



City of Racine Meeting Minutes Common Council

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

Tuesday, February 7, 2006

7:00 PM

Room 205, City Hall

A. Call To Order

PRESENT: 13 - Cape, Engel, Finley, Friedel, Hart, Shakoor
II, Sollman, Spangenberg, Weidner, Fair, Hermes, DeHahn and Holding

EXCUSED: 2 - Karas and Maack

B. Pledge of Allegiance To The Flag

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

D. Public Comments

*Jim Kaplan
Fred Dooley
Mercedes Dzinelzeleta
Kate Remington
Elliott Cohen
Eddy Ward
Vontrell DeLeon
Leroy Walker
Brandon Tolliver
Marquise Finley
Shayla Bohanon
Priscilla Garcia
Ahshera Barr*

F. Approval of Journal of Council Proceedings (Minutes)

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

H. Communications

Refer to Finance and Personnel Committee

[06-1455](#)

Subject: Communication from the Executive Director of Downtown Racine Corporation requesting the Parks and Recreation Commission and the City of Racine waive the fees for DRC for five years.

Recommendation: That the Parks & Recreation and Cultural Services establish policy guidelines for all users of Monument Square. That their be

no charge fee for the use of Monument Square; that there be no admission fee or close-off area for entrance; that there be a \$300 deposit payable upon cleanup of the square and to follow established guideline policies by the Parks & Recreation and Cultural Services.

Fiscal Note: N/A

Attachments: [Devin Sutherland's Request](#)

Referred to Finance and Personnel Committee

[06-1484](#)

Subject: Communication from the Chief of Police wishing to apply for the 2006 U.S. Department of Justice Edward Byrne Memorial, Justice Assistance Grant (JAG). Grant Control No. 2006-003.

Recommendation: That the Racine Police Chief be granted permission to apply for the U.S. Department of Justice Edward Byrne Memorial, Justice Assistance Grant (JAG). Grant Control No. 2006-003.

Fiscal Note: The total grant will be in conjunction with Racine County Sheriff's Department and the City of Racine's share will be \$30,000.

Attachments: [Scan-25-Jan-2006:10:33:04](#)

Referred to Finance and Personnel Committee

[06-1490](#)

Subject: Communication from the Human Resource's Coordinator requesting to enter into an agreement with Security Benefit Group to establish a Section 457 Deferred Compensation plan.

Recommendation: That the City of Racine enters into an agreement with Security Benefit Group to establish a Section 457 Deferred Compensation plan opens to all City of Racine employees.

Fiscal Note: No cost to the City of Racine.

Attachments: [Julie Anastasio's request](#)

Referred to Finance and Personnel Committee

[06-1497](#)

Subject: Communication from the Manager of Recreation & Cultural Services requesting permission to accept a \$12,000 donation for the "Back-to-School/Stay-in-School" festival.

Recommendation: That the Manager of Recreation & Cultural Services be granted permission to accept a \$12,000 donation for the 2005 "Back-to-School/Stay-in-School" festival which purchased backpacks and

school supplies for Racine children.

Fiscal Note: The donation will help fund shortfalls in the program.

Attachments: [Jeff McDorman's request](#)

Referred to Finance and Personnel Committee

06-1499

Subject: Communication from the Chairman of South Eastern Area of Narcotics Anonymous requesting the use of the Racine Community Centers at reduced rates for the year 2006.

Recommendation:

Fiscal Note:

Attachments: [Narcotics Anonymous Conference approved literature](#)

Referred to Finance and Personnel Committee

06-1505

Subject: Communication from the Human Resource's Coordinator requesting to enter into an agreement with Security Benefit Group to establish a 501{c} 9 VEBA Trust also know as a Voluntary Employee's Beneficiary Association plan.

Recommendation: That the City of Racine enter into an agreement with Security Benefit Group to establish a 501 {c} 9 VEBA Trust, known as a Voluntary Employee's Beneficiary Association that is open to Racine Police Association only.

Fiscal Note: N/A

Attachments: [Julie Anastasio's VEBA request](#)

Referred to Finance and Personnel Committee

Refer to Public Works and Services Committee

06-1451

Subject: Item 13 of February 8, 2006, communication from the Purchasing Agent submitting bids received for Official Notice No. 4 for One (1) Melter Applicator.

Recommendation: The contract for one (1) Melter Applicator be awarded to Sherwin Industries, Milwaukee, WI, at their bid price of \$46,229.76, they being the lowest responsible bidder.

Further recommends that funds to defray the cost of this purchase be

appropriated from Account 101.630.5980, Licensed Vehicles.

Fiscal Note: Funding is available as herein delineated.

Attachments: [Tar Melter Bids.pdf](#)

Referred to Public Works and Services Committee

06-1489

Subject: Item 8 of February 8, 2006, communication from the President of Fast Cat Trucking, Inc. requesting to close off Hoffert Dr. along North Beach for the Racine Area Soap Box Derby.

Recommendation: The Racine Area Soap Box Derby be granted permission to use Hoffert Drive for a rally on Saturday and Sunday, May 13 & 14, Saturday and Sunday, June 17 & 18, and Saturday and Sunday, September 9 & 10, 2006, with the following stipulations:

A. A hold harmless agreement be executed;

B. A liability insurance certificate be filed prior to this event;

C. The set up and dismantling of barricades, snow fencing and placement of waste barrels will be the responsibility of the Soap Box Derby Association and must be erected no sooner than 24 hours prior to the event and must be removed no later than 24 hours after the event;

D. Any overtime and/or equipment and material loss will be charged to the Soap Box Derby Association;

E. The sponsor shall notify all residents on Michigan Boulevard and residents in the 200 blocks of Kewaunee Street, St. Patrick Street, High Street, and English Street, 72 hours in advance of this event.

Further recommends that the Commissioner of Public Works/City Engineer, Chief of Police, and the Director of Parks, Recreation and Cultural Services provide limited assistance, in the interest of public safety, to implement this event.

Fiscal Note: There will be nominal costs incurred on a regular shift basis to implement this event.

Attachments: [Soap Box Derby Request.pdf](#)

Referred to Public Works and Services Committee

06-1513

Subject: Item 9 of February 7, 2005, communication from Gorman &

Company, Inc. requesting to enter into an agreement with the City to relocate the traffic light and street light control systems at the corner of State Street and Gaslight Drive.

Recommendation: The Mayor and City Clerk be authorized and directed to enter into an agreement with Gorman & Company, Inc. for the relocation of traffic light and street light control systems at the intersection of State Street and Main Street. The estimated cost to relocate these systems is \$47,000.00 plus any charges from WE Energies for new electrical services.

Further recommends that the agreement requires Gorman & Company, Inc. to place in escrow with the City of Racine the sum of \$47,000.00.

Further recommends that due to the schedule for implementing these changes, that public bidding requirements be waived.

Fiscal Note: There will be no cost to the City of Racine for making changes to the street light and traffic signal control system.

Attachments: DOC060206streetlights main st
[Ald Engel-Relocation at State-Main State and Main Estimate](#)

Referred to Public Works and Services Committee

06-1514

Subject: Item 10 of February 7, 2006, communication from Michael Bohm, 7223 Blackhawk Drive, wishing to replace a porch at 1240 Erie Street that was damaged due to a traffic accident.

Recommendation: The property owner of 1240 Erie Street be granted permission to replace a porch that extends onto City right-of-way, as requested, with the stipulation that a hold harmless agreement be executed, in accordance with State Statute 66.0425, Privileges in Streets.

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

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

Attachments: DOC060206porch

Referred to Public Works and Services Committee

06-1515

Subject: Item 12 of February 8, 2006, communication from the Purchasing Agent submitting bids for the purchase of one (1) mid-sized ride-on

sweeper.

Recommendation: The contract for one (1) mid-sized ride-on sweeper be awarded to Tennant Sales and Service Company, Minneapolis, MN, at their bid price of \$26,685.00, they being the lowest responsible bidder.

Further recommends that funds to defray the cost of this purchase be appropriated from Account 106.110.5790, Unlicensed Vehicle.

Fiscal Note: Funding is available as herein delineated.

Attachments: DOC060206ride sweeper

Referred to Public Works and Services Committee

06-1517

Subject: Item 14 of February 8, 2006, communication from the Purchasing Agent submitting bids received for the purchase of two (2) Garbage Truck Chassis.

Recommendation: The contract for Two (2) Crane Carrier chassis w/Pak-Mor R325B packer, with trade-ins, be awarded to Cumberland Servicer, at their bid price of \$315,694.00, they being the lowest responsible bidder.

Further recommends that funds to defray the cost of this purchase be appropriated from Account 101.400.5780, Licensed Vehicles, Solid Waste.

Fiscal Note: Funding is available as herein delineated.

Attachments: [DOC060207two refuse packer](#)

Referred to Public Works and Services Committee

06-1516

Subject: Item 11 of February 7, 2006, communication from Racine Sister City Planning Council requesting the City replace the present sister cities signs that are located on the "main" road/highway entrances to the City of Racine.

Recommendation:

Attachments: [DOC060206sista city sign](#)

Referred to Public Works and Services Committee

Refer to License and Welfare Committee

[06-1492](#) **Subject:** Application of Magic Dollar Plus LLC., Hussein Asad, Agent, for a Class "A" Retail Fermented Malt Beverage License for 1007 Washington Avenue. (1st District) **(Alderman of the 1st District included in reference)**

Recommendation: Defer this item to the February 27, 2006 License and Welfare Committee meeting.

Attachments: DOC060127classa

Referred to License and Welfare Committee

[06-1512](#) **Subject:** Communication from 2nd District Alderman requesting to discuss events that took place at 1801 Mead Street, T's Corner store on 1/1/06

Recommendation: Begin due process hearing.

Attachments: [DOC060206t's corner store](#)

Referred to License and Welfare Committee

[06-1518](#) **Subject:** Application of Jermaine Weatherspoon for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 303 Dodge Street. (4th District) **(Alderman of the 4th District included in reference)**

Recommendation: License be granted.

Attachments: [DOC060207classbapp](#)

Referred to License and Welfare Committee

Refer to Traffic Commission

[06-1456](#) **Subject:** Item 15 of February 7, 2006 communication from the 5th District Alderman on behalf of Mary Meyers, requesting parking changes in hte 2200 block of Douglas Avenue.

Recommendation:

Referred to Traffic Commission

Refer to Transit and Parking Commission

[06-1501](#) **Subject:** Item 18 of February 7, 2006, communication from Transit

Planner, submitting a 2006 contract with the Racine County Human Services Department for reimbursement of COP/CIP specialized transportation and for transportation to and from the Afternoon Reporting Center.

Recommendation:

Referred to Transit and Parking Commission

06-1502

Subject: Item 17 of February 7, 2006, communication from Transit Planner submitting the December 2005 operating and financial report for the Belle Urban System.

Recommendation:

Referred to Transit and Parking Commission

06-1503

Subject: Item 16 of February 7, 2006, communication from Transit Planner submitting information from the Transit General Manager for the cost per ride calculation for an in-house operated paratransit system.

Recommendation:

Referred to Transit and Parking Commission

Refer to Committee of the Whole

06-1498

Subject: Communication from 1st District Alderman Keith Fair requesting a meeting with the Committee of the Whole and Chief David Spenner to openly discuss additional police strength, resources, and tools needed to address this "Community Crisis". It is further requested that the Mayor and City Administrator appear at this meeting.

Recommendation:

Referred to Committee of the Whole

J. Committee Reports

Finance and Personnel Committee Report

05-1400

Subject: Communication from the Chief of Police wishing to apply for and accept the Beat Patrol Grant from the Office of Justice Assistance. (Grant #2006-001) The item was referred to the Finance and Personnel Committee and the License & Welfare Committee.

Recommendation of the Finance & Personnel Committee: That the

City of Racine apply for funding from the State of Wisconsin, Office of Justice Assistance, and that the Mayor and City Clerk be authorized and directed to enter into a \$172,065 agreement to be utilized for the Additional Uniformed Law Enforcement Officer's Beat Patrol grant. (Grant Control No. 2006-001).

Recommendation of the License & Welfare Committee: The Chief of Police be allowed to apply for and accept the Beat Patrol Grant from the Office of Justice Assistance (Grant # 2006-001). Funds are available in account 243.000.6010, Special Revenue Funds for Police Grants.

Fiscal Note: The City's required match is \$43,016.25 and is budgeted in 2006 in account 243.000.6010, Special Revenue Fund.

Attachments: Letter requesting application and acceptance

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

05-1355

Subject: Communication from the Public Health administrator requesting permission to accept funding and enter into a contract with Children's Hospital to be used for Children with Special Health care needs for 2006. (Grant Control No. 2005-050) Item was also referred to the Board of Health.

Board of Health's recommendation: That the Mayor and City Clerk be authorized and directed to enter into an agreement with Children's Hospital of Wisconsin for the Children with Special Healthcare Needs Program for the period of 01/01/06-12/31/06.

Fiscal Note: The amount of funding is \$3,640. There is no match required by the City.

Finance & Personnel Committee's recommendation: That the Mayor and City Clerk be authorized and directed to enter into a \$3,200 agreement with the Children's Hospital of Wisconsin for the Children with Special Healthcare Needs Program for the period of January 1, 2006 through December 31, 2006.

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

Attachments: CSHCN.pdf

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

06-1423

Subject: Communication from the City Assessor requesting a correction to the 2005 assessment and tax rolls.

Recommendation: That the listed items be corrected on the 2005 assessment and tax rolls.

Dollar Store, location 3701 Durand Avenue, Tax No. P01992505 be reduced from \$5,200 to \$0 and that the resulting credit of \$119.56 be charged against account 101.990.5930, Real Estate and Personal Property taxes cancelled.

Specialty Stainless, location 1600 Layard Avenue, Tax No. P06989005 be reduced from \$3,900 to \$0 and that the resulting credit of \$89.69 be charged against account 101.990.5930, Real Estate and Personal Property taxes cancelled.

RD's Retreat, location 1632 Douglas Avenue, Tax No. P06055009 be reduced from \$4,300 to \$0 and that the resulting credit of \$98.87 be charged against account 101.990.5930, Real Estate and Personal Property taxes cancelled.

Geneva Capital, LLC, location 1801 N. Memorial Drive, Tax No. P02759005 be reduced from \$20,400 to \$0 and that the resulting credit of \$469.05 be charged against account 101.990.5930, Real Estate and Personal Property taxes cancelled.

Fiscal Note: There are sufficient funds available for this credit. Other taxing jurisdiction's portions will be charged back to them when appropriate.

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

05-1401

Subject: Communication from the Human Resource Coordinator requesting the City of Racine be allowed to participate in the State of WI Deferred Compensation plan.

Recommendation: That the City of Racine participate in the State of Wisconsin Deferred Compensation plan and the drafted resolution be adopted.

Fiscal Note: N/A

Attachments: State of WI Deferred Compensation

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

06-1466

Subject: Direct Referral. Preliminary December 2005 Quarterly Financial Report.

Recommendation: That the preliminary December 2005 quarterly Financial Report be received and filed.

Fiscal Note: N/A

Attachments: [Quarterly Financial Report Dec. 2005](#)

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

Council Action

A motion was made by to Adopt the Report. Adopted by the following vote:

AYES: 13 - Cape, Engel, Finley, Friedel, Hart, Shakoor II, Sollman, Spangenberg, Weidner, Fair, Hermes, DeHahn and Holding

EXCUSED: 2 - Karas and Maack

Public Works and Services Committee Report

05-1093

Subject: DIRECT REFERRAL. Communication from the City Engineer submitting a proposal from Earth Tech, Inc., for Construction Inspection Services for Lake Michigan Pathway, Phase II.

Recommendation: The Mayor and City Clerk be authorized and directed to enter into professional services contract with Earth Tech, Inc., to perform construction inspection services for the Lake Michigan Pathway Phase II project at a not-to-exceed cost of \$20,160.00.

Further recommends that funds to defray the cost of these professional services be appropriated from Account 985.913.5090, Michigan at Goold Slope Stabilization.

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.**

05-1343

Subject: DIRECT REFERRAL. Communication from the Commissioner of

Public Works submitting a request to close out Contract 35-05 (K5-042), Professional Services-Lake Michigan Pathway, Phase II, Earth Tech, Inc., consultant.

Recommendation: Contract 35-05 (K5-042), Professional Services-Lake Michigan Pathway, Phase II, Earth Tech, Inc., consultant, be closed out.

Fiscal Note: This is a three-party contract with the Wisconsin Department of Transportation, Earth Tech, Inc., and the City and payments will be made by the State.

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

05-1376

Subject: Item 26(10) of January 17, 2005, communication from the Assistant Commissioner of Public Works/Engineering submitting assessment rates for preliminary resolutions introduced in 2006 for PCCP public hearings, work to be done in 2007.

Recommendation: The proposed special assessment rates for 2006 public hearings on street improvements (2007 construction) for portland cement concrete paving, portland cement concrete curb and gutter, and sewer and water services be as follows:

Portland Cement Concrete Paving

Residential Zoning-36' wide	\$42.00/front foot
Commercial Zoning-36' wide	\$55.00/front foot
Industrial Zoning-36' wide	\$65.00/front foot
Industrial Zoning-48' wide	\$100.00/front foot

Portland Cement Concrete Curb and Gutter

7" Pavement	\$15.00/front foot
10" Pavement	\$17.00/front foot

Sewer and Water Services \$6,500.00/each

Further recommends that these special assessment rates become effective upon passage of the Common Council for all preliminary resolutions.

Further recommends that these rates apply to all streets unless the actual construction cost is less, then the front foot cost shall be reduced accordingly.

Fiscal Note: These rates are established so that the abutting property owner pays for 100% of the cost of such street improvements.

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

05-1385

Subject: Item 7 of January 17, 2006, communication from the Director of City Development submitting Amendment No. 4 to Contract 25-01 (K1-025), Downtown Streetscape Design, JJR, Inc., consultant.

Recommendation: Amendment No. 4 to Contract 25-01 (K1-025), Downtown Streetscape Design, JJR, Inc., consultant, as submitted, be approved in the amount of \$3,700.00.

Further recommends that funding to defray the cost of these professional services be appropriated from TID No. 9.

Fiscal Note: Funds are available as herein delineated.

Attachments: 1897_001.pdf

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

06-1422

Subject: Item 9 of January 17, 2006, communication from the Purchasing Agent submitting bids received for Official Notice No. 3, Two 35,000 GVW 5 Cubic Yard Diesel Dump Trucks.

Recommendation: The contract for two 35,000 GVW 5 cubic yard diesel dump trucks with snowplow and tailgate material spreader be awarded to Lakeside International Trucks, Sturtevant, WI, for two International 7400 4x2 with Monroe equipment at their bid price of \$160,028.00, with trade ins, they being the lowest responsible bidder.

Further recommends that funds to defray the cost of this purchase be appropriated from Account 101.630.5780, Licensed Vehicles.

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.**

Res.06-6512

SPECIAL ASSESSMENT RATES FOR 2006 PUBLIC HEARINGS ON 2007 CONSTRUCTION

RECOMMENDATION FROM THE PUBLIC WORKS AND SERVICES COMMITTEE

That Resolution No. 6855, dated January 17, 2006, be received and filed.

A motion was made that this Resolution be Received As Read. The motion was APPROVED.

06-1440

Subject: Item 10 of January 17, 2006, communication from Robert Hartmann, Hartmann Design, Inc. wishing to discuss variances for facade and storefront renovations for 310 Sixth Street.

Recommendation: The property owner of 310 Sixth Street be granted permission to install goose neck lighting fixtures, moldings and trim and a temporary storefront enclosure, as requested, with the stipulation that a hold harmless agreement be executed, in accordance with State Statute 66.0425, Privileges in Streets.

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

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

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

06-1444

Subject: Item 8 of January 17, 2006, communication from the Assistant Commissioner of Public Works/Operations submitting an agreement with Johnson Controls Inc., to perform an energy analysis.

Recommendation: The Mayor and City Clerk be authorized and directed to enter into a Memorandum of Understanding with Johnson Controls, Inc. to conduct a feasibility study for projects in which the energy savings are sufficient to pay the cost of the construction activities in accordance with State statutes on energy saving performance based contracting.

Fiscal Note: There will be no cost to the City of Racine to enter into this Memorandum of Understanding.

Attachments: Energy Audit Proposal.pdf

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

06-1445

Subject: DIRECT REFERRAL. Communication from the Assistant Commissioner of Public Works/Engineering submitting Amendment No. 2 to State Contract 2260-05-00, Kinzie Avenue, West Boulevard to Chicago Street, HNTB, consultant.

Recommendation: Amendment No. 2 to State Contract 2260-05-00,

Kinzie Avenue, West Boulevard to Chicago Street, HNTB, consultant, as submitted, be approved. The total cost of this amendment is \$12,196.95, with 80%, or \$9,757.56 being the State's share, and 20%, or \$2,439.39 being the city's share.

Further recommends that funds to defray the cost of these professional services be appropriated from Account 986.908.5080, Kinzie Avenue, West Boulevard to Chicago Street.

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.

06-1450

Subject: DIRECT REFERRAL. Communication from the Assistant Commissioner of Public Works/Operations submitting a lease agreement for the Pre-Apprenticeship Program for the rental of space in the City Hall Annex.

Recommendation: The Mayor and City Clerk be authorized and directed to renew the lease agreement with the Pre-Apprenticeship Program for 1,263 square feet at the City Hall Annex, Room 317, at a rate of \$10.08 per square foot, for the time period of January 1, 2006 to December 31, 2006.

Fiscal Note: This lease will generate a total annual revenue of \$12,731.04 in 2006.

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

06-1452

Subject: Communication from the Commissioner of Public Works submitting a request for final payment on Contract 20-04 (K4-030), Window Replacement at City Hall, B+D Contractors, Inc., contractor. (direct referral)

Recommendation: The work of B+D Contractors, Inc., under Contract 20-04 (K4-030), Window Replacement at City Hall, be accepted and final payment authorized for a total contract amount of \$288,175.17, from funds heretofore appropriated.

Fiscal Note: Contract was authorized under Resolution No. 5977, dated June 1, 2004.

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

06-1453

Subject: DIRECT REFERRAL. Communication from the Assistant Commissioner of Public Works/Operations submitting Change Order No. 1 on Contract 20-04 (K4-030), Window Replacement at City Hall, B+D

Contractors, Inc., contractor.

Recommendation: Change Order No. 1 on Contract 20-04 (K4-030), Window Replacement at City Hall, B+D Contractors, Inc., contractor, as submitted, in the credit amount of \$1,524.83.

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.

06-1467

Subject: DIRECT REFERRAL. Communication from the Assistant Commissioner of Public Works/Engineering submitting Change Order No. 2 on Contract 32-05 (K5-039), 2005 L.R.I.P. Concrete Paving, LaLonde Contractors, Inc., contractor.

Recommendation: Change Order No. 2 on Contract 32-05 (K5-039), 2005 L.R.I.P. Concrete Paving, LaLonde Contractors, Inc., contractor, as submitted, be approved in the amount of \$23,952.50.

Further recommends that funds to defray the cost of this change order be appropriated from the following accounts:

\$22,000.00 - Account 984.908.5130, Asphalt Resurfacing
1,952.50 - Water Utility (Water Main Construction)
\$23,952.50 - Total

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.

06-1468

Subject: DIRECT REFERRAL. Communication from the Assistant Commissioner of Public Works/Engineering recommending a reduction in retainage on Contract 36-05(K5-043), 2005 City Resurfacing, Payne & Dolan, Inc., contractor.

Recommendation: The retainage on Contract 36-05(K5-043), 2005 City Resurfacing, Payne & Dolan, Inc., contractor, be reduced to the amount of \$8,000.00.

Fiscal Note: The amount of retainage is sufficient to cover the value of the remainder of the work on this project.

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

06-1477

Subject: DIRECT REFERRAL. Communication from the Commissioner of Public Works submitting bid results for Contract 01-06 (K6-001), West Racine Asbestos Abatement and Building Demolition.

Recommendation: Contract 01-06 (K6-001), West Racine Asbestos Abatement and Building Demolition, be awarded to AZAR LLC, Racine, WI, at their bid price of \$109,090.00, they being the lowest responsible bidder.

Further recommends that funding to defray the cost of this public works project be appropriated from Account 971.000.5030, Demolition-TID No. 11.

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.

06-1485

Subject: DIRECT REFERRAL. Communication from the Assistant Commissioner of Public Works/Operations submitting a proposal from Industrial Roofing Services, Inc. for Window Replacement Specifications for Fire Station No. 8.

Recommendation: The Mayor and City Clerk be authorized and directed to enter into a professional services contract with Industrial Roofing Services, Inc., Brookfield, WI, for the provision of plans and specifications for Window Replacement at Fire Station No. 8, at a cost not-to-exceed \$2,600.00.

Further recommends that funds to defray the cost of these professional services be appropriated from Account 101.310.5030, Fire Station 8 Windows.

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.

06-1486

Subject: DIRECT REFERRAL. Communication from the Commissioner of Public Works submitting an amended relocation order for the Racine Street Project.

Recommendation: The amended relocation order for the Racine Street Reconstruction Project, ID #2350-10-20, dated January 13, 2006, be approved.

Fiscal Note: Not applicable.

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

06-1487

Subject: DIRECT REFERRAL. Communication from the Commissioner of Public Works submitting a proposal from Green Valley Disposal for the provision of 30 yard roll off containers for the operation of the Pearl Street Facility.

Recommendation: The Mayor and City Clerk be authorized and directed to enter into an agreement with Green Valley Disposal, Racine, WI, for the provision of 30 yard roll off containers for the operation of the Pearl Street Facility at a cost of \$200 per pull, plus fuel and environmental fees which are adjusted monthly based on the Midwest Index for Diesel Fuel. The base rate of \$200 per pull will be adjusted annually using the Midwest Urban Consumers CPI Index.

Further recommends that funds to defray the cost of this agreement are available in Account 288.000.5610, Professional Services.

Fiscal Note: Funds are available as herein delineated. This agreement will become null and void for any such reason that the City of Racine decides not to operate the Pearl Street Facility for the dumping of bulky solid waste materials.

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

06-1488

Subject: DIRECT REFERRAL. Communication from the Assistant Commissioner of Public Works/Operations submitting Amendment No. 9 on Contract 33-99 (K9-039), 1415 Hampden Place-Environmental Assessment Work, STS Consultants, Inc., consultant.

Recommendation: Amendment No. 9 on Contract 33-99 (K9-039), 1415 Hampden Place-Environmental Assessment Work, STS Consultants, Inc., consultant, as submitted, be approved in the amount of \$2,200.00.

Further recommends that funds to defray the cost of these professional services be appropriated from Account 985.913.5010, Environmental Remediation.

Fiscal Note: The cost of this amendment is reimbursable under the State of Wisconsin PECFA program.

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

06-1491

Subject: DIRECT REFERRAL. Communication from the Assistant

Commissioner of Public Works/Operations submitting a proposal from Industrial Roofing Services, Inc. for Window Replacement Specifications for the Racine Public Library.

Recommendation: The Mayor and City Clerk be authorized and directed to enter into a professional services contract with Industrial Roofing Services, Inc., Brookfield, WI, for the provision of Window Replacement Specifications for the Racine Public Library, at a cost not-to-exceed \$5,100.00.

Further recommends that funds for these professional services be appropriated from Account 986.255.5010, Library Window Wall.

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.

06-1500

Subject: Communication from Robert Hartmann, Hartmann Design, Inc. wishing to discuss variances for facade and storefront renovations for 1800 N. Main Street. (direct referral)

Recommendation: The property owner of 1800 N. Main Street be granted permission to install awnings, goose neck lighting fixtures and a temporary storefront enclosure, as requested, with the stipulation that a hold harmless agreement be executed, in accordance with State Statute 66.0425, Privileges in Streets.

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

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

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

06-1504

Subject: Communication from the Assistant Commissioner of Public Works/Engineering requesting that Resolution No. 6676 of September 20, 2005 relating to Amendment No. 1 on State Project ID 1693-31-03, Lake Michigan Pathway Construction, Phase II, be rescinded.

Recommendation: Resolution No. 6676 of September 20, 2005 relating to Amendment No. 1 on State Project ID 1693-31-03, Lake Michigan Pathway Construction, Phase II, be rescinded.

Fiscal Note: Not applicable.

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

Council Action

A motion was made by to Adopt the Report. Adopted by the following vote:

AYES: 13 - Cape, Engel, Finley, Friedel, Hart, Shakoor II, Sollman, Spangenberg,
Weidner, Fair, Hermes, DeHahn and Holding

EXCUSED: 2 - Karas and Maack

License and Welfare Committee Report

05-1365

Subject: Communication from the President and CEO of the Racine Zoological Society requesting that they be allowed to act as a public facility concessionaire for the sale of alcohol beverages at the Zoo. (Referred to Board of Park, Recreation and Cultural Services and License and Welfare Committee)

Board of Park, Recreation and Cultural Services Recommendation:

Approve the request with the following conditions: approved for special events only and **refer to the License and Welfare Committee.**

License and Welfare Committee Recommendation

Allow the Mayor and City Clerk to enter into a contract with the Racine Zoological Society to allow them to act as a public facility concessionaire for the sale of alcohol beverages at the Zoo for a period starting May 1, 2006 and ending June 30, 2007.

Fiscal note: N/A

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

06-1439

Subject: Communication from the Chief of Police requesting that formal bidding be waived for purchasing taser weapons and the Purchasing Agent be authorized and directed to negotiate with Taser International for the purchase of these weapons.

Recommendation: Formal bidding be waived for purchasing taser weapons and the Purchasing Agent be authorized and directed to negotiate with Taser International for the purchase of these weapons. Funds to defray the cost of this purchase are available in Account 101.311.5770, Machinery & Equipment.

Alderman Shakoor requested that the fiscal note on Item #2 of the License and Welfare Committee report be amended to read: Funds are available in account 101.311.5770 Machinery and Equipment and account 241.000.5770 Machinery and Equipment.

A motion was made by Alderman Shakoor, II that this Communication be Adopted. The motion was APPROVED by the following vote:

AYES: 13 - Cape, Engel, Finley, Friedel, Hart, Shakoor II, Sollman, Spangenberg, Weidner, Fair, Hermes, DeHahn and Holding

EXCUSED: 2 - Karas and Maack

05-1400

Subject: Communication from the Chief of Police wishing to apply for and accept the Beat Patrol Grant from the Office of Justice Assistance. (Grant #2006-001) The item was referred to the Finance and Personnel Committee and the License & Welfare Committee.

Recommendation of the Finance & Personnel Committee: That the City of Racine apply for funding from the State of Wisconsin, Office of Justice Assistance, and that the Mayor and City Clerk be authorized and directed to enter into a \$172,065 agreement to be utilized for the Additional Uniformed Law Enforcement Officer's Beat Patrol grant. (Grant Control No. 2006-001).

Recommendation of the License & Welfare Committee: The Chief of Police be allowed to apply for and accept the Beat Patrol Grant from the Office of Justice Assistance (Grant # 2006-001). Funds are available in account 243.000.6010, Special Revenue Funds for Police Grants.

Fiscal Note: The City's required match is \$43,016.25 and is budgeted in 2006 in account 243.000.6010, Special Revenue Fund.

Attachments: Letter requesting application and acceptance

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

05-1319

Subject: Item 27 of 10-4-05 being a communication from the Director of City Development wishing to discuss the transfer of the property at 3101 Washington Avenue from the Parks Department to the Redevelopment Authority.

Recommendation: Approve contingent upon a suitable relocation of the marker honoring Peder Back.

Accept the donation of the property, further recommend that the matter be referred to the License and Welfare Committee and the City Plan Commission.

January 17, 2005

Recommendation: That the matter be referred to the License and Welfare Committee and the City Plan Commission with the recommendation that the property transfer be approved by the Common Council.

Recommendation of City Plan Commission (1-25-06):

That the transfer of property at 3101 Washington Avenue from the Parks Department to the Redevelopment Authority is consistent with City plans and programs.

That the communication be received and filed.

Recommendation of the License and Welfare Committee: (1-30-06)

The property at 3101 Washington Avenue be transferred from the City of Racine to the Redevelopment Authority.

Fiscal Note: N/A

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

05-1366

Subject: The application of Speedway SuperAmerica LLC, Tameka Haynes, Agent, for a Change of Agent for a Class "A" Retail Fermented Malt Beverage License for 2110 S. Green Bay Road. (14th District)

Recommendation: This item be received and filed.

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

06-1418

Subject: (Direct Referral) Report of the Racine County Sheriff's Department on a November-December cigarette sting operation under the WINS program.

Recommendation: Four establishments at a time appear before the License and Welfare Committee starting on 2/13/06, the remaining eight establishments be called in over the next two scheduled meetings and that the item be received and filed.

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

06-1411

Subject: (Direct Referral) The application of Blair E. Hawkins for a Public Passenger Vehicle Driver's License.

Recommendation: The license be granted.

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

05-1382

Subject: Application of Sylvia L. Cunegin and Maggie Cobb for a Secondhand Article/Jewelry Dealer License for 3120 Washington Avenue. (9th District)

Recommendation: License be granted.

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

06-1419

Subject: (Direct Referral) Communication from the Purchasing Agent submitting the report of bids received on the sale of abandoned vehicles for December 2005.

Recommendation: Receive and File.

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

06-1458

Subject: (Direct Referral) Communication from the Purchasing Agent submitting the report of bids received on the sale of abandoned vehicles for January 2006.

Recommendation: Receive and file.

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

Council Action

A motion was made by to Adopt the Report. Adopted by the following vote:

AYES: 13 - Cape, Engel, Finley, Friedel, Hart, Shakoor II, Sollman, Spangenberg, Weidner, Fair, Hermes, DeHahn and Holding

EXCUSED: 2 - Karas and Maack

Traffic Commission

05-1069

Subject: Item 17 of 10-18-05, being a communication from the Alderman of the 12th District requesting the installation of a "No Parking" sign, with time restrictions, on the north side of Kinzie Avenue before the intersection of Ohio Street.

Recommendation:

Attachments: DOC051018-010

A motion was made by Alderman Engel that this Communication be Adopted.

The motion was APPROVED by the following vote:

AYES: 13 - Cape, Engel, Finley, Friedel, Hart, Shakoor II, Sollman, Spangenberg, Weidner, Fair, Hermes, DeHahn and Holding

EXCUSED: 2 - Karas and Maack

06-1523

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:

Recommendation: That Section 94-121(20) of Schedule F relating to "No Parking from 3:30 p.m. to 6:00 p.m on Monday through Friday of each week", be amended:

By Including:

1. Kinzie Avenue, north side, from Ohio Street and Virginia Street

Alderman Weidner requested that Item #2 of the Traffic Commission Report be amended to read:

By Including:

1. Kinzie Avenue, north side, from Virginia Street to Ohio Street.

A motion was made by Alderman Engel that this Communication be Adopted.

The motion was APPROVED by the following vote:

AYES: 13 - Cape, Engel, Finley, Friedel, Hart, Shakoor II, Sollman, Spangenberg, Weidner, Fair, Hermes, DeHahn and Holding

EXCUSED: 2 - Karas and Maack

Transit and Parking Commission Report

05-1346

Subject: Item 15 of 12-20-05, being a communication from the Alderman of the 15th District, on behalf of Transitional Living Services, requesting an increase in bus service on Douglas Avenue north of South Street to Three Mile Road.

Recommendation: The communication be received and filed.

Attachments: DOC051220-004

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

05-1357

Subject: Communication from the President of Hafiz Trans, Inc., wishing to discuss the purchase of the City-owned Taxi service for the amount of \$15,000. This would include 3 vehicles currently used as taxis, access to currently used telephone numbers being used for cab service, equipment currently used in the vehicles (minus the radios), existing accounts, and the name and usage right of the current City-run Taxi service.

Finance & Personnel Committee's recommendation: That the Mayor and City Clerk be authorized and directed to enter into an agreement with Hafiz Trans Inc. for the sale of the city-owned taxicab service. Further recommends that the item be referred to the Transit and Parking Commission for informational purposes.

Fiscal Note: The sale of the taxicab service is in the amount of \$15,000.

Transit and Parking Commission's recommendation: The Communication be received and filed.

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

06-1416

Subject: Item 11 of 01-17-06, being a communication from the Transit Planner submitting the contract between the City of Racine and the Village of Mt. Pleasant for transit service in 2006.

Recommendation: The Mayor and City Clerk be authorized and directed to execute the contract on behalf of the City of Racine.

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

06-1426

Subject: Item 12 of 01-17-06, being a communication from the Transit Planner submitting the contract between the City of Racine and the Village of Sturtevant for transit service in 2006.

Recommendation: The Mayor and City Clerk be authorized and directed to execute the contract on behalf of the City of Racine.

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

06-1427

Subject: Item 13 of 01-17-06, being a communication from the Transit Planner submitting the contract between the City of Racine and the Village of Caledonia for transit service in 2006.

Recommendation: The Mayor and City Clerk be authorized and directed to execute the contract on behalf of the City of Racine.

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

05-1300

Subject: Item 16 of 12-20-05, being a communication from the Transit Planner submitting the November 2005 operating and financial report for Wisconsin Coach Lines intercity bus service between Kenosha-Racine-Milwaukee.

Recommendation: The communication be received and filed

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

06-1417

Subject: Item 15 of 01-17-06, being a communication from the Transit Planner submitting the December 2005 Operating and Financial Reports for the Wisconsin Coach Lines, Inc.

Recommendation: The communication be received and filed.

Attachments: Dec Coach Lines report

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

05-1259

Subject: Item 18 of 12-06-05, being a communication from the Transit Planner submitting the October 2005 operating and financial report for the Belle Urban System.

Recommendation: The communication be received and filed.

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

06-1429

Subject: Item 14 of 01-17-06, being a communication from the Transit Planner submitting the November 2005 operating and Financial Reports for the Belle Urban System.

Recommendation: The communication be received and filed.

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

06-1454

Subject: Communication (direct referral) from Racine County Human Services Department submitting Amendment three (3) for contract for transportation to Afternoon Reporting Center.

Recommendation: The Mayor and City Clerk be authorized and directed

to execute the contract amendment on behalf of the City of Racine.

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

Council Action

A motion was made by to Adopt the Report. Adopted by the following vote:

AYES: 13 - Cape, Engel, Finley, Friedel, Hart, Shakoor II, Sollman, Spangenberg,
Weidner, Fair, Hermes, DeHahn and Holding

EXCUSED: 2 - Karas and Maack

City Plan Commission Report

06-1449

Subject: Item 11 of 07-05-05. Being a communication from the Director of City Development wishing to discuss updating the City's Floodplain Zoning Ordinances.

Recommendation: That the communication be received and filed.

Fiscal Note: N/A

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

05-1319

Subject: Item 27 of 10-4-05 being a communication from the Director of City Development wishing to discuss the transfer of the property at 3101 Washington Avenue from the Parks Department to the Redevelopment Authority.

Recommendation: Approve contingent upon a suitable relocation of the marker honoring Peder Back.

Accept the donation of the property, further recommend that the matter be referred to the License and Welfare Committee and the City Plan Commission.

January 17, 2005

Recommendation: That the matter be referred to the License and Welfare Committee and the City Plan Commission with the recommendation that the property transfer be approved by the Common Council.

Recommendation of City Plan Commission (1-25-06):

That the transfer of property at 3101 Washington Avenue from the Parks

Department to the Redevelopment Authority is consistent with City plans and programs.

That the communication be received and filed.

Recommendation of the License and Welfare Committee: (1-30-06)

The property at 3101 Washington Avenue be transferred from the City of Racine to the Redevelopment Authority.

Fiscal Note: N/A

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

[05-1124](#)

Subject: Item 7 of June 7, 2005, being a communication from a representative of F&A Development, LLC, wishing to purchase 1335 West Sixth Street from the City.

Recommendation: City Attorney be authorized and directed to take the necessary steps to sell that portion of the city owned property at 1335 West Sixth Street, Tax ID #07324000, which lies north of the north right-of-way line of Riverview Terrace for the sum of \$15,000.00.

Further recommends that revenue received from the sale of this property be placed in Account 101.090.7240, Sale of Fixed Assets.

Further recommends that this item be referred to the City Plan Commission.

Recommendation of City Plan Commission (1-25-06):

That the request by F&A Development, LLC wishing to purchase 1335 West Sixth Street from the City is not in conflict with City plans and programs.

That the communication be received and filed.

Fiscal Note: The City will receive \$15,000.00 from the sale of this property.

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

Council Action

A motion was made by to Adopt the Report. Adopted by the following vote:

AYES: 13 - Cape, Engel, Finley, Friedel, Hart, Shakoor II, Sollman, Spangenberg, Weidner, Fair, Hermes, DeHahn and Holding

EXCUSED: 2 - Karas and Maack

Community Development Committee

Alderman Sollman requested the two items on the Community Development Committee report be considered separately.

06-1431

Subject: Communication from the Director of City Development wishing to review proposals and funding allocation for the 2006 HOME Housing Investment Partnership Funds.

Recommendation: That the 2006 HOME Housing Investment Partnership grant be allocated as follows:

Neighborhood Housing Service of Southeast Wisconsin	
\$ 150,000	
Racine Housing and Neighborhood Partnership Development Funds	
150,000	
Down Payment Assistance Program	
150,000	
Racine Housing and Neighborhood Partnership Operations Fund	
20,000	
Racine Mutual Housing Association Operations Fund	
9,748	
HOME General Administration	
59,495	
R & R Investments	
<u>55,707</u>	
TOTAL	
\$ 594,950	

That the Mayor and City Clerk be authorized and directed to execute and submit the appropriate documents on behalf of the City to the U.S. Department of Housing and Urban Development to secure the City's 2006 HOME funds.

That the Mayor and City Clerk be authorized to execute third-party agreements with agencies approved for use of 2006 HOME funds.

Fiscal Note: The City has been awarded \$594,950 in 2006 HOME funds.

Attachments: HOME Communication.pdf
Item 3 (1st part).pdf
Item 3 (2ndpart).pdf
06-1431 Recommendation.pdf

**A motion was made by Alderman Friedel that this Communication be Adopted.
The motion was APPROVED by the following vote:**

ABSTENTIONS: 1 - Cape

AYES: 11 - Engel, Finley, Friedel, Hart, Shakoor II, Spangenberg, Weidner, Fair, Hermes, DeHahn and Holding

NOES: 1 - Sollman

EXCUSED: 2 - Karas and Maack

06-1483

Subject: Direct Referral. Request for an allocation of Local Option funds to the Racine YWCA's Women out of Poverty.

Recommendation: That \$40,000 be allocated from the Local Option Fund to the Racine YWCA's Women Out of Poverty program with the contingency that any funds unexpended by December 31, 2006 be returned to the Local Option Fund.

Fiscal Note: There are sufficient funds in the Local Option Fund for this request.

Attachments: Item 4.pdf

**A motion was made by Alderman Friedel that this Communication be Adopted.
The motion was APPROVED by the following vote:**

AYES: 13 - Cape, Engel, Finley, Friedel, Hart, Shakoor II, Sollman, Spangenberg, Weidner, Fair, Hermes, DeHahn and Holding

EXCUSED: 2 - Karas and Maack

Standing Joint Review Board

06-1525

Subject:Item 10 of 9-6-05; Communication from the Director of City Development requesting that the City enter into a development agreement with Gorman and Company for the redevelopment project at State and Main and that a Tax Increment District be created to provide partial funding for this redevelopment.

Recommendation: The item be received and filed.

A motion was made by Alderman Spangenberg that this Communication be Adopted. The motion was APPROVED by the following vote:

EXCUSED: 2 - Karas and Maack

AYES: 12 - Cape, Engel, Finley, Friedel, Hart, Shakoor II, Spangenberg, Weidner, Fair, Hermes, DeHahn and Holding

NOES: 1 - Sollman

Loan Board of Review

05-1338

Subject: Communication from the Director of City Development requesting to expand the area eligible for the Homeowner Down Payment Program.

Recommendation: That the target area for the Homebuyer Down Payment Assistance Program be expanded to include: Census Tract 8, Block Group 1; Census Tract 12.02, Block Groups 3 and 5; and Census Tract 13.02, Block Groups 2,3,4, and 5.

That the maximum loan amount be capped at \$5,00 or 7 1/2 percent of purchase price, whichever is less.

Fiscal Note: This program is funded by an allocation of federal HOME Housing Investment Partnership grant funds.

Attachments: 1838_001.pdf

A motion was made by Alderman Friedel that this Communication be Adopted. The motion was APPROVED by the following vote:

AYES: 13 - Cape, Engel, Finley, Friedel, Hart, Shakoor II, Sollman, Spangenberg, Weidner, Fair, Hermes, DeHahn and Holding

EXCUSED: 2 - Karas and Maack

Office of the Mayor

06-1506

Subject: Communication from Mayor Gary Becker nominating appointment to position of City Clerk.

Appoint Janice Johnson-Martin to City Clerk position.

Recommendation:

A motion was made by Alderman Friedel that this Communication be Adopted. The motion was APPROVED by the following vote:

AYES: 13 - Cape, Engel, Finley, Friedel, Hart, Shakoor II, Sollman, Spangenberg, Weidner, Fair, Hermes, DeHahn and Holding

EXCUSED: 2 - Karas and Maack

Water Works Committee Report

[06-1496](#)

Subject: Communication from the General Manager of the Water Utility to the Racine Waterworks Commission requesting that the City of Racine and the Racine Waterworks Commission be authorized to enter into an agreement with the Twon of Somers and the Village of Mt. Pleasant regarding water service for the Shadow Wood subdivision and Draeger-Langendorf Funeral Home on the south side of the Village of Mt. Pleasant.

Recommendation: Recommends that the Waterworks Commission and the City of Racine enter into an agreement with the Town of Somers and the Village of Mt. Pleasant for water service to the Shadow Wood subdivision and Draeger-Langendorf Funeral Home in the Village of Mt. Pleasant.

Fiscal Note: Residents of this subdivision will pay connection charges and be customers of the Racine Water Utility.

Attachments: [somers mt pleasant water agrmt t to commission ltr.doc](#)
somers water agreement.doc

A motion was made by Alderman Hart that this Communication be Adopted. The motion was APPROVED by the following vote:

AYES: 13 - Cape, Engel, Finley, Friedel, Hart, Shakoor II, Sollman, Spangenberg, Weidner, Fair, Hermes, DeHahn and Holding

EXCUSED: 2 - Karas and Maack

K. Resolutions

[Res.06-6869](#) Preliminary Resolution for Paving

RESOLUTION NO. 6869

By Alderman Engel:

RESOLVED, by the Common Council of the City of Racine, Wisconsin:

1. The Common Council hereby declares its intention to exercise its power under s. 66.0703, Wisconsin Statutes, to levy special assessments upon property within the following described area for benefits conferred upon such property by improvement of the following street(s):

All property fronting upon both sides:

PORTLAND CEMENT CONCRETE PAVING

*Erie Street – Prospect Street to Colbert Street
Kewaunee Street – N. Main Street to Michigan Boulevard
Superior Street – Liberty Street to State Street
Chatham Street – Kewaunee Street to St. Patrick Street
Mitchell Street – Ashland Avenue to Kearney Avenue
N. Osborne Boulevard – Harrington Drive to Ravine Drive.
Spring Valley Drive – Harrington Drive to Vista Drive
Apple Tree Circle – Cul-de-sac to N. Illinois Street
Kentucky Street – Kinzie Avenue to Haven Avenue
N. Osborne Boulevard – Ravine Drive to Fairway Drive
Westway Avenue – Echo Lane to Crab Tree Lane
Vista Drive – Spring Valley Drive to Harrington Drive
Westway Avenue – Perry Avenue to Echo Lane
Connolly Avenue – Republic Avenue to 17th Street
Blue River Avenue – Illinois Street to Oregon Street
Chatham Street – Melvin Avenue to Lombard Avenue
Lighthouse Drive – Sheffield Drive to Queens Court
Lombard Avenue – N. Main Street to Chatham Street
Lighthouse Drive – Queens Court to Steeplechase Drive
North Bay Drive – Saxony Drive to Steeplechase Drive*

BITUMINOUS CONCRETE PAVING

*Bluefields Drive from 600' west of Valley Drive to 450' west of Valley Drive
Bluefields Drive from 450' west of Valley Drive to Valley Drive
Barker Street from Michigan Boulevard to the dead end.
Domanik Drive West parking lot entrance to Fairchild Street.
Monarch Drive from Emstan Hills Road to Regal Court*

SEWER AND WATER LATERALS

*Kewaunee Street from N. Main Street to Michigan Boulevard
Lighthouse Drive from Sheffield Drive to Queens Court
Lighthouse Drive from Queens Court to Steeplechase Drive*

WATER MAIN

Superior Street from Liberty Street to State Street

2. Said public improvement shall consist of PORTLAND CEMENT CONCRETE PAVING, BITUMINOUS CONCRETE PAVING, SANITARY SEWER, SEWER AND WATER LATERALS.

3. The total amount assessed against such district shall not exceed the total cost of the improvements and the amount assessed against any parcel shall not be greater than the benefits accruing thereto from said improvements.

4. The assessments against any parcel may be paid in cash or in ten (10) annual

installments.

5. *The Commissioner of Public works is directed to prepare a report consisting of:*

- a. Preliminary or final plans and specifications for said improvement*
- b. An estimate of the entire cost of the proposed work or improvement*
- c. An estimate, as to each parcel of property within the assessment district, of:*

(1) The assessment of benefits to be levied.

(2) The damages to be awarded for property taken or damaged.

(3) The net amount of such benefits over damages or the net amount of such damages over benefits.

Upon completing such report the Commissioner of Public Works is directed to file a copy thereof in the City Clerk's office for public inspection.

6. *Upon receiving the report of the Commissioner of Public Works, the City Clerk is directed to give a Class 1 notice of a public hearing on such report as specified in s. 66.60 (7), Wisconsin Statutes.*

The hearing shall be held at the Council Chambers in the City Hall at a time set by the Clerk in accordance with S. 66.0703 (7)(a), Wisconsin Statutes.

A motion was made by Alderman Engel that this file be Adopted .

Res.06-6870

HOLD HARMLESS AGREEMENT 310 SIXTH STREET

RESOLUTION NO. 6870

By Alderman Engel:

HOLD HARMLESS AGREEMENT 310 SIXTH STREET

RESOLVED, that the property owner of 310 Sixth Street be granted permission to install goose neck lighting fixtures, moldings and trim and a temporary storefront enclosure, as requested, with the stipulation that a hold harmless agreement be executed in accordance with Wis. Stat. sec. 66.0425, Privileges in Streets.

FURTHER RESOLVED, that the property owner be charged a \$50.00 fee to cover costs associated with recording this item in the Register of Deeds office.

A motion was made by Alderman Engel that this file be Adopted .

Res.06-6871

HOLD HARMLESS AGREEMENT 1800 N MAIN STREET

RESOLUTION NO. 6871

By Alderman Engel:

HOLD HARMLESS AGREEMENT 1800 N. MAIN STREET

RESOLVED, that the property owner of 1800 N. Main Street be granted permission to install awnings, goose neck lighting fixtures and a temporary storefront enclosure, as

requested, with the stipulation that a hold harmless agreement be executed in accordance with Wis. Stat. sec. 66.0425, Privileges in Streets.

FURTHER RESOLVED, that the property owner be charged a \$50.00 fee to cover costs associated with recording this item in the Register of Deeds office.

A motion was made by Alderman Engel that this file be Adopted .

Res.06-6872 CONTRACT AMENDMENT FOR DOWNTOWN STREETSCAPE DESIGN

RESOLUTION NO. 6872

By Alderman Engel:

CONTRACT AMENDMENT FOR DOWNTOWN
STREETSCAPE DESIGN

RESOLVED, that Amendment No. 4 to Contract 25-01 (K1-025), Downtown Streetscape Design, JJR, Inc., consultant, as submitted, be approved in the amount of \$3,700.00.

FURTHER RESOLVED, that funding to defray the cost of these professional services be appropriated from TID No. 9.

A motion was made by Alderman Engel that this Resolution be Adopted. The motion was APPROVED by the following vote:

AYES: 13 - Cape, Engel, Finley, Friedel, Hart, Shakoor II, Sollman, Spangenberg, Weidner, Fair, Hermes, DeHahn and Holding

EXCUSED: 2 - Karas and Maack

Res.06-6873 MEMORANDUM OF UNDERSTANDING JOHNSON CONTROLS, INC.

RESOLUTION NO. 6873

By Alderman Engel:

MEMORANDUM OF UNDERSTANDING
JOHNSON CONTROLS, INC.

RESOLVED, that the Mayor and City Clerk be authorized and directed to enter into a Memorandum of Understanding with Johnson Controls, Inc., to conduct a feasibility study for projects in which the energy savings are sufficient to pay the cost of the construction activities in accordance with Wisconsin statutes on energy saving performance based contracting.

A motion was made by Alderman Engel that this file be Adopted .

Res.06-6874 AGREEMENT WITH GREEN VALLEY DISPOSAL

RESOLUTION NO. 6874

By Alderman Engel:

AGREEMENT WITH GREEN VALLEY DISPOSAL

RESOLVED, that the Mayor and City Clerk be authorized and directed to enter into an agreement with Green Valley Disposal, Racine, WI, for the provision of 30 yard roll off containers for the operation of the Pearl Street Facility at a cost of \$200 per pull, plus fuel and environmental fees which are adjusted monthly based on the Midwest Index for Diesel Fuel.

The base rate of \$200 per pull will be adjusted annually using the Midwest Urban Consumers CPI Index.

FURTHER RESOLVED, that funds to defray the cost of this agreement are available in Account 288.000.5610, Professional Services.

A motion was made by Alderman Engel that this Resolution be Adopted. The motion was APPROVED by the following vote:

AYES: 13 - Cape, Engel, Finley, Friedel, Hart, Shakoor II, Sollman, Spangenberg, Weidner, Fair, Hermes, DeHahn and Holding

EXCUSED: 2 - Karas and Maack

Res.06-6875 **CONTRACT FOR WEST RACINE ASBESTOS ABATEMENT**

RESOLUTION NO. 6875

By Alderman Engel:

CONTRACT FOR WEST RACINE ASBESTOS ABATEMENT

RESOLVED, that Contract 01-06 (K6-001), West Racine Asbestos Abatement and Building Demolition, be awarded to AZAR LLC, Racine, WI, at their bid price of \$109,090.00, they being the lowest responsible bidder.

FURTHER RESOLVED, that funding to defray the cost of this public works project be appropriated from Account 971.000.5030, Demolition-TID 11.

A motion was made by Alderman Engel that this Resolution be Adopted. The motion was APPROVED by the following vote:

AYES: 13 - Cape, Engel, Finley, Friedel, Hart, Shakoor II, Sollman, Spangenberg, Weidner, Fair, Hermes, DeHahn and Holding

EXCUSED: 2 - Karas and Maack

Res.06-6876 **LEASE AGREEMENT FOR PRE-APPRENTICESHIP PROGRAM**

RESOLUTION NO. 6876

By Alderman Engel:

LEASE AGREEMENT FOR PRE-APPRENTICESHIP PROGRAM

RESOLVED, that the Mayor and City Clerk be authorized and directed to renew the lease agreement with the Pre-Apprenticeship Program for 1,263 square feet at the City Hall Annex, Room 317, at a rate of \$10.08 per square foot, for the time period of January

1, 2006 to December 31, 2006.

A motion was made by Alderman Engel that this file be Adopted .

Res.06-6877 PROFESSIONAL SERVICES CONTRACT FOR WINDOW REPLACEMENT
AT FIRE STATION NO. 8
RESOLUTION NO. 6877

By Alderman Engel:

PROFESSIONAL SERVICES CONTRACT FOR
WINDOW REPLACEMENT AT FIRE STATION NO. 8

RESOLVED, that the Mayor and City Clerk be authorized and directed to enter into a professional services contract with Industrial Roofing Services, Inc., Brookfield, WI, for the provision of plans and specifications for Window Replacement at Fire Station No. 8, at a cost not-to-exceed \$2,600.00.

FURTHER RESOLVED, that funds to defray the cost of these professional services be appropriated from Account 101.310.5030, Fire Station 8 Windows.

A motion was made by Alderman Engel that this Resolution be Adopted. The motion was APPROVED by the following vote:

AYES: 13 - Cape, Engel, Finley, Friedel, Hart, Shakoor II, Sollman, Spangenberg, Weidner, Fair, Hermes, DeHahn and Holding

EXCUSED: 2 - Karas and Maack

Res.06-6878 CONTRACT AMENDMENT FOR 1415 HAMPDEN PLACE ENVIRONMENTAL
ASSESSMENT WORK
RESOLUTION NO. 6878

By Alderman Engel:

CONTRACT AMENDMENT FOR 1415 HAMPDEN
PLACE ENVIRONMENTAL ASSESSMENT WORK

RESOLVED, that Amendment No. 9 on Contract 33-99 (K9-039), 1415 Hampden Place-Environmental Assessment Work, STS Consultants, Inc., consultant, as submitted, be approved in the amount of \$2,200.00.

FURTHER RESOLVED, that funds to defray the cost of these professional services be appropriated from Account 985.913.5010, Environmental Remediation.

A motion was made by Alderman Engel that this Resolution be Adopted. The motion was APPROVED by the following vote:

AYES: 13 - Cape, Engel, Finley, Friedel, Hart, Shakoor II, Sollman, Spangenberg, Weidner, Fair, Hermes, DeHahn and Holding

EXCUSED: 2 - Karas and Maack

Res.06-6879 CHANGE ORDER WINDOW REPLACEMENT CITY HALL

*RESOLUTION NO. 6879**By Alderman Engel:**CHANGE ORDER WINDOW REPLACEMENT CITY HALL*

RESOLVED, that Change Order No. 1 on Contract 20-04 (K4-030), Window Replacement at City Hall, B& D Contractors, Inc., contractor, as submitted, in the credit amount of \$1,524.83.

A motion was made by Alderman Engel that this file be Adopted .

Res.06-6880 FINAL PAYMENT FOR WINDOW REPLACEMENT AT CITY HALL

*RESOLUTION NO. 6880**By Alderman Engel:**FINAL PAYMENT FOR WINDOW REPLACEMENT
AT CITY HALL*

RESOLVED, that the work of B+D Contractors, Inc., under Contract 20-04 (K4-030), Window Replacement at City Hall, be accepted and final payment authorized for a total contract amount of \$288,175.17, from funds heretofore appropriated.

A motion was made by Alderman Engel that this file be Adopted .

Res.06-6881 AMENDMENT TO STATE CONTRACT

*RESOLUTION NO. 6881**By Alderman Engel:**AMENDMENT TO STATE CONTRACT*

RESOLVED, that Amendment No. 2 to State Contract 2260-05-00, Kinzie Avenue, West Boulevard to Chicago Street, HNTB, consultant, as submitted, be approved. The total cost of this amendment is \$12,196.95, with 80%, or \$9,757.56 being the State's share, and 20%, or \$2,439.39 being the city's share.

FURTHER RESOLVED, that funds to defray the cost of these professional services be appropriated from Account 986.908.5080, Kinzie Avenue, West Boulevard to Chicago Street.

A motion was made by Alderman Engel that this Resolution be Adopted. The motion was APPROVED by the following vote:

AYES: 13 - Cape, Engel, Finley, Friedel, Hart, Shakoor II, Sollman, Spangenberg, Weidner, Fair, Hermes, DeHahn and Holding

EXCUSED: 2 - Karas and Maack

Res.06-6882 REDUCTION IN RETAINAGE ON 2005 STREET RESURFACING CONTRACT

*RESOLUTION NO. 6882**By Alderman Engel:**REDUCTION IN RETAINAGE ON 2005 STREET
RESURFACING CONTRACT*

RESOLVED, that retainage on Contract 36-05(K5-043), 2005 City Resurfacing, Payne & Dolan, Inc., contractor, be reduced to the amount of \$8,000.00.

A motion was made by Alderman Engel that this file be Adopted .

Res.06-6883 CHANGE ORDER 2005 L.R.I.P. CONCRETE PAVING

*RESOLUTION NO. 6883**By Alderman Engel:**CHANGE ORDER 2005 L.R.I.P. CONCRETE PAVING*

RESOLVED, that Change Order No. 2 on Contract 32-05 (K5-039), 2005 L.R.I.P. Concrete Paving, LaLonde Contractors, Inc., contractor, as submitted, be approved in the amount of \$23,952.50.

FURTHER RESOLVED, that funds to defray the cost of this change order be appropriated from the following accounts:

\$22,000.00 - Account 984.908.5130, Asphalt Resurfacing

1,952.50 - Water Utility (Water Main Construction)

\$23,952.50 – Total

A motion was made by Alderman Engel that this Resolution be Adopted. The motion was APPROVED by the following vote:

AYES: 13 - Cape, Engel, Finley, Friedel, Hart, Shakoor II, Sollman, Spangenberg, Weidner, Fair, Hermes, DeHahn and Holding

EXCUSED: 2 - Karas and Maack

Res.06-6884 PROFESSIONAL SERVICES CONTRACT LAKE MICHIGAN PATHWAY
PHASE II

*RESOLUTION NO. 6884**By Alderman Engel:**PROFESSIONAL SERVICES CONTRACT
LAKE MICHIGAN PATHWAY PHASE II*

RESOLVED, that the Mayor and City Clerk be authorized and directed to enter into professional services contract with Earth Tech, Inc., to perform construction inspection services for the Lake Michigan Pathway Phase II project at a not-to-exceed cost of \$20,160.00.

FURTHER RESOLVED, that funds to defray the cost of these professional services be appropriated from Account 985.913.5090, Michigan at Goold Slope Stabilization.

A motion was made by Alderman Engel that this Resolution be Adopted. The motion was APPROVED by the following vote:

EXCUSED: 2 - Karas and Maack

AYES: 13 - Cape, Engel, Finley, Friedel, Hart, Shakoor II, Sollman, Spangenberg, Weidner, Fair, Hermes, DeHahn and Holding

Res.06-6885 PUBLIC HEARINGS ON 2006 SPECIAL ASSESSMENT RATES FOR 2007 CONSTRUCTION

RESOLUTION NO. 6885

By Alderman Engel:

PUBLIC HEARINGS ON 2006 SPECIAL ASSESSMENT RATES FOR 2007 CONSTRUCTION

RESOLVED, that the proposed special assessment rates for 2006 public hearings on street improvements (2007 construction) for portland cement concrete paving, portland cement concrete curb and gutter, and sewer and water services be as follows:

<i>Portland Cement Concrete Paving</i>	
<i>Residential Zoning-36' wide</i>	<i>\$42.00/front foot</i>
<i>Commercial Zoning-36' wide</i>	<i>\$55.00/front foot</i>
<i>Industrial Zoning-36' wide</i>	<i>\$65.00/front foot</i>
<i>Industrial Zoning-48' wide</i>	<i>\$100.00/front foot</i>

<i>Portland Cement Concrete Curb and Gutter</i>	
<i>7" Pavement</i>	<i>\$15.00/front foot</i>
<i>10" Pavement</i>	<i>\$17.00/front foot</i>

<i>Sewer and Water Services</i>	<i>\$6,500.00/each</i>
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FURTHER RESOLVED, that these special assessment rates become effective upon passage of the Common Council for all preliminary resolutions.

FURTHER RESOLVED, that these rates apply to all streets unless the actual construction cost is less, then the front foot cost shall be reduced accordingly.

A motion was made by Alderman Engel that this file be Adopted .

Res.06-6886 PROFESSIONAL SERVICES AGREEMENT FOR LIBRARY WINDOW REPLACEMENT

RESOLUTION NO. 6886

By Alderman Engel:

PROFESSIONAL SERVICES AGREEMENT FOR LIBRARY WINDOW REPLACEMENT

RESOLVED, that the Mayor and City Clerk be authorized and directed to enter into a professional services contract with Industrial Roofing Services, Inc., Brookfield, WI, for the provision of Window Replacement Specifications for the Racine Public Library, at a

cost not-to-exceed \$5,100.00.

FURTHER RESOLVED, that funds for these professional services be appropriated from Account 986.255.5010, Library Window Wall.

A motion was made by Alderman Engel that this Resolution be Adopted. The motion was APPROVED by the following vote:

EXCUSED: 2 - Karas and Maack

AYES: 13 - Cape, Engel, Finley, Friedel, Hart, Shakoor II, Sollman, Spangenberg, Weidner, Fair, Hermes, DeHahn and Holding

Res.06-6887 RESCIND RESOLUTION NO. 6676

RESOLUTION NO. 6887

By Alderman Engel:

RESCIND RESOLUTION NO. 6676

RESOLVED, that Resolution No. 6676 of September 20, 2005 relating to Amendment No. 1 on State Project ID 1693-31-03, Lake Michigan Pathway Construction, Phase II, be rescinded.

A motion was made by Alderman Engel that this file be Adopted .

Res.06-6888 TRANSFER PROPERTY AT 3101 WASHINGTON AVENUE FROM PARKS DEPT TO REDEVELOPMENT AUTHORITY

RESOLUTION NO. 6888

By Alderman Engel:

*TRANSFER PROPERTY AT 3101 WASHINGTON AVENUE
FROM PARKS DEPT TO REDEVELOPMENT AUTHORITY*

RESOLVED, that the Mayor and City Clerk be authorized and directed to execute all documents necessary for the transfer of property at 3101 Washington Avenue from City of Racine ownership to the Redevelopment Authority of the City of Racine for the West Racine Redevelopment Project.

A motion was made by Alderman Engel that this file be Adopted .

Res.06-6889 SALE OF PROPERTY AT 1335 WEST SIXTH STREET

RESOLUTION NO. 6889

By Alderman Engel:

SALE OF PROPERTY AT 1335 WEST SIXTH STREET

WHEREAS, F & A Development, LLC, is in the process of redeveloping the property at 1335 West Sixth Street and F & A Development, LLC, has offered to purchase the

City-owned land lying north of the north right-of-way line of Riverview Terrace, Tax ID #07324000.

NOW, THEREFORE, BE IT RESOLVED, that the request be granted and that the City sell its vacant land to F & A Development, LLC, for \$15,000.00.

FURTHER RESOLVED, that the Mayor and City Clerk be authorized and directed to execute all documents necessary for the sale of the property at 1335 West Sixth Street to F & A Development, LLC.

A motion was made by Alderman Engel that this file be Adopted .

Res.06-6890 HOMEOWNER DOWN PAYMENT PROGRAM

RESOLUTION NO. 6890

By Alderman Friedel:

HOMEOWNER DOWN PAYMENT PROGRAM

RESOLVED, that the target area for the Homebuyer Down Payment Assistance Program be expanded to include: Census Tract 8, Block Group 1; Census Tract 12.02, Block Groups 3 and 5; and Census Tract 13.02, Block Groups 2,3,4, and 5.

FURTHER RESOLVED, that the maximum loan amount be capped at \$5,000, or 7½ percent of purchase price, whichever is less.

A motion was made by Alderman Friedel that this file be Adopted .

Res.06-6891 2006 HOME HOUSING INVESTMENT GRANT

RESOLUTION NO. 6891

By Alderman Friedel:

2006 HOME HOUSING INVESTMENT GRANT

RESOLVED, that the 2006 HOME Housing Investment Partnership grant be allocated as follows:

Neighborhood Housing Service of Southeast Wisconsin	\$ 150,000	
Racine Housing and Neighborhood Partnership Development Funds		150,000
Down Payment Assistance Program	150,000	
Racine Housing and Neighborhood Partnership Operations Fund		20,000
Racine Mutual Housing Association Operations Fund	9,748	
HOME General Administration	59,495	
R & R Investments	55,707	
TOTAL	\$ 594,950	

FURTHER RESOLVED, that the Mayor and City Clerk be authorized and directed to execute and submit the appropriate documents on behalf of the City to the U.S. Department of Housing and Urban Development to secure the City's 2006 HOME funds.

FURTHER RESOLVED, that the Mayor and City Clerk be authorized to execute third-party agreements with agencies approved for use of 2006 HOME funds.

A motion was made by Alderman Friedel that this Resolution be Adopted. The motion was APPROVED by the following vote:

ABSTENTIONS: 1 - Cape

AYES: 11 - Engel, Finley, Friedel, Hart, Shakoor II, Spangenberg, Weidner, Fair, Hermes, DeHahn and Holding

NOES: 1 - Sollman

EXCUSED: 2 - Karas and Maack

Res.06-6892 LOCAL OPTION FUNDS TO YWCA WOMEN OUT OF POVERTY PROGRAM

RESOLUTION NO. 6892

By Alderman Friedel:

LOCAL OPTION FUNDS TO YWCA
WOMEN OUT OF POVERTY PROGRAM

RESOLVED, that \$40,000 be allocated from the Local Option Fund to the Racine YWCA's Women Out of Poverty program with the contingency that any funds unexpended by December 31, 2006 be returned to the Local Option Fund.

A motion was made by Alderman Friedel that this Resolution be Adopted. The motion was APPROVED by the following vote:

AYES: 13 - Cape, Engel, Finley, Friedel, Hart, Shakoor II, Sollman, Spangenberg, Weidner, Fair, Hermes, DeHahn and Holding

EXCUSED: 2 - Karas and Maack

Res.06-6893 AGREEMENT FOR WATER SERVICE

RESOLUTION NO. 6893

By Alderman Hart:

AGREEMENT FOR WATER SERVICE

RESOLVED, that the Waterworks Commission and the City of Racine enter into an agreement with the Town of Somers and the Village of Mt. Pleasant for water service to the Shadow Wood subdivision and Draeger-Langendorf Funeral Home in the Village of Mt. Pleasant.

A motion was made by Alderman Hart that this file be Adopted .

Res.06-6894 CONCESSION CONTRACT WITH RACINE ZOOLOGICAL SOCIETY

RESOLUTION NO. 6894

By Alderman Maack:

CONCESSION CONTRACT WITH RACINE ZOOLOGICAL SOCIETY

RESOLVED, that the Mayor and City Clerk be authorized and directed to enter into a contract with the Racine Zoological Society, Inc., for a public facility concession for the sale of alcohol beverages at the Racine Zoo beginning May 1, 2006 through June 30, 2007.

A motion was made by Alderman Karas that this file be Adopted .

Res.06-6895 FORMAL BIDDING PROCEDURES BE WAIVED AND AUTHORIZE
PURCHASING AGENT TO NEGOTIATE FOR PURCHASE OF TASERS
RESOLUTION NO. 6895

By Alderman Maack:

*FORMAL BIDDING PROCEDURES BE WAIVED AND
AUTHORIZE PURCHASING AGENT TO NEGOTIATE
FOR PURCHASE OF TASERS*

RESOLVED, that formal bidding procedures be waived and the Purchasing Agent be authorized and directed to negotiate with Taser International for the purchase of taser weapons for the police department.

A motion was made by Alderman Shakoor, II that this file be Adopted .

Res.06-6896 APPLY FOR BEAT PATROL GRANT
RESOLUTION NO. 6896

By Aldermen Maack and Spangenberg:

APPLY FOR BEAT PATROL GRANT

RESOLVED, that the Chief of Police be authorized and directed to apply for funding from the State of Wisconsin Office of Justice Assistance for the Beat Patrol Grant, and that the Mayor and City Clerk be authorized and directed to enter into a \$172,065 agreement to be utilized for the Additional Uniformed Law Enforcement Officer's Beat Patrol grant (Grant Control No. 2006-001).

A motion was made by Alderman Shakoor, II that this Resolution be Adopted.

The motion was APPROVED by the following vote:

AYES: 13 - Cape, Engel, Finley, Friedel, Hart, Shakoor II, Sollman, Spangenberg, Weidner, Fair, Hermes, DeHahn and Holding

EXCUSED: 2 - Karas and Maack

Res.06-6897 CONTRACT FOR VILLAGE OF MT PLEASANT TRANSIT SERVICE FOR 2006
RESOLUTION NO. 6897

By Alderman Sollman:

*CONTRACT FOR VILLAGE OF MT PLEASANT
TRANSIT SERVICE FOR 2006*

RESOLVED, that the Mayor and City Clerk be authorized and directed to execute the contract on behalf of the City of Racine with the Village of Mt. Pleasant for transit service in 2006.

A motion was made by Alderman Sollman that this file be Adopted .

Res.06-6898 CONTRACT WITH VILLAGE OF STURTEVANT FOR TRANSIT SERVICE IN 2006

RESOLUTION NO. 6898

By Alderman Sollman:

CONTRACT WITH VILLAGE OF STURTEVANT
FOR TRANSIT SERVICE IN 2006

RESOLVED, that the Mayor and City Clerk be authorized and directed to execute the contract on behalf of the City of Racine with the Village of Sturtevant for transit service in 2006.

A motion was made by Alderman Sollman that this file be Adopted .

Res.06-6899 CONTRACT WITH VILLAGE OF CALEDONIA FOR TRANSIT SERVICE IN 2006

RESOLUTION NO. 6899

By Alderman Sollman:

CONTRACT WITH VILLAGE OF CALEDONIA FOR
TRANSIT SERVICE IN 2006

RESOLVED, that the Mayor and City Clerk be authorized and directed to execute the contract on behalf of the City of Racine with the Village of Caledonia for transit service in 2006.

A motion was made by Alderman Sollman that this file be Adopted .

Res.06-6900 AMENDMENT TO CONTRACT FOR TRANSPORTATION TO AFTERNOON REPORTING CENTER

RESOLUTION NO. 6900

By Alderman Sollman:

AMENDMENT TO CONTRACT FOR TRANSPORTATION TO
AFTERNOON REPORTING CENTER

RESOLVED, that that the Mayor and City Clerk be authorized and directed to execute on behalf of the City of Racine, Amendment 3 to the contract for transportation to Afternoon Reporting Center.

A motion was made by Alderman Sollman that this file be Adopted .

Res.06-6901 CORRECTION OF 2005 ASSESSMENT AND TAX ROLLS

RESOLUTION NO. 6901

By Alderman Spangenberg:

CORRECTION OF 2005 ASSESSMENT AND TAX ROLLS

RESOLVED, that the listed items be corrected on the 2005 assessment and tax rolls:

Dollar Store, location 3701 Durand Avenue, Tax No. P01992505 be reduced from \$5,200 to \$0 and that the resulting credit of \$119.56 be charged against account 101.990.5930, Real Estate and Personal Property taxes cancelled.

Specialty Stainless, location 1600 Layard Avenue, Tax No. P06989005 be reduced from \$3,900 to \$0 and that the resulting credit of \$89.69 be charged against account 101.990.5930, Real Estate and Personal Property taxes cancelled.

RD's Retreat, location 1632 Douglas Avenue, Tax No. P06055009 be reduced from \$4,300 to \$0 and that the resulting credit of \$98.87 be charged against account 101.990.5930, Real Estate and Personal Property taxes cancelled.

Geneva Capital, LLC, location 1801 N. Memorial Drive, Tax No. P02759005 be reduced from \$20,400 to \$0 and that the resulting credit of \$469.05 be charged against account 101.990.5930, Real Estate and Personal Property taxes cancelled.

A motion was made by Alderman Spangenberg that this Resolution be Adopted. The motion was APPROVED by the following vote:

AYES: 13 - Cape, Engel, Finley, Friedel, Hart, Shakoor II, Sollman, Spangenberg, Weidner, Fair, Hermes, DeHahn and Holding

EXCUSED: 2 - Karas and Maack

Res.06-6902 STATE OF WISCONSIN DEFERRED COMPENSATION PLAN

RESOLUTION NO. 6902

By Alderman Spangenberg:

STATE OF WISCONSIN DEFERRED COMPENSATION PLAN

WHEREAS, pursuant to the provisions of Wis. Stat. sec. 40.81(1), which provides in part:

"An employer other than the state ... may provide for its employees the deferred compensation plan established under s. 40.80. Any employer, including the state ..., who makes the plan under s. 40.80 available to any of its employees shall make it available to all its employees under procedures established by the department under this subchapter."; and

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Racine hereby determines to be included under the State of Wisconsin Deferred Compensation Plan provided by Wis. Stat. sec. 40.80, and regulated by Wisconsin Administrative Code, Chapter ETF 70 for its eligible personnel; and

FURTHER RESOLVED, that the proper officers are herewith authorized and directed to take all actions and make such reductions and submit such deferrals as are required by the Department of Employee Trust Funds of the State of Wisconsin pursuant to Subchapter VII of Chapter 40, Wis. Stat.; and

FURTHER RESOLVED, that the City of Racine agrees to be bound by the terms and conditions of the contracts between the State, its investment providers, and its Plan Administrator, and the "Plan Document" and "Procedures To Be Followed By Employer", as amended from time to time, the employer hereby certifying that it has received a copy of the Plan and Procedures.

FURTHER RESOLVED, that the City Clerk be authorized and directed to submit a certified copy of this Resolution and "Notification Memo" to the State of Wisconsin, Department of Employee Trust Funds and the Plan Administrator.

FURTHER RESOLVED, that the Racine Common Council recognizes the Deferred Compensation Board's responsibility for maintaining the integrity of the Plan, the Racine Common Council hereby resolves that the Mayor and City Clerk be authorized and directed to cooperate fully with the Plan Administrator in accordance with procedures established by the Department of Employee Trust Funds in processing requests for withdrawal in case of an unforeseeable emergency as defined in the Internal Revenue Section 457(d)(1)(A)(iii) and Treas. Regulation 1.457-6(c)(1) of the Regulations. The designated agent is directed to acknowledge on a form authorized by the Department of Employee Trust Funds, that relevant unforeseeable emergency information has been given and received.

A motion was made by Alderman Spangenberg that this file be Adopted .

L. Ordinances

Ord.0913-06 ORDINANCE NO. 2-06 RELATING TO OFFENSES - GANG LOITERING

By Alderman Maack:
ORDINANCE NO. 2-06

To create Section 66-114 of the Municipal Code of the City of Racine, Wisconsin relating to Offenses - Gang loitering.

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

Part 1:

Section 66-114 of the Municipal Code of the City of Racine is hereby created to read as follows:

"Sec. 66-114. Gang loitering.

(a) Whenever a police officer observes a criminal gang member engaged in gang loitering with one or more other persons in any public place designated for the enforcement of this section under subsection (b), the police officer shall, subject to all applicable procedures promulgated by the chief of police:

- (1) *inform all such persons that they are engaged in gang loitering within an area in which loitering by groups containing criminal gang members is prohibited;*
- (2) *order all such persons to disperse and remove themselves from within sight and hearing of the place at which the order was issued; and*
- (3) *inform those persons that they will be subject to arrest if they fail to obey the order promptly or engage in further gang loitering within sight or hearing of the place at which the order was issued during the next three hours.*

(b) The chief of police shall by written directive designate areas of the city in which the chief has determined that enforcement of this section is necessary because gang loitering has enabled criminal gangs to establish control over identifiable areas, to intimidate others from entering those areas, or to conceal illegal activities. The location of these areas shall be made public by publication in the local media and by announcement on a local public access television channel. Prior to making a determination under this subsection, the chief shall consult as he or she deems appropriate with persons who are knowledgeable about the effects of gang activity in areas in which the ordinance may be enforced. Such persons may include, but need not be limited to, members of the police department with special training or experience related to criminal gangs; other personnel of that department with particular knowledge of gang activities in the proposed designated area; elected and appointed officials of the area; and community-based organizations. The chief shall develop and implement procedures for the periodic review and update of designations made under this subsection.

(c) The chief shall by written directive promulgate procedures to prevent the enforcement of this section against persons who are engaged in collective advocacy activities that are protected by the Constitution of the United States or the State of Wisconsin.

(d) As used in this section:

- (1) *Gang loitering means remaining in any one place under circumstances that would warrant a reasonable person to believe that the purpose or effect of that behavior is to enable a criminal gang to establish control over identifiable areas, to intimidate offers from entering those areas, or to conceal illegal activities.*
- (2) *Criminal gang has the meaning as set forth in Wis. Stat. § 939.22 (9).*
- (3) *Criminal gang activity has the meaning as set forth in Wis. Stat. § 941.38 (1)(b).*
- (4) *Criminal gang member has the meaning set forth in Wis. Stat. § 939.22(9g).*
- (5) *Pattern of criminal gang activity means two or more acts of criminal gang activity of which at least two such acts were committed within five years of each other.*

(6) *Public place means the public way and any other location open to the public, whether publicly or privately owned.*

(e) *Any person who fails to obey promptly an order issued under subsection (a), or who engages in further gang loitering within sight or hearing of the place at which such an order was issued during the three-hour period following the time the order was issued, is subject to a fine of not less than \$100.00 and not more than \$500.00 for each offense."*

Part 2:

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

Referred to License and Welfare Committee

**Ord.0914-06 ORDINANCE NO. 3-06 RELATING TO PUBIC PASSENGER VEHICLES;
TAXICABS.**

By Alderman Maack:

ORDINANCE NO. 3-06

To create Secs. 22-1036(c) and (d), amend Sec. 22-1072 and Sec. 22-1073 of the Municipal Code of the City of Racine, Wisconsin relating to Public passenger vehicles: taxicabs.

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

Part 1:

Secs. 22-1036(c) and (d) of the Municipal Code of the City of Racine is hereby created to read as follows:

"(c) Exclusive permission granted. Subject to the conditions and limitations of this chapter, exclusive permission and authority are hereby granted to taxicab provider licensees hereunder to operate taxicabs under this chapter upon the public streets and other public ways within the corporate limits of the city, unless terminated or revoked.

It shall be unlawful and the city will not permit any taxicab not licensed hereunder, or any person associated with such vehicle, to solicit business within the city or to accept for transportation, sightseeing tours or charter trips, any passengers within the city, excepting only passengers destined to the community in which such taxicab is licensed and then only when such transportation has been arranged for in advance by telephonic or written order.

(d) Number of available licenses. The license and welfare committee shall promulgate regulations to set forth procedures by which all available taxicab licenses shall be distributed periodically pursuant to open and competitive bidding procedures. The procedures shall be designed to produce the maximum amount of revenues to the city consistent with serving the public interest, and to ensure that the total number of licenses issued or to be issued depends on the public necessity for the designated level of service, and that only applicants that are qualified under this chapter are awarded licenses."

Part 3:

Sec. 22-1072 of the Municipal Code of the City of Racine is hereby amended by inserting in line 3 after the word "upon", the phrase "called in".

Part 4:

Sec. 22-1073 of the Municipal Code of the City of Racine is hereby amended by deleting in line 2 "a" and in line 3 deleting "radio" and inserting "communication" in its place.

Part 5:

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

Referred to License and Welfare Committee

Ord.0915-06

Item 70 of February 8, 2006, ORDINANCE NO. 4-06 RELATING TO ADMINISTRATION; TRAFFIC AND VEHICLES - COMMISSIONER OF PUBLIC WORKS

Recommendation of the Public Works and Services Committee:

Recommendation: Ordinance No. 4-06 of February 7, 2006 relating to Administration; Traffic and Vehicles - Commissioner of Public Works, be adopted.

Fiscal Note: Not applicable.

By Alderman Engel:

ORDINANCE NO. 4-06

To repeal Division 3, Department of Transportation, to create Sec. 2-531(e) and (f), and amend Secs. 94-163 and 94-164 of the Municipal Code of the City of Racine, Wisconsin relating to Administration; Traffic and vehicles – Commissioner of Public Works.

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

Part 1:

Division 3, Department of Transportation, is hereby repealed.

Part 2:

Sec. 2-531(e) and (f) of the Municipal Code of the City of Racine are hereby created to read as follows:

"(e) The commissioner of public works shall plan, develop, coordinate, operate and regulate the various elements of transportation and transportation facilities in such a way as to provide for the safe, efficient and economical movement of people and goods in the city. These responsibilities shall be those of mass transportation, traffic engineering and parking. It shall also be the duty of the commissioner to do research as necessary to guide the planning and operation of the city's street, traffic, parking and mass transportation systems and to assist in the formulation of traffic regulations; to install and maintain signs and markings; to install, operate and maintain parking meters; to install and operate traffic signals; to plan, operate, maintain and administer the city's street lighting program; to approve curb cuts and review building permits, and, as directed by the common council and transit and parking commission, to coordinate and assist in the management, operation and maintenance of the mass transit system and facilities. It

shall further be the duty of the commissioner of public works, or his representative, to serve as secretary of the parking and transit commission and of the traffic commission.

(f) The commissioner of public works shall cooperate with other city officials and departments in improving traffic facilitation and reducing traffic accidents and shall carry out additional powers and duties as may be imposed by ordinances of this city."

Part 3:

Sec. 94-163 of the Municipal Code of the City of Racine is hereby amended by deleting the first sentence in the paragraph, by deleting the phrase "traffic engineer" in the 16th line and inserting the phrase "commissioner of public works" in its place.

Part 4:

Sec. 94-164 of the Municipal Code of the City of Racine is hereby amended by deleting the phrase "traffic engineer" in the first line and inserting the phrase "commissioner of public works" in its place.

Part 5:

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

Referred to Public Works and Services Committee

Ord.0916-06

ORDINANCE NO. 5-06 RELATING TO ZONING - To amend the title of Chapter 114, Article VI, create Sec. 114-635, create Division 1. AC Access Corridor Overlay District, and create Division 2. FD Flex Development Overlay District, of the Municipal Code of the City of Racine, Wisconsin relating to Zoning.

By Alderman Engel:

ORDINANCE NO. 5-06

To amend the title of Chapter 114, Article VI, create Sec. 114-635, create Division 1. AC Access Corridor Overlay District, and create Division 2. FD Flex Development Overlay District, of the Municipal Code of the City of Racine, Wisconsin relating to Zoning.

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

Part 1:

The title of Chapter 114, Article VI is hereby amended to read:

"ARTICLE VI. OVERLAY DISTRICTS"

Part 2:

Sec. 114-635 of the Municipal Code of the City of Racine is hereby created to read as

follows:

"Sec. 114-635. Generally.

Permitted uses of land or buildings authorized throughout this chapter shall be permitted in the various overlay districts as indicated in this section and others under the conditions specified. The following overlay districts are contained in this chapter: Article V. Division 4, Subdivision IV. I-P Industrial Park District; Article V. Division 5. Subdivision I. H Historic Properties District; Article VI. Division 1. AC Access Corridor Overlay District; Article VI. Division 2. FD Flex Development Overlay District; Article VII. Division 12. Downtown Design Guidelines; Article VIII; Flood Regulations."

Part 3:

Division 1. AC Access Corridor Overlay District, of the Municipal Code of the City of Racine is hereby created by inserting the following before Sec. 114-636 and by deleting the word "article" in the first line and inserting the word "division" in its place:

"DIVISION 1. AC ACCESS CORRIDOR OVERLAY DISTRICT"

Part 4:

Division 2. FD Flex Development Overlay District, of the Municipal Code of the City of Racine is hereby created by inserting the following after Sec. 114-644:

"DIVISION 2. FD FLEX DEVELOPMENT OVERLAY DISTRICT"

Sec. 114-645. *Purpose and intent.*

(a) Over time, the use for which a property was developed may become obsolete due to economic, demographic, or technological change. The property, including structures, site improvements, and infrastructure, may have redevelopment potential for alternative use or uses. Flexible zoning regulations can facilitate the redevelopment of such properties, thereby minimizing vacancy and abandonment of property, promoting environmentally sound reuse of structures and infrastructure, and protecting surrounding property from adverse effects of new uses of the property that could occur if unregulated.

(b) The flexible development overlay district is intended to permit redevelopment of property in circumstances in which a property, including its structures, site improvements and infrastructure, is suitable for reuse but the reuse is not consistent with the underlying zoning district, rezoning to another classification would permit other uses potentially detrimental to surrounding properties, and any potentially adverse effects of the intended reuse can be mitigated by conditions on the reuse.

Sec. 114-646. *Permitted uses, conditional uses and other uses.*

(a) Uses in a flex development may at times not coincide with those anticipated within the underlying zoning district. However, uses in a flex development shall be compatible with existing, proposed and anticipated uses, and shall not be a detriment, a nuisance or injurious to other permitted uses or properties in the area.

(b) Any permitted use and conditional use as permitted in the underlying zoning district is permitted in the flex development overlay district unless expressly prohibited by the use supplement.

(c) Other uses may be permitted in accordance with those contained in the use supplement as developed by the chief building inspector, in consultation with the director of city development, and submitted to the plan commission and common council. A use supplement adopted by resolution of the common council shall list all those additional uses which, when applying good and reasonable judgment, are determined to not be detrimental to the subject, adjacent and area properties.

(d) Minor and major changes to the use supplement shall be permitted as follows: minor changes may be approved by the chief building inspector but in consultation with the director of city development, and major changes shall require approval of the common council in accordance with sec. 114-648.

Sec. 114-647. Standards.

The plan commission shall not recommend approval of a use supplement and the permitted uses contained therein unless the plan commission finds that:

(a) The establishment, maintenance, or operation of the uses will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare;

(b) The uses will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;

(c) The establishment of the uses will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the underlying district;

(d) Adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided;

(e) Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in public streets;

(f) The proposed uses will neither have an adverse impact nor set an undesirable precedence with relation to the objectives of the current land use plan for the area or the city;

(g) Adequate conditions have been included in the use supplement that advance the goals of the preceding standards.

Sec. 114-648. Designation of the flex development overlay district.

(a) Amendments to designate the flex development overlay district shall be accomplished in accordance with Article II, Division 4 of this chapter.

(b) The recommended use supplement shall be presented at the time of the hearing before the plan commission for the flex development overlay amendment request and considered concurrently as the ordinance amendment proceeds."

Part 5:

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

Referred to City Plan Commission

M. Miscellaneous Business

Alderman Weidner moved that nominations be opened for a citizen member of the Cemetery Commission.

There were no objections.

Alderman Weidner nominated Vilas Lund, for a four-year term ending March 2010.

Alderman Weidner moved that nominations be closed.

Alderman Weidner moved that the City Clerk cast the unanimous ballot of the Council for Vilas Lund.

O. Adjourn

The meeting was adjourned at 8:10 p.m. by Alderman Shakoor. The next scheduled meeting of the Council is February 22, 2006.

ATTEST: JANICE M. JOHNSON-MARTIN
CITY CLERK