



City of Racine

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

Meeting Minutes - Final Common Council

*Mayor John T. Dickert, President, Alderman Terry McCarthy
Alderman Dennis Wisner, Alderman Jim Kaplan
Alderman Q.A. Shakoor, II, Alderman Ronald D. Hart,
Alderman Sandy Weidner
Alderman Krystyna Sarrazin, Alderman Jeff Coe, Alderman
Michael Shields
Alderman Melissa Kaprelian-Becker, Alderman Raymond
DeHahn,
Alderman Gregory Holding, Alderman James Morgenroth
Alderman Edward E. Diehl, Alderman Henry Perez*

Tuesday, October 1, 2013

7:00 PM

Room 205, City Hall

A. Call To Order

PRESENT: 13 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, McCarthy, Wisner, Holding, Perez, Morgenroth and Hart

EXCUSED: 2 - Shakoor, II and Diehl

B. Pledge of Allegiance To The Flag

Mayor Dickert led the Council in the Pledge of Allegiance to the Flag.

C. Approval of Journal of Council Proceedings (Minutes)

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

D. Public Comments

Sue DeKeuster

E. Communications

Refer to Finance and Personnel Committee, by Ald. McCarthy

[13-9395](#)

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting permission to apply for the \$25,000.00 Urban Forestry Grant from the Wisconsin Department of Natural Resources for Ash tree removal/EAB plan implementation. Match required. Grant Control # 2013-029.

Staff Recommendation to the Finance & Personnel Committee on October 7, 2013: Permission be granted for the Director of Parks,

Recreation & Cultural Services to apply for the \$25,000.00 Urban Forestry Grant from the Wisconsin Department of Natural Resources for Ash tree removal/EAB plan implementation. (Grant Control # 2013-029).

Fiscal Note: There is a City Match of \$44,052.00 available through the 2014 CIP Emerald Ash Bore Tree Treatment Project.

Referred to Finance and Personnel Committee

13-9400

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting permission to apply and accept \$3,100.00 in grant funds from SC Johnson to support the Fresh Cut Collective Youth Arts Program. Grant Control #2013-030.

Staff Recommendation to the Finance & Personnel Committee on October 7, 2013: Permission be granted to the Director of Parks, Recreation & Cultural Services to apply for and accept \$3,100.00 in grant funds from SC Johnson to support the Fresh Cut Collective Youth Arts Program. (Grant Control #2013-030).

Fiscal Note: There is no City match required.

Referred to Finance and Personnel Committee

13-9401

Subject: Communication from the City Attorney requesting authorization to represent certain City employees in the civil action of Adams Outdoor Advertising, Inc. v City of Racine, et al., Racine County Case No. 13-CV-1925.

Staff Recommendation to the Finance & Personnel Committee on October 7, 2013: Authorization be granted to the City Attorney to represent certain City employees in the civil action of Adams Outdoor Advertising, Inc. v City of Racine, et al., Racine County Case No. 13-CV-1925.

Fiscal Note: N/A

Referred to Finance and Personnel Committee

Refer to Public Works and Services Committee, by Ald. Weidner

13-9402

Subject: Communication from Charlie Manning, Commodore, Racine Yacht Club, requesting permission to use the Rooney Recreational Area open space on a temporary basis in case a portion of the space is needed to facilitate the upcoming dredging operation.

Referred to the Public Works and Services Committee

[13-9403](#)

Subject: Communication from the Assistant Commissioner of Public Works/Operations requesting to accept the donation of LED lights from Cree Inc.

Referred to the Public Works and Services Committee

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

[13-9069](#)

Subject: communication from the Municipal Court Judge submitting a recommendation for the default/bond schedule amounts for violations of Code of Ordinances section 22-891.

Referred to Public Safety and Licensing Committee

[13-9398](#)

Subject: (New) Application of Mei Li (Uptown China LLC) for a Class "B" & "Class C" Retail Fermented Malt Beverage and Wine License for 1530 Washington Avenue. (3rd District)

Referred to Public Safety and Licensing Committee

Refer to Traffic Commission, by Ald. Weidner

[13-9383](#)

Subject: Communication from the Alderman of the 6th District requesting Common Council to rescind Council action taken on July 2, 2013 regarding approval of a request for right-turn only off Hoffert Drive for the months of June, July and August.

Referred to Traffic Commission

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

[13-9388](#)

Subject: Communication from Julie Ogren requesting placement of a plaque in memory of Terry L Kammien Sr. at Humble Park.

Referred to Board of Park, Recreation and Cultural Services

F. Committee Reports

Finance and Personnel Committee Report, by Ald. McCarthy

[13-9355](#)

Subject: (Direct Referral) Request from Robert Rafel to transfer remaining funds of \$10,522.44 from account 892.030.5640 (Sidewalk Improvement in Parks) to account 892.030.5790 (West Park Play Equipment Replacement). (Res. No. 13-0381)

Recommendation of the Finance & Personnel Committee on 9-23-13: Permission be granted to transfer remaining funds of

\$10,522.44 from account 892.030.5640 (Sidewalk Improvement in Parks) to account 892.030.5790 (West Park Play Equipment Replacement).

Fiscal Note: Sufficient funds are available in the identified accounts for this transfer.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

[13-9378](#)

Subject: Communication from the Finance Director requesting that Brad Viegut of Robert W. Baird Company be allowed to appear before the Finance and Personnel Committee at their next scheduled meeting to discuss refunding opportunities for various debt issues.

Recommendation of the Finance & Personnel Committee on 9-23-13: Callable portions of the 2003 City of Racine G.O. Refunding Bonds dated July 15, 2003 and the 2013 Note Anticipation Notes dated July 9, 2013 be refunded with new Bonds tentatively dated November 6, 2013 with a final maturity of 2027.

Fiscal Note: The present value savings of refunding the 2003 Bonds is approximately \$1,000,000 and will result in lower debt service tax levies over the next five years.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

Council Action

A motion was made by President Terry McCarthy, seconded by Raymond DeHahn, that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

AYES: 13 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, McCarthy, Wiser, Holding, Perez, Morgenroth and Hart

EXCUSED: 2 - Shakoore, II and Diehl

Public Works and Services Committee Report, by Ald. Weidner

[13-9311](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works submitting bid results on Contract 35-13 (K3-040), City Hall Renovations-Phase V (R1). (Res. No. 13-0390)

Recommendation of the Public Works and Services Committee on 9-24-13: That Contract 35-13 (K3-040), City Hall Renovations-Phase V (R1), be awarded to Triad Construction, Inc., West Allis, WI, at their base bid price of \$576,485.00, plus Alternate Bid #1 in the amount \$9,455.00, plus Alternate Bid #2 in the amount of

\$15,366, plus Alternate Bid #5 in the amount of \$5,463.00, plus Alternate Bid #6 in the amount of \$716.00, for a total contract amount of \$607,485.00, they being the lowest responsible bidder.

Fiscal Note: Funding to defray the cost of this public works project be appropriated from Account 993.100.5010, City Hall-Facilities Plan.

Motion made by Alderman Kaplan, seconded by Shields to refer back to committee

Motion failed by the following vote:

A motion was made that this Communication be Referred to the Public Works and Services Committee, . The motion was DEFEATED by the following vote:

AYES: 2 - Kaplan and Hart

NOES: 11 - Coe, Sarrazin, Shields, Kaprelian-Becker, Weidner, DeHahn, McCarthy, Wisner, Holding, Perez and Morgenroth

EXCUSED: 2 - Shakoor, II and Diehl

A motion was made by Alderman Sandy Weidner, seconded by Raymond DeHahn, that this be Received and Filed as Reported. The motion PASSED by the following vote:

AYES: 10 - Coe, Kaprelian-Becker, Weidner, DeHahn, McCarthy, Wisner, Holding, Perez, Morgenroth and Hart

NOES: 3 - Sarrazin, Shields and Kaplan

EXCUSED: 2 - Shakoor, II and Diehl

[13-9312](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works submitting bid results on Contract 56-13 (K3-060), Construct Home-1016 Park Avenue. (Res. No. 13-0391)

Recommendation of the Public Works and Services Committee on 9-24-13: That Contract 56-13 (K3-060), Construct Home-1016 Park Avenue, be awarded to Double D Construction, Inc., Kenosha, WI, at their bid price of \$217,352.00, they being the lowest responsible bidder.

Fiscal Note: Funding to defray the cost of this public works project be appropriated from Account 804.040.5310, 1016 Park Avenue Single Family Acquisition.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

[13-9337](#)

Subject: Communication requesting authorization and direction that certain City-owned parcels of real estate may be utilized by the City of Racine and/or the State of Wisconsin for the STH 38 (Northwestern Avenue) Road Improvement Project (R/W Project ID 2290-17-20), including the right to construct, cut and/or fill slopes and including for such purpose the right to operate the necessary equipment thereon

and the right of ingress and egress as long as required for such public purpose, including the right to preserve, protect, remove, or plant thereon any vegetation that the highway authorities may deem necessary or desirable. (Res. No. 13-0388)

Recommendation of the Public Works and Services Committee on 9-24-13: That the City of Racine authorizes and directs that the following portions of parcels described below may be utilized for the STH 38 (Northwestern Avenue) Road Improvement Project (R/W Project ID 2290-17-20), including the right to construct, cut and/or fill slopes and including for such purpose the right to operate the necessary equipment thereon and the right of ingress and egress as long as required for such public purpose, including the right to preserve, protect, remove, or plant thereon any vegetation that the highway authorities may deem necessary or desirable, in and to the following lands in City of Racine, Racine County, Wisconsin, described as follows:

Parcel 18 of Transportation Project Plat 2290-17-20 - 4.02, recorded as Document number 2360780 and recorded at the Register of Dees for Racine County, Wisconsin.

Parcel 18 of Transportation Project Plat 2290-17-20 - 4.03, recorded as Document number 2360781 and recorded at the Register of Dees for Racine County, Wisconsin.

Parcel 23 of Transportation Project Plat 2290-17-20 - 4.03, recorded as Document number 2360781 and recorded at the Register of Dees for Racine County, Wisconsin.

Parcel 33 of Transportation Project Plat 2290-17-20 - 4.05, recorded as Document number 2360783 and recorded at the Register of Dees for Racine County, Wisconsin.

Parcel 74 of Transportation Project Plat 2290-17-20 - 4.08, recorded as Document number 2360785 and recorded at the Register of Dees for Racine County, Wisconsin.

Further recommends that certified copies of this resolution be forwarded to the Wisconsin Department of Transportation as part of the documentation related to the aforementioned STH 38 (Northwestern Avenue) Road Improvement Project (R/W Project ID 2290-17-20).

Fiscal Note: N/A

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

[13-9351](#)

Subject: Communication from the Alderman of the 9th District, requesting a preliminary resolution for paving the alley bounded by 17th St. south to Dead End; Deane Blvd. to West Blvd. (Res. No. 13-0386)

Recommendation of the Public Works and Services Committee on 9-24-13: That the prayer of the petitioners be granted and that a preliminary resolution be introduced for the paving of the alley bounded by 17th Street south to the dead end; Deane Blvd. to west Blvd.

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

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

[13-9352](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer submitting Amendment No. 3 to an existing agreement for the marking of underground street lighting and traffic signal infrastructure with Precise Underground Marking Corporation, Milwaukee, WI. (Res. No. 13-0389)

Recommendation of the Public Works and Services Committee on 9-24-13: That the agreement with Precise Underground Marking Corporation to mark underground street lighting and traffic signal infrastructure, which ends December 31, 2013, be approved for a one (1) year extension with a per ticket price of:

Prescreens - \$9.55;
Locates - \$12.21;
Site Visit/No Conflict - \$12.21;
Emergency During Business Hours (Clear/No Conflict/Site Visit/Locate) - \$12.21;
Emergency After Business Hours (Clear/No Conflict/Site Visit/Locate) - \$42.44;
Projects - \$26.52 per hour.

Fiscal Note: Funding to defray the cost of these services is available in Account 101.590.5610, Street Lighting-Professional Services.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

[13-9381](#)

Subject: (Direct Referral) Communication from the Alderman of the 2nd District requesting to close College Avenue between 14th Street and DeKoven Avenue for the 3rd Annual Historic District Halloween Walk on October 31, 2013 from the hours of 6:00 P.M. until 8:00 P.M.

**Recommendation of the Public Works and Services Committee
on 9-24-13:** That the request be denied

Fiscal Note: N/A

A motion was made that this Communication be Received and Filed as Reported. The motion was DEFEATED by the following vote:

AYES: 12 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, Wisner, Holding, Perez, Morgenroth and Hart

NOES: 1 - McCarthy

EXCUSED: 2 - Shakoor, II and Diehl

[13-9382](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting Amendment No. 3 to Contract 32-13 (K3-035), Professional Services - Design City Hall Chiller Replacement, Angus Young Associates, consultant. (Res. No. 13-0392)

**Recommendation of the Public Works and Services Committee
on 9-24-13:** That Amendment No. 3 to Contract 32-13 (K3-035), Professional Services-Design City Hall Chiller Replacement, Angus Young Associates, consultant, as submitted, be approved in the not-to-exceed amount of \$4,200.00.

Fiscal Note: Funding to defray the cost of these professional services be appropriated from Account 993.100.5040, City Hall Chiller Replacement.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

[13-9389](#)

Subject: Subject: Communication from the Assistant Commissioner of Public Works/Operations submitting Amendment No. 2 to the Recycle Cart Maintenance Agreement with Rehrig Pacific Company. (Res. No. 13-0394)

**Recommendation of the Public Works and Services Committee
on 9-24-13:** That Amendment No. 2 to the Recycle Cart Maintenance Agreement with Rehrig Pacific Company, consultant, as submitted, be approved in the amount of \$200.00 per month.

Fiscal Note: Funding to defray the cost of these professional services be appropriated from Account 289.000.5610, Professional Services.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

[13-9390](#)

Subject: (Direct Referral) Communication from the Assistant

Commissioner of Public Works/Operations submitting Change Order No. 1 to Contract 54-13 (K3-059), HVAC Upgrades-Festival Hall and City Hall Annex. (Res. No. 13-0393)

Recommendation of the Public Works and Services Committee on 9-24-13: That Change Order No. 1 on Contract 54-13 (K3-059), HVAC Upgrades-Festival Hall and City Hall Annex, Martin Petersen Company, Inc., contractor, be approved in the amount of \$3,100.00.

Fiscal Note: Funding to defray the cost of this change order be appropriated from Account 108.992.5010, Festival Hall Air Handlers.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

[13-9391](#)

Subject: Communication from Cheri Kulland, McKinley Middle School Directing Principal, requesting to close off the south sidewalk of Rupert Boulevard from Chicago Street west to the cemetery during the 2013-2014 winter. (Res. No. 13-0385)

Recommendation of the Public Works and Services Committee on 9-24-13: That Racine Unified School District be granted permission to close the sidewalk on Rupert Boulevard fronting McKinley Middle School from December 1, 2013 to April 1, 2014 with the requirement that Racine Unified School District holds the City of Racine harmless from any and all injuries caused by conditions of the sidewalk related to this closure.

Fiscal Note: There will be no cost to the City of Racine in granting this permission.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

[13-9394](#)

Subject: (Direct Referral) Communication from the Purchasing Agent submitting bids on Official Notice #9, Three lane anti-ice application system for two (2) dump trucks. (Res. No. 13-0387)

Recommendation of the Public Works and Services Committee on 9-24-13: That the contract for Three Lane Anti-Ice Application Systems for two (2) dump trucks be awarded to Casper's Truck Equipment, at their bid price of \$32,942.00, they being the lowest responsible bidder.

Fiscal Note: Funding to defray the cost of this equipment be appropriated from Account 943.630.5040, Street Maint-Brine Equipment.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

Council Action

A motion was made by Alderman Sandy Weidner, seconded by Raymond DeHahn, that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

AYES: 13 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, McCarthy, Wiser, Holding, Perez, Morgenroth and Hart

EXCUSED: 2 - Shakoor, II and Diehl

Public Safety and Licensing Committee Report, by Ald. Holding**13-9314**

Subject: (New) Application of Nasir Hanif, (RZQ Oil, Inc., DBA Washington Petro Mart) for a Class "A" Fermented Malt Beverage License for 4301 Washington Avenue (12th District).

Recommendation of the Public Safety and Licensing Committee on 9-23-13: That the application of Nasir Hanif, (RZQ Oil, Inc., DBA Washington Petro Mart) for a Class "A" Fermented Malt Beverage License for 4301 Washington Avenue be approved.

Fiscal Note: N/A

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

13-9354

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting formal bidding be waived and the Purchasing Agent be authorized to negotiate with Miller & Associates, Inc. as the sole source for the purchase of specialized play equipment.

Recommendation from the Public and Safety Licensing Committee on September 23, 2013 : That the request of Parks, Recreation and Cultural Services to waive formal bidding be received and filed.

Fiscal Note: N/A

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

13-9357

Subject:(Direct Referral) Request of the Committee for the appearance of Willie J McWhorter, applicant for an Operator License regarding concerns with record check response.

Recommendation of the Public Safety and Licensing Committee 09-23-13: That the request for an operators license for Willie J. Mc Whorter be denied due to records check.

Fiscal Note: N/A

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

[13-9386](#)

Subject:(Direct Referral) Sale of Abandoned Vehicles 09-17-13

Recommendation from the Public Safety and Licensing Committee on September 23, 2013: That the item be received and filed as the highest responsible bidder out of the three bids was Auto Parts City.

Fiscal Note: This will generate \$11,550.00 in revenue for account 101.310.7550.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

Council Action

A motion was made by Gregory Holding, seconded by Alderman Sandy Weidner, that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

AYES: 13 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, McCarthy, Wisner, Holding, Perez, Morgenroth and Hart

EXCUSED: 2 - Shakoor, II and Diehl

Transit and Parking Commission Report, by Ald. DeHahn

[13-9154](#)

Subject: Discussion of the need to revise and update all Transit policies including token buy-back guidelines.

Recommendation of Transit and Parking Commission on 07-17-13: Defer

Recommendation of the Transit and Parking Commission on 09-18-13: Approve

Fiscal Note: Not major but to be determined.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

[13-9240](#)

Subject: (Direct Referral) Communication from Audrey Becker, requesting to rent Lakefront Lot No. 5 on Wednesday, August 28, 2013 for a special event. (Res. No. 13-0395)

Recommendation of the Transit and Parking Commission on

09-18-13: Audrey Becker be granted permission to lease Lakefront Lot No. 5 for a special event on August 28, 2013.

Fiscal Note: The agreement will generate \$280.00 for the Parking System.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

13-9251

Subject: (Direct Referral) Communication from Susan Fishbain, requesting the rental of Lakefront Lot No. 5 for the 10th anniversary of the Racine Art Museum on September 21, 2013 from the hours of 5:30 P.M. until 11:30 P.M. (Res. No. 13-0396)

Recommendation of the Transit and Parking Commission on

09-18-13: RAM be granted permission to lease Lakefront Lot No. 5 for their anniversary on September 21, 2013.

Fiscal Note: The agreement will generate \$150.00 for the Parking System.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

13-9281

Subject: (Direct Referral) Communication from Venuworks requesting a special rate of \$100 per month from October 2013 through March 2014. (Res. No. 13-0397)

Recommendation of the Transit and Parking Commission on

09-18-13: Approve the reduced rate of \$100 per month from October 2013 through March 2014 for the rental of Lakefront Lot No. 4/Festival Hall Lot.

Fiscal Note: No change to projected Parking Utility revenue.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

13-9361

Subject: Communication from the Transit and Parking System Manager recommending the outermost parking meters in the West Racine lots be totally converted to 10 hour meters to encourage employees and area residents to open up prime spaces for customers. (Res. No. 13-0398)

Recommendation of the Transit and Parking Commission on

09-18-13: Approve

Fiscal Note: No significant change to Parking Utility revenue

estimates.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

13-9371

Subject: Communication from the Transit and Parking System Manager requesting for Common Council authorization of the Mayor and City Clerk to file an application for public transportation assistance with the Wisconsin Department of Transportation and to accept State and Federal transit operating assistance. (Res. No. 13-0399)

Recommendation of the Transit and Parking Commission on 09-18-13: Approve

Fiscal Note: Estimate combined State and Federal funding for 2014 of \$4.5 million.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

13-9372

Subject: Communication from the BUS General Manager submitting the first 6 months Ridership & Revenue report and monthly performance reports.

Recommendation of the Transit and Parking Commission on 09-18-13: Receive and file

Fiscal Note: To be determined after a full year of experience.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

13-9373

Subject: Communication from the Transit and Parking System Manager submitting the review of BUS schedule alterations and minor route revisions that took place September 3, 2013.

Recommendation of the Transit and Parking Commission on 09-18-13: Receive and file.

Fiscal Note: N/A

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

Council Action

A motion was made by Raymond DeHahn, seconded by Alderman Sandy Weidner, that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

AYES: 13 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, McCarthy, Wiser, Holding, Perez, Morgenroth and Hart

EXCUSED: 2 - Shakoore, II and Diehl

City Plan Commission Report, by Ald. Wiser

[13-9392](#)

Subject: (Direct Referral) Re-addition of the B-2 Sign Standards to the Municipal Code. (Ord. 15-13)

Recommendation of the City Plan Commission on 9-25-13: That an ordinance be prepared and a public hearing scheduled.

Fiscal Note: N/A

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

Committee of the Whole Report, by Ald. McCarthy

[11-6307](#)

Subject: Communication from Alderman James Kaplan requesting to amend Sec. 66-616 of the Municipal Code of the City of Racine, Wisconsin relating to Smoking-Prohibited; Prohibition of Smoking in Outdoor Areas.

Recommendation of the Board of Health on May 10, 2011: That this item be deferred.

Recommendation of the Board of Health on June 14, 2011: That an ordinance be drafted amending Sec. 66-616 of the Municipal Code of Racine, Wisconsin by adding the language provided in the attachment "Tobacco Ordinance No (Edit 3)" at the end of the section.

Recommendation of the Committee of the Whole on 07-19-2011: the Item be deferred.

Recommendation of the Committee of the Whole on 09-16-2013: the Item be Received and Filed.

Fiscal Note: N/A

Alderman McCarthy requested that item 11-6307 be considered separately.

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

[12-8036](#)

Subject: Discussion of proposed ordinance prohibiting smoking in outdoor areas.

Recommendation of the Board of Health on 9-11-12: That the item

be referred to the Committee of the Whole.

Recommendation of the Committee of the Whole on 09-16-2013:
that the City Attorney be directed to draft a proposed ordinance which would prohibit smoking in the parks.

Fiscal Note: N/A

Alderman McCarthy requested that item 12-8036 be considered separately.

Motion made by Alderman Hart, seconded by Alderman DeHahn to receive and file the item. Motion passed by the following vote:

A motion was made that this Communication be Received and Filed. The motion was APPROVED by the following vote:

AYES: 7 - Coe, Shields, Weidner, DeHahn, Wisner, Morgenroth and Hart

NOES: 6 - Sarrazin, Kaplan, Kaprelian-Becker, McCarthy, Holding and Perez

EXCUSED: 2 - Shakoor, II and Diehl

[13-9040](#)

Subject: Communication from the Alderman of the 8th District directing the City Attorney's Office generate a proposed ordinance to make language changes in the public comments section of our ordinance.

Recommendation of the Committee of the Whole on 07-29-2013:
to Defer the Item.

Recommendation of the Committee of the Whole on 09-16-2013:
to Approve changing the policy by adding the following sentence to paragraph 3 : "Speakers and members of the audience should refrain from profane remarks, disruptive outbursts or other conduct which interferes with the orderly conduct of the meeting." and by creating paragraph 5 : "The Mayor or presiding officer at his/her discretion may refer the individuals to staff for follow-up on any information presented. Speakers seeking an answer to a specific question should submit a written request to the Common Council by way of the City Clerk or their alderman."

Fiscal Note: N/A

Alderman McCarthy requested that item 13-9040 be considered separately.

This Communication was Referred to the Common Council

AYES: 11 - Sarrazin, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, McCarthy, Wisner, Perez, Morgenroth and Hart

NOES: 1 - Coe

EXCUSED: 2 - Shakoor, II and Diehl

ABSTENTIONS: 1 - Holding

Office of the Mayor Report, by Ald. McCarthy.

13-9405

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

Reappoint John Engel 1144 N. Osbourne Blvd. Racine 53405 to the Waterworks Commission to a 4 year term, expiring October 1, 2017

Reappoint John Engel 1144 N. Osbourne Blvd. Racine 53405 to the Wastewater Commission to a 4 year term, expiring October 1, 2017

Reappoint Thomas Friedel 1904 Dwight St. Racine, 53403 to the Wastewater Commission as an alternate for a 1 year term, expiring October 1, 2014

Appoint Thomas Friedel 1904 Dwight St. Racine, 53403 to the Water Commission as an alternate for a 1 year term, expiring October 1, 2014

Reappoint Alderman Ron Hart 4420 Republic Ave. Racine, 53405 to the Wastewater Commission to a 1 year term, expiring October 1, 2014

Reappoint Alderman Ron Hart 4420 Republic Ave. Racine, 53405 to the Waterworks Commission to a 1 year term, expiring October 1, 2014

Reappoint Alderman James Morgenroth 1500 Monroe Ave. Racine, 53405 to the Waterworks Commission to a 1 year term, expiring October 1, 2014

Reappoint Alderman James Morgenroth 1500 Monroe Ave. Racine, 53405 to the Wastewater Commission to a 1 year term, expiring October 1, 2014

A motion was made by President Terry McCarthy, seconded by James Morgenroth, that this be Received and Filed as Reported. The motion PASSED on the Consent Vote.

Water Works Committee Report, by Ald Hart

13-9363

Subject: Submittal of the Report of the Finance Committee of the Racine Water Works Commission Regarding Year 2014 Water Utility Operations and Maintenance Budget and the 2014-2018 Capital Improvements Budget Recommending Adoption

Recommendation of the Racine Waterworks Commission on 9/24/13: To adopt

FURTHER RECOMMEND, THE ITEM BE REFERRED TO THE COMMITTEE OF THE WHOLE

A motion was made that this Communication be Referred to the Committee of the Whole, . The motion was APPROVED.

Wastewater Commission Report, by Ald Hart

[13-9368](#)

Subject: Submittal of the Report of the Finance Committee of the Racine Wastewater Commission Regarding Year 2014 Wastewater Utility Operations and Maintenance Budget and the 2014-2018 Capital Improvements Budget Recommending Adoption

Recommendation of the Racine Wastewater Commission on 9/24/13: To adopt

FURTHER RECOMMEND, THE ITEM BE REFERRED TO THE COMMITTEE OF THE WHOLE

A motion was made that this Communication be Referred to the Committee of the Whole, . The motion was APPROVED.

[13-9369](#)

Subject: Submittal of 2014 Sewer Service Rates

Recommendation of the Wastewater Commission on 9/24/13: To adopt

FURTHER RECOMMEND, THE ITEM BE REFERRED TO THE COMMITTEE OF THE WHOLE

A motion was made that this Communication be Referred to the Committee of the Whole, . The motion was APPROVED.

Cemetery Commission Report, by Ald Weidner

[13-9347](#)

Subject: (Direct Referral) Communication on behalf of the Volunteer Center of Racine, Inc. requesting to close Mound Cemetery to vehicular traffic from 3:00 to 7:00 p.m. on Sunday, October 20, Saturday, October 26, and Sunday October 27, 2013 for historical walking tours. (Res. No. 13-0400)

Recommendation of the Board of Cemetery Commissioners on September 16, 2013: to approve the closing of Mound Cemetery to tour traffic from 3:00 to 7:00 p.m. on Sunday, October 20, Saturday, October 26, Sunday, October 27, and Sunday, November 3; but to

deny closing of Mound Cemetery to public traffic.

Fiscal Note: n/a

A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.

G. Consent Agenda - Resolutions

[Res.13-0381](#) Revision of 2012 CDBG Grants to Department of Parks, Recreation and Cultural Services

Resolved, that the request of the Department of Parks, Recreation and Cultural Services to revise its 2012 Community Development Block Grant allocation to transfer remaining funds of \$10,522.44 from account 892.030.5640 (Sidewalk Improvements in Parks) to account 892.030.5790 (West Park Play Equipment Replacement) is approved, and its grant agreement shall be amended accordingly.

Fiscal Note: Sufficient funds are available in the identified accounts for this transfer.

Sponsors: Q.A. Shakoor, II

A motion was made that this Resolution be Adopted. The motion was APPROVED.

[Res.13-0385](#) Closing of South Sidewalk of Rupert Boulevard from Chicago Street West to the Cemetery During the 2013-2014 Winter

Resolved, the the request of Cheri Kulland, McKinley Middle School Directing Principal of the Racine Unified School District is granted permission to close the sidewalk on Rupert Boulevard fronting McKinley Middle School from December 1, 2013 to April 1, 2014 with the requirement that Racine Unified School District holds the City of Racine harmless from any and all injuries caused by conditions of the sidewalk related to this closure.

Fiscal Note: There will be no cost to the City of Racine in granting this permission.

Sponsors: Sandy Weidner

A motion was made that this Resolution be Adopted. The motion was APPROVED.

[Res.13-0386](#) 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 17th St. South to Dead End; Deane Blvd. to West Blvd.

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.

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

Dated _____

Signed _____
Mayor

Published _____

Attest _____
City Clerk

Sponsors: Sandy Weidner

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.13-0387

Official Notice #9, Three Lane Anti-Ice Application Systems

Resolved, that the contract for Three Lane Anti-Ice Application Systems for two (2) dump trucks is awarded to Casper's Truck Equipment, at their bid price of \$32,942.00, they being the lowest responsible bidder.

Fiscal Note: Funding to defray the cost of this equipment be appropriated from Account 943.630.5040, Street Maint-Brine Equipment.

Sponsors: Sandy Weidner

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.13-0388

STH 38 (Northwestern Avenue) Road Improvement Project (R/W Project ID 2290-17-20)

Resolved, that the City of Racine authorizes and directs that the following portions of City-owned parcels described below may be utilized for the STH 38 (Northwestern Avenue) Road Improvement Project (R/W Project ID 2290-17-20), including the right to construct,

cut and/or fill slopes and including for such purpose the right to operate the necessary equipment thereon and the right of ingress and egress as long as required for such public purpose, including the right to preserve, protect, remove, or plant thereon any vegetation that the highway authorities may deem necessary or desirable, in and to the following lands in City of Racine, Racine County, Wisconsin, described as follows:

Parcel 18 of Transportation Project Plat 2290-17-20 - 4.02, recorded as Document number 2360780 and recorded at the Register of Deeds for Racine County, Wisconsin.

Parcel 18 of Transportation Project Plat 2290-17-20 - 4.03, recorded as Document number 2360781 and recorded at the Register of Deeds for Racine County, Wisconsin.

Parcel 23 of Transportation Project Plat 2290-17-20 - 4.03, recorded as Document number 2360781 and recorded at the Register of Deeds for Racine County, Wisconsin.

Parcel 33 of Transportation Project Plat 2290-17-20 - 4.05, recorded as Document number 2360783 and recorded at the Register of Deeds for Racine County, Wisconsin.

Parcel 74 of Transportation Project Plat 2290-17-20 - 4.08, recorded as Document number 2360785 and recorded at the Register of Deeds for Racine County, Wisconsin

Further resolved, that certified copies of this resolution shall be forwarded to the Wisconsin Department of Transportation as part of the documentation related to the aforementioned STH 38 (Northwestern Avenue) Road Improvement Project (R/W Project ID 2290-17-20).

Fiscal Note: N/A

Sponsors: Sandy Weidner

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.13-0389

Amendment No. 3 to Existing Agreement for Marking of Underground Street Lighting and Traffic Signal Infrastructure

Resolved, that the agreement with Precise Underground Marking Corporation, Milwaukee, WI to mark underground street lighting and traffic signal infrastructure, which ends December 31, 2013, is approved for a one (1) year extension with a per ticket price of:

Prescreens - \$9.55;
Locates - \$12.21;
Site Visit/No Conflict - \$12.21;
Emergency During Business Hours (Clear/No Conflict/Site Visit/Locate) - \$12.21;
Emergency After Business Hours (Clear/No Conflict/Site Visit/Locate) - \$42.44;
Projects - \$26.52 per hour

Fiscal Note: Funding to defray the cost of these services is available in Account 101.590.5610, Street Lighting-Professional Services.

Sponsors: Sandy Weidner

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.13-0390

Contract 35-13 (K3-040), City Hall Renovations-Phase V (R1)

Resolved, that Contract 35-13 (K3-040), City Hall Renovations-Phase V (R1), is awarded to Triad Construction, Inc., West Allis, WI, at its base bid price of \$576,485.00, plus Alternate Bid #1 in the amount \$9,455.00, plus Alternate Bid #2 in the amount of \$15,366.00, plus Alternate Bid #5 in the amount of \$5,463.00, plus Alternate Bid #6 in the amount of \$716.00, for a total contract amount of \$607,485.00, it being the lowest responsible bidder.

Fiscal Note: Funding to defray the cost of this public works project be appropriated from Account 993.100.5010, City Hall-Facilities Plan.

Sponsors: Sandy Weidner

A motion was made by President McCarthy, seconded by Coe, that this Resolution be Adopted. The motion was APPROVED by the following vote:

AYES: 9 - Coe, Kaprelian-Becker, Weidner, DeHahn, McCarthy, Wisner, Holding, Perez and Morgenroth

NOES: 4 - Sarrazin, Shields, Kaplan and Hart

EXCUSED: 2 - Shakoor, II and Diehl

Res.13-0391

Contract 56-13 (K3-060), Construct Home-1016 Park Avenue

Resolved, that Contract 56-13 (K3-060), Construct Home-1016 Park Avenue, is awarded to Double D Construction, Inc., Kenosha, WI, at its bid price of \$217,352.00, it being the lowest responsible bidder.

Fiscal Note: Funding to defray the cost of this public works project be appropriated from Account 804.040.5310, 1016 Park Avenue Single Family Acquisition.

Sponsors: Sandy Weidner

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.13-0392

Amendment No. 3 to Contract 32-13 (K3-035), Professional Services - Design City Hall Chiller Replacement

Resolved, that Amendment No. 3 to Contract 32-13 (K3-035), Professional Services-Design City Hall Chiller Replacement, Angus Young Associates, consultant, as submitted, is approved in the not-to-exceed amount of \$4,200.00.

Fiscal Note: Funding to defray the cost of these professional services be appropriated from Account 993.100.5040, City Hall Chiller Replacement.

Sponsors: Sandy Weidner

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.13-0393

Change Order No. 1 to Contact 54-13 (K3-059), HVAC Upgrades-Festival Hall and City Hall Annex

Resolved, that Change Order No. 1 on Contract 54-13 (K3-059), HVAC Upgrades-Festival Hall and City Hall Annex, Martin Petersen Company, Inc., contractor, is approved in the amount of \$3,100.00.

Fiscal Note: Funding to defray the cost of this change order be appropriated from Account 108.992.5010, Festival Hall Air Handlers.

Sponsors: Sandy Weidner

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.13-0394

Amendment No. 2 to the Recycle Cart Maintenance Agreement with Rehrig Pacific Company

Resolved, that Amendment No. 2 to the Recycle Cart Maintenance Agreement with Rehrig Pacific Company, consultant, as submitted, is approved in the amount of \$200.00 per month.

Fiscal Note: Funding to defray the cost of these professional services be appropriated from Account 289.000.5610, Professional Services.

Sponsors: Sandy Weidner

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.13-0395

Rental of Lakefront Lot No. 5

Resolved, that Audrey Becker is granted permission to lease Lakefront Lot No. 5 for a special event on August 28, 2013.

Fiscal Note: The agreement will generate \$280.00 for the Parking System.

Sponsors: Raymond DeHahn

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.13-0396

Rental of Lakefront Lot No. 5 for 10th Anniversary of Racine Art Museum

Resolved, that the Racine Art Museum (RAM) is granted permission to lease Lakefront Lot No. 5 for their anniversary on September 21, 2013 from the hours of 5:30 p.m. until 11:30 p.m.

Fiscal Note: The agreement will generate \$150.00 for the Parking System.

Sponsors: Raymond DeHahn

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.13-0397

Rental of Lakefront Lot No. 4 / Festival Hall Lot

Resolved, that the reduced rate of \$100 per month from October 2013 through March 2014 for the rental of Lakefront Lot No. 4 / Festival Hall lot by Venuworks is approved.

Fiscal Note: No change to projected Parking Utility revenue.

Sponsors: Raymond DeHahn

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.13-0398

West Racine Parking Meters

Resolved, that the recommendation of the Transit and Parking System Manager to convert the outermost parking meters in the West Racine lots to 10 hour meters to encourage employees and area residents to open up prime spaces for customers is approved.

Fiscal Note: No significant change to Parking Utility revenue estimates.

Sponsors: Raymond DeHahn

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.13-0399

Application for Public Transportation Assistance

Resolved, that the request of the Transit and Parking System for Common Council authorization of the Mayor and City Clerk to file an application for public transportation assistance with the Wisconsin Department of Transportation and to accept State and Federal transit operating assistance is approved.

Fiscal Note: Estimate combined State and Federal funding for 2014 of \$4.5 million.

Sponsors: Raymond DeHahn

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Res.13-0400

Closing of Mound Cemetery for 2013 Historical Walking Tours

Resolved, that the request of the Volunteer Center of Racine, Inc. to close Mound Cemetery to vehicular traffic from 3:00 p.m. to 7:00 p.m. on Sunday, October 20, Saturday, October 26, Sunday, October 27, and Sunday, November 3 for the walking tours is approved.

Further resolved, to deny closing of Mound Cemetery to public traffic.

Fiscal Note: n/a

Sponsors: Sandy Weidner

A motion was made that this Resolution be Adopted. The motion was APPROVED.

Council Action

A motion was made by President Terry McCarthy, seconded by Raymond DeHahn, that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

AYES: 13 - Coe, Sarrazin, Shields, Kaplan, Kaprelian-Becker, Weidner, DeHahn, McCarthy, Wiser, Holding, Perez, Morgenroth and Hart

EXCUSED: 2 - Shakoor, II and Diehl

H. Ordinances

Ord.15-13

Ordinance 15-13

To reinstate Section 114-1078. - Signs permitted in the B2 District of the Municipal Code of the City of Racine, Wisconsin and make amendments to same.

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

Part 1: Reinstated Section 114-1078. - Signs permitted in the B2 District of the Municipal Code of the City of Racine, Wisconsin as follows:

“Sec. 114-1078. - Signs permitted in the B2 District

Illuminated, non-flashing identification, and business signs are permitted in the B2 community shopping district, subject to the following conditions:

(1) General application.

a. Area. The gross area in square feet of all signs on a zoning lot shall not exceed two square feet for each lineal foot of building frontage or one square foot for each lineal foot of lot frontage, whichever results in the larger sign area; however, the maximum total area of all permitted signs for any establishment shall not exceed 300 square feet. Where more than four signs are located on any zoning lot, the fifth such sign and each succeeding sign, respectively, shall reduce the total allowable sign area by 20 percent.

b. Projection. One projecting sign per building, to project no more than five feet horizontally from the building; and such sign must have a minimum clearance of eight feet above a public sidewalk and 15 feet above driveways or alleys.

c. Height. No sign shall project higher than 25 feet above curb level.

d. Reserved.

(2) Shopping centers. For shopping centers in single ownership or under unified control, or individual uses with a minimum frontage of 150 feet, one additional sign on each street frontage, other than those regulated in subsection (1) of this section, shall be permitted, subject to the following:

a. Content. Such sign shall advertise only the name and location of such center or individual use and/or the name and type of business of

each occupant of the center.

b. Area. The gross area in square feet permitted for the additional sign on a zoning lot shall not exceed one-half square foot for each lineal foot of frontage of such zoning lot.

c. Setback. Such sign shall be set back a minimum of 25 feet from the front lot line of such center or individual use.

d. Height. No such sign shall project higher than 15 feet above curb level.”

Part 2: Amend the first paragraph of Sec. 114-1078. - Signs permitted in the B2 District by repealing the “,” after the word identification and repealing the words “and advertising signs.”

Part 3: Amend subsection (1) (c) of Sec. 114-1078 - Signs permitted in the B2 District by repealing the number “25” and replacing it with “15.”

Part 4: Amend subsection (2) (d) of Sec. 114-1078 - Signs permitted in the B2 District by repealing the number “25” and replacing it with “15.”

Part 5: 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:

Approved:

Mayor

Attest:

City Clerk

Fiscal Note: N/A

Sponsors: Dennis Wisler

Referred to City Plan Commission

I. Adjourn

The meeting was adjourned at 8:05 p.m. by Alderman Weidner. The next scheduled meeting of the Council is October 15, 2013.

ATTEST: JANICE M. JOHNSON-MARTIN
CITY CLERK