously.

Recommended For Approval

5. [07-0684](#)

Subject: Communication from the Event Chairperson for the Senor de Tlacolula Celebration requesting permission to close city right-of-way on Saturday, September 8, 2007, for a procession.

Recommendation: That Cristo Rey Parish be granted permission to close Festival Park Drive from 5th Street to 6th Street, Sam Johnson Parkway from Festival Park Drive to Lake Avenue, and Lake Avenue from 6th Street to 5th Street, on Saturday, September 8, 2007, from 3 p.m. to 4 p.m., for the Senor de Tlacolula Celebration procession.

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 \$400.00 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.

Rita Flores, appeared before the Committee and indicated she had a new route for their procession for the Senor de Tlacolula celebration on City right-of-way on Saturday, September 8, 2007. She noted they would exist the festival grounds on Festival Park Drive going south heading north on Sam Johnson Parkway south on Lake Avenue and east back down 5th Street to Festival Park.

Rick Jones there would be no objections to the route and indicated what the fee would be and the normal stipulations.

Motion made by Karas, seconded by DeHahn to approve. Passed unanimously.

Recommended For Approval

6. [07-0754](#)

Subject: Communication from the Sales/Marketing Director of the Racine County Convention and Visitors Bureau requesting permission to use city right-of-way on July 22, 2007, for the Spirit of Racine Triathlon.

Recommendation: The Racine County Convention and Visitors Bureau and HFP Racing be granted permission to close the following streets and to utilize certain other City streets as indicated on their race map, for the Spirit of Racine Triathlon to be held on Saturday, July 21, 2007, from 3:00 a.m. to noon, and on Sunday, July 22, 2007, from 3:00 a.m. to 7:00 p.m.,

Barker Street from Main Street to its terminus with Lake Michigan,
Goold Street from Main Street to Michigan Boulevard,
Augusta Street from Main Street to Michigan Boulevard,
Wolff Street from Main Street to Michigan Boulevard,
William Street from Main Street to Michigan Boulevard,
Lombard Avenue from Main Street to Michigan Boulevard,
Lakecrest Drive from Main Street to Michigan Boulelvard;

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 notify all abutting property owners seventy-two (72) hours in advance of this event.
- E. The sponsor shall pay a \$700.00 special event fee.
- F. Sponsor shall be responsible for placement of all traffic control devices.

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.

Dave Blank, from Racine County Convention and Visitor's Bureau appeared before the Committee and asked for road closures and permission to use public right-of-way on July 22, 2007 for the Spirit of Racine Triathlon.

Rick Jones noted this was approved in the past and indicated the same course. He noted the fee for the nine blocks of closures and asked the item be approved subject to the normal stipulations.

Motion made by Karas, seconded by DeHahn to approve. Passed unanimously.

Recommended For Approval

7. [07-0674](#) **Subject:** Request from River Bend Lofts, LLC to acquire the air space property interest in the space over the Racine Street right-of-way, pursuant to Wis. Stat. 66.0915(4).

This request is for rights above and beyond those approved under Resolution 06-7197.

Rick Jones asked this item be deferred.

Motion made by Karas, seconded to DeHahn to defer the item.

Deferred

8. [07-0705](#) **Subject:** Communication from Sean Dunk, 1436 Summit Avenue, requesting interest in purchasing adjoining property owned by the City of Racine.

Recommendation of the Public Works and Services Committee on 6-12-07: Defer

Recommendation of the City Plan Commission on 6-13-07: That the communication be received and filed because the property is public right-of-way and not a sellable parcel, and that Mr. Dunk request the vacation of the public right-of-way instead.

Recommendation of the Public Works and Services Committee on 6-26-07: The communication be received and filed.

Fiscal Note: N/A

Rick Jones noted there is a water main that runs down the City-owned property south of 1436 Summit Avenue. He noted that alley is public right-of-way and indicated the Water

Department requested either the communication be received and filed or if the alley is vacated, the Water Utility would be able to retain an easement in the same width as the original right-of-way for the alley. He noted in either case, no one could build on the 12 foot area which the water main from the Water Department rests. That being said, Sean Dunk asked the item be received and filed.

Motion made by Karas, seconded by DeHahn to receive and file the communication.

Recommended to be Received and Filed

9. [07-0819](#)

Subject: Direct Referral. Communication from Kiernan Heating & Air Conditioning, Inc., 3210 Durand Avenue, requesting a variance for facade and storefront renovations.

Recommendation: The property owner of 3210 Durand Avenue be granted permission to install a decorative facade which extends over the public right-of-way by 4", as requested, with the stipulation that no part of the facade extension shall rest on or touch the public sidewalk, and that a hold harmless agreement be executed, in accordance with State Statute 66.0425, Privileges in Streets.

Further recommends that the property owner be charged a \$50.00 fee to cover administrative costs associated with filing this item with the Register of Deeds office.

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

Motion made by Karas, seconded by DeHahn to approve the facade with the normal stipulations.

Recommended For Approval

10. [07-0791](#)

Subject: Communication from the Alderman of the 15th District requesting the repaving of Lighthouse Drive.

Recommendation: That a preliminary resolution be introduced for the paving of Queens Court from Lighthouse Drive to the dead end.

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

Rick Jones noted the communication from the Alderman of the 15th District requesting the repaving of Queens Court from Lighthouse Drive to the cul-de-sac. Jones asked an approval be made for a preliminary resolution to be introduced for portland cement concrete paving.

Motion made by Karas, seconded by DeHahn to approve. Passed unanimously.

Recommended For Approval

11. [07-0611](#)

Subject: Communication from Sam Azarian Jr. wishing to discuss

purchasing the Marquette Street municipal parking lot.

Recommendation of the Public Works and Services Committee on 6-12-07: Defer

Recommendation of the Transit and Parking Commission on 5-30-07: The Marquette Street municipal parking lot be sold to Sam Azarian Jr. for a cost of \$1 contingent upon the upgrade of fencing and landscape, and the separation of lighting circuits.

Fiscal Note: The sale will generate \$1 to the Parking System

Recommendation of the City Plan Commission on 6-13-07: That the proposed sale is not in conflict with adopted City plans and programs.

Further, that the sale be approved.

Fiscal Note: The sale price of the property will be determined by the Public Works and Services Committee.

Rick Jones asked this item be deferred.

Motion by Karas, seconded by DeHahn to defer.

Deferred

12. [07-0776](#) **Subject:** Communication from the Commissioner of Public Works/City Engineer submitting a request for the City to develop a policy regarding the sale of City owned properties.

Rick Jones asked this item be deferred.

Motion by Karas, seconded by DeHahn to defer.

Deferred

13. [07-0736](#) **Subject:** Resolution 07-0246 of June 5, 2007 relating to street improvements.

Recommendation of 6-12-07: Resolution No. 07-0246, of June 5, 2007, be amended to delete:

PORTLAND CEMENT CONCRETE PAVING

- Alley - Shoreland Drive to South Street; Charles Street to Sixth Avenue
- Alley - Shoreland Drive to North Street; Charles Street to Eighth Avenue.
- Alley - Shoreland Drive to South Street; Charles Street to Eighth Avenue.
- Alley - Shoreland Drive to North Street; Ninth Avenue to Eighth Avenue.
- Alley - Shoreland Drive to South Street; Ninth Avenue to Eighth Avenue.

and, as amended , Resolution No. 07-0246, of June 5, 2007, be adopted.

Fiscal Note: Funds will be appropriated in the 2008 C.I.P. for these alley improvements, and special assessments will be paid by the abutting property owners for the alley improvements.

Recommendation of 6-26-07: That Resolution No. 07-0246, of June 5, 2007, be received and filed.

Fiscal Note: Not applicable.

John Rooney noted this was the item the Engineering incorrectly depicted the amount of citizens for the proposed improvements in one of the alleys. He noted this item should be deleted and the entire resolution should be received and filed.

Motion made by Karas, seconded by DeHahn to delete the alley and receive and file Resolution 07-0246. Passed unanimously.

Recommended to be Received and Filed

14. [07-0669](#)

Subject: Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting the request of the Village of Mt. Pleasant for the City of Racine to participate in the cost of paving 16th Street from west of Ostergaard Avenue to west of Oakdale Avenue.

Recommendation: That the Mayor and City Clerk enter into an agreement with the Village of Mt. Pleasant for the rubbilization and overlaying of bituminous concrete on 16th Street from STH 31 to Ostergaard Avenue.

Further recommends that the City of Racine agrees to pay 48% of the construction cost for its share of the construction project for the rubbilization and placement of bituminous concrete and 36% of the engineering, legal and administrative costs which are currently estimated at \$106,117.00. The City of Racine's final cost will be based upon the actual cost to perform the work on the City's share of the project based upon actual bid pricing.

Further recommends that funds to defray the cost of this work are available in the intergovernmental shared sewer revenue fund.

Fiscal Note: Funds are available as herein delineated.

Rick Jones noted the Village of Mt. Pleasant requested the City of Racine participate in a project to revitalize an overlay - 16th Street from State Trunk Highway 31 to Ostergaard Avenue. He asked the City enter into an agreement in which the City of Racine would pay approximately 48% of the reconstruction for the rubbilization project and 36% of the engineering legal and administrative cost. He noted those costs were estimated at \$106,117. He noted funding is available in the inter-governmental shared revenue fund for this work.

Alderman Karas asked if Mt. Pleasant would fund the project if the City refused to participate in the cost.

Rick Jones noted Mt. Pleasant did participate in the cost for the paving of Regency West Drive from State Trunk Highway 31 to Loni Lane.

John Rooney noted the Village of Caledonia is participating in the cost of Erie Street from Thunderbird Drive to just north of Shelbourne Court. He noted both indicated these agreements are necessary and cooperation is required to get paving projects done on streets with irregular boundaries that cross center lines of streets and road projects.

Motion made by Karas, seconded to DeHahn to approve entering into an agreement. Passed unanimously.

Recommended For Approval

15. [07-0766](#)

Subject: Communication from the Commissioner of Public Works/City Engineer wishing to discuss the paving of Victorian Drive from Emstan Hills Road to Maryland Avenue with portland cement concrete.

Recommendation: That a preliminary resolution be introduced for the paving of Victorian Drive from Emstan Hills Road to Maryland Avenue with portland cement concrete, and that the cost of the project be assessed to the abutting property owners.

Fiscal Note: Not applicable at this time. Approval of the preliminary resolution only authorizes the Commissioner of Public Works/City Engineer to conduct a public hearing.

Rick Jones noted some of the drainage problems on Victorian Drive from Emstan Hills Road to Maryland Avenue. He noted the problems occurred because of residents filling ditches in and doing landscaping in the public right-of-way. He noted the best solution to solve this problem would be to approve a preliminary resolution for portland cement concrete paving with curb and gutter and provide some additional storm sewer.

Motion made by Karas, seconded by DeHahn to introduce a preliminary resolution for paving and curb and gutter. Passed unanimously.

Recommended For Approval

16. [07-0798](#)

Subject: Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 38-06 (K6-040), 2006 Sidewalk Replacement, Phase II, A.W. Oakes & Son, contractor.

Recommendation: The work done by A.W. Oakes & Son, Inc., under Contract 38-06 (K6-040), 2006 Sidewalk Replacement, Phase II, be accepted and final payment authorized for a total contract amount of \$211,349.78, from funds heretofore appropriated.

Fiscal Note: This contract was approved by Resolution 06-7176, dated August 15, 2006.

John Rooney asked that final payment be made on Contract 38-06, 2006 Sidewalk Replacement, Phase II. He noted A. W. Oakes & Sons, contractor, has completed the work satisfactorily and asked that final payment be made.

He noted the final payment was in the amount of \$211, 349.78 and funding is available.

Motion by Karas, seconded by DeHahn to approve final payment. Passed unanimously.

Recommended For Approval

17. [07-0811](#) **Subject:** Direct Referral. Communication from the Assistant Commissioner of Public Works/Operations submitting Change Order No. 1 on Contract 8-07 (K7-008), 2007 Parking Ramp Maintenance, RAM Building Restoration & Waterproofing LLC, contractor.

Tom Eeg asked this item be deferred.

Motion by Karas, seconded by DeHahn to defer the item.

Deferred

18. [07-0812](#) **Subject:** Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting a final payment request on Contract 8-07 (K7-008), 2007 Parking Ramp Maintenance, RAM Building Restoration & Waterproofing LLC, contractor.

Tom Eeg asked this item be deferred.

Motion by Karas, seconded by DeHahn to defer.

Deferred

19. [07-0752](#) **Subject:** Communication from the Assistant Commissioner of Public Works/Engineering submitting a storm sewer easement for the Reservoir Park project.

Recommendation: That the Mayor and City Clerk be authorized and directed to enter into an easement agreement for the installation of a storm sewer on the property commonly known as 4513 Durand Avenue, Tax No. 151 0323 30007000.

Fiscal Note: Not applicable at this time.

John Rooney submitted a storm sewer easement for the Reservoir Park improvement project. He noted the storm sewer that was installed, cut across the corner of private property located in Mt. Pleasant that abuts the City of Racine land in Reservoir Park. He noted an easement had to be drafted and approved by the Common Council. He indicated the owners have signed off on the easement in the presence of a Notary Public and asked that the easement be filed at the County's Register of Deeds. He noted there was a nominal fee for filing the easement.

Motion by Karas, seconded by DeHahn to approve the easement. Passed unanimously.

Recommended For Approval

20. [07-0784](#) **Subject:** Communication from the Assistant Commissioner of Public Works/Engineering submitting a three-party agreement for the Design of Northwestern Avenue.

John Rooney asked this item be deferred. He was waiting for the agreement from the State of Wisconsin to do the design work.

Motion made by Karas, seconded by DeHahn to defer this item.

Deferred

21. [07-0785](#) **Subject:** Communication from the Assistant Commissioner of Public Works/Engineering submitting a three-party agreement for the Design of State Street.

John Rooney asked this item be deferred. He was waiting for the agreement from the State of Wisconsin to do the design work.

Motion made by Karas, seconded by DeHahn to defer this item.

Deferred

Miscellaneous Business

Adjournment

Meeting adjourned at 7:30 P.M.

If you are disabled and have accessibility needs or need information interpreted for you, please contact the Department of Public Works at 262.636.9121 at least 48 hours prior to this meeting.