



City of Racine

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

Meeting Agenda - Final Common Council

*Alder Jeff Coe
Alder Mollie Jones
Alder John Tate II
Alder Tracey Larrin
Alder Steve Smetana
Alder Sandy Weidner
Alder Maurice Horton
Alder Q.A. Shakoor II
Alder Terry McCarthy
Alder Carrie Glenn
Alder Mary Land
Alder Henry Perez
Alder James Morgenroth
Alder Jason Meekma
Alder Melissa Lemke*

Wednesday, April 3, 2019

7:00 PM

City Hall, Room 205

Wednesday due to Election

A. Call To Order

B. Pledge of Allegiance To The Flag

C. Proclamations

[0344-19](#) Subject: Arbor Day Proclamation

D. Approval of Journal of Council Proceedings (Minutes) March 19, 2019

E. Public Comments

Office of the City Clerk

[0341-19](#) Subject: ELECTION REPORT FOR SPRING ELECTION HELD ON
APRIL 2, 2019 as attached.

Attachments: [2019 Unofficial results](#)

F. Communications

Refer to Finance and Personnel Committee, by Ald. Shakoor II

[0328-19](#) **Subject:** Communication from Chief Howell requesting to sole source K-9 acquisitions

[0329-19](#) **Subject:** Communicaton from Chief Howell requesting approval to purchase K-9 Maxx from Patriot K-9 LLC

[0338-19](#) **Subject:** Purchasing Agent wishing to discuss the bid results for Official Notice #2-2019 - Request for Proposals for Beer Garden Concession Services.

[0349-19](#) **Subject:** Communication from the City Attorney submitting the claim of Katy Lowe for consideration.

Attachments: [lowe](#)

Refer to Public Works and Services Committee, by Ald. Tate II

[0336-19](#) **Subject:** Communication from the President of Fourth Fest of Greater Racine, Inc., requesting permission to use City right-of-way for the 4th of July Parade on July 4, 2019.

Attachments: [0336-19 4th Fest 2019.pdf](#)

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

[0339-19](#) **Subject:** Communication from Fourth Fest of Greater Racine, Inc. requesting use of North Beach along North Pier for shooting fireworks on 7-4-19.

Attachments: [0339-19_4th Fest Fireworks Request](#)

[0340-19](#) **Subject:** Communication from Downtown Racine Corporation requesting permission to host the Downtown Racine Fashion Show with amplified sound and the serving of malt beverages on Monument Square, 8-31-19 from 7 - 9 p.m.

Attachments: [0340-19 DRC Fashion Show Letter](#)

G. Committee Reports

Finance and Personnel Committee Report, by Ald. Shakoor II

[0290-19](#) **Subject:** Communication from the Assistant Commissioner of Public Works/City Engineer requesting permission to apply for the 2019 WDNR Urban Nonpoint Source & Storm Water Planning Grant for Redevelopment Area/City Parks (Grant Control No. 00227).

Recommendation of the Finance & Personnel Committee on**03-25-2019:** To authorize the City Engineer to apply for the grant.

Fiscal Note: The estimated cost of this project is \$55,000. If the City is awarded the 50-50 cost share grant; the intention would be to fund the remaining \$27,500 from the Parks Department - \$6,250, RDA - \$6,250, and Storm Water Utility - \$15,000.

Sponsors: Q.A. Shakoor II

Attachments: [0290-19, Memo 2019 WDNR Urban Nonpoint Source & Storm Water Planning](#)
[#0290-19 Resolution with added language](#)

[0299-19](#)

Subject: Communication from Mayor Mason requesting approval of a Developers Agreement between the City of Racine and Racine Harborside, LLC (Royal Capital Group, LLC, Manager) relating to the public improvements proposed for the @NorthBeach Development at 1129 Michigan Blvd.

Recommendation of the Finance & Personnel Committee on

03-25-2019: That the Developers Agreement between the City of Racine and Racine Harborside, LLC (Royal Capital Group, LLC, Manager) relating to the public improvements proposed for the @NorthBeach Development at 1129 Michigan Blvd be approved.

Fiscal Note: N/A

Sponsors: Q.A. Shakoor II

Attachments: [Agenda Briefing Memo Developer's Agreement @NorthBeach](#)
[Racine Harborside Developer's Agreement](#)
[Harborside DA updated 4-1-19 w- exhibits](#)
[#0299-19 Resolution](#)

[0324-19](#)

Subject: (Direct Referral) Communication from Mayor Mason requesting acceptance and approval of an Offer to Purchase and Addendum, Mortgage and Mortgage Addendum, and Note relating to the land sale and land seller financing between the City of Racine and Racine Harborside, LLC (Royal Capital Group, LLC, Manager) for the proposed @North Beach Development at 1129 Michigan Blvd.

Recommendation of the Finance & Personnel Committee on

03-25-2019: To authorize and approve the attached series of documents between the City and Racine Harborside, LLC for the conveyance of property at 1129 Michigan Boulevard in order to facilitate the @North Beach Development project consistent with the terms of the Tax Increment Financing Agreement; specifically consisting of: an Offer to Purchase;

Promissory Note; and mortgage lien.

Fiscal Note: Following the Tax Increment Financing Agreement between the City of Racine and Racine Harborside, LLC in #1291-18 Resolution the following terms are set forth in these documents: 1.) Offer to purchase City property at 1129 Michigan Boulevard from Racine Harborside, LLC in the amount of \$3,250,864.00 subject to the conditions within the officer and Addendum A; 2.) Promissory note between Racine Harborside, LLC and the City of Racine to pay the City of Racine \$3,250,864 through annual installment payments of \$160,776 between December 1, 2020 and December 1, 2033 and one balloon payment on or before December 1, 2034 of \$1,000,000; 3.) A mortgage lien against the property at 1129 Michigan Boulevard to Racine Harborside, LLC of \$3,250,864, including Addendum A which contains subordination and standstill terms.

Sponsors: Q.A. Shakoor II

Attachments: [1129 Michigan Blvd OTP and Addendum](#)
[#0324-19 Resolution](#)

[0301-19](#)

Subject: Communication from the Mayor requesting to add one member to the Affirmative Action and Human Rights Commission to accommodate the newly created disability liaison position.

Recommendation of the Finance & Personnel Committee on

03-25-2019: To add members up to an odd amount to include the newly created disability liaison position and a member of the LGBTQ community.

Fiscal Note: N/A

Public Safety and Licensing Committee Report, by Ald. Coe

[0282-19](#)

Subject: (Direct Referral) Communication from the Purchasing Agent submitting bids received for the sale of Abandoned Vehicles, March 13, 2019.

Recommendation of the Public Safety and Licensing Committee on

03-26-19: That the item be Received and Filed as the highest responsible bidder from the three bids was Waukesha Iron and Metal.

Fiscal Note: This will generate \$20,090.00 in revenue for account 13101 48301.

Attachments: [abandoned veh results.pdf](#)

[0283-19](#)

Subject: Ordinance 0003-19 - Sec. 66-261 Possession of Marijuana Forfeitures

Recommendation of the Public Safety and Licensing Committee on

02-26-19: That Ordinance 0003-19 - Sec. 66-261 Possession of Marijuana Forfeitures be deferred for two weeks.

Recommendation of the Public Safety and Licensing Committee on

03-12-19: That Ordinance 0003-19 - Sec. 66-261 Possession of Marijuana Forfeitures be approved with the following change:

Changing the proposed Ordinance to set the forfeiture to \$75 and not a sliding range of \$1 to \$75

Fiscal Note: N/A

City Plan Commission Report, by Ald. Meekma

[0327-19](#)

Subject: (Direct Referral) Consideration of ordinance language establishing locational and aesthetics standards for small cell wireless communication facilities within the City of Racine. (PC-19)

Recommendation of the City Plan Commission on 03-27-19: That an ordinance be prepared and a public hearing scheduled.

Fiscal Note: N/A

Attachments:

[ABM Small Cell Wireless](#)

[Zoning Ordinance XX-19 Small Wireless Facilities Aesthetics 03.26.2019](#)

[#Zoning Ordinance 0002-19 - Small Wireless Facility Aesthetics - Legistar version](#)

Committee of the Whole Report, by Ald. Meekma

[0388-18](#)

Subject: Communication from the Alderman of the 15th District, requesting a meeting of the Committee of the Whole for the purpose of receiving an update on the progress of the bulky waste collection process.

Recommendation of the Committee of the Whole on 03-26-2019: the Item be Received and Filed.

Fiscal Note: N/A

[0389-18](#)

Subject: Communication from the Alderman of the 15th District, requesting a meeting of the Committee of the Whole to discuss a process for green waste collection.

Recommendation of the Committee of the Whole on 03-26-2019: the Item be Received and Filed.

Fiscal Note: N/A

[0876-18](#)

Subject: Communication from the Alderman of the 6th requesting to revise all city ordinance to codify what constitutes a quorum for all city boards, commissions, and committees.

Recommendation of the Committee of the Whole on 03-26-2019:

That the City Attorney's office create an ordinance to provide a specific quorum of a simple majority of the membership for all governmental bodies of the City of Racine, except the Common Council.

Fiscal Note: N/A

[0877-18](#)

Subject: Communication from the Alderman of the 6th requesting to codify an appellant's ability to speak to their appeal for all boards, commissions, and committees.

Recommendation of the Committee of the Whole on 03-26-2019: the City Attorney's Office create an ordinance constituting all alders of City of Racine ex officio members of any governmental body that reports to the City of Racine Common Council and that the chairperson of any governmental body other than the City of Racine Common Council must recognize any person with a direct interest in an agenda item and allow that person to speak to such item.

Fiscal Note: N/A

[0249-19](#)

Subject: Communication from Alder Weidner requesting that a Committee of the Whole meeting to be scheduled and held within 30 days for the purpose of discussing the contract for operating the Civic Centre.

Recommendation of the Committee of the Whole on 03-26-2019: to extend the City's contract with VenuWorks for one year, effective at the end of the currently-existing extension, and for the City Administrator to provide the Common Council with a proposal for bidding for the successor Civic Centre management contract no later than September 1, 2019.

Fiscal Note: to be determined.

Office of the Mayor Report, by Ald. Meekma

Presentation from the Purchasing Agent on Cornerstone Appeal Process

[0253-19](#)

Subject: (Direct Referral) Communication from Mayor Mason submitting Bid Results on Contract 20190002, Three Mile Road Reconstruction Phase 2 (RW).

Recommendation of the Public Works and Services Committee on 03-12-19: Defer

Fiscal Note: Funds are available as herein delineated.

Due to a Lack of Quorum, Staff Recommendation to the Common Council on 04-03-19: That bids for Contract 20190002, Three Mile Road Reconstruction Phase 2 (RW), be awarded to LaLonde Contractors, Inc., at its bid price of \$1,202,351.50, it being the lowest responsible bidder.

Further recommends that funds to defray the cost of this Public Works Department project be appropriated from the below Org-Objects:

\$ 283,609.52 - Org-Object 45260-57500, IG Revenue Fund
\$ 622,294.80 - Org-Object 45260-57500, IG Revenue Fund (Caledonia Portion)
\$ 25,821.13 - Org-Object 40104-57510, Assessable Curb & Gutter
\$ 270,626.05 - Org-Object 40104-57500, Assessable Concrete
\$1,202,351.50 - Total

Sponsors:

John Tate II

Attachments:

[0253-19 Bid Results Contract 20190002, 2019 Three Mile Road Reconstruction](#)
[0253-19 If Cornerstone Awarded Contract Bid Info.pdf](#)
[0253-19 Agenda Briefing Memo for Cornerstone Pavers LLC.pdf](#)
[0253-19 Response to Appeal.pdf](#)
[#0253-19 Resolution](#)

0254-19

Subject: (Direct Referral) Communication from Mayor Mason submitting Bid Results on Contract 20190022, 2019 Northside Assessable Streets (RW).

Recommendation of the Public Works and Services Committee on 03-12-19: Defer

Fiscal Note: Funds are available as herein delineated.

Due to a Lack of Quorum, Staff Recommendation to the Common Council on 04-03-19: That bids for Contract 20190022, 2019 Northside Assessable Streets, be awarded to Milwaukee General Construction at its bid price of \$1,635,173.87, it being the lowest responsible bidder.

Further recommends that funds to defray the cost of this Public Works Department project be appropriated from the below Org-Objects:

\$ 850,860.91 - Org-Object 40104-57500, Assessable Paving
\$ 159,706.35 - Org-Object 45040-57510, Curb and Gutter Replacement
\$ 78,257.55 - Org-Object 45040-57515, Sidewalks
\$ 176,887.40 - Org-Object 60484-57570, Storm Sewers

\$ 148,702.40 - Org-Object 22640-57560, Sanitary Sewers
\$ 220,759.26 - Org-Object 40101-57560, Sanitary Sewers WWTP
\$1,635,173.87 - Total

Sponsors: John Tate II

Attachments: [0254-19 Bid Results Contract 20190022, 2019 Northside Assessable Streets.pc](#)
[0254-19 If Cornerstone Awarded Contract Bid Info.pdf](#)
[0254-19 Agenda Briefing Memo for Cornerstone Pavers LLC.pdf](#)
[0254-19 Response to Appeal.pdf](#)
[#0254-19 Resolution](#)

0319-19

Subject: (Direct Referral) Communication from Mayor Mason submitting Bid Results on Contract 20190020, Douglas Avenue Reconstruction LRIP (RW).

Fiscal Note: Funds are available as herein delineated.

Due to a Lack of Quorum, Staff Recommendation to the Common Council on 04-03-19: That bids for Contract 20190020, Douglas Avenue Reconstruction LRIP, be awarded to LaLonde Contractors, Inc., at its bid price of \$905,176.78, it being the lowest responsible bidder.

Further recommends that funds to defray the cost of this Public Works Department project be appropriated from the below Org-Objects:

\$ 60,000.00 - Org-Object 45040-57110, Trolley Track Removal-Douglas
\$455,395.46 - Org-Object 45040-57500, Concrete Paving - Misc.
Locations
\$150,000.00 - Org-Object 45040-57500, LRIP
\$ 87,000.00 - Org-Object 45040-57520, Replace City Circuits
\$ 71,631.32 - Org-Object 45040-57530, Traffic Signal Replacement
\$ 7,750.00 - Org-Object 22640-57560, Sanitary Sewers
\$ 70,400.00 - Org-Object 60484-57570, Storm Sewers
\$ 3,000.00 - Org-Object 45040-57515, DPW Sidewalk Replacement
\$905,176.78 - Total

Sponsors: John Tate II

Attachments: [0319-19 Bid Results Contract 20190020, Douglas Ave Reconstruction LRIP.pdf](#)
[#0319-19 Resolution](#)

0318-19

Subject: (Direct Referral) Communication from Mayor Mason requesting to waive formal bidding procedures for the purchase of a Memorial Hall replacement chiller - Contract 20190043.

Fiscal Note: Funds are available in Org-Object 60623-57200, Memorial Hall-Building Improvements (Contract 20190043).

Due to a Lack of Quorum, Staff Recommendation to the Common Council on 04-03-19: That the request of the Assistant Commissioner of Public Works/Operations to waive formal bidding procedures be approved for the emergency replacement of the Memorial Hall chiller system.

Further recommends that the Assistant Commissioner of Public Works/Operations be authorized and directed to enter into an agreement to purchase a replacement chiller from Johnson Controls, for the sum of \$284,680.00, they being the sole source provider of the Metasys system used with this equipment.

Sponsors: John Tate II

Attachments: [0318-19 Waive Formal Bidding Johnson Controls Memorial Hall Chiller.pdf](#)
[#0318-19 Resolution](#)

[0342-19](#) **Subject:** Communication from Mayor Mason nominating a reappointment to the following board:

Reappoint Jessica Diaz to the Sex Offender Residency Board, expiring April 30, 2021.

Water Works Committee Report, by Ald. McCarthy

[0320-19](#) **Subject:** Developers Agreement for The Villages, Phase 1, LLC

Recommendation of the Waterworks Commission on 3-26-19:
Approve.

FURTHER RECOMMEND THAT THIS ITEM BE REFERRED TO THE
FINANCE AND PERSONNEL COMMITTEE

Fiscal Note: The Developer (Highway 20 and 90th Development, LLC) will pay for all costs associated with the new water main including design and construction-related inspection costs.

Attachments: [hwy 20 and 90th devel agrmt](#)

I. Consent Agenda

J. Ordinances

Refer to Public Works and Services

[Ord.0008-19](#) Ordinance 0008-19 - Right-of-Way Encroachments

Sponsors: John Tate II

Attachments: [Ord.0008-19 ABM ROW Encroachments PWS March 26.pdf](#)
 [Ordinance 0008.docx](#)

Refer to City Plan Commission

[ZOrd.0002-19](#) Zoning Ordinance 0002-19 - Small Wireless Facility Aesthetics

Sponsors: Jason Meekma

Attachments: [Zoning Ordinance 0002.docx](#)
 [Agenda Briefing Memorandum 1336-18](#)

K. Common Council Announcements

Announcements are limited to recognition of City residents and employees, memorials, and non-political community events. Discussion of matters related to governmental business is prohibited.

J. Adjourn

Office of The City Clerk

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