

September 25, 2007

RESOLUTION NO. 2007-91

**RESOLUTION BY THE PUBLIC WORKS, PARKS AND FACILITIES COMMITTEE
AUTHORIZING AN AGREEMENT WITH THE RACINE HERITAGE MUSEUM FOR THE
CONSTRUCTION OF A STORAGE BUILDING AT THE RACINE COUNTY IVES GROVE
COMPLEX AND AUTHORIZATION TO ENTER INTO A 5-YEAR LEASE WITH THE
HERITAGE MUSEUM**

To the Honorable Members of the Racine County Board of Supervisors:

BE IT RESOLVED by the Racine County Board of Supervisors that contracts, easements or agreements with the Heritage Museum for the purpose of allowing the planning, design, construction, operation and maintenance of a storage building at the Ives Grove Complex ("Complex") located in the Town of Yorkville, County of Racine, Wisconsin, as identified in Exhibit "A" which is attached hereto and incorporated herein, is authorized and approved under the following terms and conditions:

1. That the purpose of said agreements is to allow the Heritage Museum (MUSEUM) to locate and construct a storage building at its sole expense.
2. That a lease agreement shall be for an initial term of five (5) years and automatically renew for additional five (5) year terms unless either party cancels the agreement.
3. That plans and designs for the building by MUSEUM be submitted to the Department of Public Works for their review and approval.
4. That MUSEUM be responsible for applying for, paying for and securing any and all necessary permits required by any government agency and that copies of any such permits are required be submitted to the Racine County Department of Public Works prior to the commencement of any work at the site. The Director of Public Works is authorized to sign any necessary documents as the property owners agent involved in securing governmental permits.
5. That MUSEUM agrees to comply with all provisions in the necessary building permits that are required for the construction of the building.
6. The agreement shall apply exclusively to MUSEUM and may not be assigned to any other party without the express written approval of the Racine County Board of Supervisors and the County Executive.
7. That MUSEUM may have use of the Complex interior road for its operational purposes during normal operating hours of the Complex.
8. That MUSEUM may not allow the use of the building to any other parties without prior written approval of the Racine County Public Works Committee.
9. That the cost of any electrical installation, maintenance or operational costs of the building shall be at the sole cost of MUSEUM.
10. That the building not be opened for public displays or use without prior written approval of the Public Works Committee.
11. That MUSEUM shall agree to indemnify, protect, save and hold harmless Racine County for any liability arising out of their use of said property.
12. Racine County shall move, remove or trim any vegetation necessary to construct the building in accordance with the approved plans and design.

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- 5 13. That Racine County shall excavate soils and prepare an aggregate base for the
- 6 building.
- 7 14. Racine County shall allow any soil or excavated material to be placed on the
- 8 highway construction yard and said material may be removed by the Racine County
- 9 Department of Public Works.
- 10 15. That the MUSEUM provide to the County lien waivers from the project prior to
- 11 occupancy and that they allow no liens to be placed on the property at any time
- 12 during the term of the lease.
- 13 16. That should for any reason the MUSEUM cease operations or not have any further
- 14 use for the building, ownership shall revert to Racine County.
- 15 17. Any other terms and conditions as deemed necessary and appropriate by the
- 16 Corporation Counsel and the Director of Public Works.

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18 **BE IT FURTHER RESOLVED** that the Racine County Board of Supervisors
19 authorizes the Corporation Counsel to prepare the agreements with all necessary terms
20 and conditions.

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22 **BE IT FURTHER RESOLVED** by the Racine County Board of Supervisors that any
23 two of the County Executive, the County Clerk and/or the County Board Chairman are
24 authorized to execute any contracts, agreements or other documents necessary to carry
25 out the intent of this resolution.

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27 Respectfully submitted,

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29 1st Reading _____

**PUBLIC WORKS, PARKS AND FACILITIES
COMMITTEE**

30
31 2nd Reading _____

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33 BOARD ACTION

Gilbert Bakke, Chairman

34 Adopted _____

35 For _____

36 Against _____

37 Absent _____

Daniel F. Sharkozy, Vice-Chairman

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39 VOTE REQUIRED: 2/3's M.E.

Mike Dawson, Secretary

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41 Prepared by:
42 Corporation Counsel

Robert D. Grove

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45 _____
Kenneth Hall

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4 _____
5 Diane Lange

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7 _____
8 Donnie Snow

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11 **INFORMATION ONLY**

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13 **WHEREAS**, the Racine County Heritage Museum provides services to citizens of
14 the County documenting Racine County history and preserving historical artifacts; and

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16 **WHEREAS**, the Heritage Museum has proposed to plan, design, construct, operate
17 and maintain a storage building at its expense to be used for the purpose of storing and
18 preserving portions of the Museum collection; and

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20 **WHEREAS**, Racine County provides financial support to the Heritage Museum and
21 has provided, by prior action, funds for the construction of a building to store various
22 historical equipment and artifacts; and

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24 **WHEREAS**, the Racine County Ives Grove Complex located in the Town of
25 Yorkville houses various Racine County functions and has space available for the
26 construction of a storage building; and

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28 **WHEREAS**, Racine County and the Heritage Museum will require agreements
29 setting forth certain responsibilities and obligations for the planning, design, construction,
30 operation and maintenance of the museum storage building; and

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32 **WHEREAS**, the construction of the storage building for the Heritage Museum at the
33 Ives Grove site will be in the best interests of the citizens of Racine County and will serve
34 good public policy.

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Resolution 2007-
Exhibit "A"

