



AGENDA
BELOIT CITY COUNCIL
100 State Street, Beloit WI 53511
City Hall Forum – 7:00 p.m.
Monday, November 21, 2011

1. CALL TO ORDER AND ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. SPECIAL ORDERS OF THE DAY/ANNOUNCEMENTS
 - a. Proclamation recognizing Officer Ryan Flanagan, Captain Dan Risse, and the Beloit Police Department for receiving the **Cities and Villages Mutual Insurance Company (CVMIC) Significant Program Award** for the Force Multiplier Program (Van De Bogart/Jacobs)
 - b. Proclamation in Commemoration of the **70th Anniversary of the Civil Air Patrol** (Leavy)
4. PUBLIC HEARINGS
 - a. Proposed Ordinance to amend the **Zoning District Map** to change the Zoning District Classification from PUD, Planned Unit Development District, to R-1A, Single-family Residential District, for properties located at 1907 and 2000 Aspen Drive and 1907, 2000, and 2001 Dell Drive (Christensen)
Plan Commission recommendation for approval 5-0
First Reading, suspend rules for Second Reading
 - b. Resolution authorizing a **Conditional Use Permit** to allow an Outdoor Seating area and Outdoor Sales, Possession, and Consumption of Alcohol in a C-3, Community Commercial District, for the property located at 65 Portland Avenue (Christensen)
Plan Commission recommendation for approval 5-0

5. CITIZENS' PARTICIPATION

6. CONSENT AGENDA

All items listed under the Consent Agenda are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member so requests, in which event the item will be removed from the General Order of Business and considered at this point on the agenda.

- a. Approval of the **Minutes** of the Regular Meeting of November 7, 2011 (Houseman)
- b. Resolution approving an Amendment to the **Class "B" Beer and "Class B" Liquor License** for PRD Saloon of Beloit, Inc., d/b/a Patti's Road Dawg Pub, to include the Rodeway Inn Hotel premises (Houseman)
Alcohol Beverage License Control Committee recommendation for approval 4-0
- c. Application for a **Class "B" Beer License** for Summer's Banquet Hall LLC, d/b/a Summer's Banquet Hall, 1304 Cranston Road, Virginia L. Cabrera, Agent (Houseman)
Refer to Alcohol Beverage License Control Committee

7. ORDINANCES

- a. Proposed Ordinance to repeal and recreate Section 15.07(1), to create Section 15.07 (1g), and to amend Sections 15.01 and 15.30 of the Code of General Ordinance of the City of Beloit pertaining to **Dangerous Weapons in City Buildings** (Casper)
Second Reading

8. APPOINTMENTS

9. COUNCILOR ACTIVITIES AND UPCOMING EVENTS

10. CITY MANAGER'S PRESENTATION

- a. **Snow Removal Program** Presentation (Slagoski)

11. REPORTS FROM BOARDS AND CITY OFFICERS- none

12. ADJOURNMENT

** Please note that, upon reasonable notice, at least 24 hours in advance, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information to request this service, please contact the City Clerk's Office at 364-6680, 100 State Street, Beloit, WI 53511.

Dated: November 16, 2011
Rebecca S. Houseman
City of Beloit City Clerk
<http://www.ci.beloit.wi.us>

You can watch this meeting live on Charter PEG channel 98 or digital channel 992. Meetings are rebroadcast during the week of the Council meeting on Tuesday at 1:00 p.m., Thursday at 8:30 a.m. and Friday at 1:00 p.m.

WHEREAS, The Beloit Police Department strives to reduce crime and apprehend criminals, and officers are encouraged to be proactive in this effort; and

WHEREAS, Officer Ryan Flanagan had the initiative to create an innovative program called Force Multiplier which utilized radio dispatched City of Beloit workers as “eyes” for the police department, and Officer Flanagan developed a training program and successfully presented it to several City departments; and

WHEREAS, Since Force Multiplier was initiated by the Beloit Police Department, several significant arrests have been made, including two for operating a motor vehicle without owner’s consent and one for graffiti, and two stolen vehicles have been recovered; and

WHEREAS, Patrol Captain Dan Risse submitted Officer Flanagan’s Force Multiplier program on behalf of the department to the Cities and Villages Mutual Insurance Company (CVMIC) as part of their national “Significant Program Award” competition; and

WHEREAS, CVMIC selected Force Multiplier as one of the five winners of their annual competition and awarded the Beloit Police Department \$1,000 for safety equipment;

NOW, THEREFORE, BE IT RESOLVED that the Beloit City Council does hereby call upon all citizens of Beloit, Wisconsin to recognize Officer Ryan Flanagan, Captain Dan Risse and members of the Beloit Police Department for promoting a safe and healthy community, minimizing personal injury, preventing loss of life, and protecting property and natural resources through the Force Multiplier program.

Dated this 21st day of November 2011.

Kevin D. Leavy, Council President

ATTEST:

Rebecca S. Houseman, City Clerk

WHEREAS, Civil Air Patrol was founded on December 1, 1941 by a fledgling group of volunteers led by civilian pilots who flew their own planes to support America's efforts in World War II; and

WHEREAS, the wartime effort, which included border patrol operations, search and rescue, disaster relief, forest fire patrol, and emergency transportation of personnel and critical cargo, also resulted in 64 deaths and 150 lost aircraft by war's end; and

WHEREAS, since that auspicious beginning, a modern-day Civil Air Patrol has emerged as one of the nation's premier humanitarian service organizations, serving all 50 states, the nation's capital and Puerto Rico, saving lives, finding those who are lost, helping fellow citizens in times of disaster, working to keep America safe, preparing future leaders, offering aerospace education to inspire our nation's youth, and honoring our military; and

WHEREAS, in the past year alone, many of Civil Air Patrol's professional volunteers participated in 1,016 search and rescue missions in which they were credited with saving 113 lives; and

WHEREAS, recent high-visibility Civil Air Patrol missions have included responses to tornadoes, forest fires, tsunamis, hurricanes, wildfires, flooding, 9/11, the Deepwater Horizon oil spill, and counterdrug missions across the nation; and

WHEREAS, the Civil Air Patrol's youth program currently includes more than 26,500 cadets who benefit from a curriculum that trains them to be leaders, offers them opportunities for flight and pilot training, and teaches lifesaving emergency services techniques; and

WHEREAS, the Civil Air Patrol includes an 868-member Chaplain Corps that provides counseling services for soldiers and their families and disaster victims and partners with Wreaths Across America to honor military veterans by helping sponsor and place tens of thousands of wreaths at the graves of fallen soldiers; and

WHEREAS, the Civil Air Patrol is celebrating 70 years of performing these "Missions for America."

NOW, THEREFORE, BE IT RESOLVED that the City Council or the City of Beloit hereby honors the men and women who have served and those who continue to serve their fellow citizens through the Civil Air Patrol; declares **December 1, 2011** as Civil Air Patrol Day throughout the City of Beloit, and transmits a duly authorized and signed copy of this Resolution to Colonel Clarence Peters, Commander of the Wisconsin Wing, Civil Air Patrol,

Adopted this 21st day of November, 2011.

Kevin D. Leavy, Beloit City Council President

ATTEST:

Rebecca S. Houseman, Beloit City Clerk

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE
ZONING DISTRICT MAP OF THE CITY OF БЕЛОIT**

The City Council of the City of Beloit, Rock County, Wisconsin do ordain as follows:

Section 1. The Zoning District Map of the City of Beloit, mentioned in the Zoning Code, Chapter 19 of the Code of General Ordinances of the City of Beloit, is amended as follows:

The zoning district classification of the following described land, also known as 1907 and 2000 Aspen Drive; and 1907, 2000, and 2001 Dell Drive, is hereby changed from Planned Unit Development (PUD) to R-1A, Single-Family Residential:

Lots 184 through 197, 200 through 226, 229 through 236, and 248 through 255 of Poff's Fourth Sun Valley Subdivision, City of Beloit, for Rock County, Wisconsin. Containing 16.9 acres of land, more or less.

Section 2. This Ordinance shall take effect and be in force upon its passage and publication.

Adopted this 21st day of November, 2011.

City Council of the City of Beloit

Kevin D. Leavy, Council President

Attest:

Rebecca S. Houseman, City Clerk

Published this _____ day of November, 2011

Effective this _____ day of November, 2011

01-611100-5231-_____

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL

Topic: Zoning Map Amendment Application for the properties located at 1907 and 2000 Aspen Drive; and 1907, 2000, and 2001 Dell Drive

Date: November 21, 2011

Presenter(s): Julie Christensen

Department: Community Development

Overview/Background Information:

The City of Beloit has submitted a Zoning Map Amendment Application requesting a change in the zoning district classification of the properties located at 1907 and 2000 Aspen Drive; and 1907, 2000, and 2001 Dell Drive from Planned Unit Development (PUD) to R-1A, Single-Family Residential.

Key Issues (maximum of 5):

- On February 2, 2009, the City Council enacted an Ordinance amending the zoning districts of the subject properties from R-1A, Single-Family Residential District, and R-2, Two-Family Residential District, to Planned Unit Development District (PUD).
 - The corresponding PUD Master Land Use Plan, entitled "The Meadows," had proposed the construction of nine (9) single-story residential buildings consisting of eight (8) units each, for a total of seventy-two (72) dwelling units. However, due to denial of funding from the Wisconsin Housing and Economic Development Authority (WHEDA) the development never occurred and the land remains undeveloped.
 - The Neighborhood Planning Division has not received a PUD Final (Site) Plan for this development. Therefore, the previously approved PUD Master Land Use Plan has officially lapsed and is of no further force and effect. When this occurs, Section 2-402 of the Zoning Ordinance instructs the Plan Commission to remove the land from the PUD zoning district.
 - Staff notified the property owners within a 300 foot radius on October 26, 2011, and published a notice in Beloit Daily News on October 29 and November 5, 2011 of this proposed action. The Neighborhood Planning Division did not receive any comments from property owners or the public concerning this Zoning Map Amendment.
 - The Plan Commission reviewed this item on November 9, 2011 and voted unanimously (5-0) to recommend approval of the Zoning Map Amendment.
-

Conformance to Strategic Plan (List key goals this action would support and briefly discuss its impact on the City's mission.):

- Consideration of this request supports Strategic Goal #4.
-

Sustainability (Briefly comment on the sustainable long term impact of this policy or program related to how it will impact both the built and natural environment utilizing the four following eco-municipality guidelines.):

- Reduce dependence upon fossil fuels – N/A
 - Reduce dependence on chemicals and other manufacturing substances that accumulate in nature – N/A
 - Reduce dependence on activities that harm life sustaining eco-systems – N/A
 - Meet the hierarchy of present and future human needs fairly and efficiently – N/A
-

Action required/Recommendation:

- City Council consideration and 1st and 2nd reading of the proposed Ordinance
-

Fiscal Note/Budget Impact: N/A

Attachments: Ordinance and Staff Report to the Plan Commission

CITY OF BELOIT

REPORT TO THE BELOIT CITY PLAN COMMISSION

Meeting Date: November 9, 2011

Agenda Item: 4

File Number: ZMA-2011-05

Applicant: Neighborhood Planning
Division

Owner: City of Beloit

Location: 1907 & 2000 Aspen Drive,
1907, 2000, & 2001 Dell Drive

Existing Zoning: Planned Unit
Development (PUD)

Existing Land Use: Undeveloped

Parcel Size: 16.9 Acres

Request Overview/Background Information:

The City of Beloit has submitted a Zoning Map Amendment Application requesting a change in the zoning district classification of the properties located at 1907 and 2000 Aspen Drive, 1907, 2000, and 2001 Dell Drive from Planned Unit Development District (PUD) to R-1A, Single Family Residential.

The attached **Location and Zoning Map** shows the location of this property. The adjacent zoning and land uses are as follows:

North: R-1A, Single-Family Residential District

South: C-3, Community Commercial District; R-2, Two-Family Residential District, R-3, Low-Density Multifamily Residential District, R-1B, Single-Family Residential District

East: R-1A, Single-Family Residential District

West: R-1A, Single-Family Residential District; R-2, Two-Family Residential District; R-3, Low-Density Multifamily Residential District

Key Issues:

- On February 2, 2009, the City Council enacted an Ordinance amending the zoning districts of the subject properties from R-1A, Single-Family Residential District, and R-2, Two-Family Residential District, to Planned Unit Development District (PUD).
- The corresponding PUD Master Land Use Plan, entitled "The Meadows," had proposed the construction of nine (9) single-story residential buildings consisting of eight (8) units each, for a total of seventy-two (72) dwelling units. However, due to denial of funding from the Wisconsin Housing and Economic Development Authority (WHEDA) the development never occurred and the land remains undeveloped.
- The Neighborhood Planning Division has not received a PUD Final (Site) Plan for this development. Therefore, the previously approved PUD Master Land Use Plan has officially lapsed and is of no further force and effect. When this occurs, Section 2-402 of the Zoning Ordinance instructs the Plan Commission to remove the land from the PUD zoning district.
- Staff sent the attached Public Notice to nearby property owners within three-hundred (300) feet of the site. The Neighborhood Planning Division has not received any comments on the rezoning.
- Findings of Fact

Based on Section 2-304 of the Zoning Ordinance, the Plan Commission shall make a recommendation based on the following considerations:

- a. *The existing use of property within the general area of the subject property;*
 - The subject properties associated with the site are surrounded by a number of land uses that are residential and commercial. For example, the main property uses to the North and East of the site are residential. The land uses to the South and West of the site are residential with commercial land uses mixed in.
- b. *The zoning classification of property within the general area of the subject property;*
 - The subject properties associated with the site are adjacent to a number of different zoning districts, with the majority accommodating residential uses. Adjacent to the northern and eastern boundaries of the site, the dominant zoning district is R-1A, single-family. The site's western boundary is adjacent to the R-1A, single-family residential, and R-2, Two-Family Residential zoning districts. The southern boundary of the site is adjacent to C-3, Community Commercial, R-1B, Single-Family Residential, and R-3, Low-Density Multifamily Residential zoning districts
- c. *The suitability of the subject property for the uses permitted under the existing zoning classification; and*
 - As described above, the existing zoning classification is null and void.

- d. *The trend of development and zoning map amendments in the general area of the subject property.*
- In 2007, a PUD Master Land Use Plan was proposed for the site by Gorman & Company, Inc. to construct seventeen buildings with sixty-three multifamily units. The proposed PUD- Master Land Use Plan was approved by Plan Commission but rejected by City Council.
 - In 2009, a PUD Master Land Use Plan was proposed by Silverstone Housing Partners II, LLC for the site that would accommodate nine single-story buildings consisting of eight dwelling units each, for a total of seventy-two dwelling units. The project was commonly known as “The Meadows,” and was intended to encourage senior independent living.
 - A Zoning Map Amendment was also proposed in conjunction with the PUD Master Land Use Plan to rezone the properties associated with the site from R-1A and R-2 to PUD. Both, PUD Master Land Use Plan and Zoning Map Amendment were approved by Plan Commission and City Council in 2009

Consistency with Comprehensive Plan and Strategic Plan:

- The Comprehensive Plan designates this site’s future land use as appropriate for “Planned Neighborhood” use, which includes a mix of single-family, two-family, mixed residential, community and service uses, office, neighborhood commercial, and parks and open space.

Consideration of this request supports City of Beloit Strategic Goal #4.

Sustainability: (Briefly comment on the sustainable long term impact of this policy or program related to how it will impact both the built and natural environment utilizing the four following eco-municipality guidelines)

- **Reduce dependence upon fossil fuels** – N/A
- **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature** – N/A
- **Reduce dependence on activities that harm life sustaining eco-systems** – N/A
- **Meet the hierarchy of present and future human needs fairly and efficiently** – N/A

Staff Recommendation:

Based on the above Findings of Fact, the Neighborhood Planning Division recommends **approval** of a Zoning Map Amendment to change the zoning district classification of the properties located at 1907 & 2000 Aspen Drive and 1907, 2000, and 2001 Dell Drive from Planned Unit Development (PUD) to R-1A, Single-Family Residential.

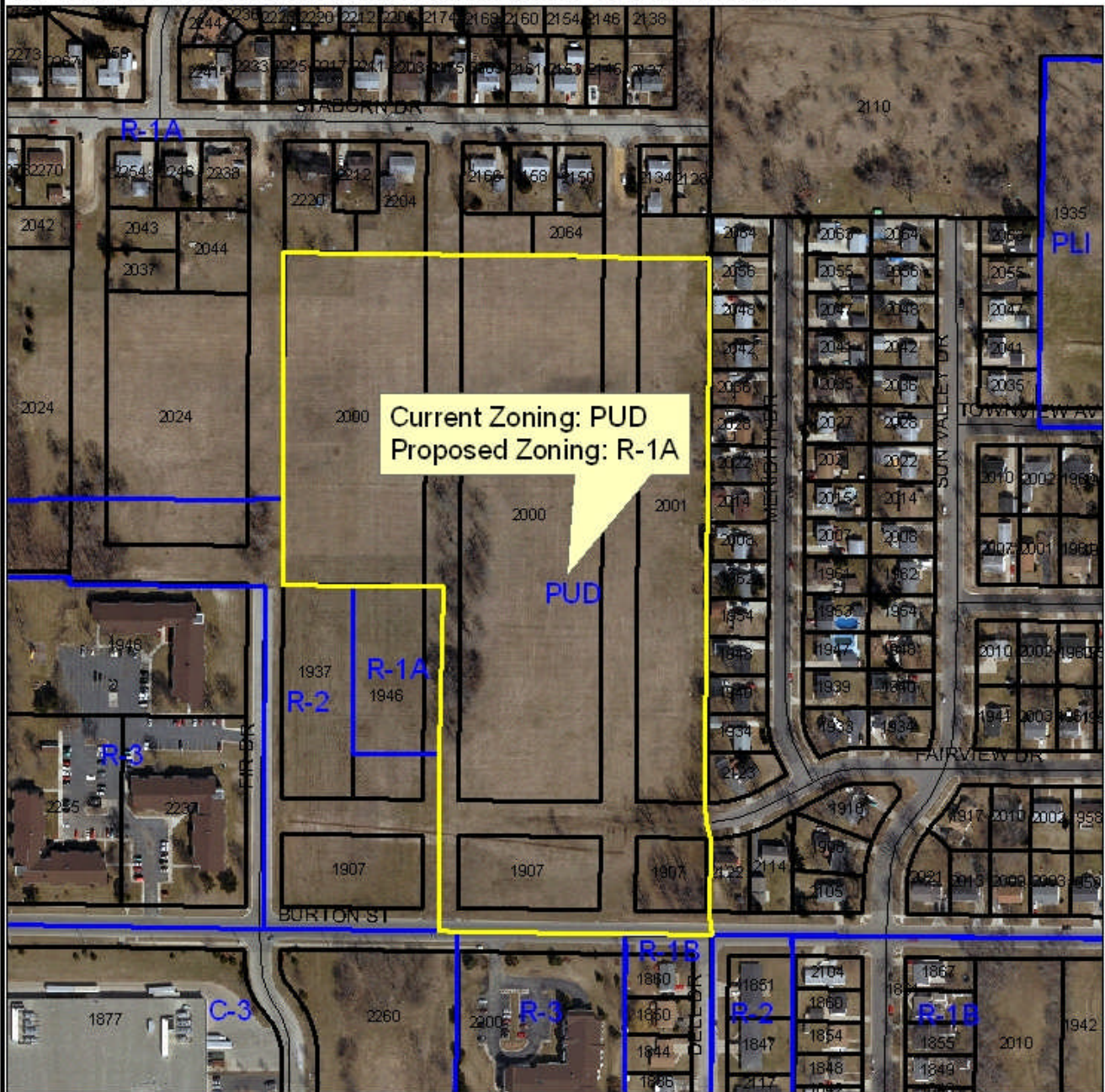
Fiscal Note/Budget Impact: N/A

Attachments: Location & Zoning Map, Application, Public Notice, and Mailing List.

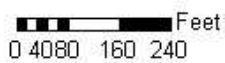
Location & Zoning Map

1907 AND 2000 ASPEN DRIVE AND 1907, 2000, AND 2001 DELL DRIVE

ZMA-2011-05



1 inch = 263 feet



Legend

- Zoning District
- Parcels

Map prepared by: Michael D. Lofton II
 Date: October 18, 2011
 For: City of Beloit, Neighborhood Planning
 Date of Aerial Photography: April 2011

NEIGHBORHOOD PLANNING DIVISION

CITY of BELOIT
NEIGHBORHOOD PLANNING DIVISION

100 State Street, Beloit, WI 53511 Phone: (608) 364-6700 Fax: (608) 364-6609

Zoning Map Amendment Application Form

(Please Type or Print)

File No.: ZMA-2011-05

1. Address of subject property: 1907 & 2000 Aspen Drive, 1907, 2000, 2001 Dell Drive

2. Legal description: Lot: _____ Block: _____ Subdivision: _____
(If property has not been subdivided, attach a copy of the complete legal description from deed.)

Property dimensions are: _____ feet by _____ feet = _____ square feet.

If more than two acres, give area in acres: 16.9 acres acres.

3. Tax Parcel Number(s): _____

4. Owner of record: City of Beloit Phone: _____

(Address) (City) (State) (Zip)

5. Applicant's Name: Community Development Department, Neighborhood Planning Division

100 State Street Beloit Wisconsin 53511
(Address) (City) (State) (Zip)

(Office Phone #) / (Cell Phone #) / (E-mail Address)

6. **THE FOLLOWING ACTION IS REQUESTED:**

Change zoning district classification from: RUD to: R1-A

All existing uses on this property are: Vacant Land

7. All the proposed uses for this property are:

Principal use(s): N/A

Secondary use(s): _____

Accessory use(s): _____

8. I/we represent that I/we have a vested interest in this property in the following manner:

- () Owner
- () Leasehold, Length of lease: _____
- () Contractual, Nature of contract: _____
- () Other, explain: _____


9. Individual(s) responsible for compliance with conditions (if any), if request is granted:

Name(s): _____ Phone: _____

(Address) (City) (State) (Zip)

The applicant's signature below indicates the information contained in this application and on all accompanying documents is true and correct.

I/we, the undersigned, do hereby respectfully make application for and petition the City Plan Commission and City Council to grant the requested action for the purpose stated herein. I/we represent that the granting of the proposed request will not violate any of the required standards of the Zoning Ordinance of the City of Beloit. I/we also agree to abide by all applicable federal, state and local laws, ordinances, rules, and regulations.


LARRY ARFT
10-13-11

(Signature of Owner) (Print name) (Date)

(Signature of Applicant, if different) (Print name) (Date)

In order for your request to be heard and considered in a timely manner, you must submit the completed application and all accompanying documents to the Neighborhood Planning Division for acceptance by the filing deadline date prior to a scheduled Plan Commission meeting. This application must be submitted with the \$275.00 application fee. Applicants will also be charged a fee for mailing public notices at the rate of \$0.50 per notice. An invoice for this fee will be sent to the applicant, and it is typically between \$5.00 and \$20.00.

To be completed by Planning Staff	
Filing Fee: \$275.00	Amount Paid: <u>N/A</u> Meeting Date: _____
Number of notices: _____	x mailing cost (\$0.50) = cost of mailing notices: \$ _____
Application accepted by: _____	Date: _____
Date Notice Published: _____	Date Notice Mailed: _____

SHIRLEY SHEAR
2013 GRANT ST
BELOIT, WI 53511

SANDY MEADE
2037 TOWNLINE AVE
BELOIT, WI 535113919

HEARTLAND BELOIT-BURTON
ATTN: OAKBROOK CORP
2 SCIENCE CT
MADISON, WI 53744

WOODMANS FOOD MARKETS INC
2631 LIBERTY LN
JANESVILLE, WI 535450319

STEVE STEINER
9810 REDFIELD DR
ROSCOE, IL 610731342

RONNIE LOCK
2122 FAIRVIEW DR
BELOIT, WI 535112742

DAVID & SANDRA MILLER
2114 FAIRVIEW DR
BELOIT, WI 535112742

IVORY F & NICOLLE M CARROLL
1908 SUN VALLEY DR
BELOIT, WI 53511

DEAN WILDES
1916 SUN VALLEY DR
BELOIT, WI 535112739

ERIC MCMILLAN
2123 FAIRVIEW DR
BELOIT, WI 53511

DBA WOODSIDE TERRACE
APARTMENTS SUMMERSET LLC
ATTN: SILVERSTONE PARTNERS INC
7447 UNIVERSITY AVE #210
MIDDLETON, WI 53562

KARL BANKER
1934 MERIDITH DR
BELOIT, WI 53511

KATHY TABER
1934 SUN VALLEY DR
BELOIT, WI 535112751

JOEL EDDY
1933 MERIDITH DR
BELOIT, WI 53511

AMADO & EUGENIO CERVANTES
1940 MERIDITH DR
BELOIT, WI 53511

PATRICK N & GLORIA S JACOBS
1940 SUN VALLEY DR
BELOIT, WI 535112751

ROSE SMITH
1939 MERIDITH DR
BELOIT, WI 535112727

BALTAZAR MONTERO
1948 MERIDITH DR
BELOIT, WI 53511

DAVID & GLENDA KLINE
1948 SUN VALLEY DR
BELOIT, WI 535112751

RANDY JACOBSON
1947 MERIDITH DR
BELOIT, WI 53511

BRADLEY POTTER
1954 MERIDITH DR
BELOIT, WI 535112728

DOUGLAS CASH
P O BOX 1317
BELOIT, WI 535121317

DAN & ANGELA ELDRIDGE
1953 MERIDITH DR
BELOIT, WI 535112727

DBA WOODSIDE TERRACE
APARTMENTS SUMMERSET LLC
ATTN: SILVERSTONE PARTNERS INC
7447 UNIVERSITY AVE #210
MIDDLETON, WI 53562

KEITH RULESTEAD
1962 MERIDITH DR
BELOIT, WI 535112728

PEGGY GEAREN
1962 SUN VALLEY DR
BELOIT, WI 53511

MICHAEL L & HEIDI L JOHNS
1961 MERIDITH DR
BELOIT, WI 53511

LAWRENCE ENGEL
42308 305TH ST
TABOR, SD 57063

CORY WADEL
2008 SUN VALLEY DR
BELOIT, WI 535112741

RICARDO HERNANDEZ
2007 MERIDITH DR
BELOIT, WI 535111716

THOMAS A & GINA M DAVIES
2014 MERIDITH DR
BELOIT, WI 535112730

MOISES FLORES ALMANZA
2014 SUN VALLEY DR
BELOIT, WI 53511

KIM TRINH
2015 MERIDITH DR
BELOIT, WI 53511

SHAD LYNCH
2022 MERIDITH DR
BELOIT, WI 53511

LENA KIDD
2022 SUN VALLEY DR
BELOIT, WI 535112741

STEVEN & JENNIFER HEYERDAHL
2021 MERIDITH DR
BELOIT, WI 535112729

THOMAS VANCE
2028 MERIDITH DR
BELOIT, WI 535112730

ANDRES & JUANA SALDANA
2028 SUN VALLEY DR
BELOIT, WI 535112741

RAYMOND STEINKE
2027 MERIDITH DR
BELOIT, WI 535112729

JOHN M & STACY M CROMWELL
2036 MERIDITH DR
BELOIT, WI 535112730

CINDY SCHOBEL
2036 SUN VALLEY DR
BELOIT, WI 535112741

GARY & DEBRA KELSEY
2035 MERIDITH DR
BELOIT, WI 535112729

JASON W & JESSICA M HALLSTROM
2042 MERIDITH DR
BELOIT, WI 535112730

DONALD HENNING
2042 SUN VALLEY DR
BELOIT, WI 535112741

DANIEL LECAPTAIN
2041 MERIDITH DR
BELOIT, WI 53511

ARMANDO ALVAREZ
2048 SUN VALLEY DR
BELOIT, WI 535112741

DIANA SMITH
2048 MERIDITH DR
BELOIT, WI 535112730

JEAN NELSON
2047 MERIDITH DR
BELOIT, WI 53511

JEROME MEDEMA
2056 SUN VALLEY DR
BELOIT, WI 535112741

ROBERT D & DEBRA R WAGNER
4179 WALTHAM RD
ROSCOE, IL 61073

NANCY FUERTE
2056 MERIDITH DR
BELOIT, WI 53511

DONALD E & BETTY M THOMPSON
REVOCABLE TRUST
907 DREXEL BLVD
MACHESNEY PARK, IL 611153809

ROBERT L & TERESA & CHERYL UTZIG
2064 SUN VALLEY DR
BELOIT, WI 535112741

GREGORY MALUEG
2063 MERIDITH DR
BELOIT, WI 535112729

GERALD ARMSTRONG
2064 MERIDITH DR
BELOIT, WI 53511

JOSHUA T & SCOTT C FENWICK
2150 STABORN DR
BELOIT, WI 535112734

DONNA BURK
2254 STABORN DR
BELOIT, WI 535112784

ROGER ALLEN
2128 STABORN DR
BELOIT, WI 535112783

BANK OF AMERICA FEDERAL NATIONAL
MORTGAGE ASSOCIATION
P O BOX 650043
DALLAS, TX 75265

JOSHUA T & SCOTT C FENWICK
2150 STABORN DR
BELOIT, WI 535112734

GEORGE COEN
2158 STABORN DR
BELOIT, WI 535112734

JANET JENSEN
2166 STABORN DR
BELOIT, WI 535112734

DAWN HICKOK
2204 STABORN DR
BELOIT, WI 53511

APRIL INGALLS
2212 STABORN DR
BELOIT, WI 53511

JOHN SCHUELKE
2220 STABORN DR
BELOIT, WI 535112736

PAT CASIDAY
2238 STABORN DR
BELOIT, WI 53511

KATHERYN PUTMAN
2246 STABORN DR
BELOIT, WI 535112784

JONATHAN WILLIAMS
2254 STABORN DR
BELOIT, WI 53511

CURTIS & LAURIE KELTNER
2241 STABORN DR
BELOIT, WI 535112735

BARBARA KELLER
2137 STABORN DR
BELOIT, WI 535112733

DANIEL WOJSZYNSKI
2145 STABORN DR
BELOIT, WI 535112733

AARON P & CAROL S JOHNSON
2153 STABORN DR
BELOIT, WI 535112733

NORMA WALES
2161 STABORN DR
BELOIT, WI 53511

RAY BROWN
2169 STABORN DR
BELOIT, WI 535112733

DAVID GROVER
2175 STABORN DR
BELOIT, WI 535112733

RAYMOND & JUDY THOMAS
2203 STABORN DR
BELOIT, WI 535112735

MICHAEL K & PATRICIA L WELLS
2211 STABORN DR
BELOIT, WI 535112735

STEVEN SHIPLER
720 FIFTH ST
BELOIT, WI 535115353

ELSIE HENDRICKSON
2225 STABORN DR
BELOIT, WI 535112735

MICHELLE ROGERS
2233 STABORN DR
BELOIT, WI 53511

SUNDE REVOCABLE TRUST DTD
MARCH 24, 2011
2454 S VICTORY DR
BELOIT, WI 53511

PAT CASIDAY
2238 STABORN DR
BELOIT, WI 53511



CITY HALL • 100 STATE STREET • BELOIT, WI 53511
Office: 608/364-6700 • Fax: 608/364-6609
www.ci.beloit.wi.us
Equal Opportunity Employer

NOTICE TO THE PUBLIC

October 26, 2011

To Whom It May Concern:

The Neighborhood Planning Division has submitted a Zoning Map Amendment Application requesting a change in the zoning district classification from Planned Unit Development (PUD) to R-1A, Single-Family Residential for the properties located at:

1907 and 2000 Aspen Drive and 1907, 2000, and 2001 Dell Drive

On February 2, 2009, the City Council approved a Zoning Map Amendment to Planned Unit Development (PUD) to allow a development consisting of nine (9) single-story residential buildings with eight (8) units each, totaling seventy-two (72) dwelling units on the subject properties. The Neighborhood Planning Division has not received a Site Plan for this development which has not progressed since its approval. Therefore, the previously approved PUD – Master Land Use Plan has officially lapsed and the PUD zoning classification will be changed to R-1A, Single-Family Residential. A Location and Zoning Map is attached to this notice.

The following public hearings will be held regarding this application:

City Planning Commission: Wednesday, November 9, 2011, at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

City Council: Monday, November 21, 2011, at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

THE PUBLIC IS INVITED TO ATTEND THESE HEARINGS.

We are interested in your opinion.

Anyone bringing handouts to the Plan Commission meeting must bring ten (10) copies and submit them to the Recording Secretary before the meeting begins. Staff is unable to leave the meeting area to make copies.

For additional information, please contact Michael D. Lofton II in the Neighborhood Planning Division at (608) 364-6708 or loftonm@ci.beloit.wi.us. Comments will be accepted via telephone, email, and U.S. Mail.

RESOLUTION
AUTHORIZING A CONDITIONAL USE PERMIT TO ALLOW AN OUTDOOR SEATING AREA AND OUTDOOR SALES, POSSESSION, & CONSUMPTION OF ALCOHOL IN A C-3, COMMUNITY COMMERCIAL DISTRICT, FOR THE PROPERTY LOCATED AT 65 PORTLAND AVENUE

WHEREAS, the application of David Kline Sr. for a Conditional Use Permit to allow an outdoor seating area and outdoor sales, possession, & consumption of alcohol in a C-3, Community Commercial District, for the property located at 65 Portland Avenue, having been considered by the City Council of the City of Beloit, Wisconsin at a public hearing held for that purpose and due notice of said hearing having been given by publication as appears by the Proof of Publication on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED THAT, the City Council of the City of Beloit, Rock County, Wisconsin does hereby grant a Conditional Use Permit to allow an outdoor seating area and outdoor sales, possession, & consumption of alcohol in a C-3, Community Commercial District, for the property located at 65 Portland Avenue in the City of Beloit, for the following described premises:

Lots 15, 17, and 18 of Block 8 of Merrill's Addition and Lots 2, 3, 6, and 7 and the right-of-way over Lots 4 and 6 of Daven's Subdivision of Block 8 of Merrill's Addition, except the perpetual right-of-way over Lot 6 to Lots 1, 2, 3, 4, and 5, in the City of Beloit, Rock County, Wisconsin (a/k/a 65 Portland Avenue, Parcel Number 1351-0525). Containing 0.4 acre, more or less.

As a condition of granting the Conditional Use Permit, the City Council does hereby stipulate the following conditions and restrictions upon the Conditional Use, which are hereby deemed necessary for the public interest:

1. This Conditional Use Permit authorizes the 1,450 square-foot (25' x 58') outdoor seating area on the east side of the existing building shown in the application attachments and the extension of the sales, possession, & consumption of alcohol into said area, subject to all of the conditions of approval.
2. Prior to establishment of the conditional uses, the applicant shall amend the liquor license for the premises to include the outdoor seating area.
3. The outdoor seating area shall be surrounded by a fence. The applicant may only construct an 8-foot privacy fence if the Board of Appeals grants a variance to the height and opacity requirements in the Fence Ordinance.
4. Before construction begins, the applicant shall obtain an Architectural Review Certificate and a Building Permit.
5. The maximum capacity of the outdoor seating area shall be thirty-two (32) persons, except during previously authorized special events. This maximum capacity shall be posted inside the building and within the outdoor seating area. The door leading to the outdoor seating area shall be marked as an exit.

6. The outdoor seating area shall include an emergency exit door or gate that leads to the parking lot. The door or gate shall be at least three (3) feet wide and a clear exit path shall be maintained.
7. The applicant shall provide a visible and/or audible fire alarm within the outdoor seating area.
8. Music may not be played in the outdoor seating area after 10:00 PM.
9. The outdoor seating area shall include trash & recycling containers and all litter shall be disposed of daily.
10. Any major changes in the adopted conditions or use of the property shall be approved by the Plan Commission and City Council by amending this Conditional Use Permit. The Community Development Director may approve minor changes administratively.

Adopted this 21st day of November, 2011.

BELOIT CITY COUNCIL

Kevin D. Leavy, Council President

ATTEST:

Rebecca S. Houseman, City Clerk

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL

Topic: Conditional Use Permit Application for the property located at 65 Portland Avenue

Date: November 21, 2011

Presenter(s): Julie Christensen

Department: Community Development

Overview/Background Information:

David Kline Sr., the owner of Kline's Club 88, has filed an application for a Conditional Use Permit to allow an outdoor seating area and outdoor sales, possession, & consumption of alcohol in a C-3, Community Commercial District, for the property located at 65 Portland Avenue. The applicant has proposed a 1,450 square-foot (25' x 58') outdoor seating area on the east side of the existing building.

Key Issues (maximum of 5):

- The proposed outdoor seating area consists of a covered bar area, an uncovered deck, an emergency exit, and ramps leading from the deck to the elevated bar area. According to the applicant, the proposed outdoor seating area includes 8 tables and 32 chairs.
- The proposed outdoor seating area is surrounded by a wood privacy fence that is 8 feet in height. The proposed fence does not comply with the City's fence regulations, and it may only be installed if the Board of Appeals approves a variance to the applicable fence regulations (height and opacity).
- The proposed design (including materials) will be reviewed during the Architectural Review process.
- The Plan Commission reviewed this item on November 9, 2011 and voted unanimously (5-0) to recommend approval of the Conditional Use Permit, subject to the conditions recommended by the Neighborhood Planning Division.

Conformance to Strategic Plan (List key goals this action would support and briefly discuss its impact on the City's mission.):

- Consideration of this request supports Strategic Goal #4.

Sustainability (Briefly comment on the sustainable long term impact of this policy or program related to how it will impact both the built and natural environment utilizing the four following eco-municipality guidelines.):

- **Reduce dependence upon fossil fuels – N/A**
- **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature – N/A**
- **Reduce dependence on activities that harm life sustaining eco-systems – N/A**
- **Meet the hierarchy of present and future human needs fairly and efficiently – N/A**

Action required/Recommendation:

- City Council consideration and action on the proposed Resolution

Fiscal Note/Budget Impact: N/A

Attachments: Resolution and Staff Report to the Plan Commission

CITY OF BELOIT

REPORT TO THE BELOIT CITY PLAN COMMISSION

Meeting Date: November 9, 2011

Agenda Item: 3

File Number: CU-2011-04

Applicant: David Kline Sr.

Owner: David Kline Sr. & Glenda Kline

Location: 65 Portland Avenue

Existing Zoning: C-3, Community Commercial District

Existing Land Use: Tavern

Parcel Size: 0.4 Acre

Request Overview/Background Information:

David Kline Sr., the owner of Kline's Club 88, has filed an application for a Conditional Use Permit to allow an outdoor seating area and outdoor sales, possession, & consumption of alcohol in a C-3, Community Commercial District, for the property located at 65 Portland Avenue. The attached **Location and Zoning Map** shows the location of the parcel involved in this application. The adjacent zoning and land uses are as follows:

North: R-3, Low-Density Multifamily Residential District; Single-Family Dwelling

South: PLI, Public Lands & Institutions District; Parkland

East: C-3, Community Commercial District and PLI; Vacant Land

West: C-3, Community Commercial District; Used Car Lot and Multifamily Dwellings

Key Issues:

- The applicant has proposed a 1,450 square-foot (25' x 58') outdoor seating area on the east side of the existing building. The proposed outdoor seating area consists of a covered bar area, an uncovered deck, an emergency exit, and ramps leading from the deck to the elevated bar area.
- According to the applicant, the proposed outdoor seating area includes 8 tables and 32 chairs.
- The proposed outdoor seating area is surrounded by a wood privacy fence that is 8 feet in height. The proposed fence does not comply with the City's fence regulations, and it may only be installed if the applicant obtains a variance to the applicable fence regulations (height and opacity).
- Section 4-804 of the Zoning Ordinance states that outdoor seating areas for bars are only allowed if reviewed and approved in accordance with the Conditional Use Permit review procedures.
- This application does not include the 6' x 28' outdoor seating area near the Portland Avenue entrance (shown on the sketches), which is not allowed because it would encroach into the public right-of-way.
- The proposed design (including materials) will be reviewed during the Architectural Review process.
- The off-street parking requirements contained in the Zoning Ordinance require taverns to provide off-street parking stalls in an amount equal to 50 percent of capacity.
- According to the applicant, there will be 35 parking stalls remaining in the parking lot following construction of the outdoor seating area. The seating capacity of the proposed outdoor seating area is 32, which translates into 16 required parking stalls. The seating capacity of the existing tavern is 30, which translates into 15 required parking stalls. With a total of 31 required parking stalls and 35 stalls in the parking lot, the property will comply with the off-street parking requirements contained in the Zoning Ordinance.
- The City's Review Agents have reviewed this application and have not submitted any comments or concerns.
- The attached Public Notice was sent to nine (9) nearby property owners. As of this writing, one nearby owner has expressed opposition to the proposed outdoor seating area.
- **Findings of Fact**

Based on Section 2-504 of the Zoning Ordinance, the Plan Commission shall make a recommendation based on the following considerations:

- a. *Whether the establishment, maintenance, or operation of the conditional use will be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;*
 - Subject to certain conditions of approval, the proposed outdoor seating area will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare.
- b. *Whether the conditional use will be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted;*
 - The proposed outdoor seating area is adjacent to the existing tavern building, so noise and lights generated by the outdoor seating area are not expected to negatively impact the use of nearby properties. In addition, the subject property is a part of a large C-3, Community Commercial District that runs along Fourth Street.
- c. *Whether the conditional use will substantially diminish or impair property values within the*

neighborhood of the subject property;

- The proposed uses will not diminish or impair property values within the neighborhood.
- d. *Whether the establishment of the conditional use will impede the normal and orderly development and improvement of the surrounding property;*
 - Not Applicable.
- e. *Whether the exterior architectural design or site layout of the proposed conditional use is so dissimilar or otherwise incompatible with existing or proposed development in the immediate neighborhood that it will cause a depreciation in property values;*
 - Staff will review the architectural design and materials to ensure that they are compatible with development in the neighborhood.
- f. *Whether adequate utilities, access roads, drainage or other necessary facilities will be available to serve the proposed use at the time of its occupancy or use;*
 - Adequate facilities and infrastructure are available to serve the conditional uses.
- g. *Whether adequate measures will be taken to minimize traffic congestion; and*
 - The subject property includes adequate off-street parking and the proposed use is not expected to cause traffic congestion.
- h. *Whether the conditional use will comply with all applicable regulations of the Zoning Ordinance.*
 - The conditional uses will comply with all other applicable regulations of the Zoning Ordinance.

Consistency with Comprehensive Plan and Strategic Plan:

The City's Comprehensive Plan recommends Planned Mixed Use for the subject property and the surrounding area. This recommendation is intended to guide the future redevelopment of the surrounding area, although the plan notes that the C-3 zoning district is appropriate. Consideration of this request supports City of Beloit Strategic Goal #4.

Sustainability:

- **Reduce dependence upon fossil fuels** – N/A
- **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature** – N/A
- **Reduce dependence on activities that harm life sustaining eco-systems** – N/A
- **Meet the hierarchy of present and future human needs fairly and efficiently** – N/A

Staff Recommendation:

The Neighborhood Planning Division recommends **approval** of a Conditional Use Permit to allow an outdoor seating area and outdoor sales, possession, & consumption of alcohol in a C-3, Community Commercial District, for the property located at 65 Portland Avenue, based on the above Findings of Fact and subject to the following conditions:

1. This Conditional Use Permit authorizes the 1,450 square-foot (25' x 58') outdoor seating area on the east side of the existing building shown in the application attachments and the extension of the sales, possession, & consumption of alcohol into said area, subject to all of the conditions of approval.
2. Prior to establishment of the conditional uses, the applicant shall amend the liquor license for the premises to include the outdoor seating area.
3. The outdoor seating area shall be surrounded by a fence. The applicant may only construct an 8-foot privacy fence if the Board of Appeals grants a variance to the height and opacity requirements in the Fence Ordinance.
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7. The applicant shall provide a visible and/or audible fire alarm within the outdoor seating area.
8. Music may not be played in the outdoor seating area after 10:00 PM.
9. The outdoor seating area shall include trash & recycling containers and all litter shall be disposed of daily.
10. Any major changes in the adopted conditions or use of the property shall be approved by the Plan Commission and City Council by amending this Conditional Use Permit. The Community Development Director may approve minor changes administratively.

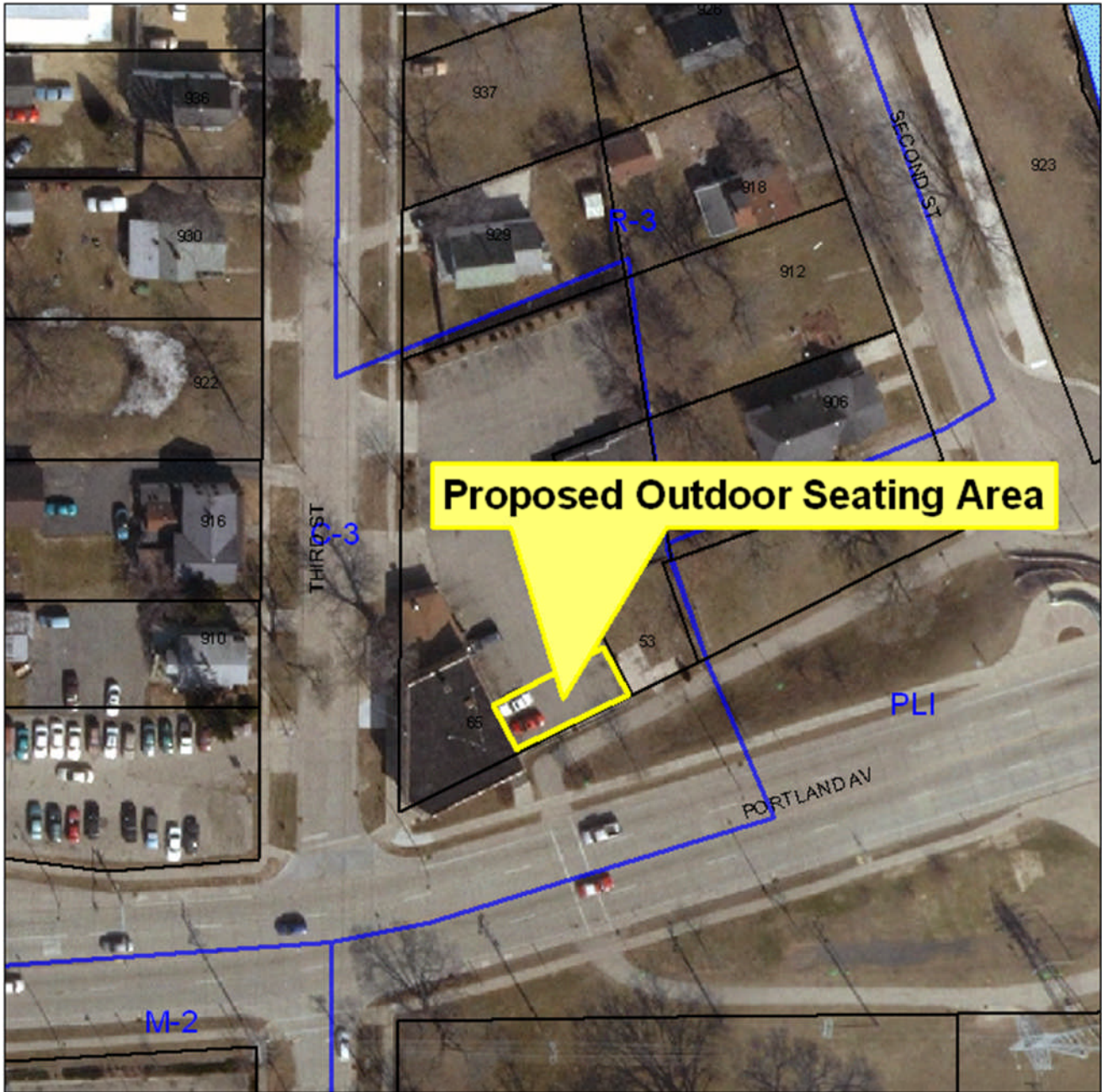
Fiscal Note/Budget Impact: N/A

Attachments: Location & Zoning Map, Site Photos, Application, Sketches, Public Notice, and Mailing List.

Location & Zoning Map

65 Portland Avenue

CU-2011-04



1 inch = 67 feet
0 15 30 60 90 Feet

Legend

- COB Parcels
- Zoning District

Map prepared by: Drew Pennington
Date: October 2011
For: City of Beloit, Neighborhood Planning
Date of Aerial Photography: March 2011

NEIGHBORHOOD PLANNING DIVISION



CITY of BELOIT
Neighborhood Planning Division

100 State Street, Beloit, WI 53511 Phone: (608) 364-6700 Fax: (608) 364-6609

Conditional Use Permit Application

(Please Type or Print)

File Number: CU-2011-04

1. Address of subject property: 65 Portland Ave.

2. Legal description: Kline's Club 88, Inc.

If property has not been subdivided, attach a copy of the complete legal description from deed.

Property dimensions are: _____ feet by _____ feet = _____ square feet.

If more than two acres, give area in acres: _____ acres.

3. Tax Parcel Number(s): 13510525

4. Owner of record: David L. Kline Sr. Phone: 608 362-4275
1948 Sun Valley Dr. Beloit WI 53511
(Address) (City) (State) (Zip)

5. Applicant's Name: David L. Kline Sr.
1948 Sun Valley Dr. Beloit WI 53511
(Address) (City) (State) (Zip)

608 362-1440 1 608 931-7549 roadeyspub@att.net
(Office Phone #) (Cell Phone #) (E-mail Address)

6. All existing use(s) on this property are: Bar & restaurant

7. **THE FOLLOWING ACTION IS REQUESTED:**

A Conditional Use Permit for: outside seating
in a(n) C-3 Zoning District.

8. All the proposed use(s) for this property will be:

Principal use: Beer garden and smoking area

Secondary use: Outside events being pig roast and parties

Accessory use: During warmer weather, extra Seating for eating.

9. Project timetable: Start date: Dec 1 2011 Completion date: _____

10. I/We) represent that I/we have a vested interest in this property in the following manner:

Owner

Leasehold, length of lease: _____

Contractual, nature of contract: _____

Other, explain: _____

The applicant's signature below indicates the information contained in this application and on all accompanying documents is true and correct.

I/We, the undersigned, do hereby respectfully make application for and petition the City Plan Commission and City Council to grant the requested action for the purpose stated herein. I/We represent that the granting of the proposed request will not violate any of the required standards of the Zoning Ordinance of the City of Beloit. I/We also agree to abide by all applicable federal, state and local laws, ordinances, rules, and regulations.

David K. Kline Sr. / David K. Kline Sr. / 10/3/2011
 (Signature of Owner) (Print name) (Date)

_____/_____/_____
 (Signature of Applicant, if different) (Print name) (Date)

In order for your request to be heard and considered in a timely manner, you must submit the completed application, and all accompanying documents, to the Neighborhood Planning Division for acceptance by the filing deadline date prior to a scheduled Plan Commission meeting.

This application must be submitted with one copy of a scaled drawing showing the layout of the proposed development in accordance with all code requirements, and the \$275.00 application fee. Applicants will also be charged a fee for mailing public notices at the rate of \$0.50 per notice. An invoice for this fee will be sent to the applicant and these costs are typically between \$5.00 and \$15.00.

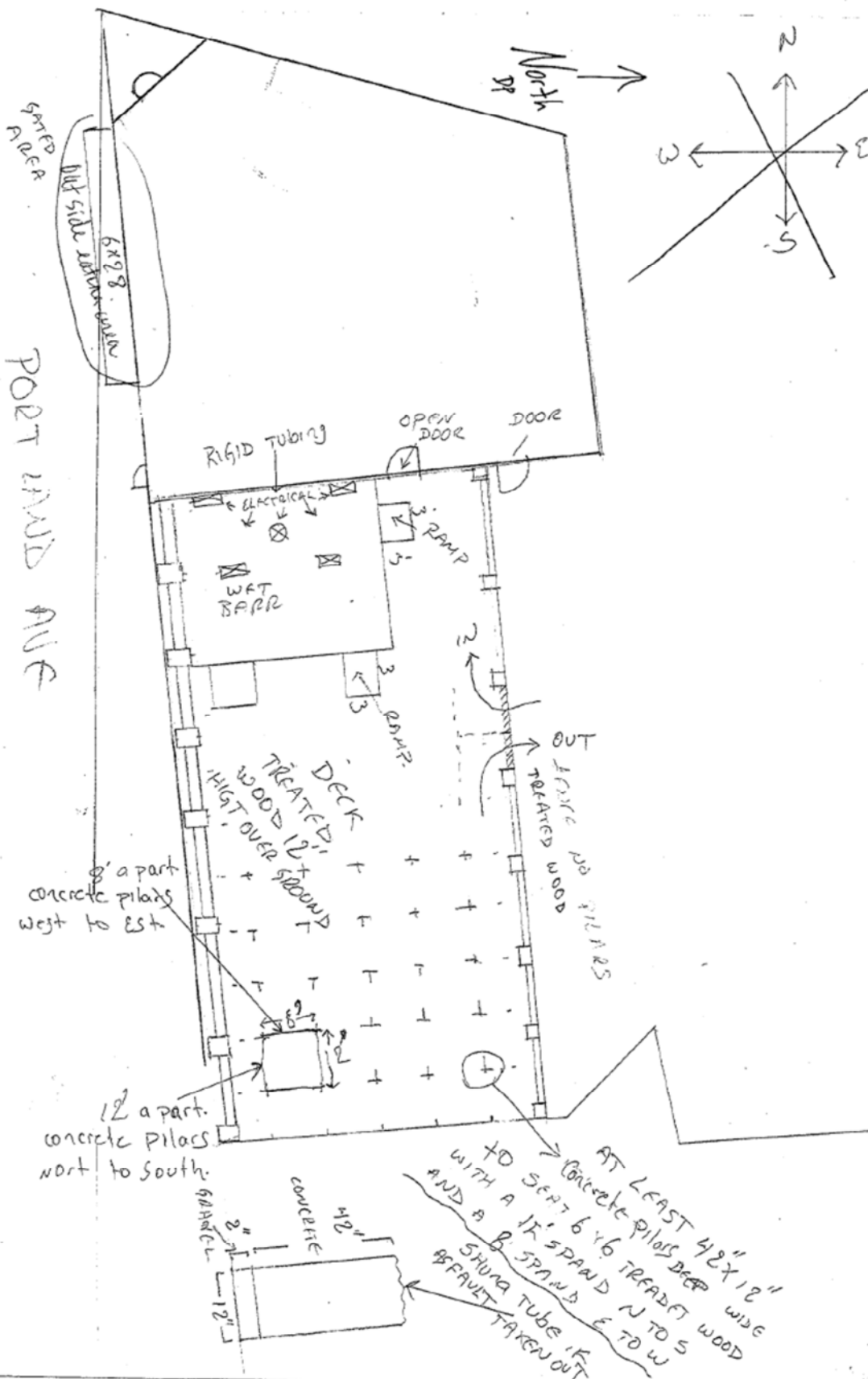
To be completed by Planning Staff

Filing fee: \$275.00 Amount paid: \$275.⁰⁰ Meeting date: November 9, 2011

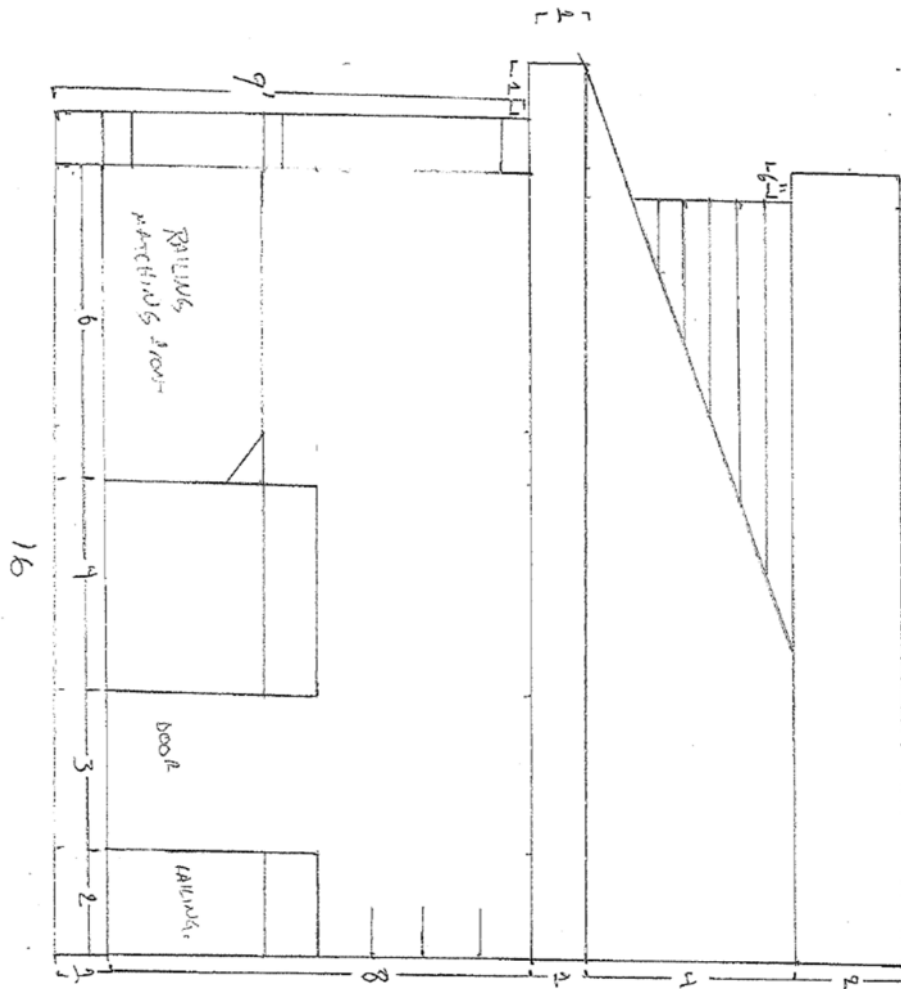
No. of notices: _____ x mailing cost (\$0.50) = cost of mailing notices: \$ _____

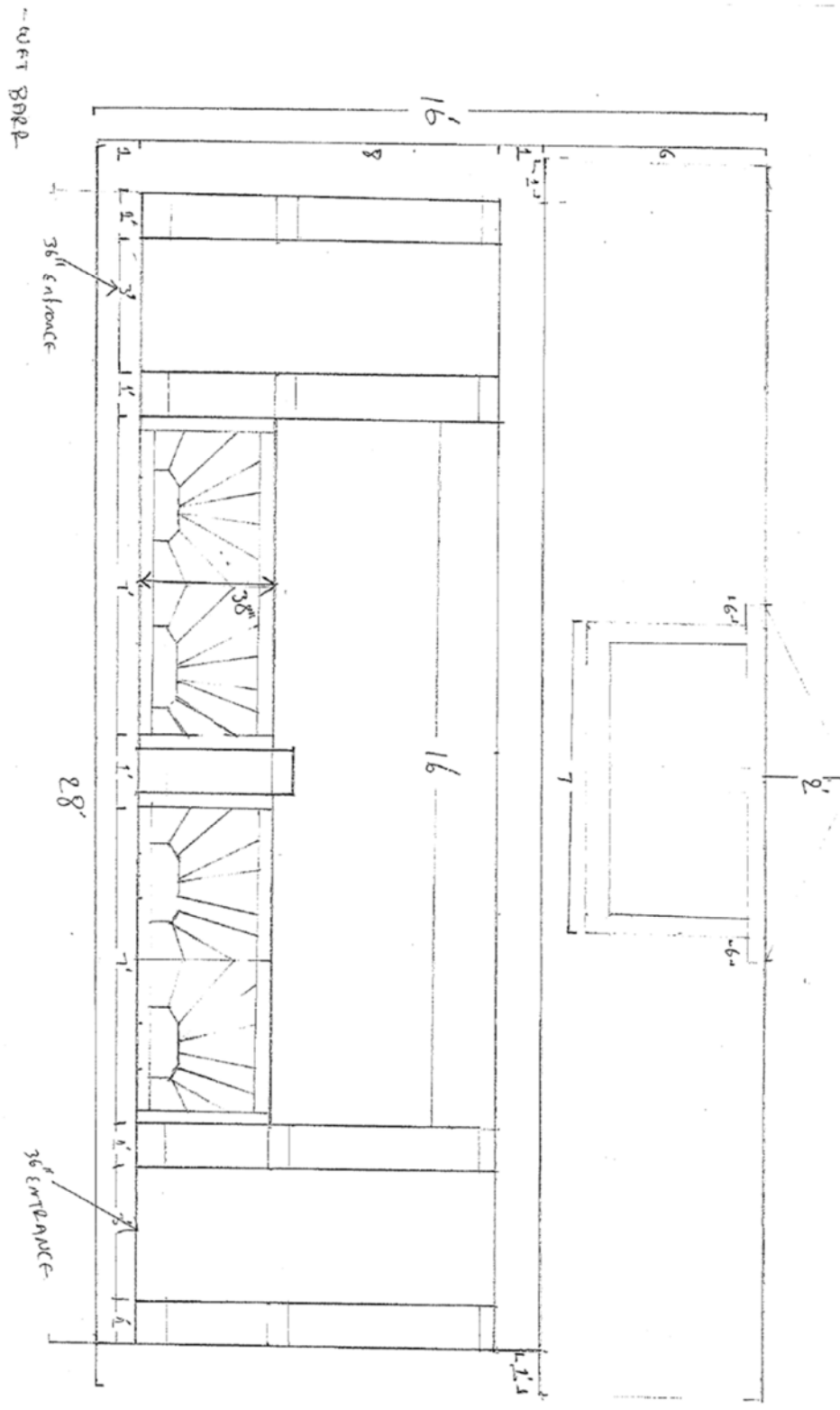
Application accepted by: *Dea Pennington* Date: 10/7/11

THIRD ST



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 — PRE MADE RAFTERS WITH OPEN
 CEILING







City of
BELOIT, Wisconsin
Division of Neighborhood Planning

CITY HALL • 100 STATE STREET • BELOIT, WI 53511

Office: 608/364-6700 • Fax: 608/364-6609

www.ci.beloit.wi.us

Equal Opportunity Employer

NOTICE TO THE PUBLIC

October 26, 2011

To Whom It May Concern:

David Kline Sr., the owner of Kline's Club 88, has filed an application for a Conditional Use Permit to allow an outdoor seating area and outdoor sales, possession, & consumption of alcohol in a C-3, Community Commercial District, for the property located at:

65 Portland Avenue.

The applicant has proposed a 25' x 58' outdoor seating area on the east side of the existing building.

The following public hearings will be held regarding this proposed Conditional Use Permit:

City Plan Commission: Wednesday, November 9, 2011, at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

City Council: Monday, November 21, 2011, at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

THE PUBLIC IS INVITED TO ATTEND THESE HEARINGS.

We are interested in your opinion.

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For additional information, please contact Drew Pennington in the Neighborhood Planning Division at (608) 364-6711 or penningtond@ci.beloit.wi.us. Comments will be accepted via telephone, email, and U.S. Mail.

CU-2011-04, David Kline Sr., 65 Portland Avenue

HI PROPERTY ILLC
P O BOX 6614
LONGMONT, CO 80504

RAMIRO & NORMA BAUTISTA
1315 CENTER ST
SOUTH BELOIT, IL 610800041

JAMES JACOT
8837 N CONGRESS AVE APT 722
KANSAS CITY, MO 64153

BEVERLY MULLIGAN
4344 E WOOD TRL
BELOIT, WI 53511

DUANE & SUSAN DREVDAHL
953 FOURTH ST
BELOIT, WI 53511

DUANE E & SUSAN E
DREVDAHL
7435 S JOHNSON RD
BELOIT, WI 53511

VINCENT G & DELORES O
STANKEWITZ REVOCABLE TR
2360 S MADISON RD
BELOIT, WI 53511

PAUL & ELIZABETH
SLAYMAKER
5679 KUTZKE PKWY
SOUTH BELOIT, IL 61080

PASCUAL & MARIA GOMEZ
1601 EIGHTH ST
BELOIT, WI 53511



PROCEEDINGS OF THE BELOIT CITY COUNCIL
100 State Street, Beloit, WI 53511
Monday, November 7, 2011

Presiding: Kevin D. Leavy
Present: Sheila De Forest, Charles Haynes, David F. Luebke, Eric Newnham, Mark Spreitzer and James E. Van De Bogart
Absent: None

1. The meeting was called to order at 7:00 p.m. in the Forum at Beloit City Hall
2. PLEDGE OF ALLEGIANCE
3. SPECIAL ORDERS OF THE DAY/ANNOUNCEMENTS
 - a. The Proclamation recognizing Officer Ryan Flanagan, Captain Dan Risse, and the Beloit Police Department for receiving the **Cities and Villages Mutual Insurance Company (CVMIC) Significant Program Award** for the Force Multiplier Program was laid over to the November 21, 2011 City Council Meeting.
4. PUBLIC HEARINGS
 - a. Community Development Director Julie Christensen presented the staff report and resolution amending the **2010 and 2011 HOME Budgets** related to funding for Neighborhood Housing Services. She indicated that the Community Development Authority reviewed the proposed amendments and unanimously recommended approval. President Leavy opened and closed the public hearing without participation. Councilor Luebke moved to adopt the resolution, and Councilor Newnham seconded. The motion carried 7-0. File 8370/8503
5. CITIZENS' PARTICIPATION
 - a. Steve Warn, 6428 S. Edgewater Drive, Town of Rock, expressed concerns about the process for creating the 2012 budget and the exclusion of the members of the Fire Union in that process.
 - b. Ian Coutts, 936 Highland Avenue, spoke in opposition to the proposed Ordinance to prohibit firearms and dangerous weapons in City facilities.
 - c. Mike Zoril, 1756 Carlyle Road, spoke in opposition to the proposed Ordinance to prohibit weapons in City facilities and suggested the fine for violating said Ordinance be \$25.00 for those who have proper permits.
 - d. Paul Limbrich, 102 N River Street, Apt 301, Janesville, read a statement regarding his support for the second amendment and his opposition to prohibiting weapons in City facilities.
 - e. Robert Bellard, 842 Bluff Street, spoke in favor of second amendment rights.
 - f. Chuck Kuecker, 2511 W. Creedy Road, Town of Beloit, spoke in opposition to the proposed Ordinance prohibiting weapons in City facilities.
 - g. Gary Fields, 13826 Sundance Trail, Rockton, Illinois, expressed concern with the increase in rental permit fees. He indicated that the program should switch focus to maintenance.
6. CONSENT AGENDA

Councilor De Forest requested to remove items 6.e. and 6.f. from the Consent Agenda. Councilor Van De Bogart moved to adopt the Consent Agenda, which consists of items 6.a. through 6.d., and Councilor Haynes seconded. The motion carried that items 6.a. through 6.d. of the Consent Agenda be accepted, approved, adopted, or referred and acted upon as required by state and local codes by a vote of 7-0.

 - a. **Minutes** of the Special Meeting of October 14, 2011, and the Regular and Special Meetings of October 17, 2011 were approved.

- b. The resolution approving Fuller's Woods **Condominiums Addendum No.1** for properties located on the 2700 block of East Ridge Road was adopted. File 8025
- c. The application for a **Zoning Map Amendment** to change the Zoning District Classification from PUD, Planned Unit Development District, to R-1A, Single-family Residential District, for properties located at 1907 and 2000 Aspen Drive and 1907, 2000, and 2001 Dell Drive was referred to the Plan Commission. File 8517
- d. The application for a **Conditional Use Permit** to allow an outdoor seating area and the outdoor sales, possession, and consumption of alcohol in a C-3, Community Commercial District, for the property located at 65 Portland Avenue, was referred to the Plan Commission. File 8446/8497
- e. Director of Parks and Leisure Services Brian Ramsey presented a resolution supporting the **Rock River Trail Initiative**. Greg Farnham, Coordinator of the Rock River Trail Initiative, spoke regarding the public-private partnership to establish this trail. Councilor Haynes moved to adopt the resolution, and Councilor Newnham seconded. The motion carried 7-0. File 8518
- f. Assistant to the City Manager Beth Jacobsen presented a resolution concurring with the City Manager's Decision to Authorize the City of Beloit to Apply for and Enter into a **Grant Agreement for the Hydrogen Fuel Use In Municipal Fleets Grant** through the Wisconsin State Energy Office. Councilor Luebke moved to adopt the resolution, and Councilor De Forest seconded. The motion carried 7-0. File 8519

7. ORDINANCES

- a. Assistant City Attorney Elizabeth Krueger presented a proposed Ordinance to repeal and recreate Section 15.07(1), to create Section 15.07 (1g), and to amend Sections 15.01 and 15.30 of the Code of General Ordinance of the City of Beloit pertaining to **Dangerous Weapons in City Buildings**. A first reading of the Ordinance was given. Councilor Van De Bogart inquired about enforcement and liability, and Attorney Krueger indicated that dangerous weapons and firearms are currently prohibited in City facilities and that the City has other types of immunity from liability associated with this decision. Councilor Haynes said he thought the definition of dangerous weapons was too broad, and Attorney Krueger indicated that the definition used in the Ordinance is from the State Statutes. Councilor Newnham asked if the term "locations" was too broad, and Attorney Krueger responded that the Ordinance also includes a list of the specific buildings where carrying concealed weapons would be prohibited. Councilor Haynes voted to lay this item over for a second reading, and Councilor Luebke seconded. The motion carried 7-0. File 6255

8. APPOINTMENTS – none

9. COUNCILOR ACTIVITIES AND UPCOMING EVENTS

- a. Councilor Spreitzer indicated that he has spent a substantial amount of timer working through the 2012 budget document and was very excited to get one last paddle trip in on the River this season.
- b. Councilor Newnham said that it has been a long budget process and thanked staff, citizens, and councilors for their efforts to minimize the negative impacts on residents.
- c. Councilor Luebke congratulated City Manager Larry Arft on his election to a leadership position with the Wisconsin League of Municipalities.
- d. Councilor Haynes indicated that he hopes to hear from the public regarding the proposed concealed carry ordinance for City buildings.

10. CITY MANAGER'S PRESENTATION

- a. Finance and Administrative Services Director Paul York presented a resolution authorizing the Issuance and Sale of Approximately **\$4,280,000 Taxable General Obligation Refunding Bonds, Series 2011B**. Dawn Gunderson, Ehlers and Associates, explained the process and the results of the sale of these bonds on the open market. Councilor Newnham moved to adopt the resolution, and Councilor Luebke seconded. The motion carried through a roll call vote 7-0. File 8463

11. REPORTS FROM BOARDS AND CITY OFFICERS

- a. Community Development Director Julie Christensen presented a resolution approving the **2012 Annual Action Plan and Community Development Block Grant (CDBG) Budget**. It was noted that the Community Development Authority recommended approval of the budget by a vote of 5-0 with one abstention. Councilor De Forest recused herself from the discussion and action on this item. Councilor Luebke moved to adopt the resolution, and Councilor Newnham seconded. The motion carried 6-0-1. File 8514
Councilor De Forest returned to the Forum.
- b. Ms. Christensen presented a resolution approving the **2012 HOME Investment Partnership (HOME) Budget**. It was noted that the Community Development Authority recommended approval of the budget 6-0. Councilor Newnham moved to adopt the resolution, and Councilor Van De Bogart seconded. The motion carried 7-0. File 8515
- c. Downtown Beloit Association Executive Director Kathleen Braatz presented a resolution approving the **2012 Business Improvement District Plan and Budget**. It was noted that the Downtown Beloit Association unanimously recommended approval of the budget. Ms. Braatz discussed some of the success stories of 2011 and announced that the state asked Beloit to host the Downtown Main Street Awards in 2012. Councilor Haynes moved to adopt the resolution, and Councilor Luebke seconded. Councilor Newnham asked about additional funding for upper floor housing, and Ms. Braatz indicated that the Board voted to increase the amount of money available to 50 percent of the cost of the project. Councilor Newnham asked if all of the programs are self-sufficient, and Ms. Braatz indicated that the ability of an event or program to generate revenue is not the sole justification of the event. She used a parade as an example of an event that does not pay for itself but that the donations to charity from the event are deemed more important by the Board. The motion carried 7-0. File 8479
- d. Beloit Transit Director Michelle Gavin presented a resolution authorizing changes to the **2012 Schedule of Transit Fares** for the City of Beloit, Wisconsin. Ms. Gavin indicated that, without this modest increase in fares, there would have to be a substantial decrease in service. Anecdotally, she said that transit riders have said that they would rather pay the increase fare price than have services decreased. Councilor Spreitzer moved to adopt the resolution, and Councilor De Forest seconded. Councilor De Forest indicated that the transit riders she spoke to supported the increase in fares provided that the current service levels remained. Councilor Van De Bogart asked if Beloit is the smallest City in Wisconsin to maintain bus service, and Ms. Gavin responded that Beloit is one of the smaller transit departments but has been operating for over 100 years and serves over 300,000 riders annually. The motion carried 7-0. File 8514
- e. Mr. York presented a resolution authorizing changes to the **2012 Schedule of Fees, Charges, and Rates** for the City of Beloit, Wisconsin. He highlighted some of the increased fees in the Fire Department and Parks and Leisure Services and for services including solid waste removal, electrical permits, and rental dwelling permits. Councilor Haynes moved to adopt the resolution, and Councilor Luebke seconded. Councilor De Forest asked why the rental permit fee needed to be increased, and Ms. Christensen indicated that, per the City's ordinance, the program is supposed to pay for itself. Councilor Spreitzer indicated that the rental dwelling permit program should be reviewed in the future to make sure the levels of inspection are appropriate. Councilor De Forest made a motion to amend the resolution to eliminate the increase in the rental permit fee, and Councilor Newnham seconded. The motion to amend the resolution failed 2-5 with Councilors Haynes, Van De Bogart, Leavy, Luebke, and Spreitzer voting in opposition. The motion to adopt the resolution as presented carried 7-0. File 8514
- f. Mr. York presented a resolution approving the **Operating Budgets, Appropriating Funds and Levying Property Taxes necessary for the Operation and Administration of the City of Beloit for the Year 2012** including the 2012 Capital Improvement Budget; the Beloit Public Library Budget; and further authorizing the City Treasurer to spread the City Property Tax along with the apportionments Certified for other Jurisdictions upon the Current Tax Roll of the City. Councilor Haynes moved to adopt the resolution, and Councilor Spreitzer seconded. Councilor De Forest noted that, as a body, the Council could revisit and amend the budget in the future needed. Councilor Newnham asked Mr. York to repeat the impact of health insurance on the budget, and Mr. York said that insurance costs increased by 15 percent in 2012. Manager Larry Arft indicated that our health insurance consultants recommended an increase of 25 percent, but the City's Administration has worked to decrease the burden on the taxpayers. Councilor Haynes noted that favorable changes in the economy in the near future could result in the reinstatement of some of the public safety positions. Councilor Spreitzer asked Mr. York to explain why there may be an increase in taxes even though the overall budget has decreased, and Mr. York said

that any tax increase is due to the City's debt service from previous borrowing. Councilor Van De Bogart thanked everyone who participated in the budget process and commented that apportioning the budget cuts throughout the City's departments was the best method because all services and departments impact residents' quality of life. Councilor Spreitzer said that the budget is not ideal but everyone worked together to make sure it was balanced, and everyone will feel the effects. Council President Leavy said that everything that impacts residents will also impact the Council. He thanked the City's employees, the citizens, and the Councilors for their work on this budget. President Leavy called for a roll call vote. Councilors De Forest, Haynes, Van De Bogart, Leavy, Luebke, and Spreitzer voted to approve the resolution, and Councilor Newnham voted in opposition. The motion carried 6-1. File 8514

12. At 9:42 p.m. Councilor Haynes moved to adjourn the meeting, and Councilor Spreitzer seconded. The motion carried 7-0.

Rebecca S. Houseman, City Clerk

www.ci.beloit.wi.us

Date approved by Council:

**RESOLUTION APPROVING AN AMENDMENT TO THE CLASS "B" BEER AND
"CLASS B" LIQUOR LICENSE FOR PRD SALOON OF BELOIT, INC., D/B/A
PATTI'S ROAD DAWG PUB, TO INCLUDE THE RODEWAY INN HOTEL PREMISES**

WHEREAS, an application has been received to amend the application for PRD Saloon of Beloit, Inc., d/b/a Patti's Road Dawg Pub, Patti Vance, Agent, 2956 Milwaukee Road; and

WHEREAS, the Alcohol Beverage License Control Committee recommends approval of the amendment for the purpose of adding the Rodeway Inn Hotel premises, located on the same property at 2956 Milwaukee Road, to the licensed area.

NOW, THEREFORE, IT IS RESOLVED that the amendment is approved and the applicant is authorized to amend the application currently on file in the City Clerk's Office to include the Rodeway Inn Hotel premises.

Dated this 21st day of November, 2011.

Kevin D. Leavy, City Council President

Attest:

Rebecca S. Houseman, City Clerk

Amended

RENEWAL ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk. Read instructions on reverse side.

For the license period beginning: 7/1/2011 ending: 6/30/2012
(MM DD YYYY) (MM DD YYYY)

TO THE GOVERNING BODY of the: Town of } Beloit
 Village of }
 City of }
County of Rock Aldermanic Dist. No. _____ (If required by ordinance)

CHECK ONE Individual Partnership Limited Liability Company
 Corporation/Nonprofit Organization

Complete A or B. All must complete C.

Applicant's Wisconsin Seller's Permit Number:	<u>456-000342097002</u>
Federal Employer Identification Number (FEIN):	<u>26-1388898</u>
LICENSE REQUESTED	
TYPE	FEE
<input type="checkbox"/> Class A beer	\$
<input checked="" type="checkbox"/> Class B beer	\$
<input type="checkbox"/> Wholesale beer	\$
<input type="checkbox"/> Class C wine	\$
<input type="checkbox"/> Class A liquor	\$
<input checked="" type="checkbox"/> Class B liquor	\$
<input type="checkbox"/> Reserve Class B liquor	\$
Publication fee	\$
TOTAL FEE	\$

A. Individual or Partnership:
Full Name(s) (Last, First and Middle Name) Vance, Patti Jean Home Address 5133 E Chicago St Post Office & Zip Code Beloit WI 53511

B. Full Name of Corporation/Nonprofit Organization/Limited Liability Company PRO Saloon & Bar
Address of Corporation/Limited Liability Company (if different from licensed premises) 2956 Milwaukee Rd Post Office & Zip Code 53511

All Officer(s) Director(s) and Agent of Corporation and Members/Managers and Agent of Limited Liability Company:
Title Name (Inc. Middle Name) Home Address Post Office & Zip Code
President/Member Patti Vance 5133 E Chicago St Beloit WI 53511
Vice President/Member John Vance
Secretary/Member John Vance
Treasurer/Member Patti Vance
Agent Patti Vance
Directors/Managers _____

C.1. Trade Name Patti's Road Diner Pub Business Phone Number 608-363-9374
2. Address of Premises 2956 Milwaukee Rd Post Office & Zip Code Beloit WI 53511

3. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers? Yes No

4. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) Add hotel property - entire property

5. Legal description (omit if street address is given above): Conference room, dining room, banquet hall, basement, outdoor area per C.U.

6. a. Since filing of the last application, has the named licensee, any member of a partnership licensee, or any member, officer, director, manager or agent for either a limited liability company licensee, corporation licensee, or nonprofit organization licensee been convicted of any offenses (excluding traffic offenses not related to alcohol) for violation of any federal laws, any Wisconsin laws, any laws of other states, or ordinances of any county or municipality? If yes, complete reverse side .. Yes No

b. Are charges for any offenses presently pending (excluding traffic offenses not related to alcohol) against the named licensee or any other persons affiliated with this license? If yes, explain fully on reverse side .. Yes No

7. Except for questions 6a and 6b, have there been any changes in the answers to the questions as submitted by you on your last application for this license? If yes, explain. Yes No

8. Was the profit or loss from the sale of alcohol beverages for the previous year reported on the Wisconsin Income or Franchise Tax return of the licensee? If not, explain. Yes No

9. Does the applicant understand a Wisconsin Seller's Permit must be applied for and issued in the same name as that shown under Section A or B above? (phone (608) 266-2776) .. Yes No

10. Does the applicant understand that alcohol beverage invoices must be kept at the licensed premises for 2 years from the date of invoice and made available for inspection by law enforcement? .. Yes No

11. Is the applicant indebted to any wholesaler beyond 15 days for beer or 30 days for liquor? .. Yes No

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signers. Signers agree to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants and each member of a partnership applicant must sign; corporate officer(s), members/managers of Limited Liability Companies must sign.)

SUBSCRIBED AND SWORN TO BEFORE ME
this 19th day of October, 20 11
John J. Abrams
(Notary Public)
My commission expires 10-11-15

Patti Vance
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner/Individual)
John Vance
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner)

(Additional Partner(s)/Member/Manager of Limited Liability Company if Any)

Date received and filed with municipal clerk	Date reported to council/board	Date license granted
<u>10-19-11</u>		
License number issued	Date license issued	Signature of Clerk / Deputy Clerk

Parking

Hotel
East Wing

Hotel
West Wing

Parking

H
a
l
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a
y

*no alcohol
in*
Courtyard

H
a
l
l
w
a
y

Parking

Halway EE - door

Covered
walkway

Deck

Current location
2956 Milwaukee Rd
Beloit, WI 53511

Hotel
Office

Parking



**ALCOHOL BEVERAGE LICENSE CONTROL COMMITTEE
RECOMMENDATION**

TO: Beloit City Council
FROM: Alcohol Beverage License Control Committee
DATE: November 8, 2011
SUBJECT: Patti's Road Dawg Pub

The Alcohol Beverage License Control Committee recommends approval of the additional area added to the license of PRD Saloon of Beloit, Inc., d/b/a Patti's Road Dawg Pub, 2956 Milwaukee Road, Patti Vance, Agent.

Recommendation for approval carried 4-0.

Rebecca Houseman
City Clerk

ORIGINAL ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

For the license period beginning _____ 20____; ending 6-30 2011

TO THE GOVERNING BODY of the: Town of } Beloit
 Village of }
 City of }

County of Rock Aldermanic Dist. No. _____ (if required by ordinance)

1. The named INDIVIDUAL PARTNERSHIP LIMITED LIABILITY COMPANY
 CORPORATION/NONPROFIT ORGANIZATION

hereby makes application for the alcohol beverage license(s) checked above.

2. Name (individual/partners give last name, first, middle; corporations/limited liability companies give registered name): Summer's Banquet Hall LLC

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the name, title, and place of residence of each person.

	Title	Name	Home Address	Post Office & Zip Code
President/Member	<u>VIRGINIA L CABRERA</u>	<u>ABRAHAM S. SUMMERS</u>	<u>2293 Cobblestone Ln Beloit</u>	<u>3610 Madison Road Beloit</u>
Vice President/Member				
Secretary/Member				
Treasurer/Member				
Agent	<u>VIRGINIA L CABRERA</u>		<u>2293 Cobblestone Ln Beloit</u>	
Directors/Managers				

3. Trade Name Summer's Banquet Hall Business Phone Number 608-921-8537
 4. Address of Premises 1304 Cranston Rd Beloit Post Office & Zip Code 53511

5. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? Yes No
 6. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant? Yes No
 7. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? Yes No
 8. (a) Corporate/limited liability company applicants only: Insert state Wisconsin and date _____ of registration. Yes No
 (b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? Yes No
 (c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? Yes No
 (NOTE: All applicants explain fully on reverse side of this form every YES answer in sections 5, 6, 7 and 8 above.)

9. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) Banquet Hall, Kitchen, Storage Room.

10. Legal description (omit if street address is given above): LA...Moxida Yes No
 11. (a) Was this premises licensed for the sale of liquor or beer during the past license year? Yes No
 (b) If yes, under what name was license issued?
 12. Does the applicant understand they must file a Special Occupational Tax return (TTB form 5630.5) before beginning business? [phone 1-800-937-8864] Yes No
 13. Does the applicant understand a Wisconsin Seller's Permit must be applied for and issued in the same name as that shown in Section 2, above? [phone (608) 266-2776] Yes No
 14. Is the applicant indebted to any wholesaler beyond 15 days for beer or 30 days for liquor? Yes No

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signers. Signers agree to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants and each member of a partnership applicant must sign; corporate officer(s), members/managers of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

SUBSCRIBED AND SWORN TO BEFORE ME

this 10th day of November, 2011

[Signature]
 (Clark/Notary Public)

My commission expires 5-9-22-13

Virginia L Cabrera
 (Officer of Corporation/Member/Manager of Limited Liability Company/Partner/Individual)

Abraham S Summers
 (Officer of Corporation/Member/Manager of Limited Liability Company/Partner)

(Additional Partner(s)/Member/Manager of Limited Liability Company if Any)

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk <u>11-10-11</u>	Date reported to council/board <u>11-21-11</u>	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued <u>N/A</u>	

Wisconsin Department of Revenue

Applied For

Applicant's Wisconsin Seller's Permit Number:	
Federal Employer Identification Number (FEIN): <u>45-3555985</u>	
LICENSE REQUESTED	
TYPE	FEE
<input type="checkbox"/> Class A beer	\$
<input checked="" type="checkbox"/> Class B beer	\$
<input type="checkbox"/> Wholesale beer	\$
<input type="checkbox"/> Class C wine	\$
<input type="checkbox"/> Class A liquor	\$
<input type="checkbox"/> Class B liquor	\$
<input type="checkbox"/> Reserve Class B liquor	\$
Publication fee	\$ <u>50.00</u> <i>Per 11-10-11</i>
TOTAL FEE	\$

SCHEDULE FOR APPOINTMENT OF AGENT BY CORPORATION/NONPROFIT ORGANIZATION OR LIMITED LIABILITY COMPANY

Submit to municipal clerk.

All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent. The following questions must be answered by the agent. The appointment must be signed by the officer(s) of the corporation/organization or members/managers of a limited liability company and the recommendation made by the proper local official.

To the governing body of: Town Village of Beloit County of Rock
 City

The undersigned duly authorized officer(s)/members/managers of Summers Banquet Hall LLC
(registered name of corporation/organization or limited liability company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as Summers Banquet Hall
(trade name)

located at 1304 Cranston Road Beloit, WI 53511

appoints VIRGINIA L. CABRERA
(name of appointed agent)

2293 Cobblestone Lane Beloit, WI 53571
(home address of appointed agent)

to act for the corporation/organization/limited liability company with full authority and control of the premises and of all business relative to alcohol beverages conducted therein. Is applicant agent presently acting in that capacity or requesting approval for any corporation/organization/limited liability company having or applying for a beer and/or liquor license for any other location in Wisconsin?

Yes No If so, indicate the corporate name(s)/limited liability company(ies) and municipality(ies).

Is applicant agent subject to completion of the responsible beverage server training course? Yes No

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? 9 years

Place of residence last year: 2293 Cobblestone Ln

For: Summers Banquet Hall LLC
(name of corporation/organization/limited liability company)

By: Virginia L. Cabrera
(signature of Officer/Member/Manager)

X And: Abraham S. Summers
(signature of Officer/Member/Manager)

ACCEPTANCE BY AGENT

I, VIRGINIA L. CABRERA, hereby accept this appointment as agent for the
(print/type agent's name)

corporation/organization/limited liability company and assume full responsibility for the conduct of all business relative to alcohol beverages conducted on the premises for the corporation/organization/limited liability company.

Virginia L. Cabrera Nov. 30, 2011 Agent's age
(signature of agent) (date)

2293 Cobblestone Ln. Beloit, WI 53571 Date of birth
(home address of agent)

APPROVAL OF AGENT BY MUNICIPAL AUTHORITY (Clerk cannot sign on behalf of Municipal Official)

I hereby certify that I have checked municipal and state criminal records. To the best of my knowledge, with the available information, the character, record and reputation are satisfactory and I have no objection to the agent appointed.

Approved on by Title
(date) (signature of proper local official) (town chair, village president, police chief)

AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

Individual's Full Name (please print) (last name) (first name) (middle name) Cabrera VIRGINIA Lynn			Social Security Number ---		
Home Address (street/route) 2293 Cobblestone Ln		Post Office	City Beloit	State WI	Zip Code 53511
Home Phone Number 608-921-8537 cell		Age	Date of Birth	Place of Birth Fresno, CA	

The above named individual provides the following information as a person who is (check one):

- Applying for an alcohol beverage license as an individual.
- A member of a partnership which is making application for an alcohol beverage license.
- President Agent** of **Summers Banquet Hall LLC**
(Officer/Director/Member/Manager/Agent) (Name of Corporation, Limited Liability Company or Nonprofit Organization)
 which is making application for an alcohol beverage license.

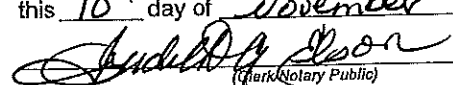
The above named individual provides the following information to the licensing authority:

- How long have you continuously resided in Wisconsin prior to this date? 9 years
- Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality? Yes No
 If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)
- Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality? Yes No
 If yes, describe status of charges pending.
- Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit? Yes No
 If yes, identify. (Name, Location and Type of License/Permit)
- Do you hold and/or are you an officer, director, stockholder, agent or employe of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer license; brewery/winery permit or wholesale liquor manufacturer or rectifier permit in the State of Wisconsin? Yes No
 If yes, identify. (Name of Wholesale Licensee or Permittee) (Address By City and County)

6. Named individual must list in chronological order last two employers.

Employer's Name HIGH SCHOOL AP Dabecca Associates	Employer's Address 220 W. Grand Ave. Beloit	Employed From October 2009	To Present
Employer's Name S&K Limo	Employer's Address 2638 Butler Ct. Beloit	Employed From Sept 2005	To Present

The undersigned, being first duly sworn on oath, deposes and says that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application.

Subscribed and sworn to before me
 this 10 day of November, 2011

(Notary Public)
 My commission expires 9-22-13


(Signature of Named Individual)



AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

Individual's Full Name (please print) (last name) (first name) (middle name)			Social Security Number		
Summers Abraham S.					
Home Address (street/route)		Post Office	City	State	Zip Code
3610 Madison Rd			Beloit	WI	53511
Home Phone Number		Age	Date of Birth		Place of Birth
609 - 815-871-0026					Beloit, WI

The above named individual provides the following information as a person who is (check one):

- Applying for an alcohol beverage license as an individual.
- A member of a partnership which is making application for an alcohol beverage license.
- Vice President of Summers Banquet Hall LLC
(Officer/Director/Member/Manager/Agent) (Name of Corporation, Limited Liability Company or Nonprofit Organization)

which is making application for an alcohol beverage license.

The above named individual provides the following information to the licensing authority:

1. How long have you continuously resided in Wisconsin prior to this date? 55 years
2. Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality? Yes No
If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)

3. Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality? Yes No
If yes, describe status of charges pending.

4. Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit? Yes No
If yes, identify. _____
(Name, Location and Type of License/Permit)

5. Do you hold and/or are you an officer, director, stockholder, agent or employe of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer license, brewery/winery permit or wholesale liquor manufacturer or rectifier permit in the State of Wisconsin? Yes No
If yes, identify. Summers Pub (in the past no more) Prairie Ave Beloit
(Name of Wholesale Licensee or Permittee) (Address By City and County)

6. Named individual must list in chronological order last two employers.

Employer's Name <u>owner Summers Pub</u>	Employer's Address <u>2745 Prairie Ave Beloit</u>	Employed From <u>01/2008</u>	To <u>February 2010</u>
Employer's Name <u>Hamilton Sun Stand</u>	Employer's Address <u>4747 Harrison Ave Rockford</u>	Employed From <u>10/2/1978</u>	To <u>07/2004</u>

The undersigned, being first duly sworn on oath, deposes and says that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application.

Subscribed and sworn to before me

this 10th day of November, 20 11

[Signature]
(Clerk/Notary Public)

X Abraham S. Summers
(Signature of Named Individual)

My commission expires _____



Printed on Recycled Paper

Wisconsin Department of Revenue

ORDINANCE NO. _____

AN ORDINANCE TO REPEAL AND RECREATE SECTION 15.07(1), TO CREATE SECTION 15.07(1g) AND TO AMEND SECTIONS 15.01 AND 15.30 OF THE CODE OF GENERAL ORDINANCES OF THE CITY OF БЕЛОIT PERTAINING TO DANGEROUS WEAPONS IN CITY BUILDINGS.

WHEREAS the City Council desires to lawfully regulate the acknowledged right of its citizens to keep and bear arms; and

WHEREAS the City Council recognizes its responsibility to act on matters of local concern, specifically to exercise management and control over city-owned public property; and

WHEREAS that in order to protect the health, safety, and welfare of the citizens of the City of Beloit, the City Council determines that it is necessary to adopt the following ordinance;

THEREFORE, the City Council of the City of Beloit, Rock County, Wisconsin, do ordain as follows:

Section 1. Section 15.07(1) of the Code of General Ordinances of the City of Beloit is hereby repealed and recreated to read as follows:

“(1) DANGEROUS WEAPONS RESTRICTED. In addition to the provisions of Wisconsin Statutes enumerating places where the carrying of a dangerous weapon is prohibited, including exceptions thereto, it shall be unlawful for any person other than a law enforcement officer to enter or remain in City of Beloit municipal buildings, facilities or locations while carrying a dangerous weapon. The prohibition applies to all city buildings, facilities and locations including, but not limited to:

- (a) Beloit Housing Authority, 220 Portland Avenue
- (b) Beloit Public Library, 605 Eclipse Boulevard
- (c) City Hall, 100 State Street
- (d) Department of Public Works-Operations Facility, 2351 Springbrook Avenue
- (e) Department of Public Works-Utilities and Engineering Facility, 2400 Springbrook Avenue
- (f) Edwards Ice Arena and Pavilion, 2101 Cranston Road
- (g) Fire Department Headquarters, 1111 Church Street
- (h) Fire Station #2, 2111 Cranston Road
- (i) Fire Station #3, 1048 McKinley Avenue
- (j) Grinnell Center, 631 Bluff Street
- (k) Krueger Municipal Pool, 1700 Hackett Street
- (l) Krueger-Haskell Golf Clubhouse, 1611 Hackett Street

- (m) Leisure Services Office, 1003 Pleasant Street
- (n) Park buildings other than open-air park shelters
- (o) Pohlman Office/Field, 2301 Skyline Drive
- (p) Pump houses, wells, and all related buildings
- (q) Rotary River Center, 1160 Riverside Drive
- (r) Transit Operations, 1225 Willowbrook Road
- (s) Transit Transfer Facility, 225 Shirland Avenue
- (t) Wastewater Treatment Plant, lift stations and related buildings, 555 Willowbrook Road

Signs meeting the requirements of state statutes shall be posted in prominent places near public entrances of all buildings, structures or locations that restrict or prohibit dangerous weapons.

Section 2. Section 15.07(1g) of the Code of General Ordinances of the City of Beloit is hereby created to read as follows:

(1g) DEFINITIONS.

- (a) “Dangerous weapon” means any firearm, whether loaded or unloaded; any device designed as a weapon and capable of producing death or great bodily harm; any ligature or other instrumentality used on the throat, neck, nose, or mouth of another person to impede, partially or completely, breathing or circulation of blood; any electric weapon, as defined in §941.295 (1c) (a), Wis. Stats.; or any other device or instrumentality which, in the manner it is used or intended to be used, is calculated or likely to produce death or great bodily harm.
- (b) “Law enforcement officer” means any person employed by the State of Wisconsin or any political subdivision of this state, for the purpose of detecting and preventing crime and enforcing laws or ordinances and who is authorized to make arrests for violations of the laws or ordinances he or she is employed to enforce.

Section 3. Section 15.01 of the Code of General Ordinances of the City of Beloit is hereby amended to include, in numerical order, the following additions to the list of state statutes adopted by reference.

Section	Offense
175.60(2g)	License to Carry a Concealed Weapon

Section 4. Section 15.30 of the Code of General Ordinances of the City of Beloit is hereby amended to include, in numerical order, the following additions and deletions to the list of penalties for certain violations of Chapter 15 of the Code of General Ordinances.

Section	Offense	Offense	First Offense	Second Offense	Third Offense
15.01	175.60(2g)	Failure to Carry/Display Concealed Weapon License	25	25	25
15.07(1)		Restrictions on Dangerous Weapons in City Facilities Concealed Weapon	300	400	500

Section 5. The City Manager is authorized and directed to make such changes to the City of Beloit Employee Handbook and City policies to prohibit employee use or possession of a dangerous weapon during the course of their employment, except law enforcement officers and those authorized by the Chief of Police. The City Manager shall comply with 2011 Act 35, §175.60(15m), Wis. Stats., and such other and future laws or binding judicial precedent.

Section 6. This ordinance shall be in force and take effect upon passage and publication.

Adopted this _____ day of November, 2011.

BELOIT CITY COUNCIL

By: _____
Kevin D. Leavy, President

ATTEST:

By: _____
Rebecca S. Houseman, City Clerk

PUBLISHED: _____
EFFECTIVE DATE: _____
01-611100-5231- _____

tdh/ordinances/15.07(1), 15.07(1g), 15.01 & 15.30 = ORD 111024 (11-1158)

CITY OF БЕЛОIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: ORDINANCE RELATING TO WEAPONS IN CITY BUILDINGS

Date: November 7, 2011

Presenter(s): ELIZABETH A. KRUEGER

Department(s): ATTORNEY

Overview/Background Information:

The Wisconsin Personal Protection Act was signed into law on July 8, 2011. It is scheduled to take effect November 1, 2011.

The Act outlines certain areas where carrying a weapon is strictly prohibited, regardless of whether any local restrictions are implemented. In Beloit, the prohibition applies to those portions of city hall that include the Police Department and the Municipal Court when the court is in session.

As for other municipal buildings or facilities, the Act permits municipalities to make decisions locally regarding whether to permit or restrict the carrying of weapons. The proposed ordinance prohibits any person (except law enforcement officers) from carrying a dangerous weapon in any city building or facility. The proposed ordinance is consistent with the city's current policy and the state law which prohibits the possession of firearms and weapons in public buildings. The proposed ordinance further updates other sections of the municipal code in order to implement the proposed ordinance.

The Council does have other options to consider. The Council could decide to:

1. Allow license-holders to carry weapons in city buildings or facilities. (public and/or employees)
2. Allow the carrying of weapons, other than firearms, in city buildings or facilities. (public and/or employees)
3. Allow employees to carry weapons in city vehicles.
4. Allow employees to carry weapons during the course of their employment outside of municipal buildings or private vehicles. For example, city inspectors carrying weapons during inspections while located in areas where carrying weapons is allowed.

The ability for municipalities to restrict possession of weapons does not extend to parking lot areas of municipal facilities. Both members of the public and employees are permitted to carry and possess weapons in their own private vehicles.

In order to communicate any restrictions that may be adopted, signs must be posted at all entrances to buildings where the restriction is in place.

Council is asked to decide whether it would like to adopt the regulations as found in the proposed ordinance or determine what other regulations it would like to see in place relating to city buildings and facilities.

Conformance to Strategic Plan (List key goals this action would support and briefly discuss its impact on the City's mission.):

Adoption of the proposed ordinance would conform with the stated purpose of goal #1 in furthering the responsible stewardship and enhancement of City resources. It would further conform with goal #3's stated purpose of promoting a safe and healthy community and protecting property and resources.

Sustainability (Briefly comment on the sustainable long term impact of this policy or program related to how it will impact both the built and natural environment utilizing the four following eco-municipality guidelines.):

- Reduce dependence upon fossil fuels N/A
- Reduce dependence on chemicals and other manufacturing substances that accumulate in nature N/A
- Reduce dependence on activities that harm life sustaining eco-systems N/A
- Meet the hierarchy of present and future human needs fairly and efficiently N/A

If any of the four criteria are not applicable to your specific policy or program, an N/A should be entered in that space.

Action required/Recommendation:

The proposed ordinance has been reviewed by all affected departments and is recommended for approval or modification.

Fiscal Note/Budget Impact:

If the proposed ordinance is adopted, it would obligate the spending of funds to create and post signs at all municipal buildings.

November 21, 2011

**APPOINTMENT REVIEW COMMITTEE
REPORT TO CITY COUNCIL
APPOINTMENT RECOMMENDATION**

The undersigned Kevin D. Leavy, duly elected President of the Beloit City Council, subject to confirmation by the Beloit City Council, does hereby appoint the following citizen members to the vacancies and terms indicated below, said appointments being pursuant to nominations made and approved by the Appointment Review Committee at the regular meeting held November 14, 2011:

Kevin D. Leavy, President
Beloit City Council

Appointments

Alcohol Beverage License Control Committee

Tina Goecks, 2403 Turnberry Drive (replacing Mark Dax as School District of Beloit Representative) for the 2011-2012 school year

Park, Recreation & Conservation Advisory Commission

Michael K. McNulty, 1245 Eaton Avenue (replacing Peter J. Marino) for a term ending September 30, 2014

Police and Fire Commission

Timmy Link, 1820 E. Carolyn Drive (replacing David T. Threinen) for a term ending April 30, 2013

PLEASE ANNOUNCE THE FOLLOWING VACANCIES

Board of Ethics (1 vacancy for former City Councilor)
Board of Review (1 vacancy [as Alternate] for resident)
Community Development Authority (1 vacancy for resident)
Disabled Parking Enforcement Assistance Council (3 vacancies for residents with disabled plates)
Equal Opportunities and Human Relations Commission (2 vacancies for residents)
Municipal Golf Committee (1 vacancy for youth representative)
Municipal Library Board (1 vacancy for resident of Beloit or town adjacent to the City)
Park, Recreation & Conservation Advisory Commission (1 vacancy for youth)
Plan Commission (1 vacancy for resident)
Traffic Review Committee (1 vacancy for resident)