



City of Racine

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

Meeting Agenda - Final Common Council

*Mayor John T. Dickert, Alderman Jeff Coe,
Alderman Mollie Jones, Alderman Michael Shields,
Alderman Jim Kaplan, Alderman Steve Smetana,
Alderman Sandy Weidner,
Alderman Raymond DeHahn,
Alderman Q.A. Shakoor II,
Alderman Terry McCarthy, Alderman Dennis Wisner,
Alderman Mary Land, Alderman Henry Perez,
Alderman James Morgenroth,
Alderman Ronald Hart, Alderman Melissa Lemke*

Tuesday, December 15, 2015

7:00 PM

Room 205, City Hall

A. Call To Order

B. Pledge of Allegiance To The Flag

C. Approval of Journal of Council Proceedings (Minutes)

D. Public Hearings

[Ord.12-15](#) Ordinance 12-15 - Breweries and Brew Pubs

An ordinance to amend Chapter 114 - Zoning, of the Municipal Code of the City of Racine, Wisconsin.

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

Part 1: Amend Sec. 114-467(1) by adding after the words "where produced" the words "except as permitted herein".

Part 2: Create Sec. 114-468(11) to read as follows: "(11) A brewery, a brewery with a restaurant, or a brew pub, each as defined by Wis. Stat. §§ 125.29 and 125.295, and producing less than 1,000 barrels per year."

Part 3: Create Sec. 114-568 (39) to read as follows: "(39) Brewery as defined by Wis. Stat. § 125.29."

Part 4: Repeal and recreate Sec. 114-587 (b) (39) to read as follows: "(39) Breweries as defined by Wis. Stat. § 125.29."

Part 5: Create Sec. 114-587 (40) to read as follows: "(40) Reserved."

Part 6: 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.

Fiscal Note: N/A

Sponsors:

Dennis Wiser

E. Public Comments

F. Communications

Refer to Finance and Personnel Committee, by Ald. Shakoor

[15-01033](#) **Subject:** Communication from the Director of PRCS requesting permission to accept a \$1,157.00 donation from ZMac Transportation in support of holiday food baskets given away at the Dr. John Bryant Community Center & the Dr. Martin Luther King Jr. Community Center.

[15-01044](#) **Subject:** communication from the City Attorney submitting the claim of Daniel Aguilar for consideration.

[15-01046](#) **Subject:** communication from the City Attorney submitting the claim of The Woods at Mount Pleasant, LLC for consideration.

[15-01081](#) **Subject:** communication from the City Attorney submitting the claim of Michael Hoerster and Joyce Hoerster for consideration.

Refer to Committee of the Whole, by Ald. Kaplan

[15-01069](#) **Subject:** communication from the Alderman of the 11th District requesting that the Common Council approve a resolution opposing extension of disastrous trade policies.

G. Committee Reports

Finance and Personnel Committee Report, by Ald. Shakoor

[15-01019](#) **Subject:** Communication from the Purchasing Agent requesting bids for Official Notice #10-2015, Emergency Medical Supplies for the Racine Fire Department. (Res No. 15-0448)

Recommendation of the Finance & Personnel Committee on

December 7, 2015: Bids for Official Notice #10-2015, Emergency Medical Supplies for the Racine Fire Department be accepted and contracts be executed with low bidders as delineated by the Purchasing Agent.

Fiscal Note: Funding for this expense in FY2016 is \$105,000 in account 13001 53200.

[15-01021](#)

Subject: Communication from the Public Health Administrator requesting permission to accept a \$500 donation from the Vietnam Veterans of America for support of the "Moving Wall 2015 Racine" by the Medical Reserve Corps. (Res No. 15-0449)

Recommendation of the Finance & Personnel Committee on

December 7, 2015: Permission be granted to the Public Health Administrator to accept a \$500 donation from the Vietnam Veterans of America.

Fiscal Note: There is no City match required.

[15-01022](#)

Subject: Communication from the Public Health Administrator requesting permission to accept compensation from the Illinois Department of Natural Resources, Office of Coastal Zone Management in the amount of \$5,000.00. (Res No. 15-0450)

Recommendation of the Finance & Personnel Committee on

December 7, 2015: Permission to be granted to the Public Health Administrator to accept compensation from the Illinois Department of Natural Resources, Office of Coastal Zone Management in the amount of \$5,000.00.

Fiscal Note: No City match is required.

[15-01023](#)

Subject: Communication from the Public Health Administrator requesting permission to enter into an agreement with the Wisconsin Humane Society for Stray and Impound Animal Shelter services. (Res No. 15-0451)

Recommendation of the Finance & Personnel Committee on

December 7, 2015: Permission be granted to the Public Health Administrator to enter into an agreement with the Wisconsin Humane Society for Stray and Impound Animal Shelter services.

Fiscal Note: The proposed cost to the City of Racine will be \$251,280.40 annually, payable in equal monthly payments of \$20,940.03.

[15-01024](#)

Subject: Communication from the Public Health Administrator requesting permission to accept the additional funds of \$17,777 for the Maternal Child Healthcare (MCH) Contract Amendment. (Res No. 15-0452)

Recommendation of the Finance & Personnel Committee on December 7, 2015: Permission be granted to the Public Health Administrator to accept the additional funds of \$17,777 for the Maternal Child Healthcare (MCH) Contract Amendment.

Fiscal Note: No City match is required (Grant Control #00016).

[15-01025](#)

Subject: Communication from the Public Health Administrator requesting permission to enter into agreements with the Villages of Elmwood Park and Wind Point to provide specific Level II Public Health Services. (Res No. 15-0453)

Recommendation of the Finance & Personnel Committee on December 7, 2015: Permission be granted to the Public Health Administrator to enter into agreements with the Villages of Elmwood Park and Wind Point to provide specific Level II Public Health Services.

Fiscal Note: There is no City match required.

[15-01026](#)

Subject: Communication from the Public Health Administrator requesting permission to enter into a contract and to accept funds of \$5,550 from the Wisconsin Department of Agriculture Trade and Consumer Protection. (Res No. 15-0454)

Recommendation of the Finance & Personnel Committee on December 7, 2015: Permission be granted to the Public Health Administrator to enter into a contract and to accept funds of \$5,550 from the Wisconsin Department of Agriculture Trade and Consumer Protection.

Fiscal Note: There is a City (soft) match required of \$1850.00. The grant control number has been requested.

[15-01027](#)

Subject: Communication from the Public Health Administrator requesting a job position reclassification. (Res No. 15-0455)

Recommendation of the Finance & Personnel Committee on December 7, 2015: Permission to be granted to the Public Health Administrator to reclassify the vacant part-time Nurse Practitioner position to that of a Public Health Nurse position.

Fiscal Note: The vacant position is approved / funded within the Health Department's current budget.

[15-01045](#)

Subject: (Direct Referral) Communication from the City Administrator requesting approval of an amendment to the Interlocal Agreement Regarding Cost Sharing for Joint Dispatch Services. This amendment will reduce the City's payment that currently includes payment for services for Wind Point, North Bay, and Elmwood Park. (Res No. 15-0456)

Recommendation of the Finance & Personnel Committee on December 7, 2015: To authorize the Mayor and City Clerk to enter into an amended agreement with the Villages of Caledonia, Mt. Pleasant, and Sturtevant regarding payment for dispatch services from Racine County, contingent upon acceptance by all parties to the agreement.

Fiscal Note: The City's payment to the County will be reduced by \$63,723.00 annually.

[15-01050](#)

Subject: (Direct Referral) Communication from the Human Resources Manager and the City Attorney submitting the Racine Professional Employees Association 2016 collective bargaining agreement for consideration. (Res No. 15-0458)

Recommendation of the Finance and Personnel Committee on December 7, 2015: Recommend approval of the negotiated collective bargaining agreement.

Fiscal Note: Approximately \$18,000 expenditure increase over 2015 as included in the City of Racine 2016 Budget.

[15-01051](#)

Subject: Communication from the Finance Department requesting an appropriation of Contingent Funds to cover anticipated overages in the 2015 General Fund Budget. (Res No. 15-0457)

Recommendation of the Finance & Personnel Committee on December 7, 2015: Appropriate \$125,000 from account 11202-56200, Contingency; place \$100,000 in account 11004-52100, Attorney's Professional Services, and \$25,000 in account 14009-53200, Snow and Ice-Work Supplies.

Fiscal Note: There are sufficient funds available for the transfer.

Public Works and Services Committee Report, by Ald. Morgenroth

[15-01017](#)

Subject: Communication from Racine Lutheran High School submitting a request to install permanent banners on Spring Street and Luedtke Avenue. (Res No. 15-0459)

Recommendation of the Public Works and Services Committee on 12-8-15: That Racine Lutheran High School be granted permission to install four (4) banners on street light poles on Spring Street and Luedtke Avenue until December 15, 2016.

Further recommends that a hold harmless agreement be executed and a \$150 processing fee paid in accordance with State Statute 66.0425, Privileges in Streets.

Fiscal Note: The placement of these banners will result in \$120 in revenue to the City of Racine.

[15-01030](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations requesting permission to waive formal bidding procedures for the City lock and key system. (Res No. 15-0460)

Recommendation of the Public Works and Services Committee on 12-8-15: The request of the Purchasing Agent to waive formal bidding procedures be approved in accordance with Racine Municipal Code Section 46-28 that allows for the waiving of formal public bids for purchases over \$25,000 for the purpose of maintaining uniformity of equipment and services.

Further recommends that the Purchasing Agent be authorized and directed to purchase the City's lock and key system from Apex Key and Lock for the price of \$33,230, they being the sole source provider of this equipment.

Fiscal Note: Funding to defray the cost of these materials is available in the following Org-Objects:

\$15,000 - Org-Object 45040-57200, DPW-Building Improvements
\$15,000 - Org-Object 45040-57201, DPW-Streets-Building Improvements
\$ 1,615 - Org-Object 1400740-52200, Bridges-MS Contracted Services
\$ 1,615 - Org-Object 1400741-52200, Bridge-SS Property/Equip Rental
\$33,230 - Total

[15-01035](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations requesting permission to waive formal bidding procedures for the purchase of one (1) wheel loader vehicle. (Res No. 15-0461)

Recommendation of the Public Works and Services Committee on 12-8-15: The request of the Purchasing Agent to waive formal bidding procedures be approved in accordance with Racine Municipal Code Section 46-28 that allows for the waiving of formal public bids for

purchases over \$25,000 for the purpose of maintaining uniformity of equipment and services.

Further recommends that the Purchasing Agent be authorized and directed to purchase one Case 621F Wheel Loader with 4-in-1 bucket and snow plow from Miller-Bradford and Risberg, Inc. for the approximate price of \$191,000, they being the sole source provider of this equipment.

Fiscal Note: Funding to defray the cost of these materials is available in Org-Object 45140-57311, DPW-Equipment Vehicles-Highway.

[15-01036](#)

Subject: (Direct Referral) Change Order No. 1 to Contract 20150009, CDBG Concrete Reconstruction - Yout Street, A.W. Oakes & Son, Inc., contractor. (Res No. 15-0462)

Recommendation of the Public Works and Services Committee on 12-8-15: That Change Order No. 1 on Contract 20150009, CDBG Concrete Reconstruction - Yout Street, A.W. Oakes & Son, Inc., contractor, as submitted, be approved in the amount of \$11,457.50.

Further recommends that funding to defray the cost of the change order be appropriated from the following Org-Objects:

\$ 7,891.98 - Org-Object 45040-57500, DPW - Paving
(\$ 1,669.17) - Org-Object 22640-57560, Sanitary Sewers
(\$ 858.11) - Org-Object 40102-57560, RWWU-Sewer Relay
\$ 6,092.80 - Org-Object 60484-57570, Storm Sewers
\$11,457.50 - Total

Fiscal Note: Funds are available as herein delineated.

[15-01037](#)

Subject: Final Payment on Contract 20150009, CDBG Concrete Reconstruction - Yout Street, A.W. Oakes & Son, Inc., contractor. (Res No. 15-0463)

Recommendation of the Public Works and Services Committee on 12-8-15: That the work done by A.W. Oakes & Son, Inc., under Contract 20150009, CDBG Reconstruction - Yout Street, be accepted and final payment authorized for a total contract amount of \$1,413,734.00. Final Payment to include retainage.

Fiscal Note: Contract was authorized under Resolution 15-0166, dated April 20, 2015.

[15-01038](#)

Subject: (Direct Referral) Change Order No. 2 to Contract 20150039,

2015 Sanitary Sewer - Echo Lane (R1), A.W. Oakes & Son, Inc., contractor. (Res No. 15-0465)

Recommendation of the Public Works and Services Committee on

12-8-15: That Change Order No. 2 on Contract 20150039, 2015 Sanitary Sewer - Echo Lane (R1), A.W. Oakes & Son, Inc., contractor, as submitted, be approved in the amount of \$79,667.06.

Further recommends that funding to defray the cost of the change order be appropriated from the following Org-Objects:

\$39,472.00 - Org-Object 40102-57560, RWWU-Sewer Relay
\$20,165.00 - Org-Object 22640-57560, Sanitary Sewer
~~\$20,030.06~~ - Org-Object 60484-57570, Storm Sewer
\$79,667.06- Total

Fiscal Note: Funds are available as herein delineated.

[15-01039](#)

Subject: Final Payment on Contract 20150039, 2015 Sanitary Sewer - Echo Lane (R1), A.W. Oakes & Son, Inc., contractor. (Res No. 15-0464)

Recommendation of the Public Works and Services Committee on

12-8-15: That the work done by A.W. Oakes & Son, Inc., under Contract 20150039, 2015 Sanitary Sewer Echo Lane (R1), be accepted and final payment authorized for a total contract amount of \$466,252.06. Final Payment to include retainage.

Fiscal Note: Contract was authorized under Resolution 15-0294, dated July 21, 2015.

[15-01041](#)

Subject: (Direct Referral) Change Order No. 1 to Contract 01-15 (20150001), 2015 Sidewalk Replacement Program, Phase I (R1), RAZA of Racine, LLC., contractor. (Res No. 15-0466)

Recommendation of the Public Works and Services Committee on

12-8-15: That Change Order No. 1 on Contract 01-15 (201500001), 2015 Sidewalk Replacement Program, Phase I (R1), RAZA of Racine, LLC., contractor, as submitted, be approved in the deduct amount of (\$62,904.48).

Further recommends that funding to defray the cost of the change order be appropriated from the following Org-Objects:

(\$43,322.75) - Org-Object 40104-57515, Assessable Sidewalk
(\$ 2,915.17) - Org-Object 45040-57515, DPW-Sidewalks
(\$19,243.00) - Org-Object 45040-57500, DPW-Paving

\$ 628.88 - Org-Object 60622-57200, Civic Center
\$ 1,947.56 - Org-Object 45050-57110, Parks Sidewalk Replacement
(\$62,904.48) - Total

Fiscal Note: Funds are available as herein delineated.

[15-01042](#)

Subject: Final Payment on Contract 01-15 (20150001), 2015 Sidewalk Replacement Program, Phase I (R1), RAZA of Racine, LLC., contractor. (Res No. 15-0467)

Recommendation of the Public Works and Services Committee on 12-8-15: That the work done by RAZA of Racine, LLC., under Contract 01-15 (20150001), 2015 Sanitary Sewer Echo Lane (R1), be accepted and final payment authorized for a total contract amount of \$429,793.32. Final Payment to include retainage.

Fiscal Note: Contract was authorized under Resolution 15-0132, dated April 8, 2015.

Public Safety and Licensing Committee Report, by Ald. Coe

[15-01002](#)

Subject: (Direct Referral) Communication from the Purchasing Agent submitting the report on the bids received for the sale of Abandoned Vehicles, November 16, 2015.

Recommendation of the Public Safety and Licensing Committee on 12-08-15: That the item be Received and Filed as the highest responsible bidder from the two bids was Auto Parts City.

[15-01003](#)

Subject: (New) Application for a Class "B" Fermented Malt Beverage and "Class C" Wine License for Pico's Tacos and Beer, Angela Espinoza, Agent for 550 Three Mile Road. (15th District)

Recommendation of the Public Safety and Licensing Committee on 12-08-15: That the (New) application for a Class "B" Fermented Malt Beverage and "Class C" Wine License for Pico's Tacos and Beer, Angela Espinoza, Agent for 550 Three Mile Road. (15th District) be approved.

City Plan Commission Report, by Ald. Wisner

[15-00980](#)

Subject: (Direct Referral) A request from Party City, represented by Rosie Olle of Michael's Signs, for approval to deviate from the adopted Regency Mall Signage standards for signage proposed at 5900 Durand Avenue.

Recommendation of the City Plan Commission on 12-09-15: That the item be received and filed.

Fiscal Note: N/A

[15-01053](#)

Subject: (Direct Referral) A request from Pastor Frank James II of Changing Lives Ministries seeking a conditional use permit for the re-establishment of a church at 2829 Durand Avenue. (PC-15) (Res No. 15-0468)

Recommendation of the City Plan Commission on 12-09-15: That the item be approved, subject to conditions.

Fiscal Note: N/A

[15-01054](#)

Subject: (Direct Referral) A request from Nathan Ward, representing Racine Cellular Telephone Company, for a conditional use permit to remove an existing 120-foot lattice tower and replace it with a 120-foot monopole at 1301 W. Sixth Street. (PC-15) (Res No. 15-0469)

Recommendation of the City Plan Commission 12-09-15: That the item be approved subject to conditions.

Fiscal Note: N/A

[15-01055](#)

Subject: (Direct Referral) A request from Abdul Motlani for a conditional use permit to operate an oil change center at 3101 Rapids Drive. (PC-15) (Res No. 15-0470)

Recommendation of the City Plan Commission on 12-09-15: That the item be approved, subject to conditions.

Fiscal Note: N/A

[15-01080](#)

Subject: (Ord.12-15) An ordinance to amend Chapter 114 - Zoning, of the Municipal Code of the City of Racine, Wisconsin as related to Breweries and Brew Pubs.

Recommendation of the City Plan Commission on 12-09-15: That the ordinance be adopted.

Fiscal Note: N/A

Redevelopment Authority of the City of Racine Report, by Ald. Morgenroth

[15-00954](#)

Subject: (Direct Referral) Consideration of a release of restrictions pertaining to a development agreement and deed restriction for 410 Main Street. (Res No. 15-0471)

Recommendation of the Redevelopment Authority of the City of Racine on 12-7-15: Whereas, in 2005 a deed restriction was recorded

by the RDA against the property requiring that no transfer of the property at 410 Main Street occur before an occupancy permit is received for the first floor, and

Whereas, the property has remained vacant since 2005 and the deed restriction has become an impediment to the redevelopment of the Property by blocking the pending sale of the Property.

Now therefore, the RDA recommends that the deed restriction described herein and recorded against the property at 410 Main Street be removed.

Fiscal Note: All costs associated with removal of the restriction from the deed will be borne by the petitioner.

[15-01016](#)

Subject: (Direct Referral) A request for amended agreement terms for Marlo Incorporated, 2227 South Street.

Recommendation of the Redevelopment Authority of the City of Racine on 12-7-15: That the modification to the 2014 assistance agreement be approved and that all other terms and conditions of the original 2014 assistance agreement remain in full force and effect, unless otherwise modified. Further, that the Mayor and City Clerk be authorized and directed to execute modifications to the 2014 financial assistance agreement with Marlo Incorporated in substantially the same form as outlined and in the attached Memorandum from RCEDC.

Further recommends that this item be referred to the Finance and Personnel Committee.

Fiscal Note: The funds are available in the Intergovernmental Revenue Sharing (919) Account.

[15-01047](#)

Subject: (Direct Referral) A request by the Interim Executive Director of the Redevelopment Authority for authorization to apply for a \$400,000.00 USEPA Citywide Site Assessment Grant.

Recommendation of the Redevelopment Authority of the City of Racine on 12-7-15: That funds and assistance be requested from the Environmental Protection Agency (EPA) Site Assessment Grant and all rules be complied with for the program. Further that the Assistant Executive Director act on the behalf of the Authority to: submit an application for an EPA Brownfield Site Assessment Grant for \$400,000.00 to aid in the investigation of brownfield properties, sign documents, and take necessary action to undertake, direct, and complete approved grant activities.

Further recommends that this be referred to the Finance and Personnel

Committee.

Fiscal Note: No local match is required for this grant.

[15-01049](#)

Subject: (Direct Referral) A request by the Interim Executive Director of the Redevelopment Authority for authorization to apply for a \$200,000.00 USEPA Brownfield Cleanup Grant for cleanup of the south lot of 1425 North Memorial Drive (a/k/a the Racine Steel Castings property).

Recommendation of the Redevelopment Authority of the City of Racine on 12-7-15: That funds and assistance be requested from the Environmental Protection Agency under the brownfield cleanup grant and that the rules for the program be complied with. Further that the Interim Executive Director act on behalf of the Authority to: submit an application for two EPA Brownfield Cleanup Grants of \$200,000.00 to aid in the continuation of the south lot site cleanup of 1425 N. Memorial Drive (aka the Racine Steel Castings property), sign documents, and take necessary action to undertake, direct, and complete approved grant activities.

Further recommends that this be referred to the Finance and Personnel Committee.

Fiscal Note: A 20% local match is required, \$40,000.00. Funds are available in the Intergovernmental Sharing Revenue Account and from the City of Racine US EPA Brownfield Cleanup Revolving Loan Fund.

Office of the Mayor Report, by Ald. Wisner

[15-01077](#)

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

Appoint Dr. Roy Carter, 1637 Kentucky Street 53405, to the Board of Parks, Recreation and Cultural Services, to complete a term expiring April 1, 2016.

Appoint Dr. Roy Carter, 1637 Kentucky Street 53405, to the Affirmative Action Commission, to complete a term expiring May 1, 2016.

Appoint Bishop J. Mark Freeman, 1612 Thurston Ave, 53405, to the Affirmative Action Commission, to complete a term expiring May 1, 2016.

Appoint Alderwoman Mollie Jones, 1900 Franklin Street 53403, to the Landmarks Preservation Commission, to complete a term expiring May 1, 2016.

Appoint Alderwoman Mollie Jones , 1900 Franklin Street 53403, to the Library Board, to complete a one year term expiring June 1, 2016.

Appoint Robert Anderson, 1638 S Main Street 53403, to the Redevelopment Authority, to complete a term expiring April 1, 2017.

Appoint Richard Heller, 2849 Eisenhower Drive 53405, to the Board of Zoning Appeals, to fill a vacancy which term expires April 1, 2017.

Board of Parks, Recreation, and Cultural Services Report, by Ald. Land

[15-00935](#)

Subject: Communication from the Alderman of the 11th District requesting an amendment to Municipal Code 70-83 - Camping, business or entertainment permit to allow the Director of Parks, Recreation & Cultural Services to provide written consent as the boards designee. (Ord. 14-15)

Recommendation of the Board of Parks, Recreation & Cultural Services on 11/18/15: Defer.

Recommendation of the Board of Parks, Recreation & Cultural Services on 12/9/15: To approve the amendment to section 70-83 as drafted.

H. Consent Resolutions

[Res.15-0448](#)

Official Notice #10-2015 - Emergency Medical Supplies for Racine Fire Department

Resolved, that bids for Official Notice #10-2015, Emergency Medical Supplies for the Racine Fire Department are accepted and contracts are to be executed with low bidders as delineated by the Purchasing Agent.

Fiscal Note: Funding for this expense in FY2016 is \$105,000.00 in account 13001 53200.

Sponsors:

Q.A. Shakoor II

[Res.15-0449](#)

Donation to Support "Moving Wall 2015 Racine"

Resolved, that permission is granted to the Public Health Administrator to accept a \$500.00 donation from the Vietnam Veterans of America for support of the "Moving Wall 2015 Racine" by the Medical Reserve Corps.

Fiscal Note: There is no City match required.

Sponsors:

Q.A. Shakoor II

[Res.15-0450](#)

Compensation from Illinois Department of Natural Resources, Office of

Coastal Zone Management

Resolved, that permission is granted to the Public Health Administrator to accept compensation from the Illinois Department of Natural Resources, Office of Coastal Zone Management, in the amount of \$5,000.00, to provide recommendations to the City of Waukegan and Winthrop Harbor regarding two swimming beaches.

Fiscal Note: No City match is required.

Sponsors:

Q.A. Shakoor II

Res.15-0451

Agreement with Wisconsin Humane Society for Stray and Impound Animal Shelter Services

Resolved, that the Mayor and City Clerk are authorized to enter into an agreement with the Wisconsin Humane Society for Stray and Impound Animal Shelter services.

Fiscal Note: The proposed cost to the City of Racine will be \$251,280.40 annually, payable in equal monthly payments of \$20,940.03.

Sponsors:

Q.A. Shakoor II

Res.15-0452

Funds for Maternal Child Healthcare (MCH) Contract Amendment

Resolved, that permission is granted to the Public Health Administrator to accept the additional funds of \$17,777.00 for the Maternal Child Healthcare (MCH) Contract Amendment.

Fiscal Note: No City match is required (Grant Control #00016).

Sponsors:

Q.A. Shakoor II

Res.15-0453

Agreements with Villages of Elmwood Park and Wind Point to Provide Level II Public Health Services

Resolved, that permission is granted to the Public Health Administrator to enter into agreements with the Villages of Elmwood Park and Wind Point to provide specific Level II Public Health Services.

Fiscal Note: There is no City match required.

Sponsors:

Q.A. Shakoor II

Res.15-0454

Funds from Wisconsin Department of Agriculture Trade and Consumer Protection

Resolved, that the Mayor and City Clerk are authorized to enter into a

contract and to accept funds of \$5,550.00 from the Wisconsin Department of Agriculture Trade and Consumer Protection. The Funds will be used to continue the collections of unwanted prescription drugs that take place in April and October in conjunction with the household hazardous waste collection.

Fiscal Note: There is a City (soft) match required of \$1,850.00.

Sponsors:

Q.A. Shakoor II

Res.15-0455

Job Position Reclassification

Resolved, that permission is granted to the Public Health Administrator to reclassify the vacant part-time Nurse Practitioner position to that of a Public Health Nurse position.

Fiscal Note: The vacant position is approved/funded within the Health Department's current budget.

Sponsors:

Q.A. Shakoor II

Res.15-0456

Amendment to Interlocal Agreement Regarding Cost Sharing for Joint Dispatch Services

Resolved, that the Mayor and City Clerk are authorized to enter into an amended agreement with the Villages of Caledonia, Mt. Pleasant, and Sturtevant regarding payment for dispatch services from Racine County, contingent upon acceptance by all parties to the agreement.

Fiscal Note: The City's payment to the County will be reduced by \$63,723.00 annually beginning in 2016.

Sponsors:

Q.A. Shakoor II

Res.15-0457

Appropriation of Contingent Funds to Cover Anticipated Overages in 2015 General Fund Budget

Resolved, that an appropriation of \$125,000.00 from account 11202-56200, Contingency; place \$100,000.00 in account 11004-52100, Attorney's Professional Services, and \$25,000.00 in account 14009-53200, Snow and Ice-Work Supplies is approved.

Fiscal Note: There are sufficient funds available for the transfer.

Sponsors:

Q.A. Shakoor II

Res.15-0458

Racine Professional Employees Association 2016 Collective Bargaining Agreement

Resolved, that the Racine Professional Employee Association

negotiated collective bargaining agreement for 2016 is approved.

Fiscal Note: Approximately \$18,000.00 expenditure increase over 2015 as included in the City of Racine 2016 Budget.

Sponsors: Q.A. Shakoor II

Res.15-0459 Banners on Spring Street and Luedtke Avenue

Resolved, that Racine Lutheran High School is granted permission to install four banners on street light poles on Spring Street and Luedtke Avenue until December 15, 2016.

Further resolved, that a hold harmless agreement be executed and a \$150.00 processing fee paid by Racine Lutheran High School in accordance with State Statute § 66.0425, Privileges in Streets.

Fiscal Note: The placement of these banners will result in \$120.00 in revenue to the City of Racine.

Sponsors: James Morgenroth

Res.15-0460 City Lock and Key System

Resolved, that the request of the Purchasing Agent to waive formal bidding procedures is approved in accordance with Racine Municipal Code Section 46-28 that allows for the waiving of formal public bids for purchases over \$25,000.00 for the purpose of maintaining uniformity of equipment and services.

Further resolved, that the Purchasing Agent is authorized and directed to purchase the City's lock and key system from Apex Key and Lock for the price of \$33,230.00, it being the sole source provider of this equipment.

Fiscal Note: Funding to defray the cost of these materials is available in the following Org-Objects:

\$15,000.00 - Org-Object 45040-57200, DPW-Building Improvements

\$15,000.00 - Org-Object 45040-57201, DPW-Streets-Building Improvements

\$ 1,615.00 - Org-Object 1400740-52200, Bridges-MS Contracted Services

\$ 1,615.00 - Org-Object 1400741-52200, Bridge-SS Property/Equip Rental

\$33,230.00 - Total

Sponsors: James Morgenroth

Res.15-0461 Purchase of Wheel Loader Vehicle

Resolved, that the request of the Purchasing Agent to waive formal bidding procedures is approved in accordance with Racine Municipal Code Section 46-28 that allows for the waiving of formal public bids for purchases over \$25,000.00 for the purpose of maintaining uniformity of equipment and services.

Further resolved, that the Purchasing Agent is authorized and directed to purchase one Case 621F Wheel Loader with 4-in-1 bucket and snow plow from Miller-Bradford and Risberg, Inc. for the approximate price of \$191,000.00, it being the sole source provider of this equipment.

Fiscal Note: Funding to defray the cost of these materials is available in Org-Object 45140-57311, DPW-Equipment Vehicles-Highway.

Sponsors:

James Morgenroth

Res.15-0462

Change Order No. 1 to Contract 20150009, CDBG Concrete Reconstruction - Yout Street

Resolved, that Change Order No. 1 on Contract 20150009, CDBG Concrete Reconstruction - Yout Street, A.W. Oakes & Son, Inc., contractor, as submitted, is approved in the amount of \$11,457.50.

Fiscal Note: Funding to defray the cost of the change order be appropriated from the following Org-Objects:

\$ 7,891.98 - Org-Object 45040-57500, DPW - Paving
(\$ 1,669.17) - Org-Object 22640-57560, Sanitary Sewers
(\$ 858.11) - Org-Object 40102-57560, RWWU-Sewer Relay
\$ 6,092.80 - Org-Object 60484-57570, Storm Sewers
\$11,457.50 - Total

Sponsors:

James Morgenroth

Res.15-0463

Final Payment on Contract 20150009, CDBG Concrete Reconstruction - Yout Street

Resolved, that the work done by A.W. Oakes & Son, Inc., under Contract 20150009, CDBG Reconstruction - Yout Street, is accepted and final payment authorized for a total contract amount of \$1,413,734.00. Final Payment to include retainage.

Fiscal Note: Contract was authorized under Resolution 15-0166, dated April 20, 2015.

Sponsors:

James Morgenroth

Res.15-0464

Final Payment on Contract 20150039, 2015 Sanitary Sewer - Echo

Lane (R1)

Resolved, that the work done by A.W. Oakes & Son, Inc., under Contract 20150039, 2015 Sanitary Sewer Echo Lane (R1), is accepted and final payment authorized for a total contract amount of \$466,252.06. Final Payment to include retainage.

Fiscal Note: Contract was authorized under Resolution 15-0294, dated July 21, 2015.

Sponsors:

James Morgenroth

Res.15-0465

Change Order No. 2 to Contract 20150039, 2015 Sanitary Sewer - Echo Lane (R1)

Resolved, that Change Order No. 2 on Contract 20150039, 2015 Sanitary Sewer - Echo Lane (R1), A.W. Oakes & Son, Inc., contractor, as submitted, is approved in the amount of \$79,667.06.

Fiscal Note: Funding to defray the cost of the change order be appropriated from the following Org-Objects:

\$39,472.00 - Org-Object 40102-57560, RWWU-Sewer Relay

\$20,165.00 - Org-Object 22640-57560, Sanitary Sewer

\$20,030.06 - Org-Object 60484-57570, Storm Sewer

\$79,667.06- Total

Sponsors:

James Morgenroth

Res.15-0466

Change Order No. 1 to Contract 01-15 (20150001), 2015 Sidewalk Replacement Program, Phase I (R1)

Resolved, that Change Order No. 1 on Contract 01-15 (201500001), 2015 Sidewalk Replacement Program, Phase I (R1), RAZA of Racine, LLC., contractor, as submitted, is approved in the deduct amount of (\$62,904.48).

Fiscal Note: Funding to defray the cost of the change order be appropriated from the following Org-Objects:

(\$43,322.75) - Org-Object 40104-57515, Assessable Sidewalk

(\$ 2,915.17) - Org-Object 45040-57515, DPW-Sidewalks

(\$19,243.00) - Org-Object 45040-57500, DPW-Paving

\$ 628.88 - Org-Object 60622-57200, Civic Center

\$ 1,947.56 - Org-Object 45050-57110, Parks Sidewalk Replacement

(\$62,904.48) - Total

Sponsors:

James Morgenroth

Res.15-0467

Final Payment on Contract 01-15 (20150001), 2015 Sidewalk Replacement Program, Phase I (R1), RAZA of Racine, LLC

Resolved, that the work done by RAZA of Racine, LLC., under Contract 01-15 (20150001), 2015 Sanitary Sewer Echo Lane (R1), is accepted and final payment authorized for a total contract amount of \$429,793.32. Final Payment to include retainage.

Fiscal Note: Contract was authorized under Resolution 15-0132, dated April 8, 2015.

Sponsors:

James Morgenroth

Res.15-0468

Church at 2829 Durand Avenue

Resolved, that the Request by Pastor Frank James, II of Changing Lives Ministries Seeking a Conditional Use Permit for the Re-Establishment of a Church at 2829 Durand Avenue is approved, subject to the following conditions:

a. That the plans presented to the Plan Commission on December 9, 2015 be approved subject to the conditions contained herein.

b. That all applicable building and occupancy permits be obtained from the Building Inspection Department.

c. That the book store shall be operational within six months of the date of this approval, and that the book store be open to the public an additional two hours beyond the requested "Primary hours of operation" for each day of operation. The Primary hours of operation are as follows:

Sunday 8:00 a.m. - 1:00 p.m. (occasionally Sunday evening from 6:00 p.m. - 10:00 p.m.)

Tuesday 6:00 p.m. - 10:00 p.m.

Wednesday 6:00 p.m. - 10:00 p.m.

Thursday 6:30 p.m. - 9:00 p.m.

Saturday 8:00 a.m. - 10:30 a.m.

Occasional weekend events Friday thru Sunday 6:00 p.m. - 10:00 p.m.

d. That all signs be professionally made, comply with zoning ordinance and design standards requirements, and be submitted to the Director of City Development for review and approval prior to installation.

e. That a planter plan (landscaping) for the storefront (private) sidewalk of the church frontage be submitted for the review and approval of the Director of City Development prior to the issuance of an occupancy permit. Approved planters shall be in place by April 15, 2016 and properly maintained on a yearly basis and with plantings during the growing seasons.

f. That if by April 15, 2016 the requirements in condition e. are not complied with, than a financial surety shall be provided to the City in an amount equal in value to the required improvements described in condition e. above, subject to the following terms:

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

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

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

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

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

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

Fiscal Note: N/A

Sponsors:

Dennis Wiser

[Res.15-0469](#)

Mobile Wireless Equipment at 1301 W. Sixth Street

Resolved, that the request by Nathan Ward, representing Racine Cellular Telephone Company, to replace an existing 120-foot tall lattice tower with a 120-foot tall monopole to accommodate mobile wireless

equipment for Verizon and US Cellular at 1301 W. Sixth Street is approved, subject to the following conditions:

- a. That the plans presented to the Plan Commission on December 9, 2015, be approved subject to the conditions contained herein.
- b. That all applicable building and occupancy permits be obtained from the Building Inspection Department.
- c. That all codes and ordinances be complied with and required permits acquired.
- d. That the structural analysis shall be submitted for review and approval prior to the issuance of building permits.
- e. That any necessary repairs to the fencing within or around the lease area shall be completed, and opaque slats added to all four sides of the fence and gate with a color to be approved by the Department of City Development, prior to issuance of a building permit.
- f. That the existing lease area for the tower shall remain the same and contain all equipment for the tower and wireless communication facilities.
- g. That any request to expand the lease area, or construct any additional base equipment facilities / structures, shall require review and approval by the Plan Commission.
- h. That all issues related to the lease agreement and ingress/egress easement in place with the City shall be rectified with the City Attorney's office prior to issuance of a building permit.
- i. That upon completion of the monopole, the existing lattice tower shall be removed within 90 days of the new tower's start of operation.
- j. That any potential safety or protection risks associated with this replacement tower as identified by the Racine Police Department shall be addressed by the applicant. Requests for modification to plans based on any identified risks shall be brought back to the Plan Commission for review and approval.
- k. That future requests for co-locations for wireless communication infrastructure on the monopole may be reviewed and approved administratively by the Department of City Development pending no modification to the base equipment, lease area, ingress/egress easement, or other major change to the site.

l. That all wireless communication providers shall report their frequencies to the Racine Emergency Services Department, and provide and maintain with that department a current listing of all frequencies utilized by the facility and the name of a contact in charge of radio frequencies for the operator.

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

Fiscal Note: N/A

Sponsors:

Dennis Wiser

[Res.15-0470](#)

Oil Change Center at 3101 Rapids Drive

Resolved, that the request by Abdul Motlani for a conditional use permit to operate an oil change facility at 3101 Rapids Drive is approved subject to the following conditions:

a. That the plans presented to the Plan Commission at their December 9, 2015 meeting be approved subject to the conditions contained herein.

b. That all applicable codes and ordinances shall be complied with and permits acquired.

c. That the applicant shall work with Staff to address the rear buffer requirement to comply with or meet the intent of the requirement in a sensible attractive manner prior to issuance of an Occupancy Permit.

d. That the addition of a “no left turn” or “right turn only” sign at the exit onto Rapids Drive shall be reviewed and approved for size, appearance, and location by the Department of City Development prior to installation.

e. That entrance to the facility shall be from Golf Avenue, and the exit from the facility shall be via a right-turn only onto Rapids Drive.

f. That any required repair to existing curbs or curb cuts shall be identified by City Engineering, and if required, repairs made prior to issuance of an occupancy permit.

g. That all building and parking lot lighting shall be shielded downward to prevent spillage onto adjoining properties. Screening detail shall be provided to the Department of City Development for approval.

h. That the area along the east side of the building shall have signage or a barrier installed to prohibit vehicular traffic from traveling in this area. Said signage or barrier shall be approved by the Department of City

Development prior to installation.

i. That no outdoor overnight parking shall be allowed.

j. That no vehicle repair, other than quick-lube services, shall occur at this site.

k. That, other than the recently paved concrete areas, the remainder of the lot shall be resurfaced as identified upon site inspection, and upon completion all parking areas shall be striped with wheel stops installed, prior to issuance of an occupancy permit.

l. That all painted ground-markings for directing vehicles through the site and facility as shown on the site plan shall be in place prior to issuance of an occupancy permit.

m. That all overgrowth of trees and weeds shall be cleared from the site. Landscaping as proposed, as well as upgrades to dead or severely damaged landscaping plantings shall be addressed with Staff for final approval of the proposed landscaping prior to installation or issuance of an occupancy permit.

n. That the dumpster and enclosure location shall be determined and installed prior to issuance of an occupancy permit.

o. That signage is not approved with this plan. All signage shall be reviewed and approved by the Department of City Development prior to issuance of sign permits. The applicant shall provide colored, dimensioned, scaled renderings of all proposed signage for review, including the square footage proposed for all signs.

p. That if, prior to the request for an occupancy permit, required site improvements are not completed a financial surety shall be provided to the City in an amount equal in value to the required improvements, subject to the following terms:

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

2. The City is authorized by this Conditional Use permit to enter the site, implement the plans(s) and draw on the financial security for the cost of implementation if required improvements are not completed by the time

of the issuance of an occupancy permit, or by an earlier date as may be required herein. Any costs incurred in excess of the value of the financial security shall be paid by the applicant or the owner or shall be imposed as a special charge against the real property in accordance with applicable statute.

q. That no outside storage of materials, tires, vending machines, or other materials is permitted at any time.

r. That all work shall take place inside the building; no work shall take place outdoors.

s. That no minor changes be made to this conditional use without the approval of the Plan Commission, and no major changes be made to this conditional use without the approval of the Common Council.

t. That this conditional use permit is subject to review by the Plan Commission for compliance with listed conditions.

Fiscal Note: N/A

Sponsors:

Dennis Wiser

Res.15-0471

Development Agreement and Deed Restriction for 410 Main Street

WHEREAS, in 2005 a deed restriction was recorded by the RDA against the property requiring that no transfer of the property at 410 Main Street occur before an occupancy permit is received for the first floor; and

WHEREAS, the property has remained vacant since 2005 and the deed restriction has become an impediment to the redevelopment of the Property by blocking the pending sale of the Property.

NOW THEREFORE, upon the RDA's recommendation, the deed restriction described herein and recorded against the property at 410 Main Street shall be removed.

Fiscal Note: All costs associated with removal of the restriction from the deed will be borne by the petitioner.

Sponsors:

James Morgenroth

Res.15-0472

Rescind Resolution No. 15-0445

Resolved, that Resolution No. 15-0445 of December 1, 2015 regarding the purchase of 931 Center Street is hereby rescinded.

Fiscal Note: N/A

Sponsors: Mary Land

I. Consent Agenda

J. Ordinances

Refer to Board of Parks, Recreation and Cultural Services

[Ord.14-15](#) Ordinance 14-15 - Board of Parks Commissioners

An ordinance to amend Sec. 70-83. - Camping, business or entertainment permit in Chapter 70, Article II, Division 3. - Director of Parks, Recreation and Cultural Services of the Municipal Code of the City of Racine, Wisconsin

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

Part 1: To amend Section 70-83. - Camping, business or entertainment by adding the following second and third sentences: The director of parks recreation and cultural services, as the board's designee, may grant written consent for reoccurring public events upon any park, beach, or recreation area. Reoccurring public events are those events for which a sponsor previously has been granted written consent by the board, and which the director determines are substantially similar to such sponsor's prior event or events.

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

Passed by the Common Council:

Approved:

Mayor

Attest:

City Clerk

Fiscal Note: N/A

Sponsors: Terry McCarthy

K. Miscellaneous[15-01018](#)

Subject: Pursuant to Sections 6.875(4) and 7.30(4) of the State Statutes, I Janice Johnson-Martin am submitting for your confirmation the list of Election Officials to be appointed for the term beginning January 1, 2016 and ending December 31, 2017.

L. Adjourn**Office of The City Clerk**

If you are disabled and have accessibility needs or need information interpreted for you, please call the City Clerk's Office at 636-9171 at least 48 hours prior to this meeting.