



City of Racine

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

Meeting Minutes - Final Common Council

Mayor John T. Dickert, Alderman Q.A. Shakoor, II, Alderman Michael Shields, Alderman Ronald D. Hart, Alderman Jim Kaplan, Alderman Dennis Wisner, Alderman Sandy Weidner, Alderman Terry McCarthy, Alderman Raymond DeHahn, Alderman Gregory Holding, Alderman Robert Mozol, Alderman O. Keith Fair, Alderman Melissa Kaprelian-Becker, Alderman James Morgenroth, Alderman Krystyna Sarrazin, Alderman Molly Hall

Monday, August 6, 2012

7:00 PM

Room 205, City Hall

A. Call To Order

PRESENT: 14 - Fair, Shields, Kaprelian-Becker, DeHahn, McCarthy, Holding, Morgenroth, Mozol, Wisner, Kaplan, Shakoor, II, Hart, Weidner and Hall
EXCUSED: 1 - Sarrazin

B. Pledge of Allegiance To The Flag

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

C. Approval of Journal of Council Proceedings (Minutes)

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

Recognition of Racine's 2012 Beauty in Our Community Winner-James (Jim) and Nancy Rooney

Alderman Kaprelian-Becker made recognition to the winner of the 2012 Beauty in Our Community.

D. Public Hearings

[ZOrd.002-12](#)

Zoning Ordinance - Zord.002-12
Ordinance adopting an amendment to the document "A Comprehensive Plan for the City of Racine: 2035" for the City of Racine, Wisconsin.

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

SECTION 1: Pursuant to Section 62.23 of the Wisconsin Statutes, the City of Racine is authorized to prepare and adopt the document amendments to the City's comprehensive plan as defined in Sections

66.1001(1)(a) and 66.1001(2) of the Wisconsin Statutes; and

SECTION 2: The Plan Commission held a public hearing on June 13, 2012, and at the Plan Commission meeting of June 27, 2012 recommended approval of a rezoning of properties at 2514 Douglas Avenue and the southern 30 feet of 2518 Douglas Avenue from R-3 Limited General Residence District to B-2 Community Shopping District and the associated amendment to the City’s comprehensive plan; and

SECTION 3: The Plan Commission of the City of Racine, by a majority vote of the entire commission recorded in its official minutes, recommended on July 25 to the City Common Council the approval of a resolution and ordinance adopting the rezoning and amendment to the comprehensive plan; and

SECTION 4: The Common Council has duly noticed and conducted a public hearing on August 7, 2012 for the rezoning and amendment to the comprehensive plan, in compliance with the requirements of Section 66.1001(4)(d) of the Wisconsin Statutes; and

SECTION 5: The Common Council of the City of Racine, Wisconsin, does, by the enactment of this ordinance, formally adopt the amendment to the document “A Comprehensive Plan for the City of Racine: 2035” for the City of Racine, Wisconsin, for the properties at 2514 Douglas Avenue and the southern 30 feet of 2518 Douglas Avenue, pursuant to Section 62.23 and Section 66.1001(4)(c) of the Wisconsin Statutes.

SECTION 6: This ordinance shall take effect upon passage by a majority vote of the members-elect of the City Common Council and publication or posting as required by law.

Passed by the Common Council:

Approved:

Mayor
Attest:

City Clerk

Fiscal Note: N/A

Sponsors: Aron Wisneski

No one appeared.

His Honor, the Mayor, declared the public hearing closed

Ord.8-12

Ordinance 8-12 - Access Corridor and Downtown Area Design

Guidelines

An ordinance amending Access Corridor and Downtown Area Design Guidelines

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

Part 1: Create 114-328(19), 114-428(20), 114-468(29), 114-488(19), 114-568(38) to read as follows: "Uses as described in Sec. 114-825(b)."

Part 2: In Sec. 114-637, Access Corridor Overlay District, Mapped Districts; delete the "State Street corridor district" and its description, in its entirety.

Part 3: Create 114-822(9) Downtown Area Design Guidelines, Purpose and Intent, to read as follows:

(9) Promote the use, development and maintenance of property adjacent to or proximate to the Root River in order to accomplish public safety, environmental protection, economic development, and public health and recreation objectives.

Part 4: In Sec. 114-823, Downtown Area Design Guidelines, Definitions repeal and recreate the definition of "downtown area" as follows:

Begin at a point being on the centerline of North Wisconsin Street approximately 190 feet north of the intersection of the centerlines of North Wisconsin Street and Hamilton Street; from said beginning point proceed east to the center line of Main Street, then north along said centerline to the centerline of Hubbard Street; then easterly along the Hubbard Street centerline to the—west line of Michigan Boulevard; then southerly along said west line 200 feet; the east to a line being the western shore of Lake Michigan (including those lands found south of the easterly extended centerline of the Root River and north, and west, of the harbor's south breakwater); then southerly along said line to a point on the extended centerline of Tenth Street; then west along said extended centerline to a point on the centerline of Wisconsin Street; then north along said centerline to a point on the centerline of

Ninth Street; then west along said centerline to a point on the centerline of College Avenue; then north along said centerline to a point on the centerline of Eight Street; then west along said centerline to a point on the centerline of Grand Avenue; then south along said centerline to a point on the centerline of Ninth Street; then west along said centerline to a point on the western line of the former Chicago, Milwaukee and St. Paul Railroad right-of-way; then southwest along said western line to a point on the centerline of Tenth Street; then west along said centerline to a point on the centerline of Racine Street; then north along said centerline to a point on the centerline of Ninth Street; then west-southwest along said centerline to a point on the center line of Harrbridge Avenue; then north along said centerline to a point on the centerline of the Root River; then east along said centerline to a point on the centerline of Memorial Drive; then north along said centerline to a point on the centerline of West Sixth Street; then east along said centerline to a point on the west line of the Union Pacific (a.k.a. Chicago and Northwestern) Railroad right-of-way; then northwesterly on said west line to a point on the centerline of Liberty Street; then west along said centerline to a point on the centerline of North Memorial Drive; then north-northwesterly along said centerline to a point on the centerline of West Street; then east along said centerline-extended to a point on the centerline of LaSalle Street; then north along said centerline to a point on the centerline of Prospect Street; then east along said centerline to a point on the centerline of Douglas Avenue; then north along said centerline to a point on the centerline of Hamilton Street; then east along said centerline to a point on the centerline of North Wisconsin Avenue; then north along said centerline to the point of beginning.

Part 5: In Sec. 114-824, Downtown Area Design Guidelines. Mapped district, delete 114-824 (c) in its entirety.

Part 6: In Sec. 114-825, Downtown Area Design Guidelines, Land uses, insert "(a)" before paragraph that starts with the words "All permitted uses..."

Part 7: Create Sec. 114-825 (b) as follows:

(b) The following uses may be allowed by conditional use permit in addition to those uses described in (a) above, excepting those lands zoned R-1, R-2 and R-3:

1. Boat launches, piers, pedestrian and bicycle facilities, private retaining walls and private storm water facilities.
2. East of the Marquette Street: outdoor storage of watercraft typically carried overland on trailers on parcels directly adjacent to the Root River.

3. Throughout the Downtown Area: outdoor storage of watercraft typically carried manually, such as canoes and kayaks.
4. Outdoor storage of recreation equipment as an accessory use.
5. For lands in a I-2 District, land uses which are otherwise permitted uses but may create noise, heat, vibration, or radiation, which are detectable at the property line, or involve materials which pose a significant safety hazard.
6. For lands in a B-5 District, industrial land uses which are otherwise not permitted therein.
7. Uses which are otherwise not permitted unless under the control of a Flex Development overlay or a Planned Development conditional use permit.

Part 8: Section 114-826, Downtown Area Design Guidelines, Prohibitions and Exemptions, shall be repealed and recreated as follows:

(a) In the downtown area, the following prohibitions shall apply:

1. No person shall undertake any new exterior construction activity, any building expansion, or any exterior renovation/rehabilitation activity for projects whose impact will result in the alteration of the visual character or impact of the facade without first making application to the design review commission and receiving approval from the design review commission and/or common council as prescribed in this division, nor without receiving all applicable permits.
2. No person shall install new or replacement signs, regardless of value, without first making application to the design review commission and receiving approval from the design review commission and/or common council as prescribed in this division, nor without receiving all applicable permits.
3. Outdoor storage of products, equipment, and other materials (as a primary or accessory use) unless otherwise noted in Sec. 114-825.

(b) In the downtown area, the following exemptions shall apply:

1. Signs advertising occasional sales, services or events are exempt from the requirements of subsection 114-826(2) of this division.
2. Maintenance and repair activities that do not alter the property's exterior design features are exempt from the requirements of this division.
3. Public recreation facilities which involve no pavement or buildings.
4. Essential services as defined by Section 114-238.

Part 9: Sec. 114-828 (a), Downtown Area Design Guidelines, Administration, is amended by deleting the words "...an at large member..." and inserting the words "...a member of the Root River Council or a similar successor organization..."

Part 10: Sec. 114-829, Downtown Area Design Guidelines, Evaluation Criteria, through existing Sec. 114-829(3), is repealed and recreated

as follows:

The following design guidelines evaluation criteria shall be used to determine if a proposed activity fulfills the objectives of this division:

(1) Traffic circulation. All vehicular and pedestrian circulation systems shall provide adequate and reasonably safe access through the downtown, and should promote a pedestrian friendly environment.

(2) Environmental Design. All projects shall incorporate sustainable environmental design, processes and practices when possible or practical.

(3) Site layout and building arrangement.

a. The layout, mass, orientation and height of the structures on the site, including areas for use by motorized vehicles for circulation, parking and storage, should allow for appropriate use of the proposed development in light of surrounding uses, traffic patterns, pedestrian facilities, neighboring and opposite structures, and topography. The arrangement of structures on the site shall also be evaluated for their potential impact on the provision of city services, such as access for emergency vehicles.

b. The setback of structures shall conform to those of the underlying zoning district unless the following criteria provide a greater distance:

1. From surface water (OHWM), floodway, or 100 year floodplain: 60 feet from the mapped or surveyed limits.

2. From open drainage channels: 25 feet from the OHWM if documentable, or from the centerline of the channel if not documented.

3. From slopes exceeding 12%: 25 feet from the top of the slope, and from the bottom of the slope.

4. From a designated habitat area: 25 feet.

5. From a Primary Environmental Corridor, Secondary Environmental Corridor, Isolated Natural Feature, as identified by the Southeastern Wisconsin Regional Planning Commission, as recognized or modified by the City of Racine: 25 feet.

6. Reductions of the setbacks listed in 1-5 above may be approved through the conditional use process, if environmental protection objectives are accomplished to the same or greater degree.

(4) Project design. All projects shall be designed with attention and sensitivity to the historical, architectural, and physical context in which they are, or are to be located. Special attention should be paid to the sidewalk level of buildings through the creation of pedestrian orientated details. Project design considerations are as follows:

a. General requirements are that all buildings should have a unified design treatment and ; finished construction on all sides; facades facing the river shall be considered in design and function as if a street facade; any roof treatments or parapets shall extend completely around the building; and all rooftop equipment shall be screened from view.

Part 11: Sec. 114-829(4) through (8) is renumbered to be 114-829(5) through (9).

Part 12: Sec 114-829(10) is created as follows:
(10) Modifications to criteria. The above criteria may be modified by provisions of the Flex Development overlay, a Planned Development conditional use permit, or by administrative discretion as may be afforded by this Chapter.

Part 13: 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: Aron Wisneski

Wayne Clingman spoke.

His Honor, the Mayor, declared the public hearing closed

E. Public Comments

- Carole M. Johnson*
- Marie Black*
- Carol Hansen*
- Brad Jaeck*
- Al Sorenson*
- Wayne Clingman*
- gary Wolfe*

F. Communications

Refer to Finance and Personnel Committee, by Ald. Shakoor

[12-7978](#)

Subject: Communication from members of Narcotics Anonymous requesting fees to be reduced to \$250.00 for the use of the gym, senior room and kitchen area of the Tyler-Domer Community Center on October 13, 2012 for their Annual Recovery Function.

Referred to Finance and Personnel Committee

12-8000

Subject: Communication from the Director of Parks, Recreation and Cultural Services Department requesting permission to accept the received \$2,000.00 donation from Racine Community Foundation to help fund the Back to School Event being held on August 20, 2012.

Referred to Finance and Personnel Committee

12-8005

Subject: Communication from the Director of City Development requesting to accept a grant from the Wisconsin Housing and Economic Development Authority's Strategic Blight Elimination Program.

Referred to Finance and Personnel Committee

12-8006

Subject: Communication from the Director of Parks, Recreation & Cultural Services Department requesting permission to apply for the Wal-Mart Foundations Local Community Contribution/Hunger Outreach Grant Program in the amount of \$1,000.00 for Back to School Fest. No match is required.

Referred to Finance and Personnel Committee

Refer to Public Works and Services Committee, by Ald. Weidner**12-7993**

Subject: Communication from the Assistant Commissioner of Public Works/City Engineer submitting Change Order No. 1 to Contract 03-12 (K2-003) - 2012 16th Street and West Blvd. Signal Replacement, Outdoor Lighting Construction Co., Inc., contractor.

Referred to Public Works and Services Committee

Refer to Public Safety and Licensing Committee, by Ald. Holding**12-8008**

Subject: Petition to exceed quota and **(New)** Application of Washington Avenue, LLC, Akil Ajmeri, Agent for a "Class A" Fermented Malt Beverage and Intoxicating Liquor License for 1130 Washington Avenue. (3rd District)

Referred to Public Safety and Licensing Committee

12-8009

Subject: Communication for the request to appear before the Public Safety and Licensing Committee to discuss changes to the City of Racine Municipal Code concerning Hawkers and Peddlers Licenses.

Alderman Mozol made a motion to suspend the rules and to take action on the item. There were no objections.

Alderman Mozol made a motion seconded by Alderman DeHahn to approve the item due to time limitations. Motion failed as follows:

AYES: Hart

NOES: Mozol, Shakoor, Shields, Weidner, DeHahn, Fair, Hall, Holding, Kaplan,

*Kaprelian-Becker, McCarthy and Morgenroth
EXCUSED: Sarrazin and Wisner*

Referred to Public Safety and Licensing Committee

Refer to Traffic Commission, by Ald. Weidner

[12-7951](#)

Subject: Communication from Toni Ostermann (2006 St. Clair St.) requesting a 4-way stop on the corner of Yout Street and Erie Street.

Referred to Traffic Commission

[12-7992](#)

Subject: Communication from Pastor Daryn Crenshaw of the Christ Baptist Church (1034 West Boulevard), requesting removal of the "No Parking Anytime" sign at Lindermann Avenue and West Boulevard.

Referred to Traffic Commission

G. Committee Reports

Finance and Personnel Committee Report, by Ald. Shakoor

[12-7923](#)

Subject: Communication from the City Attorney requesting additional funding for the Professional Services 101.160.5610 account for the 2012 budget year. (Res. No. 12-3241)

Recommendation of the Finance & Personnel Committee on

7-23-12: Transfer \$150,000 from Account 101.990.5970, Contingency, to Account 101.160.5610, Attorney Professional Services.

Fiscal Note: An estimated \$150,000 will be necessary to cover the anticipated legal fees through the end of the year.

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

[12-7932](#)

Subject: Communication from the City Attorney submitting the claim of Ann Trower for consideration.

Recommendation of the Finance & Personnel Committee on

7-23-12: The claim of Ann Trower requesting reimbursement in the amount of \$50,000 for injuries and damages allegedly arising from her trip and fall on the public sidewalk on February 4, 2010 be denied.

Fiscal Note: N/A

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

12-7942

Subject: (Direct Referral) Communication from the Grants Facilitator requesting to accept the Project Safe Neighborhood 2011 Grant Award through the Wisconsin Office of Justice Assistance. (Grant Control #2011-042, Res. 12-2904)

Recommendation of the Finance & Personnel Committee on

7-23-12: Permission be granted for the Grants Facilitator to accept the Project Safe Neighborhood 2011 Grant Award through the Wisconsin Office of Justice Assistance.

Fiscal Note: The grant is for \$25,000 and there was no match requirement for this grant.

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

12-7948

Subject: (Direct Referral) Communication from the Public Health Administrator requesting permission to accept funding in the amount of \$445,400 from the Wisconsin Division of Public Health, Department of Health Services for the Racine Healthy Babies Program. The City will hold fiscal and programmatic responsibility for the program, with the Racine County Human Services Department, along with its vendors, acting as subcontractor and fulfilling all contract objectives. (Grant Control # 2012-022) (Res. No. 12-3242)

Recommendation of the Finance & Personnel Committee on

7-23-12: Permission be granted for the Public Health Administrator to accept funding from the Wisconsin Division of Public Health, Department of Health Services for the Racine Healthy Babies Program pending final information from the Public Health Administrator. (Grant Control # 2012-022)

Fiscal Note: The grant is for \$445,400 and there is no match requirement for this grant.

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

Council Action

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

AYES: 13 - Fair, Shields, Kaprelian-Becker, DeHahn, McCarthy, Holding, Morgenroth, Mozol, Kaplan, Shakoor, II, Hart, Weidner and Hall

EXCUSED: 2 - Wisner and Sarrazin

Public Works and Services Committee Report, by Ald. Weidner

[12-7866](#)

Subject: [Direct Referral] CIP Project (Res. No. 12-3245)

Recommendation of the Civic Centre Commission on 6-27-2012:

That the Civic Centre Commission requests that the Common Council reconsider the replacement roof color previously approved for Festival Hall based on the results of a study done which impacts future CIP objectives.

Fiscal Note: N/A

Recommendation of the Public Works and Services Committee on 7-31-12: That the Festival Hall roof color be designated as the Classic Copper color.

Fiscal Note: N/A

Alderman Weidner requested that item 12-7866 be considered separately.

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

AYES: 9 - Fair, Shields, McCarthy, Holding, Morgenroth, Kaplan, Shakoor, II, Weidner and Hall

NOES: 4 - Kaprelian-Becker, DeHahn, Mozol and Hart

EXCUSED: 2 - Wisner and Sarrazin

[12-7920](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer submitting Amendment No. 1 to State Project ID: 2290-17-00, Northwestern Avenue (Memorial Drive to Golf Avenue). (Res. No. 12-3251)

Recommendation of the Public Works and Services Committee

on 7-31-12: That Amendment No. 1 on the three-party contract between the State of Wisconsin, City of Racine and Strand Associates, Inc., State Contract ID: 2290-17-00, Northwestern Avenue (STH38) - Memorial Drive to Golf Avenue, be approved in the amount of \$82,657.73, with the City's share being \$20,664.43 (25%) and the State share being \$61,993.30 (75%).

Fiscal Note: Funding to defray the cost of the City's share of these professional services be appropriated from Account 992.908.5060, Northwestern-Memorial to Golf.

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

[12-7922](#)

Subject: Communication from Rick Reinders, 723 Roosevelt Avenue, requesting an easement to connect their sump pump discharge to the

storm sewer collection inlet. (Res. No. 12-3243)

Recommendation of the Public Works and Services Committee

on 7-31-12: That the request for an easement to connect the sump pump at 723 Roosevelt Avenue to the storm sewer collection inlet be approved, provided that an agreement be executed in accordance with Sec. 66.0425, Wis. Stats., Privileges in Streets, and further provided that this construction will be performed so as not to create a hazard.

Further recommends that the property owner be required to become a member of Diggers Hotline.

Further recommends that the property owner provide the City Attorney's office with a legal description of the location of the connection.

Further recommends that the property owner be charged a \$125.00 fee to cover administrative costs and costs associated with filing this item with the Register of Deeds office.

Fiscal Note: N/A

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

[12-7949](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works submitting bid results on Contract 50-12 (K2-061), 2012 Sidewalk Replacement-Phase II (R1) (Res. No. 12-3246)

Recommendation of the Public Works and Services Committee

on 7-31-12: That Contract 50-12 (K2-061), 2012 Sidewalk Replacement-Phase II (R1), be awarded to RAZA LLC, Racine, WI, at their bid price of \$333,003.78, they being the lowest responsible bidder.

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

\$ 281,003.78 - Account 906.000.5520, Sidewalk Replacement
\$ 5,000.00 - Account 992.908.5520, Sidewalk Replacement
\$ 26,950.00 - Account 992.908.5320, Replacement Curb & Gutter
\$ 2,050.00 - Account 992.908.5530, Crosswalk Ramps
\$ 18,000.00 - Account 992.700.5050, Humble Park-21st St Sidewalk
\$ 333,003.78 - Total

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

[12-7952](#)

Subject: (Direct Referral) Communication from the Assistant

Commissioner of Public Works/Operations submitting Change Order No. 1 to Contract 33-12 (K2-038), Safety Building Parking Area Repairs, Allied Waterproofing, Inc., contractor. (Res. No. 12-3248)

Recommendation of the Public Works and Services Committee on 7-31-12: That Change Order No. 1 on Contract 33-12 (K2-038), Safety Building Parking Area Repairs, Allied Waterproofing, Inc., contractor, be approved in the amount of \$5,175.00.

Fiscal Note: Funding to defray the cost of this change order be appropriated from Account 992.210.5010, Safety Building - Structural Leak Repairs.

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

[12-7962](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting Amendment No. 3 to Contract 25-11 (K1-025), Professional Services - City Hall Renovations-Phase IV, ARC Architectural Group, consultant. (Res. No. 12-3249)

Recommendation of the Public Works and Services Committee on 7-31-12: That Amendment No. 3 to Contract 25-11 (K1-025), Professional Services - City Hall Renovations-Phase IV, ARC Architectural Group, consultant, as submitted, be approved in the amount of \$5,347.50.

Fiscal Note: Funding to defray the cost of these professional services be appropriated from Account 991.100.5010, City Hall Facilities Plan.

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

[12-7964](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer submitting Amendment No. 2 on WisDOT State Project ID: 2440-07-00/70 (STH20) 7th Street - Marquette Street to Main Street. (Res. No. 12-3252)

Recommendation of the Public Works and Services Committee on 7-31-12: That Amendment No. 2 to State Contract ID: 2440-07-00/70 (STH20/7th Street) Marquette Street to Main Street, be approved in the amount of \$125,343.75, with the City's share being \$25,068.75.

Fiscal Note: Funding to defray the cost of the City's share of these professional services be appropriated from Account 992.908.5040, Seventh Street, Marquette to Main.

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

12-7979

Subject: (Direct Referral) Communication from the Purchasing Agent submitting bids for Two (2) Truck Chassis, Heavy Duty, Low Entry, Dual Steer Cab w/25 Cubic Yard High Compaction Refuse Packers. (Res. No. 12-3244)

Recommendation of the Public Works and Services Committee on 7-31-12: That the contract for Two (2) Truck Chassis, Heavy Duty, Low Entry, Dual Steer Cab w/25 Cubic Yard High Compaction Refuse Packers be awarded to Stepp Equipment Company, WI, at their bid price of \$358,398.00 with trade-ins, they being the lowest responsible bidder.

Fiscal Note: Funding to defray the cost of these services be appropriated from Account 101.400.5780, Licensed Vehicles, Solid Waste.

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

12-7980

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineering submitting Amendment No. 5 to Contract 03-11 (K1-003), PS - Design Services for Repairs to Spring St. Bridge, Ayres Associates, Consultant. (Res. No. 12-3250)

Recommendation of the Public Works and Services Committee on 7-31-12: That Amendment No. 5 to Contract 3-11 (K1-003), Professional Services - Design Services for Repairs to Spring Street Bridge, Ayres Associates, consultant, as submitted, be approved in the amount of \$14,000.00.

Fiscal Note: Funding to defray the cost of these professional services be appropriated from Account 992.08.5010, Concrete Paving, Miscellaneous.

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

12-7985

Subject: (Direct Referral) Communication from the Commissioner of Public Works submitting a request for final payment on Contract 35-12 (K2-040), Roof Replacement-Salt Storage Shed, Alois Roofing & Sheet Metal, contractor. (Res. No. 12-3247)

Recommendation of the Public Works and Services Committee on 7-31-12: That the work done by Alois Roofing & Sheet Metal under Contract 35-12 (K2-040), Roof Replacement-Salt Storage Shed, be

accepted and final payment authorized for a total contract amount of \$52,979.00.

Fiscal Note: Contract was authorized under Resolution No. 12-3166, dated June 4, 2012.

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

Council Action

A motion was made by Alderman Sandy Weidner, seconded by Alderman Raymond DeHahn, that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

AYES: 13 - Fair, Shields, Kaprelian-Becker, DeHahn, McCarthy, Holding, Morgenroth, Mozol, Kaplan, Shakoor, II, Hart, Weidner and Hall

EXCUSED: 2 - Wisner and Sarrazin

Public Safety and Licensing Committee Report, by Ald. Holding

12-7843

Subject: Communication from the Interim Director of Parks, Recreation and Cultural Services, requesting authorization of final payment for Industrial Roof Service for Engineering and Project Administration Services for Masonry Restoration at Tyler-Domer Community Center. (Res. No. 12-3253)

Recommendation of the Public Safety and Licensing Committee on 7-24-12: That final payment for Industrial Roof Service for Engineering and Project Administration Services for Masonry Restoration at Tyler-Domer Community Center be approved.

Fiscal Note: Funds are to be appropriated from 990-670-5010, Tyler-Domer Tuck Pointing.

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

12-7854

Subject: (Direct Referral) Sale of Abandoned Vehicles 6-21-2012

Recommendation of the Public Safety and Licensing Committee on 7-24-12: That the item be received and filed.

Fiscal Note: This will generate \$12,288.00 in revenue

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

[12-7862](#)

Subject: (Direct Referral) The application of Jensen & Jensen Inc. dba Jensen Towing, for a 2012-2013 Motor Vehicle Towing License. **(Renewal)** (Res. No. 12-3254)

Recommendation of the Public Safety and Licensing Committee on 7-24-12: The application of Jensen & Jensen Inc. dba Jensen Towing, for a 2012-2013 Motor Vehicle Towing License be approved. Fiscal Note: N/A

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

[12-7863](#)

Subject: Application of Jose E. Sanchez., Mi Jacalito Restaurant, Eriberto Malacara, for a Change of Agent for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 1318 Douglas Avenue (4th)

Recommendation of the Public Safety and Licensing Committee on 7-24-12: That the application of Eriberto Malacara, for a Change of Agent for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 1318 Douglas Avenue be approved.

Fiscal Note: N/A

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

[12-7881](#)

Subject: (Direct Referral) The **renewal** application of Partners N Design for a Massage Establishment Permit for 506 Goold Street. (5th District) (Res. No. 12-3256)

Recommendation of the Public Safety and Licensing Committee on 7-24-12: The **renewal** application of Partners N Design for a Massage Establishment Permit for 506 Goold Street be approved.

Fiscal Note: N/A

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

[12-7915](#)

Subject: (Direct Referral) Application of Racine Thrift Store, Kimberly F. Garcia, Agent for a Pawnbroker's license for 2005 Lathrop Ave. - (Currently holds Second Hand Article/Jewelry Dealers License) (13th District).

Recommendation of the Public Safety and Licensing Committee on 7-24-12: That the application be denied based on the applicant has not filed the required conditional use permit application with the

Department of City Development, the establishment was operating without a license for about a year and applicant failed to show up for the meeting.

Fiscal Note: N/A

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

12-7929

Subject: (Direct Referral) The application of Don and James Durham dba Don's Towing and Truck Service, for a 2012-2013 Motor Vehicle Towing License. (**Renewal**) (Res. No. 12-3255)

Recommendation of the Public Safety and Licensing Committee on 7-24-12: The application of Don and James Durham dba Don's Towing and Truck Service, for a 2012-2013 Motor Vehicle Towing License be approved.

Fiscal Note: N/A

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

Council Action

A motion was made by Alderman Gregory Holding, seconded by Alderman Robert Mozol, that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

AYES: 13 - Fair, Shields, Kaprelian-Becker, DeHahn, McCarthy, Holding, Morgenroth, Mozol, Kaplan, Shakoor, II, Hart, Weidner and Hall

EXCUSED: 2 - Wisner and Sarrazin

Traffic Commission Report, by Ald. Weidner

12-7820

Subject: Communication from Carolyn Chaplin, Co-Chairman for the Starving Artists Outdoor Fair, requesting the use of "Temporary No Parking" signs to be used on the east side of South Main Street, between 10th St. and 11th St. with restriction for the hours of 9:00 AM - 4:00 PM for Sunday, August 5, 2012; also requesting the "No Parking At Any Time" restrictions on 10th St. and 11 St. east of S. Main Street be waived for daylight hours prior to 9:00 AM and for a period not to exceed one hour from 4:00 PM - 5:00 PM on Sunday, August 5, 2012.

Recommendation of the Traffic Commission on 07-16-12: The request to use Temporary No Parking signs on the east side of S. Main Street between 10th and 11th Streets on August 5, 2012 between 9:00 AM and 4:00 PM be granted.

Further recommends the request to waive the "No Parking Any Time" restriction on 10th and 11th Streets before 9:00 AM and from 4:00 PM to 5:00 PM on August 5, 2012, in connection with the Starving Artists Outdoor Art Fair, be granted.

Fiscal Note: N/A

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

AYES: 12 - Fair, Shields, Kaprelian-Becker, DeHahn, Holding, Morgenroth, Mozol, Kaplan, Shakoor, II, Hart, Weidner and Hall

NOES: 1 - McCarthy

EXCUSED: 2 - Wiser and Sarrazin

Transit and Parking Commission Report, by Ald. DeHahn

12-7924

Subject: (Direct Referral) Communication from the Transit and Parking Systems Manager asking for authorization for the Mayor and City Clerk to sign a contract with Racine County regarding distribution of state transit funding. (Res. No. 12-3257)

Recommendation of the Transit and Parking Commission on 07-18-12: The Common Council pass a resolution authorizing the Mayor and City Clerk to sign a contract with Racine County regarding distribution of 2012 State transit funds.

Fiscal Note: Net proceeds of \$6,061 to go to BUS budget.

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

12-7926

Subject: (Direct Referral) Communication from the Transit and Parking Systems Manager providing an update on the downtown parking ramp improvement program for the remainder of July and August.

Recommendation of the Transit and Parking Commission on 07-18-12: Receive and file.

Fiscal Note: N/A

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

12-7927

Subject: (Direct Referral) Communication from the Transit and Parking Systems Manager providing a listing of proposed bus shelter placements to be made this late summer and fall. (Res. No. 12-3258)

Recommendation of the Transit and Parking Commission on 07-18-12: That placement of new or replacement bus shelters be authorized at the proposed locations.

Fiscal Note: Funds for this project already approved and available in Account 105.900.5030, Capital Projects - Shelter Grant.

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

Council Action

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

AYES: 13 - Fair, Shields, Kaprelian-Becker, DeHahn, McCarthy, Holding, Morgenroth, Mozol, Kaplan, Shakoor, II, Hart, Weidner and Hall

EXCUSED: 2 - Wisner and Sarrazin

City Plan Commission Report, by Ald. Holding

11-7013

Subject: (ZOrd.6-11) An ordinance rezoning 1525 Howe Street from I-2 General Industrial to I-2 with a H-Historic Overlay.

Recommendation of the City Plan Commission on 10-12-11: That the ordinance be adopted.

Recommendation of the City Plan Commission on 7-25-12: That the item be received and filed.

Fiscal Note: N/A

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

12-7943

Subject: A Resolution approving an amendment to the 2035 Comprehensive Land Use Plan Map classification for 2514 & 2518 Douglas Avenue. (PC-12) (Res. No. 12-3259)

Recommendation of the City Plan Commission on 7-25-12: That the resolution be adopted.

Fiscal Note: N/A

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

12-7944

Subject: (Direct Referral) Review of a Certified Survey Map for Republic Services in the 6100 block of Twenty-First Street. (PC-12)

(Res. No. 12-3260)

Recommendation of the City Plan Commission on 7-25-12: That the item be approved subject to conditions.

Fiscal Note: N/A

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

[12-7945](#)

Subject: (Direct Referral) Request by Vivian & Anthony Merlo for a conditional use amendment for the addition of a parking lot at 2504 Douglas Avenue. (Res. No. 12-3261)

Recommendation of the City Plan Commission 7-25-12: That the item be approved subject to conditions.

Fiscal Note: N/A

A motion was made that this Conditional Use Permit be Received and Filed as Reported. The motion was APPROVED.

[12-7947](#)

Subject: (Direct Referral) Request from Harry Koffman seeking to amend a conditional use permit at 1717 Washington Avenue to allow the added use of general auto repair. (Res. No. 12-3262)

Recommendation of the City Plan Commission on 7-25-12: That the item be approved subject to conditions.

Fiscal Note: N/A

A motion was made that this Conditional Use Permit be Received and Filed as Reported. The motion was APPROVED.

[12-7988](#)

Subject: (ZOrd.002-12) An ordinance approving an amendment to the 2035 Comprehensive Land Use Plan Map for 2514 & 2518 Douglas Avenue. (PC-12)

Recommendation of the City Plan Commission on 7-25-12: That the ordinance be adopted.

Fiscal Note: N/A

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

[12-7989](#)

Subject: (ZOrd.003-12) An Ordinance to re-zone 2514 & 2518 Douglas Avenue.

Recommendation of the City Plan Commission on 7-25-12: That the ordinance be adopted.

Fiscal Note: N/A

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

[12-7990](#)

Subject: (Ord. 8-12) An ordinance amending the Access Corridor and Downtown Area Design Guidelines. (PC-12)

Recommendation of the City Plan Commission on 7-25-12: That the ordinance be adopted.

Fiscal Note: N/A

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

Council Action

A motion was made by Alderman Gregory Holding, seconded by Alderman Michael Shields, that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

AYES: 13 - Fair, Shields, Kaprelian-Becker, DeHahn, McCarthy, Holding, Morgenroth, Mozol, Kaplan, Shakoor, II, Hart, Weidner and Hall

EXCUSED: 2 - Wisner and Sarrazin

Housing Loan Board Report, by Ald. McCarthy[12-7936](#)

Subject: (Direct Referral) Request of the Director of City Development for authorization to participate in the First Look program of the National Community Stabilization Trust for the acquisition of foreclosed properties for the Neighborhood Stabilization Program. (Res. No. 12-3263)

Recommendation of the Loan Board of Review on July 19, 2012: To authorize the Director of City Development to participate in the First Look Program of the National Community Stabilization Trust for the acquisition of foreclosed properties for the Neighborhood Stabilization Program, and to authorize him to make offers and close on properties offered through the program.

Fiscal Note: There is no cost to the City to participate in the program.

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

[12-7937](#)

Subject: (Direct Referral) Request of the Director of City Development to accept the offer of Morris P. Matsen to purchase 1812 Holmes

Avenue. (Res. No. 12-3264)

Recommendation of the Loan Board of Reveiw on July 19, 2012:

To accept the offer of Morris P. Matsen to purchase 1812 Holmes Avenue and to authorize the Mayor, City Clerk, and Director of City Develoment to execute any documents necessary to complete the sale.

Fiscal Note: The property was acquired and rehabilitated through the NSP-1 program. The city will receive \$80,000 in proceeds, minus commissions and closing costs.

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

[12-7938](#)

Subject: (Direct Referral) Request of the Director of City Development to acquire 1721 Villa Street for rehabilitation and resale under the NSP-3 program. (Res. No. 12-3265)

Recommendation of the Loan Board of Review on July 19, 2012:

To approve the request to acquire 1721 Villa Street for rehabilitation and resale under the NSP-3 program and to authorize the Mayor, City Clerk, and Director of City Development to execute any documents necessary to complete the acquisition.

Fiscal Note: Tri-City National Bank is the seller of this foreclosed property. Purchase price is \$20,000. Most recent assessed value was \$75,000.

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

[12-7940](#)

Subject: (Direct Referral) Staff requests authorization to modify HOME grant policy. (Res. No. 12-3266)

Recommendation of the Loan Board of Review on July 19, 2012:

Recommend approval of the modifications to the home improvement loan matching grant policy: that the matching grant shall be no larger than the amount needed so that housing cost ratio does not exceed 41% and/or total debt ratio does not exceed 45% or \$14,999 (maximum grant), whichever is less.

Fiscal Note: Grants are provided from Federal HOME funds. The change is necessary to bring the City's program into compliance with U.S. HUD guidelines and regulations.

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

Council Action

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

AYES: 13 - Fair, Shields, Kaprelian-Becker, DeHahn, McCarthy, Holding, Morgenroth, Mozol, Kaplan, Shakoor, II, Hart, Weidner and Hall

EXCUSED: 2 - Wisner and Sarrazin

Alderman Wisner arrived at 8:35p.m. and took his seat.

Committee of the Whole Report, by Ald. Kaplan

12-7935

Subject: (Direct Referral) RCEDC would like to update the Common Council on current Economic Development efforts which primarily include preliminary results of the Business Call program.

Recommendation of the Committee of the Whole on 07/17/2012:
that the Item be Received and Filed.

Fiscal Note: N/A

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

AYES: 14 - Fair, Shields, Kaprelian-Becker, DeHahn, McCarthy, Holding, Morgenroth, Mozol, Wisner, Kaplan, Shakoor, II, Hart, Weidner and Hall

EXCUSED: 1 - Sarrazin

Office of the Mayor Report, by Ald. Kaplan

12-7995

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

Appoint Rebecca Strommen 137 Westminster Sq. Racine, 53402 to the Police and Fire Commission to fill the current vacancy expiring May 1, 2017

Appoint Alderwoman Molly Hall 115 Illinois St Racine, 53405 to the City Plan Commission to fill the current vacancy expiring May 1, 2015

The items were separated on the request of President Kaplan.

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

AYES: 14 - Fair, Shields, Kaprelian-Becker, DeHahn, McCarthy, Holding, Morgenroth, Mozol, Wisner, Kaplan, Shakoor, II, Hart, Weidner and Hall

EXCUSED: 1 - Sarrazin

H. Consent Agenda - Resolutions

[Res.12-3241](#) Additional funding for Professional Services for 2012 Budget Year

Resolved, that a transfer of \$150,000 from Account 101.990.5970, Contingency, to Account 101.160.5610, Attorney Professional Services is approved.

Fiscal Note: An estimated \$150,000 will be necessary to cover the anticipated legal fees through the end of the year.

Sponsors: Q.A. Shakoor, II

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

[Res.12-3242](#) Racine Healthy Babies Program

Resolved, that permission is granted for the Public Health Administrator to accept funding from the Wisconsin Division of Public Health, Department of Health Services for the Racine Healthy Babies Program pending final information from the Public Health Administrator. (Grant Control # 2012-022)

Fiscal Note: The grant is for \$445,400 and there is no match requirement for this grant.

Sponsors: Q.A. Shakoor, II

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

[Res.12-3243](#) 723 Roosevelt Avenue

Resolved, that the request for an easement to connect the sump pump at 723 Roosevelt Avenue to the storm sewer collection inlet is approved, provided that an agreement is executed in accordance with Sec. 66.0425, Wis. Stats., Privileges in Streets, and further provided that this construction will be performed so as not to create a hazard.

Further resolved, that the property owner is required to become a member of Diggers Hotline.

Further resolved, that the property owner provide the City Attorney's office with a legal description of the location of the connection.

Further resolved, the property owner be charged a \$125.00 fee to cover administrative costs and costs associated with filing this item with the Register of Deeds office.

Fiscal Note: N/A

Sponsors: Sandy Weidner

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

Res.12-3244

Bids for Two (2) Truck Chassis, Heavy Duty, Low Entry, Dual Steer Cab w/25 Cubic Yard High Compaction Refuse Packers

Resolved, that the contract for Two (2) Truck Chassis, Heavy Duty, Low Entry, Dual Steer Cab w/25 Cubic Yard High Compaction Refuse Packers is awarded to Stepp Equipment Company, WI, at their bid price of \$358,398.00 with trade-ins, they being the lowest responsible bidder.

Fiscal Note: Funding to defray the cost of these services be appropriated from Account 101.400.5780, Licensed Vehicles, Solid Waste.

Sponsors: Sandy Weidner

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

Res.12-3246

2012 Sidewalk Replacement-Phase II (R1)

Resolved, that Contract 50-12 (K2-061), 2012 Sidewalk Replacement-Phase II (R1), is awarded to RAZA LLC, Racine, WI, at their bid price of \$333,003.78, they being the lowest responsible bidder.

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

\$ 281,003.78 - Account 906.000.5520, Sidewalk Replacement
\$ 5,000.00 - Account 992.908.5520, Sidewalk Replacement
\$ 26,950.00 - Account 992.908.5320, Replacement Curb & Gutter
\$ 2,050.00 - Account 992.908.5530, Crosswalk Ramps
\$ 18,000.00 - Account 992.700.5050, Humble Park-21st St Sidewalk
\$ 333,003.78 - Total

Sponsors: Sandy Weidner

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

Res.12-3247

Roof Replacement-Salt Storage Shed

Resolved, that the work done by Alois Roofing & Sheet Metal under

Contract 35-12 (K2-040), Roof Replacement-Salt Storage Shed, is accepted and final payment authorized for a total contract amount of \$52,979.00.

Fiscal Note: Contract was authorized under Resolution No. 12-3166, dated June 4, 2012.

Sponsors: Sandy Weidner

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

Res.12-3248

Safety Building Parking Area Repairs

Resolved, that Change Order No. 1 on Contract 33-12 (K2-038), Safety Building Parking Area Repairs, Allied Waterproofing, Inc., contractor, is approved in the amount of \$5,175.00.

Fiscal Note: Funding to defray the cost of this change order be appropriated from Account 992.210.5010, Safety Building - Structural Leak Repairs.

Sponsors: Sandy Weidner

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

Res.12-3249

City Hall Renovations-Phase IV

Resolved, that Amendment No. 3 to Contract 25-11 (K1-025), Professional Services - City Hall Renovations-Phase IV, ARC Architectural Group, consultant, as submitted, is approved in the amount of \$5,347.50.

Fiscal Note: Funding to defray the cost of these professional services be appropriated from Account 991.100.5010, City Hall Facilities Plan.

Sponsors: Sandy Weidner

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

Res.12-3250

Design Services for Repairs to Spring St. Bridge

Resolved, that Amendment No. 5 to Contract 3-11 (K1-003), Professional Services - Design Services for Repairs to Spring Street Bridge, Ayres Associates, consultant, as submitted, is approved in the amount of \$14,000.00.

Fiscal Note: Funding to defray the cost of these professional services be appropriated from Account 992.08.5010, Concrete Paving,

Miscellaneous.

Sponsors: Sandy Weidner

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

Res.12-3251

Northwestern Avenue (Memorial Drive to Golf Avenue)

Resolved, that Amendment No. 1 on the three-party contract between the State of Wisconsin, City of Racine and Strand Associates, Inc., State Contract ID: 2290-17-00, Northwestern Avenue (STH38) - Memorial Drive to Golf Avenue, is approved in the amount of \$82,657.73, with the City's share being \$20,664.43 (25%) and the State share being \$61,993.30 (75%).

Fiscal Note: Funding to defray the cost of the City's share of these professional services be appropriated from Account 992.908.5060, Northwestern-Memorial to Golf.

Sponsors: Sandy Weidner

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

Res.12-3252

7th Street - Marquette Street to Main Street

Resolved, that Amendment No. 2 to State Contract ID: 2440-07-00/70 (STH20/7th Street) Marquette Street to Main Street, is approved in the amount of \$125,343.75, with the City's share being \$25,068.75.

Fiscal Note: Funding to defray the cost of the City's share of these professional services be appropriated from Account 992.908.5040, Seventh Street, Marquette to Main.

Sponsors: Sandy Weidner

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

Res.12-3253

Masonry Restoration at Tyler-Domer Community Center

Resolved, that final payment for Industrial Roof Service for Engineering and Project Administration Services for Masonry Restoration at Tyler-Domer Community Center is approved.

Fiscal Note: Funds are to be appropriated from 990-670-5010, Tyler-Domer Tuck Pointing.

Sponsors: Aron Wisneski

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

Res.12-3254

Jensen & Jensen Inc. dba Jensen Towing

Resolved, that the application of Jensen & Jensen Inc. dba Jensen Towing, for a 2012-2013 Motor Vehicle Towing License is approved.

Fiscal Note: N/A

Sponsors: Aron Wisneski

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

Res.12-3255

Don and James Durham dba Don's Towing and Truck Service

Resolved, that the application of Don and James Durham dba Don's Towing and Truck Service, for a 2012-2013 Motor Vehicle Towing License is approved.

Fiscal Note: N/A

Sponsors: Aron Wisneski

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

Res.12-3256

Massage Establishment Permit for 506 Goold Street (5th District)

Resolved, that the renewal application of Partners N Design for a Massage Establishment Permit for 506 Goold Street is approved.

Fiscal Note: N/A

Sponsors: Aron Wisneski

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

Res.12-3257

Contract Regarding Distribution of State Transit Funding

Resolved, that the Common Council pass a resolution authorizing the Mayor and City Clerk to sign a contract with Racine County regarding distribution of 2012 State transit funds.

Fiscal Note: Net proceeds of \$6,061 to go to BUS budget.

Sponsors: Raymond DeHahn

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

Res.12-3258

Listing of Proposed Bus Shelter Placements

Resolved, that placement of new or replacement bus shelters is authorized at the proposed locations.

Fiscal Note: Funds for this project already approved and available in Account 105.900.5030, Capital Projects - Shelter Grant.

Sponsors: Raymond DeHahn

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

Res.12-3259

A Resolution Adopting a Change in Land Use Designation at 2514 and 2518 Douglas Avenue;

An Amendment to the Document Titled "A Comprehensive Plan for the City of Racine: 2035"

WHEREAS, the City of Racine (the City) has adopted a document titled "A Comprehensive Plan for the City of Racine: 2035" which contains maps, references and other descriptive materials and information applicable and specific to the City of Racine; and

WHEREAS, under the authority of Section 62.23 of the Wisconsin Statutes, and in accordance with Section 66.1001 of the Wisconsin Statutes, the Plan is intended to assist as a guide to the physical, social, and economic development of the City of Racine; and—

WHEREAS, amendments to the Plan are allowed under the authority of Section 66.1001(4) of the Wisconsin State Statutes, and which amendment procedure is outlined specifically in the Plan, Chapter XII: Implementation Element; and

WHEREAS an amendment to the Plan, more specifically Map 5, to modify the assigned land use classification for properties currently addressed as 2514 and 2518 Douglas Avenue from High Density Residential to Commercial is requested; and

WHEREAS, on June 13, 2012, the Plan Commission conducted a public input meeting for the purpose of educating the public and to solicit public opinion on the Plan amendment; and

WHEREAS, on June 27, 2012, the Plan Commission recommended to the Common Council that an ordinance be prepared and a public hearing scheduled; and

WHEREAS, on July 2, 2012, the Common Council heard the request for the Plan amendment, reviewed proposed ordinance language, and

directed that a public hearing be scheduled for August 7, 2012; and

WHEREAS, on July 7, 2012 the City duly noticed a public hearing before the Common Council for August 7, 2012 following the procedures in Section 66.1001 (4) of the Wisconsin Statutes; and

WHEREAS, on July 25, 2012, the Plan Commission reviewed the ordinance and forwarded a recommendation to the Common Council that the ordinance be adopted

NOW, THEREFORE, BE IT RESOLVED, the Common Council of the City of Racine hereby adopts A CHANGE IN LAND USE DESIGNATION AT 2514 AND 2518 DOUGLAS AVENUE as an amendment to the Plan embodied in the document titled "A Comprehensive Plan for the City of Racine: 2035."

BE IT FURTHER RESOLVED that the City Clerk is authorized and directed to transmit a certified copy of this resolution to the Racine County Board and the SEWRPC.

Fiscal Note: N/A

Sponsors: Aron Wisneski

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

Res.12-3260

Certified Survey Map for Republic Services in the 6100 Block of Twenty-First Street

Resolved, that a certified survey map for Republic Services in the 6100 block Of Twenty-First Street is approved, subject to the following conditions:

- a. That all applicable easements and building restrictions be addressed on the face of the CSM.
- b. That the centerline and right-of-way boundaries of Loni Lane be illustrated on the face of the CSM.
- c. That all technical discrepancies as identified by City Staff be resolved.
- d. That a copy of the recorded CSM, with recording numbers displayed thereon, shall be provided to the Department of City Development within 30 days of this approval. This CSM shall not be recognized by the City of Racine as being official until said recorded copy is provided.

Fiscal Note: N/A

Sponsors: Aron Wisneski

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

[Res.12-3261](#)

Parking Lot at 2504 Douglas Avenue

Resolved, that the request for a conditional use permit amendment by Vivian and Anthony Merlo for the addition of a parking lot is approved, subject to the following conditions:

- a. That approval of this conditional use shall be contingent upon the approval of the amendment of the Comprehensive Plan for the City of Racine: 2035 - Land Use map, and approval of the re-zoning from R-3 Limited General Residence to B-2 Community Shopping District.
- b. That approval shall be based on the site plan dated May 13, 2012 as prepared by Nielsen, Madsen, and Barber S.C., and the landscape plan as prepared by Milaeger's dated May 20, 2012, and subject to the conditions contained herein.
- c. That a copy of the recorded Certified Survey Map shall be provided to the Department of City Development by July 31, 2012. If not received, the Map shall be considered void and a new application for the land division shall be required to create the lot configuration as required per the Conditional Use, Re-Zoning request, and Comprehensive Plan amendment request. If this is not completed, all approvals shall become void.
- d. That the new parking lot shall be connected to the storm water system as proposed and outlined in the site grading and erosion control plans approved by the City. This connection shall commence no later than October 1, 2012. If not completed by May 31, 2013, a financial surety shall be secured with the Department of City Development in an amount to be determined by estimates provided by the applicant.
- e. That the parking lot surfacing, curbing, wheel stops, striping, and landscaping shall commence by no later than October 1, 2012. If not completed by May 31, 2013, a financial surety shall be secured with the Department of City Development in an amount to be determined by estimates provided by the applicant.
- f. That the indoor contractor storage facility addressed as 1530 Romaine Avenue (located on the same lot addressed as 2504 Douglas Avenue) shall provide the following information and adhere to

the following requirements, or apply to amend the conditional use, by no later than August 15, 2012 (Note: All references to financial sureties shall be subject to the City's standard guidelines for financial sureties, including being reviewed and approved as to format and dollar amount by the Department of City Development; issued in the City's favor; be in effect for one year from the date of issuance or be extended beyond the expiration if deemed necessary by the City of Racine). Failure to adhere to the requirements below will result in enforcement action:

1. A Certificate of Occupancy shall be obtained from the Building Department.
2. The business operator and/or property owner shall provide written documentation from City Engineering indicating whether the rear portion of the lot is required to connect to the storm water system. If required, a financial surety shall be secured with the Department of City Development in an amount to be determined by estimates provided by the applicant.
3. All gravel piles shall be removed from the exterior of the premises.
4. All gravel along the fenceline on the north property line shall be removed. It shall be the responsibility of the business operator and/or property owner to remove any gravel which has spilled onto adjacent properties, with the authorization of said property owner(s).
5. Plans to modify the building to meet all codes for inside storage of motor vehicles shall be submitted to the Building Department. If these improvements have been completed, documentation acceptable to the Building Inspection department shall be provided prior to issuance of an occupancy permit. If not, all motorized construction equipment shall be removed from the site (i.e.: bobcats, etc.), until the required building modifications have been completed. If renovations are not completed by December 1, 2012, a financial surety shall be secured with the Department of City Development in an amount to be determined by estimates provided by the business owner/property owner.

Should the owner/applicant not choose to make the changes required for said storage, an amendment to the conditional use shall be submitted by the August 15, 2012 deadline. Should said amendment not allow the outdoor storage of equipment, none shall be stored at the site unless the building is modified to allow for it.

6. All junk metal items shall be removed from the site. No additional

items or materials shall be brought to the site and stored anywhere outside on the grounds. The weeds and debris shall be cleared and maintained as necessary to keep the area clean and slightly.

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

h. That by operating under this Conditional Use, the applicant gives permission to the City to enter upon the property for the purposes described herein.

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 Conditional Use permit is subject to review by the Plan Commission for compliance with listed conditions.

FisFiscal Note: N/A

Sponsors: Aron Wisneski

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

[Res.12-3262](#)

1717 Washington Avenue

Resolved, that the request from Harry Koffman seeking to amend a conditional use permit at 1717 Washington Avenue to allow the added use of general auto repair is approved, subject to the following conditions:

a. That the plans presented to the Plan Commission on July 25, 2012, be approved subject to the conditions contained herein.

b. That all conditions contained in Common Council Resolution No. 2807 of November 2, 1999 remain in full force unless otherwise modified herein.

c. That this conditional use permit shall be non-transferable and is for the exclusive use of Harry Koffman.

d. That there shall be no more than three vehicles parked outdoors awaiting repair or pick-up, and such parking shall be confined to the site's eastern parking area.

e. That vehicles awaiting repair or pick-up shall be parked on site for no more than 20 days.

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

g. That the hours of operation shall be from 7:00 a.m. - 8:00 p.m., Monday through Saturday.

h. That any signage requested shall be subject to review and approval by the Director of City Development prior to installation.

i. That the following items or activities are prohibited in relation to this facility:

1. Working on or painting of vehicle bodies and parts.
2. Outdoor activities such as: parking of more than three vehicles; repair, servicing and testing activities; storage of parts, equipment, materials or products; storage of junked or inoperable vehicles; display or sales of products; vending machines.
3. Offsite customer and employees parking.
4. Street storage of vehicles, parts, equipment, material or products.
5. Vehicle towing operations or the storage of towing vehicles.
6. Sounds, fumes or vibrations that adversely impact area properties.
7. Vehicle salvage and disassembly.
8. Repair or servicing other than that of private passenger automobiles and personal trucks or vans.
9. Repair or servicing of semi trucks, tractor -trailers or other commercial vehicles.

a. That prior to the issuance of an occupancy permit the following shall be accomplished:

1. The resealing and striping of the fenced parking area.
2. The submittal for the review and approval of the Director of City Development of a landscape plan for the northwest corner of the property. Said plan shall be implemented by October 1, 2012.

a. Financial surety shall be provided to the City in an amount equal in value to the required improvements described above, subject to the following terms:

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

said financial security.

2. The City is authorized by this Conditional Use permit to enter the site, implement the plan(s) and draw on the financial security for the cost of implementation if required improvements are not completed by October 1, 2012 or by an earlier date as may be required herein. Any costs incurred in excess of the value of the financial security shall be paid by the applicant or owner or shall be imposed as a special charge against the real property in accordance with the applicable statute.

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

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

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

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

Fiscal Note: N/A

Sponsors: Aron Wisneski

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

Res.12-3263

First Look Program

Resolved, that the Director of City Development is authorized to participate in the First Look Program of the National Community Stabilization Trust for the acquisition of foreclosed properties for the Neighborhood Stabilization Program, and to authorize him to make offers and close on properties offered through the program.

Fiscal Note: There is no cost to the City to participate in the program.

Sponsors: Dennis Wiser

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

Res.12-3264

1812 Holmes Avenue

Resolved, that the offer of Morris P. Matsen to purchase 1812 Holmes

Avenue and to authorize the Mayor, City Clerk, and Director of City Development to execute any documents necessary to complete the sale is accepted.

Fiscal Note: The property was acquired and rehabilitated through the NSP-1 program. The city will receive \$80,000 in proceeds, minus commissions and closing costs.

Sponsors: Dennis Wiser

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

Res.12-3265

1721 Villa Street

Resolved, that the request to acquire 1721 Villa Street for rehabilitation and resale under the NSP-3 program and to authorize the Mayor, City Clerk, and Director of City Development to execute any documents necessary to complete the acquisition is approved.

Fiscal Note: Tri-City National Bank is the seller of this foreclosed property. Purchase price is \$20,000. Most recent assessed value was \$75,000.

Sponsors: Dennis Wiser

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

Res.12-3266

HOME Grant Policy

Resolved, that the modifications to the home improvement loan matching grant policy is approved. The matching grant shall be no larger than the amount needed so that the housing cost ratio does not exceed 41% and/or total debt ratio does not exceed 45% or \$14,999 (maximum grant), whichever is less.

Fiscal Note: Grants are provided from Federal HOME funds. The change is necessary to bring the City's program into compliance with U.S. HUD guidelines and regulations.

Sponsors: Dennis Wiser

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

Council Action

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

AYES: 14 - Fair, Shields, Kaprelian-Becker, DeHahn, McCarthy, Holding, Morgenroth, Mozol, Wiser, Kaplan, Shakoor, II, Hart, Weidner and Hall

EXCUSED: 1 - Sarrazin

Resolutions

Res.12-3245 CIP Project

Resolved, that the Civic Centre Commission requests that the Common Council reconsider the replacement roof color previously approved for Festival Hall based on the results of a study done which impacts future CIP objectives.

Fiscal Note: N/A

Further resolved, that the Festival Hall roof color is designated as the Classic Copper color.

Fiscal Note: N/A

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

AYES: 10 - Fair, Shields, McCarthy, Holding, Morgenroth, Wiser, Kaplan, Shakoor, II, Weidner and Hall

NOES: 4 - Kaprelian-Becker, DeHahn, Mozol and Hart

EXCUSED: 1 - Sarrazin

I. Adjourn

The meeting was adjourned at 8:55p.m. by Alderman Shakoor. The next scheduled meeting of the Council is August 21, 2012.

ATTEST: JANICE M. JOHNSON-MARTIN
CITY CLERK