



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 Wiser

Tuesday, June 15, 2010

7:00 PM

Room 205, City Hall

Mayor Dickert was excused and President Coe presided over the meeting.

A. Call To Order

PRESENT: 13 - Shakoor, II, Coe, Marcus, Shields, Kaplan, Wiser, Maack, Weidner, Wisneski, DeHahn, Holding, Spangenberg and Mozol
EXCUSED: 2 - Hart and McCarthy

B. Pledge of Allegiance To The Flag

President Coe 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 Shakoor.

D. Public Comments

Gerald Bester
Randal A. Morrison
Calvin Simmons
Melissa Warner
George Meyers

E. Communications

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

[10-5215](#)

Subject: Communication from the Alderman of the 7th District requesting to discuss the reconstruction of Three Mile Road from Erie

Street to LaSalle Street.

Referred to Public Works and Services Committee

[10-5230](#)

Subject: Communication from Cory Gulan requesting the use of the City lot adjacent to Gateway Technical College for a motorcycle stunt exhibition on July 24, 2010 from 12 p.m to 4:00 p.m.

Referred to Public Works and Services Committee

[10-5240](#)

Subject: Communication from Racine County submitting bid results for salt for ice control for the 2010-2011 winter season.

Referred to Public Works and Services Committee

[10-5247](#)

Subject: Communication from Breakthrough Outreach Ministries, requesting permission to close Villa Street from 9th Street to 13th Street, on July 3, 2010, from 12:00 p.m. to 5:00 p.m. for a family and friends event.

Referred to Public Works and Services Committee

[10-5253](#)

Subject: Communication from Focus on Community requesting to use city right-of-way for a run/walk on October 2, 2010, from 8:30 a.m. to 10:00 a.m., in conjunction with Party on the Pavement.

Also refer to Board of Parks, Recreation and Cultural Services

Referred to Public Works and Services Committee

Referred to Board of Park, Recreation and Cultural Services

[10-5260](#)

Subject: Communication from Fourth Fest of Greater Racine, Inc. requesting permission to use the Walker Site parking lot on Monday, July 5, 2010.

Referred to Public Works and Services Committee

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

[10-5236](#)

Subject: (New) Application of Taqueria Nuevo Vallarta, Mario Espinoza, for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 3700 Durand Avenue (11th District)

Referred to Public Safety and Licensing Committee

[10-5246](#)

Subject: The following renewal application(s) for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 2010-2011:

Hillside Lanes Inc.
Hillside Lanes (Tradenname)

1400 Thirteenth Street

Richard Wonders, Agent

Referred to Public Safety and Licensing Committee

[10-5252](#)

Subject: (New) Application of Ali Fade for a "Class A" Retail Fermented Malt Beverage and Intoxicating Liquor License for 1949 Racine Street. (2nd District)

Referred to Public Safety and Licensing Committee

[10-5254](#)

Subject: Communication from Caliente LLC., Ed Scharding, Agent, requesting to amend the premises description at 600-6th Street.

Referred to Public Safety and Licensing Committee

Refer to Transit and Parking Commission, by Ald. DeHahn

[10-5242](#)

Subject: Communication from the Assistant Commissioner of Public Works/Operations submitting a contract from Image Management to manage the City of Racine BUS advertising.

Referred to Transit and Parking Commission

Refer to Community Development Committee, by Ald. Shakoor,

[10-5250](#)

Subject: Request of the Director of City Development to change the grant recipient of the Kitchen Incubator project.

Referred to Community Development Committee

[10-5251](#)

Subject: Application of Project New Life Community Development Corporation for CDBG Local Option funds.

Referred to Community Development Committee

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

[10-5256](#)

Subject: Communication from the Director of Parks, Recreation and Cultural Services to discuss the State of Wisconsin's acquisition of 7 square feet of land from Douglas Park for sidewalk improvements as part of the reconstruction of Douglas Avenue.

Referred to Board of Park, Recreation and Cultural Services

[10-5257](#)

Subject: Communication from Alderman Kaplan requesting sufficient No Parking signage along Hoffert Drive from Barker Street to English Street be installed and the municipal codes updated if necessary.

Referred to Board of Park, Recreation and Cultural Services

[10-5258](#)

Subject: Communication from Claudius A. Adebayo of OIC requesting the City donate or sell at a nominal fee, the parcel of land located at 2138 N. Wisconsin Street (parcel no. 04754000).

Referred to Board of Park, Recreation and Cultural Services

F. Committee Reports

Finance and Personnel Committee Report, by Ald. Spangenberg

[10-4866](#)

Subject: Communication from Aldermen of the Ninth and Eleventh Districts requesting to meet with appropriate committee to discuss changes to Purchasing Ordinance (46-28). (Ord.11-10)

Recommendation of the Finance & Personnel Committee on 03-22-10: The item be deferred.

Recommendation of the Finance & Personnel Committee on 6-7-10: Approval of the amendment to the Racine Municipal Code regarding purchases over \$25,000; advertising for bids and creating Sec. 46-39 relating to procurement of professional services. Further recommends the additional amendment of Part 2, Parenthesis C, Section 2, Paragraph 1 add to the last sentence "and the City Administrator."

Fiscal Note: N/A

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

[10-5137](#)

Subject: Presentation of the 2009 Audit from Clifton-Gunderson for the Racine Water Department.

Recommendation of the Waterworks Commission on 5/25/10: That the 2009 Audit be approved

Recommendation of the Finance & Personnel Committee on 6-7-10: The audited 2009 Financial Statements from Clifton Gunderson for Racine Water Department 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.

[10-5141](#)

Subject: Presentation of the 2009 Audit from Clifton-Gunderson for the Racine Wastewater Utility.

Recommendation of the Wastewater Commission on 5/25/10: That

the 2009 Audit be approved

Recommendation of the Finance & Personnel Committee on

6-7-10: The audited 2009 Financial Statements from Clifton Gunderson for Racine Wastewater Utility Department 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.

10-5156

Subject: Communication from the City Attorney submitting the claim of Farrah Bolden for consideration.

Recommendation of the Finance & Personnel Committee on

6-7-10: The claim of Farrah Bolden, 1125 S. Troy, 3rd floor rear, Chicago, requesting a reimbursement of \$50,000 for injuries after allegedly falling on ice in the parking lot at the Safety Building on March 4, 2008 be denied.

Fiscal Note: N/A

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

10-5209

Subject: Communication from the Assistant Commissioner of Public Works/Operations submitting a Focus on Energy grant for the Lake Avenue Parking Ramp LED Upgrade. (Res.10-2080)

Recommendation of the Finance & Personnel Committee on

6-7-10: Permission be granted for the Assistant Commissioner of Public Works/Operations apply for the \$1,969 Focus on Energy grant for the Lake Avenue parking ramp LED upgrade.

Fiscal Note: No match required on the part of the City.

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

10-5210

Subject: Communication from the Assistant Commissioner of Public Works/Operations requesting the transfer of funds to provide fiber cabling for various construction projects in 2010 and 2011. (Res.10-2079)

Recommendation of the Finance & Personnel Committee on

6-7-10: Permission be granted for the Assistant Commissioner of Public Works/Operations transfer \$40,000 from the Telephone Fund Balance to Account 402-000-5750, Telephone Fund Land Improvements to cover the cost of fiber cabling to City buildings.

Fiscal Note: There are sufficient funds available for the transfer.

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

[10-5211](#)

Subject: Communication from the Grants Facilitator requesting permission to accept a grant award from the Wisconsin Office of Justice Assistance for \$91,000 (Grant Control No. 2010-024) to support initiative provided by Racine Vocational Ministry, Safe Haven Gang Crime Diversion Task Force and Why Gangs. (Res.10-2081)

Recommendation of the Finance & Personnel Committee on

6-7-10: : Permission be granted for the Grants Facilitator to accept the \$91,000 grant from the Wisconsin Office of Justice Assistance(Grant Control No. 2010-024) to support initiatives provided by Racine Vocational Ministry, Safe Haven Gang Crime Diversion Task Force and Why Gangs.

Fiscal Note: No match required on the part of the City.

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

[10-5216](#)

Subject: Communication from the Finance Director requesting permission for Bradley Viegut, RW Baird, discuss borrowing for the City's 2010 Capital Projects.

Recommendation of the Finance & Personnel Committee on

6-7-10: Approve the issuance of Note Anticipation Notes to cover the Budgeted 2010 Capital Projects and recycling carts. Further recommends to refund remaining 2002 TIF #9 Refunding Bonds.

Fiscal Note: 2010 Capital Projects are budgeted at \$8,267,487; anticipated borrowing for recycling carts approximates \$1,430,000; refunding TIF #9 bonds will save approximately \$114,000 over the next 10 years due to lower interests rates now available.

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

[10-5217](#)

Subject: (Direct Referral) Communication from the Chief of Police requesting permission to purchase a 2008 ATV from Shoreline Motorsports. (Res.10-2082))

Recommendation of the Finance & Personnel Committee on

6-7-10: Permission granted for the Purchasing Agent to negotiate with Shoreline Motorsports for the purchase of a 2008 Kawasaki ATV.

Fiscal Note: Funds are available in Account 241.000.5770,

Forfeiture .

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

10-5225

Subject: (Direct Referral) Communication from the Chief of Police requesting a closed session conference pursuant to Wis. Stat. sec. 19.85(1)(d) to consider strategy for crime detection or prevention. (Res.10-2083)

Recommendation to the Finance & Personnel Committee on 6-7-10: Adopt the strategy for crime detection and prevention.

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 James T. Spangenberg that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

AYES: 12 - Shakoar, II, Marcus, Shields, Kaplan, Wiser, Maack, Weidner, Wisneski, DeHahn, Holding, Spangenberg and Mozol

EXCUSED: 2 - Hart and McCarthy

NON VOTING: 1 - Coe

Public Works and Services Committee Report, by Ald. Holding

10-5104

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting Change Order No. 3 on Contract 52-09 (K9-053), Window Replacement at City Hall Annex, Softer Lite Window Company, contractor. (Res.10-2075)

Recommendation of the Public Works and Services Committee on 6-8-10: That Change Order No. 3 on Contract 52-09 (K9-053), Window Replacement at City Hall Annex, Softer Lite Window Company, contractor, be approved in the amount of \$3,780.00.

Further recommends that funding to defray the cost of this change order be appropriated from Account 105.900.5010, BUS Capital Projects.

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.

10-5128

Subject: (Direct Referral) Communication from the Commissioner of

Public Works/City Engineer submitting bid results on Contract 32-10 (K0-040), Storm and Sanitary Sewer Relining. (Res.10-2074)

Recommendation of the Public Works and Services Committee on 6-8-10: That Contract 32-10 (K0-040), Storm and Sanitary Sewer Relining, be awarded to Musson Brothers, Inc., Rhinelander, WI, at their bid price of \$390,172.85, they being the only responsible bidder.

Further recommends that funding to defray the cost of this public works project be appropriated from the following accounts:

\$ 93,202.85 - Account 287.988.5310, Sanitary Sewer, Misc. Loc.
\$ 57,000.00 - Account 287.989.5310, Sanitary Sewer, Var. Loc.
\$230,000.00 - Account 287.990.5310, Sanitary Sewer, Var. Loc.
\$ 9,970.00 - Account 104.990.5420, 10th St.Sewer Project
\$390,172.85 - 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.

[10-5149](#)

Subject: Communication from the Douglas Avenue Business Improvement District (BID) requesting permission to renovate the Karl Jonas triangle at High Street and Douglas Avenue. (Res.10-2057)

Recommendation of the Public Works and Services Committee on 5-25-10: That permission to granted to the Douglas Avenue Business Improvement District (BID) to remove the existing planter and brick pavers at the Karl Jonas triangle and replace them with landscape aggregate and flower planters upon review and approval by the City Engineer.

Fiscal Note: There will be no cost to the City of Racine in the granting of this request.

Recommendation of the Board of Parks, Recreation and Cultural Services 6-9-10: approve

Fiscal note: N/A

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

[10-5176](#)

Subject: Resolution 10-2052, of June 1, 2010, relating to street improvements:

PORTLAND CEMENT CONCRETE PAVING
Spring Valley Drive from Vista Drive to Frances Drive

Harrington Drive from North Osborne Blvd. to Vista Drive
Harrington Drive from Vista Drive to Frances Drive
Alley from Shoreland Drive to South Street; Charles Street to Eighth Avenue
Alley from Shoreland Drive to North Street; Charles Street to Eighth Avenue

Recommendation of the Public Works and Services Committee on 6-8-10: That Resolution No. 10-2052, of June 1, 2010, be amended to delete:

PORTLAND CEMENT CONCRETE PAVING

Spring Valley Drive from Vista Drive to Frances Drive
Harrington Drive from North Osborne Blvd. to Vista Drive
Alley from Shoreland Drive to South Street; Charles Street to Eighth Avenue

and, as amended , Resolution No. 10-2052, of June 1, 2010, be adopted.

Fiscal Note: Funds will be appropriated in the 2011 C.I.P. for these street improvements, and special assessments will be paid by the abutting property owners for the street improvements.

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

10-5184

Subject: Communication from the Alderman of the 6th District submitting the request of Mrs. Lance McClure, 2716 Northwestern Avenue, to the close the sidewalk along the side of her home. (Res.10-2078)

Recommendation of the Public Works and Services Committee on 6-8-10: Since public interest requires it, that the following parcel of land, more particularly described as follows, be and hereby is vacated and discontinued:

The sidewalk adjacent to 2716 Northwestern Avenue extending from Northwestern Avenue to Neptune Avenue.

Further recommends that a preliminary resolution be introduced to the Common Council and referred to the City Plan Commission.

Fiscal Note: N/A

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

10-5185

Subject: Communication from the Aldermen of the 1st and 2nd Districts requesting that bricks found during public construction projects be retained by the Department of Public Works for future repairs/maintenance of brick streets within the City.

**Recommendation of the Public Works and Services Committee
on 6-8-10:** That the item be referred to the Committee of the Whole.

Fiscal Note: N/A

Alderman Holding requested that item 10-5185 be considered separately.

Alderman Holding made a motion seconded by Ald. Weidner to refer the item back to the Public Works and Services Committee for more details to be discussed on the item. Motion passed.

A motion was made that this Communication be Referred to the Public Works and Services Committee, . The motion was APPROVED by the following vote:

AYES: 10 - Shakoor, II, Shields, Kaplan, Wiser, Maack, Weidner, DeHahn, Holding, Spangenberg and Mozol

NOES: 2 - Marcus and Wisneski

EXCUSED: 2 - Hart and McCarthy

NON VOTING: 1 - Coe

10-5188

Subject: Communication from the Rhino Bar, 1659 N. Main St., requesting permission to close High Street between Main and Chatham on June 19, 2010 from 12:00 noon to 6:00 p.m. to hold a fundraiser. (Res.10-2068)

**Recommendation of the Public Works and Services Committee
on 6-8-10:** Permission be granted to The Rhino Bar, 1659 N. Main Street, to close High Street from Main Street to Chatham Street, on Saturday, June 19, 2010, from 12 p.m. to 6 p.m., for a fundraiser, with the following stipulations:

- A. A hold harmless agreement be executed;
- B. A liability insurance certificate be filed prior to this event;
- C. Any overtime costs incurred by any City department be charged to the sponsor;
- D. The sponsor shall notify all abutting property owners seventy-two (72) hours in advance of this event.
- E. No alcoholic beverages will be sold and/or dispensed within the street right-of-way.
- F. Any tents placed on the public right-of-way shall not be anchored by any means to the roadway surface.
- G. The sponsor shall pay a \$250.00 special event fee.

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

FISCAL NOTE: There will be nominal costs to various City departments, on a regular shift basis, in implementing this event.

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

10-5189

Subject: Communication from the Assistant Commissioner of Public Works/Engineering submitting a request to accept an incentive check in the amount of \$28,122.00 from Focus On Energy for Grant Application No. 17061.

Recommendation of the Public Works and Services Committee on 6-8-10: 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.

10-5195

Subject: Communication from Coaster's Pub and Michigan Pub requesting permission to close Hubbard Street from Main Street to Michigan Boulevard on Saturday, July 31, 2010, from noon to 10:00 p.m. for a street festival. (Res. 10-2069)

Recommendation of the Public Works and Services Committee on 6-8-10: Permission be granted to Coaster's Pub and Michigan Pub, to close Hubbard Street from Main Street to Michigan Boulevard, on Saturday, July 31 19, 2010, from 12 p.m. to 10 p.m., for a street festival, with the following stipulations:

- A. A hold harmless agreement be executed;
- B. A liability insurance certificate be filed prior to this event;
- C. Any overtime costs incurred by any City department be charged to the sponsor;
- D. The sponsor shall notify all abutting property owners seventy-two (72) hours in advance of this event.
- E. No alcoholic beverages will be sold and/or dispensed within the street right-of-way.
- F. Any tents placed on the public right-of-way shall not be anchored by any means to the roadway surface.
- G. The sponsor shall pay a \$300.00 special event fee.

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

FISCAL NOTE: There will be nominal costs to various City departments, on a regular shift basis, in implementing this event.

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

10-5196

Subject: Communication from the Assistant Commissioner of Public Works/Engineering submitting an Intergovernmental Agreement for the design, construction and maintenance of the Stewart-McBride Pond Retrofit Project between the Village of Mount Pleasant and the City of Racine. (Res.10-2077)

Recommendation of the Public Works and Services Committee on 6-8-10: The Mayor and City Clerk be authorized and directed to enter into an Intergovernmental Agreement for the design, construction and maintenance of the Stewart-McBride Pond Retrofit Project between the Village of Mount Pleasant and the City of Racine with the City's share of the cost to participate in the intergovernmental agreement being \$287,594.00.

Further recommends that funding for the City's share of this capital project and subsequent maintenance cost for the pond be placed in the 2011 Storm Water Utility budget.

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.

10-5213

Subject: Communication from the Director of City Development requesting an amendment to the previously approved agreement with K. Singh and Associates for Walker Site PECFA Reimbursement. (Res.10-2072)

Recommendation of the Public Works and Services Committee on 6-8-10: That Amendment No. 1 to the contract to apply for PECFA reimbursement for the Walker Manufacturing Site, K. Singh & Associates, Inc., consultant, as submitted, be approved in the amount of \$2,100.00.

Further recommends that funding to defray the cost of these professional services be appropriated from Account 974.000.5610, TIF No. 14.

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.

10-5222

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting Change Order No. 2 to Contract 2-10 (K0-002), Incinerator Building Structural Slab Repair, Seater Construction Co., Inc., contractor. (Res.10-2076)

Recommendation of the Public Works and Services Committee

on 6-8-10: That Change Order No. 2 on Contract 2-10 (K0-002), Incinerator Building Structural Slab Repair, Seater Construction Co., Inc., contractor, be approved in the amount of \$6,233.00.

Further recommends that funding to defray the cost of this change order be appropriated from Account 990.220.5030, CHP-Structural Repairs.

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.

[10-5227](#)

Subject: (Direct Referral) Communication from the Chief of Police requesting a closed session conference pursuant to Wis. Stat. Sec. 19.85(1)(d) to consider strategy for crime detection or prevention.

Recommendation of the Public Works and Services Committee on 6-8-10: Exempt pursuant to Wis. Stat. sec. 19.85(1)(d).

Fiscal Note: N/A

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

[10-5231](#)

Subject: (Direct Referral) Communication from the Chief of Police requesting to place cameras on street light poles. (Res.10-2073)

Recommendation of the Public Works and Services Committee on 6-8-10: The Chief of Police be granted permission to place cameras on street light poles, in a manner as approved by the Commissioner of Public Works/City Engineer.

Further recommends that funding to provide the electric service feed to the cameras be appropriated from Account 403.990.5030, Surveillance Cameras.

Fiscal Note: The estimated electric service installation cost is \$1,500.00 with funding available as herein delineated.

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

[10-5237](#)

Subject: (Direct Referral) Communication from Downtown Racine Corporation requesting permission to place artistically decorated clocks on the public sidewalks along Main Street from State Street to 6th Street, and on 6th Street from Main Street to Grand Avenue for the "Hour Town" public art event from May 1 to October 1, 2010. (Res.10-2070)

Recommendation of the Public Works and Services Committee

on 6-8-10: That an agreement be executed, in accordance with Wisconsin State Statute 66.0425, Privileges in Streets, to grant permission to the Downtown Racine Corporation, to place decorated clocks on the sidewalks of Main Street from State Street to 7th Street, and 6th Street from Main Street to Grand Avenue, from May 1, 2010 to October 1, 2010, with the stipulation that a minimum of a 5' sidewalk must be maintained at all times and that any damage to the sidewalk be repaired so as to not present a hazard to pedestrians.

Fiscal Note: N/A

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

10-5241

Subject: (Direct Referral) Communication from Dave Ferderer, requesting permission to install a projecting sign over city right-of-way at 1816 Sixteenth Street. (Res. 10-2071)

Recommendation of the Public Works and Services Committee

on 6-8-10: The property owner of 1816 Sixteenth Street be granted permission to install a stationary, projecting sign, 2 awnings and the existing mansard, 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 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.

Council Action

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

AYES: 12 - Shakoore, II, Marcus, Shields, Kaplan, Wiser, Maack, Weidner, Wisneski, DeHahn, Holding, Spangenberg and Mozol

EXCUSED: 2 - Hart and McCarthy

NON VOTING: 1 - Coe

Public Safety and Licensing Committee Report, by Ald. Wisneski**10-4706**

Subject: (Direct Referral) Discussion on the Blind Alligator, 1655 Taylor Avenue.

M J Petroleum (Tradenname)

Hammat Gill, LLC 2240 Northwestern Ave.
Citgo Gas & Food Mart (Tradenname)
Himmat Gill Agent

Abdallah Batayneh 1600 Dr. M. L. King Jr. Dr.
Quick Stop Foods (Tradenname)

Lieungh's On Lathrop, LLC. 1933 Lathrop Avenue
Lieungh's On Lathrop (Tradenname)
Andrea Lieungh, Agent
(WITH GASOLINE STATION)

1819 Durand, Inc. 1819 Durand Avenue
Fine Fare Foods (Tradenname)
Narendra Shah, Agent
(WITH GASOLINE STATION)

High Cone, Inc. 704 High Street
High Street Food Mart (Tradenname)
Usha Shah, Agent

Christianos, Inc. 2054 Kearney Avenue
Christiano's Supermarket (Tradenname)
Ketan Patel, Agent

Dipsha Inc. 2056 Taylor Avenue
Pantry Plus (Tradenname)
Tushar Patel, Agent

Mohammad O. Al-Abed 1559 Taylor Avenue
Sunshine Supermarket (Tradenname)

Vishal Roadrunners Express, Inc. 1975 State Street
BP Food Mart (Tradenname)
Parveen Bhardwaj, Agent
(WITH GASOLINE STATION)

Taylor Mart, Inc 1813 Taylor Avenue
Taylor Mart (Tradenname)
Harbans Daliwal, Agent
(WITH GASOLINE STATION)

Above mentioned applicant appeared before committee members and a motion was made by Alderman Kaplan seconded by Alderman

Marcus to approve the 2010-2011 renewal license for Taylor Mart,
1813 Taylor Avenue by the following voice vote:

AYES: Marcus, Mozol, and Kaplan

NON-VOTING: Wisneski

EXCUSED: Maack

Robert M. Ruditys Spring Street Station 3441 Spring Street
Spring Street Station (Tradenname)
Robert Ruditys, Agent
(WITH GASOLINE STATION)

Gerardo E. Flores 1775 State Street
Lincoln Supermarket (Tradenname)

MJ Gas & Food Mart, Inc. 1720 Douglas Avenue
MJ Gas & Food (Tradenname)
Jagjit Viridi, Agent
(WITH GASOLINE STATION)

Douglas Petro, LLC 3357 Douglas Avenue
Douglas Petro LLC (Tradenname)
Surinder Singh, Agent
(WITH GASOLINE STATION)

Vincent Esqueda 1105 N. Memorial Drive
Super Mercado Gran Morelos (Tradenname)

Jason & Pardeep, Inc. 5302 Washington Avenue
Jason & Pardeep Inc (Tradenname)
Rajinder Singh, Agent
(WITH GASOLINE STATION)

Aziz Abdul 1347 Lathrop Avenue
SF Food Mart (Tradenname)

Midtown Market/Simone Enterprise 1229 Eleventh Stret
Midtown Market (Tradenname)
Harinder Kaur, Agent

Mangat Inc. 2100 N. Main Street
Mangat Inc (Tradenname)
Jatinder Singh Mangat, Agent
(WITH GASOLINE STATION)

Raytown Enterprise, LLC. 2731 Durand Avenue

Raytown Pantry (Tradenname)
Zohaib Mir, Agent
(WITH GASOLINE STATION)

Lauro Davalos 1951 Mead Street
La Tapatia (Tradenname)
Lauro Davalos, Agent

Above mentioned applicant appeared before committee members and a motion was made by Alderman Marcus seconded by Alderman Kaplan to approve the 2010-2011 renewal license for Lauro Davalos, 1951 Mead Street by the following voice vote:

AYES: Marcus and Kaplan
NOES: Mozol
NON-VOTING: Wisneski
EXCUSED: Maack

Mohinder Singh 1627 Washington
U.S. Pantry (Tradenname)
(WITH GASOLINE STATION)

S&S Racine Business Enterprises 3700 Spring Street
Spring Street Mobil (Tradenname)
Chandra Sekhar Pula, Agent
(WITH GASOLINE STATION)

Syed Mikhail's Inc 930 Washington Avenue
Total 24 (Tradenname)
(WITH GASOLINE STATION)
CHANGE OF AGENT - TO APPEAR AT MEETING ON 6-7-10
(PUBLICATION FEE ONLY)

Above mentioned applicant appeared before committee members and a motion was made by Alderman Kaplan seconded by Alderman Marcus to approve the 2010-2011 renewal license for Total 24, 930 Washington Avenue with a side agreement which will address signage as well as hours of operation passed by the following voice vote:

AYES: Marcus, Mozol and Kaplan
NON-VOTING: Wisneski
EXCUSED: Maack

Further Recommend: Motion made by Alderman Kaplan seconded by Alderman Marcus to approve the Change of Agent for a Class "A" Retail Fermented Malt Beverage License application for Syed Mikhail's

Inc. (Total 24), Atif Ali Shaikh, Agent , 930 Washington Avenue be granted. Passed by the following voice vote:

AYES: Marcus, Mozol, and Kaplan

NON-VOTING: Wisneski

EXCUSED: Maack

Sunny, Inc. 1511 W. Sixth Street
Neighborhood Pantry (Tradenname)
Pargat Randhawa, Agent
(WITH GASOLINE STATION)

Priya Corporation 3818 Durand Avenue
Carriage Mobil (Tradenname)
Kavita Khuuar, Agent
(PUBLICATION FEE ONLY)

Recommendation of the Public Safety and Licensing Committee on 6-7-10: That the above listed renewal applications for a Class "A" license for 2010-2011 be approved as well as Change of Agent for Total 24, 930 Washington Avenue.

Fiscal Note: N/A

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

10-5169

Subject: The following renewal application(s) for a "Class A" Retail Fermented Malt Beverage and Intoxicating Liquor License for 2010-2011:

Timers of Racine, Inc. 3600 Northwestern Ave.
Timer's Beverage Center (Tradenname)
Shawn Voss, Agent

Mega Marts, LLC 2406 S. Green Bay Rd
Pick'n Save #6851 (Tradenname)
Patricia M. Berger Agent

Aldi, Inc. 3110 Douglas Ave
Aldi # 28 (Tradenname)
Lorelei Rasch, Agent

Mega Marts, LLC 2210 Rapids Dr.
Pick'n Save #6863 (Tradenname)
Charles L. Neu, Agent

Iyad M Alabed 1711 N. Main Street

One Stop Food and Liquor (Tradenname)

Karen D. Kong 817 S. Main Street
Open Pantry DBA Odd Fellows (Tradenname)

2418 Douglas, Inc. 2418 Douglas Avenue
X-press Food Mart (Tradenname)
Narendra Shah, Agent
(WITH GASOLINE STATION)

Akash BP Corner LLC 3945 Erie Street
Akash BP Corner LLC (Tradenname)
Virendra Verma, Agent
(WITH GASOLINE STATION)

Sami Ali 3322 Sixteenth Street
Westown Foods (Tradenname)

Nagra Pump & Pantry, LLC 1826 Douglas Avenue
Nagra Pump & Pantry (Tradenname)
Sukhwkndar Nagra, Agent
(WITH GASOLINE STATION)

Georgetown Markets, Inc. 3710 Meachem Road
Georgetown Market (Tradenname)
Edward Trudeau, Agent
(WITH GASOLINE STATION)

Maria C. Davalos 1336 State Street
Super Carniceria La Mexicana (Tradenname)
Maria Davalos, Agent

Jesus S. and Yolanda Maldonado 516 High Street
Sante Fe Liquor & Grocery Store (Tradenname)
Jesus and Yolanda Maldonado, Agent

Champion Liquor and Food, LLC 1629 Douglas Avenue
Champion Liquor and Food (Tradenname)
Jarnail Singh, Agent

M. Smit N. Corp. 918 West Boulevard
Port of Call Liquors (Tradenname)
Chandresh Patel, Agent

**Recommendation of the Public Safety and Licensing Committee
on 6-7-10:** That the above listed renewal applications for a "Class A"

license for 2010-2011 be approved.

Fiscal Note: N/A

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

10-5174

Subject: The following renewal application(s) for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 2010-2011:

Further Recommend: Motion made by Alderman Kaplan seconded by Alderman Marcus to approve the Change of Agent for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License application for Scott D. Hansen (The Warning Track, LLC), Scott D. Hansen, Agent , 1301 Washington Avenue be granted. Passed by the following voice vote:

AYES: Marcus, Mozol, and Kaplan
NON-VOTING: Wisneski
EXCUSED: Maack

Further Recommend: Motion made by Alderman Kaplan seconded by Alderman Marcus to approve the Change of Agent for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License application for Lone Star Steakhouse & Saloon of Wisconsin, Inc. (Lone Star Steakhouse & Saloon), Timothy Misicka, Agent , 5880 Durand Avenue be granted. Passed by the following voice vote:

AYES: Marcus, Mozol, and Kaplan
NON-VOTING: Wisneski
EXCUSED: Maack

Baldolino, LLC 3408 Douglas Ave.
(Baldo's Mexican Restaurant) - Tradename
Tranquilino Benitez, Agent

Infusino's All Sports, LLC 3458 Rapids Drive
(Infusino's All Sports) - Tradename
Egidio Infusino, Agent

Infusino Pizzeria & Restaurant 3225 Rapids Drive
(Infusino's Restaurant) - Tradename
Emilio Infusino, Agent

Infusino Pizzeria & Restaurant 3201 Rapids Drive
(Infusino's Italian Village) - Tradename
Emilio Infusino, Agent

Racine Labor Hall, Inc. 2100 Layard Avenue
(Racine Labor Center) - Tradename
Richard K. Fought, Agent

Donna L. Daams 209 Dodge Street
(Chartroom "Charlies") - Tradename
Donna Daams, Agent
(PUBLICATION FEE ONLY)

Russ's Tap 2203 DeKoven Avenue
(Russ's Tap) - Tradename
Robert Kohel, Agent

LJF Corporation 3012 Rapids Drive
(Stone Corral) - Tradename
Luciano Flores, Agent

Buckets Pub Inc. 2031 Lathorp Avenue
(Bucket's Pub) - Tradename
Charles F. Brandt, Agent

Juan S. Jimenez 1510 Junction Avenue
(The Tropical) - Tradename

Joey's on Lathrop, LLC 2054 Lathrop Avenue
(Joey's on Lathrop) - Tradename
Joseph G. Legath, Agent

Joey's on Sixth, LLC 910 Sixth Street
(Joey's on Sixth) - Tradename
Joseph G. Legath, Agent

Joey's on Taylor 1863 Taylor Avenue
(Joey's on Taylor) - Tradename
Joseph G. Legath, Agent

Sommerset Club 201 Sixth Street
(Somerset Club) - Tradename
David M. Perkins, Agent

Fraternal Order of Eagles 319 Hamilton Street
(Eagles Club) - Tradename
Richard C. Fortier, Agent

Javier's Restaurant Inc. 2815 Durand Avenue

(Javier's Restaurant) - Tradename
Yecenia M. Ortega, Agent

GMRI, Inc. 6000 Durand Avenue
(Olive Garden) - Tradename
Jeffery A. Zimmerman, Agent

Dynasty Co., Inc. 2427 Lathrop Avenue
(Dynasty Restaurant) - Tradename
Stanley Ginkowski, Agent

Roma Associates of Racine, Inc. 3701 Durand Avenue
(Vintage Rock Cafe) - Tradename
Anthony J. Marino, Agent

WHG Real Estate South, LLC 2521 South Green Bay Road
(Applebee's) - Tradename
Timothy Geniesse, Agent

Shillings Irish Pub, LLC 611 Wisconsin Avenue
(Shillings) - Tradename
Michael Carmody, Agent

Shogun of Racine, Inc. 518 College Avenue
(Shogun Japanese Restaurant) - Tradename
Kwangseok Youn, Agent

Ian Investments LLC 1318 Douglas Avenue
(MI Jacalito Restaurant) - Tradename
Pedro Sanchez, Agent

Salute, Inc. 314 Main Street
(Salute Italian Restaurant)
Gemma De Bartolo-Wells, Agent
(TO INCLUDESIDEWALK CAFE WITH ALCOHOL)

Redline Tavern Corp. 1200 N. Wisconsin Street
(Redline Tavern)
Connie M. Nau, Agent

Asiana, LLC 423 Sixth Street
(Asiana Restaurant) - Tradename
Kyo Soon Yoon, Agent

DL Inc. 1100 Douglas Avenue
(Stil Country) - Tradename

Darlene Louise Larson, Agent

David J. Russell 600 High Street
(The Cornerstone) - Tradename
David Russell, Agent

TTDH, Inc. 2100 Douglas Avenue
(Gus's Gyros/Better Day BP) - Tradename
Constantin Tousis, Agent

Roger's Place, Inc. 1843 N. Wisconsin Street
(Roger's) - Tradename
Roger Springsteen, Agent

Morakot Khampane 337 S. Main Street
(Sticky Rice, LLC) - Tradename
Pytaphone Khampane, Agent

The Rhino Bar, LLC 1659 N. Main Street
(The Rhino Bar) - Tradename
Nicole Woods, Agent

Penny Wawiorka 1415 Washington Avenue
(Andy's Now Yer Talkin') - Tradename
Penny Wawiorka, Agent

Racine Art Museum Assoc., Inc. 441 Main Street
(Racine Art Museum) - Tradename
Laura D'Amato, Agent

Avarice Ent, LLC. 1300 Michigan Blvd.
(Michigan's Pub) - Tradename
Zachary Morrow, Agent

RIKA, LLC 2 Christopher Columbus Causeway
(Spinnaker's) - Tradename
Richard Shawhan, Agent

George's Tavern of Racine, WI, Inc. 1201 N. Main Street
(George's Tavern) - Tradename
David Popoff, Agent

Jack J. Moreno 3620 Northwestern Avenue
(Cackle Jack's) - Tradename
Jack Moreno, Agent

Mario Aranda Sr. 1244 Washington Avenue
(The Club) - Tradename
Mario Aranda, Agent

DeRose Bar & Restaurant, LLC 1444 Blake Avenue
(DeRose Bar & Restaurant) - Tradename
Sandra J. Barz, Agent

Ricky's Place, Inc. 236 Main Street
(Ricky's Place) - Tradename
Richard Smetana, Agent

Castle Lanes of Southeastern Wisconsin 5615 Castle Court
(Castle Lanes) - Tradename
Phillip Ontko, Agent

TBG's, Inc. 1814 Taylor Avenue
(TBG's) - Tradename
Chad Londre, Agent

Coasters of Racine, LTD 1301 N. Main Street
(Coasters) - Tradename
Mike Kurhajec, Agent

Juan M. Leon 1501 Prospect Street
(Taqueria Arandas Restaurant) - Tradename
Juan Leon, Agent

El Cotorreo, Inc. 1224 Sixteenth Street
(El Cotorreo) - Tradename
Jong Pong Chang, Agent

Max Mueckler 3101 Douglas Avenue
(The Max) - Tradename
Max Mueckler, Agent

John Patrick McAuliffe 3700 Meachem Road
(McAuliffe's Pub) - Tradename
John McAuliffe, Agent

Slobodan Lazarevic 2002 Erie Street
(Neighborhood Bar of Racine, LLC) - Tradename
Slobodan Lazarevic, Agent

Scott D. Hansen 1301 Washington Avenue
(The Warning Track, LLC) - Tradename

CHANGE OF AGENT - NEW AGENT TO APPEAR AT 6-7-10 MEETING

G&M Entertainment, Inc 240B Main Street
(Grangers Lounge) - Tradename
Robert Granger, Agent

Oakland Food Service Mgt. Inc. 555 Main Street
(The Red Onion Cafe) - Tradename
Joseph Oakland, Agent

Hammes Tavern, LLC 2005 Taylor Avenue
(Hammes Tavern) - Tradename
Michael Hammes, Agent

6200 West, Inc. 1012 Main Street
(Hiram's Place) - Tradename
Douglas Nicholson, Agent

Hi-O Inc. 1816 Seventeenth Street
(Hi-O Headquarters) - Tradename
Michael Henes, Agent

Pub on Wisconsin, Inc. 525 Wisconsin Avenue
(Pub on Wisconsin) - Tradename
Amy Arendt, Agent

Mr. Kool's Sports Bar, LLC 1330 Washington Avenue
(Mr. Kool's Sports Bar) - Tradename
James Oliver Sr., Agent

Daniel Z. Takerian, Inc. 2322 Lathrop Avenue
(Mario's Italian Sports Bar) - Tradename
Mario Passarelli, Agent

CBI of Racine, Inc 1446 Dr. ML King Jr Drive
(Tropical Paradise) - Tradename
Carl Stewart, Agent

Casablanca de Mexico, Inc. 230 Main Street
(Casablanca de Mexico) - Tradename
Blanca Webers, Agent

James J. Graves 223 Gaslight Circle
(Radisson Inn Harbourwalk) - Tradename
James Graves, Agent

Raytown Roadhouse, Inc. 522 Sixth Street
(Raytown Roadhouse) - Tradename
Pete Karas, Agent

Blue Rock Lounge, LLC. 306 Sixth Street
(The Blue Rock Lounge & Eatery) - Tradename
Mark Thomas, Agent

Steven L. Matson 107 Fourth Street
(Waves Pub and Grill) - Tradename
Steven Matson, Agent

Lee Allen Gaither 1300 Sixteenth Street
(The Old School Way) - Tradename
Lee Gaither, Agent

Alice F. Warren 963 Dr. ML King Jr Drive
(Bucks Lounge) - Tradename
Alice Warren, Agent
(PUBLICATION FEE ONLY)

Brucker LTD. 1921 DeKoven Avenue
(Tommy's) - Tradename
Justin Coe, Agent

Lush Life, LLC 550 State Street
(Out of the Pan) - Tradename
Roberta Schulz, Agent

Caliente, LLC. Roberta A. Schulz 600 Sixth Street
(Caliente) - Tradename
Ed Scharding, Agent

Club Main Inc 331 Main Street
(Evelyn's Club Main) - Tradename
Catherine Kett, Agent

3Eminee, LLC 501 Sixth Street
(Henry & Wanda's) - Tradename
Michael McDermott

Randall L. Larson 1436 Junction Avenue
(The Brass Monkey) - Tradename
Randall Larson, Agent

Peg & Lou's Bar and Grill LLC 3113 Douglas Avenue
(Peg & Lou's) - Tradename
Peggy Larson, Agent

Natalie R. Salinas LLC 418 Sixth Street
(Olde Madrid LLC) - Tradename
Natalie Salinas, Agent

Lone Star Steakhouse & Saloon of Wisconsin, Inc 5880 Durand Avenue
(Lone Star Steakhouse & Saloon) - Tradename
Timothy Misicka, Agent

CHANGE OF AGENT - NEW AGENT TO APPEAR AT 6-7-10 MEETING

Diana L. Smith-Benson 1019 State Street
(Dee Dee's Diana) - Tradename
Diana Smith-Benson, Agent

John P. Dunk 303 Dodge Street
(John's Dock) - Tradename
John Dunk, Agent

BRV's LLC 2328 Douglas Avenue
(Bruce's) - Tradename
Bruce Veto, Agent

Sam's Riverbank, LLC 3700 Northwestern Avenue
(Days Inn Riverside) - Tradename
Sam Naimi, Agent

WLS Wild Bill, Inc. 1641 Douglas Avenue
(Chief's) - Tradename
William Sorenson, Agent

Dynamite Enterprise 1501 Washington Avenue
(Gerald's) - Tradename
Gerald Bester, Agent
(PUBLICATION FEE ONLY)

Teezer's of Racine, Inc. 1936 Lathrop Avenue
(Teezer's) - Tradename
Erin Anstett, Agent

Clifton Reed 1348 State Street
(Cliff's Lounge) - Tradename

Clifton Reed, Agent
(PUBLICATION FEE ONLY)

Anchor Inn & Bowling Corporation 3701 Durand Avenue
(Plaza Bowling Center) - Tradename
John Landerman, Agent

Uncorkt LLC. 240A Main Street
(Uncorkt) - Tradename
Cheryl Etes, Agent

Buona Vita Corporation 3701 Durand Avenue
(Buona Vita Pizzeria Restaurant) - Tradename
Achille Cortese, Agent

SDJJ, LLC 213 Sixth Street
(McAuliffe's on the Square) - Tradename
John McAuliffe, Agent

Scott Bohlman 2416 Lathrop Avenue
(English Room) - Tradename
Scott Bohlman, Agent

6200 West, Inc. 316 Main Street
(Envi) - Tradename
Douglas Nicholson, Agent

6100 West, Inc. 231 Main Street
(The Ivanhoe Pub & Eatery) - Tradename
Douglas Nicholson, Agent

W/ SIDEWALK CAFE WITH ALCOHOL

R&K Kong LLC 618 Sixth Street
(Pepi's Pub & Grill) - Tradename
Joe Madison, Agent
(PUBLICATION FEE ONLY)

Liquid Productions, LLC. 961 Dr. ML King Jr Drive
(The Drink) - Tradename
Michael Mlsna, Agent

Kenny's on Main, LLC 1300 N. Main Street
(Kenny's on Main) - Tradename
Kenneth Meyer, Agent

Grumpy's Grub LLC 2011 Lathrop Avenue

(Grumpy's Grub - Tradename
Karlessa Barcalow, Agent
PUBLICATION FEE ONLY

Janice Hand 835 Washington Avenue
City Haul Lounge - Tradename

Recommendation of the Public Safety and Licensing Committee on 6-7-10: That the above listed renewal applications for a "Class B" license for 2010-2011 be approved with the removal of: Park 6, LLC, (Park 6th) 500 Sixth Street and the R. Hoey Enterprises, LLC (The Blind Alligator) 1653 Taylor Avenue and the Change of Agents for The Warning Track, 1301 Washington Avenue and Lone Star Steakhouse, 5880 Durand Avenue be approved.

Fiscal Note: N/A

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

10-5181

Subject: The following renewal application(s) for a Class "B" Retail Fermented Malt Beverage License for 2010-2011:

Racine Raiders Football Club, Inc. - 1648 N. Memorial Drive
(Horlick Concessions) - Tradename
Lawrence Benjamin, Agent

Public Golf Associates, LTD. - 2801 Twelfth Street
(Washington Park Golfcourse) - Tradename
Scott Schuit, Agent

Joseph Hrouda - 3 Fifth Street
(J&D Enterprises) - Tradename

PH Green Bay, LLC - 5000 Washington Avenue
(Pizza Hut) - Tradename
Sanel Bajramovic, Agent

Saint John Nepomuk Church - 1923 Green Street
Terry A. Killberg, Agent

The Sausage Kitchen Inc. - 1706 Rapids Drive
(Sausage Kitchen) - Tradename
David Miller, Agent

Tacos El Rey, Inc. - 2207 Lathrop Avenue
(Tacos El Rey) - Tradename
Sonia Harris, Agent

Mario Espinoza & Patricia Rodriguez - 3700 Durand Avenue
(Nuevo Vallarta) - Tradename
Mario Espinoza, Agent

Shannon J. Curtin - 100 Kewaunee Street
(North Beach Oasis) - Tradename
Paul Curtin, Agent

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

Fernando E. Barajas - 1221 Douglas
MI Lindo Jalisco - Tradename

**Recommendation of the Public Safety and Licensing Committee
on 6-7-10:** That the above listed renewal applications for a Class "B"
Retail Fermented Malt Beverage license for 2010-2011 be approved.

Fiscal Note: N/A

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

[10-5182](#)

Subject:The following renewal application(s) for a Class "B" Retail
Fermented Malt Beverage Public Facility License for 2010-2011:

Public Golf Associates Ltd. 6200 Northwestern Avenue
(Johnson Park Clubhouse) - Tradename
Scott Schuit, Agent

Racine Zoological Society 2131 N. Main Street
(Racine Zoo) - Tradename
Jay Christie, Agent

Venu Works of Racine LLC 72 Seventh Street
(Memorial Hall) - Tradename
Richard Edgar, Agent

Venu Works of Racine LLC 5 Fifth Street
(Festival Hall) - Tradename
Richard Edgar, Agent

**Recommendation of the Public Safety and Licensing Committee
on 6-7-10:** That the above listed renewal applications for a Class "B"
Retail Fermented Malt Beverage Public Facility License for 2010-2011
be approved.

Fiscal Note: N/A

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

10-5197

Subject: The following renewal application(s) for a "Class C" and Class "B" Retail Fermented Malt Beverage and Wine License for 2010-2011:

Whey Chai Chinese Restaurant, LLC 400 Main Street
(Whey Chai Chinese Restaurant) - Tradename
Michael Mei, Agent

Willing & Willing Inc 1238 Lathrop Avenue
(Bernie's Pizzeria) - Tradename
Bernard Willing II, Agent

The Char-Grill, Inc. 3839 Douglas Avenue
(Charcoal Grill) - Tradename
Jeff Marsh, Agent

Dragan Sekuloski 605 Sixth Street
(The Balkan Restaurant) - Tradename
Dragan Sekuloski, Agent

Recommendation of the Public Safety and Licensing Committee on 6-7-10: That the above listed renewal applications for a "Class C" and Class "B" Retail Fermented Malt Beverage and Wine License for 2010-2011 be approved.

Fiscal Note: N/A

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

10-5198

Subject: The following renewal application(s) for a "Class B" **CLUB** Retail Fermented Malt Beverage and Intoxicating Liquor License for 2010-2011:

Deutscher Maenner Verein 701 Villa Street
(German Men's Club) - Tradename
Robert J. Hill, Agent

Fifth Street Yacht Club of Racine 761 Marquette Street
(Fifth Street Yacht Club) - Tradename
Jeffrey Raffini, Agent

Racine Country Club 2801 Northwestern Avenue

(Racine Country Club) - Tradename
Lance Cotton, Agent

Racine Yacht Club, Inc. 1 Barker Street
(Racine Yacht Club) - Tradename
Joseph McGauran, Agent

Recommendation of the Public Safety and Licensing Committee on 6-7-10: That the above listed renewal applications for a "Class B" Club Retail Fermented Malt Beverage and Intoxicating Liquor License for 2010-2011 be approved.

Fiscal Note: N/A

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

10-5207

Subject: (Direct Referral) Renewal application of the "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor license for O. Keith Fair, The Place on 6th, 509 Sixth Street.

Recommendation of the Public Safety & Licensing Committee on 5-24-2010: That the renewal application of O. Keith Fair, The Place on 6th, 509 Sixth Street be deferred.

Recommendation of the Public Safety and Licensing Committee on 6-7-10: That the 2010-2011 "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor license renewal application of O. Keith Fair, The Place on 6th, 509 Sixth Street be approved.

Fiscal Note: N/A

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

10-5208

Subject: (Direct Referral) Renewal application of the "Class A" Retail Fermented Malt Beverage and Intoxicating Liquor license for Kamaljit Dhaliwal/Deepinder Dhaliwal, AD United Petroleum, 1917 Sixteenth Street.

Recommendation of the Public Safety & Licensing Committee on 5-24-2010: That the renewal application of Kamaljit Dhaliwal/Deepinder Dhaliwal, AD United Petroleum, 1917 Sixteenth Street be deferred.

Recommendation of the Public Safety and Licensing Committee on 6-7-10: That the "Class A" Retail Fermented Malt Beverage and Intoxicating Liquor application for AD United Petroleum, 1917

Sixteenth Street be approved for renewal with a side agreement which among other things will include signage, written policy for training employees, adequate lighting in the parking lot and voluntary surrender of license if any violations under Chapter 125 occur.

Fiscal Note: N/A

Alderman Wisneski requested that item 10-5208 be considered separately.

Motion made by Alderman Weidner seconded by Alderman Maack to suspend the rules and allow the COP Officer for that area to give the Council Members the same information he presented to Committee Members. Motion passed by the following vote:

*AYES: HELDING, KAPLAN, MAACK, SPANGENBERG, WEIDNER, WISER
WISNESKI AND DEHAHN
NOES: MARCUS, MOZOL, SHAKOOR AND SHIELDS*

After considerable discussion, vote was taken on the Public Safety and Licensing Committee's recommendation to renew the license with a side agreement. The motion failed by the following:

*AYES: KAPLAN, MARCUS, MOZOL, SHAKOOR, SHIELDS AND DEHAHN
NOES: HELDING, MAACK, SPANGENBERG, WEIDNER, WISER AND WISNESKI
PRESIDENT COE VOTED "NOE" TO BREAK THE TIE VOTE*

Motion made by Alderman Maack seconded by Alderman Weidner that the matter of Kamaljit K. Dhaliwal and Deepinder S. Dhaliwal dba AD United Petroleum, 1917 Sixteenth Street, Racine, WI be recommended non-renewal and proceed to a due process hearing. Motion passed by the following vote:

*AYES: HELDING, MAACK, SHAKOOR, SPANGENBERG, WEIDNER, WISER, AND WISNESKI
NOES: KAPLAN, MARCUS, MOZOL, SHIELDS AND DEHAHN*

A motion was made that this Communication be Adopted As Amended: . The motion was APPROVED by the following vote:

AYES: 7 - Shakoор, II, Wisер, Maack, Weidner, Wisneski, Holding and Spangenberg

NOES: 5 - Marcus, Shields, Kaplan, DeHahn and Mozol

EXCUSED: 2 - Hart and McCarthy

NON VOTING: 1 - Coe

10-5226

Subject: (Direct Referral) Communication from the Chief of Police requesting a closed session conference pursuant to Wis Stat. sec 19-85(1)(d) to consider strategy for crime detection or prevention.

Recommendation of the Public Safety and Licensing Committee on 6-7-10: 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 Aron Wisneski that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

AYES: 12 - Shakoor, II, Marcus, Shields, Kaplan, Wiser, Maack, Weidner, Wisneski, DeHahn, Holding, Spangenberg and Mozol

EXCUSED: 2 - Hart and McCarthy

NON VOTING: 1 - Coe

City Plan Commission Report, by Ald. Holding

[10-5232](#)

Subject: (Direct Referral) Amendments to Chapter 114 of the Racine Municipal Code addressing non-commercial uses in commercial districts. (Ord.12-10)

Recommendation of the City Plan Commission on 6-9-10: That an ordinance be prepared and a public hearing scheduled.

Fiscal Note: N/A

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

[10-5234](#)

Subject: (Direct Referral) Request from Kathleen Walsh for a conditional use permit at 1227 Frederick Street to accommodate a construction yard and storage facility. (Res.10-2066)

Recommendation of the City Plan Commission on 6-9-10: That the item be approved subject to staff recommendations.

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 Gregory Holding that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

AYES: 12 - Shakoor, II, Marcus, Shields, Kaplan, Wiser, Maack, Weidner, Wisneski, DeHahn, Holding, Spangenberg and Mozol

EXCUSED: 2 - Hart and McCarthy

NON VOTING: 1 - Coe

Office of the Mayor Report, by Ald. Shakoor,

10-5255

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

Reappoint Jeff Van Konigsveld 3727 Regency Dr Racine 53403 to the Racine Economic Development Committee to a 3 year term expiring on June the 1st, 2013

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

AYES: 11 - Shakoor, II, Marcus, Shields, Wisner, Maack, Weidner, Wisneski, DeHahn, Holding, Spangenberg and Mozol

NOES: 1 - Kaplan

EXCUSED: 2 - Hart and McCarthy

NON VOTING: 1 - Coe

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

10-5085

Subject: Communication from the Racine Yacht Club requesting permission to use city parking lots in conjunction with the U.S. National F-18 Catamaran Sailing Championships on August 6-13, 2010, and waiver of Ord. 70-104 for overnight parking of vehicles and trailers. (x-ref 10-4666, Res.10-1868)

Recommendation of the Board of Parks, Recreation & Cultural Services 6-9-10: that the request be approved with the following stipulations:

- A. A hold harmless agreement be executed;
- 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 72 hours in advance of this event.

Further recommends that the Parks, Recreation & Cultural Services Department, Commissioner of Public Works/City Engineer and Chief of Police provide limited assistance in the interest of public safety to implement this event.

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

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

10-5077

Subject: Communication from Real Racine requesting to use the parking lot at the end of Barker Street for the World Series of Watercross on June 19 and 20, 2010. (Res.10-2084)

Recommendation of the Public Works and Services Committee on 5-11-10: That permission be granted to Real Racine to use the parking lot at the end of Barker Street along the south right-of-way line for the World Series of Watercross on June 19 and 20, 2010, with the following stipulations:

- A. A hold harmless agreement be executed.
- 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.

Further recommends that this item be referred to the Board of Parks, Recreation and Cultural Services.

Fiscal Note: N/A

Recommendation of the Board of Parks, Recreation & Cultural Services 6-9-10: that the request be approved with the following stipulations:

- A. A hold harmless agreement be executed;
- B. A liability insurance certificate be filed prior to this event;
- C. Proper fueling equipment is used to eliminate environmental concerns;
- D. Any overtime costs incurred by any City department be charged to the sponsor;

Further recommends that the Parks, Recreation and Cultural Services Department, Commissioner of Public Works/Engineer and Chief of Police provide limited assistance in the interest of public safety to implement this event.

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

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

10-5115

Subject: Communication from Jack Powell, 3019 21st Street requesting the installation of sidewalks on the North side of Humble Park along 21st.

Recommendation of the Board of Parks, Recreation & Cultural Services 6-9-10: to approve the request

Fiscal note: \$26,000 cost to the City

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

10-5173

Subject: Communication from Caleb Robinson owner of Top Dog Hot Dog requesting permission to set-up his hot dog cart in Island park, Monday through Thursday from 6 to 10PM. (Res.10-2086)

Recommendation of the Board of Parks, Recreation and Cultural Services 6-9-10: approve in concept with details to be worked out with staff.

Fiscal note: To be determined

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

10-5239

Subject: Direct Referral: Communication from the Tuesday Optimist Club of Racine requesting permission to have a trailer stationed at Humble Park to sell food and beverages. (Res.10-2085)

Recommendation of the Board of Parks, Recreation & Cultural Services 6-9-10: approve for a three year period.

Further recommends that permission be granted with the following stipulations:

- A. A hold harmless agreement be executed;
- 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.

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 Aron Wisneski that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

AYES: 12 - Shakoor, II, Marcus, Shields, Kaplan, Wiser, Maack, Weidner, Wisneski, DeHahn, Holding, Spangenberg and Mozol

EXCUSED: 2 - Hart and McCarthy

NON VOTING: 1 - Coe

City Landmark's Preservation Commission Report, by Ald. Marcus

10-5235

Subject: (Direct Referral) Review of consultant proposals to prepare the Melvin Avenue National Register Nomination. (Res.10-2065)

Recommendation of the Landmarks Preservation Commission on 6-7-10: That the firm of LJM Architects, Inc. be selected to prepare the Melvin Avenue National Register Nomination for a cost not to exceed \$7,000.

Further, that the Mayor and City Clerk be authorized to enter into an agreement with LJM Architects, Inc. to prepare the Melvin Avenue National Register Nomination.

Fiscal Note: All consulting costs are to be reimbursed by a Wisconsin Historical Society sub grant totaling \$7,400.

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

AYES: 12 - Shakoor, II, Marcus, Shields, Kaplan, Wiser, Maack, Weidner, Wisneski, DeHahn, Holding, Spangenberg and Mozol

EXCUSED: 2 - Hart and McCarthy

NON VOTING: 1 - Coe

G. Consent Agenda - Resolutions

Res.10-2065

Permission granted to retain LJM Architects, Inc., to prepare the Melvin Avenue National Register Nomination, and authorize Mayor and City Clerk to enter into agreement with LJM Architects, Inc.

Resolved, that permission be granted to retain the firm of LJM Architects, Inc., to prepare the Melvin Avenue National Register Nomination for a cost not to exceed \$7,000.

Further resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with LJM Architects, Inc., to prepare the Melvin Avenue National Register Nomination.

Fiscal Note: All consulting costs are to be reimbursed by a Wisconsin Historical Society sub-grant totaling \$7,400.

Sponsors: Eric Marcus

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

Res.10-2066

Conditional Use Permit for 1227 Frederick Street to accommodate a construction yard and storage facility be approved subject to conditions

Resolved, that the plans submitted by Kathleen Walsh, representing Kastler Builders, LLC., for a contractor yard/construction company at 1227 Frederick Street, be approved by the City Plan Commission, subject to the following conditions:

- a. That the plans presented to the Plan Commission on June 9, 2010 be approved, subject to the conditions contained herein.
- b. That all applicable codes and ordinances shall be complied with and occupancy permits be obtained from the Building Inspection Department.
- c. That the rear area of the lot be paved to accommodate the parking and storage of construction vehicles.
- d. That the fencing along the alley and along the front of the building be painted to cover rust.
- e. All fencing shall have privacy slats installed to reduce view from adjacent properties and streets.
- f. That curb stops be added along the front 18' of the front property line starting at the southwest corner of the lot, and that the three (3) parking spaces proposed adjacent to this area be striped and have bumper stops installed.
- g. No signage is approved with this Conditional Use. Any proposed signage shall be submitted to the Director of City Development for review and approval.
- h. That no minor changes be made to the conditions of this permit without the approval of the Plan Commission, and no major changes be made without the approval of the Common Council.
- i. That this Conditional Use Permit is subject to review by the Plan Commission for compliance to the listed conditions.
- j. That all storage be contained inside the building and fenced areas.

Fiscal Note: N/A

Sponsors: Gregory Holding

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

Res.10-2068

Permission granted to The Rhino Bar to close High Street from Main Street to Chatham Street on June 19, 2010, for a fundraiser, contingent upon entering into a Hold Harmless Agreement with the City and with certain stipulations

Resolved, that permission be granted to The Rhino Bar, 1659 N. Main Street, to close High Street from Main Street to Chatham Street, on Saturday, June 19, 2010, from 12 p.m. to 6 p.m., for a fundraiser, with the following stipulations:

- A. A hold harmless agreement be executed;
- B. Proof of liability insurance be filed prior to this event;
- C. Any overtime costs incurred by any City department be charged to the sponsor;
- D. The sponsor shall notify all abutting property owners seventy-two (72) hours in advance of this event;
- E. No alcoholic beverages will be sold and/or dispensed within the street right-of-way;
- F. Any tents placed on the public right-of-way shall not be anchored by any means to the roadway surface;
- G. The sponsor shall pay a \$250.00 special event fee.

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

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

Sponsors: Gregory Holding

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

Res.10-2069

Permission granted to Coaster's Pub and Michigan Pub to close Hubbard Street from Main Street to Michigan Boulevard on July 31, 2010, for a street festival, contingent upon entering into a Hold Harmless Agreement with the City and upon certain stipulations

Resolved, that permission be granted to Coaster's Pub and Michigan Pub, to close Hubbard Street from Main Street to Michigan Boulevard, on Saturday, July 31, 2010, from 12 p.m. to 10 p.m., for a street festival, with the following stipulations:

- A. A hold harmless agreement be executed;
- B. Proof of liability insurance be filed prior to this event;
- C. Any overtime costs incurred by any City department be charged to the sponsor;
- D. The sponsor shall notify all abutting property owners seventy-two (72) hours in advance of this event;

- E. No alcoholic beverages will be sold and/or dispensed within the street right-of-way;
- F. Any tents placed on the public right-of-way shall not be anchored by any means to the roadway surface;
- G. The sponsor shall pay a \$300.00 special event fee.

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

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

Sponsors: Gregory Holding

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

Res.10-2070

Permission granted to Downtown Racine Corporation to place decorated clocks on sidewalks of Main Street and 6th Street from May 1, 2010 to October 1, 2010 with certain stipulations

Resolved, that an agreement be executed, in accordance with Wis. Stat. sec. 66.0425, Privileges in Streets, to grant permission to the Downtown Racine Corporation, to place decorated clocks on the sidewalks of Main Street from State Street to 7th Street, and 6th Street from Main Street to Grand Avenue, from May 1, 2010 to October 1, 2010, with the stipulation that a minimum of a 5' sidewalk must be maintained at all times and that any damage to the sidewalk be repaired so as to not present a hazard to pedestrians.

Fiscal Note: N/A

Sponsors: Gregory Holding

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

Res.10-2071

Permission granted to the property owner to install a projecting sign over City right-of-way at 1816 Sixteenth Street contingent upon entering into a Hold Harmless Agreement with the City

Resolved, that the property owner of 1816 Sixteenth Street be granted permission to install a stationary, projecting sign, 2 awnings and the existing mansard, 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 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.

Sponsors: Gregory Holding

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

Res.10-2072

Approval of Amendment No. 1 to Contract for PECFA Reimbursement for Walker Manufacturing Site

Resolved, that Amendment No. 1 to the contract to apply for PECFA reimbursement for the Walker Manufacturing Site, K. Singh & Associates, Inc., consultant, as submitted, be approved in the amount of \$2,100.00.

Further resolved, that funding to defray the cost of these professional services be appropriated from Account 974.000.5610, TIF No. 14.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Gregory Holding

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

Res.10-2073

Permission granted to place cameras on street light poles with approval by Commissioner of Public Works/City Engineer

Resolved, that the Chief of Police be granted permission to place cameras on street light poles, in a manner as approved by the Commissioner of Public Works/City Engineer.

Further resolved, that funding to provide the electric service feed to the cameras be appropriated from Account 403.990.5030, Surveillance Cameras.

Fiscal Note: The estimated electric service installation cost is \$1,500.00 with funding available as herein delineated.

Sponsors: Gregory Holding

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

Res.10-2074

Contract 32-10 (K0-040), Storm and Sanitary Sewer Relining, be awarded to Musson Brothers, Inc.

Resolved, that Contract 32-10 (K0-040), Storm and Sanitary Sewer Relining, be awarded to Musson Brothers, Inc., Rhinelander, WI, at its bid price of \$390,172.85, it being the only responsible bidder.

Further resolved, that funding to defray the cost of this public works project be appropriated from the following accounts:

\$ 93,202.85 - Account 287.988.5310, Sanitary Sewer, Misc. Loc.
\$ 57,000.00 - Account 287.989.5310, Sanitary Sewer, Var. Loc.
\$230,000.00 - Account 287.990.5310, Sanitary Sewer, Var. Loc.
\$ 9,970.00 - Account 104.990.5420, 10th St.Sewer Project
\$390,172.85 - Total

Fiscal Note: Funds are available as herein delineated.

Sponsors: Gregory Holding

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

Res.10-2075

Change Order No. 3 on Contract 52-09 (K9-053), Window Replacement at City Hall Annex, Softer Lite Window Company, be approved

Resolved, that Change Order No. 3 on Contract 52-09 (K9-053), Window Replacement at City Hall Annex, Softer Lite Window Company, contractor, be approved in the amount of \$3,780.00.

Further resolved, that funding to defray the cost of this change order be appropriated from Account 105.900.5010, BUS Capital Projects.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Gregory Holding

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

Res.10-2076

Change Order No. 2 on Contract 2-10 (K0-002), Incinerator Building Structural Slab Repair, Seater Construction Co., Inc., contractor, be approved

Resolved, that Change Order No. 2 on Contract 2-10 (K0-002), Incinerator Building Structural Slab Repair, Seater Construction Co., Inc., contractor, be approved in the amount of \$6,233.00.

Further resolved, that funding to defray the cost of this change order be appropriated from Account 990.220.5030, CHP-Structural Repairs.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Gregory Holding

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

Res.10-2077

Mayor and City Clerk be authorized and directed to enter into an Intergovernmental Agreement with the Village of Mount Pleasant for the design, construction and maintenance of Stewart-McBride Pond Retrofit Project

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an Intergovernmental Agreement for the design, construction and maintenance of the Stewart-McBride Pond Retrofit Project between the Village of Mount Pleasant and the City of Racine with the City's share of the cost to participate in the intergovernmental agreement being \$287,594.00.

Further resolved, that funding for the City's share of this capital project and subsequent maintenance cost for the pond be placed in the 2011 Storm Water Utility budget.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Gregory Holding

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

Res.10-2079

Approve transfer of funds to provide fiber cabling for various construction projects in 2010 and 2011

Resolved, that permission be granted for the Assistant Commissioner of Public Works/Operations to transfer \$40,000 from the Telephone Fund Balance to Account 402-000-5750, Telephone Fund Land Improvements, to cover the cost of fiber cabling to City buildings.

Fiscal Note: There are sufficient funds available for the transfer.

Sponsors: James T. Spangenberg

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

Res.10-2080

Permission granted to the Assistant Commissioner of Public Works/Operations to apply for a Focus on Energy Grant for the Lake Avenue Parking Ramp LED Upgrade

Resolved, that permission be granted for the Assistant Commissioner of Public Works/Operations to apply for the \$1,969 Focus on Energy Grant for the Lake Avenue Parking Ramp LED Upgrade.

Fiscal Note: No match required on the part of the City.

Sponsors: James T. Spangenberg

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

Res.10-2081

Permission granted to the Grants Facilitator to accept a grant from the Wisconsin Office of Justice Assistance to support initiatives provided by Racine Vocational Ministry, Safe Haven Gang Crime Diversion Task Force and Why Gangs, and Mayor and City Clerk be authorized to sign the Grant on behalf of the City

Resolved, that permission be granted for the Grants Facilitator to accept the \$91,000 grant from the Wisconsin Office of Justice Assistance (Grant Control No. 2010-024) to support initiatives provided by Racine Vocational Ministry, Safe Haven Gang Crime Diversion Task Force and Why Gangs, and that the Mayor and City Clerk be authorized and directed to sign the grant agreement on behalf of the City of Racine.

Fiscal Note: No match required on the part of the City.

Sponsors: James T. Spangenberg

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

Res.10-2082

Permission granted to the Purchasing Agent to negotiate with Shoreline Motorsports for the purchase of an ATV for the Police Department

Resolved, that being in the best interest of the City, permission be granted for the Purchasing Agent to negotiate with Shoreline Motorsports for the purchase of a 2008 Kawasaki ATV for the Police Department.

Fiscal Note: Funds are available in Account 241.000.5770, Forfeiture.

Sponsors: James T. Spangenberg

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

Res.10-2083

Permission to adopt the strategy for crime detection and prevention

Resolved, that the strategy for crime detection and prevention be adopted.

Fiscal Note: N/A

Sponsors: James T. Spangenberg

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

Res.10-2084

Permission granted to Racine County Convention & Visitors Bureau, d/b/a Real Racine, to use the parking lot at the end of Barker Street on June 19 and 20, 2010 for the World Series of Watercross, contingent upon entering into a Hold Harmless Agreement with the City and with certain stipulations

Resolved, that permission be granted to Racine County Convention & Visitors Bureau, d/b/a Real Racine, to use the parking lot at the end of Barker Street along the south right-of-way line for the World Series of Watercross on June 19 and 20, 2010, with the following stipulations:

- A. A hold harmless agreement be executed.
- B. Proof of liability insurance be filed prior to this event.

- C. Proper fueling equipment is used to eliminate environmental concerns.
- D. Any overtime costs incurred by any City department be charged to the sponsor.

Further resolved, that the Parks, Recreation and Cultural Services Department, Commissioner of Public Works/Engineer and Chief of Police provide limited assistance in the interest of public safety to implement this event.

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

Sponsors: Terry McCarthy and Gregory Holding

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

Res.10-2085

Permission granted to the Tuesday Optimist Club of Racine to place a trailer at Humble Park to sell food and beverages contingent upon entering into a Hold Harmless Agreement with the City

Resolved, that permission be granted to the Tuesday Optimist Club of Racine to place a trailer at Humble Park to sell food and beverages for a three year period beginning June 9, 2010. Food and beverages will be sold two days a week, Mondays and Wednesdays, for Optimist games only.

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

- A. A hold harmless agreement be executed;
- B. Proof of liability insurance be filed prior to this event;
- C. Any overtime costs incurred by any City department be charged to the sponsor.

Fiscal Note: N/A

Sponsors: Terry McCarthy

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

Res.10-2086

Approval be granted in concept to Caleb Robinson of Top Dog Hot Dog to set-up hot dog cart in Island Park

Resolved, that approval in concept with details to be worked out, be granted to Caleb Robinson, owner of Top Dog Hot Dog, to set-up his hot dog cart in Island Park, Monday through Thursday from 6:00 p.m. to 10:00 p.m.

Fiscal Note: To be determined.

Sponsors: Terry McCarthy

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

Council Action

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

AYES: 12 - Shakoor, II, Marcus, Shields, Kaplan, Wiser, Maack, Weidner, Wisneski, DeHahn, Holding, Spangenberg and Mozol

EXCUSED: 2 - Hart and McCarthy

NON VOTING: 1 - Coe

H. Resolutions

Res.10-2067

Preliminary - Ten (10) Year
Benefits and Damages

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

1. The Common Council hereby declares its intention to exercise its power under §. 66.0703, Wisconsin Statutes, to levy special assessments upon property within the following described area for benefits conferred upon such property by improvement of the following street(s):

All property fronting upon both sides:

PORTLAND CEMENT CONCRETE PAVING

Alley bounded by 8th Ave to 9th Ave. and South St. to Shoreland Ave.

Alley bounded by Carmel Ave. to Mohr Ave. and Graham St. to Chicago St.

Alley bounded by Goold St. to Jones Ave. and Geneva St. to La Salle St.

Alley bounded by Goold St. to Walton Ave. and La Salle St. to Superior St.

Alley bounded by Jerome Blvd. to Twentieth St. and Taylor Ave. to Kearney Ave.

Alley bounded by Jones Ave. to Walton Ave. and Charles St. to Geneva St.

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

Alley bounded by Slauson Ave. to Washington Ave. and Taylor Ave. to Phillips Ave.

Alley bounded by Walton Ave. to Romaine Ave. and Green St. to St. Clair St.

Alley bounded by Washington Ave. to Lindermann Ave. and Arthur Ave. to Blaine Ave.

Alley bounded by Washington Ave. to Lindermann Ave. and Hayes Ave. to Grove Ave.

Alley bounded by Wright Ave. to Washington Ave. and Quincy Ave. to Thurston Ave.

Alley bounded by 13th St. to 12th St and Terrace Ave. to Memorial Dr.

Alley bounded by 15th St. to Washington Ave. and Grange Ave. to Flett Ave.

Alley bounded by 16th St. to Slauson Ave. and Taylor Ave. to Phillips Ave.

Alley bounded by 17th St. to 16th St. and Packard Ave. to Memorial Dr.

Alley bounded by 19th St. to 18th St. and Flett Ave. to Holmes Ave.

Alley bounded by 20th St. to Meachem St. and Taylor Ave. to Kearney Ave.

2. Said public improvement shall consist of **PORTLAND CEMENT CONCRETE PAVING**.
3. The total amount assessed against such district shall not exceed the total cost of the improvements and the amount assessed against any parcel shall not be greater than the benefits accruing thereto from said improvements.
4. The assessments against any parcel may be paid in cash or in ten (10) annual installments.
5. The Commissioner of Public Works is directed to prepare a report consisting of:
 - a. Preliminary or final plans and specifications for said improvement.
 - b. An estimate of the entire cost of the proposed work or improvement.
 - c. An estimate, as to each parcel of property within the assessment district, of:
 - (1) The assessment of benefits to be levied.
 - (2) The damages to be awarded for property taken or damaged.
 - (3) The net amount of such benefits over damages or the net amount of such damages over benefits.

Upon completing such report, the Commissioner of Public Works is directed to file a copy thereof on the City Clerk's Office for public inspection.

6. Upon receiving the report of the Commissioner of Public Works, the City Clerk is directed to give a Class 1 notice of a public hearing on such report as specified in §. 66.60(7), Wisconsin Statutes.

The hearing shall be held at the Council Chambers in the City Hall at a

time set by the Clerk in accordance with §. 66.0703 (7)(a), Wisconsin Statutes.

Sponsors: Gregory Holding

A motion was made Referred to the Public Works and Services Committee

Res.10-2078

Approve Vacation of sidewalk adjacent to 2716 Northwestern Avenue

Resolved, that since public interest requires it, the following parcel of land, more particularly described as follows, be and hereby is vacated and discontinued:

The sidewalk adjacent to 2716 Northwestern Avenue extending from Northwestern Avenue to Neptune Avenue.

Fiscal Note: N/A

Sponsors: Gregory Holding

A motion was made Referred to the City Plan Commission

Res.10-2087

Final - Ten (10) Year
Benefits & Damages

WHEREAS, the Public Works & Services Committee of the Common Council of the City of Racine, Wisconsin, held a public hearing at the Council Chambers in the City Hall at 5:30 P.M. on the 8th day of June, 2010 for the purpose of hearing all interested persons concerning the preliminary resolution and report of the Commissioner of Public Works on the proposed improvement of:

PORTLAND CEMENT CONCRETE PAVING

Chatham Street from Barker Street to Kewaunee Street
Chatham Street from William Street to Melvin Avenue
Orchard Street from Nineteenth Street to Twentieth Street
Orchard Street from Durand Avenue to Pierce Boulevard
Perry Avenue from Byrd Avenue to Sixteenth Street

SEWER AND WATER LATERALS

Chatham Street from Barker Street to Kewaunee Street
Orchard Street from Nineteenth Street to Twentieth Street
Orchard Street from Durand Avenue to Pierce Boulevard

SIDEWALK

West Boulevard from Fifteenth Street to Wright Avenue

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

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

Dated _____

Signed _____
Mayor

Published _____

Attest _____
City Clerk

Sponsors: Gregory Holding

Referred to the Public Works and Services Committee

I. Ordinances

Ord.11-10

Ordinance No. 11-10

To amend Sec. 46-28 of the Municipal Code of the City of Racine, Wisconsin relating to Purchases over \$25,000; advertising for bids, and to create Sec. 46-39 of the Municipal Code of the City of Racine, Wisconsin relating to Procurement of Professional Services.

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

Part 1:

Sec. 46-28 of the Municipal Code of the City of Racine is hereby amended by deleting in the first sentence “, excepting” and replacing with “other than”; by deleting in the second sentence the word “for.” and by adding the following sentence at the end of the paragraph: “Participation in a bidding process for the same or similar items in association with other governmental units fulfills the bidding requirement.”

Sec. 46-28. Purchases over \$25,000.00; advertising for bids.

(a) Bids shall be required for every purchase of materials, supplies, equipment or contractual services other than professional services, the estimated cost of which exceeds \$25,000.00. Bids shall be advertised in the manner provided in Wis. Stats. § 62.15, except that the notice shall be published not less than twice and bids shall be received not less than ten days after first publication. Participation in a bidding process for the same or similar items in association with other governmental units fulfills the bidding requirement.

Advertisement for bids shall not be required for any purchase, the estimated cost of which does not exceed \$25,000.00, but in such case the purchasing agent shall secure and record at least three informal bids, if practicable.

If the estimated cost of public construction exceeds \$5,000.00 but is not greater than \$25,000.00, the purchasing agent shall publish one notice of the proposed construction before a contract for the construction is executed. This provision does not apply to public construction if the materials for such a project are donated or if the labor for such a project is provided by volunteers.

The common council may, by resolution, dispense with the requirement of advertising for bids in any particular case.

(b) A summary of the bids received for each item listing the name of each bidder and a copy of his bid shall be submitted to the appropriate committee of the common council for its recommendation to the common council. The adoption of the committee report by the common council shall constitute the final action of the council upon the bids and shall authorize the purchasing agent to issue a purchase order, countersigned by the finance director as to

availability of funds, for the purchase of the items on which such bids were received.

Part 2:

Sec. 46-39 of the Municipal Code of the City of Racine is hereby created to read as follows:

“Sec.46-39. Procurement of Professional Services.

The City may contract for the procurement of professional services.

(a) Definition. For the purposes of this section, “professional services” means services that are intellectual in character, including consultation, analysis, evaluation, prediction, planning, programming, or recommendation, and result in the production of a report or the completion of a task.

Such services include, but are not restricted to, services of the type required or permitted to be furnished by a professional under a license, registration or certificate issued by the State of Wisconsin to practice architecture, engineering, surveying, landscape architecture, geoscience, certified interior design, medicine and surgery, chiropractic, optometry, psychology, dentistry, dental hygiene, accountancy or law, or under a license or certificate issued by another state under similar laws.

(b) Council approval. Except as otherwise directed by the Common Council, contracts for the purchase of professional services may be entered into without Council resolution when all of the following conditions are met:

1. The funds for the services are included in the approved City budget.
2. The City has engaged in a competitive selection process for professional services (or in the case of the Water and Wastewater utilities, secs. 62.15 and Chapter 200, Wis. Stats., and secs. 46-36 and 46-38 of the Code of Ordinances) or the contract is exempt from such a requirement pursuant to sub. (c) of this ordinance.
3. The contract complies with other laws, resolutions and ordinances.
4. The contract is for a period of one year or less, or the contract is for a period of more than one year but not more than three years and the cost of the professional services does not average more than \$50,000 per year of the contract, provided that this subparagraph is subject to sub. (c) 2. of this ordinance for non-competitive contracts.

(c) Exceptions to Selection Process. The City may enter into negotiated contracts for professional services without a competitive selection process for the procurement of professional services if the following are met:

1. One or more of the following criteria are present as found by the Purchasing Agent or appropriate Department Head:
 - a. Public exigency will not permit the delay incident to advertising or other competitive processes;
 - b. The service required is available from only one person or firm;
 - c. The services are for professional services to be provided by attorneys who charge on an hourly basis or who are approved by CVMIC or the City's liability insurance carriers. In all other matters, where the aggregate legal fees exceed \$50,000, the City Attorney shall notify the Common Council of the status and seek approval for further expenditures.
 - d. No acceptable bids have been received after formal advertising;
 - e. Service fees are established by law or professional code;
 - f. A particular consultant has provided services to the City on a similar or continuing project in the recent past, and it would be economical to the City on the basis of time and money to retain the same consultant;
 - g. The contract is for \$25,000 or less; or
 - h. Otherwise authorized by law, rule, resolution, or regulation.

2. In the case of sole source, public exigency or previous provider exemptions, the department head or purchasing agent shall fill out the City's approved form for such and file it with the finance director and city administrator.

If the aggregate amount of the fee for services will exceed twenty-five thousand dollars (\$25,000) and the contract was not subject to a competitive selection process, the contract shall meet one of the requirements of sub. (c) 1. and be approved by the Common Council by resolution."

Part 3:

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

Sponsors: Terry McCarthy and Gregory Holding

Referred to Finance and Personnel Committee

Ord.12-10

Ordinance No. 12-10

To amend Sec. 114-1, amend Secs. 114-328(1), 114-408(13), 114-428(4) and 114-448(9), amend Sec. 114-467(b), amend Sec. 114-468, and by amending Sec. 114-488 of the Municipal Code of the City of Racine, Wisconsin relating to Zoning.

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

Part 1:

Sec. 114-1 of the Municipal Code of the City of Racine is hereby amended by inserting the following definition after the definition "*Coin-operated amusement device:*"

"Commercial-type use: For purposes of this Chapter, commercial-type uses are those which typically involve the sale of goods or services, usually intended for a wide spectrum of the consumers. These uses are typically open to the patrons for business transactions at least six days per week, at least six consecutive hours each day between the hours of 6:00 a.m. and 2:00 a.m., the following day. Examples of commercial-type uses include a bakery with walk-in retail sales, bank, bookstore, clothing store, grocery store, barber shop, night club, hotel, hardware store, movie theatre, restaurant, auto repair, or other similar uses."

Insert the following definition after the definition "*Navigable water:*"

"Non-commercial-type use: For purposes of this Chapter non-commercial-type uses are those which typically may not involve the sale of goods or services to a wide spectrum of the consumers. These uses typically offer limited hours where employees, patrons, members or guests are present at the premises, during very specific or limited hours either by design of the service being offered, or by blocks of time reserved for the use of employees, patrons, members or guests. Examples of non-commercial type uses may include a private club, meeting hall, place of worship, instructional or counseling facility.

Non-commercial-type uses may be permitted in the B-1 through B-5

zoning districts as a Class 1 or Class 2 non-commercial-type use as follows:

Class 1 Non-Commercial-type use are those having operational components that meet the definition of a commercial-type use, and may be permitted on the ground floor street level only by conditional use permit.

Class 2 Non-commercial-type uses are those having operational components that do not meet the definition of a commercial type use, and may only be permitted by right at levels above the ground floor street level.”

Part 2:

Sections 114-328(1), 114-408(13), 114-428(4) and 114-448(9) of the Municipal Code of the City of Racine are hereby amended by deleting the “.” at the end of the sentence and inserting the following after the word “center” or “centers” in each section:

“in compliance with the following standards:

- a. The subject location shall not be located closer than 250 feet to a signalized intersection, or at the intersection of major streets.
- b. All facilities such as offices, kitchens, playgrounds, activity areas, classrooms and parking shall be located on the same or directly adjacent property or zoning lot.
- c. All client drop-off and pick-up activities shall be conducted on the same or directly adjacent property or zoning lot.
- d. No other group daycare facility should be located within 1,000 feet of the main entrance of another group daycare facility.”

Part 3:

Sec. 114-467(b) of the Municipal Code of the City of Racine is hereby amended by deleting “(10), (27), (46) and (49)”, by renumbering the section, and by inserting the following at the end of the section:

“(48) Class 2 Non-commercial-type uses as defined in Sec. 114-1.”

Part 4:

Sec. 114-468 of the Municipal Code of the City of Racine is hereby amended by inserting the following at the end of the section:

“(29) Class 1 Non-commercial type uses as defined in Sec. 114-1.”

Part 5:

Sec. 114-488 of the Municipal Code of the City of Racine is hereby amended by deleting "(15)" and renumbering the remainder of the section.

Part 6:

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

Passed by the Common Council:

Approved: _____

Mayor

Attests:

City Clerk

Fiscal Note: N/A

Sponsors: Gregory Holding

Referred to City Plan Commission

J. Adjourn

The meeting was adjourned at 8:44PP.M. by Alderman Shakoor. The next scheduled meeting of the Council is July 6, 2010.

ATTEST: JANICE M. JOHNSON-MARTIN
CITY CLERK