



# City of Racine

## Meeting Minutes - Final

### Common Council

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

*Alderman Jeff Coe, Alderman Robert Anderson, Alderman Michael Shields  
Alderman Jim Kaplan, Alderman David L. Maack, Alderman Sandy Weidner  
Alderman Raymond DeHahn, Alderman Q.A. Shakoor, II, Alderman Pete Karas  
Alderman Thomas Friedel, Alderman Gregory Holding, Alderman Aron Wisneski  
Alderman James T. Spangenberg, Alderman Ronald D. Hart, Alderman Robert Mozol*

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Tuesday, November 20, 2007

7:00 PM

Room 205, City Hall

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#### A. Call To Order

**PRESENT:** 14 - Coe, Anderson, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol  
**EXCUSED:** 1 - Shields

Alderman Karas arrived @ 7:03p.m. and took his seat.

#### B. Pledge of Allegiance To The Flag

*Mayor Becker led the Council in the Pledge of Allegiance to the Flag.*

#### C. Approval of Journal of Council Proceedings (Minutes)

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

#### D. Public Comments

*Joe Mooney  
Mercedes Dzindzeleta  
Scott Sharp  
Jack Lesuer*

#### E. Public Hearings

1. [Ord.22-07](#) Ordinance No. 22-07

To repeal and recreate Chapter 114, Article VI, Section 638, Land uses, 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:

Chapter 114, Article VI, Section 638 is hereby repealed and recreated to read as follows:

“All listed permitted and conditional uses in the underlying zoning district shall be conditional uses in the access corridor district except single and two-family residences and those uses which will occupy existing buildings and are compatible with the applicable corridor plans that may be adopted (as interpreted by the director of city development). Upon submittal of a conditional use permit application, the appointed access corridor representatives of the affected area shall receive a public hearing notice, and a copy of the application and supporting materials. The representatives may appear at the plan commission to offer a review and recommendation for city plan commission consideration.”

Part 2:

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

Passed by the Common Council

\_\_\_\_\_

Approved \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:  
\_\_\_\_\_  
City Clerk

Fiscal Note: N/A

Sponsors: Gregory Holding

*No one appeared.*

**His Honor, the Mayor, declared the public hearing closed**

**F. Communications**

- 2. [07-1396](#) **Subject:** Monthly Building Department report for October 2007.

**Received and Filed**

**Refer to Finance and Personnel Committee, by Ald. Friedel**

- 3. [07-1402](#) **Subject:** Communication from Chief of Police Wahlen requesting to apply for the 2008 State of Wisconsin Office of Justice Assistance Community Re-Entry Program (CRP) grant for Project Safe Neighborhoods Gun Violence Initiative funding (Grant Control # 2007-04).

**Referred to Finance and Personnel Committee**

**Referred to Public Safety and Licensing Committee**

4. [07-1403](#) **Subject:** Communication from Chief of Police Wahlen requesting to apply for the 2008 State of Wisconsin Office of Justice Assistance Community Re-Entry Program (CRP) grant for Project Safe Neighborhoods Anti-Gang Initiative funding (Grant Control # 2007-053).  
**Referred to Finance and Personnel Committee**  
**Referred to Public Safety and Licensing Committee**
5. [07-1428](#) **Subject:** Communication from the Public Health Administrator requesting permission to accept funding from the Department of Health and Family Services for Consolidated Contract #15835. (Grant Control #2007-046)  
**Referred to Finance and Personnel Committee**
6. [07-1429](#) **Subject:** Communication from the Public Health Administrator requesting permission to accept funding from the Department of Health and Family Services for Tobacco Prevention and Control (#15984). (Grant Control #2007-047)  
**Referred to Finance and Personnel Committee**

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

7. [07-1422](#) **Subject:** Communication from El'za Watson, 4700 Indian Hills Drive, #204, requesting to acquire the land immediately east of the terminus of 12th Street.  
**Referred to Public Works and Services Committee**
8. [07-1431](#) **Subject:** Communication from George Popoff requesting permission to close the 300 block of Hamilton Street on June 29, 2008 for the 3rd Annual Eagle's Club/George's Tavern Classic Car Show.  
**Referred to Public Works and Services Committee**

**Refer to Public Safety and Licensing Committee, by Ald. Shakoor**

9. [07-1418](#) **Subject:** Request of the Director of Parks, Recreation & Cultural Services to meet with the Public Safety and Licensing Committee to discuss granting Fisher Precise Corp. an easement for a storm sewer along the northwest corner of Pierce Woods Park.  
**Referred to Public Safety and Licensing Committee**
10. [07-1424](#) **Subject: (Renewal)** Application of Wisconsin Discount for a Secondhand Jewelry Dealer's license for 2724 16th Street. (9th District)  
**Referred to Public Safety and Licensing Committee**

11. [07-1427](#) **Subject:** Request of the Director of Parks, Recreation & Cultural Services to meet with the Public Safety and Licensing Committee to request permission to waive formal bidding for the installation of security cameras at Community Centers and to enter into an agreement with ClearCom for installation of security cameras at the remaining four community centers.  
**Referred to Public Safety and Licensing Committee**

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

12. [07-1397](#) **Subject:** Communication from Chuck Boles, Director Corporate Facilities for SC Johnson, requesting temporary "No Parking" to be put into effect on the north side of 16th Street between Grand Avenue and Franklin Street.  
**Chuck Boles invited to the meeting.**  
**Referred to Traffic Commission**

**Refer to Committee of the Whole, by Ald. Spangenberg**

13. [07-1414](#) **Subject:** Communication from the 6th District Alderman requesting the presentation of the Assessor's Office Performance Audit.  
**Referred to Committee of the Whole**

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

14. [07-1430](#) **Subject:** Request to discuss the redevelopment of 3102 Washington Avenue, Ralph Pierce Park.  
**Also referred to City Plan Commission**  
**Referred to Board of Park, Recreation and Cultural Services**  
**Referred to City Plan Commission**

**G. Committee Reports**

**Finance and Personnel Committee Report, by Ald. Friedel**

15. [07-1282](#) **Subject:** Request of the Director of Parks, Recreation & Cultural Services to meet with Public Safety & Licensing Committee for approval of the extension of the Zoological Society contract.  
**Recommendation of the Public Safety & Licensing Committee on 10-22-07:** That the Mayor and City Clerk be authorized and directed to enter into a seven year extension for the Zoological Society contract.  
**Recommendation of the Finance and Personnel Committee on**

**11-12-07:** That the Mayor and City Clerk be authorized and directed to enter into a seven year extension for the Zoological Society contract at the current annual amount of \$550,000 (no increase in years 2011 and 2012).

**Fiscal Note:** \$550,000 annually for each of the seven years should be appropriated from account 101.740.5610, Zoological Professional Services, \$32,000 maintenance fee each year should be appropriated from account 107.740.5550, Zoo Maintenance and Repairs.

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

16. [07-1291](#)

**Subject:** Communication from the Assistant City Attorney submitting the claim of Joyce Breidinger for consideration.

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

**11-12-07:** Claim of Joyce Breidinger, 5608 Cambridge Lane #6, requesting reimbursement of \$6,500.00 for injury from tripping over a cart be denied.

**Fiscal Note:** N/A

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

17. [07-1334](#)

**Subject:** Communication from the Public Health Administrator requesting permission to apply for grant funds in the amount of \$63,045 from the Wisconsin Department of Health and Family Services for the CDC Preparedness contract. (Grant Control #2007-050).

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

**11-12-07:** Permission granted for the Public Health Administrator to apply for funding in an amount up to \$63,045 with the Wisconsin Department of Health and Family Services for the CDC Preparedness contract (Grant Control #2007-050).

**Fiscal Note:** There is no match required by the city.

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

18. [07-1335](#)

**Subject:** Communication from the Public Health Administrator requesting permission to accept grant funds in the amount of \$39,834 from the Wisconsin Department of Health and Family Services for the Cities Readiness Initiative contract. (Grant Control #2007-051).

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

**11-12-07:** Permission granted for the Public Health Administrator to apply

for funding in an amount up to \$39,834 with the Wisconsin Department of Health and Family Services for the Cities Readiness Initiative contract (Grant Control #2007-051).

**Fiscal Note:** There is no match required by the city.

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

19. [07-1344](#)

**Subject:** Communication from the Assistant City Attorney submitting the claim of F. C. Randal Property Management, LLC for consideration.

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

**11-12-07:** Claim of FC Randal Property Management, LLC, requesting reimbursement of \$10,530.00 for repair to the Wye connection on the sewer be approved.

**Fiscal Note:** Payment will be made from account 101.990.5910 Judgement and Claims.

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

20. [07-1345](#)

**Subject:** Communication from the Assistant City Attorney submitting the claim of Lawrence Kimball & Marsha Kimball for consideration.

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

**11-12-07:** Claim of Lawrence & Marsha Kimball, 121 Michigan Court, requesting reimbursement of \$4,000.00 to the sewer for repairs be denied.

**Fiscal Note:** N/A

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

21. [07-1346](#)

**Subject:** Communication from the Assistant City Attorney submitting the claim of the Willie J. Brown and Betty J. Brown Family Trust for consideration.

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

**11-12-07:** Claim of Willie J. and Betty J. Brown Family Trust, owner of 135 Virginia Street, requesting reimbursement of \$5,000.00 - \$5,500.00 for repairs to the sewer be denied.

**Fiscal Note:** N/A

*Alderman Wisneski requested that item 07-1346 be considered separately.*

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

**AYES:** 12 - Coe, Anderson, Kaplan, Maack, Weidner, DeHahn, Shakoore II, Karas, Friedel, Spangenberg, Hart and Mozol

**NOES:** 2 - Holding and Wisneski

**EXCUSED:** 1 - Shields

22. [07-1347](#) **Subject:** Communication from the City Attorney requesting additional funding for the 2007 budget, 101.160.5610, Professional Services.

**Recommendation of the Finance and Personnel Committee on 11-12-07:** Transfer \$32,000 from contingency (101.990.5970) to City Attorney Professional Services (101.160.5610).

**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.**

23. [07-1351](#) **Subject:** Communication from the Public Health Administrator requesting permission to accept grant funds in the amount of \$1000 from UW Parkside. (Grant Control #2007-045).

**Recommendation of the Finance and Personnel Committee on 11-12-07:** Permission granted for the Public Health Administrator to accept grant funds in the amount of \$1,000 from the University of Wisconsin-Parkside (Grant Control #2007-045), Wisconsin Coastal Management Grant.

**Fiscal Note:** There is no fiscal match required.

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

24. [07-1364](#) **Subject:** Communication from the Assistant City Attorney submitting the claim of Jose Navarro for consideration.

**Recommendation of the Finance and Personnel Committee on 11-12-07:** Claim of Jose Navarro, 1134 Geneva Street, requesting reimbursement of \$1,187.63 for repairs to his vehicle be denied.

**Fiscal Note:** N/A

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

25. [07-1367](#) **Subject:** Communication from the Assistant City Attorney submitting the claim of American Family Mutual Insurance Company (insured is Mr & Mrs. Prochnow) for consideration.

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

**11-12-07:** Claim of American Family Mutual Insurance Company, requesting reimbursement of \$12,036.27 for repairs to a sewer be denied.

**Fiscal Note:** N/A

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

26. [07-1426](#)

**Subject:** Regarding Resolution #07-0476.

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

**11-12-07:** That the Mayor and City Clerk be authorized and directed to enter into a seven year extension for the Zoological Society contract at the current annual amount of \$550,000 (no increase in years 2011 and 2012).

This resolution was referred to Finance and Personnel Committee.

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

27. [07-1388](#)

**Subject:** Communication from the Public Health Administrator requesting permission to apply for grant funds in the amount of \$29,563 from Wisconsin Coastal Management. (Grant Control #2007-052).

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

**11-12-07:** Permission granted for the Public Health Administrator to apply for 2008-2009 funding in an amount up to \$29,670 with the Wisconsin Coastal Management (Grant Control #2007-052).

**Fiscal Note:** There is a required City match of \$29,670, \$3,276 hard match, remainder soft match.

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

28. [07-1398](#)

**Subject:** (Direct referral) Communication from the City Attorney's office requesting to address the committee with respect to a proposed settlement in the case of Wanda Sorensen et al. v. City of Racine, Case No. 06CV1005.

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

**11-12-07:** The settlement of Wanda Sorensen et al. v. City of Racine, Case No. 06CV1005 be approved as presented.



**Fiscal Note:** There are sufficient funds available in the Health Insurance Fund.

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

Council Action

**A motion was made by Alderman Thomas Friedel to Adopt the Report. Adopted by the following vote:**

**AYES:** 14 - Coe, Anderson, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

**EXCUSED:** 1 - Shields

**Public Works and Services Committee Report, by Ald. Hart**

29. [07-0611](#) **Subject:** Communication from Sam Azarian Jr. wishing to discuss leasing the Marquette Street municipal parking lot.

**Recommendation of the Transit and Parking Commission on 5-30-07:** The Marquette Street municipal parking lot be leased to Sam Azarian Jr. for a cost of \$1 contingent upon the upgrade of fencing and landscape, and the separation of lighting circuits.

**Fiscal Note:** The lease will generate \$1 to the Parking System

**Recommendation of the City Plan Commission on 6-13-07:** That the proposed lease is not in conflict with adopted City plans and programs.

Further, that the lease be approved.

**Fiscal Note:** The lease price of the property will be determined by the Public Works and Services Committee.

**Recommendation of the Public Works and Services Committee on 11/13/07:** The Mayor and City Clerk be authorized and directed to enter into a lease agreement with Sam Azarian, Jr., for the municipal parking lot located on Marquette Street just North of State Street, with the following stipulations:

- A. The term of the lease shall be for 20 years beginning January 1, 2008.
- B. Either party may cancel this lease agreement after providing a 6 month written notice.
- C. The Lessee shall provide all day-to-day maintenance including snow removal, litter control and grass cutting.
- D. The rental rate shall be equivalent to \$1.00 per year plus the stormwater

fee which is assigned to this property.

E. Any capital improvements which are to be made to this property shall first be approved by the City of Racine.

F. If the City cancels the lease agreement prior to the 20 year term, the City agrees to pay to the lessee the cost of any capital improvements minus depreciation.

G. If the lease goes full term, the City shall not be responsible to pay any compensation to the lessee for any capital improvements.

**Fiscal Note:** This lease will relieve the City of Racine of maintenance responsibilities for this parking lot and will result in yearly revenues to the Parking System equal to the stormwater fee plus \$1.00.

*Alderman Hart requested that item 07-0611 be considered separately.*

*Alderman Hart pointed out that the communication should have actually read as "leasing" instead of "purchasing" and that he requested the item be approved as amended.*

*It was also noted that under the Recommendation of the City Plan as well as the fiscal note, the word "sale" be amended to read "lease".*

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

**The motion was APPROVED by the following vote:**

**AYES:** 12 - Coe, Anderson, Kaplan, Weidner, DeHahn, Shakoore II, Karas, Friedel, Wisneski, Spangenberg, Hart and Mozol

**NOES:** 2 - Maack and Holding

**EXCUSED:** 1 - Shields

30. [07-1253](#)

**Subject:** Communication from the Commissioner of Public Works/City Engineer regarding the lease agreement with James J. Mauer for use of river frontage at the terminus of Superior Street at the Root River.

**Recommendation:** The Mayor and City Clerk be authorized and directed to enter into a lease agreement with Peter R. Mauer for use of 60 lineal feet of river frontage at the terminus of Superior Street at the Root River, including the right-of-way to the south line of Liberty Street excepting that portion which is utilized by CNH, Inc. as a driveway entrance, for a three-year period from January 1, 2008 to December 31, 2010 subject to the terms and conditions contained in the lease agreement dated April 14, 2000, except that the yearly annual rental shall be increased by 3% per year beginning with a rental rate due in January 2008 of \$728.85.

**Fiscal Note:** This agreement will result in approximately \$2,250.00 in revenue to the City of Racine over the three-year period.

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

**The motion was APPROVED.**

31. [07-1348](#)      **Subject:** Communication from the Commissioner of Public Works submitting a request for final payment on Contract 61-03 (K3-074), Professional Services - City Hall Windows, Engberg Anderson Design Partnership, Inc., consultant.
- Recommendation:** The professional services provided by Engberg Anderson Design Partnership, Inc., under Contract 61-03 (K3-074), Professional Services - City Hall Windows, be accepted and final payment authorized for a total contract amount of \$43,091.43, from funds heretofore appropriated.
- Fiscal Note:** Contract was authorized under Resolution No. 5545, dated October 7, 2003.
- A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.**
32. [07-1349](#)      **Subject:** Communication from the Commissioner of Public Works submitting a request for final payment on Contract 1-05 (K5-001), Professional Services - 2005 Ramp Improvements, HNTB, consultant.
- Recommendation:** The professional services provided by HNTB, under Contract 1-05 (K5-001), Professional Services - 2005 Ramp Improvements, be accepted and final payment authorized for a total contract amount of \$59,990.93, from funds heretofore appropriated.
- Fiscal Note:** Contract was authorized under Resolution No. 6284, dated December 7, 2004.
- A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.**
33. [07-1378](#)      **Subject:** Direct Referral. Communication from the Assistant Commissioner of Public Works/Engineering submitting an easement for traffic signal and street lighting at the intersection of 18th Street and S. Memorial Drive.
- Recommendation:** The City Attorney be authorized and directed to take the necessary steps to acquire an easement from Modine Manufacturing, Inc., for the future installation of traffic signals at the intersection of 18th Street and S. Memorial Drive.
- Fiscal Note:** Not applicable at this time.
- A motion was made that this Communication be Received and Filed as Reported. The motion was APPROVED.**
34. [07-1379](#)      **Subject:** Direct Referral. Communication from the Commissioner of

Public Works/City Engineer submitting a request for final payment on Contract 39-06 (K6-041), Pritchard/Reservoir Park Pond Retrofit, K & L Construction, Inc., contractor.

**Recommendation:** The work of K&L Construction, Inc., under Contract 39-06 (K6-041), Pritchard/Reservoir Park Pond Retrofit, be accepted and final payment authorized for a total contract amount of \$554,704.38, from funds heretofore appropriated.

**Fiscal Note:** Contract was authorized under Resolution No. 06-7200 of September 5, 2006.

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

35. [07-1386](#)

**Subject:** Direct Referral. Communication from the Assistant Commissioner of Public Works/Engineering submitting Amendment No. 3 to the Three- Party Agreement on State Contract #2703-03-05, Ohio Street - 16th Street to 21st Street, Clark-Dietz, Inc., consultant.

**Recommendation:** That Amendment No. 3 to State Contract ID: 2703-03-05, Ohio Street from 16th Street to 21st Street, Clark Dietz, Inc., consultant, be approved in the amount of \$44,706.29, with the City's share being \$8,941.26.

Further recommend that funding to defray the cost of the City's share of these professional services be appropriated from the following accounts;

\$5,518.70 - Account 986.600.5010, Traffic Signal Replacements  
\$3,422.56 - Account 987.908.5020, Concrete Pavement Replacement  
\$8,941.26

**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.**

36. [07-1393](#)

**Subject:** Communication from the Alderman of the 9th District submitting revisions to the sign ordinance.

**Recommendation:** The communication be referred to the City Plan Commission.

**Fiscal Note:** Not applicable.

**This Communication was Referred to the City Plan Commission**

37. [07-1394](#)

**Subject:** Direct Referral. Communication from the Assistant

Commissioner of Public Works/Engineering requesting to amend Res. 07-0365 relating to Contract 40-06 (K6-042), Professional Services - Marino Park/State Street Storm Sewer, Earth Tech, Inc.

**Recommendation:** That Resolution No. 07-0365, dated August 6, 2007, be rescinded.

Further recommend that Amendment No. 3 to Contract 40-06 (K6-042), Professional Services - Marino Park/State Street Storm Sewer, Earth Tech, Inc., consultant, as submitted, be approved in the amount of \$13,500.00.

Further recommends that funding to defray the cost of these professional services be appropriated from Account 101.130.5610, Professional Services.

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

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

38. [07-1406](#)

**Subject:** Direct Referral. Communication from the Commissioner of Public Works/City Engineer requesting that the City Attorney's office be authorized to obtain easements for the sanitary sewer located in the vicinity of Michigan Boulevard, Chatham Street and Lakecrest Drive.

**Recommendation:** The City Attorney be authorized and directed to take the necessary steps to acquire easements for the installation of a sanitary sewer at the following locations:

- |                      |                     |
|----------------------|---------------------|
| 3329 N. Main Street. | 3345 N. Main Street |
| 3351 N. Main Street  | 3407 N. Main Street |
| 3411 N. Main Street  | 3417 N. Main Street |
| 3429 N. Main Street  | 3329 Chatham Street |
| 3338 Chatham Street  | 3340 Chatham Street |
| 3345 Chatham Street  | 3401 Chatham Street |
| 3412 Chatham Street  | 3419 Chatham Street |
| 3422 Chatham Street  | 3429 Chatham Street |
| 3430 Chatham Street  | 205 Lakecrest Drive |
| 215 Lakecrest Drive  | 300 Lakecrest Drive |
| 301 Lakecrest Drive  | 320 Lakecrest Drive |
| 321 Lakecrest Drive  | 3330 Michigan Blvd. |
| 3340 Michigan Blvd.  | 3348 Michigan Blvd. |
| 3400 Michigan Blvd.  | 3414 Michigan Blvd. |
| 3430 Michigan Blvd.  |                     |

**Fiscal Note:** Not applicable at this time.

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

Council Action

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

**AYES:** 14 - Coe, Anderson, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

**EXCUSED:** 1 - Shields

**Public Safety and Licensing Committee Report, by Ald. Shakoor**

39. [07-1268](#) **Subject: (New)** Application of Simone Enterprises, LLC., Harinder Kaur, Agent, for a Class "A" Retail Fermented Malt Beverage license for 1229 Eleventh Street. (1st District)

**Recommendation of the Public Safety and Licensing Committee on 10-22-07:** That the item be deferred to the next Public Safety & Licensing Committee Meeting November 12, 2007 per request of the applicant.

**Recommendation of the Public Safety & Licensing Committee on 11-12-07:** That the license be granted with the stipulation that there will be no individual/single container sales of beer.

**Fiscal Note:** N/A

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

40. [07-1329](#) **Subject: (New)** Application of Aranda Mario Alonzo, Sr., for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 1240 Washington Avenue. (3rd District)

**Recommendation of the Public Safety & Licensing Committee on 11-12-07:** That the license be granted.

**Fiscal Note:** N/A

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

41. [07-1390](#) **Subject: Direct Referral.** Change order #1 and Final Payment on Contract 41-07 (K7-049), Door and Window Replacement at Dr. John Bryant Community Center by Lueck's Inc.

**Recommendation of the Public Safety & Licensing Committee on 11-12-07:** That change order #1 in the increased amount of \$2,267.65 be

accepted and that final payment for the total contract amount of \$120,224.65 be granted for Contract 41-07 (K7-049), Door and Window Replacement at Dr. John Bryant Community Center by Lueck's Inc.

**Fiscal Note:** \$120,224.65 be appropriated from account 987.680.5010, Bryant Windows.

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

42. [07-1391](#)

**Subject: Direct Referral,** Final payment for engineering services for preparing plans and specifications for Window and Door Replacement at Dr. Bryant Community Center by Industrial Roofing Services Inc.

**Recommendation of the Public Safety & Licensing Committee on 11-12-07:** That permission be granted for the final payment for engineering services for preparing plans and specifications for Window and Door Replacement at Dr. John Bryant Community Center by Industrial Roofing Services Inc.

**Fiscal Note:** \$9,800.00 be appropriated from account 987.680.5010

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

43. [07-1420](#)

**Subject:** Ordinance 21-07

To amend Section 66-2(a) of the Municipal Code of the City of Racine, Wisconsin relating to Offenses - Acts constituting offenses under chapter; penalties.

**Recommendation of the Public Safety & Licensing Committee on 10-22-07:** That the item be deferred to the next Public Safety & Licensing Committee Meeting November 12, 2007.

**Recommendation of the Public Safety & Licensing Committee on 11-12-07:** That ordinance 21-07 be adopted.

**Fiscal Note:** N/A

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

#### Council Action

**A motion was made by Alderman Q.A. Shakoor II to Adopt the Report. Adopted by the following vote:**

**AYES:** 14 - Coe, Anderson, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

**EXCUSED:** 1 - Shields

**City Plan Commission Report, by Ald. Holding**

44. [07-1400](#) **Subject:** (Direct Referral) Request by Landmark Credit Union (aka Belle City Credit Union) for a conditional use permit to install a 20 square foot electronic sign at 3413 Rapids Drive.

**Recommendation of City Plan Commission on 11-14-07:** That the request by Landmark Credit Union (aka Belle City Credit Union). seeking a conditional use permit to install a 20 square feet electronic sign a 3413 Rapids Drive be approved, subject to the following conditions:

- a. That the plans received October 31, 2007 and presented to the Plan Commission on November 14, 2007 be approved, subject to the conditions contained herein.
- b. That all applicable building and occupancy permits be obtained from the Building Inspection Department.
- c. That prior to the issuance of a building/sign permit a landscape plan be submitted for the review and approval of the Director of City Development. Landscaping shall be installed in accordance with the approved plans by May 1, 2008 unless a letter of credit, equal to the value of the landscaping, is submitted to the Director of City Development for review and approval. In no case shall landscaping shall be installed later that July 1, 2008.
- d. That the operation of the sign comply with Section 114-1033 Electronic Message Signs of the City of Racine Municipal Code.
- e. That any old sign and supporting structure be removed.
- f. That all codes and ordinances be complied with and required permits acquired.
- g. That no minor changes be made from the conditions of this permit without the approval of the Plan Commission and no major changes be made from the conditions of this permit without the approval of the Common Council.
- h. That this permit is subject to Plan Commission review for compliance with the listed conditions.

**Fiscal Note:** N/A

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



45. [07-1401](#)

**Subject:** (Direct Referral) Request by Corine Perez of First Class Resale Shop seeking a conditional use permit for a shop selling new and used household goods and antiques at 3723 Douglas Avenue.

**Recommendation of City Plan Commission on 11-14-07:** That the request by Corinne Perez seeking a conditional use permit for an establishment selling new and used household goods and antiques at 3723 Douglas Avenue be approved, subject to the following conditions:

- a. That the plans presented to the Plan Commission on November 14, 2007 be approved, subject to the following conditions.
- b. That the establishment of this use is subject to the approval of the Access Corridor Development Review Committee.
- c. That all applicable building and occupancy permits be applied for.
- d. That the hours of operation are allowed to be from 9:00 a.m. to 9:00 p.m. daily.
- e. That prior to the issuance of an occupancy permit for the subject use, the property owner shall:
  1. Submit a comprehensive sign plan that serves to condenses the three existing pole signs into one sign. Said plans shall be submitted to the Access Corridor Development Review Committee for review and approval. The new sign plan shall be implemented by June 1, 2008.
  2. Submit a detailed landscape plan to the Access Corridor Development Review Committee for review and approval. Said plan shall also include a landscaping maintenance plan. At a minimum, landscaping shall be installed along the entire Douglas Avenue frontage where not intersected by a driveway. Landscaping shall be installed in accordance with the approved plans by May 1, 2008 unless a letter of credit, equal to the value of the landscaping, is submitted to the Director of City Development for review and approval. In no case shall landscaping be installed later than July 1, 2008
  3. Clear the property of trash and debris.
- f. That all trash and recyclables be stored in closed containers and screen from view.
- g. That all codes and ordinances be complied with and required permits acquired.

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

i. That this approval is subject to Plan Commission review for compliance with the listed conditions.

**Fiscal Note:** N/A

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

46. [07-1405](#)

**Subject:** (Direct Referral) Request by Charles Mott, Jr. representing Cricket Communications seeking a conditional use permit for a wireless communication facility at 100-7th Street.

**Recommendation of City Plan Commission on 11-14-07:** That a conditional use permit be granted to Cricket Communications to install wireless communication antennas on the Mc'Mynn Tower at 110 - 7th Street, subject to the following conditions:

a. That the plans presented to the Plan Commission on November 14, 2007 be approved subject to the conditions contained herein.

b. That all antennas shall be surface mounted, painted a color that matches the surface to which the antennae are to be mounted upon.

c. That all equipment except for the antennas and necessary cabling be housed within the existing mechanical penthouse.

d. That if a tripod rooftop installation is desired, plans for such shall be submitted to the Downtown Area Design Review Commission for review and approval.

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

f. That no minor changes be made to this permit without approval of the Plan Commission, and no major changes be made to this permit without the approval of the Common Council.

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

**Fiscal Note:** N/A

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

47. [07-1410](#) **Subject:** (Direct Referral) Request by Landmark Credit Union (aka Belle City Credit Union) to vacate a portion of public right-of-way at 3413 Rapids Drive.

**Recommendation of City Plan Commission on 11-14-07:** That the vacation is not in conflict with City plans and programs.

Further, that the vacation be approved.

**Fiscal Note:** N/A

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

48. [07-1412](#) **Subject:** (Direct Referral) Review of a Certified Survey Map for Landmark Credit Union (aka Belle City Credit Union) at 3413 Rapids Drive.

**Recommendation of City Plan Commission on 11-14-07:** That the certified survey for Landmark Credit Union (aka Belle Credit Union) at 3413 Rapids Drive be approved, subject to the following conditions:

- a. That the right-of-way of Rapids Drive be vacated.
- b. That a signature block be added for Common Council officials.
- c. That the \$50 processing fee accompany the CSM when submitted to the Director of City development for City signatures.

**Fiscal Note:** N/A

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

49. [07-1425](#) **Subject:** Ord.22-07 is to create a less cumbersome review process when use reviews are needed by business areas representatives assigned to the Access Corridor Development Review Committee.

**Recommendation of City Development Committee on 11-14-07:** That the ordinance be adopted.

**Fiscal Note:** N/A

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

Council Action

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

**AYES:** 14 - Coe, Anderson, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

**EXCUSED:** 1 - Shields

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

50. [07-1366](#) **Subject:** (Direct Referral) Request of Downtown Racine Corp. for increase in facade grants for Sixth Street.

**Recommendation of Redevelopment Authority on 11-7-07:** That the maximum façade grant be increased to \$10,000.00 for façade improvements undertaken during 2008 and 2009. Further recommends the item be referred to the Finance and Personnel Committee.

**Fiscal Note:** The sufficient funds are available in the city's 2008 capital budget for the program.

**This Communication was Referred to the Finance and Personnel Committee**

51. [07-1369](#) **Subject:** (Direct Referral) Request by Robert A. Gleason of R & R Innovative Investments to sell his property at 1418 Washington Avenue to City of Racine Redevelopment Authority at the price of \$109,000.

**Recommendation of Redevelopment Authority on 11-7-07:** That the offer be accepted. Further that the funds previously provided for the acquisition of 1511 Washington Avenue be used instead for the acquisition of 1418 Washington Avenue and that funds allocated under the 2008 CDBG program for Uptown Property Acquisition be used at such time that 1511 Washington Avenue may become available. Further recommends that the item be referred to the Finance and Personnel Committee.

**Fiscal Note:** Funds are available in the accounts identified for this purpose.

**This Communication was Referred to the Finance and Personnel Committee**

52. [07-1381](#) **Subject:** (Direct Referral) Communication transmitting an agreement between the City of Racine and Racine County Economic Development Corporation for technical assistance on brownfield redevelopment.

**Recommendation of Redevelopment Authority on 11-7-07:** That the contract be approved, including the use of Intergovernmental Revenue Sharing funds for the contract. Further recommends that the item be referred to the Finance and Personnel Committee.

**Fiscal Note:** The funds are available in the city's 2008 capital budget for this \$55,000 contract.

**This Communication was Referred to the Finance and Personnel Committee**

53. [07-1383](#) **Subject:** (Direct Referral) Communication transmitting an addendum to the Uptown Improvement Plan for the Artist Relocation Program.

**Recommendation of Redevelopment Authority on 11-7-07:** That the addendum be adopted as an amendment to the Uptown Improvement Plan.

**Further recommend the item be referred to City Plan Commission**

**Fiscal Note:** N/A

**This Communication was Referred to the City Plan Commission**

54. [07-1389](#) **Subject:** Communication from the Mayor requesting to discuss the acceptance of a parcel of land from ARB Enterprises. Parcel addresses include: 1116, 1128, 1130, 1152 Washington Avenue, and 1309 11th Street.

**Recommendation of Redevelopment Authority on 11-7-07:** That the acquisition be approved.

Further that funds be provided in the amount of not less than \$50,000.000 for demolition of structures on the property and one-year's costs of holding the property. Further that Intergovernmental Revenue Sharing Funds be used for this purpose. Further recommends that the item be referred to the Finance and Personnel Committee.

**Fiscal Note:** The real estate would be donated to the Redevelopment Authority. Funds are available in the accounts identified for the demolition and holding costs.

**This Communication was Referred to the Finance and Personnel Committee**

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

55. [07-1236](#) **Subject:** Communication from RUSD requesting the school board meet with the Mayor and Aldermen regarding the School Board's Listening and Linking Sessions.

**Recommend:** the Item be received and filed.

**Fiscal Note:** N/A

*Alderman Spangenberg requested that item 07-1236 be considered separately.*

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

**AYES:** 14 - Coe, Anderson, Kaplan, Maack, Weidner, DeHahn, Shakoore II, Karas, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

**EXCUSED:** 1 - Shields

56. [07-1156](#)

**Subject:** Submittal of the report of the Finance Committee of the Racine Waterworks Commission regarding year 2008 Water Utility Operation & Maintenance Budget and the 2008-2012 Capital Improvements Budget Recommending Adoption

**Recommendation of the Racine Waterworks Commission of 9/25/07:**  
To adopt as submitted to the Committee of the Whole on November 15, 2007.

**Recommendation of the Committee of the Whole on 11/19/2007:** the 2008 Water Utility Operation & Maintenance Budget be amended and adopted as amended and the 2008-2012 Capital Improvements Plan be amended, and approved in concept as amended.

**Fiscal Note:** Copies of the above proposed budgets, along with their supporting exhibits, are on file in the Office of the Finance Director.

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

57. [07-1161](#)

**Subject:** Submittal of the Report of the Finance Committee of the Racine Wastewater Commission Regarding Year 2008 Wastewater Utility Operation & Maintenance Budget and the 2008-2012 Capital Improvements Budget Recommending Adoption

**Recommendation of the Racine Wastewater Commission of 9/25/07:**  
To adopt as submitted to the Committee of the Whole on November 15, 2007.

**Recommendation of the Committee of the Whole of 11/19/2007:** the 2008 Wastewater Utility Operation & Maintenance Budget be amended and adopted as amended, and the 2008-2012 Capital Improvements Plan be amended and approved in concept as amended.

**Fiscal Note:** Copies of the above proposed budgets, along with their supporting exhibits, are on file in the Office of the Finance Director.

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

Council Action

**A motion was made by to Adopt the Report. Adopted by the following vote:**

**AYES:** 14 - Coe, Anderson, Kaplan, Maack, Weidner, DeHahn, Shakoore II, Karas, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

**EXCUSED:** 1 - Shields

58. [07-1284](#)

**Subject:** Communication from Mayor Becker submitting the 2008 proposed budgets for the General Fund, Special Revenue Funds, Capital Projects Funds, Debt Service, Enterprise Funds, Utilities, and Internal Service Funds.

**Recommendation:** That the 2008 General Fund, Special Revenue Funds, Capital Projects Funds, Debt Service, Enterprise Funds, Utilities, and Internal Service Funds be amended and adopted as amended, and that the 5-year Capital Improvement Plan be amended and approved in concept as amended.

**Fiscal Note:** Amendments to the operating budget totaled \$723,341 resulting in a tax levy of \$42,816,942 and a tax rate of \$10.76. Amendments to the capital improvement budget and 5-year plan reduced the 2008 borrowing by \$240,000 to \$7,660,000. Copies of the above budgets, along with their supporting exhibits and amendments, are on file in the Office of the Finance Director.

*Alderman Spangenberg requested that item 07-1284 be considered separately.*

*Motion made by Alderman Karas to restore the position of Equipment Mechanic (\$41,302.00) and Equipment Operator (\$75,586.00) at a total cost of \$116,888.00 and the money to cover these positions be transferred from the contingency fund.*

*Motion made by Alderman Weidner to amend the previous motion to have \$40,000.00 come out of Professional Services (Park & Recreation) and not the contingency fund. Motion fails by the following vote:*

*AYES: Weidner, Coe, Kaplan*

*NOES: Spangenberg, Wisneski, Anderson, DeHahn, Friedel, Hart, Karas, Maack, Mozol and Shakoore*

*ABSTAIN: Holding*

*Original Motion from Alderman Karas to fully restore the two positions, one full time and one for six months that is not currently budgeted, \$116,888.00 be transferred from the contingency fund to cover the positions. Motion failed by the following vote:*

*AYES: DeHahn, Karas*

*NOES: Spangenberg, Weidner, Wisneski, Anderson, Coe, Friedel, Hart, Kaplan, Maack, Mozol and Shakoore*

*ABSTAIN: Holding*

*Motion made by Alderman Spangenberg that each item line be considered separately.*

**Adopted As Amended:**

## GENERAL FUND

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

**AYES:** 10 - Anderson, Kaplan, Maack, Weidner, Shakoor II, Friedel, Holding, Wisneski, Spangenberg and Hart

**NOES:** 4 - Coe, DeHahn, Karas and Mozol

**EXCUSED:** 1 - Shields

## SPECIAL REVENUE

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

**AYES:** 14 - Coe, Anderson, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

**EXCUSED:** 1 - Shields

## CAPITAL PROJECTS FUND

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

**AYES:** 14 - Coe, Anderson, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

**EXCUSED:** 1 - Shields

## DEBT SERVICE

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

**AYES:** 14 - Coe, Anderson, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

**EXCUSED:** 1 - Shields

## ENTERPRISE FUNDS

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

**AYES:** 12 - Coe, Anderson, Kaplan, Maack, Weidner, Shakoor II, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

**NOES:** 2 - DeHahn and Karas

**EXCUSED:** 1 - Shields

## UTILITIES

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



**AYES:** 14 - Coe, Anderson, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

**EXCUSED:** 1 - Shields

#### INTERNAL SERVICE FUNDS

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

**AYES:** 9 - Anderson, Maack, Weidner, Shakoor II, Friedel, Holding, Wisneski, Spangenberg and Hart

**NOES:** 5 - Coe, Kaplan, DeHahn, Karas and Mozol

**EXCUSED:** 1 - Shields

#### 5 YEAR CAPITAL IMPROVEMENT PLAN

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

**AYES:** 14 - Coe, Anderson, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

**EXCUSED:** 1 - Shields

#### Wastewater Commission Report, by Ald Hart

59. [07-1330](#) **Subject:** Request to enter into a Household Hazardous Waste Agreement with the Village of Elmwood Park

**Recommendation:** Refer to the Finance and Personnel Committee for approval

**This Communication was Referred to the Finance and Personnel Committee**

#### Ad Hoc Cannon Committee Report, Ald. Spangenberg

60. [07-1237](#) **Subject:** Communication from Mayor Becker requesting the Ad Hoc Cannon Committee determine placement of two Civil War Cannons

**Recommendation of the Ad Hoc Cannon Committee:**

The Ad Hoc Cannons Committee recommends that the two Civil War era Cannons be returned to Monument Square; placed with due honor and respect for their historic significance as part of Racine's monument to those who served and those who died in the American Civil War.

**Further recommends** the Cannons be positioned in visual proximity appropriate to the relationship of the Cannons to the Monument. The exact location(s) on the Square, and the type of base support into which they will be placed should be determined through consultation with the City's Monument Square Design Consultant, Landscape Architect Ken Saiki Design, Inc.

**Fiscal Note:** To be determined.

**A motion was made by Alderman James T. Spangenberg that this be Received and Filed as Reported. The motion PASSED by the following vote:**

**AYES:** 14 - Coe, Anderson, Kaplan, Maack, Weidner, DeHahn, Shakoore II, Karas, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

**EXCUSED:** 1 - Shields

## H. Resolutions

61. [Res.07-0500](#) Permission for Public Health Administrator to apply for funding from WI Dept of Health and Family Services for the CDC Preparedness Contract

Resolved, that permission be granted for the Public Health Administrator to apply for funding in an amount up to \$63,045 with the Wisconsin Department of Health and Family Services for the CDC Preparedness contract (Grant Control #2007-050). The contract period is January 1, 2008 through December 31, 2008.

Fiscal Note: There is no match required by the city.

Sponsors: Thomas Friedel

**A motion was made by Alderman Friedel that this Resolution be Adopted.**

62. [Res.07-0501](#) Permission for Public Health Administrator to apply for funding from WI Dept. of Health and Family Services for Cities Readiness Initiative Contract

Resolved, that the Public Health Administrator be granted permission to apply for funding in an amount up to \$39,834 with the Wisconsin Department of Health and Family Services for the Cities Readiness Initiative contract (Grant Control #2007-051). The contract period is September 1, 2007 through July 31, 2008.

Fiscal Note: There is no match required by the city.

Sponsors: Thomas Friedel

**A motion was made by Alderman Friedel that this Resolution be Adopted.**

63. [Res.07-0502](#) Permission for Public Health Administrator to accept grant funds from University of Wisconsin-Parkside for Wisconsin Coastal Management Grant

Resolved, that the Public Health Administrator be granted permission to accept

grant funds in the amount of \$1,000 from the University of Wisconsin-Parkside (Grant Control #2007-045), Wisconsin Coastal Management Grant. The contract period is October 24, 2007 through June 30, 2008.

Fiscal Note: There is no fiscal match required.

Sponsors: Thomas Friedel

**A motion was made by Alderman Friedel that this Resolution be Adopted.**

64. [Res.07-0503](#) Permission for Public Health Administrator to apply for funds from Wisconsin Coastal Management for water testing on Root River

Resolved, that the Public Health Administrator be granted permission to apply for 2008-2009 funding in an amount up to \$29,670 with the Wisconsin Coastal Management (Grant Control #2007-052) to expand water quality testing on the Root River in Racine. The contract period is July 1, 2008 through June 30, 2009.

Fiscal Note: There is a required City match of \$29,670, \$3,276 hard match, remainder soft match.

Sponsors: Thomas Friedel

**A motion was made by Alderman Friedel that this Resolution be Adopted. The motion was APPROVED by the following vote:**

**AYES:** 14 - Coe, Anderson, Kaplan, Maack, Weidner, DeHahn, Shakoore II, Karas, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

**EXCUSED:** 1 - Shields

65. [Res.07-0504](#) Settlement of Claim for sewer main at 1616 Flett Avenue

Resolved, that the claim of FC Randal Property Management, LLC, requesting reimbursement of \$10,530.00 for repair to the Wye connection on the sewer adjacent to 1616 Flett Avenue be approved.

Fiscal Note: Payment will be made from account 101.990.5910, Judgment and Claims.

Sponsors: Thomas Friedel

**A motion was made by Alderman Friedel that this Resolution be Adopted. The motion was APPROVED by the following vote:**

**AYES:** 14 - Coe, Anderson, Kaplan, Maack, Weidner, DeHahn, Shakoore II, Karas, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

**EXCUSED:** 1 - Shields

66. [Res.07-0505](#) Transfer of funds for City Attorney's Office

Resolved, that \$32,000 be transferred from Contingency Fund, 101.990.5970, to City Attorney Professional Services, 101.160.5610, for additional funding for professional services.

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

Sponsors: Thomas Friedel

**A motion was made by Alderman Friedel that this Resolution be Adopted. The motion was APPROVED by the following vote:**

**AYES:** 14 - Coe, Anderson, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

**EXCUSED:** 1 - Shields

67. [Res.07-0506](#) Settlement of Wanda Sorenson et al., Case

Resolved, that Case No. 06CV1005, Wanda Sorenson et al., v. City of Racine, be settled and approved as presented.

Fiscal Note: There are sufficient funds available in the Health Insurance Fund.

Sponsors: Thomas Friedel

**A motion was made by Alderman Friedel that this Resolution be Adopted. The motion was APPROVED by the following vote:**

**AYES:** 14 - Coe, Anderson, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

**EXCUSED:** 1 - Shields

68. [Res.07-0507](#) Final Payment for engineering services for Dr. John Bryant Community Center

Resolved, that permission be granted for final payment for engineering services for preparing plans and specifications for Window and Door Replacement at Dr. John Bryant Community Center by Industrial Roofing Services Inc. for a total contract amount of \$9,800.00.

Fiscal Note: \$9,800.00 be appropriated from account 987.680.5010.

Sponsors: Q.A. Shakoor II

**A motion was made by Alderman Shakoor that this Resolution be Adopted.**

69. [Res.07-0508](#) Change Order and Final Payment for Door and Window Replacement at Dr.

John Bryant Center

Resolved, that Change Order #1 in the increased amount of \$2,267.65 be accepted and that final payment for a total contract amount of \$120,224.65 be granted for Contract 41-07 (K7-049), Door and Window Replacement at Dr. John Bryant Community Center, Lueck's Inc., contractor.

Fiscal Note: \$120,224.65 be appropriated from Account 987.680.5010, Bryant Windows.

Sponsors: Q.A. Shakoor II

**A motion was made by Alderman Shakoor that this Resolution be Adopted.**

70. [Res.07-0509](#) Lease Agreement for use of river frontage

Resolved, that the Mayor and City Clerk be authorized and directed to enter into a lease agreement with Peter R. Mauer for use of 60 lineal feet of river frontage at the terminus of Superior Street at the Root River, including the right-of-way to the south line of Liberty Street excepting that portion which is utilized by CNH, Inc. as a driveway entrance, for a three-year period from January 1, 2008 to December 31, 2010 subject to the terms and conditions contained in the lease agreement dated April 14, 2000, except that the yearly annual rental shall be increased by 3% per year beginning with a rental rate due in January 2008 of \$728.85.

Fiscal Note: This agreement will result in approximately \$2,250.00 in revenue to the City of Racine over the three-year period.

Sponsors: Ronald D. Hart

**A motion was made by Alderman Hart that this Resolution be Adopted.**

71. [Res.07-0510](#) Lease Agreement for use of Municipal Parking Lot on Marquette Street

Resolved, that the Mayor and City Clerk be authorized and directed to enter into a lease agreement with Sam Azarian, Jr., for the municipal parking lot located on Marquette Street just North of State Street, with the following stipulations:

- A. The term of the lease shall be for 20 years beginning January 1, 2008.
- B. Either party may cancel this lease agreement after providing a 6 month written notice.
- C. The Lessee shall provide all day-to-day maintenance including snow removal, litter control and grass cutting.
- D. The rental rate shall be equivalent to \$1.00 per year plus the stormwater fee which is assigned to this property.
- E. Any capital improvements which are to be made to this property shall first be

approved by the City of Racine.

F. If the City cancels the lease agreement prior to the 20 year term, the City agrees to pay to the lessee the cost of any capital improvements minus depreciation.

G. If the lease goes full term, the City shall not be responsible to pay any compensation to the lessee for any capital improvements.

Fiscal Note: This lease will relieve the City of Racine of maintenance responsibilities for this parking lot and will result in yearly revenues to the Parking System equal to the stormwater fee plus \$1.00.

Sponsors: Ronald D. Hart

**A motion was made by Alderman Hart that this Resolution be Adopted.**

- 72. [Res.07-0511](#) City Attorney's Office granted permission to obtain easements for sanitary sewer

Resolved, that the City Attorney's Office be authorized and directed to take the necessary steps to acquire easements for the installation of a sanitary sewer at the following locations:

- |                      |                     |
|----------------------|---------------------|
| 3329 N. Main Street. | 3345 N. Main Street |
| 3351 N. Main Street  | 3407 N. Main Street |
| 3411 N. Main Street  | 3417 N. Main Street |
| 3429 N. Main Street  | 3329 Chatham Street |
| 3338 Chatham Street  | 3340 Chatham Street |
| 3345 Chatham Street  | 3401 Chatham Street |
| 3412 Chatham Street  | 3419 Chatham Street |
| 3422 Chatham Street  | 3429 Chatham Street |
| 3430 Chatham Street  | 205 Lakecrest Drive |
| 215 Lakecrest Drive  | 300 Lakecrest Drive |
| 301 Lakecrest Drive  | 320 Lakecrest Drive |
| 321 Lakecrest Drive  | 3330 Michigan Blvd. |
| 3340 Michigan Blvd.  | 3348 Michigan Blvd. |
| 3400 Michigan Blvd.  | 3414 Michigan Blvd. |
| 3430 Michigan Blvd.  |                     |

Fiscal Note: Not applicable at this time.

Sponsors: Ronald D. Hart

**A motion was made by Alderman Hartl that this Resolution be Adopted.**

- 73. [Res.07-0512](#) Final payment on contract for City Hall windows

Resolved, that the professional services provided by Engberg Anderson Design Partnership, Inc., under Contract 61-03 (K3-074), Professional Services - City Hall Windows, be accepted and final payment authorized for a total contract

amount of \$43,091.43, from funds heretofore appropriated.

Fiscal Note: Contract was authorized under Resolution No. 5545, dated October 7, 2003.

Sponsors: Ronald D. Hart

**A motion was made by Alderman Hart that this Resolution be Adopted.**

74. [Res.07-0513](#) Final Payment on contract for 2005 Ramp Improvements

Resolved, that the professional services provided by HNTB, under Contract 1-05 (K5-001), Professional Services - 2005 Ramp Improvements, be accepted and final payment authorized for a total contract amount of \$59,990.93, from funds heretofore appropriated.

Fiscal Note: Contract was authorized under Resolution No. 6284, dated December 7, 2004.

Sponsors: Ronald D. Hart

**A motion was made by Alderman Hart that this Resolution be Adopted.**

75. [Res.07-0514](#) Final Payment on contract for Pritchard/Reservoir Park Pond Retrofit

Resolved, that the work of K&L Construction, Inc., under Contract 39-06 (K6-041), Pritchard/Reservoir Park Pond Retrofit, be accepted and final payment authorized for a total contract amount of \$554,704.38, from funds heretofore appropriated.

Fiscal Note: Contract was authorized under Resolution No. 06-7200 of September 5, 2006.

Sponsors: Ronald D. Hart

**A motion was made by Alderman Hart that this Resolution be Adopted.**

76. [Res.07-0515](#) Easement for traffic signal and street lighting at 18th St. and S. Memorial Drive

Resolved, that the City Attorney's Office be authorized and directed to take the necessary steps to acquire an easement from Modine Manufacturing, Inc., for the future installation of traffic signals at the intersection of 18th Street and S. Memorial Drive.

Fiscal Note: Not applicable at this time.

**Sponsors:** Ronald D. Hart

**A motion was made by Alderman Hart that this Resolution be Adopted.**

77. [Res.07-0516](#) Amendment to State Contract for Ohio Street

Resolved, that Amendment No. 3 to State Contract ID: 2703-03-05, Ohio Street from 16th Street to 21st Street, Clark Dietz, Inc., consultant, be approved in the amount of \$44,706.29, with the City's share being \$8,941.26.

Further resolved, that funding to defray the cost of the City's share of these professional services be appropriated from the following accounts;

\$5,518.70 - Account 986.600.5010, Traffic Signal Replacements  
\$3,422.56 - Account 987.908.5020, Concrete Pavement Replacement  
\$8,941.26

Fiscal Note: Funds are available as herein delineated.

**Sponsors:** Ronald D. Hart

**A motion was made by Alderman Hart that this Resolution be Adopted.**

78. [Res.07-0517](#) Rescind Resolution No. 07-0365 and approve amendment to contract for Marino Park/State Street Storm Sewer

Resolved, that Resolution No. 07-0365, dated August 6, 2007, be rescinded.

Further resolved, that Amendment No. 3 to Contract 40-06 (K6-042), Professional Services - Marino Park/State Street Storm Sewer, Earth Tech, Inc., consultant, as submitted, be approved in the amount of \$13,500.00.

Further resolved, that funding to defray the cost of these professional services be appropriated from Account 101.130.5610, Professional Services.

Fiscal Note: Funds are available as herein delineated.

**Sponsors:** Ronald D. Hart

**A motion was made by Alderman Hart that this Resolution be Adopted. The motion was APPROVED by the following vote:**

**AYES:** 14 - Coe, Anderson, Kaplan, Maack, Weidner, DeHahn, Shakoore II, Karas, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

**EXCUSED:** 1 - Shields

79. [Res.07-0518](#) Placement of Civil War era Cannons



Resolved, that the two Civil War era Cannons be returned to Monument Square; placed with due honor and respect for their historic significance as part of Racine's monument to those who served and those who died in the American Civil War.

Further resolved, that the Cannons be positioned in visual proximity appropriate to the relationship of the Cannons to the Monument. The exact location(s) on the Square, and the type of base support into which they will be placed should be determined through consultation with the City's Monument Square Design Consultant, Landscape Architect Ken Saiki Design, Inc.

Fiscal Note: To be determined.

Sponsors: Jeff Coe

**A motion was made by Alderman Coe that this Resolution be Adopted.**

80. [Res.07-0519](#) Approval of Certified Survey for 3413 Rapids Drive

Resolved, that the certified survey for Landmark Credit Union (aka Belle Credit Union) at 3413 Rapids Drive be approved, subject to the following conditions:

- a. That the right-of-way of Rapids Drive be vacated.
- b. That a signature block be added for Common Council officials.
- c. That the \$50 processing fee accompany the CSM when submitted to the Director of City development for City signatures.

Fiscal Note: N/A

Sponsors: Gregory Holding

*Alderman Holding made a motion that the resolution be amended to correct the address in the title line and the resolution be adopted as amended.*

**A motion was made by Alderman Holding that this Resolution be Adopted.**

81. [Res.07-0520](#) Conditional Use Permit for 3413 Rapids Drive

Resolved, that the request by Landmark Credit Union (aka Belle City Credit Union). seeking a conditional use permit to install a 20 square foot electronic sign a 3413 Rapids Drive be approved, subject to the following conditions:

- a. That the plans received October 31, 2007 and presented to the Plan Commission on November 14, 2007 be approved, subject to the conditions contained herein.

- b. That all applicable building and occupancy permits be obtained from the Building Inspection Department.
- c. That prior to the issuance of a building/sign permit a landscape plan be submitted for the review and approval of the Director of City Development. Landscaping shall be installed in accordance with the approved plans by May 1, 2008 unless a letter of credit, equal to the value of the landscaping, is submitted to the Director of City Development for review and approval prior to said date. In no case shall landscaping shall be installed later that July 1, 2008.
- d. That the operation of the sign comply with Section 114-1033 Electronic Message Signs of the City of Racine Municipal Code.
- e. That any old sign and supporting structure be removed.
- f. That all codes and ordinances be complied with and required permits acquired.
- g. That no minor changes be made from the conditions of this permit without the approval of the Plan Commission and no major changes be made from the conditions of this permit without the approval of the Common Council.
- h. That this permit is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

Sponsors: Gregory Holding

**A motion was made by Alderman Holding that this Resolution be Adopted.**

82. [Res.07-0521](#) Conditional Use Permit for 3723 Douglas Avenue

Resolved, that request by Corinne Perez seeking a conditional use permit for an establishment selling new and used household goods and antiques at 3723 Douglas Avenue be approved, subject to the following conditions:

- a. That the plans presented to the Plan Commission on November 14, 2007 be approved, subject to the following conditions.
- b. That the establishment of this use is subject to the approval of the Access Corridor Development Review Committee.
- c. That all applicable building and occupancy permits be applied for.
- d. That the hours of operation are allowed to be from 9:00 a.m. to 9:00 p.m. daily.
- e. That prior to the issuance of an occupancy permit for the subject use, the

property owner shall:

1. Submit a comprehensive sign plan that serves to condenses the three existing pole signs into one sign. Said plans shall be submitted to the Access Corridor Development Review Committee for review and approval. The new sign plan shall be implemented by June 1, 2008.
2. Submit a detailed landscape plan to the Access Corridor Development Review Committee for review and approval. Said plan shall also include a landscaping maintenance plan. At a minimum, landscaping shall be installed along the entire Douglas Avenue frontage where not intersected by a driveway. Landscaping shall be installed in accordance with the approved plans by May 1, 2008 unless a letter of credit, equal to the value of the landscaping, is submitted to the Director of City Development for review and approval. In no case shall landscaping be installed later than July 1, 2008.
3. Clear the property of trash and debris.
  - f. That all trash and recyclables be stored in closed containers and screen from view.
  - g. That all codes and ordinances be complied with and required permits acquired.
  - h. That no minor changes be made from the conditions of this permit without approval of the Plan Commission and no major changes be made from the conditions of this permit without the approval of the Common Council.
  - i. That this approval is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

Sponsors: Gregory Holding

**A motion was made by Alderman Holding that this Resolution be Adopted.**

83. [Res.07-0522](#) Conditional Use Permit for 100-7th Street

Resolved, that a conditional use permit be granted to Cricket Communications to install wireless communication antennas on the McMynn Tower at 100 - 7th Street, subject to the following conditions:

- a. That the plans presented to the Plan Commission on November 14, 2007 be approved subject to the conditions contained herein.
- b. That all antennas shall be surface mounted, painted a color that matches the surface to which the antennae are to be mounted upon.
- c. That all equipment except for the antennas and necessary cabling be

housed within the existing mechanical penthouse.

d. That if a tripod rooftop installation is desired, plans for such shall be submitted to the Downtown Area Design Review Commission for review and approval.

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

f. That no minor changes be made to this permit without approval of the Plan Commission, and no major changes be made to this permit without the approval of the Common Council.

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

Fiscal Note: N/A

Sponsors: Gregory Holding

*Alderman Holding made a motion that the resolution be amended to correct the address in the title line and the resolution be adopted as amended.*

**A motion was made by Alderman Holding that this Resolution be Adopted.**

84. [Res.07-0523](#) 2008 Water Utility Operation & Maintenance Budget and the 2008-2012 Capital Improvements Budget

Resolved, that the 2008 Water Utility Operation & Maintenance Budget and the 2008-2012 Capital Improvements Budget be adopted.

Fiscal Note: Copies of the above budgets, along with their supporting exhibits, are on file in the Office of the Finance Director.

Sponsors: James T. Spangenberg

**A motion was made by Alderman Spangenberg that this Resolution be Adopted.**

**The motion was APPROVED by the following vote:**

**AYES:** 14 - Coe, Anderson, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

**EXCUSED:** 1 - Shields

85. [Res.07-0524](#) 2008 Wastewater Utility Operation & Maintenance Budget and the 2008-2012 Capital Improvements Budget

Resolved, that the 2008 Wastewater Utility Operation & Maintenance Budget and the 2008-2012 Capital Improvements Budget as submitted to the Committee of the Whole on November 15, 2007, be adopted.

Fiscal Note: Copies of the above proposed budgets, along with their supporting exhibits, are on file in the Office of the Finance Director.

Sponsors: James T. Spangenberg

**A motion was made by Alderman Spangenberg that this Resolution be Adopted. The motion was APPROVED by the following vote:**

**AYES:** 14 - Coe, Anderson, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

**EXCUSED:** 1 - Shields

86. [Res.07-0525](#) 2008 Proposed Budgets

Resolved, that the 2008 proposed budgets for the General Fund, Special Revenue Funds, Capital Projects Funds, Debt Service, Enterprise Funds, Utilities, and Internal Service Funds be approved as amended.

Fiscal Note: Amendments to the operating budget totaled \$723,341 resulting in a tax levy of \$42,816,942 and a tax rate of \$10.76. Amendments to the capital improvement budget and 5-year plan reduced the 2008 borrowing by \$240,000 to \$7,660,000. Copies of the above budgets, along with their supporting exhibits and amendments, are on file in the Office of the Finance Director.

Sponsors: James T. Spangenberg

**A motion was made by Alderman Spangenberg the Resolution be Adopted as Amended.**

## GENERAL FUND

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

**AYES:** 10 - Anderson, Kaplan, Maack, Weidner, Shakoor II, Friedel, Holding, Wisneski, Spangenberg and Hart

**NOES:** 4 - Coe, DeHahn, Karas and Mozol

**EXCUSED:** 1 - Shields

## SPECIAL REVENUE

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

**AYES:** 14 - Coe, Anderson, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

**EXCUSED:** 1 - Shields

## CAPITAL PROJECTS FUNDS

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

**AYES:** 14 - Coe, Anderson, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

**EXCUSED:** 1 - Shields

## DEBT SERVICE

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

**AYES:** 14 - Coe, Anderson, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Karas, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

**EXCUSED:** 1 - Shields

## ENTERPRISE FUND

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

**AYES:** 13 - Coe, Anderson, Kaplan, Maack, Weidner, DeHahn, Shakoor II, Friedel, Holding, Wisneski, Spangenberg, Hart and Mozol

**NOES:** 1 - Karas

**EXCUSED:** 1 - Shields

## INTERNAL SERVICE FUNDS

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

**AYES:** 9 - Anderson, Maack, Weidner, Shakoor II, Friedel, Holding, Wisneski, Spangenberg and Hart

**NOES:** 5 - Coe, Kaplan, DeHahn, Karas and Mozol

**EXCUSED:** 1 - Shields

## **J. Adjourn**

*The meeting was adjourned at 8:25 p.m. by Alderman Shakoor. The next scheduled meeting of the Council is December 4, 2007.*

*ATTEST: JANICE M. JOHNSON-MARTIN  
CITY CLERK*