



City of Racine

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

Meeting Minutes - Final Common Council

Mayor John T. Dickert

*Alderman Thomas Friedel, Alderman Jeff Coe, Alderman Robert Anderson
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 Gregory Holding
Alderman James T. Spangenberg, Alderman Ronald D. Hart, Alderman Robert Mozol*

Tuesday, June 16, 2009

7:00 PM

Room 205, City Hall

A. Call To Order

PRESENT: 14 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, McCarthy, DeHahn, Shakoor, II, Holding, Wisneski, Spangenberg, Mozol and Friedel

EXCUSED: 1 - Hart

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

B. Pledge of Allegiance To The Flag

President Shakoor 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 Maack.

D. Public Comments

*Ryan Gleason
Kelly Gallaher
Kathy Puma
Amanda Paffrath
Christi Beerntsen
Nancy Kaydo*

E. Communications

[09-3700](#)

Subject: Monthly Building Report, May, 2009.

Received and Filed as Reported

Refer to Finance and Personnel Committee, by Ald. Spangenberg

[09-3728](#)

Subject: Communication from Iglesia Canaan, Templo de Restauracion requesting to waive the fee for the use of Horlick Athletic Field or Douglas Park for an event focusing on youth in the

community.

Staff recommendation to the Finance & Personnel Committee on 06-22-09: None at this time.

Fiscal Note: N/A

Referred to Finance and Personnel Committee

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

09-3701

Subject: communication from Neil Thorpe and Ramona Thorpe, as successors to A & N Enterprises, a partnership, offering the real property located at 901 Ninth Street to the City of Racine.

(also refer to Redevelopment Authority, Water Utility, and Wastewater Utility)

Referred to Public Works and Services Committee

Referred to Redevelopment Authority of the City of Racine

Referred to Waterworks Commission

Referred to Wastewater Commission

09-3748

Subject: Communication from Racine Habitat for Humanity requesting extension of sanitary sewer to serve 1501 West Street.

Referred to Public Works and Services Committee

09-3756

Subject: Communication from Caleb Robinson, Top Dog Hot Dogs, requesting permission to sell hot dogs in the downtown Racine area.

Referred to Public Works and Services Committee

09-3757

Subject: Communication from Racine Habitat for Humanity requesting the extension of the storm drain one block east on 10th Street from Lockwood Avenue to accommodate four houses that will be completed by the end of 2010.

Referred to Public Works and Services Committee

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

09-3729

Subject: The following renewal application for a Class "B" Retail Fermented Malt beverage license for 2009-2010.

Fernando E. Barajas

1221 Douglas Avenue

Referred to Public Safety and Licensing Committee

[09-3735](#)

Subject: The following renewal application(s) for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 2009-2010:

Hillside Lanes, Inc. 1400 Thirteenth Street
Richard Wonders, Agent

Tango bar, LLC 509 Sixth Street
Alejandro D. Horbatenko, Agent

Referred to Public Safety and Licensing Committee

Refer to Traffic Commission, by Ald. Holding

[09-3696](#)

Subject: Communication from Eugene Modesti, Modesti Realty (1309 - 1311 High Street), requesting the removal of "One Hour" parking signs on High Street.

Referred to Traffic Commission

[09-3768](#)

Subject: Communication from Barb Salvo, Holy Communion Lutheran Church, 2000 West Sixth Street requesting permission for members to make a right turn from that drive, going up hill from June 21, 2009 through September 6, 2009 during construction.

Referred to the Traffic Commission

Refer to Community Development Committee, by Ald. Maack

[09-3753](#)

Subject: Request for Racine Habitat for Humanity for HOME Housing Investment Partnership funds.

Referred to Community Development Committee

[09-3759](#)

Subject: Request from Pastor Elliot Cohen of Project New Life for Local Option Funding for the Nehemiah Place Permanent Housing Program.

Referred to Community Development Committee

Refer to Housing Loan Board, by Ald. Maack

[09-3765](#)

Subject: Communication from Jim Spodick wishing to discuss paying off a loan on 255 North Memorial Drive.

Referred to the Loan Board of Review

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

[09-3749](#)

Subject: Communication from Professional Women's Network for Service, Inc. requesting approval and assistance in site development

in the area surrounding the Underground Railroad/Maritime Memorial at Gaslight Point.

Referred to Board of Park, Recreation and Cultural Services

F. Committee Reports

Finance and Personnel Committee Report, by Ald. Spangenberg

09-3504

Subject: Communication from the Executive Director of PTMR requesting that a City of Racine P-card be issued to BUS staff for the purchase of bus parts. (Res.09-1452)

Recommendation of the Transit and Parking Commission (05-27-09): Approval of P-card use by the BUS staff.

Recommendation of the Finance & Personnel Committee on 6-8-09: A City of Racine P-card be issued to BUS staff for the purchase of bus parts.

Fiscal Note: N/A

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

09-3581

Subject: (Direct Referral) from the Director of Management Information Systems, the Human Resources Manager, and the Deputy City Attorney requesting to discuss removing the Infrastructure Manager and Programmer positions from the City's contract with Velocity and return to City employ. (Res.09-1464)

Recommendation of the Finance & Personnel Committee on 5-11-09: To defer the item.

Recommendation of the Finance & Personnel Committee on 6-8-09: Create and post the new City position of Infrastructure Manager.

Fiscal Note: Prospective Annualized Savings of \$17,200.00.

Alderman Spangenberg requested that item 09-3581 be considered separately.

Alderman Coe made a motion to re-instate the previous two city employees with full benefits and seniority.

Motion was out of order.

Alderman Wisneski made a motion to reconsider the motion. The motion failed by the following vote:

AYES: Kaplan, Mozol, Shields Weidner, Coe and DeHahn

NOES: Holding, Maack, McCarthy, Spangenberg, Wisneski, Anderson and Friedel
EXCUSED: Hart
NON-VOTING: Shakoor

Alderman Spangenberg requested that the amount in the fiscal note be corrected.

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

AYES: 8 - Anderson, Weidner, McCarthy, DeHahn, Holding, Wisneski, Spangenberg and Friedel

NOES: 5 - Coe, Shields, Kaplan, Maack and Mozol

EXCUSED: 1 - Hart

NON VOTING: 1 - Shakoor, II

09-3621

Subject: Racine/Sturtevant Joint Pavement Agreement (Res. 09-1453)

Recommendation of the Waterworks Commission of 5/26/09: That the Racine/Sturtevant Joint Pavement Agreement be approved and referred to the Finance and Personnel Committee.

Recommendation of the Finance & Personnel Committee on 6-8-09: To approve the Racine/Sturtevant Joint Pavement Agreement.

Fiscal Note: The Agreement provides for a credit for temporary asphalt pavement restoration.

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

09-3623

Subject: Communication from the City Attorney submitting the claim of Don Christianson for consideration.

Recommendation of the Finance & Personnel Committee on 6-8-09: The claim of Don Christianson, 2049 Kearney Avenue, in the amount of \$83.25 for vehicle repairs after allegedly driving over a pothole on Perry Avenue on February 19, 2009 be denied.

Fiscal Note: N/A

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

09-3624

Subject: Communication from the City Attorney submitting the claim of Jim & Jackie Moes for consideration.

Recommendation to the Finance & Personnel Committee on 6-8-09: The claim of Jim & Jackie Moes, 1728 College Avenue,

requesting reimbursement of \$701.72 for vehicle repairs after allegedly driving over a pothole on DeKoven Avenue on 4-7-09 be denied.

Fiscal Note: N/A.

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

[09-3675](#)

Subject: Communication from the City Attorney submitting the claim of Mayeli Hernandez for consideration.

Recommendation of the Finance & Personnel Committee on

6-8-09: The claim of Mayeli Hernandez, 1215 Center Street, in the amount of \$19,016.00 for damages arising from her alleged slip and fall in the stairway at the City Hall Annex on 1-20-09 be denied.

Fiscal Note: N/A

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

[09-3676](#)

Subject: Communication from the City Attorney submitting the claim of Tiffany Townsend for consideration.

Recommendation of the Finance & Personnel Committee on

6-8-09: The claim of Tiffany Townsend, 2302 Crown Point Drive, in the amount of \$1,538.73 for vehicle repairs after her parked car was allegedly damaged by a tree limb that fell due to the snow on March 29, 2009, be denied.

Fiscal Note: N/A

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

[09-3677](#)

Subject: Communication from the City Attorney submitting the claim of Colleen Jones for consideration.

Recommendation of the Finance & Personnel Committee on

6-8-09: The claim of Colleen Jones, 412 Chicago Street, in the amount of \$1,487.50 for repair of her door which was allegedly broken by a police officer knocking at her home on 4-9-09 be denied.

Fiscal Note: N/A

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

[09-3681](#)

Subject: Communication from the Police Chief, requesting to apply for and accept the 2009 Bulletproof Vest Partnership Grant (Grant Control

2009-023). (Res.09-1455)

Recommendation of the Finance & Personnel Committee on

6-8-09: Permission be granted for the Police Chief to apply for and accept the 2009 Bulletproof Vest Partnership Grant (Grant Control #2009-023).

Recommendation of the Public Safety and Licensing Committee

on 6-8-09: Permission be granted for the Police Chief to apply for and accept the 2009 Bulletproof Vest Partnership Grant (Grant Control #2009-023).

Fiscal Note: This grant will reimburse 50% of the cost of vests purchased in 2009. The remainder of the cost is budgeted in the Police Department.

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

[09-3722](#)

Subject: (Direct Referral) Communication from the Fire Chief to apply for Federal Stimulus Funds through the Department of Homeland Security, ARRA Assistance to Fire Fighters Fire Station Construction Grant. (Grant Control Number 2009-028) (Res.09-1459)

Recommendation of the Finance & Personnel Committee on

6-8-09: Permission be granted for the Fire Chief to apply for Federal Stimulus Funds through the Department of Homeland Security, ARRA Assistance to Fire Fighters Fire Station Construction Grant. (Grant Control # 2009-028)

Recommendation of the Public Safety and Licensing Committee

on 6-8-09: Permission be granted for the Fire Chief to apply for Federal Stimulus Funds through the Department of Homeland Security, ARRA Assistance to Fire Fighters Fire Station Construction Grant. (Grant Control # 2009-028)

Fiscal Note: Local match of 20% to be budgeted under the 2010 CIP program using General Obligation funds.

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

[09-3683](#)

Subject: Communication from the Grant Facilitator requesting permission to apply for and accept the U.S. Department of Human Services, Centers for Disease Control and Prevention, 2009 Building Strategic Alliances for Healthy Housing Pilot Project (Grant Control No. 2009-024). (Res.09-1462)

Recommendation of the Finance & Personnel Committee on

6-8-09: Permission be granted for the Grant Facilitator to apply for and accept the U.S. Department of Human Services, Centers for Disease Control and Prevention, 2009 Building Strategic Alliances for Healthy Housing Pilot Project (Grant Control No. 2009-024).

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.

09-3684

Subject: Communication from the Grant Facilitator requesting permission to apply for and accept the U.S. Department of Human Services, Office of Community Services, American Recovery and Reinvestment Act - Strengthening Communities Fund-State, Local, and Tribal Government Capacity Building Program (Grant Control No. 2009-025). (Res.09-1463)

Recommendation of the Finance & Personnel Committee on

6-8-09: Permission be granted for the Grant Facilitator to apply for and accept the U.S. Department of Human Services, Office of Community Services, American Recovery and Reinvestment Act - Strengthening Communities Fund-State, Local, and Tribal Government Capacity Building Program (Grant Control No. 2009-025).

Fiscal Note: There is a 20% match (\$62,500) for this grant.

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

09-3689

Subject: Communication from the Grant Facilitator requesting permission to apply for the Office of Juvenile Justice and Delinquency Prevention 2009 Second Chance Act Youth Offender Reentry Initiative Announcement through the U.S. Department of Justice (Grant Control No. 2009-026).

Recommendation of the Finance & Personnel Committee on

6-8-09: Permission be granted for the Grant Facilitator to apply for the Office of Juvenile Justice and Delinquency Prevention 2009 Second Chance Act Youth Offender Reentry Initiative Announcement through the U.S. Department of Justice (Grant Control No. 2009-026).

Fiscal Note: There is a 50% cash and in-kind match requirement for this grant. Racine Vocational Ministry is responsible for the match.

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

09-3695

Subject: Communication from the Finance Director wishing to discuss the 2009 borrowing for capital improvements.

Recommendation of the Finance & Personnel Committee on

6-8-09: To approve the issuance of up to \$7.6 million of note anticipation notes to cover the 2009 Capital Improvement Plan.

Fiscal Note: Amount will cover the 2009 Capital Improvement budget.

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

09-3651

Subject: Communication from the Acting Public Health Administrator requesting permission to accept additional funds from the Division of Public Health, Department of Health Services for the Cities Readiness Initiative Preparedness grant. (Grant Control No. #2008-051) (Res.09-1460)

Recommendation of the Finance & Personnel Committee on

6-8-09: Permission be granted for the Acting Public Health Administrator to accept additional funds from the Division of Public Health, Department of Health Services for the Cities Readiness Initiative Preparedness grant. (Grant Control No. #2008-051)

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.

09-3699

Subject: Communication from the Acting Public Health Administrator requesting permission to accept funds of \$7,225 and for the Mayor and City Clerk to enter into a contract with the State of Wisconsin, Department of Natural Resources. (Grant Control #2008-019) (Res.09-1461)

Recommendation of the Finance & Personnel Committee on

6-8-09: Permission be granted for the Acting Public Health Administrator to accept funds of \$7,225 and for the Mayor and City Clerk to enter into a contract with the State of Wisconsin, Department of Natural Resources for implementing the Wisconsin Beach monitoring program. (Grant Control #2008-019)

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.

Council Action

A motion was made by Alderman James T. Spangenberg that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

AYES: 13 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, McCarthy, DeHahn, Holding, Wisneski, Spangenberg, Mozol and Friedel

EXCUSED: 1 - Hart

NON VOTING: 1 - Shakoov, II

Public Works and Services Committee Report, by Ald. Holding

09-3692

Subject: Communication from the residents abutting the alley bounded by 20th Street, DeKoven Avenue, Kearney Avenue and Hickory Grove Avenue requesting the vacation of said alley. (Res.09-1445)

Recommendation of the Public Works Services Committee on 6-9-09: Since public interest requires it, that the following parcel of land, more particularly described as follows, be and hereby is vacated and discontinued:

The alley bounded by 20th Street, DeKoven Avenue, Kearney Avenue and Hickory Grove Avenue.

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

Further recommends that Resolution 09-1381 of May 6, 2009 be amended by deleting the alley bounded by 20th Street, DeKoven Avenue, Kearney Avenue and Hickory Grove Avenue.

Fiscal Note: Not applicable.

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

09-3710

Subject: (Direct Referral) Communication from the Commissioner of Public Works/City Engineer submitting bid results on Contract 43-09 (K9-044), Solid Waste Garage Insulation. (Res.09-1449)

Recommendation of the Public Works and Services Committee on 6-9-09: That Contract 43-09 (K9-044), Solid Waste Garage Insulation, be awarded to Bane-Nelson, Inc., Kenosha, WI, at their bid price of \$36,000.00 plus Alternate Bids 1 through 4, for a total contract of \$95,600.00, they being the lowest responsible bidder.

Further recommends that funding to defray the cost of this public works project be appropriated from Account 989.410.5010, Solid Waste Garage Insulation.

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.

09-3712

Subject: (Direct Referral) Communication from the Commissioner of Public Works/City Engineer submitting bid results on Contract 46-09 (K9-047), Roof Replacement at DPW Equipment Maintenance Garage and Central Heating Plant. (Res.09-1450)

Recommendation of the Public Works and Services Committee on 6-9-09: That Contract 46-09 (K9-047), Roof Replacement at DPW Equipment Maintenance Garage and Central Heating Plant, be awarded to Carlson Racine Roofing and Sheet Metal, Inc., Racine, WI, at their bid price of \$20,810, they being the lowest responsible bidder.

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

\$16,900.00 - Account 401.989.5760, Equip. Garage-Roof Repl.
\$ 3,910.00 - Account 989.220.5010, CHP-Replace Roof
\$20,810.00 - Total

Fiscal Note: Funds are available as herein delineated.

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

09-3742

Subject: (Direct Referral) Communication from the Commissioner of Public Works/City Engineer submitting a draft resolution to authorize the Mayor to send a letter to all Racine delegates of the State legislature objecting to increased fees for the disposal of solid waste. (Res.09-1448)

Recommendation of the Public Works and Services Committee on 6-9-09: The Mayor be authorized and directed to send a letter to the Racine delegates of the State Legislature objecting to the increased fees for the disposal of solid waste.

Fiscal Note: The inclusion of these fees for solid waste disposal would add \$225,000.00 to the cost of operating the City of Racine.

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

09-3650

Subject: Communication from the Sales/Marketing Director of the Racine County Convention and Visitors Bureau requesting permission to use city right-of-way on Saturday, July 18, 2009, and Sunday, July 19, 2009, for the Spirit of Racine Triathlon. (Res.09-1446)

Recommendation of the Public Works and Services Committee

on 6-9-09: The Racine County Convention and Visitors Bureau and HFP Racing be granted permission to close the following streets and to utilize certain other City streets as indicated on their race map, for the Spirit of Racine Triathlon to be held on Saturday, July 18, 2009, from 3:00 a.m. to noon, and on Sunday, July 19, 2009, from 3:00 a.m. to 7:00 p.m.,

Barker Street from Main Street to its terminus with Lake Michigan,
Goold Street from Main Street to Michigan Boulevard,
Augusta Street from Main Street to Michigan Boulevard,
Wolff Street from Main Street to Michigan Boulevard,
William Street from Main Street to Michigan Boulevard,
Lombard Avenue from Main Street to Michigan Boulevard,
Lakecrest Drive from Main Street to Michigan Boulevard;

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. The sponsor shall pay a \$700.00 special event fee.
- F. Sponsor shall be responsible for placement of all traffic control devices.

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, to assist in implementing this event.

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

[09-3664](#)

Subject: Communication from the Douglas Avenue Business District requesting permission to plant trees along Douglas Avenue.

Recommendation of the Public Works and Services Committee

on 6-9-09: 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.

09-3665

Subject: Communication from the Douglas Avenue Business District requesting permission to paint trolley poles along Douglas Avenue. (Res.09-1447)

Recommendation of the Public Works and Services Committee on 6-9-09: That permission be granted to the Douglas Avenue Business Improvement District to paint the street lighting and trolley poles along Douglas Avenue, from Yout Street to State Street, and that they be granted permission to install hanging baskets from the street light poles with the following stipulations:

- A. Douglas Avenue BID conduct testing for lead based paints and provide the results to the City of Racine.
- B. Douglas Avenue BID provide all necessary traffic controls.
- C. Douglas Avenue BID pay for the necessary removal and replacement of all traffic signs currently mounted on the aforementioned poles.
- D. Douglas Avenue BID provide a Hold Harmless Agreement and a Certificate of Liability Insurance.

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

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

09-3679

Subject: Preliminary Resolution No. 09-1297, of March 17, 2009, relating to sewer and water laterals on Summit Avenue from Layard Avenue to the Dead End.

Recommendation of the Public Works and Services Committee on 6-9-09: That Resolution 09-1297, of March 17, 2009, 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.

09-3711

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/ Engineering submitting Amendment No. 1 to State Project ID: 2704-05-00, Ohio Street, Durand Avenue (STH 11) to 21st Street, Clark Dietz, Inc., consultant. (Res.09-1451)

Recommendation of the Public Works and Services Committee on 6-9-09: That Amendment No. 1 to State Contract ID: 2704-05-00, Ohio Street, Durand Avenue (STH 11) to 21st Street, Clark Dietz, Inc., consultant, be approved in the amount of \$14,687.48, with the City's

share being \$2,937.50.

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

\$ 63.35 - Account 988.908.5060, Ohio St.-21st St. to Durand Ave.
\$2,874.15 - Account 988.908.5010, Concrete Pavement-Misc. Loc.
\$2,937.50 - 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.

Council Action

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

AYES: 13 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, McCarthy, DeHahn, Holding, Wisneski, Spangenberg, Mozol and Friedel

EXCUSED: 1 - Hart

NON VOTING: 1 - Shakoор, II

09-3709

Subject: Resolution 09-1439, of May 26, 2009, relating to street improvements:

PORTLAND CEMENT CONCRETE PAVING

Virginia Street from Twenty-first Street to Olive Street

Lombard Avenue from Chatham Street to Michigan Boulevard

Flower Lane from Ruby Avenue to the Cul-de-sac

Melvin Avenue from North Main Street to Chatham Street

Melvin Avenue from Chatham Street to Michigan Boulevard

St. Clair Street from Monticello Drive to Sydney Drive

SEWER AND WATER

Flower Lane from Ruby Avenue to the Cul-de-sac

Melvin Avenue from Chatham Street to Michigan Boulevard

Recommendation of the Public Works and Services Committee on 6-9-09: That Resolution 09-1439, of May 26, 2009, be approved as submitted.

Fiscal Note: Funds will be appropriated in the 2010 Capital Improvement Program for these street improvements, and special assessments will be paid by the abutting property owners for the street

improvements.

Alderman Spangenberg requested that item 09-3709 be considered separately.

Alderman Mozol made a motion to amend the committee's recommendation by deleting the following:

*Portland Cement Concrete Paving
Flower Lane from Ruby Avenue to the Cul-de-sac*

*Sewer and Water
Flower Lane from Ruby Avenue to the Cul-de-sac*

Motion failed by the following vote:

AYES: Holding, Mozol, Wisneski, Anderson and Friedel

NOES: Kaplan, Maack, McCarthy, Shields, Spangenberg, Weidner, Coe and DeHahn

EXCUSED: Hart

NON-VOTING: Shakoob

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, Shields, Kaplan, Maack, Weidner, McCarthy, DeHahn, Holding, Wisneski, Spangenberg and Friedel

NOES: 1 - Mozol

EXCUSED: 1 - Hart

NON VOTING: 1 - Shakoob, II

Public Safety and Licensing Committee Report, by Ald. Wisneski

09-3671

Subject: Communications from the Fire Chief requesting permission to apply for and if awarded, accept the 2009 FEMA Fire Act Grant to replace Special Teams Equipment Truck. Grant control number 2009-019. (Res.09-1456)

Recommendation of the Finance & Personnel Committee on

6-8-09: Permission be granted for the Fire Chief to apply for and if awarded, accept the 2009 FEMA Fire Act Grant to replace Special Teams Equipment Truck. (Grant Control #2009-019).

Recommendation of the Public Safety and Licensing Committee

on 6-8-09: Permission be granted for the Fire Chief to apply for and if awarded, accept the 2009 FEMA Fire Act Grant to replace Special Teams Equipment Truck. (Grant Control #2009-019).

Fiscal Note: 20% local hard-match if grant is awarded; will come from State Hazmat Funds (Fund 268). There are no levy dollars needed for this project.

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

09-3673

Subject: Communications from the Fire Chief requesting permission to accept OJA/UASI Grant 2008/2006-HS-18G-6679 for the acquisition of HazMat monitoring equipment. (Grant Control # 2009-021). (Res.09-1458)

Recommendation of the Finance & Personnel Committee on 6-8-09: Permission be granted for the Fire Chief to accept OJA/UASI Grant 2008/2006-HS-18G-6679 for the acquisition of HazMat monitoring equipment. (Grant Control # 2009-021).

Recommendation of the Public Safety and Licensing Committee on 6-8-09: Permission be granted for the Fire Chief to accept OJA/UASI Grant 2008/2006-HS-18G-6679 for the acquisition of HazMat monitoring equipment. (Grant Control # 2009-021).

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

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

09-3672

Subject: Communications from the Fire Chief requesting permission to apply for and if awarded, accept the 2009 FEMA Fire Act Grant to install emergency power generators and to acquire physical fitness equipment for outlying fire stations. (Grant Control # 2009-020). (Res.09-1457)

Recommendation of the Finance & Personnel Committee on 6-8-09: Permission be granted for the Fire Chief to apply for and if awarded, accept the 2009 FEMA Fire Act Grant to install emergency power generators and to acquire physical fitness equipment for outlying fire stations. (Grant Control # 2009-020).

Recommendation of the Public Safety and Licensing Committee on 6-8-09: Permission be granted for the Fire Chief to apply for and if awarded, accept the 2009 FEMA Fire Act Grant to install emergency power generators and to acquire physical fitness equipment for outlying fire stations. (Grant Control # 2009-020).

Fiscal Note: 20% local hard match if grant is awarded; will come from the Carry-Forward funds out of the 2009 Budget and a portion will come from the State HazMat Funds. (Fund 268)

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

09-3680

Subject: Communication from the Police Chief, requesting to apply for

and accept the 2009 Bureau of Justice Assistance (BJA) Edward Byrne Justice Assistance Grant (JAG), (Grant Control #2009-022). (Res. 09-1454)

Recommendation of the Finance & Personnel Committee on

6-8-09: Permission be granted for the Police Chief to apply for and accept the 2009 Bureau of Justice Assistance (BJA) Edward Byrne Justice Assistance Grant (JAG), (Grant Control #2009-022).

Recommendation of the Public Safety and Licensing Committee

on 6-8-09: Permission be granted for the Police Chief to apply for and accept the 2009 Bureau of Justice Assistance (BJA) Edward Byrne Justice Assistance Grant (JAG), (Grant Control #2009-022).

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

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

[09-3693](#)

Subject: Direct Referral: Amendment #1 for engineering services for preparing plans and specifications North Beach Sanitary Lift Station for North Beach Park by AECOM. (Res.09-1465)

Recommendation of the Public Safety and Licensing Committee on

6-8-09: to approve amendment #1 for engineering services for preparing plans and specifications North Beach Sanitary Lift Station for North Beach Park by AECOM.

Fiscal Note: Funds available in account 989-700.5050, cost not to exceed \$7,000.00.

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

[09-3694](#)

Subject: Direct Referral: Bids for Contract 45-09 (K9-046) Door and Window Replacement at Tyler-Domer and Dr. King Community Centers and Park Service Center. (Res.09-1466)

Recommendation of the Public Safety and Licensing Committee

on 6-8-09: To approve the lowest responsible bidder for Contract 45-09 (K9-046) Door and Window Replacement at Tyler-Domer and Dr. King Community Centers and Park Service Center.

Fiscal Note: Account 989.067.5010 Tyler Domer Door and Windows \$98,240.00 and Account 988.660.5010 ML King Door and Window Replacement \$1730.00.

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

09-3566

Subject: The following renewal application(s) for a Class "B" Public Facility Fermented Malt Beverage and Intoxicating Liquor License for 2009-2010:

Public Golf Associates LTD 6200 Northwestern Avenue
Scott A. Schuit, Agent

Venuworks of Racine LLC 72 Seventh Street
Richard Edgar, Agent
(change of agent)

Venuworks of Racine LLC 5 Fifth Street
Richard Edgar, Agent
(change of agent)

Racine Zoological Society 2131 N. Main Street
Jay R. Christie, Agent

Recommendation of the Public Safety and Licensing Committee on 6-8-09: That the Change of Agents listed above be approved and the renewal application(s) for a Class "B" Public Facility Fermented Malt Beverage and Intoxicating Liquor License for 2009-2010:

Fiscal Note: N/A

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

09-3614

Subject: The following renewal application(s) for a Class "A" Retail Fermented Malt Beverage License for 2009-2010:

Rapids Drive Convenience, LLC 3502 Rapids Drive
(Rapids Drive Convenience)
Steve Grebe, Agent
(w/ gas station)

Sunny, Inc. 1511 W. Sixth St.
Neighborhood Pantry
Pargat Singh Randhawa, Agent
(w/ gas station)

Christianos, Inc 2054 Kearney Avenue
Ketan Patel, Agent

MJ Gas & Food Mart, Inc 1720 Douglas Avenue
Jagjit S. Viridi, Agent

(w/ gas station)

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

Douglas Petro, LLC 3357 Douglas Avenue
Surinder Singh, Agent
(w/gas Station)

Lieungh's on Lathrop, LLC 1933 Lathrop Avenue
(Lieungh's on Lathrop)
Andrea L. Lieungh, Agent
(W/gas station)

Priya Corporation 3818 Durand Avenue
(Carriage Mobil)
Kavita Khullar, Agent
(w/gas station)

Mohinder Singh 1627 Washington Avenue
(US Pantry)
(w/gas station)

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

Syed Mikhail's 930 Washington Avenue
(Total 24)
(w/ gas station)

Speedway SuperAmerica LLC 4620 Washington Ave
Speedway #2089
Timothy D. Justus, Agent
(w/ gas Station)

Speedway SuperAmerica LLC 2110 S. Green Bay Road
Speedway #4451
Sherie Joy Dickmann (White)
(w/ gas Station)

Himmat Gill, LLC 2240 Northwestern Avenue
(Citgo Gas & Food Mart)
(w/ gas station)

Nagra, Inc. 1813 Taylor Avenue
(Taylor Mart)
Harinder Kauer, Agent
(w/gas station)

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

Vishal Roadrunners Express, Inc 1975 State Street
(BP Foodmart)
Parveen Bhardwaj, Agent
(w/gas station)

Raytown Enterprise, LLC 2731 Durand Avenue
(Raytown Pantry)
Zohaib Mir, Agent
(w/gas station)

Mangat, Inc 2100 N. Main Street
Jatinder Singh Mangat, Agent
(w/ gas station)

Jason & Pardeep, Inc 5302 Washington Avenue
Rajinder Singh, Agent
(w/ gas station)

Lauro Davalos 1951 Mead Street

Robert M. Ruditys 3441 Spring Street
Robert Ruditys, Agent

Midtown Market 1229 Eleventh Street
Harinder Kaur, Agent

Balwinder Dhillon 1530 Douglas Avenue
Balwinder Dhillon, Agent
(w/ gas station)

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

S&S Racine Business Enterprises 3700 Spring Street
(Spring Street Mobile)
Chandra Sekhar R. Pula, Agent
(w/gas station)

Magic Dollar Super Market, LLC 1007 Washington Avenue
Hussein M. Asad, Agent

1819 Durand, Inc. 1819 Durand Ave
Fine Fare Foods
Narendra Shah, Agent

**Recommendation of the Public Safety and Licensing Committee
on 6-8-09:** That the renewal application(s) for a Class "A" Retail
Fermented Malt Beverage License for 2009-2010 be approved.

Fiscal Note: N/A

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

09-3615

Subject: The following renewal applications for a "CLASS B" **CLUB**
Retail Fermented Malt Beverage and intoxicating Liquor License for
2009-2010.

Racine Yacht Club, Inc 1 Barker Street
Joseph McGauran, Agent

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

Fifth Street Yacht Club of Racine, Inc. 761 Marquette St.
Fifth Street Yacht Club
Jeffery J. Raffini
(CHANGE OF AGENT)

Racine Country Club 2801 Northwestern Avenue
Lance Cotton, Agent

**Recommendation of the Public Safety and Licensing Committee
on 6-8-09:** That the Change of Agent listed above be approved and
the renewal applications for a "CLASS B" **CLUB** Retail Fermented
Malt Beverage and intoxicating Liquor License for 2009-2010 be
approved.

Fiscal Note: N/A

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

09-3616

Subject: The following renewal application(s) for a "Class B" Retail

Fermented Malt Beverage and Intoxicating Liquor License for
2009-2010:

Javier's Restaurant Inc. 2815 Durand Ave
Yecenia M. Ortega, Agent

Radojko Radicevic 2515 Douglas Avenue
(Rudy's)

Alice F. Warren 963 Dr ML King, Jr. Dr.
(Buck's Lounge)

R. Hoey Enterprises, LLC 1653 Taylor Avenue
(The Blind Alligator)
Richard P. Hoey, Agent

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

Joey Legath 910 Sixth Street
(Joey's on 6th)

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

Jane Depelecyn 1518 Washington Avenue
(Tradewinds)
(Pub Fee Only)

Dynasty Co., Inc 2427 Lathrop Ave
Dynasty Restaurant
Stanley Ginkowski, Agent

Racine Labor Hall, Inc. 2100 Layard Avenue
Richard Fought, Agent

Winner's Circle 1403 Superior St.
Mike Williams, Agent

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

LJF Corporation (Stone Corral) Luciano Flores, Agent	3021 Rapids Drive
Russ's Tap, LLC Robert J. Kohel, Agent	2203 DeKoven Avenue
DeRango, LTD. Benedetto F. DeRango, Agent	3840 Douglas Avenue
John Patrick Mcauliffe (Mcauliffe's Pub)	3700 Meachem Road
Redline Tavern Corp. Connie Nau, Agent	1200 N. Wisconsin Street
DL INC. Stil Country Darlene Larson, Agent	1100 Douglas Avenue
Olde Madrid, LLC Natalie Salinas, Agent	418 Sixth St
Anchor Inn & Bowling Corp. Plaza Bowling Center John Landerman, Agent	3701 Durand Ave
Evelyn's Club Main Catherine R. Kett, Agent	331 Main Street
Shogun of Racine Inc. Kwangseok Youn, Agent	518 College Avenue
Outbreak Billiards, Inc. Marko Stanosevic, Agent	1717 Douglas Avenue
Avarice Enterprises, LLC Zachary Morrow, Agent	1300 Michigan Blvd
SDJJ, LLC (McAuliffe's On The Square)	213 Sixth Street
Infusino's All Sports, LLC Egidio Infusino, Agent	3458 Rapids Drive
Dennis Pias	1756 Taylor Avenue

The Corner House, Inc 1521 Washington Avenue
John Kopulos, Agent

CBI of Racine, Inc 1446 Dr. ML King Jr Drive
Carl Stewart, Agent

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

Baldolino, LLC 3408 Douglas Avenue
(Baldo's Mexican Restaurant)
Tranquilino Benitez, Agent

Racine Art Museum Assoc. Inc. 441 Main Street
Laura D'Amato, Agent

TTDH, LLC 2100 Douglas Avenue
(Papa Gus)
Constantin Tousis, Agent

Leonard Hand 835 Washington Avenue
(City Haul Lounge)

HI-O Inc. 1816 Seventeenth Street
Michael A. Henes, Agent

Roma Associates of Racine, Inc. 3701 Durand Avenue
Anthony J. Marino, Agent

Double D's Jam, Inc. 1307 Douglas Avenue
(Double D's II)
Daniel J. Daams, Agent

Jack J. Moreno 3620 Northwestern Avenue
(Cackle Jacks')

Asiana, LLC 423 Sixth Street
Kyo Soon Yoon, Agent

Penny Wawiorka 1415 Washington Avenue
(Andy's Now Yer Talkin')
(transfer person to person)

Sam's Riverbank, LLC 3700 Northwestern Avenue

(Days Inn Riverside)
Sam Naimi, Agent

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

Randall L. Larson 1436 Junction Avenue
(The Brass Monkey)

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

Juan M. Leon 1501 Prospect Street
(Taqueria Aranda's Restaurant)

Kenny's On Main, LLC 1300 N Main St.
Kenny's On Main
Kenneth Meyer, Agent

Slobodan Lazarevic 2002 Erie St.
Neighborhood Bar of Racine, LLC
Slobodan Lazarevic, Agent

Fraternal Order of Eagles Aerie 281, Inc. 319 Hamilton Street
(Eagles Club)
Richard C. Fortier, Agent

Coasters of Racine, LTD 1301 N Main Street
Coasters Pub
Mike Kurhajec, Agent

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

Chef Lory, LLC 600 Sixth Street
Joan Louise Stepanski, Agent

Racine Theatre Guild 2519 Northwestern Avenue
Douglas Instenes, Agent

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

Max Mueckler (The Max)	3101 Douglas Avenue
Salute, Incorporated Gemma De Bartolo-Wells, Agent (w/ sidewalk cafe)	314 Main Street
DeRose Bar & Restaurant, LLC Sandra Barz, Agent	1444 Blake Avenue
Hammes Tavern, LLC (Hammes Tavern) Michael J. Hammes, Agent	2005 Taylor Avenue
Diana L. Smith-Benson (Dee Dee's Dania)	1019 State Street
John Erby , LLC John Erby, Agent	1111 Washington Avenue
Daniel Z.Takerian, Inc Daniel Z. Takerian, Agent	2322 Lathrop Avenue
Scott Bohlman (English Room)	2416 Lathrop Avenue
Liquid Productions, LLC Michael Mlsna, Agent (Pub Fee Only)	961 Dr. M.L. King, Jr. Dr.
Clifton Reed (Pub Fee Only)	1348 State Street
Mr. Kool's Sports Bar, LLC James O. Oliver, Agent	1330 Washington Avenue
Ricky's Place, Inc. Richard Smetana, Agent	238 Main Street
Rika, LLC Richard, Shawhan	2 Christopher Columbus Causeway
Teezers of Racine, Inc. Erin E. Anstett, Agent	1936 Lathrop Avenue
Casablanca de Mexico, Inc.	230 Main Street

Blanca L. Webers, Agent

Brucker Ltd. 1921 DeKoven Avenue
Justin Coe, Agent

Scott D. Hansen 1301 Washington Avenue
(The Warning Track)
Kelly G. Hansen, Agent

Oakland Food Service Mgt, Inc 555 Main Street
Joseph D. Oakland, Agent

Shillings Pub 611 Wisconsin Avenue
Michael Carmody, Agent

Dino Dominici 1816 Sixteenth Street
(Dino's)

Uncorkt, LLC 240 Main Street
(Uncorkt)
Cheryl Etes, Agent

Lone Star Steakhouse & Saloon of WI, Inc. 5880 Durand Avenue
(Lone Star Steakhouse & Saloon)
Holly Schrauth, Agent
CHANGE OF AGENT

Fireside Ribs & Fish, LLC 515 Sixth Street
(Pub Fee Only)

The Blue Rock Lounge & Eatery 306 Sixth Street
Mark R. Thomas, Agent

Ian Investments LLC 1318 Douglas Avenue
Pedro Sanchez, Agent

Wls Wild Bill, Inc 1641 Douglas Avenue
William Sorenson, Agent

Park 6, LLC/ Tinita LLC 500 Sixth Street
James W. McCann, Agent

Pub on Wisconsin 525 Wisconsin Avenue
Amy Arendt, Agent

Juan S. Jimenez 1510 Junction Avenue

(The Tropical)

Bruce Veto Brv's LLC 2328 Douglas Avenue
Bruce Veto, Agent

Morakot Khampane 337 S. Main Street
(Sticky Rice)

3Eminee, LLC 501 Sixth Street
Michael T. McDermott

SDJJ, LLC. 211 Sixth Street
John McAuliffe, Agent

Rose A. Martinez 1922 Sixteenth Street
(2nd Time Around)

El Cotorreo, Inc. 1224 Sixteenth Street
Jong Pong Chang, Agent

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

James J. Graves 223 Gaslight Circle
Radisson Inn Harbourwalk

Recommendation of the Public Safety and Licensing Committee

on 6-8-09: That the Change of Agent listed above be approved and the renewal application(s) for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 2009-2010 be approved with the following exceptions:

To defer the new application of Gary Depelecyn/Trade Winds, 1518 Washington Ave until the new owner appears before the committee.

To defer the application of Mike Williams/ Winners Circle., 1403 Superior St pending a signed side agreement with the City of Racine.

To defer the renewal of Fireside Ribs & Fish, LLC 515 Sixth Street until a business plan was submitted.

To defer the renewal for Rose Martinez-2nd time around, 1922 Sixteenth Street and to request the Owner Rose Martinez to appear before the Public Safety and Licensing Committee.

The balance of renewal application(s) for a "Class B" Retail

Fermented Malt Beverage and Intoxicating Liquor License for 2009-2010 be renewed.

Fiscal Note: N/A

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

[09-3617](#)

Subject: The following renewal application(s) for a Class "B" Retail Fermented Malt Beverage License for 2009-2010:

Mario Espinoza & Patricia Rodriguez 3700 Durand Avenue

Cornelio Mora & Paul Mora 1950 Racine Street

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

The Sausage Kitchen, Inc 1706 Rapids Drive
David Miller, Agent

Tacos El Rey, Inc. 2207 Lathrop Avenue
Sonia Harris, Agent

Public Golf Associates, LTD 2801 Twelfth Street
Scott A. Schuit, Agent

Joseph Hrouda 3 Fifth Street
(J & D Enterprises)

Edward L. Bilotto 235 Main Street
(De Pizza Chef)

PH Green Bay LLC 5000 Washington Avenue
Sanel Bajramovic, Agent
(CHANGE OF AGENT)

CEC Entertainment 5612 Durand Avenue
Paula Zastrow, Agent
(CHANGE FROM "CLASS C" & CLASS "B")

Recommendation of the Public Safety and Licensing Committee on 6-08-09: That the Change of Agent listed above be approved and the renewal application(s) for a Class "B" Retail Fermented Malt Beverage License for 2009-2010.

Fiscal Note: N/A

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

09-3618

Subject: The following renewal application(s) for a "Class A" Retail Fermented Malt Beverage and Intoxicating Liquor License for 2009-2010:

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

Georgetown Markets, Inc 3710 Meachem Road
Edward Trudeau, Agent

Bhupinder Kaur Bhati 965 Dr. MLKing Dr.
Sam's Liquor
Bhupinder Bhatti, Agent

Mohammed A. Shehadeh 1949 Racine Street

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

Karen D. Kong 817 S. Main Street
Open Pantry DBA Oddfellows

Sami Ali 3322 Sixteenth Street
(Westown Foods)

Shree Krishna Enterprises, Inc. 2062 Lathrop Avenue
Jagdish Patel, Agent

2418 Douglas, Inc. 2418 Douglas Ave
X-Press Food Mart
Narendra Shah, Agent

Timer's of Racine, Inc. 3800 Northwestern Avenue
(Timer's Beverage Center)
Shawn D. Voss, Agent

Iyad M. Alabed 1711 N. Main Street
(One Stop Food & Liquor)

Nagra Pump & Pantry, LLC 1826 Douglas Avenue
(Nagra Pump & Pantry)
Sukhwkndar S. Nagra, Agent

(w/gas station)

Akash BP Corner LLC 3945 Erie Street
 (Akash BP Corner)
 Virendra S. Verma, Agent

(w/gas station)

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

Recommendation of the Public Safety & Licensing Committee on

06-8-09: That the 2008-2009 license be extended pending the outcome of the due process hearing and 2009-2010 renewal application for "Class A" Retail Fermented Malt Beverage and Intoxicating Liquor License for Sam's Liquor, Bhupinder Kaur Bhati Agent, 965 Dr MLKing Drive be referred to a due process hearing to consider non-renewal or suspension of the license, and the balance of the renewal application(s) for a "Class A" Retail Fermented Malt Beverage and Intoxicating Liquor License for 2009-2010 be approved.

Fiscal Note: The approximate cost of the due process hearing will be \$8,000.00.

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

09-3619

Subject: The following renewal applications for "Class C" and Class "B" Fermented Malt Beverage and Wine Licenses for 2009-2010:

Whey Chai Chinese Restaurant, LLC. 400 Main Street
 Michael Mei, Agent

Willing & Willing Inc. 1238 Lathrop Ave
 Bernie's Pizzeria
 Bernard Willing II, Agent

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

Pub Fee Only

Dragan Sekuloski 605 Sixth Street
 (The Balkan Restaurant)

Recommendation of the Public Safety and Licensing Committee

on 6-8-09: That the renewal applications for "Class C" and Class "B" Fermented Malt Beverage and Wine Licenses for 2009-2010 be

approved.

Fiscal Note: N/A

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

[09-3666](#)

Subject: The following renewal applications for the WHOLESAL
License for 2009-2010:

Timer's of Racine, Inc. 3800 Northwestern Avenue
(Timer's Beverage Center)
Shawn D. Voss, Agent

Avanti Brothers Wine Co. 2034 Indiana Street, Ste B
Fausto Fioravanti, Agent

**Recommendation of the Public Safety and Licensing Board on
6-08-09:** That the Change of Agent listed above be approved and the
renewal applications for the WHOLESAL License for 2009-2010:

Fiscal Note: N/A

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

[09-3668](#)

Subject:(Direct Referral) The following renewal application for a Class
"B" Retail Fermented Malt Beverage License for 2009-2010:

Shannon J. Curtin 100 Kewaunee Street

**Recommendation of the Public Safety and Licensing Committee
on 6-8-09:** To approve the renewal application for a Class "B" Retail
Fermented Malt Beverage License for 2009-2010.

Fiscal Note: N/A

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

[09-3743](#)

Subject: (Direct Referral) Renewal Application for Veteran's Club,
Inc., Steve Heether, Agent, 820 Main Street for a "Class B" Retail
Fermented Malt Beverage and Intoxicating Liquor License for
2009-2010.

**Recommendation of the Public Safety & Licensing Committee
Special Meeting on 6-9-09:**

That the renewal Application for Veteran's Club, Inc., Steve Heether,
Agent, 820 Main Street for a "Class B" Retail Fermented Malt
Beverage and Intoxicating Liquor License for 2009-2010 be approved

and the applicant be refunded the \$500.00 special meeting fee.

Fiscal Note: N/A

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

[09-3767](#)

Subject: Ordinance 14-09 - To create Section 6-24 of the Municipal Code of the City of Racine, Wisconsin relating to Alcoholic Beverages - Acts constituting offenses under chapter; penalties.

Recommendation of the Public Safety & Licensing Committee of 6-8-09: That Ordinance 14-09 be approved.

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

AYES: 13 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, McCarthy, DeHahn, Holding, Wisneski, Spangenberg, Mozol and Friedel

EXCUSED: 1 - Hart

NON VOTING: 1 - Shakoor, II

City Plan Commission Report, by Ald. Holding

[09-3582](#)

Subject: Request by Lincoln Lutheran of Racine for an extension of a planned development approval for Woodland Pointe Condominiums. (Res.09-1468)

Recommendation of the City Plan Commission on 5-27-09: That an extension be granted to June 17, 2010 to Lincoln Lutheran of Racine for the construction deadline for the planned development of Woodland Pointe Condominium project.

Fiscal Note: N/A

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

[09-3732](#)

Subject: (Direct Referral) Review of a Certified Survey Map (CSM) for 1130 Washington Avenue. (Res.09-1469)

Recommendation of the City Plan Commission 6-10-09: That the CSM be approved subject to staff conditions.

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

AYES: 12 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, McCarthy, DeHahn, Holding, Wisneski, Spangenberg and Mozol

EXCUSED: 1 - Hart

NON VOTING: 2 - Shakoor, II and Friedel

09-3734

Subject: (Direct Referral) Consideration of a request from Curt Pruitt, representing Racine Joint Venture, d/b/a Regency Mall, seeking consideration of a request to amend a conditional use permit to allow additional locations for outside events and to extend the time period in which tent sales may be conducted. (Res.09-1470)

Recommendation of the City Plan Commission on 6-10-09: That this item be approved subject to staff recommendations.

Fiscal Note: N/A

This Communication was Referred to the City Plan Commission

Redevelopment Authority of the City of Racine Report, by Ald. Spangenberg09-3493

Subject: (Direct Referral) Sale of 1130 Washington Avenue for redevelopment.

Recommendation of the Redevelopment Authority on 5-6-09: That a 90-day option on 1130 Washington Avenue be granted to Abdo Markethouse, LLC.

Recommendation of the Redevelopment Authority on 6-3-09: To reaffirm the selection of Abdo Markethouse, LLC granting them a 90-day option on 1130 Washington Avenue.

Fiscal Note: Sale price for the property will be \$70,000 and will be specified in the development agreement. The developer's costs associated with the option are estimated at \$1,153.00 based on 2007-08 expenses.

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

AYES: 11 - Coe, Anderson, Maack, Weidner, McCarthy, DeHahn, Holding, Wisneski, Spangenberg, Mozol and Friedel

NOES: 2 - Shields and Kaplan

EXCUSED: 1 - Hart

NON VOTING: 1 - Shakoor, II

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

08-1984

Subject: Communication from Brett Kaydo wishing to discuss a water sport rental company for North Beach. (Res.09-1472)

Recommendation of the Board of Parks, Recreation & Cultural Services 4-23-08: that the request be referred to the City Attorney for review and that the item come back before the Board of Parks, Recreation & Cultural Services with the Attorney's recommendation for the committee's final approval.

Recommendation of the Board of Parks, Recreation & Cultural Services 5-14-08: Defer

Recommendation of the Board of Parks, Recreation & Cultural Services 6-11-08: Defer

Recommendation of the City Attorney on 10-21-08: the Item be received and filed.

Recommendation of the Board of Parks, Recreation & Cultural Services 5-13-09: approve

Fiscal Note: N/A

Alderman McCarthy requested that item 08-1984 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: 9 - Coe, Shields, Maack, Weidner, McCarthy, Holding, Wisneski, Spangenberg and Friedel

NOES: 4 - Anderson, Kaplan, DeHahn and Mozol

EXCUSED: 1 - Hart

NON VOTING: 1 - Shakoor, II

09-3644

Subject: Communication from Racine Community Tennis Association to appear before the Board of Parks, Recreation & Cultural Services to discuss tennis in the Racine community and the courts at Lockwood Park.

Recommendation of the Board of Parks, Recreation and Cultural

Services 6-10-09: that the communication be received and filed.

Fiscal note: N/A

Alderman McCarthy requested that item 09-3644 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: 13 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, McCarthy, DeHahn, Holding, Wisneski, Spangenberg, Mozol and Friedel

EXCUSED: 1 - Hart

NON VOTING: 1 - Shakoore, II

09-3730

Subject: Communication from Beachside Rentals requesting to have a concession at North Beach to rent beach chairs, umbrellas and cabanas. (Res.09-1471)

Recommendation of the Board of Parks, Recreation and Cultural Services 6-10-09: that the request be approved.

Further recommend the City Attorney draft the conditions for entering into an agreement.

Fiscal note: 5% of net receipts the first year; 10% of net receipts the second year; 15% of net receipts the third year.

Alderman McCarthy requested that item 09-3730 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: 13 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, McCarthy, DeHahn, Holding, Wisneski, Spangenberg, Mozol and Friedel

EXCUSED: 1 - Hart

NON VOTING: 1 - Shakoore, II

G. Consent Agenda - Resolutions

Res.09-1446

Permission granted to Racine County Convention and Visitors Bureau and HFP Racing to use City right-of-way for Spirit of Racine Triathlon

Resolved, that the Racine County Convention and Visitors Bureau and HFP Racing be granted permission to close the following streets and to utilize certain other City streets, as indicated, on their race map, for the Spirit of Racine Triathlon to be held on Saturday, July 18, 2009, from 3:00 a.m. to noon, and on Sunday, July 19, 2009, from 3:00 a.m. to 7:00 p.m.,

Barker Street from Main Street to its terminus with Lake Michigan,
Goold Street from Main Street to Michigan Boulevard,

Augusta Street from Main Street to Michigan Boulevard,
Wolff Street from Main Street to Michigan Boulevard,
William Street from Main Street to Michigan Boulevard,
Lombard Avenue from Main Street to Michigan Boulevard,
Lakecrest Drive from Main Street to Michigan Boulevard;

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. The sponsor shall pay a \$700.00 special event fee.
- F. Sponsor shall be responsible for placement of all traffic control devices.

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, to assist in implementing this event.

Sponsors: Gregory Holding

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

[Res.09-1447](#)

Permission granted to Douglas Avenue Business District to paint trolley poles and install hanging baskets along Douglas Avenue

Resolved, that permission be granted to the Douglas Avenue Business Improvement District to paint the street lighting and trolley poles along Douglas Avenue, from Yout Street to State Street, and that they be granted permission to install hanging baskets from the street light poles with the following stipulations:

- A. Douglas Avenue BID conduct testing for lead based paints and provide the results to the City of Racine.
- B. Douglas Avenue BID provide all necessary traffic controls.
- C. Douglas Avenue BID pay for the necessary removal and replacement of all traffic signs currently mounted on the aforementioned poles.
- D. Douglas Avenue BID provide a Hold Harmless Agreement and a Certificate of Liability Insurance.

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

Sponsors: Gregory Holding

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

Res.09-1449

Contract for Solid Waste Garage Insulation be awarded to Bane-Nelson, Inc.

Resolved, that Contract 43-09 (K9-044), Solid Waste Garage Insulation, be awarded to Bane-Nelson, Inc., Kenosha, WI, at its bid price of \$36,000.00 plus Alternate Bids 1 through 4, for a total contract of \$95,600.00, it being the lowest responsible bidder.

Further resolved, that funding to defray the cost of this public works project be appropriated from Account 989.410.5010, Solid Waste Garage Insulation.

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.09-1450

Contract for Roof Replacement at DPW Equipment Maintenance Garage and Central Heating Plant be awarded to Carlson Racine Roofing

Resolved, that Contract 46-09 (K9-047), Roof Replacement at DPW Equipment Maintenance Garage and Central Heating Plant, be awarded to Carlson Racine Roofing and Sheet Metal, Inc., Racine, WI, at its bid price of \$20,810, it being the lowest responsible bidder.

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

\$16,900.00 - Account 401.989.5760, Equip. Garage-Roof Repl.
\$ 3,910.00 - Account 989.220.5010, CHP-Replace Roof
\$20,810.00 - 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.09-1451

Amendment No. 1 to State Project Ohio Street, Durand Avenue to 21st Street, be approved

Resolved, that Amendment No. 1 to State Contract ID: 2704-05-00, Ohio Street, Durand Avenue (STH 11) to 21st Street, Clark Dietz, Inc., consultant, be approved in the amount of \$14,687.48, with the City's share being \$2,937.50.

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

\$ 63.35 - Account 988.908.5060, Ohio St.-21st St. to Durand Ave.
\$2,874.15 - Account 988.908.5010, Concrete Pavement-Misc. Loc.
\$2,937.50 - 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.09-1452

Permission to issue P-Card to BUS staff for Bus purchases

Resolved, that a City of Racine P-card be issued to BUS staff for the purchase of bus parts.

Fiscal Note: N/A

Sponsors: James T. Spangenberg and Raymond DeHahn

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

Res.09-1453

Racine/Sturtevant Joint Pavement Agreement be approved

Resolved, that the Racine/Sturtevant Joint Pavement Agreement be approved.

Fiscal Note: The Agreement provides for a credit for temporary asphalt pavement restoration.

Sponsors: James T. Spangenberg and Ronald D. Hart

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

Res.09-1454

Permission granted to Police Chief to apply for and accept 2009 Bureau of Justice Assistance Grant

Resolved, that permission be granted for the Police Chief to apply for and accept the 2009 Bureau of Justice Assistance (BJA) Edward Byrne Justice Assistance Grant (JAG), (Grant Control #2009-022). The grant is in the amount of \$88,805 to be split with Racine County Sheriff's Department. The City's portion of the award will be \$44,402.50, with no City match.

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

Sponsors: James T. Spangenberg and Aron Wisneski

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

APPROVED.**Res.09-1455**

Permission granted to Police Chief to apply for and accept the 2009 Bulletproof Vest Partnership Grant

Resolved, that the Police Chief be granted permission to apply for and accept the 2009 Bulletproof Vest Partnership Grant (Grant Control #2009-023) in the amount of \$17,550.

Fiscal Note: This grant will reimburse 50% of the cost of vests purchased in 2009. The remainder of the cost is budgeted in the Police Department.

Sponsors: James T. Spangenberg and Aron Wisneski

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

Res.09-1456

Permission granted to Fire Chief to apply for, and if awarded, to accept 2009 FEMA Fire Act Grant to replace Special Teams Equipment Truck

Resolved, that permission be granted for the Fire Chief to apply for and if awarded, accept the 2009 FEMA Fire Act Grant to replace Special Teams Equipment Truck. (Grant Control #2009-019). The grant request is for \$450,000.

Fiscal Note: 20% local hard-match if grant is awarded; will come from State Hazmat Funds (Fund 268). There are no levy dollars needed for this project.

Sponsors: James T. Spangenberg and Aron Wisneski

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

Res.09-1457

Permission for Fire Chief to apply for, and if awarded, to accept 2009 FEMA Fire Act Grant to install emergency power generators and acquire physical fitness equipment for outlying fire stations

Resolved, that permission be granted for the Fire Chief to apply for and if awarded, accept the 2009 FEMA Fire Act Grant to install emergency power generators and to acquire physical fitness equipment for outlying fire stations. (Grant Control # 2009-020). The total grant request for both projects is \$184,000.

Fiscal Note: 20% local hard match if grant is awarded; will come from the Carry-Forward funds out of the 2009 Budget and a portion will come from the State HazMat Funds (Fund 268).

Sponsors: James T. Spangenberg and Aron Wisneski

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

Res.09-1458

Permission granted for Fire Chief to accept OJA/UASI Grant for acquisition of HazMat Monitoring Equipment

Resolved, that permission be granted to the Fire Chief to accept OJA/UASI Grant 2008/2006-HS-18G-6679 for the acquisition of HazMat monitoring equipment. (Grant Control # 2009-021). The grant request is in the amount of \$44,000.

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

Sponsors: James T. Spangenberg and Aron Wisneski

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

Res.09-1459

Permission granted for Fire Chief to apply for Federal Stimulus Funds through Department of Homeland Security, Fire Fighters Fire Station Construction Grant Program

Resolved, that permission be granted to the Fire Chief to apply for Federal Stimulus Funds through the Department of Homeland Security, ARRA Assistance to Fire Fighters Fire Station Construction Grant (Grant Control # 2009-028) to replace Fire Station 6.

Fiscal Note: Local match of 20% to be budgeted under the 2010 CIP program using General Obligation funds.

Sponsors: James T. Spangenberg and Aron Wisneski

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

Res.09-1460

Permission granted to Acting Public Health Administrator to accept additional funds from Division of Public Health for Cities Readiness Initiative Preparedness Grant

Resolved, that permission be granted for the Acting Public Health Administrator to accept additional funds in the amount of \$2,000 from the Division of Public Health, Department of Health Services for the Cities Readiness Initiative Preparedness grant (Grant Control No. #2008-051). The funds will be used for preparedness activities. The contract period is September 1, 2008 through July 31, 2009.

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.09-1461

Permission granted for Acting Public Health Administrator to accept funds and for Mayor and City Clerk to enter into contract with State of Wisconsin DNR for implementing Wisconsin Beach Monitoring Program

Resolved, that permission be granted for the Acting Public Health

Administrator to accept funds of \$7,225 and for the Mayor and City Clerk to enter into a contract with the State of Wisconsin, Department of Natural Resources for implementing the Wisconsin Beach monitoring program (Grant Control #2008-019). The contract period begins upon execution of the contract by both parties and continues through September, 2009.

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.09-1462

Permission granted for Grant Facilitator to apply for and accept U.S. Department of Human Services, Centers for Disease Control and Prevention, 2009 Building Strategic Alliances for Health Housing Pilot Program Grant

Resolved, that permission be granted to the Grant Facilitator to apply for and accept the U.S. Department of Human Services, Centers for Disease Control and Prevention, 2009 Building Strategic Alliances for Healthy Housing Pilot Project (Grant Control No. 2009-024) in the amount of \$220,00 with a project period of two years.

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.09-1463

Permission granted for Grant Facilitator to apply and accept U.S. Department of Human Services American Recovery and Reinvestment Act Grant

Resolved, that permission be granted to the Grant Facilitator to apply for and accept the U.S. Department of Human Services, Office of Community Services, American Recovery and Reinvestment Act - Strengthening Communities Fund-State, Local, and Tribal Government Capacity Building Program (Grant Control No. 2009-025). The grant is for \$250,000 with a project period of two years.

The goal of the Capacity Building program is to build the capacity of City of Racine services through the Grants Facilitator position and of non-profit organizations in their respective service areas, whether secular or faith based, and to maximize their social impact as they provide services to address economic recovery issues present in their communities. The City and non-profit organizations receiving assistance will be better equipped as a result of this grant program. The initiative is further designed to build the capacity of non-profit organizations to access ARRA efforts/benefits and has the following specific objectives:

Helping organizations develop the capacity to offer additional services based

on new needs that have arisen from the economic downturn and new relevant ARRA efforts/programs for which the organizations might be eligible (e.g., offering weatherization activities or green jobs training).

Helping organizations form new partnerships to apply for ARRA funding/programs.

Helping organizations form/strengthen partnerships to better facilitate referrals for services/benefits.

Fiscal Note: There is a 20% in-kind or cash match (\$62,500) for this grant.

Sponsors: James T. Spangenberg

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

Res.09-1465

Amendment No. 1 for engineering services North Beach Sanitary Lift Station be approved

Resolved, that Amendment No. 1 for engineering services for preparing plans and specifications North Beach Sanitary Lift Station for North Beach Park by AECOM be approved in the amount of \$7,000.000 for a total contract amount of \$28,110.00.

Fiscal Note: Funds are available in Account 989.700.5050, North Beach Lift Station, at a cost not to exceed \$7000.00.

Sponsors: Aron Wisneski

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

Res.09-1466

Contract 45-09 (K9-046), Door and Window Replacement at Tyler-Domer and Dr. King Community Centers and Park Service Center be awarded to Softer Lite Window Company

Resolved, that Contract 45-09 (K9-046), Door and Window Replacement at Tyler-Domer and Dr. King Community Centers and Park Service Center be awarded to Softer Lite Window Company, Chicago, Illinois, at its bid price of \$99,970, it being the lowest responsible bidder.

Fiscal Note: Funds are available in Account 989.670.5010, Tyler Domer Door and Windows, \$98,240.00, and Account 988.660.5010, ML King Door and Window Replacement, \$1730.00.

Sponsors: Aron Wisneski

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

Res.09-1467

Conditional Use Permit be approved for 1333 Douglas Avenue

Resolved, that the request by Margaret Brockman, representing the High

Rollers Motorcycle Group, for a Conditional Use Permit for a meeting hall at 1333 Douglas Avenue, be approved, subject to the following conditions:

- a. That the plans presented to the Plan Commission on May 27th 2009, and the Access Corridor on May 29th, 2009 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 the project be reviewed and approved by the Access Corridor Design Review Committee prior to Occupancy Permit.
- d. That the parking lot be paved and striped no later than October 1, 2009. If paving is not complete by this date, the group and/or property owner shall submit a letter of credit in the amount equaling the cost of asphalt paving, and striping, of the site to the Department of City Development.
- e. That the areas of fencing around the property in need of repair be fixed using 6' high wood planks.
- f. The dumpster shall be enclosed & gated with a 6' high wood plank screen.
- g. That all existing signage on the building be removed, including the supporting structure for the wall sign on the south side of the building, prior to occupancy. Future signage, if requested, will require review and approval by the Director of City Development and Access Corridor Committee.
- h. That all applicable permits for a private club, including permits for alcohol sales and consumption, be obtained and all regulations complied with.
- i. That the day and hours of the site be limited to 9:00 a.m. - midnight, Sunday through Thursday, and 9:00 a.m. - 1:00 a.m., Fridays and Saturdays.
- j. The applicant shall submit a landscape plan providing detail on where and what will be planted along the rear, side, and front of the building prior to occupancy.
- k. All junk and debris on the property shall be cleared and removed from the site prior to occupancy.
- l. That all activities permitted by this conditional use permit amendment be confined to the indoor spaces after 8:00 p.m., as indicated on the floor plans submitted with the application.
- m. That all codes and ordinances be complied with and required permits acquired.
- n. 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.

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

p. That the item be brought back to the Plan Commission for review in 6 months and a notice be sent to everyone within 200'.

Fiscal Note: N/A

Sponsors: Gregory Holding

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

Res.09-1468

Extension be granted to Lincoln Lutheran of Racine for Woodland Pointe Condominiums

Resolved, that an extension be granted to June 17, 2010 to Lincoln Lutheran of Racine for the construction deadline for the planned development of Woodland Pointe Condominium project.

Fiscal Note: N/A

Sponsors: Gregory Holding

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

Res.09-1469

Certified Survey Map for Redevelopment Authority for property at 1130 Washington Avenue be approved subject to conditions

Resolved, that the Certified Survey Map (CSM) for the Redevelopment Authority of the City of Racine for property at 1130 Washing Avenue be approved, subject to the following conditions:

a. That the CSM presented to the Plan Commission on June 10, 2009 be approved subject to the conditions contained herein.

b. That all technical discrepancies as identified by City staff be addressed.

Fiscal Note: N/A

Sponsors: Gregory Holding

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

Council Action

A motion was made by Alderman David L. Maack that this be Considered as Reported to Adopt the Report. Adopted by the following vote:

AYES: 13 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, McCarthy, DeHahn, Holding, Wisneski, Spangenberg, Mozol and Friedel

EXCUSED: 1 - Hart

NON VOTING: 1 - Shakoor, II

H. Resolutions

Res.09-1445 Vacation of alley bounded by 20th Street, DeKoven Avenue, Kearney Avenue and Hickory Grove Avenue

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

The alley bounded by 20th Street, DeKoven Avenue, Kearney Avenue and Hickory Grove Avenue.

Fiscal Note: Not applicable.

Sponsors: Gregory Holding

A motion was made Referred to the City Plan Commission

Res.09-1464 Permission granted to create and post new City position of Infrastructure Manager

Resolved, that permission be granted to create and post the new City position of Infrastructure Manager in the Management Information Systems Department.

Fiscal Note: Prospective Annualized Savings of \$17,200.00.

Sponsors: James T. Spangenberg

A motion was made that the resolution be adopted as amended.

AYES: 13 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, McCarthy, DeHahn, Holding, Wisneski, Spangenberg, Mozol and Friedel

EXCUSED: 1 - Hart

NON VOTING: 1 - Shakoor, II

Res.09-1448 City of Racine's objection to the State's implementation of increased fees impacting the disposal of solid waste

WHEREAS, the State of Wisconsin is in the process of enacting AB 75, State Budget Bill; and

WHEREAS, the Bill contains drastic increases in municipal fees for disposal of solid waste and other tipping fees; and

WHEREAS, the City of Racine simply cannot afford such increases.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor of the City of Racine be authorized and directed to send a letter to all Racine delegates of the State legislature objecting to the increased fees.

Fiscal Note: N/A

Sponsors: Gregory Holding and Sandy Weidner

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

AYES: 13 - Coe, Anderson, Shields, Kaplan, Maack, Weidner, McCarthy, DeHahn, Holding, Wisneski, Spangenberg, Mozol and Friedel

EXCUSED: 1 - Hart

NON VOTING: 1 - Shakoor, II

Res.09-1470

Amendment of Conditional Use Permit for Racine Joint Venture, d/b/a Regency Mall, be approved subject to conditions

Resolved, that the request from Curt Pruitt, representing Racine Joint Venture, d/b/a/ Regency Mall, seeking consideration of a request to amend the Conditional Use Permit to allow additional locations for outside events be approved, subject to the following conditions:

- a. That additional locations for outside events be the parking area of the current Burlington Coat Factory and the former Chi-Chi's restaurant site.
- b. That as an amendment to the language of Plan Commission approval of May 30, 2001, conditions "c," strike the phrase "tent sales no more than once a month," and replace it with the phrase "tent or any other temporary buildings or shelters used to accommodate temporary sales or events may be permitted, and allowed for a time period of up to 30 consecutive days."
- c. That all other conditions regulating outside events be complied with as stated in Common Council Resolution No. 6302 of August 21, 1979, or as amended by the action of the Plan Commission on May 30, 2001, by Common Council Resolution No. 6217 of November 16, 2004, and by Common Council Resolution No. 07-0393 of August 21, 2007, unless otherwise amended herein.

Fiscal Note: N/A

Sponsors: Gregory Holding

A motion was made Referred to the City Plan Commission

Res.09-1471

Request from Beachside Rentals be approved subject to entering into an agreement to be executed by the Mayor and City Clerk.

Resolved, that the request from Beachside Rentals to have a concession at North Beach to rent beach chairs, umbrellas and cabanas be approved subject to entering into an agreement as drafted by the City Attorney, and

that the Mayor and City Clerk be authorized and directed to enter into the agreement.

Fiscal Note: 5% of net receipts the first year; 10% of net receipts the second year and 15% of net receipts for the third year.

Sponsors: Aron Wisneski

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

AYES: 11 - Coe, Shields, Kaplan, Maack, Weidner, McCarthy, Holding, Wisneski, Spangenberg, Mozol and Friedel

NOES: 2 - Anderson and DeHahn

EXCUSED: 1 - Hart

NON VOTING: 1 - Shakoor, II

Res.09-1472 Approval of agreement for Sport Rental Company at North Beach and Mayor and City Clerk enter into agreement

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with Brett Kaydo, d/b/a Pier 29 Water Sports Rental, for a water sport rental company at North Beach for a period of three years commencing on June 1, 2009 through Labor Day, 2011 with an option to renew for two years upon agreement of both parties. The City will receive a percentage of the net receipts as follows: 5% per the first year; 10% the second year and 15% for third year.

Fiscal Note: Payment to the City will be at the end of the season.

Sponsors: Terry McCarthy

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

AYES: 9 - Coe, Shields, Maack, Weidner, McCarthy, Holding, Wisneski, Spangenberg and Friedel

NOES: 4 - Anderson, Kaplan, DeHahn and Mozol

EXCUSED: 1 - Hart

NON VOTING: 1 - Shakoor, II

I. Ordinances

Ord.15-09 Ordinance 15-09

To amend Secs. 22-832, 22-835 (1) a. and (1) b., 22-835 (8), 22-835 (13), 22-836 (a) and (c), 22-837, and Sec. 22-838 (a) and (b) of the Municipal Code of the City of Racine, Wisconsin relating to Business, Professions and

Occupations - Motor Vehicle Recovery and Towing.

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

Part 1:

Sec. 22-832 of the Municipal Code of the City of Racine is hereby amended in the definition, second sentence, of "*Flatbed truck*" by deleting "17" and inserting "19" in its place.

Part 2:

Sec. 22-835 (1) a. and (1) b., (8), and (13) of the Municipal Code of the City of Racine are amended to read as follows:

"a. One flatbed truck and two Class A wreckers, equipped with wheel lifts.

b. One class B wrecker, single-or twin-boom, which has either air brakes or an auxiliary air supply which is ready and available for use in the recovery or towing of motor vehicles which have an air brake system, and which is equipped with a mechanical or hydraulic power supply and dual rear wheel units."

(8) Delete the phrase "micro locks for the brakes" and insert "50 feet for each flatbed" after the word "winch" in the first sentence. Delete the last sentence of the paragraph.

(13) Delete the phrase "chauffeur's license number" and insert "appropriate commercial/regular driver's license number" in its place.

Part 3:

Sec. 22-836 (a) and (c) of the Municipal Code of the City of Racine are hereby amended as follows:

(a) In the fourth sentence, delete the phrase "city director of transportation" and insert "traffic engineer" in its place.

(c) In the first sentence, after the word "vehicles" insert the words "abandoned vehicles" and insert a comma after the word "evidence" in the first sentence.

Part 4:

Sec. 22-837 of the Municipal Code of the City of Racine is hereby amended by inserting a period after the word "year" in the first sentence and deleting "except that, with respect to towing abandoned vehicles, such services are required only from 7:00 a.m. to 7:00 p.m., Monday through Saturday."

Part 5:

Sec. 22-838(a) and (b) of the Municipal Code of the City of Racine is hereby amended to read as follows:

“(a) The licensees agree to tow vehicles as provided under this article at rates not exceeding those as indicated below. All billings made for towing of vehicles as “tows for city - to city lot(s)” and “vehicles owned by the city” shall be made to the police department. Any billings for “General Public” tows shall be made directly to the vehicle owner.

(b) Licensees may, from time to time, request the Public Safety Committee to review the towing rates set forth in the schedule agreed to by the parties, the original of which is retained by the Racine Police Department and dated July 7, 2009, and make recommendations to the common council as to adjustments in the rates according to generally acceptable towing industry standards.”

Part 6:

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: Aron Wisneski

Referred to Public Safety and Licensing Committee

J. Miscellaneous Business

Alderman Weidner thanked staff for going above and beyond their duties to make sure the Carnival was able to operate the previous weekend.

K. Adjourn

The meeting was adjourned at 9:10p.m. by President Shakoor. The next scheduled meeting of the Council is July 7, 2009.

ATTEST: JANICE M. JOHNSON-MARTIN
CITY CLERK