



# City of Racine

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

## Meeting Agenda - Final Common Council

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

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Tuesday, November 17, 2015

7:00 PM

Room 205, City Hall

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

Refer to Finance and Personnel Committee, by Ald. Shakoor

[15-00981](#) **Subject:** Communication from the Human Resource Manager and City Attorney requesting to appear before the Finance & Personnel Committee to discuss the renewal of the City's Stop Loss Insurance plan for 2016.

[15-00994](#) **Subject:** Communication from the Director of Parks, Recreation & Cultural Services requesting authorization for final payment of \$5,294.00 on Contract 20150038, Zoo Administration Roof Replacement.

[15-00996](#) **Subject:** Communication from the Human Resources Manager and City Attorney requesting to appear in closed session, pursuant to Sec. 19.85 (1)(c) and (e) of the Wisconsin Statutes, before the Finance & Personnel Committee to address collective bargaining for 2016.

**Refer to Public Works and Services Committee, by Ald. Morgenroth**

- [15-00982](#)      **Subject:** Communication from the Assistant Commissioner of Public Works/Operations submitting the 2016 summary of lease agreements for office space.
- [15-00984](#)      **Subject:** Change Order No. 2 on Contract 20150052, BUS Garage - Parking Lot Improvements, A.W. Oakes & Son, Inc., contractor.
- [15-00993](#)      **Subject:** Communication from Real Racine, on behalf of AGA Nation, requesting to close 5th Street between Wisconsin and Main Street starting at 7:00 A.M. on Friday, January 8, 2016 through 8:00 P.M. Sunday, January 10, 2016 to host the 2016 Winter Rail Jam mobile snowboard and freestyle ski event.

**Refer to Traffic Commission, by Ald. Morgenroth**

- [15-00986](#)      **Subject:** Communication from the Alderman of the 3rd District requesting to modify parking restrictions adjacent to the 16th Street Studios - 1405 16th Street.

**Bond Resolution**

- [Res.15-0416](#) RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF \$11,130,000 GENERAL OBLIGATION REFUNDING BONDS  
WHEREAS, the Common Council of the City of Racine, Racine County, Wisconsin (the "City") hereby finds and determines that it is necessary, desirable and in the best interest of the City to raise funds for the public purpose of refunding obligations of the City, including interest on them, specifically, the Note Anticipation Notes, dated September 8, 2015 (the "Refunded Obligations") (hereinafter the refinancing of the Refunded Obligations shall be referred to as the "Refunding");
- WHEREAS, the Common Council deems it to be necessary, desirable and in the best interest of the City to refund the Refunded Obligations for the purpose of providing permanent financing for the projects financed by the Refunded Obligations;
- WHEREAS, cities are authorized by the provisions of Section 67.04, Wisconsin Statutes, to borrow money and issue general obligation refunding bonds to refinance their outstanding obligations; and
- WHEREAS, it is the finding of the Common Council that it is necessary, desirable and in the best interest of the City to authorize the issuance of and to sell its general obligation refunding bonds (the "Bonds") to Robert

W. Baird & Co. Incorporated (the "Purchaser"), pursuant to the terms and conditions of its bond purchase proposal attached hereto as Exhibit A and incorporated herein by this reference (the "Proposal").

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City that:

Section 1. Authorization and Sale of the Bonds. For the purpose of paying the cost of the Refunding, there shall be borrowed pursuant to Section 67.04, Wisconsin Statutes, the principal sum of ELEVEN MILLION ONE HUNDRED THIRTY THOUSAND DOLLARS (\$11,130,000) from the Purchaser in accordance with the terms and conditions of the Proposal. The Proposal is hereby accepted, and the Mayor and City Clerk or other appropriate officers of the City are authorized and directed to execute an acceptance of the Proposal on behalf of the City. To evidence the obligation of the City, the Mayor and City Clerk are hereby authorized, empowered and directed to make, execute, issue and sell to the Purchaser for, on behalf of and in the name of the City, the Bonds aggregating the principal amount of ELEVEN MILLION ONE HUNDRED THIRTY THOUSAND DOLLARS (\$11,130,000) for the sum set forth on the Proposal, plus accrued interest to the date of delivery.

Section 2. Terms of the Bonds. The Bonds shall be designated "General Obligation Refunding Bonds"; shall be issued in the aggregate principal amount of \$11,130,000; shall be dated December 7, 2015; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and shall bear interest at the rates per annum and mature on the dates and in the principal amounts as set forth on the Pricing Summary attached hereto as Exhibit B-1 and incorporated herein by this reference. Interest shall be payable semi-annually on June 1 and December 1 of each year commencing on June 1, 2016. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board. The schedule of principal and interest payments due on the Bonds is set forth on the Debt Service Schedule attached hereto as Exhibit B-2 and incorporated herein by this reference (the "Schedule").

Section 3. Redemption Provisions. The Bonds maturing on December 1, 2026 and thereafter shall be subject to redemption prior to maturity, at the option of the City, on December 1, 2025 or on any date thereafter. Said Bonds shall be redeemable as a whole or in part, and if in part, from maturities selected by the City and within each maturity, by lot, at the principal amount thereof, plus accrued interest to the date of redemption.

Section 4. Form of the Bonds. The Bonds shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit C and incorporated herein by this reference.

Section 5. Tax Provisions.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Bonds as the same becomes due, the full faith, credit and resources of the City are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the City a direct annual irrepealable tax in the years 2015 through 2028 for the payments due in the years 2016 through 2029 in the amounts set forth on the Schedule.

(B) Tax Collection. So long as any part of the principal of or interest on the Bonds remains unpaid, the City shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Bonds, said tax shall be, from year to year, carried onto the tax roll of the City and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the City for said years are collected, except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund Account created below.

(C) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said Bonds when due, the requisite amounts shall be paid from other funds of the City then available, which sums shall be replaced upon the collection of the taxes herein levied.

Section 6. Segregated Debt Service Fund Account.

(A) Creation and Deposits. There be and there hereby is established in the treasury of the City, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established for obligations previously issued by the City may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for General Obligation Refunding Bonds, dated December 7, 2015" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Bonds is fully paid or otherwise extinguished. The City Treasurer shall deposit in the Debt Service Fund

Account (i) all accrued interest received by the City at the time of delivery of and payment for the Bonds; (ii) any premium not used for the Refunding which may be received by the City above the par value of the Bonds and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Bonds when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Bonds when due; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Bonds until all such principal and interest has been paid in full and the Bonds canceled; provided (i) the funds to provide for each payment of principal of and interest on the Bonds prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Bonds may be used to reduce the next succeeding tax levy, or may, at the option of the City, be invested by purchasing the Bonds as permitted by and subject to Section 67.11(2)(a), Wisconsin Statutes, or in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"), which investments shall continue to be a part of the Debt Service Fund Account. Any investment of the Debt Service Fund Account shall at all times conform with the provisions of the Internal Revenue Code of 1986, as amended (the "Code") and any applicable Treasury Regulations (the "Regulations").

(C) Remaining Monies. When all of the Bonds have been paid in full and canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account shall be transferred and deposited in the general fund of the City, unless the Common Council directs otherwise.

Section 7. Proceeds of the Bonds; Segregated Borrowed Money Fund. The proceeds of the Bonds (the "Bond Proceeds") (other than any premium not used for the Refunding and accrued interest which must be paid at the time of the delivery of the Bonds into the Debt Service Fund Account created above) shall be deposited into a special fund separate and distinct from all other funds of the City and disbursed solely for the purpose for which borrowed or for the payment of the principal of and the interest on the Bonds. Monies in the Borrowed Money Fund may be temporarily invested in Permitted Investments. Any monies, including any income from Permitted Investments, remaining in the Borrowed

Money Fund after the purpose for which the Bonds have been issued has been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purpose shall be deposited in the Debt Service Fund Account.

Section 8. No Arbitrage. All investments made pursuant to this Resolution shall be Permitted Investments, but no such investment shall be made in such a manner as would cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations and an officer of the City, charged with the responsibility for issuing the Bonds, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Bonds to the Purchaser which will permit the conclusion that the Bonds are not "arbitrage bonds," within the meaning of the Code or Regulations.

Section 9. Compliance with Federal Tax Laws. (a) The City represents and covenants that the projects financed by the Bonds and by the Refunded Obligations and the ownership, management and use of the projects will not cause the Bonds or the Refunded Obligations to be "private activity bonds" within the meaning of Section 141 of the Code. The City further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of the interest on the Bonds including, if applicable, the rebate requirements of Section 148(f) of the Code. The City further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Bonds) if taking, permitting or omitting to take such action would cause any of the Bonds to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Bonds to be included in the gross income of the recipients thereof for federal income tax purposes. The City Clerk or other officer of the City charged with the responsibility of issuing the Bonds shall provide an appropriate certificate of the City certifying that the City can and covenanting that it will comply with the provisions of the Code and Regulations.

(b) The City also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Bonds provided that in meeting such requirements the City will do so only to the extent consistent with the proceedings authorizing the Bonds and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

Section 10. Execution of the Bonds; Closing; Professional Services. The Bonds shall be issued in printed form, executed on behalf of the

City by the manual or facsimile signatures of the Mayor and City Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the City of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Bonds may be imprinted on the Bonds in lieu of the manual signature of the officer but, unless the City has contracted with a fiscal agent to authenticate the Bonds, at least one of the signatures appearing on each Bond shall be a manual signature. In the event that either of the officers whose signatures appear on the Bonds shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Bonds and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The City hereby authorizes the officers and agents of the City to enter into, on its behalf, agreements and contracts in conjunction with the Bonds, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Bonds is hereby ratified and approved in all respects.

Section 11. Payment of the Bonds; Fiscal Agent. The principal of and interest on the Bonds shall be paid by the City Clerk or City Treasurer (the "Fiscal Agent").

Section 12. Persons Treated as Owners; Transfer of Bonds. The City shall cause books for the registration and for the transfer of the Bonds to be kept by the Fiscal Agent. The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Bond shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

Any Bond may be transferred by the registered owner thereof by surrender of the Bond at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Mayor and City Clerk shall execute and deliver in the name of the transferee or transferees a new Bond or Bonds of a like aggregate principal amount, series and maturity and the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Bond surrendered for transfer.

The City shall cooperate in any such transfer, and the Mayor and City Clerk are authorized to execute any new Bond or Bonds necessary to effect any such transfer.

Section 13. Record Date. The fifteenth day of each calendar month next preceding each interest payment date shall be the record date for the Bonds (the "Record Date"). Payment of interest on the Bonds on any interest payment date shall be made to the registered owners of the Bonds as they appear on the registration book of the City at the close of business on the Record Date.

Section 14. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Bonds eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the City agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations previously executed on behalf of the City and on file in the City Clerk's office.

Section 15. Official Statement. The Common Council hereby approves the Preliminary Official Statement with respect to the Bonds and deems the Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the City in connection with the preparation of such Preliminary Official Statement and any addenda to it or Final Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate City official shall certify the Preliminary Official Statement and any addenda or Final Official Statement. The City Clerk shall cause copies of the Preliminary Official Statement and any addenda or Final Official Statement to be distributed to the Purchaser.

Section 16. Undertaking to Provide Continuing Disclosure. The City hereby covenants and agrees, for the benefit of the owners of the Bonds, to enter into a written undertaking (the "Undertaking") if required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Bonds or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the City to comply with the provisions of the Undertaking shall not be an event of default with respect to the Bonds).

To the extent required under the Rule, the Mayor and City Clerk, or

other officer of the City charged with the responsibility for issuing the Bonds, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the City's Undertaking.

Section 17. Redemption of the Refunded Obligations. The Refunded Obligations are hereby called for prior payment and redemption on December 18, 2015 at a price of par plus accrued interest to the date of redemption.

The City hereby directs the City Clerk to work with the Purchaser to cause timely notice of redemption, in substantially the form attached hereto as Exhibit D and incorporated herein by this reference (the "Notice"), to be provided at the times, to the parties and in the manner set forth on the Notice. All actions heretofore taken by the officers and agents of the City to effectuate the redemption of the Refunded Obligations are hereby ratified and approved.

Section 18. Record Book. The City Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Bonds in the Record Book.

Section 19. Bond Insurance. If the Purchaser determines to obtain municipal bond insurance with respect to the Bonds, the officers of the City are authorized to take all actions necessary to obtain such municipal bond insurance. The Mayor and City Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Mayor and City Clerk including provisions regarding restrictions on investment of Bond proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Bonds by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Bond provided herein.

Section 20. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the Common Council or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Adopted, approved and recorded November 17, 2015.

\_\_\_\_\_  
John Dickert, Mayor

ATTEST

\_\_\_\_\_  
Janice M. Johnson-Martin, City Clerk  
(SEAL)

Sponsors: Q.A. Shakoor II

## F. Committee Reports

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

[15-00542](#)

**Subject:** Communication from the City Attorney and Human Resources Manager requesting an appropriation of \$26,950 from the General Fund Contingency Account to fund a national search for a new City Administrator. (Consultants estimate of \$24,500 plus 10% contingency).

**Recommendation of the Finance & Personnel Committee on 6-22-15:** That the item be deferred.

**Recommendation of the Finance & Personnel Committee on 11/9/2015:** Receive and File.

**Fiscal Note:** N/A

[15-00543](#)

**Subject:** Communication from the Finance Director requesting an appropriation of \$11,600 from the General Fund Contingency Account to fund the anticipated fourth quarter salary increase that will be required in connection with the recruitment of a new City Administrator. (Consultants estimate a \$140,000 annual salary will be required for successful recruitment).

**Recommendation of the Finance & Personnel Committee on 06/22/2015:** That the item be deferred.

**Recommendation of the Finance & Personnel Committee on 11/9/2015:** Receive and File.

**Fiscal Note:** N/A

[15-00946](#)

**Subject:** Communication from the Director of Parks, Recreation & Cultural Services requesting Change Order 1 & Final Payment totaling \$11,113.58 on contract 14-15(K5-014) Gym Floor Replacement. (Res No. 15-0400)

**Recommendation of the Finance & Personnel Committee on**

**11/9/2015:** Contract 14-15 (K5-014), Chavez Gym Floor Replacement, Baseman Brothers, Inc., contractor, as submitted, be approved in the amount of \$5,907.00 and that their work under this contract be accepted and final payment authorized for a total contract amount of \$75,328.00. Further recommends that funding to defray the cost of the change order be appropriated from Org-Object 45050-57200, Parks - Building Improvements.

**Fiscal Note:** Funds are available as herein delineated. Contract 14-15 was authorized under Resolution 14-3438 dated August 14, 2014.

[15-00963](#)

**Subject:** Communication from the City Attorney submitting the claim of Karen Sutton for consideration.

**Recommendation of the Finance & Personnel Committee on**

**11/9/2015:** That the claim of Karen Sutton be denied.

**Fiscal Note:** N/A

[15-00970](#)

**Subject:** Communication from the Municipal Judge requesting to increase Clerk Fees to \$38.00, Ordinance Sec. 2-553 (a).

**Recommendation of the Finance & Personnel Committee on**

**11/9/2015:** Permission be granted to the Municipal Judge to increase Clerk Fees from \$28.00 to \$38.00, per Ordinance Sec. 2-553 (a) "schedule of deposits".

**Fiscal Note:** N/A

[15-00971](#)

**Subject:** Communication from the City Attorney submitting the claim of WillieMae Jordan and Benny Jordan for consideration.

**Recommendation of the Finance & Personnel Committee on**

**11/9/2015:** That this claim of WillieMae Jordan and Benny Jordan be denied.

**Fiscal Note:** N/A

[2730](#)

**Subject:** Communication from the Chairman of the Affirmative Action/Human Rights Commission wishing to discuss the lack of funding for Racine's Fair Housing Program.

**Recommendation:** Item be received and filed.

**Fiscal Note:** N/A

### Public Works and Services Committee Report, by Ald. Morgenroth

[15-00836](#)

**Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer submitting proposals for the provision of underground facility locating services for the City-owned fiber optic and electrical systems in 2016. (Res No. 15-0425)

**Recommendation of the Public Works and Services Committee on 11-10-15:** That the Mayor and City Clerk be authorized and directed to enter into a one-year agreement, from January 1, 2016 through December 31, 2016, with Precise Underground Marking Corporation, to mark underground fiber optic and electrical systems at a per ticket price of:

Prescreens - \$9.84

Locates - \$12.58

Site Visit/No conflict - \$12.58

Emergency During Business Hours (Clear/No Conflict/Site Visit/Locate) - \$12.58

Emergency After business Hours (Clear/No Conflict/Site Visit/Locate) - \$43.71

Projects - \$27.32 per hour

Further recommends that this agreement may be renewed for four (4) one-year extensions provided the contractor and the City are in mutual agreement.

Further recommends that funding to defray the cost of these services is available in Org-Object 14012-52100, Street Lighting-Professional Services.

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

[15-00961](#)

**Subject:** Communication from Kara Kading requesting to use City right-of-way for the St. John's Lutheran School Spirit Run on Saturday, September 17, 2016. (Res No. 15-0418)

**Recommendation of the Public Works and Services Committee on 11-10-15:** That St. John's Lutheran School be granted permission to use

City right-of-way for a run/walk on Saturday, September 17, 2016.

Further recommends that permission be granted with the following stipulations:

- A. A hold harmless agreement be executed and a \$75 processing fee paid.
- B. A liability insurance certificate be filed prior to this event.
- C. Any overtime costs incurred by any City department be charged to the sponsor.
- D. The sponsor shall notify all abutting property owners seventy-two (72) hours in advance of this event.
- E. If required, sponsor shall be responsible for submitting a Temporary Traffic Control Plan to the Engineering Department for approval, and providing and removing all temporary traffic control devices and detour signs.
- F. If required, sponsor shall provide a detour plan for the closure of all State connecting highways, arterial and collector streets to the City Engineer for approval.
- G. Sponsor is responsible for cleaning the streets.
- H. If required, sponsor shall install parking meter hoods or temporary parking signs at least twenty-four (24) hours in advance of the event and if this is not done, sponsor is responsible for vehicle towing and parking violation expenses of the violators.

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

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

[15-00965](#)

**Subject:** Change Order No. 1 on Contract 20150043, Memorial Hall Tuckpointing, Custom Restoration, Inc., contractor. (Res No. 15-0419)

**Recommendation of the Public Works and Services Committee on 11-10-15:** That Change Order No. 1 on Contract 20150043, Memorial Hall Tuckpointing, Custom Restoration, Inc., contractor, as submitted, be approved in the deduct amount of (\$12,157.00)

Further recommends that the funding Org-Object 60623-57200, Memorial Hall Tuckpointing, be adjusted by (\$12,157.00).

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

[15-00966](#)

**Subject:** Final Payment on Contract 20150043, Memorial Hall Tuckpointing, Custom Restoration, Inc., contractor. (Res No. 15-0420)

**Recommendation of the Public Works and Services Committee on 11-10-15:** That the work done by Custom Restoration, Inc., under Contract 20150043, Memorial Hall Tuckpointing, be accepted and final payment authorized for a total contract amount of \$65,515.00.

**Fiscal Note:** Contract was authorized under Resolution 15-0320, dated August 18, 2015.

[15-00967](#)

**Subject:** Change Order No. 1 on Contract 20150054, Samuel Myers Park Renovations - Phase II, Ray Hintz, Inc., contractor. (Res No. 15-0421)

**Recommendation of the Public Works and Services Committee on 11-10-15:** That Change Order No. 1 on Contract 20150054, Samuel Myers Park Renovations - Phase II, Ray Hintz, Inc., contractor, as submitted, be approved in the amount of \$4,407.00.

Further recommends that funding to defray the cost of the change order be appropriated from the Org-Object 20201-52200, FFLM 2015.

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

[15-00968](#)

**Subject:** Final Payment on Contract 20150054, Samuel Myers Park Renovations - Phase II, Ray Hintz, Inc., contractor. (Res No. 15-0422)

**Recommendation of the Public Works and Services Committee on 11-10-15:** That the work done by Ray Hintz, Inc., under Contract 20150054, Samuel Myers Park Renovations - Phase II, be accepted and final payment authorized for a total contract amount of \$108,565.90.

**Fiscal Note:** Contract was authorized under Resolution 15-0353, dated September 15, 2015.

[15-00969](#)

**Subject:** Communication from the Downtown Racine Corporation requesting use of City right-of-way for The Big Chill snow and ice carving event to be held on January 8 - 10, 2016. (Res No. 15-0417)

**Recommendation of the Public Works and Services Committee on 11-10-15:** That the Mayor and City Clerk be authorized and directed to enter into an agreement with the Downtown Racine Corporation granting permission to place ice sculptures on City sidewalks along Sixth Street and Main Street from State Street to Seventh Street from January 8-10, 2016 until they melt, with the following stipulations:

- A. That a clear area be established along the building line of a minimum of five feet in order to meet ADA requirements.
- B. That any ice sculptures be set back a minimum of two feet from the

back of the curb in order to meet Wisconsin Department of Transportation requirements.

C. That a hold harmless agreement be filed with the City Attorney's Office and a \$75 processing fee paid.

D. That a liability insurance certificate be filed with the City Attorney's Office.

**Fiscal Note:** N/A

[15-00972](#)

**Subject:** Final Payment on Contract 35-14 (K4-035), PS - 2014 Sewer Asset Management Services, AECOM, consultant. (Res No. 15-0424)

**Recommendation of the Public Works and Services Committee on 11-10-15:** That the work done by AECOM under Contract 35-14 (K4-035), PS - 2014 Sewer Asset Management Services, be accepted and final payment authorized for a total contract amount of \$70,827.00.

**Fiscal Note:** Contract was authorized under Resolution 14-0248, dated June 3, 2014.

[15-00973](#)

**Subject:** Final Payment on Contract 20150028, PS - MLK Center, Chavez Center, Mound Cemetery and Memorial Hall SECVT Replacement, Johnson Controls, Inc., consultant. (Res No. 15-0423)

**Recommendation of the Public Works and Services Committee on 11-10-15:** That the work done by Johnson Controls, Inc., under Contract 20150028, PS - MLK Center, Chavez Center, Mound Cemetery and Memorial Hall SECVT Replacement, be accepted and final payment authorized for a total contract amount of \$20,370.00.

**Fiscal Note:** Contract was authorized under Resolution 15-0084, dated March 3, 2015.

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

[15-00500](#)

**Subject:** Request the appearance of Fides Wagner-Richardson, 1102 Mound Avenue to discuss the renewal of the "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 2015-2016.

**Recommendation of the Public Safety and Licensing Committee on 6-9-15:** That the current 2014-2015 license be extended until both the City Attorney and the Attorney for the owners can come up with clarification on the State Statute regarding serving food after bar closing hours and this item be brought back before the committee in two weeks.

**Recommendation of the Public Safety and Licensing Committee on 7-28-15:** That the renewal for a "Class B" Fermented Malt Beverage

and Intoxicating Liquor License at 1102 Mound Avenue for 2015-2016 be deferred.

**Recommendation of the Public Safety and Licensing Committee on 10-13-15:** That the renewal for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License at 1102 Mound Avenue for 2015-2016 be deferred.

**Recommendation of the Public Safety and Licensing Committee on 10-27-15:** That the renewal for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License at 1102 Mound Avenue for 2015-2016 be deferred for two weeks.

**Recommendation of the Public Safety and Licensing Committee on 11-10-15:** That the renewal for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License at 1102 Mound Avenue for 2015-2016 be approved. Please see the following for the vote on this item.:

Jones - No  
Dehahn - Aye  
Perez - No  
Coe - Aye  
Land - Excused

**Fiscal Note:** N/A

[15-00939](#)

**Subject:** Communication from Ald.Coe requesting the City Attorney's Office create an Ordinance repealing Sec. 22-1055 Temporary License.

**Recommendation of the Public Safety and Licensing Committee on 11-10-15:** That the request to create an Ordinance repealing Sec. 22-1055 Temporary License be approved.

**Fiscal Note:** N/A

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

[15-00948](#)

**Subject:** Communication from the Department of City Development for an amendment to the Zoning Ordinance regarding breweries and brew pubs. (Ord. 12-15)

**Recommendation of the City Plan Commission on 11-11-15:** That an ordinance be prepared and a public hearing before the Common Council be scheduled.

**Fiscal Note:** N/A

#### **Committee of the Whole Report, by Ald. Wiser**

[15-00803](#)

**Subject:** Submittal of the Report of the Finance Committee of the Racine Waterworks Commission Regarding Year 2016 Water Utility Operations and Maintenance Budget and the 2016-2020 Capital Improvements Budget Recommending Adoption (Res No. 15-0427)

**Recommendation of the Racine Waterworks Commission on 9/22/15:** To adopt

**Recommendation of the Committee of the Whole on 11-11-2015:** the Item be adopted.

**Fiscal Note:** copies of the 2016 Water Utility Operations and Maintenance Budget and the 2016-2020 Capital Improvements Budget are on file in the Office of the Finance Director.

[15-00808](#)

**Subject:** Submittal of the Report of the Finance Committee of the Racine Wastewater Commission Regarding Year 2016 Wastewater Utility Operations and Maintenance Budget and the 2016-2020 Capital Improvements Budget Recommending Adoption (Res No. 15-0428)

**Recommendation of the Racine Wastewater Commission on 9/22/15:** To adopt

**Recommendation of the Committee of the Whole on 11-11-2015:** the Item be adopted.

**Fiscal Note:** copies of the 2016 Wastewater Utility Operations and Maintenance Budget and the 2016-2020 Capital Improvements Budget are on file in the Office of the Finance Director.

[15-00809](#)

**Subject:** Submittal of the 2016 Sewer Service Rates (Res No. 15-0429)

**Recommendation of the Racine Wastewater Commission on 9/22/15:** To adopt

**Recommendation of the Committee of the Whole on 11-11-2015:** the Item be adopted.

**Fiscal Note:** copies of the 2016 Sewer Service Rates are on file in the Office of the Finance Director.

[15-00873](#)

**Subject:** Communication from Mayor Dickert submitting the proposed 2016-2025 10-Year Capital Improvement Plan.

**Recommendation of the Committee of the Whole on 11-11-2015:** the Item be adopted, as amended.

**Fiscal Note:** copies of the 2016-2025 10-Year Capital Improvement Plan is on file in the Office of the Finance Director.

[15-00874](#)

**Subject:** Communication from Mayor Dickert submitting the proposed 2016 City of Racine Budget consisting of the General Fund, Special Revenue Funds, Debt Service Fund, Capital Project Funds, Enterprise Funds and Internal Service Funds. (Res No. 15-0426)

**Recommendation of the Committee of the Whole on 11-11-2015:**  
The Item be adopted, as amended.

**Fiscal Note:** copies of the 2016 General Fund, Special Revenue Funds, Debt Service Fund, Capital Project Funds, Enterprise Funds and Internal Service Funds are on file in the Office of the Finance Director.

## G. Consent Resolutions

[Res.15-0400](#) Change Order No. 1 & Final Payment on Contract 14-15 (K5-014) Gym Floor Replacement

Resolved, that Change Order No. 1 on Contract 14-15 (K5-014), Chavez Gym Floor Replacement, Baseman Brothers, Inc., contractor, as submitted, is approved in the amount of \$5,907.00.

Further resolved, that work done by Baseman Brothers, Inc., under Contract 14-15 (K5-014), Chavez Gym Floor Replacement, is accepted and final payment authorized for a total contract amount of \$75,328.00.

Fiscal Note: Funding to defray the cost of the change order be appropriated from Org-Object 45050-57200, Parks - Building Improvements. Contract was authorized under Resolution 14-3438 dated August 14, 2014.

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

[Res.15-0417](#) The Big Chill 2016

Resolved, that the Mayor and City Clerk are authorized and directed to enter into an agreement with the Downtown Racine Corporation granting permission to place ice sculptures on City sidewalks along Sixth Street and Main Street from State Street to Seventh Street from January 8-10, 2016 until they melt, with the following stipulations:

A. That a clear area be established along the building line of a minimum of five feet in order to meet ADA requirements.

B. That any ice sculptures be set back a minimum of two feet from the back of the curb in order to meet Wisconsin Department of Transportation requirements.

C. That a hold harmless agreement be filed with the City Attorney's Office and a \$75 processing fee paid.

D. That a liability insurance certificate be filed with the City Attorney's Office.

Fiscal Note: N/A

Sponsors: James Morgenroth

[Res.15-0418](#) 2016 St. John's Lutheran School Spirit Run

Resolved, that St. John's Lutheran School is granted permission to use City right-of-way for a run/walk on Saturday, September 17, 2016.

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

A. A hold harmless agreement be executed and a \$75 processing fee paid.

B. A liability insurance certificate be filed prior to this event.

C. Any overtime costs incurred by any City department are charged to the sponsor.

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

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

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

G. Sponsor is responsible for cleaning the streets.

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

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

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

Sponsors: James Morgenroth

[Res.15-0419](#) Change Order No. 1 on Contract 20150043, Memorial Hall Tuckpointing

Resolved, that Change Order No. 1 on Contract 20150043, Memorial Hall Tuckpointing, Custom Restoration, Inc., contractor, as submitted, is approved in the deduct amount of (\$12,157.00).

Fiscal Note: Funding from Org-Object 60623-57200, Memorial Hall Tuckpointing, be adjusted by (\$12,157.00).

Sponsors: James Morgenroth

[Res.15-0420](#) Final Payment on Contract 20150043, Memorial Hall Tuckpointing

Resolved, that the work done by Custom Restoration, Inc., under Contract 20150043, Memorial Hall Tuckpointing, is accepted and final payment authorized for a total contract amount of \$65,515.00.

Fiscal Note: Contract was authorized under Resolution 15-0320, dated August 18, 2015.

Sponsors: James Morgenroth

[Res.15-0421](#) Change Order No. 1 on Contract 20150054, Samuel Myers Park Renovations - Phase II

Resolved, that Change Order No. 1 on Contract 20150054, Samuel Myers Park Renovations - Phase II, Ray Hintz, Inc., contractor, as submitted, is approved in the amount of \$4,407.00.

Fiscal Note: Funding to defray the cost of the change order be appropriated from the Org-Object 20201-52200, FFLM 2015.

Sponsors: James Morgenroth

[Res.15-0422](#) Final Payment on Contract 20150054, Samuel Myers Park Renovations - Phase II

Resolved, that the work done by Ray Hintz, Inc., under Contract 20150054, Samuel Myers Park Renovations - Phase II, is accepted and final payment authorized for a total contract amount of \$108,565.90.

Fiscal Note: Contract was authorized under Resolution 15-0353, dated September 15, 2015.

[Res.15-0423](#) Final Payment on Contract 20150028, PS - MLK Center, Chavez Center, Mound Cemetery and Memorial Hall SECVT Replacement

Resolved, that the work done by Johnson Controls, Inc., under Contract 20150028, PS - MLK Center, Chavez Center, Mound Cemetery and Memorial Hall SECVT Replacement, is accepted and final payment authorized for a total contract amount of \$20,370.00.

Fiscal Note: Contract was authorized under Resolution 15-0084, dated March 3, 2015.

Sponsors: James Morgenroth

[Res.15-0424](#) Final Payment on Contract 35-14 (K4-035), PS - 2014 Sewer Asset Management Services

Resolved, that the work done by AECOM under Contract 35-14 (K4-035), PS - 2014 Sewer Asset Management Services, is accepted and final payment authorized for a total contract amount of \$70,827.00.

Fiscal Note: Contract was authorized under Resolution 14-0248, dated June 3, 2014.

Sponsors: James Morgenroth

[Res.15-0425](#) Underground Facility Locating Services for City-Owned Fiber Optic and Electrical Systems in 2016

Resolved, that the Mayor and City Clerk are authorized and directed to enter into a one-year agreement, from January 1, 2016 through December 31, 2016, with Precise Underground Marking Corporation, to mark underground fiber optic and electrical systems at a per ticket price of:

\$ 9.84	-	Prescreens
\$12.58	-	Locates
\$12.58	-	Site Visit/No Conflict
\$12.58	-	Emergency During Business Hours (Clear/No Conflict/Site Visit/Locate)
\$43.71	-	Emergency After business Hours (Clear/No Conflict/Site Visit/Locate)
\$27.32/hr	-	Projects

Further resolved, that this agreement may be renewed for four (4) one-year extensions provided the contractor and the City are in mutual agreement.

Fiscal Note: Funding to defray the cost of these services is available in Org-Object 14012-52100, Street Lighting-Professional Services.

Sponsors: James Morgenroth

[Res.15-0427](#) Racine Waterworks Commission Year 2016 Water Utility Operations and Maintenance Budget and the 2016-2020 Capital Improvements Budget

Resolved, that the report of the Finance Committee of the Racine Water Works Commission regarding Year 2016 Water Utility Operations and Maintenance Budget and the 2016-2020 Capital Improvements Budget are approved.

Fiscal Note: Copies of the 2016 Water Utility Operations and Maintenance Budget and the 2016-2020 Capital are on file in the Office of the Finance Director.

Sponsors: Dennis Wiser

[Res.15-0428](#) Report of the Finance Committee of the Racine Wastewater Commission Regarding Year 2016 Wastewater Utility Operations and Maintenance Budget and the 2016-2020 Capital Improvements Budget

Resolved, that the report of the Finance Committee of the Racine Wastewater Commission Regarding Year 2016 Wastewater Utility Operations and Maintenance Budget and the 2016-2020 Capital Improvements Budget are approved.

Fiscal Note: Copies of the 2016 Wastewater Utility Operations and Maintenance Budget and the 2016-2020 Capital Improvements Budget are on file in the Office of the Finance Director.

Sponsors: Dennis Wiser

[Res.15-0429](#) 2016 Sewer Service Rates

Resolved, that the submittal of 2016 Sewer Service Rates are approved.

Fiscal Note: Copies of the 2016 Sewer Service Rates are on file in the Office of the Finance Director.

Sponsors: Dennis Wiser

## H. Resolutions

### [Res.15-0426](#) 2016 City Budget

Resolved, that the proposed 2016 City of Racine Budget consisting of the General Fund, Special Revenue Funds, Debt Service Fund, Capital Project Funds, Enterprise Funds and Internal Service Funds is approved.

Fiscal Note: Copies of the 2016 General Fund, Special Revenue Funds, Debt Service Fund, Capital Project Funds, Enterprise Funds and Internal Service Funds are on file in the Office of the Finance Director.

Sponsors: Dennis Wiser

### [Res.15-0430](#) 10-Year Capital Improvement Plan

Resolved, that the 2016-2025 10-Year Capital Improvement Plan is approved.

Fiscal Note: Copies of the 2016-2025 10-Year Capital Improvement Plan is on file in the Office of the Finance Director.

Sponsors: Dennis Wiser

## I. Consent Agenda

## J. Ordinances

### Refer to City Plan Commission

#### [Ord.12-15](#) Ordinance 12-15 - Breweries and Brew Pubs

An ordinance to amend Chapter 114 - Zoning, of the Municipal Code of the City of Racine, Wisconsin.

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

Part 1: Amend Sec. 114-467(1) by adding after the words "where produced" the words "except as permitted herein".

Part 2: Create Sec. 114-468(11) to read as follows: "(11) A brewery, a brewery with a restaurant, or a brew pub, each as defined by Wis. Stat. §§ 125.29 and 125.295, and producing less than 1,000 barrels per year."

Part 3: Create Sec. 114-568 (39) to read as follows: "(39) Brewery as defined by Wis. Stat. § 125.29."

Part 4: Repeal and recreate Sec. 114-587 (b) (39) to read as follows: “(39) Breweries as defined by Wis. Stat. § 125.29.”

Part 5: Create Sec. 114-587 (40) to read as follows: “(40) Reserved.”

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

Passed by the Common Council:

Approved:

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Fiscal Note: N/A

Sponsors: Dennis Wisner

**K. Adjourn**

**Office of The City Clerk**

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