



**AGENDA
BELOIT CITY COUNCIL
100 State Street, Beloit WI 53511
City Hall Forum – 7:00 p.m.
Tuesday, September 6, 2011**

1. CALL TO ORDER AND ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. SPECIAL ORDERS OF THE DAY/ANNOUNCEMENTS
 - a. Proclamation recognizing the National Moment of Remembrance for the **10th Anniversary of September 11, 2001** (Van De Bogart)
4. PUBLIC HEARINGS
 - a. Proposed Ordinance to amend Sections 12.03(2)(g), 12.04(1)(g) and 12.09(3)(a) and to create Section 12.04(1)(cg) of the Code of General Ordinances of the City of Beloit pertaining to the **Subdivision Ordinance** (Christensen)
1st reading, suspend rules for 2nd reading
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 and Special Meetings of August 15 and Special Meeting of August 22, 2011 (Houseman)
 - b. Application for **Class "A" Beer License** for Saroj V. Patel d/b/a Liberty Quick N Save, 1407 Liberty Avenue (Houseman) Refer to ABLCC
 - c. Resolution approving **Intergovernmental Agreement** between the City of Beloit and Beloit Township to host a Joint Electronics Recycling Campaign (Arft)
 - d. Resolution approving **Intergovernmental Agreement** between the City of Beloit and Turtle Township to host a Joint Electronics Recycling Campaign (Arft)
 - e. Resolution authorizing Final Payment of Public Works Contract **C10-18, Milwaukee Road Sidewalk** (Flesch)
 - f. Resolution awarding Public Works Contract **C11-04 Sunshine Alley** (Flesch)
7. ORDINANCES
 - a. Ordinance to **Remove 2-hour Parking Time Limit** Along Copeland, Harvey, Randall, and Keeler between Park Avenue and Wisconsin Avenue (Flesch)
1st reading, suspend rules for 2nd reading
Traffic Review Committee recommendation for approval 5-0

- b. Ordinance to **Remove 10-hour Parking Time Limit** in the Downtown Area (Flesch)
1st reading, suspend rules for 2nd reading
Traffic Review Committee recommendation for approval 5-0

8. APPOINTMENTS – none

9. COUNCILOR ACTIVITIES AND UPCOMING EVENTS

10. CITY MANAGER'S PRESENTATION

- a. Report on Beloit Municipal Court's **Juvenile First Time Offender Program** (Judge Henderson)

11. REPORTS FROM BOARDS AND CITY OFFICERS

- a. Resolution providing for the Sale of Approximately \$8,645,000 **General Obligation Refunding Bonds, Series 2011** (York)
- b. Resolution Authorizing the City Manager to enter into a Revised State/Municipal Agreement with the Wisconsin Department of Transportation for the **Design and Construction of the Henry Avenue Bridge** (Flesch)
- c. Resolution Authorizing the City Manager to enter into a Revised State/Municipal Agreement with the Wisconsin Department of Transportation for the **Design and Construction of Riverside Drive** (Flesch)

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: August 31, 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.

Recognizing the National Moment of Remembrance for the 10th Anniversary of September 11th

WHEREAS, the City Council of the City of Beloit expresses its support of the United States Senate by joining the Nation and ceasing all work or other activity for a moment of remembrance beginning at 12:00 p.m. Central Daylight Time on September 11, 2011, in honor of the 10th anniversary of the terrorist attacks committed against the United States on September 11, 2001; and

WHEREAS, on September 11, 2001, three hijacked airliners crashed into the North and South Towers of the World Trade Center and the Pentagon, and the passengers and crew of a fourth hijacked airliner acted heroically to thwart the taking of additional American lives by crashing the airliner in Shanksville, Pennsylvania; and

WHEREAS, nearly 3,000 innocent civilians were killed in the heinous attacks of September 11, 2001, and countless fire and police departments, emergency medical personnel, government officials, workers, and volunteers responded immediately and heroically to these horrific events; and

WHEREAS, 10 years later, the people of the U.S. and around the world continue to mourn the tremendous loss of innocent lives, and thousands of men and women in the U.S. Armed Forces remain in harm's way defending the U.S. against those who seek to threaten this country; and

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Beloit recognizes September 11, 2011, as a day of solemn commemoration of the events of September 11, 2001; offers its deepest condolences to the families and friends of the innocent victims of these attacks; honors the heroic service, actions, and sacrifices of first responders, law enforcement personnel, State and local officials, volunteers, and countless others who aided the innocent victims at the expense of their own lives; and recognizes the valiant service, actions, and sacrifices of U.S. personnel, including members of the Armed Forces, the intelligence agencies, the diplomatic services, homeland security, and law enforcement, and their families, who have given so much to support the cause of freedom and defend the security of the U.S.

BE IT FURTHER RESOLVED that the City Council of the City of Beloit encourages the observance of the moment of remembrance to last for 1 minute beginning at 12:00 p.m. Central Daylight Time by ceasing all work or other activity and marking the moment in an appropriate manner, including ringing bells, blowing whistles, or sounding sirens.

Dated this 6th day of September, 2011.

Kevin D. Leavy, Beloit City Council President

ATTEST:

Rebecca S. Houseman, City Clerk

ORDINANCE NO. _____

AN ORDINANCE TO AMEND SECTIONS 12.03(2)(g), 12.04(1)(g) AND 12.09(3)(a) AND TO CREATE SECTION 12.04(1)(cg) OF THE CODE OF GENERAL ORDINANCES OF THE CITY OF БЕЛОIT PERTAINING TO THE SUBDIVISION ORDINANCE.

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

Section 1. Section 12.03(2)(g) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(g) Approval or conditional approval of a preliminary plat shall not constitute automatic approval of the final plat. If the final plat is submitted within thirty-six (36)24 months from the meeting date the Plan Commission approves the of preliminary plat approval and conforms substantially to the preliminary plat layout as indicated in Wisconsin Statutes, §236.11(1)(b), Wis. Stats., and all conditions imposed as part of the preliminary plat approval have been satisfied, the final plat shall be entitled to approval with respect to such layout. If the final plat is not submitted within thirty-six (36) months of the last required approval of the preliminary plat, any approving authority may refuse to approve the final plat or may extend the time for submission of the final plat. If any approving authority refuses to approve the final plat or the subdivider fails to submit the final plat within the time limit identified in this subsection, the subdivider is required to recommence the procedure for preliminary plat approval. An approved The preliminary plat shall be deemed an expression of approval or conditional approval of the layout submitted and used as a guide into the preparation of the final plat, which will be subject to further consideration by the Plan Commission and City Council at the time of its submission.”

Section 2. Section 12.04(1)(cg) of the Code of General Ordinances of the City of Beloit is hereby created to read as follows:

“(cg) In accordance with §236.11(1)(c), Wis. Stats., a professional engineer, planner or other person charged with the responsibility to review plats shall provide the Plan Commission and the City Council with his/her conclusions as to whether the final plat conforms substantially with the preliminary plat and with his/her recommendation on approval of the final plat. The conclusions and recommendation shall be made a part of the record of the proceeding at which the final plat is being considered and are not required to be in writing.”

Section 3. Section 12.04(1)(g) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(g) Recording of Final Plat. ~~The approved final plat shall only be recorded—The surveyor shall record a copy of the approved final plat~~ with the register of deeds ~~but only~~ after certificates of the state of Wisconsin, City Council, surveyors, and others required by §236.21, Wis. Stats., are placed on the face of the plat. The final plat shall be recorded within twelve (12) months from the approval date of the last approving authority and within thirty-six (36) months from the approval date of the first approving authority. Failure to record said final plat within twelve (12) months from the approval date of the last approving authority and thirty-six (36) months from the approval date of the first approving authority requires the subdivider to recommence the entire procedure for final plat approval.”

Section 4. Section 12.09(3)(a) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

(a) The subdivider or condominium developer shall file with said contract, subject to the approval of the City Attorney, a surety bond, ~~certificate of deposit~~, irrevocable letter of credit, or certified check or other security in an amount equal to 110% of the cost of improvements required to serve the subdivision or condominium development, as estimated by the City Engineer.

Section 5. This ordinance shall be in force and take effect upon passage and publication.

Adopted this _____ day of September, 2011.

BELOIT CITY COUNCIL

By: _____
Kevin D. Leavy, President

ATTEST:

By: _____
Rebecca S. Houseman, City Clerk

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

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: Subdivision Ordinance Amendments

Date: September 6, 2011

Presenter: Julie Christensen

Department:

Community Development

Overview/Background Information:

City of Beloit staff has drafted an Ordinance to amend three sections and to create one section of the Subdivision Ordinance. The proposed Ordinance is necessary in order to comply with recent changes to the State Statutes that deal with subdivision regulation (2009 Wis. Acts 376 and 399).

Key Issues (maximum of 5):

- Section 1 of the proposed Ordinance extends the time limit for submittal of a final plat following approval of a preliminary plat from 24 months to 36 months.
- Section 2 of the proposed Ordinance states that a professional planner or engineer shall review each final plat against the approved preliminary plat and provide the Plan Commission and City Council with a report and recommendation on approval of the final plat.
- Section 3 of the proposed Ordinance states that approved final plats shall be recorded with the Register of Deeds within 12 months of City Council approval.
- Section 4 of the proposed Ordinance relates to development agreements.
- The Plan Commission reviewed this item on August 17, 2011 and voted unanimously (5-0) to recommend approval of the proposed Ordinance.

Consistency with Comprehensive Plan and Strategic Plan:

- The proposed Ordinance is consistent with the City's Comprehensive Plan.
- 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 readings 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: August 17, 2011

Agenda Item: 3

File Number: RPB-2011-06

Request Overview/Background Information:

City of Beloit staff has drafted an Ordinance to amend three sections and to create one section of the Subdivision Ordinance. The proposed Ordinance is necessary in order to comply with recent changes to the State Statutes that deal with subdivision regulation (2009 Wis. Acts 376 and 399).

Key Issues:

- Section 1 of the proposed Ordinance extends the time limit for submittal of a final plat following approval of a preliminary plat from 24 months to 36 months.
 - Section 2 of the proposed Ordinance states that a professional planner or engineer shall review each final plat against the approved preliminary plat and provide the Plan Commission and City Council with a report and recommendation on approval of the final plat.
 - Section 3 of the proposed Ordinance states that approved final plats shall be recorded with the Register of Deeds within 12 months of City Council approval.
 - Section 4 of the proposed Ordinance relates to development agreements.
-

Consistency with Comprehensive Plan and Strategic Plan:

- The proposed Ordinance is consistent with the City's Comprehensive Plan.
 - 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
-

Staff Recommendation:

The Neighborhood Planning Division recommends **approval** of the attached Ordinance to amend Sections 12.03(2)(g), 12.04(1)(g), and 12.09(3)(a) and to Create Section 12.04(1)(cg) of the Code of General Ordinances of the City of Beloit pertaining to the Subdivision Ordinance.

Fiscal Note/Budget Impact: N/A

Attachments: Public Notice and Proposed Ordinance



City of
BELOIT, Wisconsin
Division of Neighborhood Planning

CITY HALL • 100 STATE STREET • BELOIT, WI 53511

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

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Equal Opportunity Employer

NOTICE TO THE PUBLIC

August 3, 2011

To Whom It May Concern:

The Beloit City Council is considering an Ordinance to amend Sections 12.03(2)(g), 12.04(1)(g), and 12.09(3)(a) and to create Section 12.04(1)(cg) of the Subdivision Ordinance, Chapter 12 of the Code of General Ordinances of the City of Beloit. The proposed Ordinance is necessary in order to comply with recent changes to the State Statutes relating to subdivision regulation. The proposed Ordinance relates to the timeline for submitting a final plat following approval of a preliminary plat, staff reports and recommendations on proposed final plats, the timeline for recording an approved final plat, and development agreements.

The following public hearings will be held regarding this proposed Ordinance:

City Plan Commission: Wednesday, August 17, 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: Tuesday, September 6, 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 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.



PROCEEDINGS OF THE BELOIT CITY COUNCIL

Special Meeting

August 15, 2011

5:30 p.m.

Presiding: James E. Van De Bogart
Present: Charles Haynes, Eric Newnham, and Mark Spreitzer
Absent: Sheila De Forest, David F. Luebke, and Kevin D. Leavy

1. Vice President James E. Van De Bogart called the meeting to order at 5:35 p.m. in the 4th Floor City Manager's Conference Room at City Hall. Roll called showed Councilors Haynes, Newnham, Spreitzer, and Van De Bogart present.
2. Councilor Newnham moved to adjourn into closed session Pursuant to Wis. Stats. 19.85(1)(e) to deliberate the **purchase of property** and to discuss **contract negotiation** regarding a possible casino in the City of Beloit. Councilor Haynes seconded. The motion carried, and the Council adjourned into closed session at 5:35 p.m.
3. Councilor Newnham moved to adjourn the meeting, and Councilor Haynes seconded. The motion carried, and the meeting adjourned at 6:23 p.m.

Rebecca S. Houseman
City Clerk

www.ci.beloit.wi.us

Date Approved by Council:



PROCEEDINGS OF THE BELOIT CITY COUNCIL
100 State Street, Beloit WI 53511
Monday, August 15, 2011

Presiding: James E. Van De Bogart
Present: Charles Haynes, David F. Luebke, Eric Newnham, and Mark Spreitzer
Absent: Sheila De Forest and Kevin D. Leavy

1. The meeting was called to order at 7:05 p.m.
2. SPECIAL ORDER OF THE DAY/ANNOUNCEMENTS – none
3. PUBLIC HEARINGS – none
4. CITIZENS' PARTICIPATION – none
5. CONSENT AGENDA

Councilor Haynes moved to adopt, second by Councilor Spreitzer. Motion carried that the Consent Agenda be accepted, approved, adopted or referred and acted upon as required by state and local codes by a vote of 5-0.

- a. **Minutes** of the Regular Meeting of August 1, 2011 were approved.
- b. Resolution approving a **Change of Agent** for Beloit College Coughy Haus, located at 708 Clary Street, to Steve Bernini was adopted. 8497
- c. Resolution authorizing **Final Payment of Public Works Contact C10-26, Madison Road Watermain** was adopted. 8469

6. ORDINANCES

- a. Proposed Ordinance to repeal and recreate Section 1.13 of the Code of General Ordinances of the City of Beloit pertaining to **City Electoral Ward Boundaries** and to repeal and recreate Section 1.14 pertaining to **Polling Places** was given first reading. City Clerk Rebecca Houseman explained that the proposed Ordinance repeals and recreates the ward and polling place plan and Ordinance enacted by the Council on July 5, 2011. She indicated that the passage of 2011 Wisconsin Acts 39, 43, and 44 changed the redistricting process and created new legislative and congressional district boundaries that do not coincide with the previously-approved ward plan. Councilor Haynes inquired about the small size of Ward 8, and Ms. Houseman explained that Ward 8 is the only part of Supervisory District 13 located on the west side of the Rock River. She went on to indicate that the creation of Ward 8 would eliminate the need for anyone to have to cross the River to vote and that the language in Act 39 allows cities to create wards that do not meet the population requirements if those wards are created due to an act of the legislature. Councilor Newnham said that the fact that Beloit will be represented by two senators and two assembly members may be positive because the City could be better represented at the Capital. Councilor Spreitzer indicated that splitting the City into two senate and assembly districts is unfortunate. Councilor Luebke moved to suspend the rules to allow for a second reading of this Ordinance. Councilor Haynes seconded, and the motion carried 5-0. Councilor Luebke moved to enact the Ordinance as proposed, and Councilor Haynes seconded. The motion carried 5-0. File 5826 Ordinance 3448

7. APPOINTMENTS – none

8. COUNCILOR ACTIVITIES AND UPCOMING EVENTS

- a. Councilor Newnham indicated that he attended a great Chamber of Commerce event with Senators Tim Cullen and Dale Schultz.

- b. Councilor Spreitzer said that National Night Out was a great experience, and he is looking forward to more local events including the Latino Fair and the annual Send Your Legislators Down the River.
- c. Councilor Van De Bogart said he attended the Chamber event with the Senators and is hopeful that more bipartisanship will be shown at the State level.

9. CITY MANAGER'S PRESENTATION – none

10. REPORTS FROM BOARDS AND CITY OFFICERS

- a. Resolution approving **Public Works Mutual Assistance Agreement**. City Manager Larry Arft presented the mutual aid agreement created by the Wisconsin Public Works Association, which allows aid between public works departments throughout Wisconsin during an emergency situation. Councilor Van De Bogart asked how many jurisdictions are participating in this agreement, and Mr. Arft indicated that APWA envisions this as a statewide mutual assistance project. Councilor Luebke moved to adopt the resolution, and Councilor Spreitzer seconded. Councilor Van De Bogart said that it is good to cooperate by sharing services and resources during a crisis, but it is also very important to cooperate when there is not a crisis to find better and cheaper ways to provide services. The motion carried 5-0. File 8510
- b. Resolution awarding **Contract C11-25, Renewable Energy Systems**. Assistant to the City Manager Beth Jacobsen explained several renewable energy projects that have been reviewed based on the recommendations during the energy audit performed on the City's facilities last winter. She said that the Council encouraged staff to pursue two projects: solar energy at City Hall and solar hot water-heating project at Fire Station 1. She indicated the City Hall project was ready to move forward and recommended approval of the bid received; however, the Fire Station project proved too expensive. Councilor Van De Bogart asked how the project would be funded, and Ms. Jacobsen explained that the project will be funded through a grant, previously-borrowed money for energy-efficiency projects, and capital funds from the 2011 budget. She also stated that, if the project is approved, she will look for additional grant funds from Focus on Energy and other sources. Councilor Van De Bogart asked if this is a demonstration project, and Ms. Jacobsen indicated that it demonstrates the City's commitment to green energy. Councilor Luebke moved to adopt the resolution, and Councilor Spreitzer seconded. The motion carried 5-0. File 8511
- c. Resolution approving the Issuance of **Community Development Authority of the City of Beloit, Wisconsin Midwestern Disaster Area Revenue Bonds, Series 2011** for the Alliance Development Corp. project. Economic Development Director Andrew Janke explained the project and how it will be financed using Midwestern Disaster Bonds. He also explained that the City does not participate in repayment nor does it have liability for these bonds. Councilor Van De Bogart asked why the City is involved, and Mr. Arft explained that the City has local control when projects are bonded. He said that the private company is responsible for all costs but it may borrow money cheaper through bonds. Councilor Newnham thanked Alliance for its reinvestment in the community and moved to adopt the resolution, and Councilor Luebke seconded. The motion carried 5-0 through a roll call vote with Councilors Haynes, Van De Bogart, Luebke, Newnham, and Spreitzer voting in favor. File 8306/8463
- d. Resolution authorizing the City Manager to enter into a Second Amendment to the **Development Agreement with Kerry, Inc.** Mr. Janke explained that Kerry is planning to construct a 29,000 square-foot addition to the headquarters in Beloit, which will create 47 new jobs. In order to secure this addition to the Beloit facility, the City is offering to amend the development agreement. Councilor Newnham thanked Kerry for its continued reinvestment. Councilor Spreitzer said that he is excited that Kerry is expanding and encouraged those who will work for Kerry to live in and invest in Beloit. Councilor Haynes moved to adopt the resolution, and Councilor Newnham seconded. The motion carried 5-0. File 8300

11. At 7:40 p.m. Councilor Spreitzer moved to adjourn the meeting, second by Councilor Luebke. The motion carried 5-0.

Rebecca S. Houseman, City Clerk

www.ci.beloit.wi.us

Date approved by Council:



PROCEEDINGS OF THE BELOIT CITY COUNCIL

Special Meeting

August 22, 2011

5:30 p.m.

Presiding: Kevin D. Leavy
Present: Charles Haynes, David F. Luebke, Mark Spreitzer, and James Van De Bogart
Absent: Sheila De Forest and Eric Newnham

1. President Leavy called the meeting to order at 5:30 p.m. in The Forum on the first floor of City Hall. Roll called showed Councilors Leavy, Haynes, Luebke, Spreitzer, and Van De Bogart present. City staff requested that the agenda order be changed to accommodate the guest speakers in the audience.
3. Finance and Administrative Services Director Paul York presented a resolution authorizing the City Manager to enter into a contract with Wisconsin Counties Association Group Health Trust/UMR and the Employer Health Care Alliance Cooperative, to provide third party administrator services and preferred provider networks for the **City's Group Health Insurance**. Mr. York explained the bid process and recommended the Wisconsin Counties Association plan. Rae Anne Beaudry from the Horton Group presented the sample contracts and explained how the City would save money by changing third party administrators without changing employee insurance services at this time. Councilor Luebke moved to adopt the resolution, and Councilor Spreitzer seconded. The motion carried 5-0. File 8512
4. Community Development Director Julie Christensen presented a resolution confirming financing commitments for **Phase 2 of the Redevelopment of 66 Public Housing Units**. Ms. Christensen explained that the Council approved the concept of Phase 2 of the public housing redevelopment project in March 2010 and that the economic conditions have changed since that time. She said that adoption of the resolution authorizes the City to assist the Community Development Authority and complete this project by providing three recoverable grants and an operating guaranty. Councilor Luebke moved to adopt the resolution, and Councilor Spreitzer seconded. The motion carried 5-0. File 8384
2. City Manager Larry Arft presented a resolution authorizing **Participation in Trail Connection Studies** currently underway. Mr. Arft explained that the Rock Trail Coalition and Beloit 2020 have approached the City to participate in two trail connection studies, one to the north of Beloit and one to the south, at an estimated cost of \$35,000, which will be paid from the 2009 capital fund budget for park planning services. Councilor Luebke moved to adopt the resolution, and Councilor Spreitzer seconded. Councilor Spreitzer moved to amend the resolution to provide \$25,000 for the two studies instead of \$35,000. Councilor Luebke seconded the amendment, and it carried 4-1 with Councilor Leavy voting in opposition. The merits of the resolution carried 4-1, with Councilor Leavy voting in opposition. File 8370
5. At 6:58 p.m., Councilor Luebke moved to adjourn the meeting, and Councilor Haynes seconded. The motion carried 5-0.

Rebecca S. Houseman
City Clerk

www.ci.beloit.wi.us

Date Approved by Council:

ORIGINAL ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

For the license period beginning July 1st 2011 ;
ending JUNE 30 2012

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): SHREE RAJ. 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.

SOLE	Title	Name	Home Address	Post Office & Zip Code
President/Member		<u>PATEL SAROT V.</u>	<u>1226 Mc KINLEY AV.</u>	<u>53511</u>
Vice President/Member				
Secretary/Member				
Treasurer/Member				
Agent				
Directors/Managers				

3. Trade Name LIBERTY QUICK N SAVE Business Phone Number 608 362-8937
4. Address of Premises 1407 Liberty Ave. Post Office & Zip Code BELOIT 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 WI and date 5-6-11 of registration.
(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.) 1407 Liberty Ave. BELOIT WI.

10. Legal description (omit if street address is given above): Walk in Cooler, Sales Floor 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 17 day of August, 2011

Judith A. Poon
(Clerk/Notary Public)

X Sarot V Patel
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner/Individual)

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

My commission expires 9-22-13

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

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk <u>8-17-11</u>	Date reported to council/board	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	

Applicant's Wisconsin Seller's Permit Number: <u>456-0000-25402 20-03</u>	
Federal Employer Identification Number (FEIN): <u>68-0501772</u>	
LICENSE REQUESTED	
TYPE	FEE
<input checked="" type="checkbox"/> Class A beer	\$
<input 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>#15000</u> <u>PL 8-17</u>
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 SHREE RAJ. L.L.C.
(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
Liberty Quick N Save
(trade name)

located at 1407 Liberty Av. BELoit WI. 53511.

appoints SAROT V. PATEL.
(name of appointed agent)

1226 Mc. KINLEY AVE. BELoit WI. 53511.
(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? _____

Place of residence last year 1226 Mc. KINLEY AV. BELoit WI. 53511.

For: SHREE RAJ. L.L.C.
(name of corporation/organization/limited liability company)

By: X SAROT V. PATEL.
(signature of Officer/Member/Manager)

And: _____
(signature of Officer/Member/Manager)

ACCEPTANCE BY AGENT

I, SAROT V. PATEL., 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.

X SAROT V. PATEL. 8-17-11 Agent's age _____
(signature of agent) (date)

1226 Mc. KINLEY AVE. BELoit WI. 53511. Date of birth _____
1226 Mc. KINLEY.
(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)		Social Security Number	
PATEL SAROT V.		-	
Home Address (street/route)	Post Office	City	State Zip Code
1226 MCKINLEY AVE	BELOIT	BELOIT	WI 53511
Home Phone Number	Age	Date of Birth	Place of Birth
608-362-8933			INDIA

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.
- Agent MEMBER of SHREE RAJ 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? 8 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 <u>CIBA</u>	Employer's Address <u>333 E Howard, Des Plaines</u>	Employed From <u>5-28-01</u>	To <u>2002</u>
Employer's Name <u>3.COM</u>	Employer's Address <u>1800 W. Central Rd. Mt Prospect</u>	Employed From <u>5-8-00</u>	To <u>5-27-01</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 17 day of August, 20 11

[Signature]
(Clerk/Notary Public)

X Sarot V. Patel
(Signature of Named Individual)

My commission expires 9-22-13



Printed on Recycled Paper

**A RESOLUTION APPROVING INTERGOVERNMENTAL AGREEMENT
BETWEEN THE CITY OF БЕЛОIT AND БЕЛОIT TOWNSHIP
TO HOST A JOINT ELECTRONICS RECYCLING CAMPAIGN**

WHEREAS, the Wisconsin Department of Natural Resources has made grant funds available through a Recycling Consolidation Grant; and

WHEREAS, the program encourages the consolidation of government efforts through intergovernmental agreements by local units of government; and

WHEREAS, the City of Beloit would be able to maximize available grant funds by entering into the attached Intergovernmental Agreement with Beloit Township; and

WHEREAS, the City of Beloit operates a mandatory recycling program and is concerned with electronics recycling; and

WHEREAS, it would be in the best interests of the City of Beloit to again enter into a further intergovernmental agreement with Beloit Township.

IT IS, THEREFORE, RESOLVED that the City Council of the City of Beloit, Rock County, Wisconsin, does hereby approve the attached Intergovernmental Agreement between the City of Beloit and Beloit Township.

BE IT FURTHER RESOLVED that the City Manager be, and he is hereby, authorized to execute the same on behalf of the City of Beloit and to do other things necessary for the implementation of said Intergovernmental Agreement.

Adopted this 6th day of September 2011.

City Council of the City of Beloit

Kevin D. Leavy, Council President

Attest:

Rebecca S. Houseman, City Clerk

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: Intergovernmental Agreements with the Towns of Beloit and Turtle

Date: September 6, 2011

Presenter(s): Larry Arft

Department(s): Public Works

Overview/Background Information:

The City of Beloit has entered into an intergovernmental agreement with the above Townships for 7 years in order to receive a Recycling Efficiency Incentive grant offered by the Wisconsin Department of Natural Resources. In 2012, a similar grant will be offered, renamed the Recycling Consolidation Grant. Proceeds of past grants have been a minimum of \$14,000, annually.

Key Issues (maximum of 5):

1. Intergovernmental agreements have previously been approved by Council for 7 years in order to qualify for the grant funds.
2. The grant is based on shared activities with neighboring municipal governments.
3. The grant amount is dependant on the number of approved applications, the population of qualifying communities and state budget approval.

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

1. **Promotes a safe and healthy community.**
2. **Protects our natural resources.**
3. **Creates partnership with our neighboring townships for efficiency of service delivery.**

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**
Savings of transportation by city equipment to the landfill.
- **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature**
Electronics will be recycled/re-used, not landfilled.
- **Reduce dependence on activities that harm life sustaining eco-systems**
Recycling the electronics will save landfill space.
- **Meet the hierarchy of present and future human needs fairly and efficiently**
Recycling electronics saves the environment from contamination of air, soil and ground water for generations to come.

Action required/Recommendation:

Passing the resolution authorizing the City Manager to enter into intergovernmental agreements with the Townships of Beloit and Turtle in order to apply for the REI grant.

Fiscal Note/Budget Impact:

Possible additional funding to the recycling budget.

INTERGOVERNMENTAL AGREEMENT

This Intergovernmental Agreement is made and entered into this _____ day of _____, 2011, by and between the City of Beloit, a Wisconsin municipal corporation, located in Rock County, Wisconsin, with its principal place of business located at 100 State Street, Beloit, WI 53511 (hereinafter “**City**”), and the Town of Beloit, a political subdivision of the State of Wisconsin, with its principal place of business located at 2871 South Afton Road, Beloit, WI 53511 (hereinafter “**Town**”).

WHEREAS, the Wisconsin Department of Natural Resources (DNR) has offered a Recycling Consolidation Grant as an incentive to the **City** and **Town** to enter into intergovernmental agreements with other Responsible Units (RU) to improve the efficiency of recycling programs by combining services; and

WHEREAS, the **City** and **Town** each operate a mandatory recycling program; and

WHEREAS, the **City** and **Town** are concerned with the proper recycling of electronics, and

WHEREAS, the **Town** is willing to enter into this Intergovernmental Agreement to host a joint electronics recycling campaign; and

WHEREAS, the DNR has approved this agreement between the **City** and the **Town**; and

WHEREAS, the **Town** and the **City** are empowered to enter into this Intergovernmental Agreement by section 66.0301, Wis. Stats.

NOW, THEREFORE, the **City** and **Town**, in consideration of the premises stated above, do agree as follows:

1. **Services to be Provided.** The **City** and the **Town** agree to host a joint electronics recycling campaign to encourage recycling of electronics thereby saving space in landfills. This program would benefit residents of the **Town** and the **City**.

2. **Term of Agreement.** This Agreement shall commence on September 19, 2011, and terminate at 5:00 p.m. on September 18, 2012. This Agreement may be renewed for additional one-year periods, provided either party is not in default under the terms and conditions of this Agreement. The **City** or **Town** may terminate this Agreement at any time, without cause, upon 120 days prior written notification to the other party.

3. **Financial Information.** Each RU will fulfill the DNR requirements for grant application and therefore, will receive grant funds when considered eligible by the DNR in an amount determined by the DNR.

4. **Indemnification.** The **Town** shall indemnify and hold the **City** harmless from any liability for any claim, including attorneys fees and court costs, arising out of any act or omission of the **Town**, its officers, employees, or agents. The **City** shall indemnify and hold the **Town** harmless from any liability for any claim, including attorneys fees and court costs, arising out of any act or omission of the **City**, its officers, employees, or agents. Each party shall be responsible to defend any claim arising out of its own act or omission and the acts or omissions of its officers, employees, or agents.

5. **Force Majeure.** Neither party shall be liable to the other for failure to perform its obligations hereunder if and to the extent that such failure to perform is caused by, or results from, causes beyond its control, including, without limitation: strikes, lockouts, or other industrial disturbances; civil disturbances; fire, acts of God; acts of public enemy; acts or

omissions of subcontractors; compliance with any regulations, order, or requirement of any governmental body or agency; or any inability to obtain transportation or necessary materials in the open market.

6. **Compliance.** Both parties, in performing the services, shall comply, and shall require compliance by any of its employees and agents, with all applicable statues, regulations, or orders of any governmental authority or agency.

7. **Notices.** Any notice to be given to either party hereunder shall be given by mailing the same by first-class mail, postage prepaid, and addressed as follows:

CITY: Larry N. Arft, City Manager
City of Beloit
100 State Street
Beloit, WI 53511

TOWN: Karry DeVault, Town Clerk
Town of Beloit
2871 South Afton Rd.
Beloit, WI 53511

Authorized Representative, City of Beloit

Date

Authorized Representative, Town of Beloit

Date

**A RESOLUTION APPROVING INTERGOVERNMENTAL AGREEMENT
BETWEEN THE CITY OF БЕЛОIT AND TURTLE TOWNSHIP
TO HOST A JOINT ELECTRONICS RECYCLING CAMPAIGN**

WHEREAS, the Wisconsin Department of Natural Resources has made grant funds available through a Recycling Consolidation Grant; and

WHEREAS, the program encourages the consolidation of government efforts through intergovernmental agreements by local units of government; and

WHEREAS, the City of Beloit would be able to maximize available grant funds by entering into the attached Intergovernmental Agreement with Turtle Township; and

WHEREAS, the City of Beloit operates a mandatory recycling program and is concerned with electronics recycling; and

WHEREAS, it would be in the best interests of the City of Beloit to again enter into a further intergovernmental agreement with Turtle Township.

IT IS, THEREFORE, RESOLVED that the City Council of the City of Beloit, Rock County, Wisconsin, does hereby approve the attached Intergovernmental Agreement between the City of Beloit and Turtle Township.

BE IT FURTHER RESOLVED that the City Manager be, and he is hereby, authorized to execute the same on behalf of the City of Beloit and to do other things necessary for the implementation of said Intergovernmental Agreement.

Adopted this 6th day of September 2011.

City Council of the City of Beloit

Kevin D. Leavy, Council President

Attest:

Rebecca S. Houseman, City Clerk

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: Intergovernmental Agreements with the Towns of Beloit and Turtle

Date: September 6, 2011

Presenter(s): Larry Arft

Department(s): Public Works

Overview/Background Information:

The City of Beloit has entered into an intergovernmental agreement with the above Townships for 7 years in order to receive a Recycling Efficiency Incentive grant offered by the Wisconsin Department of Natural Resources. In 2012, a similar grant will be offered, renamed the Recycling Consolidation Grant. Proceeds of past grants have been a minimum of \$14,000, annually.

Key Issues (maximum of 5):

1. Intergovernmental agreements have previously been approved by Council for 7 years in order to qualify for the grant funds.
2. The grant is based on shared activities with neighboring municipal governments.
3. The grant amount is dependant on the number of approved applications, the population of qualifying communities and state budget approval.

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

1. **Promotes a safe and healthy community.**
2. **Protects our natural resources.**
3. **Creates partnership with our neighboring townships for efficiency of service delivery.**

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**
Savings of transportation by city equipment to the landfill.
- **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature**
Electronics will be recycled/re-used, not landfilled.
- **Reduce dependence on activities that harm life sustaining eco-systems**
Recycling the electronics will save landfill space.
- **Meet the hierarchy of present and future human needs fairly and efficiently**
Recycling electronics saves the environment from contamination of air, soil and ground water for generations to come.

Action required/Recommendation:

Passing the resolution authorizing the City Manager to enter into intergovernmental agreements with the Townships of Beloit and Turtle in order to apply for the REI grant.

Fiscal Note/Budget Impact:

Possible additional funding to the recycling budget.

INTERGOVERNMENTAL AGREEMENT

This Intergovernmental Agreement is made and entered into this _____ day of _____, 2011, by and between the City of Beloit, a Wisconsin municipal corporation, located in Rock County, Wisconsin, with its principal place of business located at 100 State Street, Beloit, WI 53511 (hereinafter “**City**”), and the Town of Turtle, a political subdivision of the State of Wisconsin, with its principal place of business located at 6916 S. County Trunk J, Beloit, WI 53511 (hereinafter “**Town**”).

WHEREAS, the Wisconsin Department of Natural Resources (DNR) has offered a Recycling Consolidation Grant as an incentive to the **City** to enter into intergovernmental agreements with other Responsible Units (RU) to improve the efficiency of recycling programs by combining services; and

WHEREAS, the **City** and **Town** operate a mandatory recycling program; and

WHEREAS, the **City** and **Town** are concerned with the proper recycling of electronics, and

WHEREAS, the **Town** is willing to enter into this Intergovernmental Agreement to host a joint electronics recycling campaign; and

WHEREAS, the DNR has approved this agreement between the **City** and the **Town**; and

WHEREAS, the **Town** and the **City** are empowered to enter into this Intergovernmental Agreement by section 66.0301, Wis. Stats.

NOW, THEREFORE, the **City** and **Town**, in consideration of the premises stated above, do agree as follows:

1. **Services to be Provided.** The **City** and the **Town** agree to host a joint electronics recycling campaign to encourage recycling of electronics thereby saving space in landfills. This program would benefit residents of the **Town** and the **City**.

2. **Term of Agreement.** This Agreement shall commence on September 19, 2011, and terminate at 5:00 p.m. on September 18, 2012. This Agreement may be renewed for additional one-year periods, provided either party is not in default under the terms and conditions of this Agreement. The **City** or **Town** may terminate this Agreement at any time, without cause, upon 120 days prior written notification to the other party.

3. **Financial Information.** Each RU will fulfill the DNR requirements for grant application and therefore, will receive grant funds when considered eligible by the DNR in an amount determined by the DNR.

4. **Indemnification.** The **Town** shall indemnify and hold the **City** harmless from any liability for any claim, including attorneys fees and court costs, arising out of any act or omission of the **Town**, its officers, employees, or agents. The **City** shall indemnify and hold the **Town** harmless from any liability for any claim, including attorneys fees and court costs, arising out of any act or omission of the **City**, its officers, employees, or agents. Each party shall be responsible to defend any claim arising out of its own act or omission and the acts or omissions of its officers, employees, or agents.

5. **Force Majeure.** Neither party shall be liable to the other for failure to perform its obligations hereunder if and to the extent that such failure to perform is caused by, or results from, causes beyond its control, including, without limitation: strikes, lockouts, or other industrial disturbances; civil disturbances; fire, acts of God; acts of public enemy; acts or

omissions of subcontractors; compliance with any regulations, order, or requirement of any governmental body or agency; or any inability to obtain transportation or necessary materials in the open market.

6. **Compliance.** Both parties, in performing the services, shall comply, and shall require compliance by any of its employees and agents, with all applicable statutes, regulations, or orders of any governmental authority or agency.

7. **Notices.** Any notice to be given to either party hereunder shall be given by mailing the same by first-class mail, postage prepaid, and addressed as follows:

CITY: Larry N. Arft, City Manager
City of Beloit
100 State Street
Beloit, WI 53511

TOWN: Roger Anclam
Town of Turtle
6916 S. County Trunk J
Beloit, WI 53511

Authorized Representative, City of Beloit

Date

Authorized Representative, Town of Turtle

Date

2011 Turtle-Agreement - Electronics

**RESOLUTION
AUTHORIZING FINAL PAYMENT OF
PUBLIC WORKS CONTRACT C10-18
Milwaukee Road Sidewalk**

WHEREAS, work under this contract has been completed satisfactorily and in conformance with the requirements of the contract, and

WHEREAS, the city engineer, comptroller, and attorney recommend final payment to the contractor.

THEREFORE IT IS RESOLVED, that E. & N. Hughes Co. Inc. be paid \$2,718.87 as the final payment for Contract C10-18 Milwaukee Road Sidewalk, as recommended by the City Engineer.

Dated at Beloit, Wisconsin this 6th day of September, 2011.

City Council of the City of Beloit

Kevin D. Leavy, President

ATTEST:

Rebecca S. Houseman, City Clerk

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: Final Payment for Contract C10-18, Milwaukee Road Sidewalk

Date: September 6, 2011

Presenter(s): Mike Flesch, City Engineer

Department(s): Public Works/Engineering

Overview/Background Information:

This project added curb, gutter, and sidewalk to the south side of the frontage road between Cranston Road and Branigan Road. The ditch was filled and new storm drains were added.

Key Issues (maximum of 5):

1. The requirements of the contract have been completed to the satisfaction of the City.
2. The awarded contract amount was \$ 101,908.85
Quantity increases and change orders \$ 5,539.02
Net payment due contractor \$ 107,447.87
3. The City Engineer, City Attorney, and Director of Accounting recommend that a final payment be made to E. & N. Hughes Co. Inc. in the amount of \$2,718.87.

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

1. **Develop a high quality community through the responsible stewardship and enhancement of City resources to further Beloit's resurgence as a gem of the Rock River Valley.**
 - This project repaired deteriorated pavement and enhanced pedestrian safety thereby improving the area.

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**
The construction of this safe pedestrian route encourages people to walk to their destination instead of driving a car.
- **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature**
N/A
- **Reduce dependence on activities that harm life sustaining eco-systems**
The improved pavement reduces airborne dust and noise.
- **Meet the hierarchy of present and future human needs fairly and efficiently**
This created a safe pedestrian access route.

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:


Approval of the Resolution authorizing the Final Payment.

Fiscal Note/Budget Impact:

Adequate funding is available in the 2010 Capital Improvement Plan.

CITY OF BELOIT
DEPARTMENTAL CORRESPONDENCE

TO: Mike Flesch

FROM: Andy Hill, Project Engineer 

DATE: August 19, 2011

SUBJECT: Final Payment Contract C10-18
Milwaukee Road Sidewalk

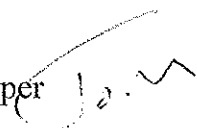
The work on this project was completed on June 16, 2011. I have inspected the work and find it to be satisfactory and in compliance with the requirements of the contract. The contractor has asked for final payment. The project was inspected by city staff. The final payment quantities have been approved by the contractor.

The original contract amount was for \$101,908.85, and the final contract amount is \$107,447.87. The increase in cost was primarily due to using granular structural fill rather than unclassified soil fill. A detailed variance report is attached. Payments to date under this contract total \$104,729.00, and all lien waivers from subcontractors are on file.

Therefore, I recommend a final payment in the amount of \$2,718.87 be made to E. & N. Hughes Co. Inc..

CITY OF BELOIT
DEPARTMENTAL CORRESPONDENCE

TO: Andy Hill

FROM: Thomas R. Casper 

DATE: August 25, 2011

SUBJECT: **Final Payment Public Works Contract C10-18**
E & N Hughes Co., Inc.
Milwaukee Road Sidewalk

I have reviewed the materials you sent over for final payment approval on the above contract. Everything appears in order and you may process the matter in your normal fashion.

/tdh
encs.

**RESOLUTION
AWARDING CONTRACT C11-04
SUNSHINE ALLEY**

WHEREAS, the adopted capital improvements budget for 2011 provided funding and an appropriation for the construction of Sunshine Alley, and;

WHEREAS, project design and construction bid specifications were developed by the City Engineer and distributed to qualified contractors, and;

WHEREAS, the project will have the existing asphalt resurfaced and a new asphalt pavement constructed where no pavement exists in the alley between Prairie Avenue and Sunshine Drive, and;

WHEREAS, three competitive bids were received, the low bid being from Wood Environments, Inc., and,

WHEREAS, Wood Environments, Inc. is a qualified bidder, therefore,

IT IS RESOLVED, that Contract C11-04 Sunshine Alley, be, and hereby is, awarded to Wood Environments, Inc., Beloit, Wisconsin, in the following amounts:

Wood Environments, Inc.
8104 West State Highway 81
Beloit, WI 53511

Wood Environments, Inc. Base Bid	\$ 32,025.00
<u>Allowance for Change Orders and/or Extra Work</u>	<u>\$ 4,795.00</u>
TOTAL PROJECT COST	\$ 36,820.00

AND IT IS FURTHER RESOLVED, that the amount of \$36,820.00, be, and hereby is, funded as follows:

P2902596-5511-2011	Sunshine Alley - Buildings	\$ 36,820.00
TOTAL		\$ 36,820.00

Dated at Beloit, Wisconsin this 6th day of September, 2011.

City Council of the City of Beloit

Kevin D. Leavy, President

ATTEST:

Rebecca Houseman, City Clerk

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: Award of Construction Contract for C11-04, Sunshine Alley

Date: September 6, 2011

Presenter(s): Mike Flesch, City Engineer

Department(s): Public Works/Engineering

Overview/Background Information:

This project will construct a pavement in the existing pavement gap, and mill and re-pave the remaining asphalt pavement in Sunshine Alley between Post Road and Elmwood Avenue.

Key Issues (maximum of 5):

1. Three (3) bids were received for this project. The low bid of \$ 32,025.00 was from Wood Environments, Inc. and is 19.2% less than the engineer's estimate of \$ 38,175.00.
2. Wood Environments, Inc. is considered a responsible bidder for this project.
3. The costs for this project are as follows: \$ 32,025.00 for construction, \$ 4,795.00 for Change Orders or extra work, for a total of \$ 36,820.00.
4. No properties will be special assessed for this project.

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

1. **Develop a high quality community through the responsible stewardship and enhancement of City resources to further Beloit's resurgence as a gem of the Rock River Valley.**
 - This project will enhance the quality of life in Beloit by providing a public alley to new parking areas for Public Housing buildings on Sunshine Drive.

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**
The improved pavement meets the present and future human needs by extending the life of the pavement, and reducing pavement maintenance.

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 Engineering Division recommends awarding this Public Works Contract to Wood Environments, Inc. in the amount of \$32,025.00.

Fiscal Note/Budget Impact:

Funding is available in the 2011 Capital Improvement Plan.

CITY OF БЕЛОIT

DEPARTMENTAL CORRESPONDENCE

TO: Mike Flesch

FROM: Luke Arnold, Project Engineer

DATE: August 30, 2011

SUBJECT: Bid Results for Contract C11-04
Sunshine Alley

Pursuant to advertisements placed August 15 & 27, 2011, bids were received until 10:00 a.m. on August 30th, 2011 for C11-04 Sunshine Alley. A summary and tabulation of bids is attached.

Six (6) bids were received for this project as follows:

1. Wood Environments, Inc.	Beloit, WI	\$ 32,025.00	*Low Bid*
2. Rock Road Companies, Inc.	Janesville, WI	\$ 33,814.00	+5.6%
	<i>Engineer's Estimate</i>	\$ 38,175.00	+19.2%
3. E&N Hughes Co., Inc.	Monroe, WI	\$ 39,844.50	+24.4%

Upon review of the Contractor's Proof of Responsibility Statement, Wood Environments, Inc. is determined to be a responsible bidder.

I recommend that the contract be awarded to Wood Environments, Inc. of Beloit, WI. The following is a breakdown of the proposed project cost:

COSTS

Wood Environments, Inc. Base Bid	\$ 32,025.00
Allowance for Change Orders and/or Extra Work	\$ 4,795.00
TOTAL PROJECT COST	\$ 36,820.00

PROJECT INFORMATION

This project will construct a pavement in the existing pavement gap, and mill and re-pave the remaining asphalt pavement in Sunshine Alley between Post Road and Elmwood Avenue.

ORDINANCE NO. _____

**AN ORDINANCE TO REMOVE 2-HOUR
PARKING TIME LIMIT ALONG COPELAND, HARVEY, RANDALL, AND KEELER
BETWEEN PARK AVENUE AND WISCONSIN AVENUE**

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

Section 1: Section 13.02 of the Code of General Ordinances of the City of Beloit, Rock County, Wisconsin, is hereby amended by removing from Section III (E), Index of Special Locations, Two Hour Parking, the following:

Copeland Avenue – Park Avenue to Wisconsin Avenue - SOUTH SIDE

Harvey Street – Park, from a point 150 feet east of Park Avenue to Wisconsin Avenue-
SOUTH SIDE

Keeler Avenue – Park Avenue to Wisconsin Avenue – BOTH SIDES

Randall Street – Park Avenue to Wisconsin Avenue – NORTH SIDE

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

Adopted this 6th day of September, 2011.

BELOIT CITY COUNCIL:

By: _____
Kevin D. Leavy, Council President

ATTEST:

Rebecca S. Houseman, City Clerk

Published this _____ day of _____, 2011

Effective this _____ day of _____, 2011

01-611100-5231-_____

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: Ordinance to remove 2-hour parking restrictions on Copeland Avenue, Harvey Street, Randall Street and Keeler Avenue from Park Avenue to Wisconsin Avenue

Date: September 6, 2011

Presenter(s): Mike Flesch **Department(s):** Public Works/Engineering

Overview/Background Information:

Perry Vernor spoke at the June 20th City Council meeting asking why parking is limited in these areas. The Engineering Division was asked to take a look at removing the 2-hour parking restrictions between Park Avenue and Wisconsin Avenue.

Key Issues (maximum of 5):

1. The Traffic Review Committee reviewed this request during the July 25, 2011 meeting. The Committee voted (5-0) in favor of removing the 2-hr parking restrictions along Copeland, Harvey, Randall, and Keeler.
2. The 2-hour parking time limits were useful when a number of employees from businesses along Park Avenue used to park in the residential areas.
3. The 2-hr. time limits are no longer needed in the area.
4. A questionnaire was sent to all of the adjacent owners/residents in the affected area, asking whether they would like to have the parking restrictions remain. The survey area included Farwell, Washburn, Copeland, Randall, Harvey, and Keeler.
5. Response to the question of removing parking restrictions varied by street (see attached memo for summary).

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

1. Develop a high quality community through the responsible stewardship and enhancement of City resources to further Beloit's resurgence as a gem of the Rock River Valley.

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 Engineering Division recommends removing the 2-hour parking restrictions on Copeland Avenue, Harvey Street, Randall Street, and Keeler Avenue between Park Avenue and Wisconsin Avenue. The 2-hour restriction will remain on Farwell and Washburn.

Fiscal Note/Budget Impact:

ORDINANCE NO. _____

**AN ORDINANCE TO REMOVE 10-HOUR
PARKING TIME LIMIT IN THE DOWNTOWN AREA**

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

Section 1: Section 13.02 of the Code of General Ordinances of the City of Beloit, Rock County, Wisconsin, is hereby amended by removing from Section I (E), Index of Special Locations, Ten Hour Parking, the following:

East Grand Avenue – Two stalls in front of entrance to building located at 360-WEST SIDE
Parking Lot #3 – All stalls lining the perimeter of the lot along the westernmost first two rows
of stalls located to the north of the Mill Street entrance
Parking Lot #3 – The northernmost row of stalls-located between the old Kerry facility and
Bushel & Pecks
Public Avenue – State Street to Pleasant Street – NORTH SIDE
Public Avenue – State Street to 155 feet east – SOUTH SIDE
Parking Lot #10 – All parking stalls in the first and second row of parking north and adjacent to
Broad Street.

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

Adopted this 6th day of September, 2011.

BELOIT CITY COUNCIL:

By: _____
Kevin D. Leavy, Council President

ATTEST:

Rebecca S. Houseman, City Clerk

Published this _____ day of _____, 2011

Effective this _____ day of _____, 2011

01-611100-5231-_____

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: Ordinance to remove 10-hour parking restrictions in the downtown area.

Date: September 6, 2011

Presenter(s): Mike Flesch

Department(s): Public Works/Engineering

Overview/Background Information:

Parking time limits were discussed at the May 23, 2011 T.R.C. meeting. The need for the 10-hour designation was questioned and the Engineering Division was asked to explore the possibility of removing all downtown designations over 4-hours.

Key Issues (maximum of 5):

1. The Traffic Review Committee reviewed this request during the July 25, 2011 meeting. The Committee voted (5-0) in favor of removing the 10-hr parking restrictions in the downtown area.
2. Areas in the Mill Street Lot (#3), Broad Street Lot (#10), along Grand Avenue and along Public Street would be affected (see attached map-shown in orange).
3. Removal of the 10-hour designations would allow vehicles to park in the undesignated spots for longer periods of time. The overnight parking restriction (3 A.M.-6 A.M.) would still be in effect for the downtown area.
4. The Engineering Division spoke with Kathleen Braatz and met with the adjacent property owners to discuss the change. The majority of the businesses were in favor of the change.

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

1. Develop a high quality community through the responsible stewardship and enhancement of City resources to further Beloit's resurgence as a gem of the Rock River Valley.

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.):

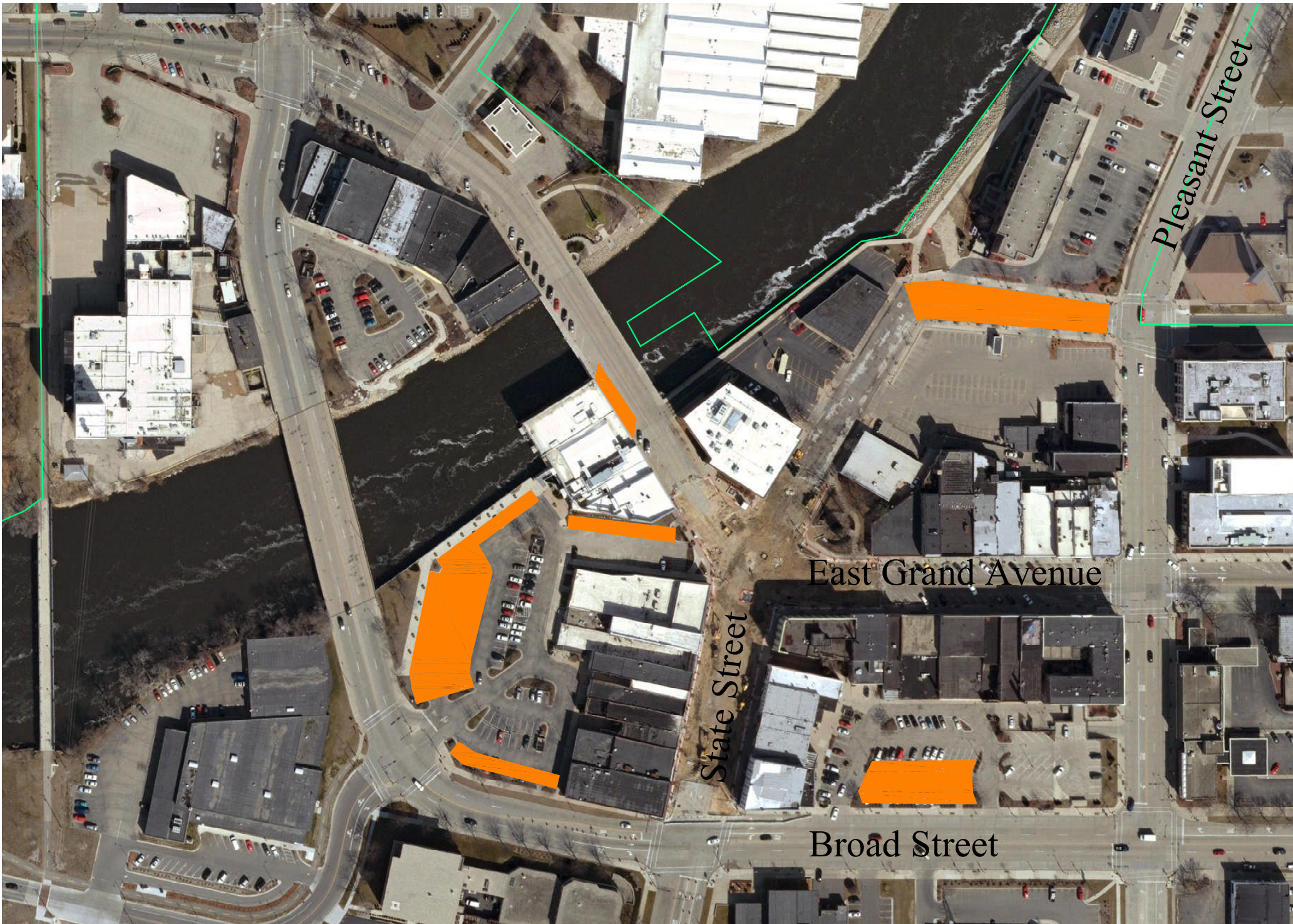
- **Reduce dependence upon fossil fuels**
N/A
- **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature**
N/A
- **Reduce dependence on activities that harm life sustaining eco-systems**
N/A
- **Meet the hierarchy of present and future human needs fairly and efficiently**
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 Engineering Division recommends removing the 10-hr. parking restrictions in the downtown area.

Fiscal Note/Budget Impact:



Pleasant Street

East Grand Avenue

State Street

Broad Street



Juvenile First-Time Offender Program Report

Beloit Municipal Court · 100 State Street · Beloit, WI 53511

The Juvenile First-Time Offender Program (JFTO) began in late August 2009. The program is a joint effort between the City of Beloit Municipal Court, the City Attorney’s Office and the School District of Beloit. Juveniles who enter a “no contest” or a “guilty” plea to his/her first offense are offered an opportunity to participate in the JFTO program. Juveniles who participate in the program are required to complete between 10 and 40 hours of community service work for a local non-profit agency, attend school with no unexcused absences, and comply with any additional orders as directed by the Municipal Court. Successful completion of the program results in a dismissal of the citation. Failure to comply with the conditions of the program results in the juvenile having to pay the original forfeiture for the charged offense.

As we conclude the second full year of this program, I thought it would be beneficial to provide some information on the progress of the program and the success of its participants.

Participation

Since the program began, there have been 2,300 juvenile cases processed through Municipal Court. Of those, approximately ¼ of all juveniles were eligible for the program as a first-time offender. Of those that are eligible, approximately ½ of the juveniles agreed to participate in the program. Those that choose not to participate have stated that they would rather simply pay the forfeiture.

Year	Total Juvenile Cases	Eligible Juveniles	Participants	Percentage of Juveniles Eligible for Program	Percentage of Participation from Eligible Juveniles
2009-2010	886	244	129	27.5%	52.9%
2010-2011	1414	335	175	23.7%	52.2%
TOTALS	2300	579	304	25.2%	52.5%

Success

The success of the juveniles who participate in the program seems to be outstanding. Of those students who have agreed to participate in the program and pay the fee, 92.4% of juveniles have been successful. (33 juveniles who are currently active in the program have not been included in the following table.) It is reported that the lack of success was mainly due to behavior issues, failure to attend school, or students who simply did not show up to participate in the program.

Approximately 20% of the juveniles who sign up for the JFTO program fail to pay the fee to participate in the program and are not allowed to continue in the program.

Year	Participants in Program	Failed to Pay Fees	Successful	Not Successful	Percentage Failed to Pay Fees	Percentage Successful	Percentage Not Successful
2009-2010	129	29	90	6	22.5%	93.8%	6.2%
2010-2011	175	31	105	10	17.7%	91.3%	8.7%
TOTALS	304	60	195	16	19.7%	92.4%	7.6%

NOTE: There are some juveniles who began the program over 4 months ago who we do not yet have information about whether they have completed the program. I anticipate the number of successful students will decline just a bit when we are provided that information.

Recidivism

It is important to look at the recidivism rate for those students who have successfully completed the JFTO program. Of the 195 juveniles who successfully completed the JFTO program, 140 juveniles have not reoffended. Of those that have reoffended, the number of new charges averages between 1 and 2 new charges per reoffending juvenile.

Year	Successful Participants	Received new charges	Clean Record after Successful Completion	Percentage with New Charges	Percentage Remained Successful
2009-2010	90	36	54	40%	60%
2010-2011	105	19	86	18%	82%
TOTALS	195	55	140	28%	72%

We have had a lot of positive feedback on this success of this program. I believe it is a useful tool that allows first-time juvenile offenders the opportunity to perform a community service for the Beloit area while earning a chance to avoid having a conviction on his/her record.

**RESOLUTION PROVIDING FOR THE SALE OF APPROXIMATELY
\$8,645,000 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2011**

WHEREAS, the City Council of the City of Beloit, Rock County, Wisconsin (the "City") is presently in need of approximately \$8,645,000 for the public purpose of refunding obligations of the City, including interest on them (the "Refunding");

WHEREAS, the City Council deems it to be necessary, desirable and in the best interest of the City to undertake the Refunding to refund the City's General Obligation Corporate Purpose Bonds, Series 2003A, dated April 1, 2003, General Obligation Corporation Purpose Bonds, Series 2005A, dated May 1, 2005 and General Obligation Promissory Notes, Series 2005B, dated May 1, 2005 (collectively, the "Refunded Obligations") for the purpose of achieving debt service cost savings; and

WHEREAS, the City Council of the City hereby finds and determines that general obligation refunding bonds in an amount of approximately \$8,645,000 should be issued for that purpose pursuant to Section 67.04, Wisconsin Statutes.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City that:

Section 1. Issuance of the Bonds. The City shall issue General Obligation Refunding Bonds, Series 2011 (the "Bonds") in an amount of approximately \$8,645,000 for the purpose above specified.

Section 2. Sale of the Bonds. The City Council hereby authorizes and directs that the Bonds be offered for public sale. At a subsequent meeting, the City Council shall consider such bids for the Bonds as may have been received and take action thereon.

Section 3. Notice of Sale. The City Clerk (in consultation with the City's financial advisor, Ehlers & Associates, Inc. ("Ehlers")) is hereby authorized and directed to cause the sale of the Bonds to be publicized at such times and in such manner as the City Clerk may determine and to cause copies of a complete official Notice of Sale and other pertinent data to be forwarded to interested bidders as the City Clerk (in consultation with Ehlers) may determine.

Section 4. Official Statement. The City Clerk (in consultation with Ehlers) shall also cause an Official Statement to be prepared and distributed. The appropriate City officials shall determine when the Official Statement is final for purposes of Securities and Exchange Commission Rule 15c2-12 and shall certify said Statement, such certification to constitute full authorization of such Statement under this resolution.

Section 5. Award of the Bonds. Following receipt of bids for the Bonds, the City Council shall consider taking further action to provide the details of the Bonds; to award the Bonds to the lowest responsible bidder therefor; and to levy a direct annual irrevocable tax sufficient to pay the principal of and interest on the Bonds as the same becomes due as required by law.

Section 6. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the City Council or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Adopted, approved and recorded September 6, 2011.

Kevin D. Leavy
City Council President

ATTEST:

Rebecca S. Houseman
City Clerk

(SEAL)

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: Resolution Providing for the Sale of Approximately \$8,645,000 General Obligation Refunding Bonds, Series 2011

Date: September 6, 2011

Presenter(s): Paul York, Finance, and Administrative Services Director

Department(s): Finance and Administrative Services

Overview/Background Information: The city was recently contacted by its financial advisor Ehlers and Associates, about the potential opportunity to refinance some of its outstanding general obligation debt to take advantage of recently declining interest rates. Ehlers periodically reviews all of the city's outstanding debt to identify potential savings opportunities by refunding the debt at lower interest rates. Their recent review has indicated that outstanding debt from the city's 2003 and 2005 general obligation bonds and 2005 general obligation notes are candidates for consideration of an advance refunding. Their analysis indicates that based on recent interest rates a savings in excess of \$600,000 is possible by refunding the outstanding debt from these bond issues. This will involve the issuance of up to \$8,645,000 in replacement debt on these bonds. It is staff's recommendation to proceed with this refunding. Representatives from Ehlers will be attending the council meeting to present their findings on this refunding opportunity.

Key Issues (maximum of 5):

1. The city has an opportunity to save over \$600,000 in debt service costs by advance refunding its outstanding 2003 and 2005 general obligation bonds and 2005 general obligation notes.

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

N/A

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:

Staff recommends approval of the resolution providing for the sale of up to \$8,645,000 in general obligation refunding bonds.

Fiscal Note/Budget Impact:

A potential debt service savings in excess of \$600,000 can be realized by issuing these refunding bonds.

**RESOLUTION AUTHORIZING THE CITY MANAGER TO
ENTER INTO A REVISED STATE/MUNICIPAL AGREEMENT
WITH THE WISCONSIN DEPARTMENT OF TRANSPORTATION
FOR THE DESIGN AND CONSTRUCTION OF HENRY AVENUE BRIDGE AND
APPROACHES**

WHEREAS, the Wisconsin Department of Transportation and the City of Beloit entered into an agreement for the design and construction of the Henry Avenue Bridge and approaches in August of 2010, which was revised in April 2011; and

WHEREAS, it is mutually agreed that this State/Municipal Agreement forms the basis for the design, real estate acquisition, utility relocation and reconstruction of Henry Avenue Bridge and approaches; and

WHEREAS, the City of Beloit agrees to have the Wisconsin Department of Transportation be the lead agency for the design and construction of these improvements, and the state has completed the design and updated the estimated cost for design and construction; and

WHEREAS, the previously approved total estimated cost for design and construction was estimated to be \$7,846,191 of which \$5,733,325 would be State funded; and

WHEREAS, the revised total estimated cost for design and construction is \$8,445,191 of which \$6,637,315 is State funded and \$1,939,876 is city funded, which is an increase of \$119,800 in city funding due to higher bid pricing; and

WHEREAS, a Construction Credit for STH 213 Reconstruction of \$398,470 and an increased State participation in Local Transportation Enhancements for Construction of \$78,500 have been applied to the Henry Avenue Bridge project to cover the local match expenditure requirements on Riverside Drive of \$476,970.

THEREFORE, BE IT RESOLVED THAT the City Council of the City of Beloit, Rock County, Wisconsin does hereby authorize the City Manager to enter into a Revised State/Municipal Agreement with the Wisconsin Department of Transportation for the design and construction of Henry Avenue Bridge and Approaches.

Dated at Beloit, Wisconsin this 6th day of September, 2011.

Kevin D. Leavy, City Council President

ATTEST:

Rebecca S. Houseman, City Clerk

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: Authorize the City Manager to enter into a Revised State/Municipal Agreement for the design and construction of Henry Avenue Bridge Improvements over the Rock River.

Date: September 6, 2011

Presenter(s): Mike Flesch, City Engineer

Department(s): Public Works/Engineering

Overview/Background Information:

The design and construction of the Henry Avenue Bridge Improvements over the Rock River provides for the replacement and widening of the existing bridge deck. Both the structure and approaches will be widened to accommodate four lanes of traffic. The City will be required to pay for the cost of the widening beyond the existing width, decorative lighting and water main installation. This revised agreement reflects contract bid pricing and allocation changes required from Riverside Drive State Municipal Agreement Modifications and is needed to provide access to the Department of Transportation funding.

Key Issues (maximum of 5):

1. The Wisconsin Department of Transportation is the lead agency for the design and construction of the Henry Ave Bridge and has completed the design and bid the project. The bid pricing and changes required because of Riverside Drive State Municipal Agreement Modifications are reflected in this revised the State Municipal Agreement.
2. The Project Bids came in \$599,000 above the DOT's estimate. The increased costs are 80% DOT and 20% City. The revised agreement reflects these costs.
3. Construction Credit for STH 213 Reconstruction (\$398,470) has been included in this agreement. It was moved from Riverside Drive because it could not be used as local matching funds. Also, the Local Transportation Enhancements for Construction State participation was increased \$78,500 to cover local match expenditure requirements on Riverside Drive. These two total \$476,970 which is the local funding requirements on Riverside Drive.
4. The previously approved agreement total estimated cost for design and construction is \$7,846,191. The Wisconsin Department of Transportation was providing \$5,733,325 funding for the design and construction of this project, with the remaining \$2,112,866 being funded locally.
5. The Revised agreement total estimated cost for design and construction is \$8,445,191. The Wisconsin Department of Transportation is providing \$6,637,315 funding for the design and construction of this project, with the remaining \$1,939,876 being funded locally.
6. Of the \$1,939,876 local funding for the project \$396,000 will be funded by the Water Utility for water main improvements, \$1,543,876 will need to be borrowed for funding of the local share of the project. An additional \$476,970 will also be borrowed to cover the local matching share on Riverside Drive as noted in item 3 above.
7. The City of Beloit will then take over the maintenance of the facility after it has been constructed.

Conformance to Strategic Plan:

1. **Develop a high quality community through the responsible stewardship and enhancement of City resources to further Beloit's resurgence as a gem of the Rock River Valley.**

This project will enhance the quality of life in Beloit by improving the appearance and quality of ride and improving pedestrian safety on the Henry Avenue Bridge over the Rock River.

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

Action required/Recommendation:

The Engineering Division recommends approval of the resolution.

Fiscal Note/Budget Impact:

Funding for this project will be in the 2012 and 2013 Capital Improvement Budget.

\$8,445,191 for the project costs

\$6,637,315 to be funded by the State

\$1,939,876 to be funded by the City of Beloit

\$396,000 to be funded by the Water utility

\$1,543,876 to be funded by borrowing

REVISED
STATE/MUNICIPAL AGREEMENT
FOR A
HIGHWAY IMPROVEMENT PROJECT

Revises SMA signed by the City on 4/21/2011.

DATE: August 15, 2011
I.D. 5989-03-00/70/72 & 5989-02-92/93
TITLE: Henry Avenue, City of Beloit
LIMITS: (Rock River Bridge)
HWY: Local St **LENGTH:** 0.188 miles
COUNTY: Rock

The signatory, City of Beloit, hereinafter called the Municipality, through its undersigned duly authorized officers or officials, hereby requests the State of Wisconsin Department of Transportation, hereinafter called the State, to initiate and effect the highway or street improvement hereinafter described.

The authority for the Municipality to enter into agreements with the State is extended by Section 86.25(1), (2), and (3) of the Statutes.

NEEDS AND ESTIMATE SUMMARY:

Existing Facility: The existing structure is located on Henry Avenue and crosses over the Rock River. It was constructed in 1956 and overlaid in 1983. The existing deck has cracks and spalls and needs to be replaced. The bridge is eligible for State maintenance funding under the 84.10 statutes.

Proposed Improvement: It is proposed to replace and widen the existing bridge deck. Both the structure and approaches will be widened to accommodate four lanes of traffic.

Non-participating Items: Widening of the structure is being requested by the City of Beloit. They will pay for the cost of any widening beyond the existing width, relocation of the existing decorative lighting on the structure, and water main installation.

The City of Beloit is being credited for the costs associated with an improvement project on STH 213, which they constructed with their own funds in 2003.

ESTIMATE SUMMARY

PHASE	ESTIMATED COST				
	Total Est. Cost	Federal/State Funds	%	Municipal Funds	%
Design Engineering Plan Development: · Project 5989-03-00	\$300,000	\$300,000	100%	\$0	0%
Roadway Construction: · Project 5989-03-70					
· Roadway Items (Approaches) (0010)	\$736,000	\$426,880	58%	\$309,120	42%
· Structure B-53-0001 (0020)	\$6,822,000	\$3,820,320	56%	\$3,001,680	44%
· Construction Credit for STH 213 Reconstruction		\$398,470**		-\$398,470	
· Earmark HPP Funding		\$495,000		-\$495,000	
· 2010 Earmark Appropriation Funding		\$973,834		-\$973,834	
Local Transportation Enhancements					
· Project 5989-02-92 (Plan Development)	\$31,191	\$18,823*	80%	\$12,368	20%
· Project 5989-02-93 (Construction) (0010)	\$292,000	\$203,988*	80%	\$88,012	20%
Non-participating municipal utilities (>\$50K):					
· Project 5989-03-72 (Water Main Const.) (0010)	\$264,000	\$0	0%	\$396,000	100%
Roadway Construction Total	\$8,114,000	\$6,318,492		\$1,927,508	
Total Cost Distribution	\$8,445,191	\$6,637,315		\$1,939,876	

Note: The dollar amounts shown in the above table are estimates unless explicitly identified as maximum amounts. All estimates are 2011 dollars. Construction ID's 5989-03-70 and 5989-02-93 include 12% for construction engineering. ID 5989-03-72 includes 1% for construction engineering.

* Total federal enhancement grant funding capped at \$222,811 for IDs 5989-02-92/93.

** Project 5989-03-70 will receive a construction credit of \$398,470 (100% State Funds).

This request is subject to the terms and conditions that follow (pages 3-6) and is made by the undersigned under proper authority to make such request for the designated Municipality and upon acceptance by the State shall constitute agreement between the Municipality and the State.

Signed for and on behalf of City of Beloit:

Name (Signature)

Title

Date

Name (Print)

TERMS AND CONDITIONS:

1. The initiation and accomplishment of the improvement will be subject to the applicable Federal and State regulations.
2. The Municipality will pay to the State all costs incurred by the State in connection with the improvement which exceed Federal/State financing commitments or are ineligible for Federal/State financing. Local participation shall be limited to the items and percentages set forth in the Estimate Summary that show Municipal funding participation, except with respect to any change orders requested or approved by the Municipality.
3. Funding of each project phase (design engineering, real estate, construction, and other) is subject to inclusion in an approved program. Federal aid and/or State transportation fund financing will be limited to participation in the costs of the following items as specified in the Estimate Summary:
 - (a) Design engineering and State review services.
 - (b) Excluding parking lanes, the grading, base, pavement, and curb and gutter.
 - (c) Storm sewer mains, laterals, manholes, inlets, catch basins and connections for surface water drainage of the improvement; including replacement and/or adjustments of existing storm sewer manhole covers and inlet grates as needed.
 - (d) Construction engineering incidental to inspection and supervision of actual construction work, except for inspection, staking and testing of sanitary sewer and water main.
 - (e) Signing and pavement marking, including detour routes.
 - (f) Construction or replacement of sidewalks.
 - (g) Replacement of driveways in kind.
 - (h) Bridge deck replacement and widening not to exceed the width specified per WisDOT Facilities Development Manual (FDM) standards for a 2-lane urban street (plus sidewalks).
 - (i) Construction of the bridge approach pavement and associated items not to exceed the width specified per WisDOT FDM standards for a 2-lane urban street and the limits required to match the existing profile.
4. If applicable, work necessary to complete the improvement to be financed entirely by the Municipality includes the following items:
 - (a) New installation of or alteration of Municipal owned sanitary sewers and connections, water, gas, electric, telephone, telegraph, fire hydrants, fire or police alarm facilities, parking meters, and similar utilities.

- (b) Construction inspection, staking and material testing & acceptance for construction of sanitary sewer and water main.
 - (c) Adjustments of sanitary sewer manhole covers and water valve covers.
 - (d) Replacement or installation of signs and pavement markings not necessary for the safe and efficient movement of traffic (e.g., no parking signs, curb markings and crosswalk sign beacons)
 - (e) Real Estate required for the improvement. This includes but is not limited to title searches, R/W plat, acquiring right of way (including all utility parcels), relocation plans, litigation, legal descriptions, site cleanup including hazardous materials and the removal of encroachments that do not qualify for Revocable Occupancy permits.
 - (f) Bridge deck replacement and widening exceeding the width specified per WisDOT FDM standards for a 2-lane urban street.
 - (g) Construction of the bridge approach pavement and associated items exceeding the width specified per WisDOT FDM standards for a 2-lane urban street and beyond the limits required to match the existing profile.
5. As the work progresses, the Municipality will be billed and agrees to pay for work completed which is not chargeable to Federal/State funds. Upon completion of the project, a final audit will be made to determine the final division of costs and the Municipality agrees to pay any required reimbursement to the State.
 6. If the Municipality should withdraw the project, it will reimburse the State for any costs incurred by the State on behalf of the Municipality.
 7. The work will be administered by the State and may include items not eligible for Federal/State participation.
 8. The Municipality will at its own cost and expense:
 - (a) Maintain all portions of the project that lie within its jurisdiction for such maintenance through statutory requirements, in a manner satisfactory to the State, and make ample provision for such maintenance each year. This includes but is not limited to travel and parking lanes, curb & gutter, sidewalks, multi-use paths, drainage facilities, storm sewers, CSS/Enhancement/aesthetic items, signs, pavement markings and snow/ice removal from travel lanes, parking lanes, sidewalks and multi-use paths.
 - (b) In cooperation with the State, jointly assume general responsibility for all public information and public relations for the project and make appropriate announcements to the press and such outlets as would generally alert the affected property owners and the community of the nature, extent, and timing of the project and arrangements for handling traffic within and around the projects.
 - (c) Provide complete plans, specifications and estimates for sanitary sewer and water main work. The Municipality assumes full responsibility for the design, installation,

inspection, testing and operation of the sanitary sewer and water system. This relieves the State and all of its employees from the liability for all suits, actions or claims resulting from the sanitary sewer and water system construction.

- (d) Maintain and accept responsibility for the energy, operation, maintenance, repair and replacement of the lighting system.
- (e) Accept ownership and responsibility for all future maintenance of the new structure and approaches as agreed to in the Jurisdictional Transfer Agreement.

9. Basis for local participation.

- (a) Design Engineering (5989-03-00)

All design-engineering costs necessitated by the street or road construction are 100% eligible for State Funding.

- (b) Roadway Construction (5989-03-70)

- i. Bridge (widening): This structure is currently maintained by the DOT as an 84.10 bridge. An 84.10 bridge is a bridge longer than 300 ft not on the state trunk highway system. DOT policy allows for improvements to the structure at its current width only. The City of Beloit has requested a wider bridge and approaches be constructed with this project; therefore the City is responsible for 100% of the costs of the associated widening. The cost sharing was calculated by estimating the cost to construct the project to current standards with and without the widening. It was determined that the State would be responsible for 56% and the City would be responsible for 44% of the cost of the bridge work. It was further determined that the State would be responsible for 58% and the City would be responsible for 42% of the cost of the approach work. The City is responsible for all additional costs to the project.
- ii. Construction Credit (STH 213 Reconstruction): The Municipality is receiving credit for the reconstruction of STH 213. This project was completed using Municipal funds at a total cost of \$949,000. When evaluated for compliance with State Policy, it was determined that \$168,000 of expenses was not eligible for state participation (construction of parking lanes and the use of a more expensive pavement structure), therefore the amount to be credited was reduced to \$781,000. The construction credit will be applied toward the City of Beloit local share for project 5350-00-05/75 on USH 51 (\$382,530) and project 5989-03-70 on Henry Avenue (\$398,470).
- iii. Earmark HPP (High Priority Project) Funding: The Municipality has been assigned a legislative Earmark in the amount of \$495,000 for project ID 5989-03-70.
- iv. 2010 Earmark Appropriation Funding: The Municipality has been assigned a legislative Earmark in the amount of \$973,834 for project ID 5989-03-70.

- (c) Enhancement Design Engineering (5989-02-92) and Construction (5989-03-93)

The Municipality has been awarded an enhancement grant for the design and construction of eligible enhancement items along Henry Avenue. Federal Funding for this grant will fund 80% of eligible design and construction costs up to a cap of \$222,811. The awarded enhancement cap was originally \$144,311, however \$78,500 in unused funds is being transferred from 5350-00-06/76 on USH 51. The Municipality is responsible for a 20% cost share and for 100% of costs which exceed the federal cap.

Items eligible for enhancement funding included in the plan are landscaping and a decorative lighting system.

(d) Non-participating Construction (5989-03-72)

The Municipality shall pay 100% of the cost of installing or adjusting water and sanitary sewer systems including manhole and valve adjustments. These costs are not eligible for Federal/State funding.

10. In order to guarantee the Municipality's foregoing agreements to pay the State, the Municipality, through its above duly authorized officers or officials, agrees and authorizes the State to set off and withhold the required reimbursement amount as determined by the State from any moneys otherwise due and payable by the State to the Municipality.

11. Jurisdictional transfer of structure:

Ownership of this structure and approaches shall be transferred to the Municipality after completion of construction per the Jurisdictional Transfer Agreement. This responsibility includes, but is not limited to all maintenance and operating responsibilities, as well as any future replacement or rehabilitation of the structure.

**RESOLUTION AUTHORIZING THE CITY MANAGER TO
ENTER INTO A REVISED STATE/MUNICIPAL AGREEMENT
WITH THE WISCONSIN DEPARTMENT OF TRANSPORTATION
FOR THE DESIGN AND CONSTRUCTION OF RIVERSIDE DRIVE**

WHEREAS, the Wisconsin Department of Transportation and the City of Beloit entered into an agreement for the design and construction of the Riverside Drive in December of 2007; and

WHEREAS, it is mutually agreed that this State/Municipal Agreement forms the basis for the design, real estate acquisition, utility relocation and reconstruction of Riverside Drive; and

WHEREAS, the City of Beloit agrees to have the Wisconsin Department of Transportation be the lead agency for the design and construction of these improvements, and the state has completed the design and updated the estimated cost for design and construction; and

WHEREAS, the previously approved total estimated cost for design and construction was estimated to be \$3,257,727 of which \$3,257,727 was State funded, and

WHEREAS, the revision is required due to the DOT applying local credits for state highway construction and discovered in the post construction review that this is not allowed for match of federal funds; and

WHEREAS, the State will credit the Henry Avenue Bridge Reconstruction \$476,970 the equivalent amount of the local funds required; and

WHEREAS, the revised total cost for design and construction is \$3,900,224 of which \$3,423,292 is State funded and \$476,970 is funded by the City of Beloit.

THEREFORE, BE IT RESOLVED THAT the City Council of the City of Beloit, Rock County, Wisconsin does hereby authorize the City Manager to enter into a Revised State/Municipal Agreement with the Wisconsin Department of Transportation for the design and construction of Riverside Drive.

Dated at Beloit, Wisconsin this 6th day of September, 2011.

Kevin D. Leavy, City Council President

ATTEST:

Rebecca S. Houseman, City Clerk

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: Authorize the City Manager to enter into a Revised State/Municipal Agreement for the design and construction of Riverside Drive.

Date: September 6, 2011

Presenter(s): Michael Flesch, City Engineer

Department(s): Public Works/Engineering

Overview/Background Information:

This revised agreement reflects contract bid pricing and allocation changes required from Riverside Drive State Municipal Agreement Modifications and is needed to provide access to the Department of Transportation funding.

Key Issues (maximum of 5):

1. The Wisconsin Department of Transportation is the lead agency for the design and construction of the Riverside Drive and has completed the design and construction of the project. The changes are required because a DOT audit of the project found that State funds were used as a local match for Federal funds.
2. The local funding requirements for this project are \$476,970. The revised agreement reflects this change.
3. Credits equal to \$476,970 will be applied to the Henry Ave Bridge Reconstruction Construction on behalf of the City as follows:
 - Credit for STH 213 Reconstruction \$398,470
 - Local Transportation Enhancements for Construction State participation \$78,500.
4. The previously approved agreement total cost for design and construction is \$3,257,727. The Wisconsin Department of Transportation was providing \$3,257,727 funding for the design and construction of this project with no additional local funding required.
5. The Revised agreement total cost for design and construction is \$3,900,224. The Wisconsin Department of Transportation is providing \$3,423,292 funding for the design and construction of this project, with the remaining \$476,970 being funded locally.
6. With this revision and the revision to the Henry Ave. Bridge Reconstruction Agreement, there is no net increase in city expenses.

Conformance to Strategic Plan:

1. **Develop a high quality community through the responsible stewardship and enhancement of City resources to further Beloit's resurgence as a gem of the Rock River Valley.**

This project will enhance the quality of life in Beloit by improving the appearance and quality of ride and improving pedestrian safety Riverside Drive.

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**

Action required/Recommendation:

The Engineering Division recommends approval of the resolution.

Fiscal Note/Budget Impact:

Funding for this project will be in the 2012 Capital Improvement Budget as part of the Henry Ave Bridge project.

REVISED
STATE/MUNICIPAL AGREEMENT
FOR A
HIGHWAY IMPROVEMENT PROJECT

Revises SMA signed by the City on 12/3/2007
and the State on 6/9/2008.

DATE: August 15, 2011
I.D. 5350-00-05/75 & 5300-00-06/76
TITLE: Riverside Drive, City of Beloit
LIMITS: Emerson Street – Henry Avenue
HWY: USH 51 **LENGTH:** 1.23 miles
COUNTY: Rock

The signatory, City of Beloit, hereinafter called the Municipality, through its undersigned duly authorized officers or officials, hereby requests the State of Wisconsin Department of Transportation, hereinafter called the State, to initiate and effect the highway or street improvement hereinafter described.

The authority for the Municipality to enter into agreements with the State is extended by Section 86.25(1), (2), and (3) of the Statutes.

NEEDS AND ESTIMATE SUMMARY:

Existing Facility: The project is located on USH 51 in the City of Beloit, beginning at Emerson Street and extending northerly for 1.23 miles to Henry Avenue. The existing concrete pavement is 36 years old and is in need of replacement.

Proposed Improvement: It is proposed to replace the existing concrete pavement with new concrete pavement. The existing width of the roadway will be maintained except where the Municipality has requested to add a median. New street lighting will be installed and the signals at Henry Avenue will be updated.

Non-participating Items:

Off-street parking lots, costs associated with widening to add medians, any adjustments to municipal facilities located in the right of way such as sanitary sewer and water main, and any installation of new street lights or alteration to the existing street lights.

The City of Beloit is being credited for the costs associated with an improvement project on STH 213, which they constructed with their own funds in 2003.

ESTIMATE SUMMARY

PHASE	ESTIMATED COST				
	Total Est. Cost	Federal/State Funds	%	Municipal Funds	%
Design Engineering Plan Development:					
· Project 5350-00-05	\$256,432	\$192,324	75%	\$64,108	25%
· Construction Credit for STH 213 Reconstruction		\$64,108**		-\$64,108	
Roadway Construction:					
· Project 5350-00-75					
· Roadway Items (0010)	\$2,089,725	\$2,089,725	100%	\$0	0%
· Eligible Rdwy Widening (formerly CSS) (0010)	\$132,713	\$132,713	100%	\$0	0%
· CSS (0020)	\$349,185	\$43,000*	MAX	\$306,185	
· Non-Participating Municipal Utilities (0030)	\$12,237	\$0	0%	\$12,237	100%
· Construction Credit for STH 213 Reconstruction		\$318,422**		-\$318,422	
Local Transportation Enhancements					
· Project 5350-00-06 (Plan Development)	\$133,695	\$73,533***	55%	\$60,163	45%
· Project 5350-00-76 (Construction) (0010)	\$926,237	\$509,467***	55%	\$416,807	45%
Roadway Construction Total	\$3,510,097	\$3,093,327		\$416,807	
Total Cost Distribution	\$3,900,224	\$3,423,292		\$476,970	

Construction costs estimated by field staff as of December 2010 and include estimated construction engineering charges. Plan development costs are final, pending audit.

- * Community Sensitive Design (CSD) dollars are capped at \$43,000, lump sum (2% of participating construction estimate).
- ** Projects 5350-00-05 and 5350-00-75 will receive a combined credit of \$382,530 (100% State Funds).
- *** Total federal enhancement grant funding capped at \$583,000 for IDs 5350-00-06/76.

This request is subject to the terms and conditions that follow (pages 3-6) and is made by the undersigned under proper authority to make such request for the designated Municipality and upon acceptance by the State shall constitute agreement between the Municipality and the State.

Signed for and on behalf of City of Beloit:

Name (Signature)

Title

Date

Name (Print)

TERMS AND CONDITIONS:

1. The initiation and accomplishment of the improvement will be subject to the applicable Federal and State regulations.
2. The Municipality will pay to the State all costs incurred by the State in connection with the improvement which exceed Federal/State financing commitments or are ineligible for Federal/State financing. Local participation shall be limited to the items and percentages set forth in the Estimate Summary that show Municipal funding participation, except with respect to any change orders requested or approved by the Municipality.
3. Funding of each project phase (design engineering, real estate, construction, and other) is subject to inclusion in an approved program. Federal aid and/or State transportation fund financing will be limited to participation in the costs of the following items, as specified in the Estimate Summary:
 - (a) Design engineering and State review services.
 - (b) The grading, base, pavement, and curb and gutter; excluding parking lanes and parking lots.
 - (c) Storm sewer mains, laterals, manholes, inlets, catch basins and connections for surface water drainage of the improvement; including replacement and/or adjustments of existing storm sewer manhole covers and inlet grates as needed; excluding changes required due to parking lot construction.
 - (d) Construction engineering incidental to inspection and supervision of actual construction work, except for inspection, staking and testing of sanitary sewer and water main.
 - (e) Signing and pavement marking, including detour routes.
 - (f) Construction or replacement of sidewalks.
 - (g) Replacement of driveways in kind.
 - (h) New installations, alterations or salvage-and-replacing of street lighting and traffic signals or devices necessitated by roadway construction.
4. If applicable, work necessary to complete the improvement to be financed entirely by the Municipality includes the following items.
 - (a) New installation of or alteration of Municipal owned sanitary sewers and connections, water, gas, electric, telephone, telegraph, fire hydrants, fire or police alarm facilities, parking meters, and similar utilities.
 - (b) Construction inspection, staking and material testing & acceptance for construction of sanitary sewer and water main.
 - (c) Adjustments of sanitary sewer manhole covers and water valve covers.

- (d) Replacement or installation of signs and pavement marking not necessary for the safe and efficient movement of traffic (e.g., no parking signs, curb markings and crosswalk sign beacons).
 - (e) Damages to abutting property due to change in street or sidewalk widths, grades or drainage.
 - (f) Conditioning, if required, and maintenance of detour routes.
 - (g) Repair of damages to roads or streets caused by reason of their use in hauling materials incidental to the improvement.
 - (h) Real estate for the improvement. This includes, but is not limited to, title searches, R/W plat, acquiring right of way (this includes all utility parcels), relocation plans, litigation, legal descriptions, site cleanup including hazardous materials and the removal of encroachments that do not qualify for Revocable Occupancy permits.
 - (i) Parking lanes and off-street parking lots.
5. As the work progresses, the Municipality will be billed for work completed which is not chargeable to Federal/State funds. Upon completion of the project, a final audit will be made to determine the final division of costs and the Municipality agrees to pay any required reimbursement to the State.
 6. If the Municipality should withdraw the project, it will reimburse the State for any costs incurred by the State on behalf of the Municipality.
 7. The work will be administered by the State and may include items not eligible for Federal/State participation.
 8. The Municipality will at its own cost and expense:
 - (a) Maintain all portions of the project that lie within its jurisdiction for such maintenance through statutory requirements, in a manner satisfactory to the State, and make ample provision for such maintenance each year. This includes, but is not limited to, travel and parking lanes, curb & gutter, sidewalks, multi-use paths, drainage facilities, storm sewers, CSS/Enhancement/aesthetic items, signs, pavement markings, and snow/ice removal from travel lanes, parking lanes, sidewalks and multi-use paths.
 - (b) Prohibit angle parking.
 - (c) Regulate or prohibit all parking at locations where and when the pavement area usually occupied by parked vehicles will be needed to carry active traffic in the street.
 - (d) Provide complete plans, specifications and estimates for sanitary sewer and water main work. The Municipality assumes full responsibility for the design, installation, inspection, testing and operation of the sanitary sewer and water system. This relieves the State and all of its employees from the liability for all suits, actions or claims resulting from the sanitary sewer and water system construction.
 - (e) Maintain and accept responsibility for the energy, operation, maintenance, repair and replacement of the lighting system.

9. Basis for local participation:

(a) Design Engineering (5350-00-05)

The Municipality is responsible for 25% of the design engineering costs for improvement projects on a Connecting Highway. The design of the decorative street lighting and other enhancement items is covered under Enhancement Design Engineering (5350-00-06) below.

(b) Roadway Construction (5350-00-75)

- i. Sidewalk: Replacement of sidewalk necessitated by roadway construction is 100% eligible for Federal/State funding. New or replacement sidewalk necessitated by roadway widening / median installation is the responsibility of the Municipality and eligible for CSS funding under Category 0020.
- ii. CSS (Category 0020): The CSS funding is 100% Federal/State with a maximum of \$43,000. This funding was used to pay for roadway widening to create a raised median for landscape planting and for new or replacement sidewalk in the widened areas. The Municipality is responsible for 100% of the costs over the Federal/State maximum and the roadway widening cost exceeded this amount. This funding category also includes off-street parking lot construction which the responsibility of the Municipality. Since eligible CSS items more than exceeded the Federal/State maximum, the off-street parking lot is effectively a non-participating item.

(c) Construction Credit for STH 213 Reconstruction

The Municipality is receiving credit for the reconstruction of STH 213. This project was completed using Municipal funds at a total cost of \$949,000. When evaluated for compliance with State Policy, it was determined that \$168,000 of expenses was not eligible for state participation (construction of parking lanes and the use of a more expensive pavement structure), therefore the amount to be credited was reduced to \$781,000. The construction credit will be applied toward the City of Beloit local share for project 5350-00-05/75 on USH 51 (\$382,530) and project 5989-03-70 on Henry Avenue (\$398,470).

(e) Nonparticipating Construction (5350-00-75, Category 0030)

The Municipality shall pay 100% of the cost of installing or adjusting water and sanitary sewer systems including manhole and valve adjustments. These costs are not eligible for Federal/State funding.

- (f) Enhancement Design Engineering (5350-00-06) and Construction (5350-00-76)

The Municipality has been awarded an enhancement grant for the design and construction of eligible enhancement items along USH 51. Federal Funding for this grant will fund 55% of eligible design and construction costs up to a cap of \$583,000. The awarded enhancement cap was originally \$661,500; however \$78,500 of unused funds is being transferred to 5989-02-92/93 on Henry Ave. The Municipality is responsible for a 45% cost share and for 100% of costs which exceed the federal cap.

Items eligible for enhancement funding included in the plan are landscaping and a decorative lighting system.

10. In order to guarantee the Municipality's foregoing agreements to pay the State, the Municipality, through its above duly authorized officers or officials, agrees and authorizes the State to set off and withhold the required reimbursement amount as determined by the State from any moneys otherwise due and payable by the State to the Municipality.