



City of Racine

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

Meeting Minutes - Final Common Council

Mayor John T. Dickert
Alderman Jeff Coe, Alderman Gregory Holding
Alderman Michael Shields, Alderman Jim Kaplan, Alderman
David L. Maack
Alderman Sandy Weidner, Alderman Terry McCarthy,
Alderman Raymond DeHahn
Alderman Q.A. Shakoor, II, Alderman Aron Wisneski,
Alderman Robert Mozol
Alderman James T. Spangenberg, Alderman Ronald D. Hart,
Alderman Eric Marcus, Alderman Dennis Wisner

Tuesday, January 4, 2011

7:00 PM

Room 205, City Hall

A. Call To Order

PRESENT: 15 - Shakoor, II, Coe, Marcus, Shields, Hart, Kaplan, Wisner, Maack, Weidner, Wisneski, McCarthy, DeHahn, Holding, Spangenberg and Mozol

B. Pledge of Allegiance To The Flag

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

C. Approval of Journal of Council Proceedings (Minutes)

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

D. Public Comments

Jeff Warg
Allen Leify
George Meyers

E. Communications

Refer to Finance and Personnel Committee, by Ald. Spangenberg

[10-5933](#)

Subject: Communication from the Public Health Administrator requesting the Mayor and City Clerk enter into the Women, Infants and Children Contract Agreement and permission to accept the initial budget allocation of \$332,955 from the State of Wisconsin represented by its Division of Public Health of the Department of Health Services. (Grant Control #2010-046)

Referred to Finance and Personnel Committee

[10-5936](#) **Subject:** Request from the Public Health Administrator for permission to accept \$10,000 from the State of Wisconsin, represented by the Department of Health Services for the AIDS/HIV Program. (Grant Control #2010-047)

Referred to Finance and Personnel Committee

[10-5937](#) **Subject:** Request from the Director of City Development to apply for Neighborhood Stabilization Program-3 (NSP-3) funds.

Referred to Finance and Personnel Committee

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

[10-5924](#) **Subject:** Communication from Key Engineering Group, Ltd. informing the City of contamination in the public right-of-way at 1339 Fourteenth Street.

Referred to Public Works and Services Committee

[10-5938](#) **Subject:** Communication from Real Racine requesting permission to use city right-of-way for the Ironman Racine 70.3 triathlon on Sunday, July 17, 2011.

Referred to Public Works and Services Committee

[10-5942](#) **Subject:** Communication from Focus on Community requesting to use city right-of-way for a run/walk on September 10, 2011.

(Also refer to the Board of Parks, Recreation and Cultural Services)

Referred to Public Works and Services Committee

Referred to Board of Park, Recreation and Cultural Services

[10-5945](#) **Subject:** Direct Referral. Communication from the Assistant Commissioner of Public Works/Operations requesting to accept a donation of a network control engine device from Johnson Controls, Inc.

Referred to Public Works and Services Committee

F. Committee Reports

Finance and Personnel Committee Report, by Ald. Spangenberg

[10-5903](#) **Subject:** Communication from the City Attorney submitting the claim of Donna Atkinson for consideration.

Recommendation of the Finance & Personnel Committee on

12-27-10: The claim of Donna Atkinson , 1536 Kearney Avenue, 53405, requesting reimbursement in the amount of \$17,500 for injuries arising from her alleged trip and fall on the sidewalk at 3214 Washington Avenue on or about May 15, 2010 be denied.

Fiscal Note: N/A

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

10-5904

Subject: Communication from the City Attorney submitting the claim of Sean Strauss for consideration.

Recommendation of the Finance & Personnel Committee on

12-27-10: The claim of Sean Strauss, 2604 Dwight Street, 53403, requesting reimbursement in the amount of \$2,437.29 for damages arising from a tree branch allegedly falling on his car while it was parked at 2610 Dwight Street on or about October 2, 2010 be denied.

Fiscal Note: N/A

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

10-5910

Subject: Communication from the City Attorney submitting the claim of Zivorad Jovanovic for consideration. (Res.10-2352)

Recommendation of the Finance & Personnel Committee on

12-27-10: The claim of Zivorad Jovanovic, 5319 Wright Avenue, 53406, requesting reimbursement in the amount of \$672 for damages arising from a tree branch allegedly knocking out the power at 1309 Rapids Drive during a wind storm on or about September 7, 2010 be approved.

Fiscal Note: There are sufficient funds available in account 101.990.5910, Judgments and Claims, for the settlement.

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

10-5805

Subject: Communication from Ben LaForest on behalf of Great Atlantic & Pacific Tea Company offering to donate 1936 Edgewood Avenue to the City of Racine. (Res.10-2351)

Recommendation of the Public Works and Services Committee

on 12-14-10: That the donation of 1936 Edgewood Avenue be accepted with the stipulation that the City of Racine covers the 2010 taxes.

Further recommend that this item be referred to the Finance

Committee for funding to pay the taxes and other costs associated with the property transfer.

Recommendation of the Finance & Personnel Committee on

12-27-10: Recommend that the City accept the donation of 1936 Edgewood Avenue from Kohl's Food Stores, aka Great Atlantic & Pacific Tea Company, and that the 2010 property taxes be paid out of account 289.000.5510, Recycling Utilities.

Fiscal Note: There are sufficient funds available in the Recycling Fund for the expenditure.

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

[10-5913](#)

Subject: Communication from Kelly M. Semrau; Vice President, Global Public Affairs and Communication and Executive Vice President - The SC Johnson Fund, Inc.; requesting that the City of Racine be allowed to accept a grant from SC Johnson in an amount up to \$510,000 to be used toward underwriting the cost of renovation of the Laurel Clark Memorial Fountain on Sam Johnson Parkway in Downtown Racine. (Res.10-2350)

Recommendation of the Finance & Personnel Committee on

12-27-10: To accept a grant from SC Johnson in an amount up to \$510,000 to be used toward underwriting the cost of renovation of the Laurel Clark Memorial Fountain on Sam Johnson Parkway in Downtown Racine.

Fiscal Note: The grant would underwrite the cost of renovation. Payment on this grant would be on a mutually agreed-to schedule to reflect out-of-pocket costs the City generates in implementing the renovation plan.

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

[10-5934](#)

Subject: (Direct Referral) Communication from the Deputy City Attorney and the Human Resources Manager requesting to appear before the Finance & Personnel Committee to submit for consideration a collective bargaining agreement between the City of Racine and the Staff Officers' Association of the Racine Police Department, covering the years 2011-2012 and 2013-2014. (Res.10-2353)

Recommendation of the Finance & Personnel Committee on

12-17-10: The negotiated collective bargaining agreement between the City of Racine and the Racine Police Department Staff Officers' Association covering the years 2011-2012 and 2013-2014 be approved.

Fiscal Note: Additional year to year cost is as follows: 2011 - \$0, 2012 - \$32,302, 2013 - \$32,625, 2014 - \$65,902.

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

10-5935

Subject: (Direct Referral) Communication from the Deputy City Attorney and the Human Resources Manager requesting to appear before the Finance & Personnel Committee to submit for consideration a collective bargaining agreement between the City of Racine and the Staff Officers' Association of the Racine Fire Department, covering the years 2011-2012 and 2013-2014. (Res.10-2354)

Recommendation of the Finance & Personnel Committee on 12-27-10: The negotiated collective bargaining agreement between the City of Racine and the Racine Fire Department Staff Officers' Association covering the years 2011-2012 and 2013-2014 be approved.

Fiscal Note: Additional year to year cost is unknown at this time. Fire Staff Officers receive the same pay increases as are received by City Non-Represented Employees. That amount has not yet been determined.

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

Council Action

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

AYES: 15 - Shakoor, II, Coe, Marcus, Shields, Hart, Kaplan, Wisner, Maack, Weidner, Wisneski, McCarthy, DeHahn, Holding, Spangenberg and Mozol

Attorney Vincent J. Bobot - Representing Park 6

Attorney Bobot was allowed to address the Council.

Public Safety and Licensing Committee Report, by Ald. Wisneski

10-5944

Subject: (Direct Referral) Discussion of Complaint filed by Kurt Wahlen against Park 6, LLC, 500 6th Street

Recommendation of the Public Safety and Licensing Committee on 12-20-10: (Due Process Hearing)

That the "Class B" intoxicating liquor and fermented malt beverage

license for Park 6, LLC, doing business as Park 6 at 500-6th Street, Racine, Wisconsin, be revoked.

Fiscal Note: The approximate cost is \$8,000.

Alderman Marcus made a motion seconded by Alderman Shields to refer the item back to the Public Safety & Licensing Committee to schedule a Due Process Hearing that would be in compliance with Chapter 125.12(2). Motion was ruled out of order by City Attorney Weber.

Alderman Wisneski requested suspension of the rules to allow Attorney Rusch (representing the City) to address the Council. There were no objections.

Motion was made by Alderman Shields seconded by Alderman Marcus to defer. Motion was amended by Alderman Shields, second to the amendment by Alderman Marcus to defer for 30 days. Motion failed on the following vote:

AYES: DeHahn, Marcus, Shakoor and Shields

NOES: Hart, Holding, Kaplan, Maack, McCarthy, Mozol, Spangenberg, Weidner, Wisner, Wisneski and Coe.

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

AYES: 11 - Coe, Hart, Kaplan, Wisner, Maack, Weidner, Wisneski, DeHahn, Holding, Spangenberg and Mozol

NOES: 3 - Shakoor, II, Shields and McCarthy

ABSTENTIONS: 1 - Marcus

Committee of the Whole Report, by Ald. Coe,

10-5713

Subject: Request from the Director of City Development and the Racine County Economic Development Corporation to provide a briefing to the Committee of the Whole on the Commercial Corridors Initiative and the services provided under the annual contract between the City and RCEDC.

Recommended: that the Item be Received and Filed.

Fiscal Note: N/A

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

10-5854

Subject: Communication from the Grants Facilitator requesting permission to appear at the Committee of the Whole Meeting on December 21, 2010, to discuss Mayor's Office of Strategic Partnership updates and highlights.

Recommended: that the Item be Received and Filed.

Fiscal Note: N/A

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

Council Action

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

AYES: 15 - Shakoor, II, Coe, Marcus, Shields, Hart, Kaplan, Wisner, Maack, Weidner, Wisneski, McCarthy, DeHahn, Holding, Spangenberg and Mozol

Office of the Mayor Report, by Ald. Coe,

10-5946

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

Appoint Alderman Dennis Wisner 2517 Pinehurst Ave, Racine 53403 to the Loan Board of Review for a one year term expiring January 1, 2012

A motion was made by Jeff Coe, seconded by Q.A. Shakoor, II, that this be Received and Filed as Reported. The motion PASSED by the following vote:

AYES: 13 - Shakoor, II, Coe, Hart, Kaplan, Wisner, Maack, Weidner, Wisneski, McCarthy, DeHahn, Holding, Spangenberg and Mozol

NOES: 2 - Marcus and Shields

G. Consent Agenda-Resolutions

Res.10-2349

Permission granted to enter into a 2 year contract with Countryside Humane Society for animal control services, and the Mayor and City Clerk be authorized and directed to enter into the agreement with Countryside Humane Society to provide animal control services from January 1, 2011 through December 31, 2012

Resolved, that permission be granted to enter into a 2 year contract with Countryside Humane Society for animal control services, and that the Mayor and City Clerk be authorized and directed to enter into the agreement with Countryside Humane Society to provide animal control services from January 1, 2011 through December 31, 2012.

Fiscal Note: City will pay Countryside \$191,810 in 2011, and an amount adjusted for inflation not to exceed \$197,564 in 2012.

Sponsors: Robert Mozol

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

AYES: 13 - Shakoor, II, Coe, Shields, Hart, Kaplan, Wisner, Maack, Weidner, Wisneski, DeHahn, Holding, Spangenberg and Mozol

NOES: 2 - Marcus and McCarthy

Res.10-2350

Permission granted to the City of Racine to accept a grant from SC Johnson to be used toward underwriting the cost of renovation of the Laurel Clark Memorial Fountain on Sam Johnson Parkway in Downtown Racine

Resolved, that permission be granted to the City of Racine to accept a grant from SC Johnson in an amount up to \$510,000 to be used toward underwriting the cost of renovation of the Laurel Clark Memorial Fountain on Sam Johnson Parkway in Downtown Racine.

Fiscal Note: The grant would underwrite the cost of renovation. Payment on this grant would be on a mutually agreed-to schedule to reflect out-of-pocket costs the City generates in implementing the renovation plan.

Sponsors: James T. Spangenberg

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

Res.10-2351

Permission granted to the City of Racine to accept the donation of the property at 1936 Edgewood Avenue from Kohl's Food Stores, a/k/a Great Atlantic & Pacific Tea Company, and that the City of Racine be responsible for the 2010 property taxes

Resolved, that the City of Racine accept the donation of property at 1936 Edgewood Avenue from Kohl's Food Stores, a/k/a Great Atlantic & Pacific Tea Company, and that the 2010 property taxes be paid by the City of Racine from Account 289.000.5510, Recycling Utilities.

Fiscal Note: There are sufficient funds available in the Recycling Fund for the expenditure.

Sponsors: James T. Spangenberg

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

Res.10-2352

Claim of Zivorad Jovanovic for reimbursement for damages arising from a wind storm on or about September 7, 2010 be approved

Resolved, that the claim of Zivorad Jovanovic, 5319 Wright Avenue, 53406, requesting reimbursement in the amount of \$672 for damages arising from a tree branch allegedly knocking out the power at 1309 Rapids Drive during a wind storm on or about September 7, 2010, be approved.

Fiscal Note: There are sufficient funds available in Account 101.990.5910, Judgments and Claims, for the settlement.

Sponsors: James T. Spangenberg

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

Council Action

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

AYES: 15 - Shakoor, II, Coe, Marcus, Shields, Hart, Kaplan, Wisner, Maack, Weidner, Wisneski, McCarthy, DeHahn, Holding, Spangenberg and Mozol

H. Resolutions

Res.10-2353

Negotiated Collective Bargaining Agreement between City of Racine and Racine Police Department Staff Officers' Association covering the years 2011-2012 and 2013-2014 be approved

Resolved, that the negotiated Collective Bargaining Agreement between the City of Racine and the Racine Police Department Staff Officers' Association covering the years 2011-2012 and 2013-2014 be approved.

Fiscal Note: Additional year to year cost is as follows: 2011 - \$0, 2012 - \$32,302, 2013 - \$32,625, 2014 - \$65,902.

Sponsors: James T. Spangenberg

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

Res.10-2354

Negotiated Collective Bargaining Agreement between the City of Racine and Racine Fire Department Fire Staff Officers' Association covering the years 2011-2012 and 2013-2014 be approved

Resolved, that he negotiated Collective Bargaining Agreement between the City of Racine and the Racine Fire Department Staff Officers' Association covering the years 2011-2012 and 2013-2014, be approved.

Fiscal Note: Additional year to year cost is unknown at this time. Fire Staff Officers receive the same pay increases as are received by City Non-Represented Employees. That amount has not yet been determined.

Sponsors: James T. Spangenberg

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

Council Action

A motion was made by Jeff Coe, seconded by Q.A. Shakoor, II, that this be

Considered as Reported to Adopt the Report. Adopted by the following vote:

AYES: 15 - Shakoor, II, Coe, Marcus, Shields, Hart, Kaplan, Wisner, Maack, Weidner, Wisneski, McCarthy, DeHahn, Holding, Spangenberg and Mozol

I. Adjourn

The meeting was adjourned at 8:30p.m. by Alderman Shakoor. The next scheduled meeting of the Council is January 18, 2011.

ATTEST: JANICE M. JOHNSON-MARTIN
CITY CLERK