



City of Racine

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

Meeting Minutes - Final Common Council

Mayor John T. Dickert
Alderman Jeff Coe, Alderman Gregory Holding
Alderman Michael Shields, Alderman Jim Kaplan, Alderman
David L. Maack
Alderman Sandy Weidner, Alderman Terry McCarthy,
Alderman Raymond DeHahn
Alderman Q.A. Shakoor, II, Alderman Aron Wisneski,
Alderman Robert Mozol
Alderman James T. Spangenberg, Alderman Ronald D. Hart,
Alderman Eric Marcus, Alderman Dennis Wisner

Tuesday, February 1, 2011

7:00 PM

Room 205, City Hall

A. Call To Order

PRESENT: 14 - Shakoor, II, Coe, Marcus, Shields, Hart, Kaplan, Wisner, Maack, Wisneski, McCarthy, DeHahn, Holding, Spangenberg and Mozol
EXCUSED: 1 - Weidner

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 Coe.

Aldermen Coe made a motion seconded by Alderman DeHahn to suspend the rules to consider the resolution. There were no objections to suspension of the rules.

Res.11-2380

City of Racine support and proclaim May 14, 2011 as International Migratory Bird Day

Whereas, migratory birds are some of the most beautiful and easily observed wildlife that share our communities; and

Whereas, many citizens recognize and welcome migratory songbirds as symbolic harbingers of spring; and

Whereas, these migrant species also play an important economic role in our community, controlling insect pests and generating millions in recreational dollars statewide; and

Whereas, migratory birds and their habitats are declining throughout the Americas, facing a growing number of threats on their migration routes and in both their summer and winter homes; and

Whereas, public awareness and concern are crucial components of migratory bird conservation; and

Whereas, citizens enthusiastic about birds, informed about the threats they face, and empowered to help address those threats can directly contribute to maintaining health bird populations; and

Whereas, since 1993 International Migratory Bird Day (IMBD) has become a primary vehicle for focusing public attention on the nearly 350 species that travel between nesting habitats in our communities and throughout North America and their wintering grounds in South and Central America, Mexico, the Caribbean, and the southern U.S.; and

Whereas, hundreds of thousands of people will observe IMBD, gathering in town squares, community centers, schools, parks, nature centers, and wildlife refuges to learn about birds, take action to conserve them, and simply to have fun; and

Whereas, while IMBD officially is held each year on the second Saturday in May, its observance is not limited to a single day, and planners are encouraged to schedule activities on the dates best suited to the presence of both migrants and celebrants; and

Whereas, IMBD is not only a day to foster application for wild birds and to celebrate and support migratory bird conservation, but also a call to action.

Now, therefore, be it resolved, that the City of Racine proclaim May 14, 2011, as International Migratory Bird Day in the City of Racine, and all citizens are urged to celebrate this observance and to support efforts to protect and conserve migratory birds and their habitats in our community and the world at large.

Fiscal Note: N/A

Sponsors: Jeff Coe

President Coe read the resolution.

A motion was made Adopted

D. Public Comments

No one appeared for the Public Comment Segment.

E. Communications

Refer to Finance and Personnel Committee, by Ald. Spangenberg

[11-6023](#) **Subject:** communication from the City Attorney submitting the claim of Racine Joint Venture II LLC for consideration.

Referred to Finance and Personnel Committee

[11-6024](#) **Subject:** Communication from Charita Itson requesting a waiver of rental fees for the Dr. John Bryant Community Center for the purpose of a 2011 high school graduation dinner party.

Referred to Finance and Personnel Committee

[11-6036](#) **Subject:** Communication from the Grants Facilitator requesting permission to apply for the 2011 Environmental Workforce Development and Job Training Grant through the Environmental Protection Agency (Grant Control No. 2011-007) in the amount of \$300,000 over a two year period of time.

Referred to Finance and Personnel Committee

[11-6037](#) **Subject:** Communication from the Police Chief, requesting to enter into a lease agreement with Johnson Tractor Inc., for one Case-IH Scout XL.

Referred to Finance and Personnel Committee

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

[11-6017](#) **Subject:** Communication from the Assistant Commissioner of Public Works/Engineering submitting a request for approval of a sewer and water main easement on Loni Lane and Regency West Drive.

Referred to Public Works and Services Committee

[11-6031](#) **Subject:** Communication from the Assistant Commissioner of Public Works/Operations submitting a proposal to upgrade the current CityWorks software to accommodate the Building Department.

Referred to Public Works and Services Committee

[11-6039](#) **Subject:** Communication from the Purchasing Agent submitting bid results on Official Notice #1, Two (2) 35,000 GVW 5 cubic yard diesel dump trucks with snowplow and tailgate material spreader.

Referred to the Public Works and Services Committee

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

[11-6018](#) **Subject:** Communication from the Director of Parks, Recreation and Cultural Services requesting permission to meet with the Public Safety and

Licensing Committee to request Amendment No. 1 to the Professional Services Agreement for preparing plans and specifications and construction administration for the 2010 Parks Department Pavement Projects by Nielsen Madsen & Barber.

Referred to Public Safety and Licensing Committee

11-6019

Subject: Communication from the Director of Parks, Recreation and Cultural Services requesting permission to meet with the Public Safety and Licensing Committee to request final payment to the Professional Services Agreement for preparing plans and specifications and construction administration for the 2010 Parks Department Pavement Project by Nielsen Madsen & Barber, S.C.

Referred to Public Safety and Licensing Committee

11-6025

Subject: (New) Application of The Bowens, Inc., Greg Bowen, Agent, for a "Class C" and Class "B" license for 2037 Lathrop Avenue. (11th District)

Referred to Public Safety and Licensing Committee

11-6026

Subject: Communication from the Director of Parks, Recreation and Cultural Services requesting permission to enter in an agreement with Nielsen Madsen & Barber, to prepare plans and specifications for Parks Department Pavement Projects.

Referred to Public Works and Services Committee

Refer to Transit and Parking Commission, by Ald. DeHahn

11-6038

Subject: Communication from the Commissioner of Public Works/City Engineer submitting Amendment No. 2 to Contract 38-10 (K0-046) PS - Future Operating & Planning Alternatives, Len Brandrup, consultant.

Referred to Transit and Parking Commission

Refer to City Plan Commission, by Ald. Holding

11-6040

Subject: Communication from Karen Sorenson requesting termination of the West Racine Business Improvement District (BID No. 2).

Referred to the City Plan Commission

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

11-5985

Subject: (Direct Referral) Communication from the First District Alderman concerning billboards at 1423 State St.

Referred to Redevelopment Authority of the City of Racine

F. Committee Reports

Finance and Personnel Committee Report, by Ald. Spangenberg

[11-5958](#)

Subject: Communication from the Director of Parks, Recreation and Cultural Services requesting permission to accept a donation from New Concept Self Development Center Inc. in the amount of \$3,000.00 for Dr. M. L. King Community Center Youth Special Events.

Recommendation of the Finance & Personnel Committee on

1-24-11: Permission be granted for the Director of Parks, Recreation and Cultural Services accept a donation in the amount of \$3,000 from New Concept Self Development Center Inc. to be utilized for the Dr. M. L. King Community Center Youth Special Events and an appropriate letter of thanks be sent.

Fiscal Note: N/A

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

[11-5966](#)

Subject: Communication from the City Attorney requesting authorization for the continuation of the self-insured worker's compensation program, in compliance with Wisconsin Administrative Code DWD 80.60(3). (Res.11-2385)

Recommendation of the Finance & Personnel Committee on

1-24-11: Permission be granted for the City of Racine's self-insured worker's compensation program be continued compliant with the Wisconsin Administrative Code DWD 80.60(3).

Fiscal Note: N/A

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

[11-5980](#)

Subject: Communication from the Public Health Administrator requesting to accept \$26,871 from the Department of Health Services for Cities Readiness Initiative. (Grant Control #2011-001) (Res.11-2381).

Recommendation of the Finance & Personnel Committee on

1-24-11: The Mayor and City Clerk be authorized and directed to enter into a \$26,871 agreement with the State of Wisconsin, Division of Public Health to be utilized for the Cities Readiness Initiative program (Grant Control # 2011-001).

Fiscal Note: No match required on the part of the City.

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

[11-5981](#)

Subject: Communication from the Public Health Administrator requesting to accept \$225,896 from the Department of Health Services for the Local Public Health Departments Performance Consolidated Programs. (Grant Control #2011-002) (Res.11-2382).

Recommendation of the Finance & Personnel Committee on 1-24-11: The Mayor and City Clerk be authorized and directed to enter into a \$225,896 agreement with the State of Wisconsin, Division of Health Services to be utilized for the local Public Health Department's Performance Consolidated Programs (Grant Control #2011-002).

Fiscal Note: The funds utilized by the following. \$36,328 for Immunization; \$28,098 for Childhood Lead; \$12,882 for Prevention; \$81,342 for Wisconsin Well Woman Program; \$2,500 for Radon and \$63,746 for Maternal Child Healthcare. The City has a soft match of \$47,809 for the Maternal Child Healthcare program.

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

[11-5982](#)

Subject: Communication from the Public Health Administrator requesting to accept \$35,396 from the Wisconsin Department of Health Services for Public Health Emergency Preparedness. (Grant Control #2011-003) (Res.11-2383).

Recommendation of the Finance & Personnel Committee on 1-24-11: The Mayor and City Clerk be authorized and directed to enter into an amended contract with the State of Wisconsin, Division of Health Services to be utilized for the Public Health Emergency Preparedness (Grant Control #2011-003) in the amount of \$35,396.

Fiscal Note: No match required on the part of the City.

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

[11-5983](#)

Subject: Communication from the Public Health Administrator requesting to accept \$7,500 from the Wisconsin Department of Agriculture Trade and Consumer Protection (DATCP) for DATCP Unwanted Prescription Drug Grant. (Grant Control #2011-004) (Res.11-2384).

Recommendation of the Finance & Personnel Committee on

1-24-11:The Mayor and City Clerk be authorized and directed to enter into a \$7,500 agreement with the State of Wisconsin, Department of Agriculture Trade and Consumer Protection to be utilized for the collection of unwanted prescription drug and household hazardous waste (Grant Control #2011-004).

Fiscal Note: \$18,000 soft match will be made collectively by all municipal participants involved with the unwanted prescription drugs and household hazardous waste material through currently budgeted salaries, fringe benefits, overhead and other ancillary expenditures.

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

Council Action

A motion was made by James T. Spangenberg, seconded by Q.A. Shakoor, II, that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

AYES: 14 - Shakoor, II, Coe, Marcus, Shields, Hart, Kaplan, Wisner, Maack, Wisneski, McCarthy, DeHahn, Holding, Spangenberg and Mozol

EXCUSED: 1 - Weidner

Public Works and Services Committee Report, by Ald. Holding

11-5979

Subject: (Direct Referral) Communication from Assistant Commissioner of Public Works/Engineering requesting to purchase rain barrels from the Greater Milwaukee Committee for the Storm Water Utility in conjunction with the Sierra Club. (Res.11-2398)

Recommendation of the Public Works and Services Committee on 1-25-11: That the Commissioner of Public Works be authorized and directed to purchase 250 rain barrels from the Greater Milwaukee Committee for the Storm Water Utility in conjunction with the Sierra Club.

Further recommend that funding to pay for the cost of these rain barrels be appropriated from Account 104.000.5350, Public Participation.

Fiscal Note: Funds are available as herein delineated. The estimated cost for this program is \$10,625.00 and is funded through the Storm Water Utility.

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

11-5984

Subject: (Direct Referral) Communication from the Commissioner of

Public Works/City Engineer submitting a request for final payment on Contract 45-10 (K0-054), Solid Waste Garage Tuckpointing, AZAR LLC, contractor. (Res.11-2394)

Recommendation of the Public Works and Services Committee on 1-25-11: That the work done by AZAR LLC under Contract 45-10 (K0-054), Solid Waste Garage Tuckpointing, be accepted and final payment authorized for a total contract amount of \$47,765.90.

Fiscal Note: Contract was authorized under Resolution No. 10-2121, dated August 2, 2010.

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

[11-5994](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting a professional services proposal for City Hall Renovations Phase IV. (Res.11-2395)

Recommendation of the Public Works and Services Committee on 1-25-11: That the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with ARC Architectural Group, LLC for Design Services for the City Hall Facilities Plan Implementation-Phase IV, in the not-to-exceed amount of \$39,700.00.

Further recommends that funds to defray the cost of these professional services be appropriated from Account 991.100.5010, City Hall Facilities Plan.

Fiscal Note: Funds are available as herein delineated.

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

[11-5995](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting a professional services proposal for Solid Waste Female Locker Room. (Res.11-2396)

Recommendation of the Public Works and Services Committee on 1-25-11: That the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with Architectural Associates Ltd. for Design Services for the Solid Waste Garage-Female Locker Room, in the not-to-exceed amount of \$10,700.00.

Further recommends that funds to defray the cost of these professional services be appropriated from Account 991.410.5010, SW Garage-Female Locker Room.

Fiscal Note: Funds are available as herein delineated.

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

11-6000

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Engineering submitting Change Order No. 1 on Contract 12-10 (K0-012), Asphalt Resurfacing, C.D.B.G., Payne & Dolan, Inc., contractor. (Res.11-2392)

Recommendation of the Public Works and Services Committee on 1-25-11: That Change Order No. 1 on Contract 12-10 (K0-012), Asphalt Resurfacing, C.D.B.G., Payne & Dolan, Inc., contractor, as submitted, be approved in the deduct amount of \$3,056.67.

Further recommends that the funding accounts be adjusted by the following amounts:

(\$ 456.67) - Account 890.030.5540, C.D.B.G. Resurfacing
(\$ 2,600.00) - Account 104.900.5420, Replacement Storm Sewer
(\$ 3,056.67) - Total

Fiscal Note: Change Order No. 1 will result in a decrease in contract price.

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

11-6001

Subject: (Direct Referral) Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 12-10 (K0-012), Asphalt Resurfacing, C.D.B.G., Payne & Dolan, Inc., contractor. (Res.11-2393)

Recommendation of the Public Works and Services Committee on 1-25-11: That the work done by Payne & Dolan, Inc. under Contract 12-10 (K0-012), Asphalt Resurfacing, C.D.B.G., be accepted and final payment authorized for a total contract amount of \$159,681.03

Fiscal Note: Contract was authorized under Resolution No. 10-2006, dated May 4, 2010.

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

11-6002

Subject: Communication from the Assistant Commissioner of Public Works/Operations requesting permission to waive formal bidding procedures for the purchase of a wheel loader vehicle. (Res.11-2397)

Recommendation of the Public Works and Services Committee on 1-25-11: That formal bidding procedures be waived and that the Purchasing Agent be authorized and directed to negotiate with Miller-Bradford and Risberg, Inc., for the purchase of one Case 621E Wheel Loader with 4-in-1 bucket and snow plow.

Fiscal Note: The estimated cost of this equipment of \$160,000.00 and funding is available in Account 101.630.5790, St. Maintenance Wheel Loader.

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 Raymond DeHahn, that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

AYES: 14 - Shakoor, II, Coe, Marcus, Shields, Hart, Kaplan, Wisner, Maack, Wisneski, McCarthy, DeHahn, Holding, Spangenberg and Mozol

EXCUSED: 1 - Weidner

Public Safety and Licensing Committee Report, by Ald. Wisneski

10-5931

Subject: (Direct Referral) Request for the appearance of Greg Kremis regarding his application for an operator's license (bartenders).

Recommendation of the Public Safety & Licensing Committee on 1-10-11: The item be deferred until the next meeting after more information is obtained from the Police Department.

Recommendation of Public Safety and Licensing Committee on 1-24-2011: That the application be denied based on extensive background record and recommendation of applicant's parole officer.

Fiscal Note: N/A

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

11-5968

Subject: Communication from the Director of Parks, Recreation and Cultural Services requesting permission to meet with the Public Safety and Licensing Committee to request change order #1 for Contract 47-10 (K0-058) PRCS Asphalt Pavement Improvements (R1) by Parking Lot Maintenance, Inc. (Res.11-2389)

Recommendation of Public Safety and Licensing Committee on 1-24-2011: That Change Order #1 for Contract 47-10 (K0-058) PRCS

Asphalt Pavement Improvements (R1) by Parking Lot Maintenance, Inc. be approved.

Fiscal Note: Funds in the amount of \$20,267.49 are available in account 990.700.5020, Parks Paving Projects 10 year Plan, and \$9,357.86 are available in account 207.000.5750 Cemetery Roads and Walks (2010)

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

11-5969

Subject: Communication from the Director of Parks, Recreation and Cultural Services requesting permission to meet with the Public Safety & Licensing Committee to request final payment for Contract 47-10 (K0-058) PRCS Asphalt Pavement Improvements (R1) by Parking Lot Maintenance Inc. (Res.11-2390)

Recommendation of Public Safety and Licensing Committee on 1-24-2011: That final payment for Contract 47-10 (K0-058) PRCS Asphalt Pavement Improvements (R1) by Parking Lot Maintenance Inc. be approved.

Fiscal Note: Funds are available as listed below in the following listed accounts:

989-700-5030, Various Locations Remove Pavement,
\$2, 699.00

990.700.5020, Parks Paving Projects 10 year plan,
\$178,149.88

990.650.5020, Humble Repave Loop Road, \$26, 873.00

207.000.5750, Cemetery Land Improvements, Roads
and Walks 2009, \$10,214.00

207.000.5750, Cemetery Land Improvements, Replace
Catch Basins 2009, \$4,180.00

207.000.5750, Cemetery Land Improvements, Roads
and Walks 2010, \$28,055.12

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

11-5970

Subject: Communication from the Director of Parks, Recreation and Cultural Services requesting permission to meet with the Public Safety and Licensing Committee to request permission to enter in an agreement with Lakefront Engineering to prepare plans and specifications for Boiler Replacement at Humble Park Community Center. (Res.11-2391)

Recommendation of Public Safety and Licensing Committee on

1-24-2011: Permission to enter in an agreement with Lakefront Engineering to prepare plans and specifications for Boiler Replacement at Humble Park Community Center be approved.

Fiscal Note: Funds are available in account 991.650.5010 - Humble Replace Boiler.

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

11-6009

Subject: (Direct Referral) Sale of Abandoned Vehicles

Recommendation of Public Safety and Licensing Committee on

1-24-2011: That the sale of abandoned vehicles for January 11, 2011 be received and filed.

Fiscal Note: This will generate \$14,084.01 in revenue.

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

Council Action

A motion was made by Aron Wisneski, seconded by David L. Maack, that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

AYES: 14 - Shakoore, II, Coe, Marcus, Shields, Hart, Kaplan, Wisner, Maack, Wisneski, McCarthy, DeHahn, Holding, Spangenberg and Mozol

EXCUSED: 1 - Weidner

Traffic Commission Report, by Ald. Holding

10-5867

Subject: Communication from the Alderman of the 10th District requesting 4-way stop signs at the corner of Bate Street and Ashland Avenue.

Recommendation of the Traffic Commission on 01-17-11: Receive and file.

Fiscal Note: N/A

Alderman Holding requested that item 10-5867 be considered separately.

Alderman Wisner made a motion seconded by Alderman DeHahn to grant the request for the request for the four way stop sign. Motion passed by the following vote:

AYES: Kaplan, Mozol, Shakoore, Wisner, Wisneski, DeHahn and Hart

*NOES: Holding, Maack, Marcus, McCarthy, Shields, Spangenberg and Coe
There was a tie vote and Mayor Dickert voted "AYE" and the motion carried.*

A motion was made that this Communication be Adopted As Amended: . The

motion was **DEFEATED** by the following vote:

AYES: 7 - Shakoor, II, Hart, Kaplan, Wiser, Wisneski, DeHahn and Mozol

NOES: 7 - Coe, Marcus, Shields, Maack, McCarthy, Holding and Spangenberg

EXCUSED: 1 - Weidner

10-5881

Subject: Communication from Patrick Starken, RUSD Transportation Director, requesting parking sign changes at Fratt Elementary School (3501 Kinzie Ave.) and Knapp Elementary School (2701 17th St.).

Recommendation of the Traffic Commission on 01-17-11:

Recommends that Schedule F of Section 94-141 be amended to create "No stopping, standing or parking from 7:00 A.M. to 3:00 P.M. on any school day except for school buses."

Further recommends that this new section be amended to include:

1. Arthur Avenue, west side, from Kinzie Avenue south 363 feet.
2. 17th Street, south side, from Quincy Avenue to Grange Avenue.
3. Grange Avenue, west side, from 17th Street south 124 feet.

Further recommends that this new section be amended to include "Cleveland Avenue, east side, from Kinzie Avenue to Lindermann Avenue."

Fiscal Note: The estimated cost of this signage will result in an installation cost of \$200.00 and an annual maintenance cost of \$80.00.

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

10-5902

Subject: Communication from the Alderman of the 11th District, on behalf of Laurie Kell (4000 Maryland Ave, #301), requesting signage to alert motorists of disabled persons in the vicinity of Lathrop and Durand.

Recommendation of the Traffic Commission on 01-17-11: Receive and file.

Fiscal Note: N/A

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

10-5922

Subject: Communication from the Alderman of the 6th District requesting a traffic study at the intersection of N. Green Bay Road, Rapids Drive, and Floyd Drive.

Recommendation of the Traffic Commission on 01-17-11: Receive and file.

Fiscal Note: N/A

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

11-6010

Subject: In accordance with Section 2-95 of the Municipal Code of the general ordinances of the City of Racine, recommends that the following requests for changes in traffic code be granted:

A. Recommends that Section 94-141 (9) of Schedule F of the Municipal Code of the General Ordinances of the City of Racine relative to "No stopping, standing or parking from 7:30 A.M. to 5:30 P.M. on any school day except for school buses and mass transit vehicles owned and operated by the City" be amended:

By Deleting:

1. Cleveland Avenue, east side, from Kinzie Avenue south 240 feet.

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 Raymond DeHahn, that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

AYES: 14 - Shakoor, II, Coe, Marcus, Shields, Hart, Kaplan, Wiser, Maack, Wisneski, McCarthy, DeHahn, Holding, Spangenberg and Mozol

EXCUSED: 1 - Weidner

Transit and Parking Commission Report, by Ald. DeHahn

10-5508

Subject: Communication from the Uptown Improvement Organization Board requesting to discuss parking issues within the 1500 block of Washington Avenue.

Recommendation of the Transit and Parking Commission on 09-29-10: Defer

Recommendation of the Transit and Parking Commission on 01-26-11: Receive and file.

Fiscal Note: N/A

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

[11-5951](#)

Subject: Communication from the BUS Operations Manager requesting to discuss waiving formal bidding and instructing the Purchasing Agent to negotiate with Trapeze ITS U.S.A., LLC., for the provision of four (4) on-street signs and licenses with associated installation labor of the purchased equipment. (Res.11-2386)

Recommendation of the Transit and Parking Commission on 01-26-11: That formal bidding procedures be waived and that the Purchasing Agent be authorized and directed to negotiate with Trapeze ITS U.S.A., LLC., for the purchase of four (4) on-street signs and licenses with associated installation labor of the purchased equipment.

Fiscal Note: Funding is available in Account 105.900.5040, Capital Projects - ARRA Funded.

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 Robert Mozol, that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

AYES: 14 - Shakoor, II, Coe, Marcus, Shields, Hart, Kaplan, Wisner, Maack, Wisneski, McCarthy, DeHahn, Holding, Spangenberg and Mozol

EXCUSED: 1 - Weidner

City Plan Commission by Alderman Holding

[11-6014](#)

Subject: (Direct Referral) Request by Govednik Investments, LLC for approval of a 2-Lot Certified Survey Map at 3724 Durand Avenue. (PC-11) (Res.11-2387)

Recommendation of the City Plan Commission on 1-26-11: That the item be approved subject to conditions.

Fiscal Note: N/A

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

11-6016

Subject: (Direct Referral) Request by Danny and Steven Sherrill seeking a conditional use permit for an auto repair with accessory auto sales at 3430 Douglas Avenue. (PC-11) (Res.11-2388)

Recommendation of the City Plan Commission on 1-26-11: The item be approved subject to conditions.

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 Gregory Holding, seconded by David L. Maack, that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

AYES: 14 - Shakoor, II, Coe, Marcus, Shields, Hart, Kaplan, Wisner, Maack, Wisneski, McCarthy, DeHahn, Holding, Spangenberg and Mozol

EXCUSED: 1 - Weidner

Housing Loan Board Report, by Ald. Wisner**11-5992**

Subject: Request from Fred and Debra Swenson of 2225 Jerome Blvd. to acquire vacant lot at 1109 Albert Street. (Res.11-2379)

Recommendation of the Loan Board on 1/20/11: To approve the transfer of 1109 Albert Street on the condition that the lot be joined with 1103 Albert Street.

Fiscal Note: The vacant parcel is too small (41 ft. x 51½ ft.) for a new home. Transfer to the Swensons will save property maintenance and other holding costs for the city and result in new property taxes, estimated at \$160 per year.

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

AYES: 14 - Shakoor, II, Coe, Marcus, Shields, Hart, Kaplan, Wisner, Maack, Wisneski, McCarthy, DeHahn, Holding, Spangenberg and Mozol

EXCUSED: 1 - Weidner

Office of the Mayor Report, by Ald. Coe**11-6030**

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

Appoint Josh Garner 1809 Jupiter Ave Racine, 53404 to the Redevelopment Authority filling the current vacancy expiring April 1, 2014

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

AYES: 13 - Shakoore, II, Coe, Marcus, Hart, Kaplan, Wisner, Maack, Wisneski, McCarthy, DeHahn, Holding, Spangenberg and Mozol

NOES: 1 - Shields

EXCUSED: 1 - Weidner

Wastewater Commission Report, by Ald Hart

11-6012

Subject: Amendments to Household Hazardous Waste (HHW) Agreements to Reflect Reduced Cost for 2011

Recommendation of the Wastewater Commission on 1/25/11: That Mayor Dickert and the City Clerk be authorized to sign amendments to the Household Hazardous Waste Agreement with participating communities. Refer to the Finance and Personnel Committee for approval.

Fiscal Note: N/A

A motion was made that this Communication be Referred to the Finance and Personnel Committee, . The motion was APPROVED by the following vote:

AYES: 14 - Shakoore, II, Coe, Marcus, Shields, Hart, Kaplan, Wisner, Maack, Wisneski, McCarthy, DeHahn, Holding, Spangenberg and Mozol

EXCUSED: 1 - Weidner

G. Consent Agenda - Resolutions

Res.11-2379

City of Racine be authorized and directed to transfer the property at 1109 Albert Street to Fred and Debra Swenson subject to conditions

WHEREAS, Fred and Debra Swenson have asked to acquire the property at 1109 Albert Street from the City of Racine for one dollar to combine with their property at 1103 Albert Street for parking and yard space; and

WHEREAS, the property at 1109 Albert Street is vacant, surplus property unneeded by the City and is too small for the construction of a new home; and

WHEREAS, the sale of the property for combination with the adjacent property will return the property to productive use and taxable status.

RESOLVED, that the City of Racine shall transfer to Fred and Debra Swenson the property at 1109 Albert Street (parcel ID no. 02948000), subject to the following conditions:

- a. That the cost of the parcel shall be one dollar (\$1.00).
- b. The transfer of the parcel shall occur within 90 days of the adoption of this resolution.
- c. The parcel is transferred for the sole purpose of combining it with the property owned by Fred and Debra Swenson at 1103 Albert Street (parcel ID no. 02947000).

FURTHER RESOLVED, that the City Attorney is authorized and directed to proceed with the transfer without further action by the Common Council, including finalizing specific terms of the transfer and execution of any agreement, easement, and/or deed pursuant to the transfer.

Fiscal Note: The vacant parcel is too small (41 ft. x 51½ ft.) for a new home. Transfer to the Swensons will save property maintenance and other holding costs and result in new property taxes, estimated at \$160 per year.

Sponsors: Dennis Wisner

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

Res.11-2381

Public Health Administrator be granted permission to accept a grant from the State of Wisconsin Department of Health Services for Cities Readiness Initiative, and the Mayor and City Clerk be authorized and directed to enter into the grant agreement with the State of Wisconsin, Division of Public Health of the Department of Health Services

Resolved, that the Public Health Administrator be granted permission to accept a grant from the Department of Health Services for Cities Readiness Initiative, and the Mayor and City Clerk be authorized and directed to enter into the \$26,871 grant agreement with the State of Wisconsin, Division of Public Health of the Department of Health Services, to be utilized for the Cities Readiness Initiative program (Grant Control # 2011-001). The contract period is September 1, 2010 through July 31, 2011.

Fiscal Note: No match required on the part of the City.

Sponsors: James T. Spangenberg

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

Res.11-2382

Public Health Administrator be granted permission to accept a grant from the Department of Health Services for the Local Public Health Departments Performance Programs, and the Mayor and City Clerk be

authorized and directed to enter into the grant agreement with the Department of Health Services for the Local Public Health Departments Performance Consolidated Programs

Resolved, that the Public Health Administrator be granted permission to accept a grant from the Department of Health Services for the Local Public Health Departments Performance Programs, and the Mayor and City Clerk be authorized and directed to enter into the \$225,896 grant agreement with the State of Wisconsin, Division of Health Services to be utilized for the local Public Health Department's Performance Consolidated Programs (Grant Control #2011-002). The grant period is from January 1, 2011 through December 31, 2011.

Fiscal Note: The funds utilized by the following. \$36,328 for Immunization; \$28,098 for Childhood Lead; \$12,882 for Prevention; \$81,342 for Wisconsin Well Woman Program; \$2,500 for Radon and \$63,746 for Maternal Child Healthcare. The City has a soft match of \$47,809 for the Maternal Child Healthcare Program.

Sponsors: James T. Spangenberg

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

Res.11-2383

Public Health Administrator be granted permission to accept an amended grant from the Wisconsin Department of Health Services for Public Health Emergency Preparedness, and the Mayor and City Clerk be authorized and directed to enter into the amended grant agreement with the Wisconsin Department of Health Services for Public Health Emergency Preparedness

Resolved, that the Public Health Administrator be granted permission to accept an amended grant from the Wisconsin Department of Health Services for Public Health Emergency Preparedness, and the Mayor and City Clerk be authorized and directed to enter into an amended contract with the State of Wisconsin, Division of Health Services to be utilized for the Public Health Emergency Preparedness (Grant Control #2011-003) in the amount of \$35,396. The grant period is from January 1, 2011 through August 9, 2011.

Fiscal Note: No match required on the part of the City.

Sponsors: James T. Spangenberg

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

Res.11-2384

Public Health Administrator be granted permission to accept a grant from the Wisconsin Department of Agriculture Trade and Consumer Protection for unwanted prescription drug collections, and the Mayor and City Clerk be authorized and directed to enter into the \$7,500 grant agreement with the State of Wisconsin, Department of Agriculture Trade and Consumer Protection

Resolved, that the Public Health Administrator be granted permission to accept a grant from the Wisconsin Department of Agriculture Trade and Consumer Protection for unwanted prescription drug collections, and the Mayor and City Clerk be authorized and directed to enter into the grant agreement with the Wisconsin Department of Agriculture Trade and Consumer Protection to be utilized for the collection of unwanted prescription drug and household hazardous waste (Grant Control #2011-004). The grant agreement period is from January 1, 2011 through December 31, 2011.

Fiscal Note: \$18,000 soft match will be made collectively by all municipal participants involved with the unwanted prescription drugs and household hazardous waste material through currently budgeted salaries, fringe benefits, overhead and other ancillary expenditures.

Sponsors: James T. Spangenberg

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

Res.11-2385

Permission granted for the continuation of the self-insured worker's compensation program under the Wisconsin Worker's Compensation Act, and authorize the City Attorney to forward certified copies of the Resolution to the Worker's Compensation Division, Wisconsin Department of Workforce Development

Resolved, that permission be granted for the City of Racine's self-insured worker's compensation program to be continued compliant with the Wisconsin Administrative Code DWD 80.60(3), and the City Attorney be authorized and directed to forward certified copies of the Resolution to the Worker's Compensation Division, Wisconsin Department of Workforce Development.

Fiscal Note: N/A

Sponsors: James T. Spangenberg

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

Res.11-2386

Formal bidding procedures be waived and Purchasing Agent be authorized and directed to negotiate with Trapeze ITS U.S.A., LLC., for purchase of four on-street signs and licenses

Resolved, that being in the best interest of the City, formal bidding procedures be waived, and the Purchasing Agent be authorized and directed to negotiate with Trapeze ITS U.S.A., LLC., for the purchase of four (4) on-street signs and licenses with associated installation labor of the purchased equipment. These signs will be installed at the Corinne Reid-Owens Transit Center.

Fiscal Note: Funding is available in Account 105.900.5040, Capital Projects - ARRA Funded.

Sponsors: Raymond DeHahn

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

Res.11-2387

Two-lot certified survey map at 3724 Durand Avenue be approved subject to conditions

Resolved, that the two-lot certified survey map at 3724 Durand Avenue be approved subject to the following conditions:

1. That the certified survey map as prepared by American Surveying Company, Inc., date stamped January 19, 2011, and presented to the Plan Commission on January 26, 2011, be approved subject to the condition contained herein.
2. That the ingress/egress closure along Durand Avenue be reviewed and approved by the Commissioner of Public Works or his designee.

Fiscal Note: N/A

Sponsors: Gregory Holding

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

Res.11-2388

Conditional Use Permit for an auto repair facility with accessory auto sales at 3430 Douglas Avenue be approved, subject to conditions

Resolved, that Danny and Steven Sherrill seeking a Conditional Use Permit for an auto repair facility with accessory auto sales at 3430 Douglas Avenue be approved, subject to the following conditions:

- a. That the plan presented to the City Plan Commission on January 26, 2011 be approved subject to the conditions contained herein.
- b. That all conditions of approval as they relate to Common Council Resolution 07-0392 be complied with unless otherwise amended herein.
- c. That within six months from the date of Common Council approval, the parking lot shall be sealed and striped in accordance with the approved plans, and wheel stops installed along the eastern and southern edges of the parking and display areas.
- d. That both the shared Douglas Avenue driveway, and cross access between 3430 and 3440 Douglas Avenue be maintained in an unobstructed condition at all times.
- e. That all parking spaces for customers, employees, towed cars, and sale cars be clearly identified with appropriate signage.
- f. That there be no outside storage of vehicle parts, tires or equipment.

g. That all vehicles shall be parked in an orderly fashion and in a manner that does not hinder access to the building or restrict vehicle movements on this or the adjacent property.

h. That the maximum hours for the auto repair and car sales operations be Monday through Saturday 7:00 a.m. to 7:00 p.m., with no hours on Sunday.

i. That in relation to the vehicle repair operations:

1. The storage of vehicles awaiting repair shall be conducted in designated areas along the south property line, and for no more than 20 days.

2. The only vehicle repair to be conducted on this property shall be undertaken indoors and shall be limited to the repair or replacement of braking systems, alternators, starters, electronic sensors, exhaust, suspension and stability systems, steering systems, tire replacement.

3. Vehicles towed to the property shall be immediately parked in striped spaces found along the south property line.

4. The only vehicles to be repaired at this location shall be cars, light trucks, sport utility vehicles and non-commercial passenger vans.

j. That in relation to the vehicle sales operations:

1. No more than 5 vehicles shall be displayed for sale and only in the designated area along the south property line.

2. No advertising flags, pennants, banners, streamers, or balloons are to be utilized.

3. The only signage on vehicles shall be displayed inside vehicle windows.

k. That all trash and recyclables be stored in closed containers and screened from view.

l. That all landscaped areas be maintained in a healthy state and in accordance with the approved plans.

m. That all applicable ordinances be complied with and permits applied for.

n. That a sign plan be submitted for the review and approval of the Director of City Development prior to installation.

o. That all signs be professional made and installed.

p. That no major changes be made from the conditions of this permit without the approval of the Plan Commission and no minor changes be made

without the approval of the Director of City Development.

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

Fiscal Note: N/A

Sponsors: Gregory Holding

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

Res.11-2389

Change Order No. 1 for Contract 47-10 (K0-058), PRCS Asphalt Pavement Improvements (R1), Parking Lot Maintenance, Inc., be approved

Resolved, that Change Order No. 1 for Contract 47-10 (K0-058), PRCS Asphalt Pavement Improvements (R1) by Parking Lot Maintenance, Inc., be approved for an increase of \$29,625.35, for a total contract amount of \$250,171.00.

Fiscal Note: Funds in the amount of \$20,267.49 are available in Account 990.700.5020, Parks Paving Projects 10 year Plan, and \$9,357.86 are available in Account 207.000.5750 Cemetery Roads and Walks (2010).

Sponsors: Aron Wisneski

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

Res.11-2390

Work be accepted for Contract 47-10 (K0-0458), PRCS Asphalt Pavement Improvements (R1), Parking Lot Maintenance, Inc., and final payment authorized

Resolved, that the work be accepted for Contract 47-10 (K0-058), PRCS Asphalt Pavement Improvements (R1), Parking Lot Maintenance, Inc., and final payment for Contract 47-10 (K0-058) PRCS Asphalt Pavement Improvements (R1) by Parking Lot Maintenance Inc., be approved, for a total contract amount of \$250,171.00.

Fiscal Note: Funds are available as listed below in the following listed accounts:

989-700-5030, Various Locations Remove Pavement, \$2, 699.00
 990.700.5020, Parks Paving Projects 10 year plan, \$178,149.88
 990.650.5020, Humble Repave Loop Road, \$26, 873.00
 207.000.5750, Cemetery Land Improvements, Roads and Walks 2009, \$10,214.00
 207.000.5750, Cemetery Land Improvements, Replace Catch Basins 2009, \$4,180.00
 207.000.5750, Cemetery Land Improvements, Roads and Walks 2010, \$28,055.12

Sponsors: Aron Wisneski

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

Res.11-2391

Mayor and City Clerk be authorized and directed to enter into an agreement with Lakefront Engineering to prepare plans and specifications for Boiler Replacement at Humble Park Community Center

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with Lakefront Engineering to prepare plans and specifications for Boiler Replacement at Humble Park Community Center in an amount not to exceed \$4,400.00 plus reimbursable costs.

Fiscal Note: Funds are available in Account 991.650.5010 - Humble Replace Boiler.

Sponsors: Aron Wisneski

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

Res.11-2392

Change Order No. 1 on Contract 12-10 (K0-012), Asphalt Resurfacing, C.D.B.G., Payne & Dolan, Inc., contractor, be approved

Resolved, that Change Order No. 1 on Contract 12-10 (K0-012), Asphalt Resurfacing, C.D.B.G., Payne & Dolan, Inc., contractor, as submitted, be approved in the deduct amount of \$3,056.67.

Further resolved, that the funding accounts be adjusted by the following amounts:

(\$ 456.67) - Account 890.030.5540, C.D.B.G. Resurfacing
(\$2,600.00) - Account 104.900.5420, Replacement Storm Sewer
(\$3,056.67) - Total

Fiscal Note: Change Order No. 1 will result in a decrease in contract price.

Sponsors: Gregory Holding

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

Res.11-2393

Work done by Payne & Dolan, Inc., under Contract 12-10 (K0-012), Asphalt Resurfacing, C.D.B.G., be accepted and final payment authorized

Resolved, that the work done by Payne & Dolan, Inc., under Contract 12-10 (K0-012), Asphalt Resurfacing, C.D.B.G., be accepted and final payment authorized for a total contract amount of \$159,681.03

Fiscal Note: Contract was authorized under Resolution No. 10-2006,

dated May 4, 2010.

Sponsors: Gregory Holding

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

Res.11-2394

Work done by AZAR LLC., under Contract 45-10 (K0-054), Solid Waste Garage Tuckpointing, be accepted and final payment authorized

Resolved, that the work done by AZAR LLC under Contract 45-10 (K0-054), Solid Waste Garage Tuckpointing, be accepted and final payment authorized for a total contract amount of \$47,765.90.

Fiscal Note: Contract was authorized under Resolution No. 10-2121, dated August 2, 2010.

Sponsors: Gregory Holding

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

Res.11-2395

Mayor and City Clerk be authorized and directed to enter into a Professional Services Agreement with ARC Architectural Group, LLC., for Design Services for City Hall Facilities Plan Implementation - Phase IV

Resolved, that the Mayor and City Clerk be authorized and directed to enter into a Professional Services Agreement with ARC Architectural Group, LLC., for Design Services for the City Hall Facilities Plan Implementation - Phase IV, in the not-to-exceed amount of \$39,700.00.

Further resolved, that funds to defray the cost of these professional services be appropriated from Account 991.100.5010, City Hall Facilities Plan.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Gregory Holding

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

Res.11-2396

Mayor and City Clerk be authorized and directed to enter into a Professional Services Agreement with Architectural Associates Ltd., for Design Services for Solid Waste Garage - Female Locker Room

Resolved, that the Mayor and City Clerk be authorized and directed to enter into a Professional Services Agreement with Architectural Associates Ltd. for Design Services for the Solid Waste Garage-Female Locker Room, in the not-to-exceed amount of \$10,700.00.

Further resolved, that funds to defray the cost of these professional services be appropriated from Account 991.410.5010, SW

Garage-Female Locker Room.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Gregory Holding

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

Res.11-2397

Formal bidding procedures be waived and Purchasing Agent be authorized and directed to negotiate with Miller-Bradford and Risberg, Inc., for purchase of one Case 621E Wheel Loader with 4-in-1 bucket and snow plow

Resolved, that being in the best interest of the City, formal bidding procedures be waived, and that the Purchasing Agent be authorized and directed to negotiate with Miller-Bradford and Risberg, Inc., for the purchase of one Case 621E Wheel Loader with 4-in-1 bucket and snow plow.

Fiscal Note: The estimated cost of this equipment of \$160,000.00 and funding is available in Account 101.630.5790, St. Maintenance Wheel Loader.

Sponsors: Gregory Holding

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

Res.11-2398

Commissioner of Public Works be authorized and directed to purchase rain barrels from Greater Milwaukee Committee for the Storm Water Utility

Resolved, that the Commissioner of Public Works be authorized and directed to purchase 250 rain barrels from the Greater Milwaukee Committee for the Storm Water Utility in conjunction with the Sierra Club.

Further resolved, that funding to pay for the cost of these rain barrels be appropriated from Account 104.000.5350, Public Participation.

Fiscal Note: Funds are available as herein delineated. The estimated cost for this program is \$10,625.00 and is funded through the Storm Water Utility.

Sponsors: Gregory Holding

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

Council Action

A motion was made by Jeff Coe, seconded by Q.A. Shakoor, II, that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

AYES: 14 - Shakoor, II, Coe, Marcus, Shields, Hart, Kaplan, Wiser, Maack, Wisneski, McCarthy, DeHahn, Holding, Spangenberg and Mozol

EXCUSED: 1 - Weidner

I. Adjourn

The meeting was adjourned at 7:48p.m. by Alderman Shakoor. The next scheduled meeting of the Council is Wednesday, February 16, 2011.

ATTEST: JANICE M. JOHNSON-MARTIN
CITY CLERK