



City of Racine

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

Meeting Agenda - Final Common Council

*Mayor John T. Dickert, Alderman Dennis Wiser, Alderman Jim Kaplan
Alderman Q.A. Shakoor, II, Alderman Ronald D. Hart, Alderman Sandy Weidner
Alderman Krystyna Sarrazin, Alderman Jeff Coe, Alderman Michael Shields
Alderman Melissa Kaprelian-Becker, Alderman Raymond DeHahn,
Alderman Terry McCarthy, Alderman Gregory Holding, Alderman James Morgenroth
Alderman Edward E. Diehl, Alderman Henry Perez*

Tuesday, May 7, 2013

7:00 PM

Room 205, City Hall

- A. Call To Order**
- B. Pledge of Allegiance To The Flag**
- C. Approval of Journal of Council Proceedings (Minutes)**
- D. Public Hearings**

[ZOrd.002-13](#) Zoning Ordinance - ZOrd.002-13

AN ORDINANCE REZONING 718 GRAND AVENUE

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

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

Part 1:

That the property located at 718 Grand Avenue and more particularly described as follows:

“Said lands being in Racine County WI, City of Racine, in the northeast ¼ of the northwest ¼ of Section 16, Township 3 North, Range 23 east, more particularly described as follows: being the western 1/2 of block 48 of the School Section, Lots 4, 5, 6 plus part of Lot 3 beginning at the southwest corner of said Lot, then east 52.98 FT along the south line of said Lot, then Northwesterly to a point on the northerly line of said Lot,

then 14.3 feet northeasterly to the northwest corner of said lot, then southwesterly along the northerly lot line of said lot, than 14.3 feet to the northwest corner of said Lot, then south along the west line of said Lot to the point of beginning, said lands containing 27,700 square feet +/- (0.64 acres).”

be rezoned from B-4 Central Business District to B-4 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

E. Public Comments

F. Communications

[13-8858](#)

Subject: Communication from the Chairman of the City of Racine Board of Ethics submitting their 2012-2013 Annual Report.

Refer to Finance and Personnel Committee, by Ald. Shakoor

[13-8848](#)

Subject: Communication from the Police Chief requesting to waive formal bidding and instruct Purchasing Agent to negotiate sole-source procurement with Federal Signal, Knoxville, TN, for the purchase of

Automated License Plate Reader equipment and software for use by the RPD. Funding for this purchase is budgeted.

[13-8859](#)

Subject: communication from the City Attorney submitting the claim of Rosario D'Acquisto and Chuck D'Acquisto for consideration.

[13-8872](#)

Subject: Communication from the Assistant Commissioner of Public Works/City Engineer, on behalf of the Harbor Commission, requesting to transfer \$30,000 from the Harbor Commission Reserve funds into a new Capital Improvement Program budget account to assist in the funding of repairs at the 5th Street Boat Launch.

[13-8889](#)

Subject: Communication from the Assistant Commissioner of Public Works/City Engineer, on behalf of the Racine Harbor Commission, requesting authorization to apply for the State of Wisconsin DNR Waterways Commission Financial Assistance Grant for navigational aids. (Grant Control No. 2013-013)

[13-8911](#)

Subject: communication from the City Attorney submitting the claim of Janet VanSchyndel and Christian VanSchyndel for consideration.

[13-8912](#)

Subject: communication from the City Attorney submitting the claim of Shayela Shields and Jimmy Shields for consideration.

[13-8913](#)

Subject: Communication from the Director of City Development requesting that the City advance funds in anticipation of CDBG, HOME, and ESG grants from the U.S. Department of Housing and Urban Development.

[13-8914](#)

Subject: Request from the Director of Fair Housing for approval to accept a \$1,000 donation from SC Johnson Wax and the Johnson family and to donate the funds to the Wisconsin Fair Housing Network (WFHN). The funds were donated to underwrite the WFHN Conference on April 25-26, 2013.

[13-8926](#)

Subject: Communication from the Police Chief requesting to apply for and accept the 2013 Bureau of Justice Assistance (BJA) Edward Byrne Justice Assistance Grant (JAG).

[13-8927](#)

Subject: Communication from the Police Chief, requesting to appear before the appropriate committee to discuss our request to apply for the 2013-2014 Bulletproof Vest Partnership grant.

[13-8936](#)

Subject: Communication from the City Clerk submitting the bid(s)

received for printing the Common Council Proceedings and legal notices for the period of June 1, 2013 through May 31, 2014.

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

[13-8870](#) **Subject:** Communication from Peter Henkes, Lighthouse Run Director, requesting to use city right-of-way and Monument Square on June 15, 2013 for the 35th Annual Lighthouse Run.

[13-8880](#) **Subject:** communication from the City Attorney recommending that Resolution 12-3302, regarding the vacation of an unimproved portion of Cleveland Avenue right-of-way, be rescinded. (x-ref Item # 12-8055 and 12-8166)

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

[13-8916](#) **Subject:** communication requesting authorization to enter into an agreement to indemnify and hold harmless WELBIC, LLC and GIS Rolling, LLC for the use of the property at 6200 Regency West Drive during Police Dept training on motorcycle operation.

[13-8865](#) **Subject:** Communication from the Director of Parks, Recreation & Cultural Services requesting final payment for Contract 53-12 (K2-064) PRCS Asphalt Improvements. It is recommended that Change Order #1 for a contract reduction of \$20,941.59 and the Final Payment be approved for a total contract amount of \$119,144.81.

[13-8876](#) **Subject: (Direct Referral)** Communication from 2 Sheets To The Wind, requesting to amend their Premise Description to include fenced in area located on southside of building at 3316 Douglas Avenue.

[13-8887](#) **Subject:** Communication from the City Clerk wishing to discuss the implementation of an administrative policy as it relates to "notification of available liquor licenses for the City of Racine".

[13-8902](#) **Subject:** (New) Application of Sticky Rice, Morakot Khampane, Agent for a "Class B" Fermented Malt Beverage and intoxicating Liquor License for 203 Sixth Street. (1st District)

[13-8903](#) **Subject:** Communication from Marina Vela, Marina's Wine Cafe at 309 Main Street wishing to appear before the Committee to request a change in the license premise address for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License from 309 Main Street to 422 Main Street.

[13-8904](#) **Subject:** The following renewal application(s) for a "Class B" Retail

Fermented Malt Beverage and Intoxicating Liquor License for 2013-2014:

Morakot Khampane 337 S. Main Street
(Tradenname) Sticky Rice, LLC
Morakot Khampane, Agent

Javier's Restaurant Inc. 2011 Lathrop Avenue
(Tradenname) Javier's
Yecenia Ortega, Agent

Alice F. Warren 963 Dr. M.L. King, Jr. Drive
(Tradenname) Buck's Lounge

Yardarm Bar & Grill, Ltd. 920 Erie Street
(Tradenname) Yardarm
Laura Tomasek, Agent

Fides F. Wagner-Richardson 1102 Mound Avenue
(Tradenname) Blues & R&B

Blazin Wings, Inc. 5880 Durand Avenue
(Tradenname) Buffalo Wild Wings
Daniel Collicott, Agent

13-8905

Subject: The following renewal application(s) for a "Class A" Retail Fermented Malt Beverage and Intoxicating Liquor License for 2013-2014:

Phesal E. Ckadan 1812 Sixteenth Street
(TRADENAME) Twin's Food Mart

13-8906

Subject: The following renewal application(s) for a Class "A" Retail Fermented Malt Beverage License for 2013-2014:

Lee's Deli, Inc. 2615 Washington Avenue
(Tradenname) Lee's Deli
John P. Henes, Agent

3 Mile Station LLC 600 Three Mile Road
(Tradenname) Kwik Pantry Food Mart

13-8925

Subject: The following renewal application(s) for a Class "B" Retail

Fermented Malt Beverage License for 2013-2014:

Edward L. Bilotto 235 Main Street
(Tradename) De Pizza Chef

[13-8928](#) **Subject:** (New) Application of Yolanda Maldonado,(Santa Fe Liqueur)
"Class A" Fermented Malt Beverage and intoxicating Liquor License for
516 High Street (4th District)

[13-8929](#) **Subject:** (New) Application of Rock Inn, LLC." Arlene Feest Agent for a
"Class B" Fermented Malt Beverage and intoxicating Liquor License for
600 High Street (4th District)

G. Committee Reports

Finance and Personnel Committee Report, by Ald. Shakoor

[13-8861](#) **Subject:** (Direct Referral) Communication from the Director of Parks,
Recreation & Cultural Services requesting permission to apply for the
DNR Stewardship Grant to add adult exercise equipment along the Lake
Michigan & Root River pathways. (Grant Control #2013-011) (Res. No.
13-0178)

**Recommendation of the Finance & Personnel Committee on
4-22-13:** Permission be granted for the Director of Parks, Recreation &
Cultural Services to apply for the DNR Stewardship Grant to add adult
exercise equipment along the Lake Michigan & Root River pathways.
(Grant Control #2013-011)

Fiscal Note: \$45,000.00 is being requested. A 50% match is required.
The match fund budget is in account 993.700.5280, Exercise Play
Equipment at Dodge Park.

Public Works and Services Committee Report, by Ald. Weidner

[11-7058](#) **Subject:** (Direct Referral) Communication from the Commissioner of
Public Works requesting authorization to enter into a contract for Real
Estate Appraisal Services, under WisDOT and Federal requirements, as
part of the STH 38/Northwestern Avenue Reconstruction Project, ID
2290-17-00/20. (Res. No. 13-0182)

**Recommendation of the Public Works and Services Committee on
4-30-13:** That the Mayor and City Clerk be authorized and directed to
enter into a professional services agreement with Southern Wisconsin
Appraisal for Contract 34-13 (K3-039), Professional Services - Real
Estate Appraisal Services, in the not-to-exceed amount of \$98,975.00.

Fiscal Note: Funds to defray the cost of these professional services be appropriated from Account 930.001.5810, DOT-Northwestern-MMRL to Golf. WisDOT will reimburse 100% of the expenses for the necessary appraisals.

[13-8563](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works submitting a draft of the Adopt-A-Streetlight Program. (Res. No. 13-0055)

Recommendation of the Public Works and Services Committee on 1-29-13: That the Adopt-A-Streetlight Program be approved.

Fiscal Note: Residents will be required to pay the annual WE Energies lease cost for any street or alley light they are sponsoring plus a \$15 administrative fee.

Recommendation of the Public Works and Services Committee on 2-12-13 and 4-9-13: Defer

Recommendation of the Public Works and Services Committee on 4-30-13: That the Adopt-A-Streetlight Program be denied.

[13-8811](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer submitting Amendment No. 1 to State Project ID: 2350-00-00, Hamilton Street/Douglas Avenue (STH 32) - Main Street to Goold Street (K2-011), Graef-USA, Inc., consultant. (Res. No. 13-0193)

Recommendation of the Public Works and Services Committee on 4-30-13: That Amendment No. 1 on the three-party contract between the State of Wisconsin, City of Racine and Graef-USA, Inc., State Contract ID: 2350-00-00, Hamilton Street/Douglas Avenue (STH 32) - Main Street to Goold Street, be approved that will provide a time extension until January 15, 2015 to complete this contract.

Fiscal Note: There will be no change in contract price as a result of this change order.

[13-8820](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations requesting to review the janitorial bids that were awarded under Resolution 13-0106, dated March 5, 2013.

Recommendation of the Public Works and Services Committee on 4-9-13: Defer

Recommendation of the Public Works and Services Committee on 4-30-13: That the communication be received and filed.

Fiscal Note: N/A

[13-8825](#)

Subject: Communication from Fourth Fest of Greater Racine, Inc. requesting permission to use the Walker site to park cars on Thursday night, July 4, 2013, for the annual fireworks show. (Res. No. 13-0181)

Recommendation of the Public Works and Services Committee on 4-30-13: That permission be granted to Fourth Fest of Greater Racine, Inc. to use the Walker Site on Thursday, July 4, 2013, with a rain date of Friday, July 5, 2013, for parking of vehicles in conjunction with the Fourth of July fireworks display.

Fiscal Note: N/A

[13-8828](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works submitting two policies for the placement of street lights for WE Energies and the City of Racine. (Res. No. 13-0184)

Recommendation of the Public Works and Services Committee on 4-9-13: Defer

Recommendation of the Public Works and Services Committee on 4-30-13: That the policy for the placement of street lights by WE Energies be approved.

Further recommends that the policy for the placement of street lights by the City of Racine be denied.

Fiscal Note: Implementation of the WE Energies street light placement policy will result in approximately \$90,000 annual savings for the City of Racine.

[13-8829](#)

Subject: (Direct Referral) Communication from Robert Mason, 1830 Woodland Avenue, wishing to discuss the policy and procedures for notification of code violations. (Res. No. 13-0167)

Recommendation of the Public Works and Services Committee on 4-9-13: That the policies and procedures for notification of code violations be amended to include the occupant as well as the property owner in violation notifications.

Recommendation of the Public Works and Services Committee on 4-30-13: That the communication be received and file.

Fiscal Note: N/A

[13-8831](#)

Subject: Communication from the Alderman of the 9th District requesting a preliminary resolution for portland cement concrete paving on the alley bounded by Kinzie Ave. to Lindermann Ave.; Hayes Ave. to Grove Ave. (Res. No. 13-0183)

Recommendation of the Public Works and Services Committee on

4-30-13: That the prayer of the petitioner be granted and that a preliminary resolution be introduced for the paving of the alley bounded by Kinzie Avenue to Lindermann Avenue; Hayes Avenue to Grove Avenue.

Fiscal Note: This is an assessable alley project and, therefore, all costs will be paid for by the abutting property owners.

[13-8841](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer submitting a revised State/Municipal Agreement for reconstructing Ohio Street - 16th Street to Washington Avenue (STH 20), State Project ID: 2704-00-03/23/73/74. (Res. No. 13-0194)

Recommendation of the Public Works and Services Committee on

4-30-13: That Amendment No. 2 on the three-party contract between the State of Wisconsin, City of Racine and Clark Dietz, Inc., State Contract ID: 2704-00-03/23/73/74, Ohio Street, 16th Street to Washington Avenue (STH 20), be approved in the amount of \$65,400.00, with the City's share being \$65,400.00.

Fiscal Note: Funding to defray the cost of the City's share of these professional services be included in the 2014 budget.

[13-8844](#)

Subject: Communication from David Popoff requesting permission to close the 300 block of Hamilton Street on June 23, 2013 for the 8th Annual Eagle's Club/George's Tavern Classic Car Show. (Res. No. 13-0179)

Recommendation of the Public Works and Services Committee on

4-30-13: That George's Tavern be granted permission to close Hamilton Street from Main Street to Chatham Street and Chatham Street from Hamilton Street to Dodge Street on Sunday, June 23, 2013, from 12:00 p.m. to 7:00 p.m., in conjunction with the 8th Annual Eagle's Club/George's Tavern Classic Car Show to benefit the Eagle's Charity - Lew Reed Spinal Injury Cord Fund, 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. No alcoholic beverages will be sold and/or dispensed within the street right-of-way; and
- F. The sponsor shall pay a \$300.00 special event fee.

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 various city departments, on a regular shift basis, to assist in implementing this event.

[13-8845](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works submitting bid results on Contract 21-13 (K3-021), CCTV Services and Manhole Inspections. (Res. No. 13-0185)

Recommendation of the Public Works and Services Committee on 4-30-13: That Contract 21-13 (K3-021), CCTV Services and Manhole Inspections, be awarded to Visu-Sewer, Inc., Pewaukee, WI, at their bid price of \$324,555.80, they being the lowest responsible bidder.

Fiscal Note: Funding to defray the cost of this public works project be appropriated from the following accounts:

\$ 124,250.85 - Account 287.993.5310, Sanitary Sewers, Var. Loc.
\$ 200,304.95 - Account 104.993.5420, Storm Sewers, Misc. Loc.
\$ 324,555.80 - Total

[13-8846](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works submitting bid results on Contract 22-13 (K3-022), 2013 Sanitary Sewer Relay (R1). (Res. No. 13-0186)

Recommendation of the Public Works and Services Committee on 4-30-13: That Contract 22-13 (K3-022), 2013 Sanitary Sewer Relay (R1), be awarded to Willkomm Excavating & Grading, Union Grove, WI, at their bid price of \$706,167.00, they being the lowest responsible bidder.

Fiscal Note: Funding to defray the cost of this public works project be appropriated from Account 914.000.5050, Sanitary Improvements.

[13-8847](#)

Subject: (Direct Referral) Communication from the Commissioner of

Public Works submitting bid results on Contract 24-13 (K3-024), 2013 CDBG Asphalt. (Res. No. 13-0187)

Recommendation of the Public Works and Services Committee on 4-30-13: That Contract 24-13 (K3-024), 2013 CDBG Asphalt, be awarded to Payne & Dolan, Inc., Kenosha, WI, at their bid price of \$928,384.95, they being the lowest responsible bidder.

Fiscal Note: Funding to defray the cost of this public works project be appropriated from the following accounts:

\$ 344,984.95 - Account 993.908.5220, Asphalt Resurfacing
\$ 380,000.00 - Account 893.030.5540, Asphalt Resurfacing CDBG
\$ 69,000.00 - Account 104.993.5420, Storm Sewer, Misc. Loc.
\$ 130,000.00 - Account 287.993.5310, Sanitary Sewer, Var. Loc.
\$ 4,400.00 - Account 993.600.5010, Traffic Signal Replacements
\$ 928,384.95 - Total

[13-8853](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works submitting bid results on Contract 25-13 (K3-025), 2013 City Resurfacing (R1).(Res. No. 13-0188)

Recommendation of the Public Works and Services Committee on 4-30-13: That Contract 25-13 (K3-025), 2013 City Resurfacing (R1), be awarded to Stark Asphalt, Milwaukee, WI, at their bid price of \$501,437.51, they being the lowest responsible bidder.

Fiscal Note: Funding to defray the cost of this public works project be appropriated from the following accounts:

\$ 69,000.00 - Account 906.000.5210, Bituminous Concrete Paving
\$ 208,000.00 - Account 993.908.5220, Asphalt Resurfacing
\$ 29,000.00 - Account 104.993.5420, Storm Sewer, Misc. Loc.
\$ 195,437.51 - Account 287.993.5310, Sanitary Sewer, Var. Loc.
\$ 501,437.51 - Total

[13-8877](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting proposals for Contract 30-13 (K3-033), Professional Services - Design Festival Hall and Parks Administration AC Replacement. (Res. No. 13-0189)

Recommendation of the Public Works and Services Committee on 4-30-13: That the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with Arnold & O'Sheridan for Contract 30-13 (K3-033), Professional Services - Design Festival Hall and Parks Administration AC Replacement, in the not-to-exceed amount of \$8,500.00.

Fiscal Note: Funds to defray the cost of these professional services be appropriated from the following accounts:

\$ 3,750.00 - Account 108.993.5020, Festival Hall Green Room HVAC
\$ 4,750.00 - Account 993.200.5020, Annex-Parks AC Replacement
\$ 8,500.00 - Total

[13-8878](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting proposals for Contract 31-13 (K3-034), Professional Services - Design City Hall Annex and Tyler-Domer Center Boiler Replacement. (Res. No. 13-0190)

Recommendation of the Public Works and Services Committee on 4-30-13: That the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with Graef-USA, Inc. for Contract 31-13 (K3-034), Professional Services - Design City Hall Annex, Fire Station No. 5, Former Fire Station No. 5, and Tyler-Domer Center Boiler Replacements, in the not-to-exceed amount of \$46,200.00.

Fiscal Note: Funds to defray the cost of these professional services be appropriated from the following accounts:

\$ 27,700.00 - Account 993.200.5030, Annex Boiler Replacement
\$ 12,000.00 - Account 993.670.5010, Tyler-Domer Boiler Replacement
\$ 2,500.00 - Account 993.404.5010, Marquette Pre-Apprenticeship Boiler
\$ 4,000.00 - Account 993.300.5010, Fire Station 5 HVAC
\$ 46,200.00 - Total

[13-8879](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting proposals for Contract 32-13 (K3-035), Professional Services - Design City Hall Chiller Replacement. (Res. No. 13-0191)

Recommendation of the Public Works and Services Committee on 4-30-13: That the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with Angus Young Associates for Contract 32-13 (K3-035), Professional Services - Design City Hall Chiller Replacement, in the not-to-exceed amount of \$20,850.00.

Fiscal Note: Funds to defray the cost of these professional services be appropriated from the following accounts:

\$ 14,600.00 - Account 993.100.5040, City Hall Chiller Replacement

\$ 6,250.00 - Account 993.220.5020, Central Heating Plant Steam Pipes
\$ 20,850.00 - Total

13-8881

Subject: Resolution 13-0176, created April 15, 2013, relating to street improvements on:

PORTLAND CEMENT CONCRETE PAVING

Jonathon Drive - North Main Street to the Cul-de-sac
Lighthouse Drive - Steeplechase Drive to Queens Court
Michigan Boulevard - Lombard Avenue to Melvin Avenue
North Bay Drive - Sheffield Drive to the Cul-de-sac
North Bay Drive - Saxony Drive to Sheffield Drive
Riverside Drive - Clayton Avenue to Cedar Bend Avenue
Ruby Avenue - Lombard Avenue to Melvin Avenue
Sheffield Drive - Lighthouse Drive to North Bay Drive

SEWER & WATER

Lighthouse Drive - Steeplechase Drive to Queens Court
Riverside Drive - Clayton Avenue to Cedar Bend Avenue

Recommendation of the Public Works and Services Committee on 4-30-13: That Resolution No. 13-0176, of April 15, 2013, be amended to delete:

PORTLAND CEMENT CONCRETE PAVING

Jonathon Drive - North Main Street to the Cul-de-sac
Michigan Boulevard - Lombard Avenue to Melvin Avenue
North Bay Drive - Sheffield Drive to the Cul-de-sac
Riverside Drive - Clayton Avenue to Cedar Bend Avenue
Sheffield Drive - Lighthouse Drive to North Bay Drive

SEWER & WATER

Riverside Drive - Clayton Avenue to Cedar Bend Avenue

and, as amended , Resolution No. 13-0176, of April 15, 2013, be adopted.

Fiscal Note: Funds will be appropriated in the 2014 C.I.P. for these street improvements, and special assessments will be paid by the abutting property owners for the street improvements.

13-8882

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting a request to enter into a new State of Wisconsin agreement with AT&T for Centrex telephone service. (Res. No. 13-0192)

Recommendation of the Public Works and Services Committee on 4-30-13: That the Commissioner of Public Works/City Engineer be authorized and directed to enter into a 5-year agreement with AT&T for Centrex phone service to serve approximately 190 phone lines at remote City sites.

Fiscal Note: N/A

13-8893

Subject: (Direct Referral) Communication from the Rotary Post Prom Committee of the Downtown Rotary Club, for street closures, use of parking lot 4 and rental of Civic Center Ramps in conjunction with Post Prom 2013. (Res. No. 13-0180)

Recommendation of the Public Works and Services Committee on 4-30-13: That the request of the Rotary Post Prom Committee of the Downtown Rotary Club, to close:

Fifth Street, from Lake Avenue to Festival Park Drive,
Festival Park Drive, from Fifth Street to Sixth Street,
Sixth Street, from Festival Park Drive to Pershing Park Drive,
Pershing Park Drive, from Sixth Street to Eleventh Street, and
Eleventh Street from Pershing Park Drive to Main Street,

from 7:00 p.m., Saturday, May 18, 2013, to 4:30 a.m., Sunday, May 19, 2013, for the Rotary Post Prom, be approved.

Further resolved, that permission be granted with the following stipulations:

- A. A hold harmless agreement be executed and a \$75.00 processing fee paid;
- B. Proof of liability insurance be filed prior to the event;
- C. The setup and dismantling of barricades will be the responsibility of the sponsor;
- D. Any overtime and/or equipment and material loss will be charged to the sponsor;
- E. Sponsor shall pay a \$450.00 special event fee.
- F. Sponsor shall pay \$818.00 for use of the Civic Centre Parking Ramp.

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.

Further recommends that the request to use Lakefront Lot No. 4 and the Civic Centre Ramp for event goes from 9:00 p.m. on May 18, 2013 to 4:00 a.m. on May 19, 2013, in conjunction with the event.

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

Public Safety and Licensing Committee Report, by Ald. Holding[13-8837](#)

Subject: (New) Application of Apple Hospitality Group, LLC, Timothy Geniesse, Agent for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 2521 S. Green Bay Road. (14th District)

Recommendation of the Public Safety and Licensing Committee on 4/22/13: That the (New) Application of Apple Hospitality Group, LLC, Timothy Geniesse, Agent for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 2521 S. Green Bay Road be approved.

Fiscal Note: N/A

[13-8851](#)

Subject: Communication from the Alderman of the 4th District on behalf of Michael J. Moody requesting to allow legal conceal carry in City Hall by citizens.

Recommendation of the Public Safety and Licensing Committee on 4/22/13: That the item be received and filed.

Fiscal Note: N/A

Traffic Commission Report, by Ald. Weidner[13-8798](#)

Subject: (Direct Referral) Communication from Sgt. Brian Neubauer requesting parking restriction changes at McKinley Middle School (2340 Mohr Avenue).

Recommendation of the Traffic Commission on 04-15-13: "No stopping, standing or parking from 7:30 A.M. to 4:30 P.M. on any school day except for school buses" restrictions on Mohr Avenue, north side, from Chicago Street west 550 feet; be changed to "No Parking, Loading Zone from 7:30 A.M. to 4:30 P.M. on any school day".

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

Transit and Parking Commission Report, by Ald. DeHahn[13-8777](#)

Subject: Communication from the Monument Square Art Festival Board of Directors requesting permission to rent Lakefront Lot No. 5 for the Monument Square Art Festival on Saturday, June 1, 2013 and Sunday, June 2, 2013 to provide parking for the participating artists. (Res. No. 13-0198)

Recommendation of the Transit and Parking Commission on

04-24-13: The Monument Square Art Festival Board be granted permission to lease Lakefront Lot No. 5 on Saturday, June 1, 2013 and Sunday, June 2, 2013. Permission is subject to payment of the lease costs for the parking lot in accordance with existing policies and subject to the execution of a hold harmless agreement with the City that will require a \$75.00 processing fee.

Fiscal Note: The agreement will generate \$280 per day for the two days for a total of \$560.00 for the Parking System.

[13-8856](#)

Subject: (Direct Referral) Communication from the Transit and Parking System Manager requesting to speak on a funding opportunity to replace the BUS DART vans. (Res. No. 13-0196)

Recommendation of the Transit and Parking Commission on

04-24-13: Recommend the Common Council authorize submitting an application for a Federal Congestion Mitigation Air Quality (CMAQ) grant to purchase alternative fuel replacement paratransit vans and related infrastructure costs.

Fiscal Note: Total local share (20%) funding of up to \$200,000 for up to 10 vans, and \$90,000 for a satellite transfer facility, which could possibly also store the vans, has been programmed in the Capital Improvements Program.

[13-8857](#)

Subject: (Direct Referral) Communication from the Transit and Parking System Manager wishing to review the Request for Proposals for combined Parking Revenue equipment acquisition and related Parking Management contract to maintain and provide audited cash management services for select parking ramps, Lakefront Lot No.5, and possibly Festival Hall and the Boat Launch parking. (Res. No. 13-0199)

Recommendation of the Transit and Parking Commission on

04-24-13: Approval to issue a Request for Proposal (RFP).

Fiscal Note: Funding for equipment replacement is included in the self-sufficient Parking Utility Fund.

[13-8860](#)

Subject: (Direct Referral) Communication from the Transit and Parking System Manager requesting authorization to discontinue the sales of tokens to bulk customers and replace them with an "all-day" pass priced at \$3.25. (Res. No. 13-0197)

Recommendation of the Transit and Parking Commission on

04-24-13: Recommend the Common Council concur with a Transit

Commission Policy of no longer using vending bus tokens and establishing a six-month period for token buy back. Tokens are to be replaced with "Smart" electronic fare media capabilities already on site.

Fiscal Note: The City's tax levy contribution remains unchanged.

City Plan Commission Report, by Ald. Wiser

[13-8827](#)

Subject: (Direct Referral) Request by Paul Patterson representing Wisconsin Lutheran School for a conditional use permit related to a Flex Development District at 718 Grand Avenue for a school expansion. (Res. No. 13-0201)

Recommendation of the City Plan Commission on 4-10-13: That the item be approved subject to conditions.

Fiscal Note: N/A

[13-8862](#)

Subject: (Direct Referral) Use supplement for a Flex Development at 718 Grand Avenue for a school expansion. (Res. No. 13-0200)

Recommendation of the City Plan Commission on 4-24-13: That a use supplement be approved, subject to conditions.

Fiscal Note: N/A

[13-8863](#)

Subject: (Direct Referral) Request by Penny Stohkirch seeking a conditional use approval to operate an artisan studio with retail sales and artistic instruction at 200 Dodge Street. (PC-13) (Res. No. 13-0203)

Recommendation of the City Plan Commission on 4-24-13: That the item be approved subject to conditions.

Fiscal Note: N/A

[13-8864](#)

Subject: (Direct Referral) Request by Racine Urban Garden Network (RUGN) seeking a conditional use approval at 2423-2429 Jacato Drive to accommodate community gardens. (PC-13) (Res. No. 13-0202)

Recommendation of the City Plan Commission on 4-24-13: That the item be approved subject to conditions.

Fiscal Note: N/A

[13-8888](#)

Subject: (ZOrd.002-13) An ordinance rezoning 718 Grand Avenue.

Recommendation of the City Plan Commission on 4-24-13: That the ordinance be adopted.

Fiscal Note: N/A

Office of the Mayor Report, by Ald. McCarthy.

13-8915

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

Reappoint Alderman Ray DeHahn 2706 Diane Ave Racine, 53404 to the Affirmative Action Human Rights Commission for a 1 year term expiring May 1, 2014

Reappoint Alderman James Kalpan 400 Kewaunee St. Racine, 53402 to the Affirmative Action Human Rights Commission for a 1 year term expiring May 1, 2014

Reappoint Mary Wyant 465 Melvin Ave Racine, 53402 to the Board of Ethics for a 6 year term, expiring May 1, 2019

Reappoint Kiana Johnson 1722 Center St. Racine, WI 53403 to the Board of Parks, Recreation and Cultural Services for a 1 year term, expiring April 1, 2014

Reappoint Alderman James Morgenroth 1500 Monroe Ave Racine, 53405 to the Board of Standards for a 1 year term, expiring May 1, 2014

Reappoint Melvin Hargrove 4144 LaSalle St. Racine, 53402 to the City Plan Commission for a 3 year term, expiring May 1, 2016

Reappoint Alderman Dennis Wiser 2517 Pinehurst Ave. Racine, 53403 to the City Plan Commission for a 1 year term, expiring May 1, 2014

Appoint Alderman Jeff Coe 1044 Villa St. Racine, 53403 to the Downtown Area Design Review Commission for a permanent term.

Reappoint Alderwoman Krystyna Sarrazin 1753 College Ave Racine, 53403 to the Landmarks Preservation Commission for a 1 year term, expiring May 1, 2014

Appoint Alderwoman Krystyna Sarrazin 1753 College Ave Racine, 53403 to the Board of Parks, Recreation and Cultural Services for a 1 year term, expiring May 1, 2014

Reappoint Alderwoman Krystyna Sarrazin 1753 College Ave Racine,

53403 to the Civic Centre Commission for a 1 year term, expiring May 1, 2014

Reappoint John Monefeldt 932 Russet St. Racine, 53405 to the Landmarks Preservation Commission for a 3 year term, expiring May 1, 2016

Reappoint Alderman Dennis Wiser 2517 Pinehurst Ave. Racine, 53403 to the Loan Board of Review for a 1 year term, expiring May 1, 2014

Reappoint Charles French 1412 N. Wisconsin Ave Racine, 53402 to the Traffic Commission for a 3 year expiring May 1, 2016

Reappoint Alderwoman Sandra Weidner 2310 Thor Ave Racine 53405 to the Traffic Commission for a 1 year term, expiring May 1, 2014

Reappoint Alderwoman Sandra Weidner 2310 Thor Ave Racine 53405 to the Community Development Committee for a 1 year term, expiring May 1, 2014

Reappoint Alderman James Kalpan 400 Kewaunee St. Racine, 53402 to the Community Development Committee for a 1 year term expiring May 1, 2014

Reappoint Alderman Greg Holding 2001 Thurston Ave. Racine, 53403 to the Community Development Committee for a 1 year term expiring May 1, 2014

Reappoint Alderman Terry McCarthy 317 West Blvd. Racine, 53405 to the Community Development Committee for a 1 year term expiring May 1, 2014

Reappoint Alderman Q.A. Shakoor II 1516 W. 6th St. Racine 53404 to the Community Development Committee for a 1 year term expiring May 1, 2014

Appoint Alderman Henry Perez 1017 Kentucky St. Racine, 53405 to the Community Development Committee for a 1 year term, expiring May, 2014

Appoint Vera Burns 2608 Diane Ave. Racine, 53404 to Affirmative Action Human Rights Commission for a 3 year term, expiring May, 2016

Reappoint Alderman Ray DeHahn 2706 Diane Ave Racine, 53404 to the Cable Television Commission for a 1 year term expiring May 1, 2014

Reappoint Alderman Ron Hart 4420 Republic Ave Racine, 53405 to the

Cable Television Commission for a 1 year term expiring May 1, 2014

Reappoint Kimberly Kane 1135 S. Main St Racine, 53403 to the Cable Television Commission for a 3 year term expiring May 1, 2016

Reappoint Mary Jerger 2900 Wisconsin Ave Racine, 53402 to the Cable Television Commission for a 3 year term expiring May 1, 2016

Reappoint Doug Davis 815 8th St. Racine, 53403 to the Cable Television Commission for a 3 year term expiring May 1, 2016

Water Works Committee Report, by Ald Hart

[13-8883](#)

Subject: Approval of Developer Agreement for Primrose Retirement Community in Mt. Pleasant

Recommendation of the Racine Waterworks Commission on 4/30/13: To approve

FURTHER RECOMMEND THAT THIS ITEM BE REFERRED TO THE FINANCE AND PERSONNEL COMMITTEE FOR APPROVAL WITH A RECOMMENDATION THAT THE MAYOR AND CITY CLERK BE AUTHORIZED TO ENTER INTO THE AGREEMENT IN ACCORDANCE WITH CITY ORDINANCE FOR SUCH MATTERS

Fiscal Note: N/A

Wastewater Commission Report, by Ald Hart

[13-8886](#)

Subject: Communication from Asset Recyclers Wishing to Collect E-Waste at Household Hazardous Waste Collections

Recommendation of the Racine Wastewater Utility on 4/30/13: To approve

FURTHER RECOMMENDS THAT THIS ITEM BE REFERRED TO THE FINANCE AND PERSONNEL COMMITTEE FOR APPROVAL

Fiscal Note: N/A

[13-8890](#)

Subject: Mt. Pleasant Interceptor Sewer Transmission Assignment and Assumption Agreement

Recommendation of the Racine Wastewater Utility on 4/30/13: To approve

FURTHER RECOMMENDS THAT THIS ITEM BE REFERRED TO THE FINANCE AND PERSONNEL COMMITTEE FOR APPROVAL WITH A RECOMMENDATION THAT THE MAYOR AND CITY CLERK BE AUTHORIZED TO ENTER INTO THE AGREEMENT IN ACCORDANCE WITH CITY ORDINANCE FOR SUCH MATTERS

Fiscal Note: N/A

[13-8891](#)

Subject: Mt. Pleasant Interceptor Sewer Transmission Agreement First Amendment

Recommendation of the Racine Wastewater Utility on 4/30/13: To approve

FURTHER RECOMMENDS TO REFER TO THE FINANCE AND PERSONNEL COMMITTEE FOR APPROVAL WITH A RECOMMENDATION THAT THE MAYOR AND CITY CLERK BE AUTHORIZED TO ENTER INTO THE AGREEMENT IN ACCORDANCE WITH CITY ORDINANCE FOR SUCH MATTERS

Fiscal Note: N/A

[13-8892](#)

Subject: Amend Section 98-149 of the Municipal Code of the City of Racine (Ord. 08-13)

Recommendation of the Racine Wastewater Utility on 4/30/13: That the Ordinance be adopted

FURTHER RECOMMENDS THAT THIS ITEM BE REFERRED TO THE FINANCE AND PERSONNEL COMMITTEE FOR APPROVAL

Fiscal Note: N/A

H. Consent Agenda - Resolutions

[Res.13-0178](#)

Adult Exercise Equipment Along Lake Michigan & Root River Pathways

Resolved, that permission is granted for the Director of Parks, Recreation & Cultural Services to apply for the DNR Stewardship Grant to add adult exercise equipment along the Lake Michigan & Root River pathways. (Grant Control #2013-011)

Fiscal Note: \$45,000.00 is being requested. A 50% match is required. The match fund budget is in account 993.700.5280, Exercise Play Equipment at Dodge Park.

Sponsors: Q.A. Shakoor, II

Res.13-0179 8th Annual Eagle's Club / George's Tavern Classic Car Show

Resolved, that George's Tavern is granted permission to close Hamilton Street from Main Street to Chatham Street and Chatham Street from Hamilton Street to Dodge Street on Sunday, June 23, 2013, from 12:00 p.m. to 7:00 p.m., in conjunction with the 8th Annual Eagle's Club / George's Tavern Classic Car Show to benefit the Eagle's Charity - Lew Reed Spinal Injury Cord Fund, 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. No alcoholic beverages will be sold and/or dispensed within the street right-of-way; and
- F. The sponsor shall pay a \$300.00 special event fee.

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 various City departments, on a regular shift basis, to assist in implementing this event.

Sponsors: Sandy Weidner

Res.13-0180 Rotary Post Prom 2013 Street Closures, Use of Parking Lot 4 and Rental of Civic Center Ramps

Resolved, that the request of the Rotary Post Prom Committee of the Downtown Rotary Club, to close:

Fifth Street, from Lake Avenue to Festival Park Drive,
Festival Park Drive, from Fifth Street to Sixth Street,
Sixth Street, from Festival Park Drive to Pershing Park Drive,
Pershing Park Drive, from Sixth Street to Eleventh Street, and
Eleventh Street from Pershing Park Drive to Main Street

from 7:00 p.m., Saturday, May 18, 2013, to 4:30 a.m., Sunday, May 19,

2013, for the Rotary Post Prom, is approved.

Further resolved, that permission is granted with the following stipulations:

- A. A hold harmless agreement be executed and a \$75.00 processing fee paid;
- B. Proof of liability insurance be filed prior to the event;
- C. The setup and dismantling of barricades will be the responsibility of the sponsor;
- D. Any overtime and/or equipment and material loss will be charged to the sponsor;
- E. Sponsor shall pay a \$450.00 special event fee.
- F. Sponsor shall pay \$818.00 for use of the Civic Centre Parking Ramp.

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.

Further resolved, that the request to use Lakefront Lot No. 4 and the Civic Centre Ramp for event goes from 9:00 p.m. on May 18, 2013 to 4:00 a.m. on May 19, 2013, in conjunction with the event is approved.

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

Sponsors: Sandy Weidner

Res.13-0181 Walker Site to Park Cars for Annual Fireworks Show - 2013

Resolved, that permission is granted to Fourth Fest of Greater Racine, Inc. to use the Walker Site on Thursday, July 4, 2013, with a rain date of Friday, July 5, 2013, for parking of vehicles in conjunction with the Fourth of July fireworks display.

Fiscal Note: N/A

Sponsors: Sandy Weidner

Res.13-0182 Contract for Real Estate Appraisal Services

Resolved, that the Mayor and City Clerk are authorized and directed to enter into a professional services agreement, under WisDOT and Federal requirements, with Southern Wisconsin Appraisal for Contract

34-13 (K3-039), Professional Services - Real Estate Appraisal Services, as part of STH 38 / Northwestern Avenue Reconstruction Project, ID 2290-17-00/20, in the not-to-exceed amount of \$98,975.00.

Fiscal Note: Funds to defray the cost of these professional services be appropriated from Account 930.001.5810, DOT-Northwestern-MMRL to Golf. WisDOT will reimburse 100% of the expenses for the necessary appraisals.

Sponsors: Sandy Weidner

Res.13-0183 Preliminary - Ten (10) Year
Benefits and Damages

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

1. The Common Council hereby declares its intention to exercise its power under § 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

Alley bounded by Kinzie Ave. to Lindermann Ave.; Hayes Ave. to Grove Ave.

2. Said public improvement shall consist of **PORTLAND CEMENT CONCRETE PAVING**.

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 on 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 § 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 § 66.0703 (7)(a), Wisconsin Statutes.

Fiscal Note: This is an assessable alley project and therefore, all costs will be paid for by the abutting property owners.

Sponsors: Sandy Weidner

Res.13-0185 Contract 21-13 (K3-021) - CCTV Services and Manhole Inspections

Resolved, that Contract 21-13 (K3-021), CCTV Services and Manhole Inspections, is awarded to Visu-Sewer, Inc., Pewaukee, WI, at their bid price of \$324,555.80, they being the lowest responsible bidder.

Fiscal Note: Funding to defray the cost of this public works project be appropriated from the following accounts:

\$124,250.85 - Account 287.993.5310, Sanitary Sewers, Var. Loc.
\$200,304.95 - Account 104.993.5420, Storm Sewers, Misc. Loc.
\$324,555.80 - Total

Sponsors: Sandy Weidner

Res.13-0186 Contract 22-13 (K3-022) - 2013 Sanitary Sewer Relay (R1)

Resolved, that Contract 22-13 (K3-022), 2013 Sanitary Sewer Relay (R1), is awarded to Willkomm Excavating & Grading, Union Grove, WI, at their bid price of \$706,167.00, they being the lowest responsible

bidder.

Fiscal Note: Funding to defray the cost of this public works project be appropriated from Account 914.000.5050, Sanitary Improvements.

Sponsors: Sandy Weidner

Res.13-0187 Contract 24-13 (K3-024) - 2013 CDBG Asphalt

Resolved, that Contract 24-13 (K3-024), 2013 CDBG Asphalt, is awarded to Payne & Dolan, Inc., Kenosha, WI, at their bid price of \$928,384.95, they being the lowest responsible bidder.

Fiscal Note: Funding to defray the cost of this public works project be appropriated from the following accounts:

\$344,984.95 - Account 993.908.5220, Asphalt Resurfacing
\$380,000.00 - Account 893.030.5540, Asphalt Resurfacing CDBG
\$ 69,000.00 - Account 104.993.5420, Storm Sewer, Misc. Loc.
\$130,000.00 - Account 287.993.5310, Sanitary Sewer, Var. Loc.
\$ 4,400.00 - Account 993.600.5010, Traffic Signal Replacements
\$928,384.95 - Total

Sponsors: Sandy Weidner

Res.13-0188 Contract 25-13 (K3-025) - 2013 City Resurfacing (R1)

Resolved, that Contract 25-13 (K3-025), 2013 City Resurfacing (R1), is awarded to Stark Asphalt, Milwaukee, WI, at their bid price of \$501,437.51, they being the lowest responsible bidder.

Fiscal Note: Funding to defray the cost of this public works project be appropriated from the following accounts:

\$ 69,000.00 - Account 906.000.5210, Bituminous Concrete Paving
\$208,000.00 - Account 993.908.5220, Asphalt Resurfacing
\$ 29,000.00 - Account 104.993.5420, Storm Sewer, Misc. Loc.
\$195,437.51 - Account 287.993.5310, Sanitary Sewer, Var. Loc.
\$501,437.51 - Total

Sponsors: Sandy Weidner

Res.13-0189 Contract 30-13 (K3-033) - Professional Services - Design Festival Hall and Parks Administration AC Replacement

Resolved, that the Mayor and City Clerk are authorized and directed to enter into a professional services agreement with Arnold & O'Sheridan for Contract 30-13 (K3-033), Professional Services - Design Festival Hall and Parks Administration AC Replacement, in the not-to-exceed amount of \$8,500.00.

Fiscal Note: Funds to defray the cost of these professional services be appropriated from the following accounts:

\$3,750.00 - Account 108.993.5020, Festival Hall Green Room HVAC

\$4,750.00 - Account 993.200.5020, Annex-Parks AC Replacement

\$8,500.00 - Total

Sponsors: Sandy Weidner

Res.13-0190 Contract 31-13 (K3-034) - Professional Services - Design City Hall Annex, Fire Station No. 5, Former Fire Station No. 5, and Tyler-Domer Center Boiler Replacement

Resolved, that the Mayor and City Clerk are authorized and directed to enter into a professional services agreement with Graef-USA, Inc. for Contract 31-13 (K3-034), Professional Services - Design City Hall Annex, Fire Station No. 5, Former Fire Station No. 5, and Tyler-Domer Center Boiler Replacement, in the not-to-exceed amount of \$46,200.00.

Fiscal Note: Funds to defray the cost of these professional services be appropriated from the following accounts:

\$27,700.00 - Account 993.200.5030, Annex Boiler Replacement

\$12,000.00 - Account 993.670.5010, Tyler-Domer Boiler Replacement

\$ 2,500.00 - Account 993.404.5010, Marquette Pre-Apprenticeship Boiler

\$ 4,000.00 - Account 993.300.5010, Fire Station 5 HVAC

\$46,200.00 - Total

Sponsors: Sandy Weidner

Res.13-0191 Contract 32-13 (K3-035) - Professional Services - Design City Hall Chiller Replacement

Resolved, that the Mayor and City Clerk are authorized and directed to enter into a professional services agreement with Angus Young Associates for Contract 32-13 (K3-035), Professional Services - Design City Hall Chiller Replacement, in the not-to-exceed amount of \$20,850.00.

Fiscal Note: Funds to defray the cost of these professional services be appropriated from the following accounts:

\$14,600.00 - Account 993.100.5040, City Hall Chiller Replacement

\$ 6,250.00 - Account 993.220.5020, Central Heating Plant Steam Pipes

\$20,850.00 - Total

Sponsors: Sandy Weidner

Res.13-0192 State of Wisconsin Agreement with AT&T for Centrex Telephone Service

Resolved, that the Commissioner of Public Works / City Engineer are authorized and directed to enter into a 5-year agreement with AT&T for Centrex phone service to serve approximately 190 phone lines at remote City sites.

Fiscal Note: N/A

Sponsors: Sandy Weidner

Res.13-0193 Amendment No. 1 to State Project ID: 2350-00-00, Hamilton Street / Douglas Avenue (STH 32) - Main Street to Goold Street (K2-011)

Resolved, that Amendment No. 1 on the three-party contract between the State of Wisconsin, City of Racine and Graef-USA, Inc., State Contract ID: 2350-00-00, Hamilton Street / Douglas Avenue (STH 32) - Main Street to Goold Street, is approved that will provide a time extension until January 15, 2015 to complete this contract.

Fiscal Note: There will be no change in contract price as a result of this change order.

Sponsors: Sandy Weidner

Res.13-0194 Revised State / Municipal Agreement for Reconstructing Ohio Street - 16th Street to Washington Avenue (STH 20), State Project ID: 2704-00-03/23/73/74

Resolved, that Amendment No. 2 on the three-party contract between the State of Wisconsin, City of Racine and Clark Dietz, Inc., State Contract ID: 2704-00-03/23/73/74, Ohio Street, 16th Street to Washington Avenue (STH 20), is approved in the amount of \$65,400.00, with the City's share being \$65,400.00.

Fiscal Note: Funding to defray the cost of the City's share of these professional services be included in the 2014 budget.

Sponsors: Sandy Weidner

Res.13-0196 Funding to Replace the BUS DART Vans

Resolved, that the Common Council is authorized to submit an application for a Federal Congestion Mitigation Air Quality (CMAQ) grant to purchase alternative fuel replacement paratransit vans and related infrastructure costs.

Fiscal Note: Total local share (20%) funding of up to \$200,000.00 for up to 10 vans and \$90,000.00 for a satellite transfer facility, which could

possibly also store the vans, has been programmed in the Capital Improvements Program.

Sponsors: Raymond DeHahn

Res.13-0197 "All-Day" Pass

Resolved, that the Common Council concur with a Transit Commission Policy to discontinue the sales of tokens to bulk customers and replace them with an "all-day" pass priced at \$3.25 and establishing a six-month period for token buy back. Tokens are to be replaced with "Smart" electronic fare media capabilities already on site.

Fiscal Note: The City's tax levy contribution remains unchanged.

Sponsors: Raymond DeHahn

Res.13-0198 Rental of Lakefront Lot No. 5 for 2013 Monument Square Art Festival

Resolved, that the Monument Square Art Festival Board is granted permission to lease Lakefront Lot No. 5 on Saturday, June 1, 2013 and Sunday, June 2, 2013 to provide parking for the participating artists. Permission is subject to payment of the lease costs for the parking lot in accordance with existing policies and subject to the execution of a hold harmless agreement with the City that will require a \$75.00 processing fee.

Fiscal Note: The agreement will generate \$280.00 per day for the two days for a total of \$560.00 for the Parking System.

Sponsors: Raymond DeHahn

Res.13-0199 Parking Revenue Equipment Acquisition and Related Parking Management Contract

Resolved, that it is approved to issue a Request for Proposal (RFP) for combined parking revenue equipment acquisition and related parking management contract to maintain and provide audited cash management services for select parking ramps, Lakefront Lot No.5, and possibly Festival Hall and the Boat Launch parking.

Fiscal Note: Funding for equipment replacement is included in the self-sufficient Parking Utility Fund.

Sponsors: Raymond DeHahn

Res.13-0200 718 Grand Avenue

Resolved, that a use supplement is adopted by a resolution of the Common Council in association with a flex development overlay district at 718 Grand Avenue, subject to the following conditions:

- a. That all uses listed in the underlying "B-4" Central Business District are permissible by right or by conditional use permit unless otherwise specified herein.
- b. That all applicable permits are obtained from the Building Inspection Department.
- c. That the following flex uses are permitted as a conditional use by Ordinance No. ZOrd.002-13 in addition to those permitted in the "B-4" Central Business District: preschool, elementary school, middle school, business and professional offices, governmental offices, commercial or governmental recreation facilities.
- d. That the following uses shall be prohibited: adult entertainment, animal hospitals and kennels, automated car wash, automobile sales, boarding houses, cocktail lounges, community living arrangements, dry cleaning facilities other than garment pick up or drop off, family day care, funeral and cremation establishments, garden supply store, hardware stores, lodging houses, rooming houses, motor vehicle refueling stations, motor vehicle servicing and repair, packaged alcohol beverages sales, paint store, taverns.
- e. That all aspects of the flex uses and all other uses shall be contained on site.
- f. That the Chief Building Inspector or Director of City Development may impose additional conditions on a single or a 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.
- g. 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.
- h. That all applicable codes and ordinances be complied with and required permits acquired.
- i. 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.
- j. That this flex development is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

Sponsors: Dennis Wiser

Res.13-0201 718 Grand Avenue - Conditional Use Permit

Resolved, that the request by Paul Patterson representing Wisconsin Lutheran School for a conditional use permit related to a flex development district rezoning of the property at 718 Grand Avenue for a school expansion is approved, subject to the following conditions:

- a. That the plans presented to the Plan Commission on April 10, 2013 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 this activity shall take place only in the areas identified on the floor plan and site plan.
- d. That the hours of operation be from 6:30 a.m. to 5:30 p.m. Monday through Friday. Occasional special events and activities not disruptive to the neighborhood may operate beyond 5:30 p.m. or on weekends.
- e. That outdoor recess areas shall be kept in a neat and orderly appearance.
- f. That all trash and recyclables be stored in closed containers and screened from view.
- g. That all child drop off and pick up shall not create undue traffic or parking congestion in public streets.
- h. That all sign designs shall be presented to the Director of City Development for review and approval, and be professionally made.
- i. That prior to the issuance of an occupancy permit, the following shall be accomplished:
 1. Installation of wheels stops along sidewalk where parking spaces are directly adjacent.
 2. Installation of screening for all areas used for outside trash and recyclable storage.
- j. That all codes and ordinances are complied with and required permits acquired.

k. 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 without the approval of the Common Council.

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

Fiscal Note: N/A

Sponsors: Dennis Wisner

Res.13-0202 2423 - 2429 Jacato Drive - Community Garden

Resolved, that the request by the Racine Urban Garden Network (RUGN) for a conditional use permit to utilize 2423-2429 Jacato Drive as a community garden is approved, subject to the following conditions:

a. That the plans presented to the Plan Commission on April 24, 2013, are approved subject to the conditions contained herein.

b. That the garden shall be the responsibility of RUGN and individual plot users shall be subject to the stated conditions, as well as the terms of the Garden Lease agreement between the City of Racine and RUGN/Kenosha Community Action Agency.

c. That no outdoor storage of supplies, materials, or equipment shall be allowed.

d. That soil shall not be tilled closer than 4 feet from public sidewalks, alleys, streets, and adjoining privately owned property. Grass must be grown and maintained around the perimeter of the garden plot areas and along the street frontage, and shall be maintained in accordance with the ordinances of the City of Racine.

e. That the lessee is responsible to keep the site free of trash and debris at all times. This includes the area of the fence line along the east side of the property.

f. That any fences, screening, lattice work, compost bins, plant materials, etc. must be removed from the leased premises upon expiration of the lease unless prior written permission is received from the City of Racine.

g. That an 8'x8' shed may be allowed, and any necessary permits shall be acquired from the building inspection department prior to installation.

h. That any proposed changes to the COP house at 2437 Jacato Drive

shall require a separate review and any modifications, including movement of property lines, shall apply to the community garden layout.

i. 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.

j. That this permit is subject to Plan Commission review for compliance with the listed conditions, lease agreement, and guidelines and rules.

Fiscal Note: N/A

Sponsors: Dennis Wiser

Res.13-0203 Retail Arts and Craft Store

Resolved, that the request by Penny Stohkirch for a conditional use permit to operate a retail arts and crafts store with artistic instruction is approved, subject to the following conditions:

a. That the plans presented to the Plan Commission on April 24, 2013 are approved subject to the conditions contained herein.

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

c. That the hours of operation shall be 9:00 a.m. - 9:00 p.m., seven days a week.

d. That there be no outdoor storage allowed on the site.

e. That the parking lot shall be striped as proposed within 60 days of approval.

f. That the tenant and owner shall be responsible for site maintenance, including trash removal, keeping the site clear of debris, and maintenance of landscaping.

g. Signage is not approved with this plan. All signage shall be reviewed and be subject to approval by the Downtown Area Design Review Commission.

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

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

Fiscal Note: N/A

Sponsors: Dennis Wiser

[Res.13-0184](#) Placement of Street Lights by WE Energies

Resolved, that the placement of street lights by WE Energies is approved per the following policy:

WE Energies Street Light Management Proposal:

Purpose of Street Lights:

Street lights are intended to:

- Illuminate roadway features such as edge of pavement, intersections, sharp curves, dead ends
- Light obstructions such as median strips and bridge piers
- Provide pedestrian safety at street crossings.

Streetlights, however, are not the only means by which the presence of features and obstructions can be made known.

Streetlights are not intended to illuminate private property nor provide home security.

Proposed street light location / spacing guidelines:

Applicability: These guidelines will not be applied for streetlight and alley light removals in areas of the city that are designated as "recovering neighborhoods" by the Chief of Police. The Chief of Police will reevaluate "recovering neighborhood" designations every three years. If and when a designation is rescinded, these guidelines will be used to identify lights for removal in the appropriate areas.

Arterial and collector streets

- Retain existing street light spacing

Street Lights, Local Streets

- Geometric Criteria:
 - Street light at each intersection, cul-de-sac or dead end
 - Street light at a curve in the roadway
 - Street light at change in street geometry or road hazard
- Spacing Criteria for Sodium Vapor Lights (150 watt):
 - No mid-block street lights on the "short side" of a block less than 400 feet long
 - One mid-block street lights for "long side" blocks from 400-350 feet to

- +Q99 feet long
- Two mid-block street lights for blocks from 800700 feet to 4,4991,049 feet long, and so on
- Spacing for lights other than 150 watt fixtures, evaluated on a case-by-case basis

WE Energies Street Light Management Proposal:

Alley Lights

- Typically 50 watt sodium vapor fixtures
- Street or alley light at each alley entrance
- Lights at alley intersections or dead ends
- One mid-block light for alleys from 300 feet to 549 feet long, two mid-block lights for alleys from 550 feet to 799 feet long, and so on

Further resolved, that the recommended policy for the placement of street lights by the City of Racine is denied.

Fiscal Note: Implementation of the WE Energies street light placement policy will result in approximately \$90,000 annual savings for the City of Racine.

Sponsors: Sandy Weidner

I. Resolutions

Res.13-0195 Final - Ten (10) Year
Benefits & Damages

WHEREAS, the Public Works & Services Committee of the Common Council of the City of Racine, Wisconsin, held a public hearing at the Council Chambers in the City Hall at 5:30 P.M. on the 30th day of April, 2013 for the purpose of hearing all interested persons concerning the preliminary resolution and report of the Commissioner of Public Works on the proposed improvement of:

PORTLAND CEMENT CONCRETE PAVING

Hickory Way - Crabapple Drive to +/-55' North of Ravine Drive

Olive Street - Ohio Street to Virginia Street

Seventeenth Street - Indiana Street to Kentucky Street

Seventeenth Street - Illinois Street to Oregon Street

Seventeenth Street - Kentucky Street to Orchard Street

Seventeenth Street - Ohio Street to Virginia Street

Sycamore Avenue - Byrd Avenue to the Dead End

Alley - Washington Ave to Wright Ave; Thurston Ave to Quincy Ave

SEWER & WATER

Seventeenth Street - Indiana Street to Kentucky Street
Seventeenth Street - Ohio Street to Virginia Street

CURB & GUTTER

Sycamore Avenue - Byrd Avenue to the Dead End

SIDEWALK

Sycamore Avenue - Byrd Avenue to the Dead End
Seventeenth Street - Indiana Street to Kentucky Street

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Racine as follows:

1. That the report of the Commissioner of Public Works pertaining to the construction of the above described public improvements, including plans and specifications therefore, as modified, is hereby adopted and approved.
2. That the Commissioner of Public Works is directed to advertise for bids and to carry out the work of such improvement in accordance with the report of the Commissioner of Public Works.
3. That payment for said improvements be made by assessing the cost to the property benefited as indicated in said report.
4. That benefits and damages shown on the report, as modified, are true and correct, have been determined on a reasonable basis; do not exceed the value accruing to the property therefrom; and are hereby confirmed.
5. That the assessments for all projects included in said report are hereby combined as a single assessment, but any interested property owner shall be entitled to object to each assessment separately or both assessments jointly for any purpose or purposes.
6. That the assessments may be paid in cash or if any assessments are over \$200.00 it may be paid in ten (10) annual installments to the City Treasurer, deferred payments to bear interest at the rate of 8% per annum on the unpaid balance. Installments or assessments not paid when due shall bear additional interest on the amount due at the rate of 9.6% per annum.
7. The City Clerk is directed to publish this resolution in the official

newspaper of the City of Racine as a Class I notice in the assessment district.

8. The Clerk is further directed to mail a copy of this resolution and a statement of the final assessment against his property, to every property owner whose name appears on the assessment roll, whose post office address is known or can with reasonable diligence be ascertained.

Dated

Signed

Mayor

Published

Attest

City Clerk

Sponsors: Sandy Weidner

J. Ordinances

Ord.08-13

Ordinance 08-13

To amend Sec. 98-149 of the Municipal Code of the City of Racine, Wisconsin relating to sewer use charges and invoicing.

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

Part 1: Sec. 98-149 (e) of the Municipal Code of the City of Racine is hereby amended by repealing the words "city treasurer's office, city hall;" in the fourth sentence of the paragraph.

Part 2: Sec. 98-149 (f) of the Municipal Code of the City of Racine is hereby amended by adding the following two sentences at the beginning of this subsection. "The Utility shall compute charges for industrial customers determined to potentially discharge wastewater in concentrations in excess of "normal strength" or whose wastewater discharge flows may be substantial resulting in pollutant mass at such levels that Class II charges exceed Class I charges after applying approved Class I and Class II rates. The Utility shall charge the greater of the two calculated charges."

Part 3: 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: James Morgenroth

K. Adjourn

Office of The City Clerk

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