



# City of Racine

## Meeting Agenda

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

### Waterworks Commission

*President Michael Staeck, Vice President Thomas Friedel  
Secretary Kathy DeMatthew, Mayor Gary Becker  
Alderman Ronald D. Hart, Jeff Pellegrom, Brian Anderson*

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Tuesday, October 30, 2007

4:00 PM

City Hall Annex - Room 227

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1. **Roll Call**
2. **Approval of Minutes for the September 2007 Meeting**
3. [07-1295](#) Subject: Budget expenditures for September 2007 totaling \$1,266,985.45
4. [07-1296](#) Subject: Project Reports
  - A. Update on PSC Rate Case - Keith Haas
  - B. Lead Service Study Update - Mike Kosterman
5. [07-1299](#) Subject: Presentation from Unison regarding water tower cell antenna easement procurement
6. [07-1185](#) Subject: Request from Nick Maragos for purchase of land at Spring St. and Newman Rd.
7. [07-1298](#) Subject: Request from Heartland Development Group L.T.D. to purchase land at Spring St. & Newman Rd.
8. [07-1300](#) Subject: Change Order No. 1 on Contract W-07-3, Sheridan Road Water Main Replacement, Underground Pipeline, Inc. (contractor)
9. [07-1301](#) Subject: Change Order No. 2 on Contract W-07-3, Sheridan Road Water Main Replacement, Underground Pipeline, Inc. (contractor)
10. [07-1302](#) Subject: Final Payment on Contract W-07-3, Sheridan Road Water Main Replacement, Underground Pipeline, Inc. (contractor)
11. [07-1297](#) Subject: Proposal from Clifton-Gunderson to perform 2007 audit

12. [07-1196](#)

Subject: Request from Midwest Professional to install a free-standing, electronic, monument sign over a water and sewer easement crossing their property at 1 Main Street (1 Main Centre).

The placement of the sign was approved by the Downtown Design Review Committee, upon compliance with certain conditions, under File # 07-1007.

Also refer to Board of Waterworks and Board of Wastewater

Recommendation of the Public Works and Services Committee on 10-9-07: The property owner of 1 Main Street be granted permission to install a free-standing, electronic monument sign over a water and sewer easement, as requested, with the following stipulations:

- A. A hold harmless agreement be executed, in accordance with State Statute 66.0425, Privileges in Streets.
- B. In the event of required repairs, the property owner gives permission to the City of Racine to disconnect electrical connections and to remove the sign for the performance of such work.
- C. Any damages caused to said sign shall be the responsibility of the abutting property owner.

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

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

13. [Ord.20-07](#) Ordinance No. 20-07

To repeal and recreate Chapter 98, Article III, Division 4 of the Municipal Code of the City of Racine, Wisconsin relating to Water Utility - Impact Fee.

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

Part 1:

Chapter 98, Article III, Division 4 of the Municipal Code of the City of Racine is hereby repealed and recreated to read as follows:

"DIVISION 4. IMPACT FEE

Sec. 98-83. Definitions.

For the purpose of this division, the following phrases have the meaning stated:

Capital cost means the capital costs to construct, expand or improve public facilities, including the cost of land, and including legal, engineering and design costs to construct, expand or improve public facilities, except that not more than 10% of capital costs may consist of legal, engineering and design costs unless the City can demonstrate that its legal, engineering and design costs which relate directly to the public improvement for which the impact fees were imposed exceed 10% of capital costs. Capital costs does not include other noncapital costs to construct, expand or improve public facilities, the costs of equipment to construct, expand or improve public facilities or the costs for vehicles.

Developer means a person that constructs or creates a land development.

Impact Fees means cash fees imposed upon a developer under this chapter.

Land Development means the construction or modification of improvements to real property that creates additional residential dwelling units within the City or that result in nonresidential uses that create a need for new, expanded or improved public facilities within the City. For the purpose of the water impact fee, land development shall include any property, formerly unconnected to the water system that connects to the water system.

Residential Equivalent Connection (REC) means the measure of annual water usage expressed in terms of the amount of water used by a typical single-family residence, which shall be deemed to be 72,000 gallons per year.

Sec. 98-84. Purpose.

The purpose of this ordinance is to promote the public health, safety and general welfare of the community and to facilitate the adequate provision for regional water utility system facilities by imposing impact fees upon developers to pay for the capital costs that are necessary to accommodate land development.

Sec. 98-85. Authority.

This ordinance is authorized under §66.0617, Wis. Stats. The provisions of this ordinance

shall not be construed to limit the power of the City to adopt such ordinance pursuant to any other source of local authority, nor to utilize any other methods or powers otherwise available for accomplishing the purposes set forth herein, either in substitution of or in conjunction with this ordinance.

Sec. 98-86. Imposition of impact fees.

- (a) Impact fees are hereby imposed on all developments and land divisions within the City of Racine.
- (b) For all development, impact fees shall be due in full within fourteen (14) days of the issuance of a building or plumbing permit.
- (c) The effective date of a building permit is the date on which all impact fees imposed under this Chapter are paid in full and unless all impact fees are paid in full within 14 days after issuance as required by §66.0617 (6) (g), Wis. Stats., said building permit shall expire 15 days after issuance.

Sec. 98-87. Residential equivalent connection tables.

The following tables shall be used to determine RECs to be used from the city water system:

(1) Residential Users.

Residential Users	REC
Condominium	0.75/unit
Single-family home	1.00
Duplex	1.50
Multiple-family	0.75/unit

(2) Nonresidential users.

SIC Code	Description	Gallons per Employee Hour
0742	Veterinary services for animal specialties	20.0
0752	Animal specialty services	16.0
0782	Lawn and garden services	10.0
1446	Industrial sand	5.0
1521	General contractors--Residential	2.3
1541	General contractors--Industrial buildings and warehouses	2.3
1611	General contractors--Public works	2.3
1711	Plumbing, heating and air conditioning	2.3
1731	Electrical work	2.3
1761	Roofing and sheet metal work	2.3
1799	Special trade contractors, N.E.C.	2.3
2013	Sausage and other prepared meats	110.0
2065	Candy and other confectionery products	50.0
2087	Flavoring extracts and syrups, N.E.C.	75.0
2394	Canvas and related products	2.3
2431	Millwork	5.0
2434	Wood kitchen cabinets	5.0
2522	Metal office furniture	2.3
2721	Periodicals: Publishing and printing	10.0
2731	Books: Publishing and printing	10.0
2751	Commercial printing, letterpress and screen	10.0
2752	Commercial printing, lithographic	10.0

2789	Book binding and related work	10.0	
2795	Lithographic platemaking and related services		25.0
2819	Industrial inorganic chemicals, N.E.C.	10.0	
2834	Pharmaceutical preparation	10.0	
2841	Soap and other detergents	15.0	
2893	Manufacturing of printing ink	30.0	
2899	Chemicals and chemical preparations, N.E.C.		10.0
3079	Miscellaneous plastic products	85.0	
3111	Leather tanning and finishing	345.0	
3272	Concrete products, except block and brick		25.0
3442	Metal doors, sash, frames, molding and trim		2.3
3444	Sheet metal work	40.0	
3451	Screw machine products	10.0	
3462	Iron and steel forging	5.0	
3469	Metal stampings, N.E.C.	5.0	
3471	Electroplating, plating, polishing, anodizing, etc.		50.0
3479	Coating, engraving and allied services, N.E.C.		100.0
3495	Wire springs	2.3	
3498	Fabricated pipe and fittings	2.3	
3499	Fabricated metal products, N.E.C.	25.0	
3531	Construction machinery and equipment	5.0	
3544	Spec. dies and tools, die sets, jigs and fixtures, molds		10.0
3562	Ball and roller bearings	5.0	
3565	Industrial patterns	5.0	
3569	General industrial machinery and equipment, N.E.C.		4.0
3576	Scales and balances, except laboratory		2.3
3599	Machinery, except electrical, N.E.C.	10.0	
3613	Switchgear and switchboard apparatus	5.0	
3632	Household refrigerators and home and farm freezers		2.3
3694	Electrical equipment for internal combustion engines		2.3
3714	Motor vehicle parts and accessories	75.0	
3999	Manufacturing industries, N.E.C.	2.3	
4141	Local passenger transportation charter service		2.3
4151	School buses	2.3	
4212	Local trucking without storage	10.0	
4213	Trucking, except local	2.3	
4225	General warehousing and storage	2.3	
4311	U.S. Postal Service	2.3	
4722	Travel agency	2.3	
4811	Telephone communication	2.3	
4832	Radio broadcasting	2.3	
5042	Toys and hobby goods and supplies	2.3	
5063	Electrical apparatus and equipment	2.3	
5054	Electrical appliances	2.3	
5072	Hardware--Wholesale distribution	2.3	
5082	Construction and mining machinery and equipment		2.3
5084	Industrial machinery and equipment	2.3	
5142	Frozen foods	10.0	
5149	Wholesale groceries and related products, N.E.C.		10.0
5199	Wholesale nondurable goods, N.E.C.	10.0	
5211	Lumber and other building materials dealers		2.3
5231	Paint, glass, wallpaper	2.3	
5251	Hardware--Retail sales	2.3	

5261	Retail nurseries, lawn and garden supply stores	10.0
5271	Mobile home dealers	2.3
5311	Department stores	2.3
5331	Variety stores	2.3
5411	Grocery stores with meat and produce departments	16.0
5412	Grocery stores without meat and produce departments	6.0
5441	Candy, nut and confectionery stores	10.0
5462	Retail bakeries--Baking and selling	10.0
5499	Miscellaneous food stores	2.3
5511	Motor vehicle dealers	5.0
5531	Auto and home supply stores	2.3
5541	Gasoline service stations	15.0
5551	Boat dealers	5.0
5611	Clothing stores	2.3
5651	Shoe stores	2.3
5681	Furriers and fur shops	5.0
5711	Furniture, floor coverings, appliances	2.3
5812	Eating places (restaurants)	20.0
5813	Drinking places (taverns)	45.0
5912	Drugstores and proprietary stores	2.3
5921	Liquor stores	2.3
5931	Used merchandise stores	2.3
5941	Sporting goods stores and bicycle shops	2.3
5942-9	Miscellaneous stores	2.3
5992	Florists	10.0
5999	All other retail stores	2.3
6022-59	Banks	2.3
6122-63	Savings and loans	2.3
6311	Insurance companies	2.3
6411	Insurance agents	2.3
6512	Operators of nonresidential buildings	2.3
6515	Operators of residential mobile home sites	2.3
6531	Real estate agents and managers	2.3
6553	Cemetery subdividers and developers	2.3
6722	Management investment offices	2.3
7011	Hotels, motels, tourist courts	0.5 REC/Unit
7211	Power laundries, family and commercial	105.0
7212	Cleaning and laundry pickup stations	2.3
7215	Fac. coin-op laundries and dry cleaning	910.0
7221	Photographic studios	2.3
7231	Beauty shops	16.0
7241	Barber shops	10.0
7261	Funeral service and crematories	15.0
7299	Miscellaneous services, N.E.C.	2.3
7311	Advertising agencies, employment services	2.3
7332	Blueprinting and photocopying services	2.3
7351	Employment agencies	2.3
7391	Research and development laboratories	10.0
7395	Photo finishing labs	10.0
7512	Passenger car rental and leasing, w/o drivers	10.0
7531	Top and body repair shop	5.0
7534	Tire retreading and repair shops	20.0
7538	General automotive repair shops	5.0

7542	Car washes	115.0	
7622	Radio and television repair	2.3	
7699	Repair shops and related services, N.E.C.	2.3	
7832	Motion picture theaters, not drive-ins	20.0	
7911	Dance halls, studios and schools	20.0	
7922	Theatrical producers	20.0	
7933	Bowling alleys	50.0	
7992	Public golf courses	45.0	
7997	Membership sports and recreation clubs	75.0	
7999	Roller rinks, gymnasiums, museums	20.0	
8011	Offices of physicians	10.0	
8021	Offices of dentists	10.0	
8031	Offices of osteopaths	10.0	
8041	Offices of chiropractors	10.0	
8051	Skilled nursing care facilities	20.0	
8091	Health and allied services, N.E.C.	10.0	
8111	Attorneys	2.3	
8211	Elementary and secondary schools	20.0	
8221	Colleges, universities and professional schools	25.0	
8231	Libraries and information centers	20.0	
8249	Vocational schools, N.E.C.	20.0	
8421	Arboreta, botanical and zoological gardens	45.0	
8621	Professional membership organizations	2.3	
8641	Civic, social and fraternal associations	15.0	
8661	Religious organizations (hours occupied only)	20.0	
8699	Membership organizations, N.E.C.	2.3	
38911	Engineering, architectural and surveying services	2.3	
8931	Accountants	2.3	
9199	General government, N.E.C.	2.3	
38911	Engineering, architectural and surveying services	2.3	
8931	Accountants	2.3	
9199	General government, N.E.C.	2.3	
9221	Police protection	2.3	
9224	Fire protection	2.3	
9451	Administration of veteran's affairs	2.3	
9999	All offices, N.E.C.	2.3	

Sec. 98-88. Impact Fee.

(a) Established. Except as otherwise provided, a impact fee is hereby established for each new service connection to the city water supply system and for each change of use or for the addition of a new use or for a new or expanded building on a lot or parcel already connected to the city water system at the time of application. The impact fee shall not apply to the Village of Elmwood Park, the Village of North Bay or the Town of Somers if they fail to enter into a retail water service agreement that is substantially similar to the agreement between the city and the Village of Mt. Pleasant and the city and the Village of Sturtevant.

(b) Amount. The impact fee is established at \$3,143.00 per REC. The amount of the impact fee shall be adjusted annually as of February 1 of each year by the percentage change in the annual average (20-city prices) Construction Cost Index (as published by the Engineering News Record).

- a. For all residential users of the water supply system, the table set forth in section 98-87 shall be used to determine the number of RECs per dwelling unit or building.
- b. For all nonresidential users of the water supply system, the impact fee shall be calculated as follows:
  - i. The municipality shall obtain and, if extraterritorial, provide to the city reliable information from each applicant for a connection to the Racine water system, before approving the connection, relating to the specific proposed use(s) of the property, in terms of SIC codes, if applicable, and the maximum employee hours for a peak day of operations.
  - ii. Based on the information provided, the city shall calculate the number of RECs for that property/development using the method set forth in section 98-87 and shall be calculate and impose an impact fee in accordance with subsection (b). All REC calculations for an account shall be rounded up to the nearest whole REC. A minimum fee based upon one REC shall apply to all nonresidential connections.
  - iii. Since the impact fee determined under subsections i. and ii. above is based upon the estimated intended usage, the City shall have the right to recalculate the charge based upon actual usage for a 12-month period. At any time between the first and third anniversary dates of establishment of the nonresidential water service account, the City may review the account history to determine the highest actual recorded usage in a 12-month period.
  - iv. Based upon the information obtained under subsection ii, the City may recalculate the impact fee. If the recalculated charge exceeds that of the amount paid for the original charge, the additional amount shall become due and payable at the time the adjustment is made.
- c. Such fees collected by the City shall be placed in a special fund which shall be separate from the general fund of the City, and the special fund and all interest earned thereon shall be used exclusively for the particular capital costs for which the fee was imposed.
- d. Such fees shall be expended by the City for the aforesaid purpose within 7 years of the date of payment, or such fee amount paid along with any interest that has accumulated shall be refunded by the City to the current owner(s) of the property with respect to which such fee was imposed.

#### Sec. 98-89. Fee Reduction.

Any impact fee imposed under this section shall be reduced to compensate for capital costs otherwise imposed by the City, upon the land development subject to this section, for the same public facilities for which an impact fee has been imposed under this section, including by way of special assessments, special charges, land dedications, or any ordinance adopted thereunder or any other items of value. Impact fees imposed under this section shall also be reduced to compensate for moneys received from the federal or state government specifically to provide or pay for the public facilities for which the impact fees under this section are imposed.

#### Sec. 98-90. Exemption From Fees.



(a) The lawful new construction of a single-family dwelling structure upon a nondivisible parcel of land supporting or having supported a habitable single-family dwelling structure razed or to be razed within one year of the date of the issuance of a building permit for the new construction as part of the new construction project shall be exempt from the fees imposed under this chapter. Any new construction of a single-family dwelling structure upon a single parcel of land involving the demolition of a preexisting residential structure upon such single parcel of land, which project is similar to but not exactly as described above to be exempt, may be found to be exempt upon application to the Common Council and a finding by the Common Council that such project does not bear a rational relationship to the need for new, expanded or improved public facilities required to serve such development. Such application shall be made to the Common Council prior to the payment of any fees under this section.

(b) No impact fee shall be due from the Village of Mt. Pleasant with respect to the connection to the city water system of a lot or parcel within 12 months after the effective date of the 2004 Intergovernmental Retail Water Service Agreement Between the City of Racine (through the city water utility) and the Village of Mt. Pleasant if such lot or parcel was developed with a principal building prior to such effective date, and if the water main to which such lot or parcel is connected was existent prior to such effective date and if the connection is made in compliance with the requirements of Section 13 of such agreement. No impact fee shall be due from the city during the 12 months after the effective date of such agreement.

#### Sec. 98-91. Administration and Review.

The revenue and expenditure totals for each impact fee will be included in the City's annual budget, and a summary of the revenue and expenditure totals for each impact fee must also be made available in the City's annual budget summary required under Wisconsin State Statute §65.90 (3) (a).

#### Sec. 98-102. Appeal.

Any developer upon whom an impact fee is imposed under this section shall have the right to contest the amount, collection or use of the impact fee to the Common Council, provided that the developer files a written notice of appeal in the City Clerk's office within 15 days of the developer's filing of an application for a building permit upon which the impact fee is imposed. Such notice of appeal shall be entitled "Notice of Appeal of Impact Fee" and shall state the developer's name, address, telephone number, address (if available) and legal description of the land development upon which the impact fee is imposed, and a statement of the nature of and reasons for the appeal. The City Clerk shall schedule the appeal for consideration by the Common Council at a regular meeting as soon as reasonably practicable under the circumstances and shall notify the developer of the time, date and place of such meeting, in writing, by regular mail, deposited in the mail no later than at least three days before the date of such meeting. Upon review of such appeal, the Common Council may adjust the amount, collection or use of the impact fee upon just and reasonable cause shown."

#### Part 2:

This ordinance shall take effect upon passage and the day after publication.

Passed by the Common Council:  
\_\_\_\_\_

Approved: \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Fiscal Note: N/A

- 14.    [07-1321](#)       Subject: Authorization to enter into an agreement with Cricket Communications, Inc. to install antennas on two Utility water towers
  
- 15.    [07-1339](#)       Subject: Authorization to enter into an agreement with E-Vergent to extend the lease for wireless internet service on the Sturtevant water towers
  
- 16.    [07-1303](#)       Subject: Submission of the 2008 adopted Operations & Maintenance Budget and the adopted 2008-2012 Capital Improvement Plan
  
- 17.    [07-1322](#)       Subject: Request from New Berlin regarding obtaining Lake Michigan water
  
- 18.    [07-1360](#)       Subject: Change Order No. 2 on Contract W-07-2, 2007 Water Main Replacements, Reesman's Excavating & Grading (contractor)
  
- 19.    [07-1361](#)       Subject: Change Order No. 3 on Contract W-07-2, 2007 Water Main Replacements, Reesman's Excavating & Grading (contractor)
  
- 20.    [07-1362](#)       Subject: Final Payment on Contract W-07-2, 2007 Water Main Replacements, Reesman's Excavating & Grading (contractor)
  
- 21.    Other Business
  
- 22.    **Adjournment**

**If you are disabled and have accessibility needs or need information interpreted for you, please contact the office of the General Manager at 636-9181 at least 48 hours prior to this meeting.**