



City of Racine

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

Meeting Minutes - 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

PRESENT: 13 - Coe, Jones, Tate II, Larrin, Smetana, Weidner, Horton, Shakoor II, McCarthy, Glenn, Land, Perez and Meekma

ABSENT: 1 - Morgenroth

EXCUSED: 1 - Lemke

B. Pledge of Allegiance To The Flag

Mayor Mason led the Council in the 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

Alder Meekma made a motion to approve the minutes, seconded by Alder Shakoor II.

E. Public Comments

The following people appeared to speak before the Common Council:

*Jim DeMatthew
Jerry Hoagman
Mercedes Dzindzeleta
Gavin Stark
Scott Moherek
Jeff Coy
Felix Ramirez
John Hawley
Russell Jensen
Jay Beasley
Chris Cape*

Office of the City Clerk

[0341-19](#)

Subject: ELECTION REPORT FOR SPRING ELECTION HELD ON APRIL 2, 2019 as attached.

Alder Meekma made a motion to Receive and File, seconded by Alder Shakoor II.

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.

Recommendation of the Finance & Personnel Committee on

04-08-19: Permission be granted to sole source Police Department K-9 acquisitions through Racine Police Officer Steven Beal dba Patriot K-9, LLC.

Fiscal Note: The City will save approximately \$12,000 in the purchase price. Additional handler, travel, per diem, fuel and lodging expenses of up to \$4,000 or more are saved.

Sponsors: Q.A. Shakoor II

Referred to the Finance and Personnel Committee.

[0329-19](#)

Subject: Communication from Chief Howell requesting approval to purchase K-9 Maxx from Patriot K-9 LLC.

Recommendation of the Finance & Personnel Committee on

04-08-2019: Permission be granted to purchase K-9 "Maxx", a 20 month old AKC registered male German Shepherd from Patriot K-9, LLC.

Fiscal Note: \$4,000 purchase contract price is available in K-9 Donation account 20622.48500.31002.

Sponsors: Q.A. Shakoor II

Referred to the Finance and Personnel Committee.

[0338-19](#)

Subject: Purchasing Agent wishing to discuss the bid results for Official Notice #2-2019 - Request for Proposals for Biergarten Concession Services.

Recommendation of the Finance & Personnel Committee on 04-08-2019: That the Purchasing Agent be authorized to negotiate and contract with Hop Heads Hospitality & Events for the provision of Belle City Biergartens.

Fiscal Note: The contract will generate approximately \$5000-\$7000 in 15004 46753 (parks rental fees) for 2019.

Sponsors: Q.A. Shakoor II

Referred to the Finance and Personnel Committee.

[0349-19](#)

Subject: Communication from the City Attorney submitting the claim of Katy Lowe for consideration.

Recommendation of the Finance & Personnel Committee on 04-08-2019: That this claim be denied.

Fiscal Note: Assuming the recommendation to deny this claim is adopted, this item would have a \$0.00 impact on the City's budget.

Referred to the Finance and Personnel Committee.

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.

Recommendation of the Public Works and Services Committee on 04-09-18: That permission be granted to Fourth Fest of Greater Racine, Inc. to close certain City streets on Thursday, July 4, 2019, from 7:00 a.m. to 12:30 p.m., for the Independence Day Parade.

Fiscal Note: Since the City is a co-sponsor of this event, there are no stipulations.

Sponsors: John Tate II

Referred to Public Works and Services Committee.

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.

Referred to the Board of Park, Recreation and Cultural Services.

[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.

Referred to the Board of Park, Recreation and Cultural Services.

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

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[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

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[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

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[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

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

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.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[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

Alder Coe requested that item 0283-19 be considered separately.

A motion was made by Alder Tate II, seconded by Alder Meekma, that this Communication be Amended to read a sliding fee of \$1.00 to \$75.00. The motion FAILED by the following vote:

AYES: 5 - Jones, Tate II, Larrin, Land and Meekma

NOES: 8 - Coe, Smetana, Weidner, Horton, Shakoor II, McCarthy, Glenn and Perez

ABSENT: 1 - Morgenroth

EXCUSED: 1 - Lemke

A motion was made by Alder Coe, seconded by Alder Weidner, that this Communication be Approved. The motion PASSED by the following vote:

AYES: 11 - Coe, Tate II, Larrin, Smetana, Weidner, Horton, Shakoor II, McCarthy, Glenn, Land and Perez

NOES: 2 - Jones and Meekma

ABSENT: 1 - Morgenroth

EXCUSED: 1 - Lemke

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

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

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

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[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

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[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

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[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

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[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.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

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

Alder Meekma requested that item 0253-19 be considered separately.

A motion was made by Alder Meekma, seconded by Alder Coe, that this Communication be Approved. The motion PASSED by the following vote:

AYES: 7 - Coe, Jones, Tate II, Shakoor II, McCarthy, Land and Meekma

NOES: 4 - Smetana, Weidner, Glenn and Perez

ABSENT: 1 - Morgenroth

EXCUSED: 1 - Lemke

ABSTENTIONS: 2 - Larrin and Horton

[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

Alder Meekma requested that item 0254-19 be considered separately.

A motion was made by Alder Meekma, seconded by Alder Coe, that this Communication be Approved. The motion PASSED by the following vote:

AYES: 11 - Coe, Jones, Tate II, Larrin, Smetana, Horton, Shakoor II, McCarthy, Land, Perez and Meekma

NOES: 2 - Weidner and Glenn

ABSENT: 1 - Morgenroth

EXCUSED: 1 - Lemke

[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

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[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

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

[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.

A motion was made that this Communication be Approved as Presented. The motion was APPROVED on a Voice Vote in Consent

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.

Recommendation of the Finance & Personnel Committee on 04-08-2019: To Approve.

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.

Sponsors: Q.A. Shakoor II

Referred to the Finance and Personnel Committee.

I. Common Council Vote on Consent Agenda (Communications, Committee Reports, Resolutions)

Council Action on Consent Agenda Items

A motion was made by Alder Jason Meekma, seconded by Alder Q.A. Shakoor II, that this be Considered as Reported:

AYES: 13 - Coe, Jones, Tate II, Larrin, Smetana, Weidner, Horton, Shakoor II, McCarthy, Glenn, Land, Perez and Meekma

ABSENT: 2 - Morgenroth and Lemke

J. Ordinances

Refer to Public Works and Services

[Ord.0008-19](#)

Ordinance 0008-19 - Right-of-Way Encroachments

Sponsors: John Tate II

Referred to Public Works and Services Committee.

Refer to City Plan Commission

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

Sponsors: Jason Meekma

Referred to the City Plan Commission.

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

Alder Shakoor II made a motion to adjourn the meeting at 9:40 PM. The next scheduled meeting of the Council is Monday, April 15, 2019.

ATTEST: TARA COOLIDGE
CITY CLERK