



City of Racine Meeting Minutes Common Council

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

*Alderman Keith Fair, Alderman Robert Anderson, Alderman Tim Hermes,
Alderman Jim Kaplan, Alderman David L. Maack, Alderman Sandy Weidner,
Alderman Raymond DeHahn, Alderman Q.A. Shakoor, II, Alderman Pete Karas,
Alderman Thomas Friedel, Alderman Gregory Holding, Alderman Ronald D. Hart,
Alderman Thomas M. Sollman, Alderman James T. Spangenberg, Alderman Aron Wisneski*

Tuesday, February 6, 2007

7:00 PM

Room 205, City Hall

A. Call To Order

PRESENT: 15 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

B. Pledge of Allegiance To The Flag

Mayor Becker 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 Weidner.

D. Public Comments

*Rosa A. Mendez
Mercedes Dzindzeleta*

E. Communications

Refer to Finance and Personnel Committee, by Ald. Spangenberg

1. [07-0072](#) **Subject:** communication from the City Attorney submitting the claim of Michael Christensen & Aime Gordon for consideration.

Staff recommendation: the claim be paid in the amount of \$7,727.26
Referred to the Finance and Personnel Committee
2. [07-0067](#) **Subject:** communication from the City Attorney submitting the claim of Aloma Kellam and Diedre Ozier for consideration.

Staff recommendation: that the claim be denied.
Referred to the Finance and Personnel Committee
3. [07-0075](#) **Subject:** Communication from Friends of Seniors, Inc requesting an

extension of their present lease agreement.

Referred to the Finance and Personnel Committee

4. [07-0094](#) **Subject:** Communication from the City Assessor requesting to discuss a correction to the 2006 assessment and tax rolls.

Referred to the Finance and Personnel Committee

5. [07-0120](#) **Subject:** A communication from the Public Health Administrator requesting permission to accept funds and to authorize the Mayor and City Clerk to sign an amended contract with the United Way of Racine County, Inc. for the Family Smart/Kid Friendly program in the amount of \$29,471.50. The original contract (resolution number 6806) covered the period January 1, 2006 through December 31, 2006. The amended contract covers the period through June 30, 2007.

Fiscal Note: No match is required.

Also refer to the Board of Health.

Referred to the Finance and Personnel Committee

Referred to the Board of Health

6. [07-0122](#) **Subject:** Communication from the Public Health Administrator requesting permission to apply for funding from the United Way of Racine County, Inc. in the amount of \$68,000 for the Teen Parenting Support program. It is a joint application with the Mount Pleasant/Caledonia and Western Racine County Health Departments. The contract period is July 1, 2007 through June 30, 2008.

The Grant Control number is 2007-004.

Fiscal Note: No match is required.

Also refer to the Board of Health.

Referred to the Finance and Personnel Committee

Referred to the Board of Health

7. [07-0130](#) **Subject:** Communication from the Director of the City Library requesting reimbursement of \$6,876 from cost stemming from the Mobile Library broken into, items stolen and an alarm system installed into the Mobile Library.

Referred to the Finance and Personnel Committee

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

8. [07-0076](#) **Subject:** Communication from the Rotary Foundation of Racine West, Inc., requesting permission to utilize various parks for the fourth annual Great Midwest Dragon Boat Festival, on July 13 and 14, 2007, for the use of selling beverages, beer, food items and providing live entertainment, to close city streets and parking lanes for a parade and race administration and to utilize the parking lot at the south end of Pershing Drive. Also, sponsoring organizations request permission to place posters on or about city streets and parks regarding this free event.
Referred to the Public Works and Services Committee
9. [07-0107](#) **Subject:** Communication from Redline Tavern Corporation requesting to close North Wisconsin Street, between Hamilton and Hubbard, on August 18, 2007, for the 4th Annual "Cruz in for the Cause" benefit for the non-profit organization "SafeHaven of Racine".
Referred to the Public Works and Services Committee
10. [07-0110](#) **Subject:** Communication from the Purchasing Agent submitting bid results on Official Notice #1 for two dump trucks with snowplow and tailgate material spreaders.
Referred to the Public Works and Services Committee
11. [07-0111](#) **Subject:** Communication from the Derby Director of the Racine Area Soap Box Derby requesting the closing of Hoffert Dr at North Beach on May 12-13, June 16-17 and September 8-9, 2007.
Referred to the Public Works and Services Committee
Referred to the Board of Park, Recreation and Cultural Services
12. [07-0112](#) **Subject:** Communication from the Purchasing Agent submitting bid results on Official Notice #2 for three truck chassis for the Department of Public Works.
Referred to the Public Works and Services Committee
13. [07-0116](#) **Subject:** Communication from the Madison Environmental Group, Inc. for continued funding from the City of Racine for the Environmental EducationAction Program.
Referred to the Public Works and Services Committee
14. [07-0124](#) **Subject:** Communication from Cornelius Gordon, 2309 West High Street, requesting reimbursement for repair work to a sewer lateral.
Referred to the Public Works and Services Committee
15. [07-0128](#) **Subject:** Communication from the Racine Public Library Board of

Trustees wishing to place banners on city light poles commemorating the 75th anniversary of the very first preschool storytime in the nation which was presented by the Racine Public Library in 1932.

Referred to the Public Works and Services Committee

16. [07-0131](#) **Subject:** Communicaton from the Purchasing Agent submitting bid results for one street sweeper.

Referred to the Public Works and Services Committee

17. [07-0132](#) **Subject:** Communication from the Downtown Racine Corporation requesting permission to use city right-of-way on Saturday, March 17, 2007, for a St. Patrick's Day Parade.

Referred to the Public Works and Services Committee

18. [07-0134](#) **Subject:** Communication from the Commissioner of Public Works/City Engineer requesting modifications to the Storm Water Utility Credits and Rebates Manual.

Referred to the Public Works and Services Committee

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

19. [07-0064](#) **Subject: (Change of Agent)** Application of Tango, Incorporated, Alejandro D. Harbatenko, Agent for Change of Agent for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 509 Sixth Street. (1st District)

Referred to the Public Safety and Licensing Committee

20. [07-0074](#) **Subject:** Application of Magic Dollar Plus LLC., Hussein Asad, Agent, for a Class "A" Retail Fermented Malt Beverage License for 1007 Washington Avenue. (1st District)

Referred to the Public Safety and Licensing Committee

21. [07-0082](#) **Subject:** Application of Taqueria Aranda's Restaurant, Juan M. Leon, Agent for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 1501 Prospect Street.

Referred to the Public Safety and Licensing Committee

22. [07-0093](#) **Subject: (New)** Application of Pig n' Out, LLC., Arthur T. Slaughter, Agent, for a "Class C" and Class "B" Retail Fermented Malt Beverage License for 2920 Taylor Avenue (11th District)

Referred to the Public Safety and Licensing Committee

23. [07-0113](#) **Subject:** Communication from the City Clerk wishing to amend Sec. 6-132

of the Municipal Code relating to Provisional operators licenses.

Referred to the Public Safety and Licensing Committee

24. [07-0136](#) **Subject:** Communication from the Purchasing Agent submitting bid results received for RFP #4, EMS Billing for the Racine Fire Department..

Referred to the Public Safety and Licensing Committee

Refer to Traffic Commission, by Ald. Hart

25. [06-3053](#) **Subject:** Communication from the Asst. Commissioner of Public Works/Engineering requesting that Section 94-311 of the Municipal Code be amended to delete: 13th Street, from Valley Drive to South Memorial Drive; and Valley Drive from Washington Avenue to 13th Street, from the designation of Truck and Heavy Traffic Routes.

Referred to the Traffic Commission

26. [07-0044](#) **Subject:** Communication from the Mayor wishing to discuss the changing of one-way streets back to two-way. Austin and Mertens Avenue from 16th to 17th Streets. Wilson, Garfield, and Peck Avenues from State to West Streets. **Mayor Becker invited to the meeting.**

Referred to the Traffic Commission

Refer to Transit and Parking Commission, by Ald. DeHahn

27. [07-0115](#) **Subject:** Communication from Lori Jaime, General Manager of Radisson Inn Harbourwalk wishing to discuss the Radisson parking supplement.

Referred to the Transit and Parking Commission

28. [07-0123](#) **Subject:** Communication from Rita Lewis, Lakefront Artist Fair Committee, requesting the rental of Lakefront Lot No. 5 for the Lakefront Artist Fair on Saturday, May 5, 2007.

Referred to the Transit and Parking Commission

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

29. [07-0126](#) **Subject:** Request from David K. Popoff for a First Right of Refusal in purchasing and redeveloping the building located on 1423 State Street, formerly known as the Cruise Inn.

Referred to the Redevelopment Authority of the City of Racine

30. [07-0133](#) **Subject:** Request that the Redevelopment Authority acquire 1526 Washington Avenue, a blighted property, through condemnation.

Referred to the Redevelopment Authority of the City of Racine

Refer to Board of Parks, Recreation, and Cultural Services, by Ald. Wisneski

31. [07-0127](#) **Subject:** Communication from Adam Fuller requesting a hearing before the appropriate committee regarding the temporary erection of a prototype wind power machine.
Referred to the Board of Park, Recreation and Cultural Services

F. Committee Reports**Finance and Personnel Committee Report, by Ald. Spangenberg**

32. **06-3052** **Subject:** Communication from the City Attorney submitting the claim of Marvin Brown for consideration.

Recommendation of the Finance & Personnel Committee on

01-22-07: The claim of Marvin Brown, 1524 Owen Avenue, requesting reimbursement of \$1,300 arising from execution of a search warrant be denied.

Fiscal Note: N/A

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

33. **06-3042** **Subject:** Communication from the City Attorney's office submitting the claim of Mark Altergott for consideration:

Recommendation of the Finance & Personnel Committee on

01-22-07: The claim of Mark Altergott for sanitary sewer wye connection failure adjacent to 1722 Park Avenue be settled in the amount of \$8,277.

Fiscal Note: There are sufficient funds available in account 101.160.5910, Judgment and Claims for the settlement.

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

34. [07-0018](#) **Subject:** Communication from the Human Resources Director requesting to present in closed session a summary of the collective bargaining agreement between the City of Racine and Racine Dispatchers Association Local 356 Wisconsin Professional Association Law Enforcement Employee Relations Division for 2006 - 2008.

Recommendation of the Finance & Personnel Committee on

01-22-07: The contract with Racine Dispatchers Association Local 356 Wisconsin Professional Association Law Enforcement Employee

Relations Division for 2006 - 2008 be approved.

Fiscal Note: The costs to the City for the Racine Dispatchers Association Local 356 Wisconsin Professional Association Law Enforcement Employee Relations Division will be in 2006, \$19,825.73; 2007, \$51,087.78; and 2008, \$43,516.18. Increases do not include potential savings from premium contributions and plan design changes.

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

35. [07-0020](#)

Subject: Communication from the Transit Planner submitting the November 2006 operating and financial report for the Belle Urban System.

Recommendation of the Finance & Personnel Committee on 1-22-07: The 2006 operating and financial report of the Belle Urban System be received and filed.

Fiscal Note: N/A

Recommendation of the Transit & Parking Commission on 1-31-07: The communication be received and filed.

Fiscal Note: N/A

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

36. [07-0027](#)

Subject: Request of the Director of City Development for approval to apply for and accept a U.S. Environmental Protection Agency environmental remediation grant in the amount of \$200,000 (Grant Control No. 2007-002) for the Pointe Blue development.

Recommendation of the Finance & Personnel Committee on 01-22-07: Permission granted for the Director of City Development to apply for and accept a \$200,000 grant with the U.S. Environmental Protection Agency (Grant Control No. 2007-002) for remediation of environmental contamination at the Pointe Blue site.

Fiscal Note: There is a 20% soft or in-kind matching required that will be provided by Pointe Blue's developer.

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 James T. Spangenberg to Adopt the Report.
Adopted by the following vote:**

AYES: 15 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

Public Works and Services Committee Report, by Ald. Hart

37. [06-3026](#)

Subject: Direct Referral. Communication from the Assistant Commissioner of Public Works/Engineering submitting a proposal from Earth Tech, Inc. for 2007 Sewer Lining Design Services.

Recommendation: The Mayor and City Clerk be authorized and directed to enter into an agreement with Earth Tech, Inc., for 2007 Sewer Lining Design Services at a cost not to exceed \$32,900.00.

Further recommends that funding to defray the cost of these professional services be appropriated from the following accounts:

\$13,700.00 - 104.986.5420, Storm Sewer, Miscellaneous Locations
\$19,200.00 - 986.907.5310, Sanitary Sewer, Various Locations
\$32,900.00 - Total

Fiscal Note: Funds are available as herein delineated.

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

38. [07-0013](#)

Subject: Communication from Neighborhood Housing Services of Southeast Wisconsin requesting permission to place a banner on street light poles in the 1100 block of Villa Street.

Recommendation: In accordance to City policy, that the request to place four (4) banners on street light poles in the 1100 block of Villa Street be approved.

Fiscal Note: The placement of these banners will result in \$120.00 of revenue to the City of Racine.

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

39. [07-0016](#)

Subject: Direct Referral. Communication from the City Engineer submitting a cost estimate for installing bricks at the intersection of 17th Street and College Avenue.

Recommendation: The communication be received and filed.

Fiscal Note: Not applicable.

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

40. [07-0017](#)

Subject: Communication from the Assistant Commissioner of Public Works/Engineering requesting to enter into a funding agreement with the Village of Caledonia for the paving of Erie Street.

Recommendation: The Mayor and City Clerk be authorized and directed to enter into an agreement with the Village of Caledonia for the paving of Erie Street from 147' North of Shelbourne Court to the City/Village limits with the stipulation that the Village of Caledonia be invoiced for their share of this project in January 2008.

Fiscal Notes: The share of costs for this project will be based on the actual lineal feet within each municipality for engineering, construction and construction administration services. There are funds available for this project in the 2007 Capital Improvement Program.

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

41. [07-0021](#)

Subject: Communication from Dig-It All Sign Company, LLC submitting a request to install two (2) signs over public right-of-way at Wilbur's BBQ & Catering, 515 Sixth Street.

Recommendation: The property owner of 515 Sixth Street be granted permission to install two stationary, projecting signs, one on 6th Street and one on 7th Street, as requested, with the stipulation that a hold harmless agreement be executed, in accordance with State Statute 66.0425, Privileges in Streets.

Further recommends that the 7th Street sign also be approved by the Downtown Design Committee.

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

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

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

42. [07-0022](#)

Subject: Communication from the Historic Sixth Street Association requesting to present findings of a report that identifies enhancements to the 6th Street highway reconstruction project.

Recommendation: The report as submitted by the Historic Sixth Street Association for the reconstruction of Sixth Street be accepted.

Further recommend that the Commissioner of Public Works/City Engineer be authorized and directed to include in the reconstruction of Sixth Street as many of the recommendations contained in the report which meet the following criteria:

- A. That there is adequate funding.
- B. The recommendation must not violate any federal, state or local law, rule or regulation.
- C. The recommendation must be supported by the plurality of property owners, business operators and residents on the Sixth Street Corridor.

Further recommends that the Commissioner of Public Works/City Engineer submit proposals for additional professional engineering services for those items which require further study including the development of cost estimates.

Further recommends that the Commissioner of Public Works/City Engineer be authorized and directed to hold public hearings for those items which are required by City assessment policy.

Further recommends that the communication be received and filed.

Fiscal Note: Not applicable at this time.

Alderman Karas requested that item 07-0022 be considered separately.

A motion was made by Alderman Ronald D. Hart that this be Received and Filed as Reported. The motion PASSED by the following vote:

AYES: 15 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

43. [07-0029](#)

Subject: Communication from the Commissioner of Public Works/City Engineer recommending that the City adopt Chapter 11 of the State of Wisconsin Department of Transportation Facility Design Manual.

Recommendation: That for all arterial and collector streets, that the City of Racine adopt Chapter 11, Section 20, Subject 1, Clear Zone, and that an ordinance be introduced.

Fiscal Note: This proposed ordinance will require all utility infrastructure to be set a minimum of 2 feet from the curb face on all arterial and collector streets for the protection of pedestrians and vehicle safety.

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

44. [07-0041](#) **Subject:** Direct Referral. Communication from the Assistant Commissioner of Public Works/Engineering submitting Change Order No. 5 on Contract 24-06 (K6-025), Concrete Street Reconstruction and Paving, Milwaukee General Construction Company, contractor.

Recommendation: That Change Order No. 5 on Contract 24-06 (K6-025), Concrete Street Reconstruction and Paving, Milwaukee General Construction Company, contractor, as submitted, be approved in the amount of \$166,237.32.

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

\$ 87,423.32 - 986.908.5020, Concrete Pavement Repl., Misc. Locations
\$ 70,537.00 - 104.986.5420, Storm Sewers, Misc. Locations
\$ 8,277.00 - Water Department
\$166,237.32 - Total

Fiscal Note: Funds are available as herein delineated.

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

45. [07-0061](#) **Subject:** Direct Referral. Communication from the Assistant Commissioner of Public Works/Engineering submitting Change Order No. 3 on Contract 2-06 (K6-002), Racine Street Sanitary Sewer Lining, Visu-Sewer Clean & Seal, Inc., contractor.

Recommendation: That Change Order No. 3 on Contract 2-06 (K6-002), Racine Street Sanitary Sewer Lining, Visu-Sewer Clean & Seal, Inc., contractor, as submitted, be approved in the amount of \$2,850.00.

Further recommends that funding to defray to cost of this change order be appropriated from Account 986.907.5310, Sanitary Sewer, Various Locations.

Fiscal Note: Funds are available as herein delineated.

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

46. [07-0062](#) **Subject:** Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 2-06 (K6-002), Racine Street Sanitary Sewer Lining, Visu-Sewer Clean & Seal, Inc., contractor.

Recommendation: The work of Visu-Sewer Clean & Seal, Inc., under

Contract 2-06 (K6-002), Racine Street Sanitary Sewer Lining, be accepted and final payment authorized for a total contract amount of \$247,942.50, from funds heretofore appropriated.

Fiscal Note: Contract was authorized under Resolution No. 6917 of March 7, 2006.

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

47. [07-0063](#)

Subject: Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 6-06 (K6-006), Professional Services - 2006 Information Technology, Earth Tech, Inc., consultant.

Recommendation: The professional services provided by Earth Tech, Inc., under Contract 6-06 (K6-006), Professional Services - 2006 Information Technology, be accepted and final payment authorized for a total contract amount of \$14,992.57, from funds heretofore appropriated.

Fiscal Note: Contract was authorized under Resolution No. 6854 of January 17, 2006.

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

48. [07-0066](#)

Subject: Communication from the Commissioner of Public Works/City Engineer submitting bid results on Contract 6-07 (K7-006), New West Side Grandstand Bleachers at Horlick Athletic Field (R1).

Recommendation: Contract 6-07 (K7-006), New West Side Grandstand Bleachers at Horlick Athletic Field (R1), be awarded to Southern Bleacher Co., Inc., Graham, TX, at their bid price of \$297,945.00, they being the lowest responsible bidder.

Further recommends that funds to defray to cost of this public works project be appropriated from Account 987.710.5070, New West Side Grandstand Bleachers at Horlick Athletic Field (R1).

Fiscal Note: Funds are available as herein delineated.

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

49. [07-0073](#)

Subject: Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 25-06 (K6-026), City Parking Lots, Cicchini Asphalt Paving, Inc., contractor.

Recommendation: The work of Cicchini Asphalt Paving, Inc., under Contract 25-06 (K6-026), City Parking Lots, be accepted and final payment authorized for a total contract amount of \$336,927.89, from funds heretofore appropriated.

Fiscal Note: Contract was authorized under Resolution No. 06-7156 of August 2, 2006.

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

50. [07-0080](#)

Subject: Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 18-06 (K6-019), Construction Inspection Services for Racine Street Sewer Lining, Earth Tech, Inc., consultant.

Recommendation: The professional services provided by Earth Tech, Inc., under Contract 18-06 (K6-019), Construction Inspection Services for Racine Street Sewer Lining, be accepted and final payment authorized for a total contract amount of \$17,052.02, from funds heretofore appropriated.

Fiscal Note: Contract was authorized under Resolution No. 6908 of February 22, 2006.

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

51. [07-0084](#)

Subject: Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting a request final payment on Contract 63-05 (K5-072), Professional Services - Safety Building Wall Repairs, Fischer-Fischer-Theis, Inc., consultant.

Recommendation: The professional services provided by Fischer-Fischer-Theis, Inc., under Contract 63-05 (K5-072), Professional Services - Safety Building Wall Repairs, be accepted and final payment authorized for a total contract amount of \$3,000.00, from funds heretofore appropriated.

Fiscal Note: Contract was authorized under Resolution No. 6738 of November 1, 2005.

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

52. [07-0091](#)

Subject: Direct Referral. Communication from the Assistant Commissioner of Public Works/Engineering submitting Change Order No. 1 on Contract 44-06 (K6-047), Upgrade Temperature and HVAC Controls at Community Centers, Johnson Controls, Inc., contractor.

Recommendation: That Change Order No. 1 on Contract 44-06 (K6-047), Upgrade Temperature and HVAC Controls at Community Centers, Johnson Controls, Inc., contractor, as submitted, be approved in the amount of \$3,193.00.

Further recommends that funding to defray to cost of this change order be appropriated from Account 987.640.5010, Tyler/Domer BAS.

Fiscal Note: Funds are available as herein delineated.

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

53. [07-0092](#)

Subject: Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 60-05 (K5-069), Professional Services - Streambank Restoration in Island Park, Earth Tech, Inc., consultant.

Recommendation: The professional services provided by Earth Tech, Inc., under Contract 60-05 (K5-069), Professional Services - Streambank Restoration in Island Park, be accepted and final payment authorized for a total contract amount of \$23,000.00, from funds heretofore appropriated.

Fiscal Note: Contract was authorized under Resolution No. 6716 of October 18, 2005.

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

54. [07-0117](#)

Subject: Direct Referral. Communication from the Commissioner of Public Works/City Engineer submitting a proposal from Aerometric, Inc. for updating the City's digital color orthophotographs.

Recommendation: The Mayor and City Clerk be authorized and directed to enter into an agreement with Aerometric, Inc., Sheboygan, WI, for the provision of digital color orthophotographs at a cost not to exceed \$61,045.00.

Further recommends that funding to defray the cost of these professional services be appropriated from the following accounts:

\$20,000.00 - 104.000.5330, Storm Water
\$20,000.00 - 987.907.5310, Sanitary Sewer
\$15,000.00 - 101.130.5830, GIS Layers
\$ 6,045.00 - 101.130.5610, City Engineer Professional Services
\$61,045.00 - Total

Fiscal Note: Funds are available as herein delineated.

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

55. [07-0118](#)

Subject: Direct Referral. Communication from the Assistant Commissioner of Public Works/Engineering submitting proposed special assessment rates for 2007 (2008 construction) for portland cement concrete paving and curb and gutter

Recommendation: The proposed special assessment rates for 2007 (2008 construction) for portland cement concrete paving and curb and gutter be as follows:

Portland Cement Concrete Paving

Residential Paving (7 inch) - 26' Flange to Flange	\$45.00/Front Foot
Residential Paving (7 inch) - 32' Flange to Flange	\$55.00/Front Foot
Commercial Paving (8 inch) - 32' Flange to Flange	\$60.00/Front Foot
Industrial Paving (9 inch) - 32' Flange to Flange	\$65.00/Front Foot
Industrial Paving (9 inch) - 44' Flange to Flange	\$95.00/Front Foot
Industrial Paving (10 inch) - 44' Flange to Flange	\$110.00/Front Foot

Portland Cement Concrete Curb and Gutter (30 inch)

7" Pavement	\$18.00/Front Foot
8" Pavement	\$19.00/Front Foot
9" Pavement	\$20.00/Front Foot
10" Pavement	\$21.00/Front Foot

Sewer and Water Services

\$7,500.00/Each

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

These rates apply to all streets, regardless of width, unless the actual construction cost is less, then the front foot cost shall be reduced accordingly.

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

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

56. [07-0121](#)

Subject: Direct Referral. Communication from the Assistant Commissioner of Public Works/Operations submitting the 2007 Be Smart

Municipal Partner Membership agreement.

Recommendation: The City of Racine enter into an agreement with the Wisconsin Be Smart Coalition for the provision of regional and local recycling education and conservation programs in the amount of \$11,270.00.

Fiscal Note: By being part of this cooperative partnership the City of Racine will qualify for a Recycling Efficiency Grant from the State of Wisconsin which will result in revenues totaling \$50,000.00 which are included in the 2007 budget.

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 Ronald D. Hart to Adopt the Report. Adopted by the following vote:

AYES: 15 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

Public Safety and Licensing Committee Report, by Ald. Maack

57. [06-2932](#) **Subject: (New)** Application of Uptown Transfer, LLC for a Secondhand Article Dealer License for 1410 Washington Avenue. (3rd District)

Recommendation of the Public Safety & Licensing Committee of 01-08-07: That the item be deferred until the January 22, 2007 (haven't receive records check).

Recommendation of the Public Safety & Licensing Committee of 01-22-07: That the license be granted.

Fiscal Note: N/A

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

58. [06-2990](#) **Subject: (Renewal)** Application of Belle City Pawn for a Pawnbroker, Secondhand Jewelry Dealer, and Secondhand Article Dealer's license for 949 Washington Avenue. (1st District)

Recommendation of the Public Safety & Licensing Committee of 01-08-07: That the item be deferred until the January 22, 2007 (haven't receive records check).

Recommendation of the Public Safety & Licensing Committee of

01-22-07: That the license be granted.

Fiscal Note: N/A

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

59. [06-2991](#)

Subject: (Renewal) Application of Wisconsin Discount for a Secondhand Jewelry Dealer's license for 2724 16th Street. (9th District)

Recommendation of the Public Safety & Licensing Committee of

01-08-07: That the item be deferred until the January 22, 2007 (haven't receive records check).

Recommendation of the Public Safety & Licensing Committee of

01-22-07: That the license be granted.

Fiscal Note: N/A

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

60. [07-0007](#)

Subject: Request of the Director of Parks, Recreation & Cultural Services to enter into an agreement with Southport Consulting to prepare plans and specifications for HVAC Upgrades at Dr. Bryant Community Center.

Recommendation of the Public Safety and Licensing Committee of

01-22-07: That the Director of Parks, Recreation & Cultural Services be allowed to enter into an agreement with Southport Consulting to prepare plans and specifications for HVAC Upgrades at Dr. Bryant Community Center.

Fiscal Note: The cost not to exceed \$1,500.00

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

61. [07-0008](#)

Subject: Communication from Police Chief Wahlen, requesting to enter into an agreement with Racine County Sheriff's Department for ongoing conditional use of the Racine County Robert L. Rohner Training Facility.

Recommendation of the Finance & Personnel Committee on

01-22-07: Permission granted for the Chief of Police to enter into an agreement with Racine County Sheriff's Department for the Racine Police Department's ongoing conditional use of the Racine County Robert L. Rohner Training Facility, 3900 7 Mile Road, Caledonia, Wisconsin.

Recommendation of the Public Safety and Licensing Committee of

01-22-07: That permission be granted for the Chief of Police to enter into an agreement with Racine County Sheriff's Department for the Racine Police Department's ongoing conditional use of the Racine County Robert L. Rohner Training Facility, 3900 7 Mile Road, Caledonia, Wisconsin.

Fiscal Note: There will be no rental fee or lease requirement for use of the facility.

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

62. [07-0034](#) **Subject: (New)** Application of Sticky Rice, LLC, Pytaphone Khampane, Agent, for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 522 Sixth Street. (1st District)

Recommendation of the Public Safety & Licensing Committee of

01-22-07: That the license be granted.

Fiscal Note: N/A

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

63. [07-0065](#) **Subject: (Direct Referral)** Communicaton from the Purchasing Agent submitting the monthly report for the sale of Abandoned Vehicles, January 10, 2007.

Recommendation of the Public Safety & Licensing Committee of

01-22-07: That the item be received and filed.

Fiscal Note: This will generate \$12,191.02 in revenues.

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 David L. Maack to Adopt the Report. Adopted by the following vote:

AYES: 15 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

64. [07-0095](#) **Subject:** Ordinance No. 1-07

To repeal and recreate Article XXV. Pawnbrokers and Secondhand Dealers, to create Secs. 22-900 - 22-919, Pawnbroker Licenses, and amend Sec. 114-468, Conditional Uses, of the Municipal Code of the City of Racine, Wisconsin.

Recommendation of the Public Safety & Licensing Committee of 01-22-07:

That Ordinance No. 1-07 be adopted.

Fiscal Note: N/A

Referred to the Public Safety and Licensing Committee

Traffic Commission Report, by Ald. Hart

65. [06-3007](#) **Subject:** Communication from Robert and Rebecca Venn, Port Gilbert, LLC., requesting a change in the 2-Hour parking restrictions at 949 Washington Avenue. **Alderman Keith Fair, Robert and Rebecca Venn invited to the meeting.**

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

66. [07-0102](#) **Subject:** In accordance with Section 2-95 of the Municipal Code of the general ordinances of the City of Racine, recommends that the following requests for changes in traffic code be granted:

A. Recommends that Section 94-143 (4) of Schedule G of the Municipal Code of the General Ordinances of the City of Racine relative to "One-half-hour parking from 9:00 AM to 6:00 PM on weekdays" be amended:

By Adding:

1. Washington Avenue, east side, from 30 feet north of Tenth Street north 40 feet.

B. Recommends that Section 94-143 (15) of Schedule G of the Municipal Code of the General Ordinances of the City of Racine relative to "Two-hour parking from 9:00 AM to 6:00 PM, except on Sundays and holidays" be amended:

By Deleting:

1. Washington Avenue, east side, from 30 feet north of Tenth Street north 170 feet.

By Adding:

1. Washington Avenue, east side, from 70 feet north of Tenth Street north 170 feet.

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

Council Action

A motion was made by Alderman Ronald D. Hart to Adopt the Report. Adopted by the following vote:

AYES: 15 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

Transit and Parking Commission Report, by Ald. DeHahn

67. [06-2622](#) **Subject:** Communication from the Transit Planner wishing to discuss changes in the Belle Urban System transfer policy.
- Recommendation:** The changes to the policy be approved and the amended policy be adopted.
- Fiscal Note:** N/A
- A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.**
68. [06-2960](#) **Subject:** Communication from the Transit Planner submitting the November 2006 financial and operating report for the Wisconsin Coach Lines, Inc. Kenosha-Racine-Milwaukee intercity bus service.
- Recommendation:** The communication be received and filed.
- Fiscal Note:** N/A
- A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.**
69. [06-2988](#) **Subject:** Communication from the Transit Planner submitting the October 2006 financial and operating report for the Belle Urban System.
- Recommendation:** The communication be received and filed.
- Fiscal Note:** N/A
- A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.**
70. [06-2989](#) **Subject:** Communication from the Racine County Convention and Visitors Bureau, requesting permission to use two parking lots near Festival Park from Friday, August 17, 2007 thru Sunday, August 19, 2007, and to use city right-of-way for a motorcade or parade on Saturday, August 18, 2007, in conjunction with the Wisconsin State Harley Owners Group Rally. **Adam Smith invited to the meeting.**
- Also refer to the Transit and Parking Commission.

Recommendation of the Public Works and Services Committee**(1-9-07):** The communication be received and filed.**Fiscal Note:** Not applicable.**Recommendation of the Transit & Parking Commission on 1-31-07:**

The Racine County Convention and Visitors Bureau be granted permission to rent the Civic Center Parking Ramp and Lakefront Parking Lot # 4 at the posted rates, from Friday, August 17, 2007, through Sunday, August 19, 2007, subject to execution of a hold harmless agreement and acquisition of a temporary liquor license, if applicable.

Fiscal Note: The Parking System will generate \$600 per day for the Civic Centre Lot and \$118.50 per day for the Lakefront Parking Lot # 4.**A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.**71. [06-3054](#)**Subject:** Communication from the Transit Planner submitting the contract between the City of Racine and the Village of Mt. Pleasant for transit service in the Village in 2007.**Recommendation:** The Mayor and City Clerk be authorized and directed to execute the contract on behalf of the City of Racine.**Fiscal Note:** Mt. Pleasant will pay up to \$161,000 for transit service provided in the Village.**A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.**72. [06-3055](#)**Subject:** Communication from the Transit Planner submitting the contract between the City of Racine and the Village of Sturtevant for transit service in the Village in 2007.**Recommendation:** The Mayor and City Clerk be authorized and directed to execute the contract on behalf of the City of Racine.**Fiscal Note:** Sturtevant will pay up to \$50,000 for transit service provided in the Village.**A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.**73. [06-3056](#)**Subject:** Communication from the Transit Planner submitting the contract between the City of Racine and the Village of Caledonia for transit service in the Village in 2007.

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

Fiscal Note: Caledonia will pay up to \$28,000 for transit service provided in the Village.

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

74. [06-3057](#)

Subject: Communication from the Transit Planner submitting the agreement which would allow the pass-through of State mass transit operation funds in 2007 to Wisconsin Coach Lines for the Kenosha-Racine-Milwaukee intercity bus service.

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

Fiscal Note: The contract will allow the City of Racine to pass through approximately \$645,000 in State aid to Wisconsin Coach Lines for Kenosha-Racine-Milwaukee intercity bus service. No City funds will be expended for the provision of this service.

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

75. [06-3058](#)

Subject: Communication from the Transit Planner submitting the December 2006 financial and operating report for the Wisconsin Coach Lines Racine-Kenosha-Milwaukee intercity bus service.

Recommendation: The communication be received and filed.

Fiscal Note: N/A

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

76. [07-0001](#)

Subject: Communication from the Transit Planner submitting the December 2006 WIDOT Management Performance Audit on the Belle Urban System.

Recommendation: The report 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.

77. [07-0083](#)

Subject: (Direct Referral) Communication from Vivian Merlo, President of

Preservation Racine, Inc., asking permission to use the Racine Railroad Depot for a meeting on April 2, 2007 from 7 PM until 9 PM.

Recommendation: The request be granted subject to the execution of a hold harmless agreement with the City, acquisition of a temporary liquor license, if applicable, and subject to the understanding that the facility and bathrooms must remain open to the public during the event.

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 Raymond DeHahn to Adopt the Report. Adopted by the following vote:

AYES: 15 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

City Plan Commission Report, by Ald. Holding

78. [06-3032](#) **Subject:** Direct Referral. Consideration of a request by the Director of City Development seeking consideration of a nomination to re-designate the property at 936 South Main Street (Blake House) as a Racine Landmark.

Recommendation of Landmarks Preservation on January 08 2007:
That the property at 936 South Main Street (Blake House) be re-designated as a Racine Landmark.

Further that all appropriate hearings be scheduled, and ordinance and recording documents prepared.

Fiscal Note: N/A

Recommendation of City Plan Commission on January 31, 2007:
That the communication be received and filed.

Fiscal Note: N/A

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

79. [07-0085](#) **Subject:** (Direct Referral) Request by Dennis Spankowski of Burli Signs seeking a minor amendment to a conditional use permit for a gas station, convenience store and car wash at 3945 Erie Street for a new

comprehensive sign package.

Recommendation of the City Plan Commission on January 31, 2007:

That the request by Dennis Spankowski of Burlingame signs seeking a minor amendment to a conditional use permit for a gas station, convenience store, and car wash at 3945 Erie Street for a new comprehensive sign package be approved, subject to the following conditions:

- a. That the plans presented to the Plan Commission on January 31, 2007 be approved subject to the conditions contained herein,
- b. That all applicable permits be applied for with the Building Department.
- c. That all unused sign and light pole bases be removed from the property.
- d. That prior to the issuance of sign permits related to this request, but no later than March 31, 2007, a property maintenance contract be submitted for the review and approval of the Director of City Development. Said contract shall, at a minimum, address provisions for the appropriate watering of plantings, weekly weeding of all planting beds, the mowing of all grass areas, daily trash removal, removal and replanting of any dead trees, shrubs, or other plantings.
- e. That prior to the issuance of sign permits related to this request, but no later than March 31, 2007, an irrevocable letter of credit in the City's favor, equal in value to the replacement cost and cost of maintenance for one year of all landscaping be submitted for the review and approval of the Director of City Development.
- f. That by June 1, 2007, the approved landscape plan be complied with and maintained.
- g. That compliance be maintained with all other conditions of approval as contained in Common Council Resolution No. 6081 of August 2, 2004; Resolution No. 3784 of February 21, 2001; Resolution No. 3455 of September 5, 2000, unless otherwise superseded thereby or herein.

Fiscal Note: N/A

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

80. [07-0086](#)

Subject: (Direct Referral) Request by the Director of City Development seeking the rezoning of 936 South Main Street from "O" Restricted Office District to "O/H Restricted Office District with a Historic Properties District Overlay.

Recommendation of the City Plan Commission on January 31, 2007:

That a public hearing before the Common Council be scheduled and an ordinance be created.

Fiscal Note: N/A

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

81. [07-0087](#)

Subject: (Direct Referral) Request by Jan Roland of Racine Habitat for Humanity seeking a conditional use permit for a facility to be used for the indoor storage and sale of construction materials, household good, and appliances at 2200 De Koven Avenue.

Recommendation of the City Plan Commission on January 31, 2007:

That the request by Jan Roland of Racine Habitat for Humanity seeking a conditional use permit for a facility to be used for the indoor storage and sale of construction materials, household goods, and appliance at 2200 De Koven Avenue be approved, subject to the following conditions:

- a. That the plans stamped "Received January 17, 2007" and presented to the Plan Commission on January 31, 2007 be approved, subject to the conditions contained herein.
- b. That all applicable building and occupancy permits be applied for with the Building Department.
- c. That by March 1, 2007 a uniform sign plan that takes into consideration all tenants in the facility be submitted for the review and approval by the Director of City Development.
- d. That the parking lot be re-stripped by June 1, 2007.
- e. That the hours of operation be from 10:00 a.m. to 4:00 p.m., Monday through Saturday.
- f. That there be no outside storage of materials or equipment associated with this use.
- g. That all codes and ordinance be complied with all permits acquired, unless otherwise addressed herein.
- h. That all trash and recyclables be stores in closed containers and screened from view.
- 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 review by the Plan Commission for compliance with the listed conditions.

Fiscal Note: N/A

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

82. [07-0088](#)

Subject: (Direct Referral) Request by Robert Westmoreland of Westmoreland Properties, LLC seeking a conditional use permit for two ground floor residential units at 720-17th Street.

Recommendation of the City Plan Commission on January 31, 2007:
Received and Filed.

Fiscal Note: N/A

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

83. [07-0089](#)

Subject: Request by Rhonda Nicholson seeking a conditional use permit to locate a tattoo and body piercing facility at 1236 Lathrop Avenue.

Recommendation of the City Plan Commission on January 31, 2007:

That a request by Rhonda Nicholson seeking a conditional use permit for a tattoo and body piercing establishment at 1236 Lathrop Avenue be approved, subject to the following conditions:

- a. That the plans stamped "Received January 18, 2007" and presented to the Plan Commission on January 31, 2007 be approved subject to the conditions contained herein.
- b. That all applicable building and occupancy permits be obtained from the Building Department.
- c. That all requirements of the State Department of Health and Family Services be complied with.
- d. That any changes to the exterior appearance of the building be approved by the Director of City Development.
- e. That all trash and recyclables be kept in closed containers and stored in the building until pick up.
- f. That no loitering be allowed in or around the building.

- g. That the tattoo and body piercing stations be screened from view from the exterior of the business.
- h. That the establishment's hours open to the general public extend no longer than from 10:00 a.m. to 9:00 p.m. Monday through Saturday, with no hours on Sunday. Client services shall cease at 10:00 p.m.
- i. That the sale of food or drink shall not be allowed.
- j. That all signs be professionally made, comply with zoning ordinance requirements, and be approved by the Director of City Development.
- k. That all codes and ordinances be complied with and required permits acquired unless otherwise indicated herein.
- l. That no minor changes be made from the conditions of this permit without approval of the Plan Commission and no major changes be made without the approval of the Common Council.
- m. That this permit is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

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

Council Action

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

AYES: 15 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

84. [07-0125](#) Subject: Ordinance No. 1-07

Recommendation of City Plan Commission on January 31, 2007:

That Parts 1, 2, and 4 of Ord. 01-07 be adopted.

Further that Part 3 be deleted from Ord. 01-07.

Fiscal Note: N/A

Motion made by Ald. Holding that item 07-0125 be received and filed.

Adopted As Amended:

Community Development Committee Report, by Ald. Weidner

85. [06-3051](#) **Subject:** Allocation of 2007 HOME Grant Funds

Recommendation of the Community Development Committee on 1-25-07: Allocate Racine's 2007 HOME Housing Investment Partnerships grant funds as shown in the attached table (Recommended 2007 HOME Allocation); authorize and direct the appropriate city officials to execute and submit the appropriate documents on the City's behalf to the U.S. Department of Housing and Urban Development to secure the City's 2007 HOME grant funds; and authorize the appropriate City officials to execute third-party contracts with agencies approved for use of the 2007 HOME grant funds.

Fiscal Note: A 2007 HOME grant of no less than \$600,000 is expected.

A motion was made by Alderman Sandy Weidner that this be Received and Filed as Reported. The motion PASSED by the following vote:

AYES: 15 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

Redevelopment Authority of the City of Racine Report, by Ald. Spangenberg

86. [06-3010](#) **Subject:** (Direct Referral) Request of the Executive Director for modifications to the Facade Grant program.

Recommendation of Redevelopment Authority on 01-03-07: To adopt RDA Resolution 07-04 endorsing the use of \$100,000 in Intergovernmental Revenue Sharing Funds for the facade grant program in 2007, adopting changes to the eligibility criteria.

Fiscal Note: Funds are available in the Intergovernmental Revenue Sharing Fund.

Further to refer to Finance and Personnel Committee.

Referred to the Finance and Personnel Committee

Committee of the Whole Report, by Ald. Weidner

87. [06-2900](#) **Subject:** Communication from the Alderman of the 5th District requesting that a resolution be drafted on Municipal Finance.

Recommend: that the following advisory Resolution on municipal finance be adopted:

Whereas, the taxpayers of Racine elected the members of the Racine Common Council to represent them and make decisions concerning City spending and services provided, and

Whereas, the State of Wisconsin has placed municipalities in a precarious situation by imposing Expenditure Restraints, Levy limits and freezing or reducing Shared Revenues since 1995, and

Whereas, the State and Federal governments are relying on local government to provide emergency services in case of an attack in the United States or other disasters, and

Whereas, Wisconsin Cities have been forced by State funding withdrawals and escalating costs of operations including fuel costs and health insurance costs to cut emergency services including police and fire, and

Whereas, we believe that we can make the best decisions at the local municipal level regarding municipal spending and services, and

Whereas, State mandated levy limits and expenditure restraints tie the hands of local municipalities who not only cannot maintain local services but are forced to make cuts that can potentially place firefighters, police officers, and other public servants in harms way and put the public at added risk.

Now Therefore, be it resolved that the Common Council of Racine rejects any State program that undermines our local decision making, including our ability to determine spending and service level appropriate for the taxpayers of Racine, and

Furthermore, that if the State of Wisconsin continues any Expenditure Restraint Program and Levy Limit Programs the State must provide exemptions to these programs for Cities to maintain essential police, fire, and ambulance services or provide alternative ways to finance these essential services, and

Furthermore, that the City Clerk be directed to send a certified copy of this resolution to State Legislators who represent the City of Racine, the leadership of the Majority and Minority Parties of the State of Wisconsin Legislature, the Governor of the State of Wisconsin, the Congressman and Senators who represent the City of Racine, and the President of the United States.

Fiscal Note: N/A

A motion was made by Alderman Sandy Weidner that this be Received and Filed as Reported. The motion PASSED by the following vote:

AYES: 15 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

Office of the Mayor Report, by Ald. Weidner

88. [07-0114](#) **Subject:** Communication from Mayor Becker nominating appointments/reappointments to the following Commissions for the City of Racine.

Board of Harbor Commissions:
Reappoint Richard Hynek (County Appointment), 813 Virginia St. for a term ending in June 2009.

Cable Commission:
Appoint Pamela Hoadley, 309 West Blvd. for a 3-year term ending in May 2010.

A motion was made by Alderman Sandy Weidner that this be Received and Filed as Reported. The motion PASSED by the following vote:

AYES: 15 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoore II, Karas, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

WATERWORKS COMMISSION, by Ald. Hart

89. [07-0077](#) **Subject:** Proposal from R.W. Baird to facilitate bonding for 2007 CIP projects

Recommendation: Approve. Refer to the Finance & Personnel Committee for further consideration.

Referred to the Finance and Personnel Committee

Board of Health Report, by Ald. DeHahn

90. [07-0119](#) **Subject:** Communication from the Board of Health stating their opposition to the closure of the laboratory.

Recommendation: The Health Department be authorized to hire those Laboratory Technicians and Medical Technicians which are in the budget. It is the sense of the Board of Health that it would be ill-advised to attempt to run the laboratory with insufficient staff.

Fiscal Note: 0.5 FTE Medical Technician and 1.0 FTE Laboratory Technician are budgeted through the end of 2007.

Motion made by Ald. Weidner to receive and file item 07-0119.

Motion was withdrawn by Ald. Weidner.

Motion made by Ald. Friedel to refer item 07-0119 to Board of Health.

Referred to the Board of Health

G. Resolutions

91. [Res.07-0022](#) Advisory resolution on municipal finance

Whereas, the taxpayers of Racine elected the members of the Racine Common Council to represent them and make decisions concerning City spending and services provided; and

Whereas, the State of Wisconsin has placed municipalities in a precarious situation by imposing expenditure restraints, levy limits and freezing or reducing shared revenues since 1995; and

Whereas, the State and Federal governments are relying on local governments to provide emergency services in case of an attack in the United States or other disasters; and

Whereas, Wisconsin cities have been forced by State funding withdrawals and escalating costs of operations including fuel costs and health insurance costs to cut emergency services including police and fire; and

Whereas, we believe that we can make the best decisions at the local municipal level regarding municipal spending and services; and

Whereas, State mandated levy limits and expenditure restraints tie the hands of local municipalities who not only cannot maintain local services but are forced to make cuts that can potentially place firefighters, police officers, and other public servants in harms way and put the public at added risk.

Now, therefore, be it resolved, that the Common Council of the City of Racine rejects any State program that undermines our local decision making, including our ability to determine spending and service level appropriate for the taxpayers of Racine.

Further resolved, that if the State of Wisconsin continues any expenditure restraint program and levy limit programs, the State must provide exemptions to these programs for cities to maintain essential police, fire, and ambulance services or provide alternative ways to finance these essential services.

Further resolved, that the City Clerk be authorized and directed to send a certified copy of this resolution to State legislators who represent the City of Racine, the leadership of the Majority and Minority Parties of the State of Wisconsin Legislature, the Governor of the State of Wisconsin, the Congressmen and Senators who represent the City of Racine, and the President of the United States.

Fiscal Note: N/A

Adopted

92. [Res.07-0023](#) Agreement for HVAC Upgrades at Dr. Bryant Community Center

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with Southport Consulting to prepare plans and specifications for HVAC Upgrades at Dr. Bryant Community Center at a cost not to exceed \$1,500.00.

Fiscal Note: Funds are available in account 931.230.5960, Bryant Air Handling Unit.

Adopted

93. [Res.07-0024](#) Agreement with Racine County for use of training facility

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with Racine County Sheriff's Department for the Racine Police Department's ongoing conditional use of the Racine County Robert L. Rohner Training Facility, 3900 7 Mile Road, Caledonia, Wisconsin.

Fiscal Note: There will be no rental fee or lease requirement for use of the facility.

Adopted

94. [Res.07-0025](#) Apply and accept U. S. Environmental Protection Agency grant

Resolved, that permission be granted for the Director of City Development to apply for and accept a \$200,000 grant with the U.S. Environmental Protection Agency (Grant Control No. 2007-002) for remediation of environmental contamination at the Pointe Blue site.

Fiscal Note: There is a 20% soft or in-kind matching required that will be provided by Pointe Blue's developer.

Adopted

95. [Res.07-0026](#) Settlement of claim for sanitary sewer wye connection

Resolved, that the claim of Mark Altergott for sanitary sewer wye connection failure adjacent to 1722 Park Avenue be settled in the amount of \$8,277.

Fiscal Note: There are sufficient funds available in account 101.160.5910, Judgment and Claims, for the settlement.

**A motion was made by Alderman James T. Spangenberg that this be Adopted.
The motion PASSED by the following vote:**

AYES: 15 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

96. [Res.07-0027](#) Contract for Racine Dispatchers Association

Resolved, that the contract with Racine Dispatchers Association Local 356, Wisconsin Professional Association Law Enforcement Employee Relations Division, for 2006 - 2008, be approved.

Fiscal Note: The costs to the City for the Racine Dispatchers Association Local 356 Wisconsin Professional Association Law Enforcement Employee Relations Division will be in 2006, \$19,825.73; 2007, \$51,087.78; and 2008, \$43,516.18. Increases do not include potential savings from premium contributions and plan design changes.

**A motion was made by Alderman James T. Spangenberg that this be Adopted.
The motion PASSED by the following vote:**

AYES: 15 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

97. [Res.07-0028](#) 2007 HOME Allocations

Resolved, that the following 2007 HOME Housing Investment Partnerships grant funds be recommended for approval:

RECIPIENT	ACTIVITY	RECOMMENDED AMOUNT
Precise Contracting & Design	Affordable Owner-Occupied Housing (1300 Bluff Avenue)	\$60,000
Racine Mutual Housing Association	General Operating Funds	\$5,000
Transitional Living Services	1600 Grove Avenue Rehabilitation	\$40,000
Racine Habitat for Humanity	New Infill Construction	\$135,000
The Salvation Army/ Community Action Agency of Racine & Kenosha Counties	Rental Assistance Program	\$30,000
OIC of Racine County	2007 Youthbuild Program contingent upon receiving a federal Youthbuild grant of	\$75,000,

	no less than \$700,000	
Racine Housing & Neighborhood Partnership	General Operating Funds	\$25,000
Racine City Development Department	General Program Administration	\$60,000
<hr/>		
TOTAL	\$430,000	

Further resolved, that appropriate City officials be authorized and directed to execute and submit all necessary documents, on the City's behalf, to the U.S. Department of Housing and Urban Development to secure the City's 2007 HOME grant funds.

Further resolved, that appropriate City officials be authorized and directed to execute third-party contracts with agencies approved for use of the 2007 HOME grant funds.

Fiscal Note: A 2007 HOME grant of no less than \$600,00 is expected.

A motion was made by Alderman Sandy Weidner that this be Adopted. The motion PASSED by the following vote:

AYES: 15 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

98. [Res.07-0029](#) Hold Harmless Agreement for 515 Sixth Street

Resolved, that the property owner of 515 Sixth Street be granted permission to install two stationary, projecting signs, one on 6th Street and one on 7th Street, as requested, with the stipulation that a hold harmless agreement be executed, in accordance with Wis. Stat. sec. 66.0425, Privileges in Streets.

Further resolved, that the 7th Street sign also be approved by the Downtown Design Committee.

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

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

Adopted

99. [Res.07-0030](#) Contract for bleachers at Horlick Athletic Field

Resolved, that Contract 6-07 (K7-006), New West Side Grandstand Bleachers

at Horlick Athletic Field (R1), be awarded to Southern Bleacher Co., Inc., Graham, TX, at their bid price of \$297,945.00, they being the lowest responsible bidder.

Further resolved, that funds to defray to cost of this public works project be appropriated from Account 987.710.5070, New West Side Grandstand Bleachers at Horlick Athletic Field (R1).

Fiscal Note: Funds are available as herein delineated.

A motion was made by Alderman Ronald D. Hart that this be Adopted. The motion PASSED by the following vote:

AYES: 15 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

100. [Res.07-0031](#) Change Order for Racine Street Sanitary Sewer Lining

Resolved, that Change Order No. 3 on Contract 2-06 (K6-002), Racine Street Sanitary Sewer Lining, Visu-Sewer Clean & Seal, Inc., contractor, as submitted, be approved in the amount of \$2,850.00.

Further resolved, that funding to defray to cost of this change order be appropriated from Account 986.907.5310, Sanitary Sewer, Various Locations.

Fiscal Note: Funds are available as herein delineated.

A motion was made by Alderman Ronald D. Hart that this be Adopted. The motion PASSED by the following vote:

AYES: 14 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Holding, Hart, Sollman, Spangenberg and Wisneski

NON VOTING: 1 - Friedel

101. [Res.07-0032](#) Final Payment Racine Street Sanitary Sewer Lining

Resolved, that the work of Visu-Sewer Clean & Seal, Inc., under Contract 2-06 (K6-002), Racine Street Sanitary Sewer Lining, be accepted and final payment authorized for a total contract amount of \$247,942.50, from funds heretofore appropriated.

Fiscal Note: Contract was authorized under Resolution No. 6917 of March 7, 2006.

Adopted

102. [Res.07-0033](#) Final Payment for professional services 2006 Information Technology

Resolved, that the professional services provided by Earth Tech, Inc., under Contract 6-06 (K6-006), Professional Services - 2006 Information Technology, be accepted and final payment authorized for a total contract amount of \$14,992.57, from funds heretofore appropriated.

Fiscal Note: Contract was authorized under Resolution No. 6854 of January 17, 2006.

Adopted

103. [Res.07-0034](#) Final Payment for paving City parking lots

Resolved, that the work of Cicchini Asphalt Paving, Inc., under Contract 25-06 (K6-026), City Parking Lots, be accepted and final payment authorized for a total contract amount of \$336,927.89, from funds heretofore appropriated.

Fiscal Note: Contract was authorized under Resolution No. 06-7156 of August 2, 2006.

Adopted

104. [Res.07-0035](#) Final Payment for Construction Inspection Services Racine Street Sewer Lining

Resolved, that the professional services provided by Earth Tech, Inc., under Contract 18-06 (K6-019), Construction Inspection Services for Racine Street Sewer Lining, be accepted and final payment authorized for a total contract amount of \$17,052.02, from funds heretofore appropriated.

Fiscal Note: Contract was authorized under Resolution No. 6908 of February 22, 2006.

Adopted

105. [Res.07-0036](#) Final payment for Streambank Restoration in Island Park

Resolved, that the professional services provided by Earth Tech, Inc., under Contract 60-05 (K5-069), Professional Services - Streambank Restoration in Island Park, be accepted and final payment authorized for a total contract amount of \$23,000.00, from funds heretofore appropriated.

Fiscal Note: Contract was authorized under Resolution No. 6716 of October 18, 2005.

Adopted

106. [Res.07-0037](#) Final payment Safety Building Wall Repairs

Resolved, that the professional services provided by Fischer-Fischer-Theis, Inc., under Contract 63-05 (K5-072), Professional Services - Safety Building Wall Repairs, be accepted and final payment authorized for a total contract amount of \$3,000.00, from funds heretofore appropriated.

Fiscal Note: Contract was authorized under Resolution No. 6738 of November 1, 2005.

Adopted

107. [Res.07-0038](#) Change Order for HVAC Controls at Community Centers

Resolved, that Change Order No. 1 on Contract 44-06 (K6-047), Upgrade Temperature and HVAC Controls at Community Centers, Johnson Controls, Inc., contractor, as submitted, be approved in the amount of \$3,193.00.

Further resolved, that funding to defray to cost of this change order be appropriated from Account 987.640.5010, Tyler/Domer BAS.

Fiscal Note: Funds are available as herein delineated.

A motion was made by Alderman Ronald D. Hart that this be Adopted. The motion PASSED by the following vote:

AYES: 14 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Holding, Hart, Sollman, Spangenberg and Wisneski

NON VOTING: 1 - Friedel

108. [Res.07-0039](#) Agreement with Village of Caledonia for paving Erie Street

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with the Village of Caledonia for the paving of Erie Street from 147' North of Shelbourne Court to the City/Village limits with the stipulation that the Village of Caledonia be invoiced for their share of this project in January 2008.

Fiscal Note: The share of costs for this project will be based on the actual lineal feet within each municipality for engineering, construction and construction administration services. There are funds available for this project in the 2007 Capital Improvement Program.

A motion was made by Alderman Ronald D. Hart that this be Adopted. The motion PASSED by the following vote:

AYES: 14 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Holding, Hart, Sollman, Spangenberg and Wisneski

NON VOTING: 1 - Friedel

109. [Res.07-0040](#) Professional Services Agreement for 2007 Sewer Lining Design Services

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with Earth Tech, Inc., for 2007 Sewer Lining Design Services at a cost not to exceed \$32,900.00.

Further resolved, that funding to defray the cost of these professional services be appropriated from the following accounts:

\$13,700.00 - 104.986.5420, Storm Sewer, Miscellaneous Locations
\$19,200.00 - 986.907.5310, Sanitary Sewer, Various Locations
\$32,900.00 - Total

Fiscal Note: Funds are available as herein delineated.

A motion was made by Alderman Ronald D. Hart that this be Adopted. The motion PASSED by the following vote:

AYES: 14 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Holding, Hart, Sollman, Spangenberg and Wisneski

NON VOTING: 1 - Friedel

110. [Res.07-0041](#) Change Order for Concrete Street Reconstruction and Paving

Resolved, that Change Order No. 5 on Contract 24-06 (K6-025), Concrete Street Reconstruction and Paving, Milwaukee General Construction Company, contractor, as submitted, be approved in the amount of \$166,237.32.

Further resolved, that funding to defray to cost of this change order be appropriated from the following accounts:

\$ 87,423.32 - 986.908.5020, Concrete Pavement Repl., Misc. Locations
\$ 70,537.00 - 104.986.5420, Storm Sewers, Misc. Locations
\$ 8,277.00 - Water Department
\$166,237.32 - Total

Fiscal Note: Funds are available as herein delineated.

A motion was made by Alderman Ronald D. Hart that this be Adopted. The motion PASSED by the following vote:

AYES: 14 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Holding, Hart, Sollman, Spangenberg and Wisneski

NON VOTING: 1 - Friedel

111. [Res.07-0042](#) Professional Services Agreement for digital color orthophotographs

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with Aerometric, Inc., Sheboygan, WI, for the provision of digital color orthophotographs at a cost not to exceed \$61,045.00.

Further resolved, that funding to defray the cost of these professional services be appropriated from the following accounts:

\$20,000.00 - 104.000.5330, Storm Water
 \$20,000.00 - 987.907.5310, Sanitary Sewer
 \$15,000.00 - 101.130.5830, GIS Layers
\$ 6,045.00 - 101.130.5610, City Engineer Professional Services
 \$61,045.00 - Total

Fiscal Note: Funds are available as herein delineated.

A motion was made by Alderman Ronald D. Hart that this be Adopted. The motion PASSED by the following vote:

AYES: 14 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Holding, Hart, Sollman, Spangenberg and Wisneski

NON VOTING: 1 - Friedel

112. [Res.07-0043](#) 2007 Be Smart Municipal Partner Membership Agreement

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with the Wisconsin Be Smart Coalition for the provision of regional and local recycling education and conservation programs in the amount of \$11,270.00.

Fiscal Note: By being part of this cooperative partnership the City of Racine will qualify for a Recycling Efficiency Grant from the State of Wisconsin which will result in revenues totaling \$50,000.00 which are included in the 2007 budget.

Adopted

113. [Res.07-0044](#) Proposed special assessment rates for 2007 (2008 construction) for paving, curb and gutters

Resolved, that the proposed special assessment rates for 2007 (2008 construction) for portland cement concrete paving and curb and gutter be as follows:

Portland Cement Concrete Paving

Residential Paving (7 inch) - 26' Flange to Flange	\$45.00/Front Foot
Residential Paving (7 inch) - 32' Flange to Flange	\$55.00/Front Foot

Commercial Paving (8 inch) - 32' Flange to Flange	\$60.00/Front Foot
Industrial Paving (9 inch) - 32' Flange to Flange	\$65.00/Front Foot
Industrial Paving (9 inch) - 44' Flange to Flange	\$95.00/Front Foot
Industrial Paving (10 inch) - 44' Flange to Flange	\$110.00/Front Foot

Portland Cement Concrete Curb and Gutter (30 inch)

7" Pavement	\$18.00/Front Foot
8" Pavement	\$19.00/Front Foot
9" Pavement	\$20.00/Front Foot
10" Pavement	\$21.00/Front Foot

Sewer and Water Services

\$7,500.00/Each

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

These rates apply to all streets, regardless of width, unless the actual construction cost is less, then the front foot cost shall be reduced accordingly.

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

A motion was made by Alderman Ronald D. Hart that this be Adopted. The motion PASSED by the following vote:

AYES: 15 - Fair, Anderson, Hermes, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Hart, Sollman, Spangenberg and Wisneski

114. [Res.07-0045](#) Hold Harmless Agreement for Racine County Convention & Visitors Bureau

Resolved, that the Racine County Convention and Visitors Bureau be granted permission to rent the Civic Center Parking Ramp and Lakefront Parking Lot # 4 at the posted rates, from Friday, August 17, 2007, through Sunday, August 19, 2007, subject to execution of a hold harmless agreement and acquisition of a temporary liquor license, if applicable, in conjunction with the Wisconsin State Harley Owners Group Rally.

Fiscal Note: The Parking System will generate \$600 per day for the Civic Centre Lot and \$118.50 per day for the Lakefront Parking Lot # 4.

Adopted

115. [Res.07-0046](#) Hold Harmless Agreement for use of Racine Railroad Depot

Resolved, that Preservation Racine, Inc., be granted permission to use the Racine Railroad Depot for a meeting on April 2, 2007 from 7:00 p.m. until 9:00

p.m., contingent upon execution of a hold harmless agreement with the City, acquisition of a temporary liquor license, if applicable, and subject to the understanding that the facility and bathrooms must remain open to the public during the event.

Fiscal Note: N/A

Adopted

116. [Res.07-0047](#) Contract for Village of Mt. Pleasant transit service in 2007

Resolved, that the Mayor and City Clerk be authorized and directed to execute a contract on behalf of the City of Racine for transit service to the Village of Mt. Pleasant in 2007.

Fiscal Note: Mt. Pleasant will pay up to \$161,000 for transit service provided in the Village.

Adopted

117. [Res.07-0048](#) Contract with Village of Sturtevant for transit service in 2007

Resolved, that the Mayor and City Clerk be authorized and directed to execute a contract on behalf of the City of Racine for transit service to the Village of Sturtevant in 2007.

Fiscal Note: Sturtevant will pay up to \$50,000 for transit service provided in the Village.

Adopted

118. [Res.07-0049](#) Contract with Village of Caledonia for transit service in 2007

Resolved, that the Mayor and City Clerk be authorized and directed to execute a contract on behalf of the City of Racine for transit service to the Village of Caledonia in 2007.

Fiscal Note: Caledonia will pay up to \$28,000 for transit service provided to the Village.

Adopted

119. [Res.07-0050](#) Contract to provide State aid to Wisconsin Coach Lines for intercity bus service

Resolved, that the Mayor and City Clerk be authorized and directed to execute a

contract on behalf of the City of Racine to allow the pass-through of State mass transit operation funds in 2007 to Wisconsin Coach Lines for the Kenosha-Racine-Milwaukee intercity bus service.

Fiscal Note: The contract will allow the City of Racine to pass through approximately \$645,000 in State aid to Wisconsin Coach Lines for Kenosha-Racine-Milwaukee intercity bus service. No City funds will be expended for the provision of this service.

Adopted

120. [Res.07-0051](#) Amendment to Conditional Use Permit for 3945 Erie Street

Resolved, that the request by Dennis Spankowski of Burli signs seeking a minor amendment to a conditional use permit for a gas station, convenience store, and car wash at 3945 Erie Street for a new comprehensive sign package be approved, subject to the following conditions:

- a. That the plans presented to the Plan Commission on January 31, 2007 be approved subject to the conditions contained herein,
- b. That all applicable permits be applied for with the Building Department.
- c. That all unused sign and light pole bases be removed from the property.
- d. That prior to the issuance of signs permits related to this request, but no later than March 31, 2007, a property maintenance contract be submitted for the review and approval of the Director of City Development. Said contract shall, at a minimum, address provisions for the appropriate watering of plantings, weekly weeding of all planting beds, the mowing of all grass areas, daily trash removal, removal and replanting of any dead trees, shrubs, or other plantings.
- e. That prior to the issuance of sign permits related to this request, but no later than March 31, 2007, an irrevocable letter of credit in the City's favor, equal in value to the replacement cost and cost of maintenance for one year of all landscaping be submitted for the review and approval of the Director of City Development.
- f. That by June 1, 2007, the approved landscape plan be complied with and maintained.
- g. That compliance be maintained with all other conditions of approval as contained in Common Council Resolution No. 6081 of August 2, 2004; Resolution No. 3784 of February 21, 2001; Resolution No. 3455 of September 5, 2000, unless otherwise superseded thereby or herein.

Fiscal Note: N/A

Adopted

121. [Res.07-0052](#) Conditional Use Permit for 2200 DeKoven Avenue

Resolved, that the request by Jan Roland of Racine Habitat for Humanity seeking a conditional use permit for a facility to be used for the indoor storage and sale of construction materials, household goods, and appliance at 2200 De Koven Avenue be approved, subject to the following conditions:

- a. That the plans stamped "Received January 17, 2007" and presented to the Plan Commission on January 31, 2007 be approved, subject to the conditions contained herein.
- b. That all applicable building and occupancy permits be applied for with the Building Department.
- c. That by March 1, 2007 a uniform sign plan that takes into consideration all tenants in the facility be submitted for the review and approval by the Director of City Development.
- d. That the parking lot be re-stripped by June 1, 2007.
- e. That the hours of operation be from 10:00 a.m. to 4:00 p.m., Monday through Saturday.
- f. That there be no outside storage of materials or equipment associated with this use.
- g. That all codes and ordinance be complied with all permits acquired, unless otherwise addressed herein.
- h. That all trash and recyclables be stores in closed containers and screened from view.
- 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 review by the Plan Commission for compliance with the listed conditions.

Fiscal Note: N/A

Adopted

122. [Res.07-0053](#) Conditional Use Permit for 1236 Lathrop Avenue

Resolved, that the request by Rhonda Nicholson seeking a conditional use permit for a tattoo and body piercing establishment at 1236 Lathrop Avenue be approved, subject to the following conditions:

- a. That the plans stamped "Received January 18, 2007" and presented to the Plan Commission on January 31, 2007 be approved subject to the conditions

contained herein.

- b. That all applicable building and occupancy permits be obtained from the Building Department.
- c. That all requirements of the State Department of Health and Family Services be complied with.
- d. That any changes to the exterior appearance of the building be approved by the Director of City Development.
- e. That all trash and recyclables be kept in closed containers and stored in the building until pick up.
- f. That no loitering be allowed in or around the building.
- g. That the tattoo and body piercing stations be screened from view from the exterior of the business.
- h. That the establishment's hours open to the general public extend no longer than from 10:00 a.m. to 9:00 p.m. Monday through Saturday, with no hours on Sunday. Client services shall cease at 10:00 p.m.
- i. That the sale of food or drink shall not be allowed.
- j. That all signs be professionally made, comply with zoning ordinance requirements, and be approved by the Director of City Development.
- k. That all codes and ordinances be complied with and required permits acquired unless otherwise indicated herein.
- l. That no minor changes be made from the conditions of this permit without approval of the Plan Commission and no major changes be made without the approval of the Common Council.
- m. That this permit is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

Adopted

123. [Res.07-0054](#) Preliminary Resolution for Portland Cement Paving and Sewer and Water Laterals

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

English Street from N. Main Street to Michigan Boulevard
Georgia Avenue from Goold Street to Cecelia Park Drive
Savoy Circle from Cecelia Park Drive to Cul-de-sac
Domanik Drive from Fairchild Avenue (vacated) to Domanik Drive
Domanik Drive from 2222' east of Jefferson Street to Fairchild Avenue (vacated)
Kentucky Street from Shadow Lane to Cul-de-sac
Apple Tree Lane from N. Illinois Street to N. Oregon Street
Ostergaard Avenue from Lilac Lane to City limits
Spring Valley Drive from Spring Street to Harrington Drive
Echo Lane from Byrd Avenue to 16th Street
Freeland Circle from Virginia Street to Cul-de-sac
Indiana Street from Olive Street to south to dead end
Imperial Drive from Manhattan Drive to St. Clair Street
N. Wisconsin Street from Carlton Drive to north to Cul-de-sac
N. Wisconsin Street from Lombard Avenue to South Street

Sewer and Water Laterals

English Street from N. Main Street to Michigan Boulevard

1. Said public improvement shall consist of Portland Cement Concrete Paving and Sewer and Water Laterals.
2. 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.
3. The assessments against any parcel may be paid in cash or in ten (10) annual installments.
4. 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.

Adopted

H. Ordinances

124. [Ord.02-07](#) Ordinance No. 2-07

To repeal and recreate Sec. 66-566 of the Municipal Code of the City of Racine, Wisconsin relating to Offenses - Issuance of Worthless Checks - Prohibition.

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

Part 1:

Sec. 66-566 of the Municipal Code of the City of Racine is hereby repealed and recreated to read as follows:

"Sec. 66-566. Prohibitions.

It shall be unlawful for anyone to issue a check or other order for the payment of money that, at the time of issuance, the person intends shall not be paid."

Part 2:

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

Passed by the Common Council:

Approved: _____

Mayor

Attest: _____
City Clerk

Fiscal Note: N/A

Referred to the Finance and Personnel Committee

125. [Ord.03-07](#) Ordinance No. 3-07

To amend Secs. 18-693, 18-706 (4) b. and c., repeal and recreate Secs. 18-706 (5), (6), and (7), amend Secs. 18-706 (9) and (11), and repeal Sec. 18-706 (13) c. of the Municipal Code of the City of Racine, Wisconsin relating to Building and Building Regulations - Property maintenance code.

Part 1:

Section 18-693 of the Municipal Code of the City of Racine is hereby amended by deleting the phrase "with respect to the provisions of section 18-706(9), (12) and (16), section 18-709, and section 18-710".

Part 2:

Section 18-706 (4) b. of the Municipal Code of the City of Racine is hereby amended by changing the word "of" to "to" at the end of the paragraph, and in (4) c., by adding the following phrase at the beginning of the first sentence, "An adequate number of"

Part 3:

Sections 18-706 (5), (6), and (7) of the Municipal Code of the City of Racine are hereby repealed and recreated to read as follows:

"(5) *Plumbing facilities.* Every dwelling unit shall have plumbing facilities connected and maintained according to the Racine Plumbing Code.

(6) *Heating facilities.* Every dwelling unit shall have heating facilities installed and maintained according to the Racine Building Code. The heating facilities shall maintain the temperature of all habitable rooms, bathrooms and toilet rooms located therein at a minimum of 67 degrees F measured at three feet from the floor and at least three feet from an exterior wall, when the outside temperature is -10 degrees F or more.

(7) *Electric facilities.* Every dwelling unit shall be provided with electric service and all electric facilities shall be installed and maintained according to the Racine Electrical Code. All electric outlets and fixtures shall be maintained in a safe working condition."

Part 4:

Section 18-706 (9), third sentence, of the Municipal Code of the City of Racine is hereby amended to read:

"Every window, other than those installed as a fixed window, shall be capable of being easily opened and shall be held in position by window hardware."

Part 5:

Section 18-706 (11) of the Municipal Code of the City of Racine is hereby amended by deleting the first sentence in the paragraph.

Part 6:

Section 18-706 (13) c. of the Municipal Code of the City of Racine is hereby repealed.

Part 7:

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

Passed by the Common Council:

Approved: _____

Mayor

Attest:

City Clerk

Fiscal Note: N/A

Referred to the Public Works and Services Committee

- 126. [ZOrd.0001-07](#) An Ordinance to rezone 936 South Main Street

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

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

Part 1:

That the property located at 936 South Main Street and more particularly described as follows:

"Lot 9 and East 20 feet of Lot 10, Block 17 School Section. Said land being in the City of Racine, Racine County, Wisconsin."

be rezoned from "O" Restricted Office District, to "O/H" Restricted Office District with a Historic Properties District Overlay, and designated as Supplement No. _____, which Supplement is hereby made a part of this ordinance.

Part 2:

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

Passed by the Common Council:

Approved: _____

Mayor

Attest:

City Clerk

Fiscal Note: N/A

Referred to the City Plan Commission

I. Miscellaneous Business

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

There were no objections.

Alderman Weidner nominated Sharon Baldukas, for a four-year term ending March 2011.

Alderman Weidner moved that nominations be closed.

Alderman Weidner moved that the City Clerk cast the unanimous ballot of the Council for Sharon Baldukas.

The meeting was adjourned at 8:25p.m. by Ald. Shakoor. The next scheduled meeting of the Council is Wednesday, February 21, 2007.

ATTEST: JANICE M. JOHNSON-MARTIN
CITY CLERK