



# City of Racine

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

## Meeting Minutes - Final

### Common Council

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

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Tuesday, March 15, 2016

7:00 PM

City Hall, Room 205

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President Wisner announced that Alderman McCarthy and Alderman Morgenroth have asked to be excused.

#### A. Call To Order

**PRESENT:** 13 - Coe, Jones, Shields, Kaplan, Smetana, Weidner, DeHahn, Shakoor II, Wisner, Land, Perez, Hart and Lemke

**EXCUSED:** 2 - McCarthy and Morgenroth

#### B. Pledge of Allegiance To The Flag

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

#### C. Approval of Journal of Council Proceedings (Minutes)

**A motion was made by Alderman Wisner, seconded by Alderman Shakoor, that this be Adopted. The motion PASSED by the following vote:**

**AYES:** 13 - Coe, Jones, Shields, Kaplan, Smetana, Weidner, DeHahn, Shakoor II, Wisner, Land, Perez, Hart and Lemke

**EXCUSED:** 2 - McCarthy and Morgenroth

#### D. Public Hearings

[ZOrd.0001-16](#) ZOrd. 0001-16

An Ordinance Rezoning 2219 Washington Avenue

To amend the map of the Zoning Ordinance of the City of Racine.

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

Part 1: That the property located at 2219 Washington Avenue, and more particularly described as follows:

Block 9 of Oakwood Grove Addition Number 2, Lot 1,

be rezoned from O/I Office/Institutional District to O/I Office/Institutional District with a FD Flex Development Overlay District.

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

Passed by the Common Council:

\_\_\_\_\_

Approved:

\_\_\_\_\_

Mayor

Attest:

\_\_\_\_\_

City Clerk

Fiscal Note: N/A

**Sponsors:** Dennis Wisler

*No one from the public appeared to speak.*

*The Mayor declared the Public Hearing closed.*

[ZOrd.0002-16](#)

ZOrd. 0002-16

An Ordinance Rezoning 512, 712, 800, 820, 900 and 1010 Water Street.

To amend the map of the Zoning Ordinance of the City of Racine.

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

Part 1: That the properties located at 512, 712, 800, 820, 900 and 1010 Water Street, and more particularly described as follows:

That part of Block one of the Harbor Addition as described in Volume 1670, Page 183 in the Register of Deeds, and that part of the Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 of Block 21, a part of Lot 7 of Block 11 and a part of Block 22 all of the Original Plat of Racine, all of Blocks 1, 5, 6, 9, 10, 11, 12, 15, 16 and 21 of Harbor Addition, portions of vacated Water Street, Villa Street, Grand Avenue, Center Street, Park Street, Howe Street, Harbor Street and Stannard Street and that part of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company, all located in the Southwest ¼ and Southeast ¼ of the Southwest ¼ and the Southeast ¼ of Section 9, Township 3 North, Range 23 East, City of Racine, Racine County, Wisconsin (containing 893,000± square feet or 20.54 acres),

be rezoned from I-2 general Industrial District to B-4 Central Business District with a FD Flex Development Overlay District.

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

Passed by the Common Council:

\_\_\_\_\_

Approved:

\_\_\_\_\_

Mayor

Attest:

\_\_\_\_\_

City Clerk

Fiscal Note: N/A

Sponsors: Dennis Wiser

*No one from the public appeared to speak.*

*The Mayor declared the Public Hearing closed.*

**E. Public Comments**

*The following members of the public appeared to speak before the Common Council:  
Karl Fuller  
Alfonso Gardner*

*Lucy Veltri  
Alicia Villa  
Brian Stevens  
Ola Baiyewy  
Colin McKenna  
George Meyers  
John Kelly McGee  
Michael Simpson*

## F. Communications

### Refer to Finance and Personnel Committee, by Ald. Shakoor

[0184-16](#)

**Subject:** communication from the City Attorney submitting the claim of Joseph Ortiz and Sylvia Ortiz for consideration.

Referred to the Finance and Personnel Committee

### Refer to Public Safety and Licensing Committee, by Ald. Coe

[0217-16](#)

**Subject:(Change of Agent)** Application of Speedway #2089, Andrew C. Sheahan, Agent, for a Change of Agent for a Class "A" Retail Fermented Malt Beverage License for 4620 Washington Ave (12th District).

**Recommendation of the Public Safety and Licensing Committee on 03-22-16:** That the Application of Speedway #2089, Andrew C. Sheahan, Agent, for a Change of Agent for a Class "A" Retail Fermented Malt Beverage License for 4620 Washington Ave be approved.

Fiscal Note: N/A

Referred to the Public Safety and Licensing Committee

[0218-16](#)

**Subject:** Application of Piggly Wiggly 009, Joseph L. Novotny, Agent, for a Change of Agent for a "Class A" Retail Fermented Malt Beverage and Intoxicating Liquor License for 4011 Durand Ave.

**Recommendation of the Public Safety and Licensing Committee on 03-22-16:** That the Application of Piggly Wiggly 009, Joseph L. Novotny, Agent, for a Change of Agent for a "Class A" Retail Fermented Malt Beverage and Intoxicating Liquor License for 4011 Durand Ave be approved.

Fiscal Note: N/A

Referred to the Public Safety and Licensing Committee

[0223-16](#)

**Subject:** (New) Application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for Winston LLC dba BJW's, 1900 Racine Street, Michael Winston, Agent. (2nd District)

**Recommendation of the Public Safety and Licensing Committee on 03-22-16:** That the Application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for Winston LLC dba BJW's, 1900 Racine Street, Michael Winston, Agent be deferred until our next meeting on April 12, 2016.

Fiscal Note: N/A

Referred to the Public Safety and Licensing Committee

## G. Committee Reports

### Finance and Personnel Committee Report, by Ald. Shakoor

[0137-16](#)

**Subject:** First Amendment to the Intergovernmental Wholesale Water Service Agreement Between the City of Racine, Racine Water Utility, Village of Caledonia, and the Caledonia Water Utility District (Res No. 0076-16)

**Recommendation of the Finance & Personnel Committee on 3/7/16:** That Mayor Dickert and the City Clerk be authorized to sign Amendment No. 1 to the Intergovernmental Wholesale Water Service Agreement Between the City of Racine, Racine Water Utility, Village of Caledonia, and the Caledonia Water Utility District.

**Recommendation of the Waterworks Commission on 2/23/16:** Approve and that the Mayor and City Clerk be authorized to sign Amendment No. 1 to the Intergovernmental Wholesale Water Service Agreement Between the City of Racine, Racine Water Utility, Village of Caledonia, and the Caledonia Water Utility District.

**Fiscal Note:** Approval of this item will not result in any expense for the City or the Racine Water Utility.

**A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.**

[0139-16](#)

**Subject:** Communication from the Director of Parks, Recreation & Cultural Services requesting permission to apply for \$25,000 in grant funds from the Racine Dominican Mission Fund to support the Dr. John Bryant Community Center's Performing Arts Program. (Res No. 0077-16)

**Recommendation of the Finance & personnel Committee on 3/7/16:** Recommend that the Director of Parks, Recreation and Cultural Services apply for \$25,000 in grant funds from the Racine Dominican Mission Fund to support the Performing Arts Program at the Dr. John Bryant Community Center.

**Fiscal Note:** This grant does not require a match of funds. Grant #00080.

**A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.**

[0171-16](#)

**Subject:** Communication from the Public Health Administrator requesting permission to enter into a contract agreement and accept funding in the amount of \$114,318 from the Department of Health Services for the 2016 Consolidated programs. (Res No. 0078-16)

**Recommendation of the Finance & personnel Committee on 3/7/16:** Recommend that the Mayor and City Clerk enter into a Contract Agreement to accept funding in the amount of \$114,318 from the Department of Health Services for the Local Public Health Departments Performance Consolidated Programs.

Grant #00084 Consolidated Radon \$3,500  
Grant #00082 Consolidated Immunization \$36,563  
Grant #00083 Childhood Lead \$27,418  
Grant #00085 HIV Partner Services \$13,000  
Grant #00086 Maternal Child Healthcare \$33,837

**Fiscal Note:** There is a soft match of \$25,378 required of the City for Maternal Child Healthcare. Grant control numbers #00082-#00086.

**A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.**

[0172-16](#)

**Subject:** Communication from the Public Health Administrator requesting permission to accept additional funds of \$5000 from the Department of Health Services to support the Racine County Medical Reserve Corps (MRC) unit. (Res No. 0079-16)

**Recommendation of the Finance & personnel Committee on 3/7/16:** Recommend that the Mayor and City Clerk accept additional funds of \$5,000 from the Department of Health Services to support the Racine County Medical Reserve Corps (MRC) unit.

**Fiscal Note:** There is no City match required.

**A motion was made that this Communication be Approved as Presented. The**

motion was **APPROVED** on a voice vote in consent.

[0173-16](#)

**Subject:** Communication from the Public Health Administrator requesting permission to enter into a Contract Agreement and accept funding in the amount of \$10,322 from Wisconsin Division of Public Health Services. (Res No. 0080-16)

**Recommendation of the Finance & personnel Committee on 3/7/16:** Recommend that the Mayor and City Clerk enter into a Contract Agreement to accept funding in the amount of \$10,322 from the State of Wisconsin Division of Public Health Services for the assessment, surveillance and delivery of public health services and supporting activities.

Grant #00081 Preventive Health (PHHS) \$10,322.

**Fiscal Note:** There is no match required of the City.

**A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.**

[0174-16](#)

**Subject:** Communication from the Public Health Administrator requesting permission to enter into an agreement for additional funds with the Wisconsin Department of Natural Resources in the amount of \$8000. (Res No. 0081-16)

**Recommendation of the Finance & personnel Committee on 3/7/16:** Recommend that the Mayor and City Clerk enter into an agreement to accept additional funding in the amount of \$8,000 from the Wisconsin Department of Natural Resources in support of BEACH Act activities.

**Fiscal Note:** There is no match required of the City. Grant control number 00047.

**A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.**

[0210-16](#)

**Subject:** (Direct Referral) Communication from the City Administrator desiring to discuss a matter, which, for competitive and bargaining reasons, requires a closed session, and which, if publicly noticed, would compromise such competitive and bargaining reasons.

**Recommendation of the Finance & Personnel Committee on 3-7-16:** Receive and File.

**A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.**

**Public Works and Services Committee Report, by Ald. Kaplan**[15-00945](#)

**Subject:** (Direct Referral) Ordinance 10-15, Use of Tires, dated October 20, 2015.

**Recommendation of the Public Works and Services Committee on 10-27-15:** That Ordinance 10-15, dated October 20, 2015, be referred back to the City Attorney to include language to provide an appeals process.

**Recommendation of the Office of the City Attorney on 02-19-2016:** Ordinance 10-15, as revised February 2016, be referred to the Public Works and Services Committee for review and approval.

**Recommendation of the Public Works and Services Committee on 03-08-16:** That Ordinance 10-15, as revised February 2016, be adopted.

**Fiscal Note:** N/A

**A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.**

[0118-16](#)

**Subject:** Public Officials Meeting on the Reconstruction of Durand Avenue (STH 11) - Kearney Avenue to Sheridan Road (STH 32), State Project ID: 2260-08-00/70.

**Recommendation of the Public Works and Services Committee on 03-08-16:** That the communication be received and filed.

**Fiscal Note:** N/A

**A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.**

[0159-16](#)

**Subject:** Request to close 5th Street, from Main Street to Wisconsin Avenue, from 3:00 P.M. Friday, June 10, 2016, until 7:00 P.M. Sunday, June 12, 2016, for the Monument Square Art Fair. (Res No. 0082-16)

**Recommendation of the Public Works and Services Committee on 03-08-16:** The request to close 5th Street, from Main Street to Wisconsin Avenue, from 3:00 P.M. Friday, June 10, 2016, until 7:00 P.M. Sunday, June 12, 2016, for the Monument Square Art Fair be approved with the following stipulations:

- A. A hold harmless agreement be executed and a \$75.00 processing fee paid.
- B. A liability insurance certificate be filed prior to this event.



- C. Any overtime costs incurred by any City department be charged to the sponsor.
- D. The sponsor shall notify all abutting property owners seventy-two (72) hours in advance of this event.
- E. The sponsor shall pay a \$250.00 special event fee.
- F. If required, sponsor shall be responsible for submitting a Temporary Traffic Control Plan to the Engineering Department for approval, and providing and removing all temporary traffic control devices and detour signs.
- G. If required, sponsor shall provide a detour plan for the closure of all State connecting Highways, arterial and collector streets to the City Engineer for approval.
- H. Sponsor is responsible for cleaning the streets.
- I. If required, sponsor shall install parking meter hoods or temporary parking signs at least twenty-four (24) hours in advance of the event and if this is not done, sponsor is responsible for vehicle towing and parking violation expenses of the violators.

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

**Fiscal Note:** There will be nominal costs to the various City departments, on a regular shift basis, to assist in implementing this event.

**A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.**

[0162-16](#)

**Subject:** Revision 2 to State Municipal Agreement for State Project ID: 2703-00-01/71, Memorial Drive Bridge Project. (Res No. 0087-16)

**Recommendation of the Public Works and Services Committee on 03-08-16:** That Revision 2 to State Municipal Agreement for State Project ID: 2703-00-01/71, Memorial Drive Bridge Project, as submitted, be approved.

**Fiscal Note:** Revision 2 brings the total cost of this agreement to \$992,280.00, with WisDOT's share being \$793,024 (80% up to a maximum of \$793,024.00) and the City of Racine's share being \$199,256.00 (20% and any funds in excess of the \$793,024.00 Federal/State maximum). Funding to defray the cost of this revision is allocated in the 2015-2024 CIP Budget.

**A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.**

[0181-16](#)

**Subject:** (Direct Referral) Amendment No. 1 to Contract 55-14 (K4-055), PS - Retaining Wall - Riverside & Roe, R.A. Smith National,

consultant. (Res No. 0089-16)

**Recommendation of the Public Works and Services Committee on 03-08-16:** That Amendment No. 1 to Contract 55-14 (K4-055), PS - Retaining Wall - Riverside & Roe, R.A. Smith National, consultant, as submitted, be approved in the not-to-exceed amount of \$9,500.00. This will increase the cost of the agreement from \$18,685.00 to \$28,185.00.

Further recommends that funding to defray the cost of these professional services be appropriated from Org-Object 45040-57110, Retaining Wall - Riverside/Roe.

**Fiscal Note:** Funds are available as herein delineated.

**A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.**

[0182-16](#)

**Subject:** (Direct Referral) Change Order No. 1 on Contract 20150006, 2015 Street & Alley Paving - Southside Assessable (R1), LaLonde, Inc., contractor. (Res No. 0092-16)

**Recommendation of the Public Works and Services Committee on 03-08-16:** That Change Order No. 1 on Contract 20150006, 2015 Street & Alley Paving - Southside Assessable (R1), LaLonde, Inc., contract, as submitted be approved in the amount of \$83,907.48.

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

\$51,055.52 - Org-Object 45040-57500, Concrete Street Paving Misc.  
\$20,000.00 - Org-Object 45040-57500, Concrete Alley Paving Misc.  
\$12,851.96 - Org-Object 60484-57570, Storm Sewer, Misc. Locations.  
\$83,907.48 - Total

**Fiscal Note:** Funds are available as herein delineated.

**A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.**

[0183-16](#)

**Subject:** Final Payment on Contract 20150006, 2015 Street & Alley Paving - Southside Assessable (R1), Lalonde, Inc., contractor. (Res No. 0093-16)

**Recommendation of the Public Works and Services Committee on 03-08-16:** That the work done by LaLonde, Inc., under Contract 20150006, 2015 Street & Alley Paving - Southside Assessable (R1), be accepted and final payment authorized for a total contract amount of \$702,676.08. Final Payment to include retainage.

**Fiscal Note:** Contract was authorized under Resolution 15-0201, dated May 19, 2015.

**A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.**

[0190-16](#)

**Subject:** Communication from the Assistant Commissioner of Public Works/City Engineer submitting a professional services agreement from Smith Group JJR for Contract 20160021, PS - Festival Hall Grounds Sinkhole Remediation. (Res No. 0088-16)

**Recommendation of the Public Works and Services Committee on 03-08-16:** That the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with Smith Group JJR, on Contract 20160016, PS - Festival Hall Grounds Sinkhole Remediation, in the not-to-exceed amount of \$48,000.00.

Further recommends that funds to defray the cost of these professional services be appropriated from Org-Object 60484-57570, Storm Water.

**Fiscal Note:** Funds are available as herein delineated.

**A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.**

[0193-16](#)

**Subject:** (Direct Referral) Communication from the Commissioner of Public Works requesting to amend Resolution 0013-16, of January 19, 2016, to change the total amount of the authorization to the contract with Pictometry International Corporation for the provision of Aerial Imaging Services for the Geographical Information System from \$34,423.38 to \$58,731.76. (Res No. 0083-16)

**Recommendation of the Public Works and Services Committee on 03-08-16:** That Resolution 0013-16, of January 19, 2016, be amended to change the total amount of the authorization to the contract with Pictometry International Corporation for the provision of Aerial Imaging Services for the Geographical Information System from \$34,423.38 to \$58,731.76.

**Fiscal Note:** N/A

**A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.**

[0194-16](#)

**Subject:** Bid results for Contract 20160001, Washington Avenue Bridge Structural Repairs. (Res No. 0084-16)

**Recommendation of the Public Works and Services Committee on**

**03-08-16:** That bids for Contract 20160001, Washington Avenue Bridge Structural Repairs, be awarded to Marvin Gleason Contractor, Inc., at their bid price of \$46,220.00, it being the lowest responsible bidder.

Further recommends that funds to defray the cost of this public works project be appropriated from Org-Object 45040-57540, Repair Washington Avenue Bridge Sidewalk.

**Fiscal Note:** Funds are available as herein delineated.

**A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.**

[0196-16](#)

**Subject:** (Direct Referral) Change Order No. 1 on Contract 20150017, City Hall Renovations - Phase VII (R1), Corporate Contractors, Inc., contractor. (Res No. 0085-16)

**Recommendation of the Public Works and Services Committee on 03-08-16:** That Change Order No. 1 on Contract 20150017, City Hall Renovations - Phase VII (R1), Corporate Contractors, Inc., contractor, as submitted, be approved in the amount of \$54,573.09.

Further recommends that funding to defray the cost of the change order be appropriated from Org-Object 45040-57200, Building Improvements.

**Fiscal Note:** Funds are available as herein delineated.

*Alderman Kaplan requested that item 0196-16 be considered separately.*

**A motion was made by Alderman Kaplan, seconded by Alderman Coe, that this Communication be Adopted. The motion PASSED by the following vote:**

**AYES:** 10 - Coe, Kaplan, Smetana, DeHahn, Shakoor II, Wisner, Land, Perez, Hart and Lemke

**NOES:** 2 - Shields and Weidner

**EXCUSED:** 2 - McCarthy and Morgenroth

**ABSTENTIONS:** 1 - Jones

[0197-16](#)

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer requesting permission to solicit Request for Qualifications (RFQ) for street lighting and building lighting energy efficient improvements for the City of Racine. (Res No. 0090-16)

**Recommendation of the Public Works and Services Committee on 03-08-16:** That permission be granted to solicit Request for

Qualifications (RFQ) for street lighting and building lighting energy efficient improvements for the City of Racine.

**Fiscal Note:** N/A

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[0198-16](#)

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer submitting a State/Municipal Agreement for State Project ID: 2703-00-04/24/74, STP-Urban, 16th Street - STH 32 to Main Street. (Res No. 0091-16)

**Recommendation of the Public Works and Services Committee on 03-08-16:** That the City Engineer be authorized and directed to enter into a State/Municipal Agreement for State Project ID: 2703-00-04/24/74 STP-Urban, 16th Street - STH 32 to Main Street and be approved in the amount of \$1,943,720, with the City's share being \$468,744.00 and the State's share being \$1,474,976.00.

**Fiscal Note:** Funding will be provided in the 2016 - 2025 CIP Budget.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[0201-16](#)

**Subject:** Final Payment on Contract 46-14 (K4-046), PS - State Street Bridge Deck Hatch Removal, Ayres Associates, Inc., consultant. (Res No. 0086-16)

**Recommendation of the Public Works and Services Committee on 03-08-16:** That the work done by Ayres Associates, Inc., under Contract 46-14(K4-046), PS - State Street Bridge Deck Hatch Removal, be accepted and final payment authorized for a total contract amount of \$44,374.78.

**Fiscal Note:** Contract was authorized under Resolution 14-0352, dated August 19, 2014.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

### Public Safety and Licensing Committee Report, by Ald. Coe

[0089-16](#)

**Subject:** (New) Application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for Destiny Carter dba Destiny's Bar, 1444 Blake Avenue, Destiny Carter, Agent. (8th District)

**Recommendation of the Public Safety and Licensing Committee on 02-09-16:** That the (New) Application for a "Class B" Fermented

Malt Beverage and Intoxicating Liquor License for Destiny Carter dba Destiny's Bar, 1444 Blake Avenue, Destiny Carter, Agent be deferred.

**Recommendation of the Public Safety and Licensing Committee on 02-23-16:** That the (New) Application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for Destiny Carter dba Destiny's Bar, 1444 Blake Avenue, Destiny Carter, Agent be deferred.

**Recommendation of the Public Safety and Licensing Committee on 03-08-16:** That the (New) Application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for Destiny Carter dba Destiny's Bar, 1444 Blake Avenue, Destiny Carter, Agent be received and filed because the applicant withdrew her application for a "Class B" Fermented Malt Beverage Liquor License for 1444 Blake Avenue.

Fiscal Note: N/A

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[0179-16](#)

**Subject:** (Direct Referral) Communication from the Purchasing Agent submitting the report on the bids received for the sale of Abandoned Vehicles, February 24th,2016.

**Recommendation of the Public Safety and Licensing Committee on 03-08-16:** That the item be Received and Filed as the highest responsible bidder from the two bids was Sturtevant Auto Salvage.

Fiscal Note: This will generate \$6,768.00 in revenue for account 13101 48301.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

**City Plan Commission Report, by Ald.Wiser**

[0152-16](#)

**Subject:** (Direct Referral) A request from Sarah Beck of Herman & Kittle Properties, Inc. representing Lutheran Social Services of Wisconsin and Upper Michigan to vacate a portion of the City's right-of-way on 15th Street between the railroad and Clark Street. (Res No. 0098-16)

**Recommendation of the Public Works and Services Committee on 02-23-16:** Since public interest requires it, that the following parcel of land, more particularly described as follows, be and hereby is vacated and discontinued:

That part of Block 52 in School Section, a recorded plat in the City of

Racine, Racine County, Wisconsin that is part of the Southwest ¼ of Section 16 Township 3 North, Range 23 East described as follows:

Vacate that part of 15th Street from the east line of "Chicago and Northwestern Transportation Company" also known as "Union Pacific Railroad;" to west line of Clark Street; Said described tract containing 14,449.80 square feet more-or-less., City of Racine retains unto itself a perpetual Easement and right-of-way to construct, reconstruct, maintain, operate, supplement, and/or remove any sewer and/or water mains, or conduit duct system for communications facilities, and other related fixtures, equipment, and appurtenances that may from time to time be required, including the right to preserve, protect, remove or plant thereon any vegetation that the City of Racine may deem necessary or desirable, with the right of ingress and egress for the purpose of this Easement, over the area. All improvements shall be located below grade. Non-use or limited use of the Easement rights shall not prevent the City of Racine from later use of the Easement rights to the fullest extent authorized.

**Recommendation of the City Plan Commission on 3-9-16:** That the vacation of 15th Street from Clark Street west to the east line of Chicago and Northwestern Transportation Company (aka Union Pacific Railroad) R.O.W. is consistent with city plans and programs, and that a resolution for the item be adopted.

**Fiscal Note:** N/A

**A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.**

[0154-16](#)

**Subject:** (Direct Referral) A request by Jay Williams, representing Care Bear Child Care, for an exemption to the required financial surety for site improvements at 1315 Douglas Avenue. (PC-16)

**Recommendation of the City Plan Commission on 3-9-16:** That the applicant continue to work with staff to satisfy financial assurance requirements; that all trash and receptacles shall be screened from view, and handling of trash, including disposal, shall meet all city and state requirements, and that the request for exemption from financial assurance requirements and deferral of conditions related to parking lot improvements be denied.

**Fiscal Note:** N/A

*Alderman Weidner requested that item 0154-16 be considered separately.*

**A motion was made by Alderman Wiser, seconded by Alderman DeHahn, that this Communication be Approved as Presented. The motion PASSED by the following vote:**

**AYES:** 7 - Coe, DeHahn, Shakoor II, Wisner, Land, Perez and Hart

**NOES:** 6 - Jones, Shields, Kaplan, Smetana, Weidner and Lemke

**EXCUSED:** 2 - McCarthy and Morgenroth

[0205-16](#)

**Subject:** (Direct Referral) Consideration of a Use Supplement as a companion to the FD Flex Development Overlay District rezoning (ZOrd.0001-16) for the property at 2219 Washington Avenue. (PC-16) (Res No. 0095-16)

**Recommendation of the City Plan Commission on 3-9-16:** That a use supplement be adopted by resolution of the Common Council.

**Fiscal Note:** N/A

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[0206-16](#)

**Subject:** (Direct Referral) Consideration of a request by Keith and Kathleen Meyer seeking a conditional use permit for a catering, event, banquet, and lodging facility at 2219 Washington Avenue. (PC-16) (Res No. 0096-16)

**Recommendation of the City Plan Commission on 3-9-16:** That the request be approved subject to conditions.

**Fiscal Note:** N/A

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[0207-16](#)

**Subject:** (Direct Referral) Consideration of a Use Supplement as a companion to the FD Flex Development Overlay District rezoning (ZOrd.0002-16) for the properties at 512, 712, 800, 820, 900 Water Street. (PC-16) (Res No. 0097-16)

**Recommendation of the City Plan Commission on 3-9-16:** That a use supplement be adopted by resolution of the Common Council.

**Fiscal Note:** N/A

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[0221-16](#)

**Subject:** (ZOrd.0001-16) An ordinance rezoning 2219 Washington Avenue from O/I Office/Institutional District to O/I Office Institutional District with a FD Flex Development Overlay District.

**Recommendation of the City Plan Commission on 3-9-16:** That



Ordinance ZOrd.0001-16 be adopted.

**Fiscal Note:** N/A

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

[0222-16](#)

**Subject:** (ZOrd.0002-16) An ordinance rezoning 512, 712, 800, 820, 900 and 1010 Water Street from I-2 General Industrial District to B-4 Central Business District with a FD Flex Development Overlay District.

**Recommendation of the City Plan Commission on 3-9-16:** That Ordinance ZOrd.0002-16 be adopted.

**Fiscal Note:** N/A

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

#### **Community Development Committee Report, by Ald. Wiser**

[15-00910](#)

**Subject:** (Direct Referral) Request of the Department of City Development to approve the 2016 Annual Action Plan. (Res No. 0099-16)

**Recommendation of the Community Development Committee on 3-3-16:** That the allocation of funds to 2015-2019 Consolidated Plan objectives as recommended by staff is accepted and that the 2016 Annual Action Plan be approved.

**Fiscal Note:** The plan is a guide to the allocation of 2016 community development funding. \$1,757,084 of Community Block Grant (CDBG), \$414,455 of Home Investment Partnership (HOME), and \$156,205 of Emergency Solutions Grant (ESG) funding is available to the City of Racine through the U.S. Department of Housing and Urban Development.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.

#### **Housing Loan Board Report, by Ald. Land**

[0202-16](#)

**Subject:** (Direct Referral) Request of the Interim Director of City Development to accept the offer of Alvin Badillo Romero to purchase 931 Center Street, an NSP-1 property. (Res No. 0100-16)

**Recommendation of the Loan Board of Review on March 10, 2016:** To accept the offer of Alvin Badillo Romero to purchase 931 Center Street for \$85,000.

**Fiscal Note:** The City will receive \$85,000 in proceeds from the sale minus commissions and closing costs.

**A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.**

### Committee of the Whole Report, by Ald. Wisner

#### [15-00862](#)

**Subject:** Communication from the Alderman of the 4th District requesting that the Common Council rescind the vote taken on August 4, 2015 on ZOrd. 002-15 for the rezoning of the CVS property at Washington Avenue and Ohio Street. Note: If the Common Council rescinds the August 4, 2015 vote, the Common Council might then address the issue of ZOrd. 002-15.

**Recommendation of the Committee of the Whole on 03-01-2016:** to rescind the August 4, 2015 vote on ZOrd. 002-15.

**Fiscal Note:** N/A

*Alderman Weidner requested that item 15-00862 be considered separately.*

**A motion was made by Alderman Wisner, seconded by Alderman DeHahn, that this Communication be Approved as Presented. The motion PASSED by the following vote:**

**AYES:** 7 - Jones, Shields, Kaplan, Smetana, Weidner, Shakoor II and Perez

**NOES:** 6 - Coe, DeHahn, Wisner, Land, Hart and Lemke

**EXCUSED:** 2 - McCarthy and Morgenroth

#### [ZOrd.002-15](#)

ZOrd.002-15

An Ordinance Rezoning 1223 Ohio Street, 4601, 4615, 4619 Washington Avenue and 1212, 1218, 1222 Virginia Street.

To amend the map of the Zoning Ordinance of the City of Racine.

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

Part 1: That the property located at 1223 Ohio Street, and more particularly described as follows:

“The Southern 10 feet of Lot 8 and all of Lot 9, Block 8 of the Racine Gardens Subdivision, being in the City of Racine, Racine County, WI, in the South 1/4 of Section 18, Township 3 North, Range 22 East, said lands being 0.15 acres more or less”

be rezoned from R-3 Limited General Residence to B-2 Community Shopping District, and

Part 2: That the properties located at 1212, 1218, 1222 Virginia Street, and more particularly described as follows:

“The Northern 10 feet of Lot 25, and all of Lots 26 thru 28, Block 8 of the Racine Gardens Subdivision, being in the City of Racine, Racine County, WI, in the South 1/4 of Section 18, Township 3 North, Range 22 East, said lands being 0.40 acres more or less”

be rezoned from R-2 Single Family Residence to B-2 Community Shopping District, and

Part 3: That the properties located at 4601, 4615 Washington Avenue, and more particularly described as follows:

“Lots 1 thru 4, Block 8 of the Racine Gardens Subdivision, being in the City of Racine, Racine County, WI, in the South 1/4 of Section 18, Township 3 North, Range 22 East, said lands being 0.55 acres more or less”

be rezoned from B-1 Neighborhood Convenience District to B-2 Community Shopping District, and

Part 4: That the property located at 4619 Washington Avenue, and more particularly described as follows:

“Lot 5 Block 8 of the Racine Gardens Subdivision, being a Subdivision of part of Orchard Home Addition, being in the City of Racine, Racine County, WI, in the South 1/4 of Section 18, Township 3 North, Range 22 East, said lands being 0.14 acres more or less”

be rezoned from B-1 Neighborhood Convenience District to B-2 Community Shopping District.

Part 5: This ordinance shall take effect upon passage by a majority vote of the members-elect of the City Common Council and publication or posting as required by law.

Fiscal Note: N/A

Sponsors: Dennis Wiser

*Alderman Perez requested that ZOrd. 002-15 be considered separately.*

**A motion was made by Alderman Perez, seconded by Alderman Kaplan, that this Ordinance be Defered with Public Hearing. The motion PASSED by the following vote:**

**AYES:** 7 - Jones, Shields, Kaplan, Smetana, Weidner, Shakoor II and Perez

**NOES:** 6 - Coe, DeHahn, Wisner, Land, Hart and Lemke

**EXCUSED:** 2 - McCarthy and Morgenroth

[15-01069](#)

**Subject:** communication from the Alderman of the 11th District requesting that the Common Council approve a resolution opposing extension of disastrous trade policies. (Res No. 0101-16)

**Recommendation of the Committee of the Whole on 02-02-2016:**  
the Item be Deferred.

**Recommendation of the Committee of the Whole on 03-01-2016:**  
the Item be Approved.

**Fiscal Note:** N/A

*Alderman Wisner requested that item 15-01069 be considered separately.*

**A motion was made by Alderman Wisner, seconded by Alderman Land, that this Communication be Approved. The motion PASSED by the following vote:**

**AYES:** 9 - Coe, Jones, Shields, DeHahn, Wisner, Land, Perez, Hart and Lemke

**NOES:** 4 - Kaplan, Smetana, Weidner and Shakoor II

**EXCUSED:** 2 - McCarthy and Morgenroth

**Office of the Mayor Report, by Ald. Wisner**

[0213-16](#)

**Subject:** Communication from Mayor Dickert nominating an appointment to the following board:

Appoint Brian F. O'Connell, AICP 2326 N. Main St. Racine 53402 to the Joint Review Board to a five year term ending 5/31/21.

**A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.**

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

[0101-16](#)

**Subject:** Communication from Real Racine requesting permission to utilize Pershing Park and to allow staff & security upon park grounds during closed park hours for the Color Run event on Saturday, May 28, 2016. (Res No. 0102-16)

**Recommendation of the Board of Parks, Recreation & Cultural Services on 3/9/16:** To allow Real Racine to use Pershing Park and permit staff & security upon park grounds during closed park hours for the Color Run event on Saturday, May 28, 2016 pending proper paperwork, insurance and payment of fees.

**Fiscal Note:** Park fees & charges as determined by PRCS staff.

**A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.**

[0128-16](#)

**Subject:** Communication from Real Racine requesting use of North Beach and the Lake Michigan Pathway for the Ironman 70.3, and further requests staff and security be permitted to be upon park grounds during closed hours July 14, 2016 through July 17, 2016. (Res No. 0103-16)

**Recommendation of the Board of Parks, Recreation & Cultural Services on 3/9/16:** To allow Real Racine to use North Beach and the Lake Michigan Pathway for the Ironman 70.6, and further allow staff and security upon park grounds during closed hours July 14, 2016 through July 17, 2016 pending required paperwork, insurance and payment of fees.

**Fiscal Note:** Park fees & charges as determined by PRCS staff.

**A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a voice vote in consent.**

## H. Consent Resolutions

[Res.0076-16](#)

First Amendment to the Intergovernmental Wholesale Water Service Agreement Between City of Racine, Racine Water Utility, Village of Caledonia, and Caledonia Water Utility District

Resolved, that the Mayor and City Clerk are authorized to sign Amendment No. 1 to the Intergovernmental Wholesale Water Service Agreement Between the City of Racine, Racine Water Utility, Village of Caledonia, and the Caledonia Water Utility District.

**Fiscal Note:** Approval of this item will not result in any expense for the City or the Racine Water Utility.

**Sponsors:** Q.A. Shakoor II

**A motion was made that this Resolution be Approved as Presented. The motion was APPROVED.**

[Res.0077-16](#)

Grant Funds from Racine Dominican Mission Fund to Support Dr.

## John Bryant Community Center's Performing Arts Program

Resolved, that the Director of Parks, Recreation and Cultural Services is granted permission to apply for \$25,000.00 in grant funds from the Racine Dominican Mission Fund to support the Performing Arts Program at the Dr. John Bryant Community Center.

Fiscal Note: This grant does not require a match of funds. Grant #00080.

Sponsors: Q.A. Shakoor II

**A motion was made that this Resolution be Approved as Presented. The motion was APPROVED.**

[Res.0078-16](#)

Funds from Department of Health Services for the 2016 Consolidated Programs

Resolved, that the Mayor and City Clerk are authorized to enter into a contract agreement to accept funding in the amount of \$114,318.00 from the Department of Health Services for the Local Public Health Departments Performance Consolidated Programs.

Fiscal Note: There is a soft match of \$25,378.00 required of the City for Maternal Child Healthcare.

Grant Control Nos.:

Grant #00084 Consolidated Radon \$3,500  
Grant #00082 Consolidated Immunization \$36,563  
Grant #00083 Childhood Lead \$27,418  
Grant #00085 HIV Partner Services \$13,000  
Grant #00086 Maternal Child Healthcare \$33,837

Sponsors: Q.A. Shakoor II

**A motion was made that this Resolution be Approved as Presented. The motion was APPROVED.**

[Res.0079-16](#)

Funds from Department of Health Services to Support Racine County Medical Reserve Corps (MRC) Unit

Resolved, that the Mayor and City Clerk are authorized to enter into an agreement to accept additional funds of \$5,000.00 from the Department of Health Services to support the Racine County Medical Reserve Corps (MRC) unit.

Fiscal Note: There is no City match required.

**Sponsors:** Q.A. Shakoor II

**A motion was made that this Resolution be Approved as Presented. The motion was APPROVED.**

[Res.0080-16](#)

Funds from Wisconsin Division of Public Health Services

Resolved, that the Mayor and City Clerk are authorized to enter into a contract agreement to accept funding in the amount of \$10,322.00 from the State of Wisconsin Division of Public Health Services for the assessment, surveillance and delivery of public health services and supporting activities.

**Fiscal Note:** There is no match required of the City. Grant Control #00081 Preventive Health (PHHS) \$10,322.00.

**Sponsors:** Q.A. Shakoor II

**A motion was made that this Resolution be Approved as Presented. The motion was APPROVED.**

[Res.0081-16](#)

Funds from Wisconsin Department of Natural Resources

Resolved, that the Mayor and City Clerk are authorized to enter into an agreement to accept additional funding in the amount of \$8,000.00 from the Wisconsin Department of Natural Resources in support of BEACH Act activities.

**Fiscal Note:** There is no match required of the City. Grant Control #00047.

**Sponsors:** Q.A. Shakoor II

**A motion was made that this Resolution be Approved as Presented. The motion was APPROVED.**

[Res.0082-16](#)

2016 Monument Square Art Fair

Resolved, that the request to close 5th Street, from Main Street to Wisconsin Avenue, from 3:00 p.m. Friday, June 10, 2016, until 7:00 p.m. Sunday, June 12, 2016, for the Monument Square Art Fair is approved with the following stipulations:

- A. A hold harmless agreement be executed and a \$75.00 processing fee paid.
- B. A liability insurance certificate be filed prior to this event.
- C. Any overtime costs incurred by any City department be charged to

the sponsor.

D. The sponsor shall notify all abutting property owners seventy-two (72) hours in advance of this event.

E. The sponsor shall pay a \$250.00 special event fee.

F. If required, sponsor shall be responsible for submitting a Temporary Traffic Control Plan to the Engineering Department for approval, and providing and removing all temporary traffic control devices and detour signs.

G. If required, sponsor shall provide a detour plan for the closure of all State connecting Highways, arterial and collector streets to the City Engineer for approval.

H. Sponsor is responsible for cleaning the streets.

I. If required, sponsor shall install parking meter hoods or temporary parking signs at least twenty-four (24) hours in advance of the event and if this is not done, sponsor is responsible for vehicle towing and parking violation expenses of the violators.

Further resolved, that the Commissioner of Public Works, City Engineer and Chief of Police provide limited assistance, in the interest of public safety, to implement this event.

Fiscal Note: There will be nominal costs to the various City departments, on a regular shift basis, to assist in implementing this event.

Sponsors: James Morgenroth

**A motion was made that this Resolution be Approved as Presented. The motion was APPROVED.**

[Res.0083-16](#)

Amend Resolution 0013-16

Resolved, that Resolution 0013-16, of January 19, 2016, is amended to change the total amount of the authorization to the contract with Pictometry International Corporation for the provision of Aerial Imaging Services for the Geographical Information System from \$34,423.38 to \$58,731.76.

Fiscal Note: N/A

Sponsors: James Morgenroth



**A motion was made that this Resolution be Approved as Presented. The motion was APPROVED.**

[Res.0084-16](#)

Contract 20160001, Washington Avenue Bridge Structural Repairs

Resolved, that the bid for Contract 20160001, Washington Avenue Bridge Structural Repairs, is awarded to Marvin Gleason Contractor, Inc., at its bid price of \$46,220.00, it being the lowest responsible bidder.

Fiscal Note: Funds to defray the cost of this public works project be appropriated from Org-Object 45040-57540, Repair Washington Avenue Bridge Sidewalk.

Sponsors: James Morgenroth

**A motion was made that this Resolution be Approved as Presented. The motion was APPROVED.**

[Res.0086-16](#)

Final Payment on Contract 46-14 (K4-046), PS - State Street Bridge Deck Hatch Removal

Resolved, that the work done by Ayres Associates, Inc., under Contract 46-14(K4-046), PS - State Street Bridge Deck Hatch Removal, is accepted and final payment authorized for a total contract amount of \$44,374.78.

Fiscal Note: Contract was authorized under Resolution 14-0352, dated August 19, 2014.

Sponsors: James Morgenroth

**A motion was made that this Resolution be Approved as Presented. The motion was APPROVED.**

[Res.0087-16](#)

Revision 2 to State Municipal Agreement for State Project ID: 2703-00-01/71, Memorial Drive Bridge Project

Resolved, that Revision 2 to State Municipal Agreement for State Project ID: 2703-00-01/71, Memorial Drive Bridge Project, as submitted, is approved.

Fiscal Note: Revision 2 brings the total cost of this agreement to \$992,280.00, with WisDOT's share being \$793,024.00 (80% up to a maximum of \$793,024.00) and the City of Racine's share being \$199,256.00 (20% and any funds in excess of the \$793,024.00 Federal/State maximum). Funding to defray the cost of this revision is allocated in the 2015-2024 CIP Budget.

**Sponsors:** James Morgenroth

**A motion was made that this Resolution be Approved as Presented. The motion was APPROVED.**

[Res.0088-16](#)

Contract 20160021, PS - Festival Hall Grounds Sinkhole Remediation

Resolved, that the Mayor and City Clerk are authorized and directed to enter into a professional services agreement with Smith Group JJR, on Contract 20160016, PS - Festival Hall Grounds Sinkhole Remediation, in the not-to-exceed amount of \$48,000.00.

**Fiscal Note:** Funds to defray the cost of these professional services be appropriated from Org-Object 60484-57570, Storm Water.

**Sponsors:** James Morgenroth

**A motion was made that this Resolution be Approved as Presented. The motion was APPROVED.**

[Res.0089-16](#)

Amendment No. 1 to Contract 55-14 (K4-055), PS - Retaining Wall

Resolved, that Amendment No. 1 to Contract 55-14 (K4-055), PS - Retaining Wall - Riverside & Roe, R.A. Smith National, consultant, as submitted, is approved in the not-to-exceed amount of \$9,500.00, thereby increasing the cost of the agreement from \$18,685.00 to to \$28,185.00.

**Fiscal Note:** Funding to defray the cost of these professional services be appropriated from Org-Object 45040-57110, Retaining Wall - Riverside/Roe.

**Sponsors:** James Morgenroth

**A motion was made that this Resolution be Approved as Presented. The motion was APPROVED.**

[Res.0090-16](#)

Street Lighting and Building Lighting Energy Efficient Improvements

Resolved, that permission is granted to solicit Request for Qualifications (RFQ) for street lighting and building lighting energy efficient improvements for the City of Racine.

**Fiscal Note:** N/A

**Sponsors:** James Morgenroth

**A motion was made that this Resolution be Approved as Presented. The motion was APPROVED.**

[Res.0091-16](#)

State/Municipal Agreement for State Project ID: 2703-00-04/24/74, STP-Urban, 16th Street - STH 32 to Main Street

Resolved, that the City Engineer is authorized and directed to enter into a State/Municipal Agreement for State Project ID: 2703-00-04/24/74 STP-Urban, 16th Street - STH 32 to Main Street and be approved in the amount of \$1,943,720, with the City's share being \$468,744.00 and the State's share being \$1,474,976.00.

Fiscal Note: Funding will be provided in the 2016 - 2025 CIP Budget.

Sponsors: James Morgenroth

**A motion was made that this Resolution be Approved as Presented. The motion was APPROVED.**

[Res.0092-16](#)

Change Order No. 1 on Contract 20150006, 2015 Street & Alley Paving - Southside Assessable (R1)

Resolved, that Change Order No. 1 on Contract 20150006, 2015 Street & Alley Paving - Southside Assessable (R1), LaLonde, Inc., contract, as submitted is approved in the amount of \$83,907.48.

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

\$51,055.52 - Org-Object 45040-57500, Concrete Street Paving Misc.  
\$20,000.00 - Org-Object 45040-57500, Concrete Alley Paving Misc.  
\$12,851.96 - Org-Object 60484-57570, Storm Sewer, Misc. Locations.  
\$83,907.48 - Total

Sponsors: James Morgenroth

**A motion was made that this Resolution be Approved as Presented. The motion was APPROVED.**

[Res.0093-16](#)

Final Payment on Contract 20150006, 2015 Street & Alley Paving - Southside Assessable (R1)

Resolved, that the work done by LaLonde, Inc., under Contract 20150006, 2015 Street & Alley Paving - Southside Assessable (R1), is accepted and final payment authorized for a total contract amount of \$702,676.08. Final Payment to include retainage.

Fiscal Note: Contract was authorized under Resolution 15-0201, dated May 19, 2015.

Sponsors: James Morgenroth

**A motion was made that this Resolution be Approved as Presented. The motion was APPROVED.**

[Res.0094-16](#)

RESOLUTION BY THE CITY OF RACINE APPROVING AN AGREEMENT FOR MUTUAL AID AS BETWEEN THE VILLAGE OF CALEDONIA AND THE CITY OF RACINE AND THEIR RESPECTIVE POLICE DEPARTMENTS

The City of Racine, Racine County, Wisconsin do resolve as follows:

WHEREAS, Wis. Stats. §66.0301 and §66.0313 sets forth procedures whereby municipalities may provide for intergovernmental cooperation for purposes of furthering the public interests of each community; and

WHEREAS, the Village of Caledonia Police Department (hereinafter "Village") and the City of Racine Police Department (hereinafter "City") are Wisconsin law enforcement agencies located in adjacent municipalities; and

WHEREAS, the Village's and the City's police departments are charged with the duty of enforcing the law and protecting their citizens from illegal activity; and

WHEREAS, the police departments recognize that the jurisdiction and authority of each is limited and that such limitations are detrimental in combating crime within the agencies' jurisdictions; and

WHEREAS, the police departments recognize that the problem can be most effectively combated by the pooling of their resources in the joint exercise of their respective authority; and

WHEREAS, the police departments believe that this agreement will provide citizens with the most effective law enforcement protection against those who engage in actions detrimental to public safety; and

WHEREAS, in the absence of this agreement, the efforts of the Village and the City police departments to combat crime within the respective jurisdictions, are occasionally hampered by jurisdictional limitations inherent in the separate sovereignty of the Village; and

WHEREAS, the Village and City desire to enter into the Agreement attached hereto as Exhibit A to further the public interests and objectives of both municipalities and to provide for cooperation that is beneficial to citizens in both communities;

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT the Mayor, City Clerk and the Chief of Police are authorized and directed to

execute the attached Agreement between the City and the Village and their respective police departments.

BE IT FURTHER RESOLVED THAT all City officials, officers, and employees are authorized and directed to take such steps as are lawful and necessary in furtherance of the Agreement.

Adopted by the City Council of the City of Racine, Racine County, Wisconsin this      day of                      , 2016.

Fiscal Note: N/A

Sponsors: Henry Perez

**A motion was made that this Resolution be Approved as Presented. The motion was APPROVED.**

[Res.0095-16](#)

Use Supplement for 2219 Washington Avenue

A Use Supplement for property at 2219 Washington Avenue is approved as follows:

(Note: Part of the flex rezoning request requires the development of a Use Supplement, which outlines other uses that may be allowed or prohibited under the FLEX zoning overlay.)

a. That all uses listed in the underlying O/I Office Institutional District are permissible by right or by conditional use permit, except as otherwise specified in "b." below.

b. Prohibited uses shall include all those uses as follows:

1. Apartment hotels.
2. Community living arrangements.

c. That the following flex uses are permitted as conditional use permit by Ordinance No. ZOrd.0001-16 in addition to those permitted in the O/I Office Institutional District and amended herein:

1. Commercial catering, event and banquet facilities.
2. Overnight lodging for patrons and guest of an event or banquet facility, all being on the same property.

d. That by the authorization and/or petitioning by the property owner or their authorized agent for the actions, restrictions and privileges implemented, imposed and afforded by this resolution and ZOrd.0001-16, owner and owner's representative recognize that lack of implementation of the catering, event and banquet facility being the subject of item 0206-16 within 24 months of approval shall constitute noncompliance with the City of Racine Municipal Code, Sections

114-146 through 114-160 and shall be subject to revocation under Section 114-156.

e. That the Chief Building Inspector or Director of City Development may impose additional conditions on a single or group of flex uses to mitigate potential negative impacts on the subject or surrounding properties. Decisions in this regard may be appealed by the affected operator(s) to the Plan Commission, who will forward a recommendation to the Common Council.

f. That, upon consultation between the Chief Building Inspector and Director of City Development, additional uses not listed in this resolution may be permitted if found to comply with the spirit and intent of this flex development and the Flex Development Overlay District.

g. That all applicable codes and ordinances be complied with and required permits acquired.

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

i. That this flex development is subject to Plan Commission review for compliance with listed conditions.

Fiscal Note: N/A

Sponsors: Dennis Wisner

**A motion was made that this Resolution be Approved as Presented. The motion was APPROVED.**

[Res.0096-16](#)

Catering, Event, Banquet, and Lodging Facility at 2219 Washington Avenue

Resolved, that the request by Keith and Kathleen Meyer seeking a conditional use permit for a catering, event, banquet, and lodging facility at 2219 Washington Avenue is approved, subject to the following conditions:

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

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

c. That the hours and days the facilities is open to the general public for functions, activities and events shall be 8:00 a.m. to 11:30 p.m., daily.

d. That the types of functions, activities and events to be accommodated by this facility may include those such as club meetings, church services and events, weddings ceremonies and receptions, funeral receptions and services, music recitals, community events, pageants, special family events/receptions, fundraising events, general management offices, site maintenance, event scheduling.

e. That overnight lodging is to be confined to the mansion and offered only for clients having booked the event facility and their immediate family members.

f. That an exception is hereby granted to allow 81 off-street parking spaces rather than the ordinance required 88, but that parking will be reviewed within 12 months of occupancy to determine adequacy.

g. That by May 31, 2016 the following shall be submitted for the review and approval of the Director of City Development:

1. A security plan for the building and information addressing safety, loitering, after-hours policies and any other potential security issues.
2. A detailed plan with specifications for the dumpster enclosure.
3. A detailed landscape plan illustrating plantings along the eastern and western ends of the parking lot, and a screening/buffer fence along the south lot line. Any additional exterior building and parking lot lighting shall be illustrated on the landscape plans and their specifications provided for review.
4. A detailed plan of the outdoor patio area.

h. That prior to the issuance of an occupancy permit the following shall be accomplished in accordance with all approved plans:

1. Paving of expanded parking area, and sealing and striping of entire parking and drive area.
2. Installation of landscaping and fencing as illustrated on the approved landscaping plan.
3. Installation of the dumpster enclosure.
4. Implementation/installation of all security measures.

i. That in the event that the improvements listed in conditions f. and g. are not installed or completed by the time an occupancy permit is requested, prior to the issuance of an occupancy permit the applicant shall submit to the Director of City Development a financial surety, such as a bond, letter of credit, or other recognized assurance. An estimate of the cost of completing said improvements is to be provided

by the applicant and the financial assurance issued in an amount equal of the value of the incomplete improvements. The financial assurance shall be kept on file with the Department of City Development, with the content and format of said assurance subject to review and approval of the City Attorney.

j. That all signs shall be professionally made, comply with zoning requirements, and be submitted for the review and approval of the Director of City Development prior to installation and/or issuance of building permits.

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

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

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

Fiscal Note: N/A

Sponsors: Dennis Wisser

**A motion was made that this Resolution be Approved as Presented. The motion was APPROVED.**

[Res.0097-16](#)

Use Supplement at 512,712,800,820,900 and 1010 Water Street

A Use Supplement for the properties at 512,712,800,820,900 and 1010 Water Street is approved as follows:

(Note: Part of the flex rezoning request requires the development of a Use Supplement, which outlines other uses that may be allowed or prohibited under the FLEX zoning overlay.)

a. That all uses listed in the underlying B-4 Central Business District are permissible by right or by conditional use permit, except as otherwise specified in "b." below.

b. Prohibited uses shall include all those uses as follows:

1. Apartment hotels.
2. Boarding, lodging or rooming houses.



3. Community living arrangements.
4. Adult entertainment.
5. Motor vehicle repair: major, minor, auto-body.
6. Motor vehicle wholesale.
7. Recycling drop-off site.
8. Charitable meal establishment.
9. Convenient-cash business.
10. Building, construction and demolition contractor yards and storage facilities.
11. The following uses are prohibited as permitted uses by right, and shall only be permitted by conditional use permit:
  - i. Machinery Sales.
  - ii. Recording Studios.

b. That the following flex uses are permitted as conditional use permit by Ordinance No. ZOrd.0002-16 in addition to those permitted in the B-4 Central Business District and amended herein:

1. Machinery sales.
2. Recording Studios.
3. Bakeries.
4. Greenhouses.
5. Aquaculture, aquaponics, hydroponics, and other indoor food cultivation.
6. Laboratories: research and testing.
7. Light assembly and fabrication.
8. Medical appliance manufacturing.
9. Printing and publishing
10. Distilleries (subject to all applicable state and federal regulations)
11. Skilled artisan workshops for hand-craft activities such as blacksmithing, baking, woodworking (furniture), cheese making, glass blowing, weaving, pottery and others artisans of similar scale and character.

c. That by the authorization and/or petitioning by the property owner or their authorized agent for the actions, restrictions and privileges implemented, imposed and afforded by this resolution and ZOrd.0002-16, owner and owner's representatives, and assignees recognize that lack of project commencement within 24 months of approval shall constitute noncompliance with the City of Racine Municipal Code, Sections 114-146 through 114-160 and may be subject to revocation under Section 114-156.

d. That the Chief Building Inspector or Director of City Development may impose additional conditions on a single or group of flex uses to mitigate potential negative impacts on the subject or surrounding properties. Decisions in this regard may be appealed by the affected

operator(s) to the Plan Commission, who will forward a recommendation to the Common Council.

e. That, upon consultation between the Chief Building Inspector and Director of City Development, additional uses not listed in this resolution may be permitted if found to comply with the spirit and intent of the Flex Development Overlay District.

f. That all applicable codes and ordinances be complied with and required permits acquired.

g. That no minor changes be made from the conditions of this flex development without the approval of the Plan Commission and no major changes be made without the approval of the Common Council.

h. That this flex development is subject to Plan Commission review for compliance with listed conditions.

Fiscal Note: N/A

Sponsors: Q.A. Shakoor II

**A motion was made that this Resolution be Approved as Presented. The motion was APPROVED.**

[Res.0098-16](#)

Vacate a Portion of City's Right-of-Way on 15th Street Between the Railroad and Clark Street

Resolved, that the request from Kyle Peterson of Herman & Kittle Properties, Inc. representing Lutheran Social Services of Wisconsin and Upper Michigan to vacate a portion of the City's right-of-way on 15th Street between the railroad and Clark Street is approved.

Further resolved, since public interest requires it, that the following parcel of land, more particularly described as follows, be and hereby is vacated and discontinued:

That part of Block 52 in School Section, a recorded plat in the City of Racine, Racine County, Wisconsin that is part of the Southwest  $\frac{1}{4}$  of Section 16 Township 3 North, Range 23 East described as follows:

Vacate that part of 15th Street from the east line of "Chicago and Northwestern Transportation Company" also known as "Union Pacific Railroad;" to west line of Clark Street; Said described tract containing 14,449.80 square feet more-or-less., City of Racine retains unto itself a perpetual Easement and right-of-way to construct, reconstruct,

maintain, operate, supplement, and/or remove any sewer and/or water mains, or conduit duct system for communications facilities, and other related fixtures, equipment, and appurtenances that may from time to time be required, including the right to preserve, protect, remove or plant thereon any vegetation that the City of Racine may deem necessary or desirable, with the right of ingress and egress for the purpose of this Easement, over the area. All improvements shall be located below grade. Non-use or limited use of the Easement rights shall not prevent the City of Racine from later use of the Easement rights to the fullest extent authorized.

Further resolved, that the vacation of 15th Street from Clark Street west to the east line of Chicago and Northwestern Transportation Company (aka Union Pacific Railroad) Row is consistent with City plans and programs, and that this resolution shall be adopted.

Fiscal Note: N/A

Sponsors: Dennis Wisler

**A motion was made that this Resolution be Approved as Presented. The motion was APPROVED.**

[Res.0099-16](#)

2016 Annual Action Plan

Resolved, that the allocation of funds to the 2015-2019 Consolidated Plan objectives as recommended by staff is accepted and the 2016 Annual Action Plan is approved.

Fiscal Note: The plan is a guide to the allocation of 2016 community development funding. \$1,757,084.00 of Community Block Grant (CDBG), \$414,455.00 of Home Investment Partnership (HOME), and \$156,205.00 of Emergency Solutions Grant (ESG) funding is available to the City through the U.S. Department of Housing and Urban Development.

Sponsors: Dennis Wisler

**A motion was made that this Resolution be Approved as Presented. The motion was APPROVED.**

[Res.0100-16](#)

Purchase of 931 Center Street

Resolved, that Resolution No. 15-0445 of December 21, 2015 is hereby repealed.

Further resolved, that the request of the Interim Director of City Development to accept the offer of Alvin Badillo Romero to purchase

931 Center Street, an NSP-1 property, is approved with contingencies as listed on the attachment to Item 0202-16.

Further resolved, that the Mayor, the City Clerk, and the Interim Director of City Development are authorized to execute any documents necessary to complete the sale.

Fiscal Note: This is a rehabilitated home under the NSP-1 program. The City will receive \$85,000.00 in proceeds from the sale, minus commission and closing costs.

Sponsors: Mary Land

**A motion was made that this Resolution be Approved as Presented. The motion was APPROVED.**

[Res.0102-16](#)

Real Racine Use of Pershing Park for 2016 Color Run

Resolved, that Real Racine is granted permission to use Pershing Park and permit staff & security upon park grounds during closed park hours for the Color Run event on Saturday, May 28, 2016 pending proper paperwork, insurance and payment of fees.

Fiscal Note: Park fees & charges as determined by PRCS staff.

Sponsors: Terry McCarthy

**A motion was made that this Resolution be Approved as Presented. The motion was APPROVED.**

[Res.0103-16](#)

Real Racine Use of North Beach and the Lake Michigan Pathway for 2016 Ironman 70.3

Resolved, that Real Racine is authorized to use North Beach and the Lake Michigan Pathway for the Ironman 70.6, and further allow staff and security upon park grounds during closed hours July 14, 2016 through July 17, 2016 pending required paperwork, insurance, and payment of fees.

Fiscal Note: Park fees & charges as determined by PRCS staff.

Sponsors: Terry McCarthy

**A motion was made that this Resolution be Approved as Presented. The motion was APPROVED.**

## I. Resolutions

[Res.0085-16](#)

Change Order No. 1 on Contract 20150017, City Hall Renovations -

## Phase VII (R1)

Resolved, that Change Order No. 1 on Contract 20150017, City Hall Renovations - Phase VII (R1), Corporate Contractors, Inc., contractor, as submitted, is approved in the amount of \$54,573.09.

Fiscal Note: Funding to defray the cost of the change order be appropriated from Org-Object 45040-57200, Building Improvements.

Sponsors: James Morgenroth

**A motion was made by Alderman Wisner, seconded by Alderman DeHahn, that this Resolution be Adopted. The motion PASSED by the following vote:**

**AYES:** 11 - Coe, Jones, Kaplan, Smetana, DeHahn, Shakoor II, Wisner, Land, Perez, Hart and Lemke

**NOES:** 2 - Shields and Weidner

**EXCUSED:** 2 - McCarthy and Morgenroth

[Res.0101-16](#)

## Resolution Opposing Extension of Disastrous Trade Policies

WHEREAS, U.S. trade deals for the past 25 years have been corporate-driven, incorporating rules that skew benefits to economic elites while requiring working families to bear the brunt of such policies;

WHEREAS, the growing trade deficits, driven by the North American Free Trade Agreement, China's accession to the World Trade Organization, and the U.S.- Korea Free Trade Agreement have displaced 700,000 jobs and 3.2 million jobs, and 75,000 jobs respectively;

WHEREAS, U.S. employment in manufacturing dropped by 5 million from 2000 to 2015;

WHEREAS, the City of Racine poverty rate is 11%, which requires the expenditure of limited public funds to assist families in crisis;

WHEREAS, jobs lost due to trade devastate families and entire communities and can permanently reduce lifetime earnings for hundreds of thousands of workers;

WHEREAS, the long decline of the American manufacturing base--exacerbated by bad trade policies that reward outsourcing--has undermined our economic security and poses a direct threat to our national security;

WHEREAS, the offshoring of manufacturing and service jobs deprives local and state governments of sorely needed revenues, jeopardizing the livelihoods of millions of public servants as well as construction workers whose jobs depend upon infrastructure building, repair and maintenance;

WHEREAS, under NAFTA-style trade rules, the U.S. annual trade deficit has increased dramatically from 70 billion in 1993, the year before NAFTA went into effect, to more than \$508 billion in 2014;

WHEREAS, the disproportionate voice of the powerful global corporations in the formation of U.S. "free trade" agreements has advanced an agenda that undermines the public interest and threatens democracy;

WHEREAS, NAFTA and all but two of the U.S. trade deals that followed it include special legal rights for foreign investors known as "investor-to-state dispute settlement" or ISDS, that allow foreign firms to bypass state and federal courts to challenge state and local laws, regulations, and administrative and judicial decisions in international tribunals;

WHEREAS, the Trans-Pacific Partnership (TPP) is likely to include provisions locking in monopoly protections for expensive specialty drugs called biologics and constrict the government's ability to limit spending on drugs, potentially increasing drug costs for the government and all Americans;

WHEREAS, foreign investors already have used NAFTA's ISDS provisions to challenge decisions regarding local building permits, state bans on toxic chemicals and decisions of state courts;

WHEREAS, the TPP has been negotiated in secret, effectively shutting state and local governments out of the process, limiting our ability to influence its rules to ensure the people of the City of Racine can participate in the benefits of trade;

WHEREAS, given the enactment of fast track trade negotiating authority, states, localities and their citizens will have no opportunity to correct shortcomings in the TPP since its text will not be made public until it is final and no longer can be improved;

WHEREAS, repeating old mistakes in negotiating new trade agreements such as the TPP represents a missed opportunity to strengthen our economy, reduce income inequality and promote sustainable growth;

BE IT RESOLVED THAT, the City of Racine calls upon our elected officials in the U.S. Senate and U.S. House of Representatives to oppose the TPP and any similar trade deals if they fail to restructure the misguided and failed policies of the past;

AND BE IT FINALLY RESOLVED THAT, the City of Racine calls upon our elected officials in the U.S. Senate and the U.S. House of Representatives to support new trade deals such as the TPP only if they will:

Exclude ISDS and other provisions that favor foreign companies over domestic ones and undermine public choices;

Ensure that countries cannot undercut U.S. based producers with weaker labor and environmental laws and enforcement;

Ensure that the U.S. will engage in robust enforcement of trade rules, including labor and environmental rules;

Include strong rule of origin to promote economic growth and job creation in the U.S.;

Promote high standards of protection for workplaces, products, and natural resources rather than promoting a race to the bottom;

Put the interests of people and the planet over the interests of private profit.

The Common Council further directs that this Resolution be distributed to Senator Baldwin, Senator Johnson, and Representative Ryan.

Fiscal Note: N/A

**Sponsors:** Jeff Coe, Michael Shields, Raymond DeHahn, Henry Perez, Ronald Hart, Steve Smetana, Mary Land, Melissa Lemke and Mollie Jones

**A motion was made by Alderman Wisner, seconded by Alderman DeHahn, that this Resolution be Adopted. The motion PASSED by the following vote:**

**AYES:** 9 - Coe, Jones, Shields, DeHahn, Wisner, Land, Perez, Hart and Lemke

**NOES:** 4 - Kaplan, Smetana, Weidner and Shakoor II

**EXCUSED:** 2 - McCarthy and Morgenroth

**J. Council Vote on Consent Agenda Items (Communications, Committee Reports, Resolutions)**

**A motion was made by Alderman Dennis Wisner, seconded by Alderman Michael**

Shields, that this be [ACTION NAME] Adopted by the following vote

**AYES:** 13 - Coe, Jones, Shields, Kaplan, Smetana, Weidner, DeHahn, Shakoor II, Wisner, Land, Perez, Hart and Lemke

**ABSENT:** 2 - McCarthy and Morgenroth

## **K. Adjourn**

*Alderman Shakoor made a motion to adjourn the meeting, which was APPROVED without objection, at 8:58P.M. The next scheduled meeting of the Council is Wednesday, April 6th, 2016.*

**ATTEST: JANICE JOHNSON-MARTIN**  
CITY CLERK