



**AGENDA
BELOIT CITY COUNCIL
100 State Street, Beloit WI 53511
City Hall Forum – 7:00 p.m.
Monday, April 2, 2012**

1. CALL TO ORDER AND ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. SPECIAL ORDERS OF THE DAY/ANNOUNCEMENTS
 - a. Proclamation supporting participation in “**The Big Read**” Program “Mark Twain in the Rock River Basin” (Beloit Public Library)
 - b. Proclamation recognizing April as **National Fair Housing Month** (Christensen/Downing)
4. PUBLIC HEARINGS – none
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 Special and Regular Meetings of March 19, 2012 (Houseman)
- b. Resolution awarding **Public Works Contract C12-10**, Mud Jacking (Flesch)
- c. Resolution awarding **Public Works Contract C12-06**, Mill Street Parking Lot Rehabilitation (Flesch)
- d. Resolution authorizing Final Payment of **Public Works Contract C11-02**, Hawthorne Drive Sewer and Water Extension (Flesch)
- e. Resolution authorizing Final Payment of **Public Works Contract C11-14**, Park Avenue and Shirland Avenue Reconstruction (Flesch)
- f. Application for a **Conditional Use Permit** to allow outdoor seating area and outdoor sales, possession, and consumption of alcohol in a C-3, Community Commercial District, for the property located at 900 Fourth Street, Tilley's Pizza House & Ballyhoo Bar (Christensen) Refer to Plan Commission
- g. Application for a **Zoning Map Amendment** to change the Zoning District Classification from PLI, Public Lands and Institutions District, to C-1, Office District, for the property located at 250 Garden Lane (Christensen) Refer to Plan Commission

- h. Application for a **Zoning Map Amendment** to change the Zoning District Classification from PUD, Planned Unit Development District, to C-3, Community Commercial District and MRO, Milwaukee Road Overlay District for the property located at 1610 Willowbrook Road (Christensen) Refer to Plan Commission
- i. Application for a **Class “B” Beer and “Class B” Liquor License** for Tilley’s Pizza House, Inc., located at 900 Fourth Street, Teresa Donovan, Agent (Houseman) Refer to ABLCC
- j. Application for a **Retail License Transfer** for Class “B” Beer and “Class B” Liquor License for Tilley’s Pizza House, Inc., Teresa Donovan, Agent from 904 Fourth Street to 900 Fourth Street (Houseman) Refer to ABLCC
- k. Application for **Class “B” Beer and “Class B” Liquor License** for Draeving Companies, LLC, d/b/a Thirsty Badger Bar and Grill, located at 2683 Prairie Avenue, Michael J. Draeving Sr., Agent (Houseman) Refer to ABLCC

7. ORDINANCES – none

8. APPOINTMENTS – none

9. COUNCILOR ACTIVITIES AND UPCOMING EVENTS

10. CITY MANAGER'S PRESENTATION

- a. Presentation of Analysis of **Impediments to Fair Housing** (Christensen/Downing)

11. REPORTS FROM BOARDS AND CITY OFFICERS

- a. Resolution approving **Farm Leases** between the City of Beloit and Joe and Erica Rebout Farms (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: March 28, 2012
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 Tuesdav at 1:00 p.m., Thursdav at 8:30 a.m. and Fridav at 1:00 p.m.

**PROCLAMATION
SUPPORTING PARTICIPATION
IN “THE BIG READ” PROGRAM
“MARK TWAIN IN THE ROCK RIVER BASIN”**

WHEREAS, Mark Twain is recognized as a national literary American Original author and his work is of interest to our citizens; and

WHEREAS, the National Endowment for the Arts (NEA) recognizes the critical national importance of improving literacy in students and the general public. The nation’s biggest literacy campaign, “The Big Read,” is an attempt to demonstrate the need for a literate and engaged citizenry; and

WHEREAS, a broad community effort to improve literacy will provide for a diverse range of activities and events that will encourage a spectrum of our citizens to read Mark Twain’s work and be engaged in other Big Read activities taking place at the Beloit Public Library; and

WHEREAS, our city and library appreciates the importance of reading, and will join the Big Read effort in 2012 to promote the reading of Mark Twain’s work; and

WHEREAS, our city will take up the challenge, and jointly read Mark Twain along with other communities in southern Wisconsin, culminating in a book discussion of Tom Sawyer on April 25, at the Beloit Public Library; and

WHEREAS, our city recognizes the efforts of the NEA and efforts across our region and community to ensure that every citizen is an active, literate participant in community discourse.

NOW, THEREFORE, BE IT PROCLAIMED that the City Council of the City of Beloit does hereby proclaim April, 2012 as “Big Read: MARK TWAIN IN THE ROCK RIVER BASIN” Month in our community to demonstrate our commitment to improving the literacy of students and citizens.

Presented this 2nd day of April, 2012.

Kevin D. Leavy, Council President

ATTEST:

Rebecca S. Houseman, City Clerk

**RESOLUTION RECOGNIZING APRIL AS
NATIONAL FAIR HOUSING MONTH**

WHEREAS, April 2012 marks the 44th Anniversary of the National Fair Housing Law, Title VIII of the Civil Rights Act of 1968, and therefore is an appropriate time for all citizens to reflect on the principles which led to a national policy of fair and equal housing opportunities across the United States; and

WHEREAS, fair and equal opportunity in housing means that persons of equal income have the same access to the sale, rental, and financing of all housing regardless of race, color, religion, sex, handicap, family status, marital status, sexual orientation, age, or ancestry; and

WHEREAS, Fair Housing is the policy of the City of Beloit and the implementation of that policy requires the positive commitment, involvement, and support of each of our citizens.

NOW, THEREFORE, BE IT RESOLVED that the Beloit City Council does hereby proclaim the month of April 2012 as "**FAIR HOUSING MONTH**" and does hereby encourage all citizens to abide by the letter and spirit of the Fair Housing Laws, and asks the citizens of the city to join in reaffirming the obligation and commitment to fair housing opportunities for all.

Adopted this 2nd day of April 2012

Kevin D. Leavy, President
Beloit City Council

ATTEST:

Rebecca S. Houseman
City Clerk



**PROCEEDINGS OF THE BELOIT CITY COUNCIL
Special Meeting
March 19, 2012
5:30 p.m.**

Presiding: Kevin D. Leavy
Present: Sheila De Forest, David F. Luebke, Mark Spreitzer (arrived at 6:00 p.m.), and James E. Van De Bogart
Absent: Charles Haynes and Eric Newnham

1. President Leavy called the meeting to order at 5:36 p.m. in the 4th Floor City Manager's Conference Room at City Hall. Roll called showed Councilors De Forest, Leavy, Luebke, and Van De Bogart present.
2. Councilor Luebke moved to adjourn into closed session Pursuant to Wis. Stats. 19.85(1)(g) to discuss **Litigation Strategy** regarding Insurance Coverage. Councilor De Forest seconded. The motion carried, and the Council adjourned into closed session at 5:36 p.m. Councilor Spreitzer arrived at 6:00 p.m.
3. Councilor Luebke moved to adjourn the meeting, and Councilor De Forest seconded. The motion carried, and the meeting adjourned at 6:10 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, March 19, 2012

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

1. The meeting was called to order at 7:08 p.m. in the Forum at Beloit City Hall.
2. PLEDGE OF ALLEGIANCE
3. SPECIAL ORDERS OF THE DAY/ANNOUNCEMENTS
 - a. Vice President Van De Bogart presented a Proclamation declaring March 21, 2012 as **Beloit March for Meals Day** to Jim Heidt, representing Beloit Meals on Wheels. File 7148
 - b. Police Chief Norm Jacobs presented the **Medal of Valor** to Beloit Police Officer Nathan Adams for his bravery in the line of duty for an officer-involved shooting incident on November 6, 2011.
4. PUBLIC HEARINGS – none
5. CITIZENS' PARTICIPATION
 - a. City Manager Larry Arft indicated that the City Attorney's office is currently working on a proposed ordinance regarding backyard chickens, and that there is not a specific timeline for when the ordinance will be reviewed by the City Council.
 - b. Mary Hallock, 732 Hobart Avenue, spoke on behalf of an ordinance to allow Beloit city residents to have up to 4 backyard chickens.
 - c. Vivian Mitnick, Beloit College, said that she has had urban chickens since she was 8 years old living in California, and she is in favor of an ordinance to allow them in Beloit.
 - d. Mark Preuschl, 1266 McKinley Avenue, indicated that he is on the Parks, Recreation, and Conservation Advisory Commission, and he voted against the proposed signage to be located at the north end of Riverside Park. He is concerned that the sign is too large and is not open or inviting. He proposed an alternative and requested that the Council table the issue and re-examine the proposal.
 - e. Mike Zoril, 1756 Carlyle Road, said that the City Council should be neutral on the Beloit School District's referendum and allow the residents to decide. He also said the he supports an ordinance allowing backyard chickens because it would be a good learning opportunity for students.
 - f. Chuck Kincaid, 1611 Emerson Street, said that he believes a yes vote for the referendum is a yes vote for Beloit, and he urged the Council to show the public their support for the referendum.
6. CONSENT AGENDA

Councilor De Forest requested that items 6.f., 6.g., and 6.j. be removed from the Consent Agenda. Councilor Van De Bogart requested that item 6.b. be removed from the Consent Agenda. Councilor Haynes moved to adopt the Consent Agenda, which consists of items 6.a., 6.c., 6.d, 6.e., 6.h., 6.i., 6.k., 6.l., 6.m., and 6.n. Councilor Van De Bogart seconded, and the motion carried that the Consent Agenda, except items 6.b., 6.f., 6.g., and 6.j. be accepted, approved, adopted, or referred and acted upon as required by state and local codes by a vote of 7-0.

 - a. The **Minutes** of the Special Meeting of March 1 and Regular Meeting of March 5, 2012 were approved.
 - c. The resolution awarding **Public Works Contract C12-07**, Street Resurfacing, was adopted. File 8531

- d. The resolution authorizing Final Payment of **Public Works Contract C11-12**, Bushnell, College, Prospect Reconstruction, was adopted. File 8493
 - e. The resolution authorizing Final Payment of **Public Works Contract C11-03**, State Street Reconstruction, was adopted. File 8406
 - h. The resolution approving a **Class “B” Beer and “Class C” Wine License** for La Kebrada Restaurant Corp., located at 2648 Prairie Avenue, Eduardo Cobos, Agent, was adopted, File 8497
 - i. The resolution approving a **Class “A” Beer License** for Tristar Beloit, LLC, d/b/a Star Quick Mart, located at 2158 Prairie Avenue, Narendra Patel, Agent, was adopted File 8497
 - k. The resolution approving a **Change of Agent** for MF Oil, Inc., d/b/a Beloit Citgo, located at 1888 Shopiere Road, to Parvinder Singh, was adopted. File 8497
 - l. The resolution approving a **Class “A” Beer License** for Profuel Seven, Inc., d/b/a Beloit Citgo, located at 1888 Shopiere Road, Parvinder Singh, Agent, was adopted. File 8497
 - m. The resolution approving a **Retail License Transfer** of a Class “B” Beer and “Class C” Wine License for Nikki’s Café of Beloit, LLC, Lloyd Smith, Agent, from 604 Pleasant Street, Suite 140 to 431 East Grand Avenue, was adopted. File 8497
 - n. The resolution approving an Amendment to the **Class “B” Beer and “Class B” Liquor License** for Kline’s Club 88, Inc., d/b/a Kline’s Club 88 for an **Outdoor Premises Extension**, was adopted. File 8497
- b. City Engineer Mike Flesch presented a resolution awarding **Public Works Contract C11-23**, Riverbend Shoreline Stabilization and amending the 2012 Capital Improvement Budget. He said that the 2012 CIP needed to be amended because the project was not included in it. Councilor De Forest made a motion to adopt the resolution, and Councilor Luebke seconded. Councilor Van De Bogart said that this is a fully-funded project, and Mr. Flesch said the need for the project stems from the flood in 2008 and is funded through the Community Development Block Grant program. Councilor Spreitzer inquired about the aesthetics, and Mr. Flesch indicated that it would look similar to the seawall in the Mill Street parking lot. The motion carried 7-0. File 8514/8530
 - f. Parks and Leisure Services Director Brian Ramsey presented a resolution awarding the **Ground Maintenance Contract** for the Cemeteries and the Milwaukee Road Business Corridor. Councilor Spreitzer moved to adopt the resolution, and Councilor Luebke seconded. Councilor De Forest asked if it is more cost-effective to contract this service instead of doing the work in-house, and Mr. Ramsey indicated that the City would have to hire additional full-time staff to perform the work so the contract will save money. The motion carried 7-0. File 8532
 - g. Mr. Ramsey presented a resolution authorizing a **Lease Agreement for Golf Carts** at the Krueger Haskell Golf Course with Versatile Vehicles. He noted that this is a different low bidder than was outlined in the original resolution and staff report in the Council packet, and he provided the Council with a new resolution, staff report, and contract. Councilor Luebke made a motion to adopt the resolution authorizing the lease agreement with Versatile Vehicles, and Councilor Haynes seconded. Councilor De Forest asked about the savings associated with leasing the golf carts instead of buying them, and Mr. Ramsey indicated that the lease agreement includes maintenance on the carts. He said that the City does not have the staff or resources to provide this maintenance at this time. Councilor De Forest asked what would happen if we do not operate a golf course in the future, and Mr. Ramsey indicated that there is an opt-out clause in the contract in case that happens. Councilor De Forest asked if the City would be responsible for the carts if Versatile Vehicles went out of business, and City Attorney Tom Casper said that if Versatile went bankrupt, the City would take them to court. Attorney Casper also said that the company has been in business for 27 years. The motion carried 7-0. File 8533
 - j. City Clerk Rebecca Houseman presented a resolution approving a **Class “A” Beer License** for Liberty Gas Inc., d/b/a Liberty Gas, located at 1407 Liberty Avenue, Gurcharan Singh, Agent. It was noted that the ABLCC recommended approval of the application by a vote of 7-0. Clerk Houseman noted that this is a new business, new agent, and new business owner in this location. She also noted that the City Council approved a Conditional Use Permit to allow alcohol sales in this location in October of 2011. Councilor Luebke made a motion to adopt the resolution, and Councilor Newnham seconded. Councilor Luebke said that the ABLCC voted to recommend approval unanimously and that the Police Department was satisfied with the application. Councilor Van De Bogart asked the property and business owner if he was aware of the problems at this property in the past, and Mr. Singh said that he previously leased the property to another individual but he is now in charge of the business and will be a better operator. Councilor De Forest asked if Mr. Singh is associated with the previous business owners, and he said that he is not. The motion carried 7-0. File 8497

7. ORDINANCES – none

8. APPOINTMENTS

President Leavy announced openings and submitted the following appointment to the City Committees, Boards, and Commissions for approval. The appointment was approved on a motion by Councilor Newnham and a second by Councilor Haynes. The motion carried 7-0.

- a. **Community Development Authority:** Stephen F. Smith to a term expiring December 31, 2015. File 6054

9. COUNCILOR ACTIVITIES AND UPCOMING EVENTS

- a. Councilor De Forest said that she appreciates the resident input regarding several issues before the Council and encouraged people to continue to provide it.
- b. Councilor Van De Bogart said that he went to the Riverfront kickoff meeting and that it was nice to see all of the upcoming events. He also said that “Up” will be the movie played in Riverside Park.
- c. Councilor Luebke said that he saw the wonderful play at Beloit Memorial High School and congratulated everyone for a job well done. He said that the Chamber of Commerce dinner was wonderful and that he participated in a recent meeting with the Mexican Consulate. He also stated that the community is the school district, and the school district is the community.
- d. Councilor Newnham acknowledged the great turnout in the audience at the meeting and said that participation adds depth to the conversation.
- e. Councilor Spreitzer said that it is great to see so many people in the audience and that he attended the Riverfront and Chamber events.
- f. President Leavy congratulated and welcomed the students and superintendent of the school district in the audience.

10. CITY MANAGER’S PRESENTATION – none

11. REPORTS FROM BOARDS AND CITY OFFICERS

- a. Fire Chief Brad Liggett presented a resolution approving a **Contract** with the State of Wisconsin for Statewide Structural Collapse Team Members. He said that the City was part of the original collapse team and already has the trained personnel. He added that the City will be reimbursed for any additional training associated with membership. Councilor Luebke made a motion to adopt the resolution, and Councilor Haynes seconded. Councilor Van De Bogart asked if this was a way to subsidize some of the Fire Department’s training expenses, and Chief Liggett agreed. Councilor De Forest asked who reimburses the City, and Chief Liggett said that the Department of Homeland Security reimburses through Wisconsin Emergency Management. File 8534
- b. City Manager Larry Arft presented a resolution approving improvements within **Riverside Park** located at 1160 Riverside Drive. It was noted that the Plan Commission recommended approval 6-0. He said the signage and improvements will identify the City Limits and the Park. Councilor Newnham made a motion to adopt the resolution, and Councilor Luebke seconded. Councilor Van De Bogart asked if they considered copying the entry feature on the south side of the park and about the cost and funding of the improvements. Mr. Arft said that the south side signage has similar elements. He said that the \$325,000 for the project was approved in the budget last year and it is being funded through TID #6 and private donations. Councilor De Forest said that she is glad to see the sign scaled down and that it is important that it be large enough to see from the road. She said that she does not like the new bike path going through this part of the park nor the landscaping around the entry feature. Councilor Haynes said that the aesthetics of the park are very important and it is difficult to disagree with someone he respects. Councilor Newnham said that Riverside Park is a source of pride for everyone in Beloit and that it is important to keep more green space in the park. Councilor Spreitzer said that there are several members of the community who are opposed to the entry feature and that he has difficulty understanding the diagrams showing the improvements. President Leavy said that the Council has seven different opinions because they are seven different people. He said that they may disagree, but they are not attacking people, they are just asking questions to get information and make the best decision possible. He said that people said that they disagreed with the Riverside Drive reconstruction project at first, but the public is really enjoying it now. He said that the public will enjoy the park when it is done as well. The motion carried 6-1, with Councilor De Forest voting in opposition. File 8067

- c. The Council deferred action on a resolution approving improvements within **Wootton Park** located at 1451 Fourth Street upon request of the City Manager until a date to be determined later. File 8067
- d. Manager Arft presented a resolution to support the **2012 School District of Beloit Referendum** for Facility Improvements, which includes a \$70 million bond issue for infrastructure. He said that the Council does not normally take action on the business of another governing body, but this is an exception because the quality of the school system directly impacts the quality of life in the community. Councilor Luebke made a motion to adopt the resolution, and Councilor De Forest seconded. Councilor De Forest said she agreed that economic development is intertwined with the quality of the school district. She also pointed out that this is simply a resolution of support, and the Council supports other organizations' efforts often. Councilor Haynes said that an impediment to economic development has been the negative perception of the school district and that he is in favor of the referendum. Councilor Van De Bogart said that he supports the referendum as an individual and a City Council member. He said that the first two questions people ask when looking to locate in a community are about taxes and schools and that this is an investment in Beloit's future. Councilor Spreitzer said he will vote in favor of this and that the Council has an obligation to act on this item and lead the community. He said he will vote yes and encouraged residents to vote yes on April 3rd. Councilor Luebke said that we need to give the community's students every advantage possible and that the school district continues to make great strides. Councilor Newnham thanked the Beloit Daily News for its dedication to thoroughly covering the referendum for the public. He said, as separate governing jurisdictions, the Council should not be involved in the School District's business. President Leavy said that the Council is not interfering but lending support for a project of great magnitude. He said that parents always want things to be better for their children than it was for them and that some of the schools have not changed in 30 years. He said the Council and the City need to do all they can to support the school district because the students represent the City of Beloit. The motion passed 6-0, with Councilor Newnham abstaining. File 8535
- e. Manager Arft presented a resolution authorizing **Riverfest Relocation** from Riverside Park to the property owned by the City and known as Riverbend, located at 217 Shirland Avenue and 55 Water Street. Councilor Van De Bogart made a motion to adopt the resolution, and Councilor Luebke seconded. The motion carried 7-0. File 7779
- f. Manager Arft presented a resolution approving a Side Letter to the existing **Collective Bargaining Agreement** between the City of Beloit and American Federation of State, County, and Municipal employees (AFSCME) Local #643 Transit. Mr. Arft indicated that this is a follow-up to the fire union contract, which included compensation for the phased-in Wisconsin Retirement System (WRS) contribution. He said that there may be credibility issues in future transit negotiations if the proposed side letter, which provides the transit union workers with a three percent pay increase starting March 1, 2012, is not approved. Councilor Luebke made a motion to adopt the resolution, and Councilor Newnham seconded. Councilor Van De Bogart said that he does not think this is a good idea at this time because it creates a disparity among employees. He said that the Council should not attempt to undo all of the effects of Act 10 with their pocketbook because there is not enough to go around. He suggested that the item be laid over. Councilor De Forest said that credibility is important and that she appreciates how the transit union was the first union to negotiate. President Leavy questioned what would change if the Council laid this item over. Councilor Spreitzer said that he is in support of the idea, but that he does not see the point in approving this until the final union contract is approved. Councilor De Forest made a motion to lay this item over until the police union contract comes to the Council for action. Councilor Van De Bogart seconded. The motion carried 4-3 by a roll call vote with Councilors De Forest, Haynes, Van De Bogart, and Spreitzer voting in favor and Councilor Leavy, Luebke, and Newnham voting in opposition. File 6094

12. At 9:10 p.m., Councilor De Forest moved to adjourn the meeting, and Councilor Haynes seconded. The motion carried. 7-0.

Rebecca S. Houseman, City Clerk

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Date approved by Council:

**RESOLUTION
AWARDING PUBLIC WORKS CONTRACT C12-10
MUD JACKING**

WHEREAS, the adopted capital improvements budget for 2012 provided funding and an appropriation for the maintenance of City Streets, and;

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

WHEREAS, the project will raise settled concrete curb and gutters, driveway aprons, and sidewalks in various locations citywide by mud jacking, and;

WHEREAS, one competitive bid was received, the low bid being from Concrete Raising of Wisconsin, and;

WHEREAS, Concrete Raising of Wisconsin is a qualified bidder, therefore,

IT IS RESOLVED, that Contract C12-10 Mud Jacking, be, and hereby is, awarded to Concrete Raising of Wisconsin, New Berlin, Wisconsin, in the following amounts:

Concrete Raising of Wisconsin
2855 South 166th Street
New Berlin, WI 53151

Concrete Raising of Wisconsin Base Bid	\$ 40,700.00
<u>Allowance for Change Orders and/or Extra Work</u>	<u>\$ 6,100.00</u>
TOTAL PROJECT COST	\$ 46,800.00

AND IT IS FURTHER RESOLVED, that the amount of \$849,440.00, be, and hereby is, funded as follows:

P2902187-5514-2012	Street Resurfacing	\$ 46,800.00
TOTAL		\$ 46,800.00

Dated at Beloit, Wisconsin this 2nd day of April, 2012.

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: Award of Construction Contract for C12-10, Mud Jacking

Date: April 2, 2012

Presenter(s): Mike Flesch, City Engineer

Department(s): Public Works/Engineering

Overview/Background Information:

This project will raise settled concrete curb and gutters, driveway aprons, and sidewalks in various locations citywide by mud jacking.

Key Issues (maximum of 5):

1. One (1) bid was received for this project. The low bid of \$ 40,700.00 was from Concrete Raising of Wisconsin and is 1.5% less than the engineer's estimate of \$ 41,300.00.
2. Concrete Raising of Wisconsin is considered a responsible bidder for this project.
3. The costs for this project are as follows: \$ 40,700.00 for construction, \$ 6,100.00 for Change Orders or extra work, for a total of \$ 46,800.00.
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 improving the appearance and drainage on City Streets while lowering street maintenance costs.

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 drainage in the curb and gutters 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 Concrete Raising of Wisconsin in the amount of \$40,700.00.

Fiscal Note/Budget Impact:

Adequate funding is available in the 2012 Capital Improvement Plan for Street Maintenance.

CITY OF BELOIT

DEPARTMENTAL CORRESPONDENCE

TO: Larry Arft
FROM: Luke Arnold, Project Engineer
DATE: March 8, 2012
SUBJECT: Bid Results for Contract C12-10
Mud Jacking

Pursuant to advertisements placed March 8 and 15, 2012, bids were received until 10:00 a.m. on March 23, 2012 for C12-10 Mud Jacking. A summary and tabulation of bids is attached.

One (1) bid was received for this project as follows:

1. Concrete Raising of Wisconsin	New Berlin, WI	\$ 40,700.00	*Low Bid*
<i>Engineer's Estimate</i>		<i>\$ 41,300.00</i>	<i>+1.5%</i>

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

I recommend that the contract be awarded to Rock Road Companies, Inc. of Janesville, WI. The following is a breakdown of the proposed project cost:

COSTS

Rock Road Companies, Inc. Base Bid	\$ 40,700.00
Allowance for Change Orders and/or Extra Work	<u>\$ 6,100.00</u>
TOTAL PROJECT COST	\$ 46,800.00

PROJECT INFORMATION

This project will raise settled concrete curb and gutters, driveway aprons, and sidewalks in various locations citywide by mud jacking.

**RESOLUTION
AWARDING PUBLIC WORKS CONTRACT C12-06
MILL STREET PARKING LOT REHABILITATION**

WHEREAS, the adopted capital improvements budget for 2012 provided funding and an appropriation for the rehabilitation of the Mill Street parking lot, and;

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

WHEREAS, the project will mill off the existing asphalt pavement in the Mill Street parking lot and re-pave it with new asphalt pavement, and;

WHEREAS, one competitive bid was received, the low bid being from Rock Road, Companies Inc., and;

WHEREAS, Rock Road Companies, Inc. is a qualified bidder, therefore,

IT IS RESOLVED, that Contract C12-06 Mill Street Parking Lot Rehabilitation, be, and hereby is, awarded to Rock Road Companies Inc., Janesville, Wisconsin, in the following amounts:

Rock Road Companies, Inc.
P.O. Box 1779
Janesville, WI 53547

Rock Road Companies, Inc. Base Bid	\$ 119,893.54
<u>Allowance for Change Orders and/or Extra Work</u>	<u>\$ 18,006.46</u>
TOTAL PROJECT COST	\$ 137,900.00

AND IT IS FURTHER RESOLVED, that the amount of \$137,900.00, be, and hereby is, funded as follows:

P4502486-5514-2012	Mill Street Parking Lot	\$ 137,900.00
TOTAL		\$ 137,900.00

Dated at Beloit, Wisconsin this 2nd day of April, 2012.

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: Award of Construction Contract for C12-06, Mill Street Parking Lot Rehabilitation

Date: April 2, 2012

Presenter(s): Mike Flesch, City Engineer

Department(s): Public Works/Engineering

Overview/Background Information:

This project will mill off the existing asphalt pavement in the mill street parking lot and re-pave it with new asphalt pavement.

Key Issues (maximum of 5):

1. One (1) bid was received for this project. The low bid of \$ 119,893.54 was from Rock Road Companies, Inc. and is 13.5% more than the engineer's estimate of \$ 103,705.00.
2. Rock Road Companies, Inc. is considered a responsible bidder for this project.
3. The costs for this project are as follows: \$ 119,893.54 for construction, \$ 18,006.46 for Change Orders or extra work, for a total of \$ 137,900.00.
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 improving the appearance and quality of the Mill Street parking lot while lowering maintenance costs.

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 Rock Road Companies, Inc. in the amount of \$119,893.54.

Fiscal Note/Budget Impact:

Adequate funding of \$160,000 was appropriated for this project in the 2012 Capital Improvement Plan budget.

CITY OF BELOIT

DEPARTMENTAL CORRESPONDENCE

TO: Larry Arft

FROM: Luke Arnold, Project Engineer

DATE: March 8, 2012

SUBJECT: Bid Results for Contract C12-06
Mill Street Parking Lot Rehabilitation

Pursuant to advertisements placed March 8 and 15, 2012, bids were received until 10:30 a.m. on March 23, 2012 for C12-06 Mill Street Parking Lot Rehabilitation. A summary and tabulation of bids is attached.

One (1) bid was received for this project as follows:

<i>Engineer's Estimate</i>	\$ 103,705.00	-13.5%
1. Rock Road Companies, Inc. Janesville, WI	\$ 119,893.54	*Low Bid*

Upon review of the Contractor's Proof of Responsibility Statement, Rock Road Companies, Inc. is determined to be a responsible bidder. The engineer's estimate did not adequately account for small quantities in the estimated unit prices. Adequate funding of \$160,000 was appropriated for this project in the 2012 CIP.

I recommend that the contract be awarded to Rock Road Companies, Inc. of Janesville, WI. The following is a breakdown of the proposed project cost:

COSTS

Rock Road Companies, Inc. Base Bid	\$ 119,893.54
Allowance for Change Orders and/or Extra Work	<u>\$ 18,006.46</u>
TOTAL PROJECT COST	\$ 137,900.00

PROJECT INFORMATION

This project will mill off the existing asphalt pavement in the mill street parking lot and re-pave it with new asphalt pavement.

**RESOLUTION
AUTHORIZING FINAL PAYMENT OF
PUBLIC WORKS CONTRACT C11-02
Hawthorne Drive Sewer and Water Extension**

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 G.M.S. Excavators, Inc. be paid \$7,051.96 as the final payment for Contract C11-02 Hawthorne Drive Sewer and Water Extension, as recommended by the City Engineer.

Dated at Beloit, Wisconsin this 2nd day of April, 2012.

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 C11-02, Hawthorne Drive Sewer & Water Extension

Date: April 2, 2012

Presenter(s): Larry Arft

Department(s): Public Works/ Engineering

Overview/Background Information:

This project extended city water supply and city sewer service to 12 existing properties within city limits which were currently not served.

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 \$ 280,600.00
Quantity increases and change orders \$ 1,478.54
Net payment due contractor \$ 282,078.54
3. The City Engineer, City Attorney, and Director of Accounting recommend that a final payment be made to G.M.S. Excavators, Inc. in the amount of \$7,051.96.

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 improve water quality by eliminating private septic waste storage in an urban 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**
N/A
- **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature**
Treatment of human waste at the Publicly Owned Treatment Works will assure that all laboratory testing procedures are performed and monitored by licensed and trained personnel to assure water quality meets regulatory requirements.
- **Reduce dependence on activities that harm life sustaining eco-systems**
Eliminate private and unmonitored discharge of effluent to the water table.
- **Meet the hierarchy of present and future human needs fairly and efficiently**
Each owner whose property benefits from the system expansion will equally share the infrastructure costs.

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:

The costs of sanitary sewer and potable water extensions are specially assessed to the 12 properties in the proposed district.

CITY OF BELOIT
DEPARTMENTAL CORRESPONDENCE

TO: Mike Flesch

FROM: Andy Hill, Project Engineer 

DATE: February 24, 2012

SUBJECT: Final Payment Contract C11-02
Hawthorne Drive Sewer & Water Extension

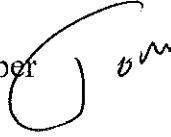
The work on this project was completed on November 28, 2011. I have inspected the work and find it to be satisfactory and in compliance with the requirements of the contract. The contractor has asked for final payment. The project was inspected by city staff. The final payment quantities have been approved by the contractor.

The original contract amount was for \$280,600.00, and the final contract amount is \$282,078.54. The increase in cost was primarily due to the additional road base stone required to bridge the poor soil conditions. A detailed variance report is attached. Payments to date under this contract total \$275,026.58, and all lien waivers from subcontractors are on file.

Therefore, I recommend a final payment in the amount of \$7,051.96 be made to G.M.S. Excavators, Inc.

CITY OF BELOIT
DEPARTMENTAL CORRESPONDENCE

TO: Andy Hill

FROM: Thomas R. Casper 

DATE: March 15, 2012

SUBJECT: **Final Payment Public Works Contract C11-02**
G.M.S. Excavators, Inc.
Hawthorne Drive Sewer & Water Extension

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
AUTHORIZING FINAL PAYMENT OF
PUBLIC WORKS CONTRACT C11-14
Park Avenue and Shirland Avenue Reconstruction**

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 Rock Road Co. Inc. be paid \$20,087.74 as the final payment for Contract C11-14 Park Av. and Shirland Av. Reconstruction, as recommended by the City Engineer.

Dated at Beloit, Wisconsin this 2nd day of April 2012.

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 C11-14, Park Av. and Shirland Av. Reconstruction

Date: April 2, 2012

Presenter(s): Larry Arft

Department(s): Public Works/ Engineering

Overview/Background Information:

This project constructed new concrete pavement on Park Avenue between Broad Street and East Grand Avenue, replaced and upgraded the signalization of the Park Avenue and Grand Avenue intersection, and reconstructed the concrete pavement on Shirland Avenue between the Transit Transfer entrance and State Street. A new sidewalk was added on the south side of Shirland Avenue between State Street and the west project limit (near the Transit building).

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 \$ 604,505.57
Quantity increases and change orders \$ 1,830.21
Net payment due contractor \$ 606,335.78
3. The City Engineer, City Attorney, and Director of Accounting recommend that a final payment be made to Rock Road Co. Inc. in the amount of \$20,087.74

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 improving the appearance and quality of ride and improving pedestrian safety on these streets while lowering street maintenance costs.

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, increasing pedestrian safety, 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:


Approval of the Resolution authorizing the Final Payment.

Fiscal Note/Budget Impact:

Adequate funding is available in the 2011 Capital Improvement Plan.

CITY OF BELOIT
DEPARTMENTAL CORRESPONDENCE

TO: Mike Flesch

FROM: Andy Hill, Project Engineer 

DATE: February 24, 2012

SUBJECT: Final Payment Contract C11-14
Park Av. and Shirland Av. Reconstruction

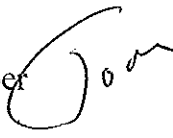
The work on this project was completed on November 7, 2011. I have inspected the work and find it to be satisfactory and in compliance with the requirements of the contract. The contractor has asked for final payment. The project was inspected by city staff. The final payment quantities have been approved by the contractor.

The original contract amount was for \$604,505.57, and the final contract amount is \$606,335.78. The increase in cost was primarily due to a change in electrical wiring conduit and a field fit of the size of the park entry features to accommodate ramps and approach walks. A detailed variance report is attached. Payments to date under this contract total \$586,248.04, and all lien waivers from subcontractors are on file.

Therefore, I recommend a final payment in the amount of \$20,087.74[✓] be made to Rock Road Co. Inc.

CITY OF BELOIT
DEPARTMENTAL CORRESPONDENCE

TO: Andy Hill

FROM: Thomas R. Casper 

DATE: March 15, 2012

SUBJECT: **Final Payment Public Works Contract C11-14**
Rock Road Companies, Inc.
Park Avenue and Shirland Avenue Reconstruction

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.



CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL

Topic: Conditional Use Permit Application for the property located at 900 Fourth Street – Council Referral to the Plan Commission

Date: April 2, 2012

Presenter(s): Julie Christensen

Department: Community Development

Overview/Background Information:

Tilley's Pizza House & Ballyhoo Bar has filed an application for a Conditional Use Permit to allow an outdoor seating area and outdoor sales, possession, & consumption of alcohol in a C-3, Community Commercial District, for the property located at 900 Fourth Street.

Key Issues (maximum of 5):

- The applicant is in the process of constructing a new 5,281 square-foot building and has proposed a 695 square-foot outdoor seating area on the eastern (Fourth Street) side of the building.
- Patrons will access the outdoor seating area through a door in the bar area, and the outdoor seating area will include an emergency exit.
- The proposed outdoor seating area will be surrounded by a fence that consists of brick columns and aluminum railings with an overall height of approximately five feet.
- Section 4-804 of the Zoning Ordinance states that outdoor seating areas for bars and/or restaurants are only allowed if reviewed and approved in accordance with the Conditional Use Permit review procedures.

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

- Consideration of this request supports Strategic Goal #4.

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

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

Action required/Recommendation:

- Referral to the Plan Commission for the April 4, 2012 meeting
- This item will most likely return to the City Council for a public hearing and possible action on April 16, 2012

Fiscal Note/Budget Impact: N/A

Attachments: Application, Site Plan, and Rendering

CITY of BELOIT

Neighborhood Planning Division

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

Conditional Use Permit Application

(Please Type or Print)

File Number: CN-2012-01

1. Address of subject property: 900 4th STREET
2. Legal description: LOT 1 CSM IN VOLUME 34 PAGES 280-282

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

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

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

3. Tax Parcel Number(s): 13510280
4. Owner of record: RONALD TILLEY Phone: 608-362-2859
2802 CHATSWORTH DR. BELoit WI. 53511
(Address) (City) (State) (Zip)
5. Applicant's Name: TILLEY'S PIZZA HOUSE (BAILLYHOO BAR)
900 4th STREET BELoit WI 53511
(Address) (City) (State) (Zip)
362-0241 / 1 / RTILLS@AIM.COM
(Office Phone #) (Cell Phone #) (E-mail Address)
6. All existing use(s) on this property are: BAR, RESTAURANT

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

A Conditional Use Permit for: BEER GARDEN EATING AREA
_____ in a(n) C-3 _____ Zoning District.

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

Principal use: _____

Secondary use: _____

Accessory use: _____

9. Project timetable: Start date: JUNE 1ST Completion date: 6/15/2012

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

- () Owner
- () Leasehold, length of lease: _____
- () Contractual, nature of contract: _____
- () Other, explain: _____

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

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

Ronald Tilley / RONALD TILLEY / 03-06-12
(Signature of Owner) (Print name) (Date)
 _____ / _____ / _____
(Signature of Applicant, if different) (Print name) (Date)

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

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

To be completed by Planning Staff		
Filing fee: <u>\$275.00</u>	Amount paid: <u>\$275.00</u>	Meeting date: <u>April 4, 2012</u>
No. of notices: _____	x mailing cost (\$0.50) = cost of mailing notices: \$ _____	
Application accepted by: <u>D. Farrington</u>		Date: <u>3/7/12</u>



CU-2012-01, Tilley's Pizza House, 900 Fourth Street, Council Referral

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL

Topic: Zoning Map Amendment Application for the property located at 250 Garden Lane – Council Referral to the Plan Commission

Date: April 2, 2012

Presenter(s): Julie Christensen

Department: Community Development

Overview/Background Information:

Kelly Clobes has submitted a Zoning Map Amendment Application requesting a change in the zoning district classification of the property located at 250 Garden Lane from Public Land and Institution (PLI) to C-1, Office District. The property is the former Rock County Court House, which has sat vacant for a number of years. The applicant purchased the property in 2007 from RVB Partnership.

Key Issues (maximum of 5):

- The building on the property is approximately 19,540 square feet and has been vacant for a number of years.
 - The current PLI zoning limits the property to public and quasi-public (i.e. schools, hospitals, etc.) uses.
 - The property owner intends to reuse the building to establish office and retail uses.
 - The City's Comprehensive Plan recommends office for this location and the C-1, Office District.
-

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

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

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

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

Action required/Recommendation:

- Referral to the Plan Commission for the April 4, 2012 meeting.
 - This item will most likely return to the City Council for a public hearing and possible action on April 16, 2012.
-

Fiscal Note/Budget Impact: N/A

Attachments: Application, Location and Zoning Map

CITY of BELOIT

NEIGHBORHOOD PLANNING DIVISION

100 State Street, Beloit, WI 53511

Phone: (608) 364-6700

Fax: (608) 364-6609

Zoning Map Amendment Application Form

(Please Type or Print)

File No.: ZMA-2012-04

1. Address of subject property: ~~220 E. 1st St~~ 250 Garden Lane, Beloit, WI 53511

2. Legal description: Lot: _____ Block: _____ Subdivision: attached

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

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

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

3. Tax Parcel Number(s): 206 13530040 & ~~206 13530020~~

4. Owner of record: Jagger Bay Properties, LLC Phone: (608) 299-1459

<u>822 Broad St</u>	<u>Beloit</u>	<u>WI</u>	<u>53511</u>
(Address)	(City)	(State)	(Zip)

5. Applicant's Name: Kelly Clobes

<u>4211 S 122nd St</u>	<u>Greenfield</u>	<u>WI</u>	<u>53228</u>
(Address)	(City)	(State)	(Zip)

<u>(608) 299-1459</u>	<u>/ (608) 698-0678</u>	<u>/ kelly@toubl.com</u>
(Office Phone #)	(Cell Phone #)	(E-mail Address)

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

Change zoning district classification from: PLI to: OT

All existing uses on this property are: _____

NONE

7. All the proposed uses for this property are:

Principal use(s): _____

~~Entertainment Oriented and Sales Oriented~~ , offices
Personal Services and

Secondary use(s): _____

Repair Oriented

Accessory use(s): _____

Parking, ~~Offices~~, Storage of Goods

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

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

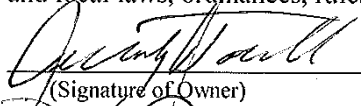
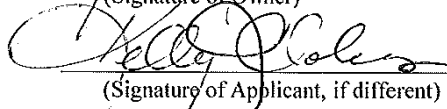
Agent

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

Name(s): <u>Jeremy Toubl and Kelly Clobes</u>		Phone: <u>(608) 698-0678</u>	
<u>822 Broad St</u>	<u>Beloit</u>	<u>WI</u>	<u>53511</u>
<small>(Address)</small>	<small>(City)</small>	<small>(State)</small>	<small>(Zip)</small>

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

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

	, <u>Jeremy J. Toubl</u>	, <u>3/16/2012</u>
<small>(Signature of Owner)</small>	<small>(Print name)</small>	<small>(Date)</small>
	, <u>Kelly J. Clobes</u>	, <u>3/16/2012</u>
<small>(Signature of Applicant, if different)</small>	<small>(Print name)</small>	<small>(Date)</small>

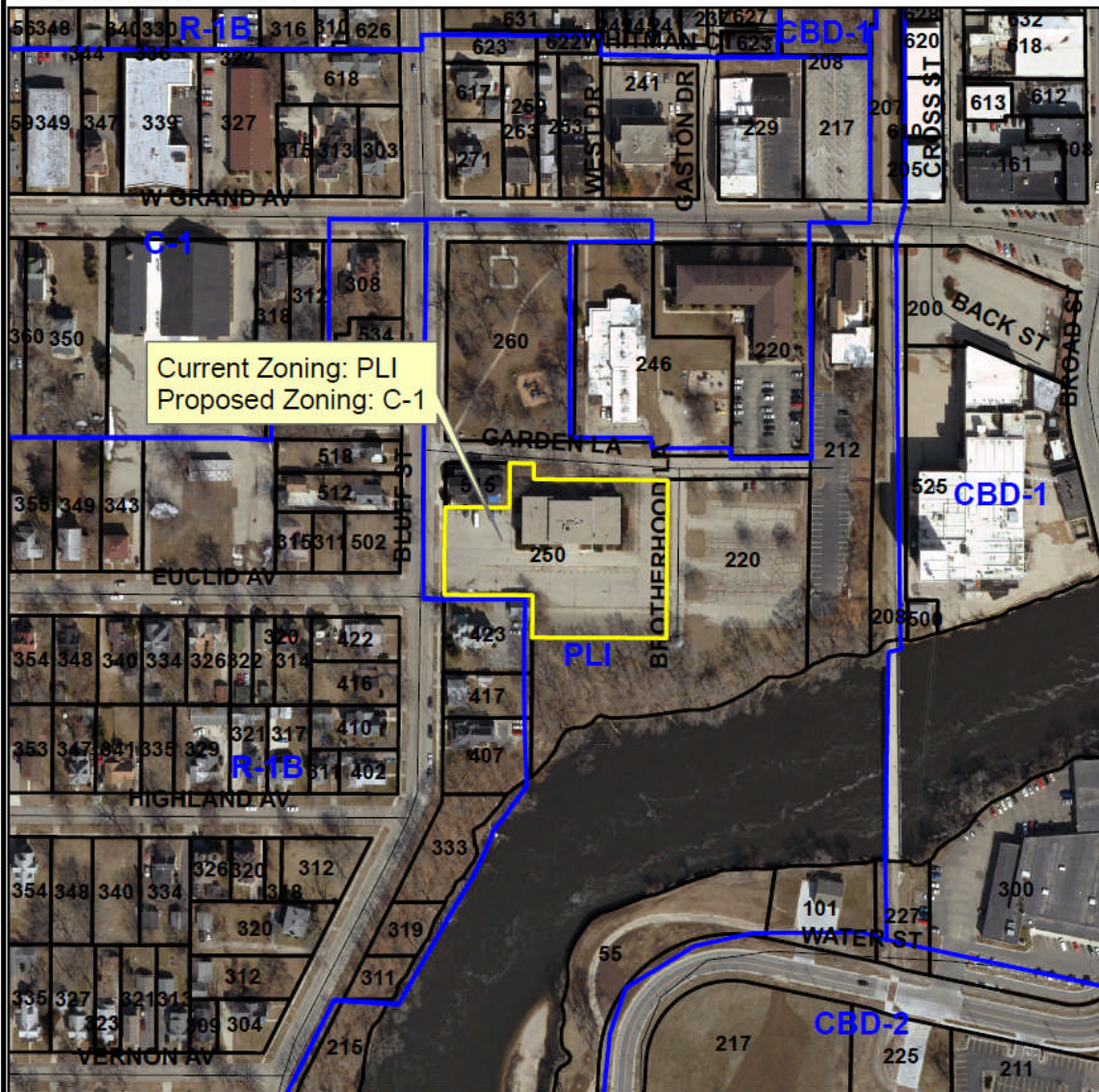
In order for your request to be heard and considered in a timely manner, you must submit the completed application and all accompanying documents to the Neighborhood Planning Division for acceptance by the filing deadline date prior to a scheduled Plan Commission meeting. This application must be submitted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

To be completed by Planning Staff	
Filing Fee: <u>\$275.00</u>	Amount Paid: <u>\$35.00</u> Meeting Date: <u>April 4, 2012</u>
Number of notices: _____	x mailing cost (\$0.50) = cost of mailing notices: \$ _____
Application accepted by: <u>Michael D. Lofton #</u>	Date: <u>3/16/2012</u>
Date Notice Published: _____	Date Notice Mailed: _____

Location & Zoning Map

250 GARDEN LANE

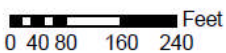
ZMA-2012-04



Current Zoning: PLI
Proposed Zoning: C-1



1 inch = 213 feet



Legend

- Zoning District
- Parcels

Map prepared by: Michael D. Lofton II
Date: March 22, 2012
For: City of Beloit, Planning & Building Services
Date of Aerial Photography: April 2011

PLANNING & BUILDING SERVICES DIVISION

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL

Topic: Zoning Map Amendment Application for the property located at 1610 Willowbrook Road – Council Referral to the Plan Commission

Date: April 2, 2012

Presenter(s): Julie Christensen

Department: Community Development

Overview/Background Information:

The Planning and Building Services Division has submitted a Zoning Map Amendment Application requesting a change in the zoning district classification of the property located at 1610 Willowbrook Road from Planned Unit Development (PUD) to C-3, Community Commercial District and MRO, Milwaukee Road Overlay District.

Key Issues (maximum of 5):

- The Planning and Building Services Division is in the process of rezoning all PUDs that were approved but were never developed or failed to meet specific conditions of approval.
- In 2005, the City Council adopted a Resolution authorizing the rezoning of 1610 Willowbrook from C-1, Office District and MRO, Milwaukee Road Overlay District to PUD.
- The property owner failed to meet all of the listed conditions within the adopted resolution and did not submit a final site plan to the Planning Division.
- When this occurs, Section 2-402 of the Zoning Ordinance instructs the Plan Commission to remove the land from the PUD zoning district.

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

- Consideration of this request supports Strategic Goal #4.

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

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

Action required/Recommendation:

- Referral to the Plan Commission for the April 4, 2012 meeting.
- This item will most likely return to the City Council for a public hearing and possible action on April 16, 2012.

Fiscal Note/Budget Impact: N/A

Attachments: Application, Location and Zoning Map

CITY of BELOIT

NEIGHBORHOOD PLANNING DIVISION

100 State Street, Beloit, WI 53511

Phone: (608) 364-6700

Fax: (608) 364-6609

Zoning Map Amendment Application Form

(Please Type or Print)

File No.: ZMA-2012-03

1. Address of subject property: 1610 Willowbrook Road

2. Legal description: Lot: _____ Block: _____ Subdivision: Lot 1 of CSM Vol. 22, pp. 58-61

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

Property dimensions are: _____ feet by _____ feet = 81,021 square feet.

If more than two acres, give area in acres: 1.86 acres.

3. Tax Parcel Number(s): 23033000

4. Owner of record: MCBAIN ENTERPRISES, INC. Phone: (608) 365-0699

2951 KENNEDY DRIVE BELOIT WISCONSIN 53511

(Address)

(City)

(State)

(Zip)

5. Applicant's Name: CITY OF BELOIT

100 STATE STREET BELOIT WISCONSIN 53511

(Address)

(City)

(State)

(Zip)

(Office Phone #)

(Cell Phone #)

(E-mail Address)

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

c-3, Community Commercial

Change zoning district classification from: PUD, Planned Unit Development to: G-1, Office

All existing uses on this property are:

Vacant Land

7. All the proposed uses for this property are:

Principal use(s):

N/A

Secondary use(s):

N/A

Accessory use(s):

N/A

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

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

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

Name(s): _____ Phone: _____

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

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

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

 (Signature of Owner) (Print name) (Date)
 _____, L.N. ARFT, 3-1-12
 (Signature of Applicant, if different) (Print name) (Date)

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

To be completed by Planning Staff		
Filing Fee: \$275.00	Amount Paid: <u>N/A</u>	Meeting Date: <u>April 4, 2012</u>
Number of notices: _____	x mailing cost (\$0.50) = cost of mailing notices: \$ _____	
Application accepted by: <u>Michael D. Loftis II</u>	Date: <u>March 1, 2012</u>	
Date Notice Published: _____	Date Notice Mailed: _____	

Location & Zoning Map

1610 WILLOWBROOK ROAD

ZMA-2012-03



Current Zoning: PUD
Proposed Zoning: C-3



1 inch = 213 feet
0 40 80 160 240 Feet

Legend

- Zoning District
- Parcels

Map prepared by: Michael D. Lofton II
Date: March 22, 2012
For: City of Beloit, Planning & Building Services
Date of Aerial Photography: April 2011

PLANNING & BUILDING SERVICES DIVISION

ORIGINAL ALCOHOL BEVERAGE RETAIL LICENSE APPLICATION

Submit to municipal clerk.

For the license period beginning 20 12 ending 6-30 20 12

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

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): TILLEY'S PIZZA HOUSE INC

Applicant's Wisconsin Seller's Permit Number	<u>456-0000368908-03</u>
Federal Employer Identification Number (FEIN)	<u>39-1175932</u>
LICENSE REQUESTED ▶	
TYPE	FEE
<input type="checkbox"/> Class A beer	\$
<input checked="" type="checkbox"/> Class B beer	\$
<input type="checkbox"/> Class C wine	\$
<input type="checkbox"/> Class A liquor	\$
<input checked="" type="checkbox"/> Class B liquor	\$
<input type="checkbox"/> Reserve Class B liquor	\$
Publication fee	\$ <u>50.00</u> <u>Ad3-22-12</u>
TOTAL FEE	\$

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

Title	Name	Home Address	Post Office & Zip Code
President/Member	<u>RONALD TILLEY</u>	<u>2802 CHATSWORTH DR</u>	<u>BELOIT 53511</u>
Vice President/Member	<u>AHSING TILLEY</u>	<u>949 RAVINE</u>	<u>BELOIT "</u>
Secretary/Member	<u>JANET TILLEY</u>	<u>2802 CHATSWORTH DR</u>	<u>BELOIT "</u>
Treasurer/Member			
Agent	<u>TERESA DONOVAN</u>	<u>1737 AVON W. TOWNLINE RD</u>	<u>BROOKHEAD WI 53520</u>
Directors/Managers			

3. Trade Name ▶ CLUB BAILLY HRO Business Phone Number 362-9969
 4. Address of Premises ▶ 900 4th STREET 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 _____ and date _____ 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.) 210-906 4th KITCHEN, DINING, BAR STORAGE

10. Legal description (omit if street address is given above):
 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? TILLEY CORP

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. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? 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 22 day of March, 20 12

Auditha Olson
(Notary Public)

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

Janet Tilley
(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	Date reported to council/board	Date provisional license issued	Signature of Clerk / Deputy Clerk
<u>3-22-12</u>	Date license issued	License number issued	

TREE

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 City of Beloit County of Rock

The undersigned duly authorized officer(s)/members/managers of Tilley's Pizza House Inc.
(registered name of corporation/organization/limited liability company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as Tilley's Bally Hoo Tavern
(trade name)

located at 904 4th Street

appoints Teresa Donovan
(name of appointed agent)

17137 Avon Townline
(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? 48 years

Place of residence last year 17137 Avon Townline Brodhead

For: Ronald Tilley
(name of corporation/organization/limited liability company)

By: Ronald Tilley
(signature of Officer/Member/Manager)

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

ACCEPTANCE BY AGENT

I, Teresa Donovan, 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.

Teresa Donovan 3/22/12 Agent's age _____
(signature of agent) (date)

17137 Avon Townline Date of birth _____
(home address of agent)

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

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

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

AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

Individual's Full Name (please print) (last name) <u>Donovan</u>		(first name) <u>Teresa</u>	(middle name) <u>M</u>		
Home Address (street/route) <u>17137 Avon Townline</u>		Post Office	City <u>Brodhead</u>	State <u>Wi</u>	Zip Code <u>53520</u>
Home Phone Number <u>(608) 897-3273</u>		Age	Date of Birth	Place of Birth <u>Beloit Wi</u>	

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 of Tilley's Pizza House
(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? 48 yrs.
- 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. Tilley Corp
(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 permit, brewery/winery permit or wholesale liquor, manufacturer or rectifier permit in the State of Wisconsin? Yes No
If yes, identify. Tilley Corp
(Name of Wholesale Licensee or Permitted) (Address By City and County)
- Named individual must list in chronological order last two employers.

Employer's Name <u>Tilley's Pizza</u>	Employer's Address <u>904 4th St</u>	Employed From <u>1978</u>	To <u>Present</u>
Employer's Name	Employer's Address	Employed From	To

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 22 day of March, 20 12

[Signature]
(Clerk/Notary Public)

[Signature]
(Signature of Named Individual)

My commission expires 9-22-13



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Wisconsin Department of Revenue

AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

Individual's Full Name (please print) (last name) <u>TILLEY</u>		(first name) <u>JANET</u>		(middle name) <u>J</u>	
Home Address (street/route) <u>2802 CHATSWORTH DR</u>		Post Office	City <u>BELoit</u>	State <u>WI</u>	Zip Code <u>53511</u>
Home Phone Number <u>608 362 2859</u>		Age <u>73</u>	Date of Birth	Place of Birth <u>BELoit</u>	

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.
- OFFICER of TILLEY'S PIZZA HOUSE INC BALLYHOOD BAR
(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? 73 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. TILLEY CORP
(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 permit, brewery/winery permit or wholesale liquor, manufacturer or rectifier permit in the State of Wisconsin? Yes No
If yes, identify. TILLEY CORP
(Name of Wholesale Licensee or Permittee) (Address By City and County)
- Named individual must list in chronological order last two employers.

Employer's Name <u>TILLEY'S PIZZA</u>	Employer's Address <u>902 4th STREET</u>	Employed From <u>1969</u>	To <u>2012</u>
Employer's Name <u>TILLEY'S BALLYHOOD</u>	Employer's Address <u>904 4th STREET</u>	Employed From <u>1972</u>	To <u>2012</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 22 day of March, 2017

[Signature]
(Notary Public)

[Signature]
(Signature of Named Individual)

My commission expires 9-22-13



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Sing

AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

Individual's Full Name (please print) (last name) <u>Tilley</u>		(first name) <u>Ahsing</u>	(middle name) <u>-</u>	Social Security Number	
Home Address (street/route) <u>949 Regime Dr.</u>		Post Office	City <u>Beloit</u>	State <u>WI</u>	Zip Code <u>53511</u>
Home Phone Number <u>608 365-7262</u>		Age <u>42</u>	Date of Birth	Place of Birth <u>Beloit</u>	

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.
- Officer/manager of Tilley's Pizza House & Ballyhoo bar
(Officer/Director/Member/Manager/Agent) (Name of Corporation, Limited Liability Company or Nonprofit Organization)

which is making application for an alcohol beverage license.

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

1. How long have you continuously resided in Wisconsin prior to this date? 42 Years
2. Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality? Yes No
If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)
3. Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality? Yes No
If yes, describe status of charges pending.
4. Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit? Yes No
If yes, identify. TILLEY CORP
(Name, Location and Type of License/Permit)
5. Do you hold and/or are you an officer, director, stockholder, agent or employe of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer license; brewery/winery permit or wholesale liquor manufacturer or rectifier permit in the State of Wisconsin? Yes No
If yes, identify. TILLEY CORP
(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>Tilley's P.zze.</u>	Employer's Address <u>902 4th St.</u>	Employed From <u>1993</u>	To <u>Current.</u>
Employer's Name <u>Tilley's Ballyhoo</u>	Employer's Address <u>904 4th St.</u>	Employed From <u>1993</u>	To <u>Current.</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 22 day of March, 20 12

[Signature]
(Clerk/Notary Public)

Sig Tilley
(Signature of Named Individual)

My commission expires 9-22-13



AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

Individual's Full Name (please print) (last name) <u>TILLEY</u>		(first name) <u>RONALD</u>		(middle name) <u>F</u>	
Home Address (street/route) <u>2802 CHATSWORTH DR.</u>		Post Office	City <u>BELoit</u>	State <u>WI</u>	Zip Code <u>53511</u>
Home Phone Number <u>608-362-2859</u>		Age	Date of Birth	Place of Birth <u>BELoit</u>	

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.

OFFICER of TILLEY'S PIZZA HOUSE INC BALLYHOO BAR
(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? 73 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. TILLEY CORP
(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 permit, brewery/winery permit or wholesale liquor, manufacturer or rectifier permit in the State of Wisconsin? Yes No
 If yes, identify. TILLEY CORP
(Name of Wholesale Licensee or Permittee) (Address By City and County)
- Named individual must list in chronological order last two employers.

Employer's Name <u>TILLEY'S PIZZA HOUSE</u>	Employer's Address <u>902 4th STREET</u>	Employed From <u>1957</u>	To <u>2012</u>
Employer's Name <u>TILLEY'S BALLYHOO</u>	Employer's Address <u>904 4th STREET</u>	Employed From <u>1967</u>	To <u>2012</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 22 day of March, 2012

[Signature]
(Clerk/Notary Public)

[Signature]
(Signature of Named Individual)

My commission expires 9-22-13



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RETAIL LICENSE TRANSFER – PREMISES TO PREMISES

Wisconsin Department of Revenue

FEE \$ _____

APPLICATION FOR TRANSFER OF LICENSES FOR SALE OF FERMENTED MALT BEVERAGES AND/OR INTOXICATING LIQUOR FROM ONE PREMISES TO ANOTHER

Beloit, Wisconsin
3/27, 2012

To the governing body of the City Village Town of Beloit
County of Rock Wisconsin.

The undersigned hereby applies for a transfer of Class B license from
904 4th STREET (present location) to 900 4th STREET (proposed location)

on or about May 7th (date) 2012.

- 1. APPLICANT: (print name and address plainly)
 - (a) Full name of applicant TILLEY'S PIZZA HOUSE INC
 - (b) Address 900 4th STREET

2. LOCATION AND DESCRIPTION OF PREMISES TO WHICH APPLICATION FOR TRANSFER IS MADE: Describe building or buildings where alcohol beverages are to be sold, served and stored.

- (a) Street number 900 4th STREET
- (b) Trade name of establishment CLUB BALLHOD
- (c) Physical description of building, buildings and/or land area comprising licensed premises.
See attached map

(d) Legal description (omit if street address is given above.) _____

(e) Is any other business conducted on same premises? Yes No If so, what?
TILLEY CORP

(f) Was this location licensed for beer or liquor during the past year? Yes No

(g) Give name and address of previous licensee. 904 4th STREET
TILLEY CORP

(h) Will the previous licensee surrender its license? Yes No

ALL APPLICANTS FOR TRANSFER OF CLASS B LICENSES MUST ANSWER THE FOLLOWING:

3. If granted, state any interest, directly or indirectly, that any brewer, bottler, wholesaler, manufacturer, or rectifier will hold in the premises for which you are applying

NONE

4. If you do not own the fixtures, state the manner, terms and conditions under which said fixtures are held

N/A

Janet Tilley
(Signature)
Ronald Tilley

State of Wisconsin }
County of } ss.

(I) (We), Janet Tilley and Ronald Tilley being first duly sworn on oath says that (he/she is) (they are) the person(s) above named and that the answers to the questions in each instance are complete and true.

Janet Tilley
Ronald Tilley

Subscribed and sworn to before me this

27 day of March, 20 12

Donald D. Elson

Notary Public, Rock County, Wis.

My Commission Expires 9-22-13

CLASS OF BUSINESS

Name _____

Original Location _____

Ward _____

Proposed Location _____

Ward _____

License No. _____

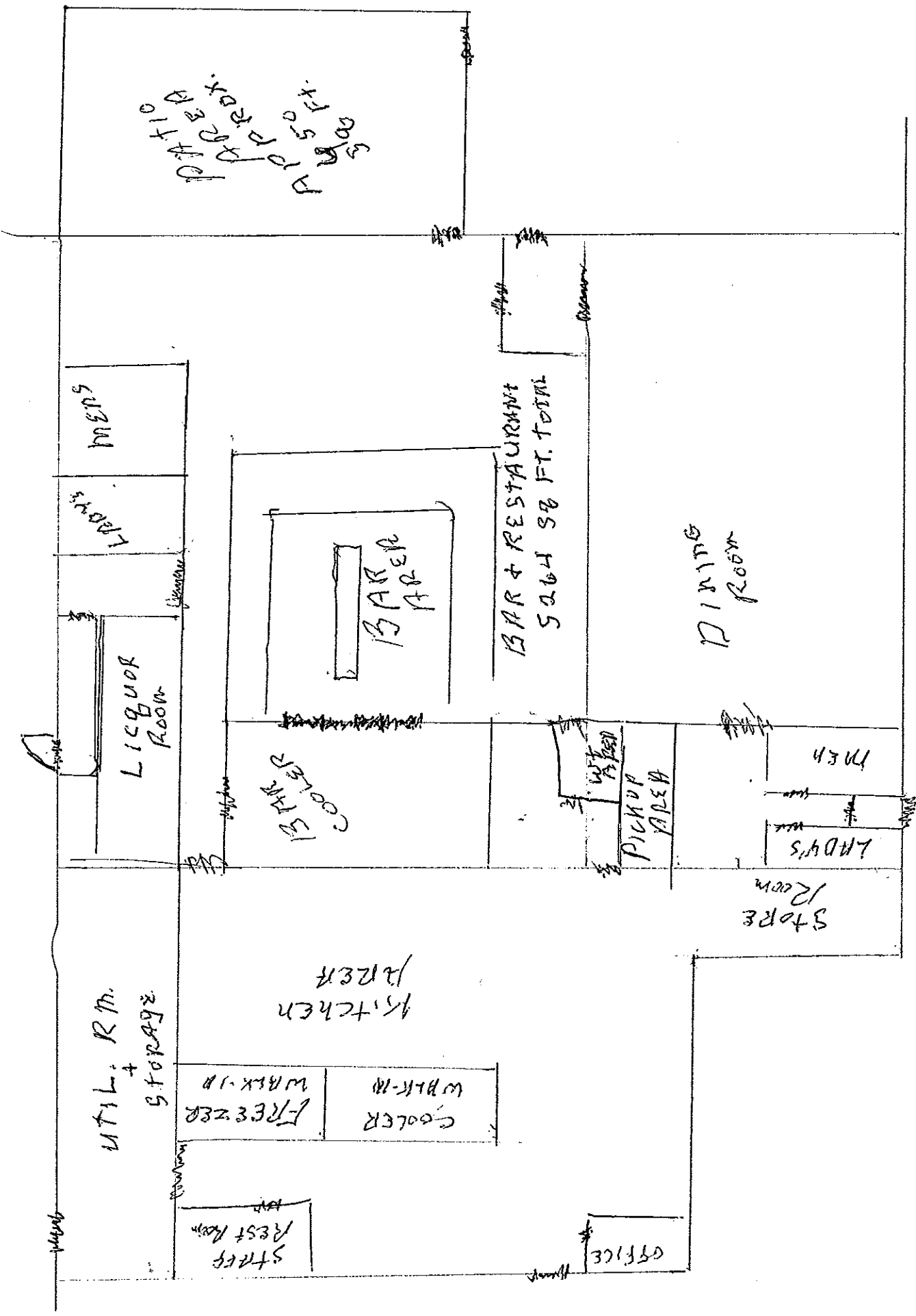
Treasurer's Receipt No. _____

Filed _____

Submitted to Council or Board _____

Approved _____ Date _____

Denied _____ Date _____



TILLY'S PIZZA HOUSE INC
1175 S. 11TH STREET

ORIGINAL ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

For the license period beginning 3/23 20 12 ;
ending 6/30 20 12

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): Draeving Companies, LLC

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

Title	Name	Home Address	Post Office & Zip Code
President/Member	<u>Member Michael J. Draeving Sr.</u>	<u>11836 S. County Road H</u>	<u>Beloit, WI 53511</u>
Vice President/Member	<u>Member Robert L. Draeving Jr.</u>	<u>6107 W. Cleophas Road</u>	<u>Beloit, WI 53511</u>
Secretary/Member	_____	_____	_____
Treasurer/Member	_____	_____	_____
Agent	<u>Michael J. Draeving Sr.</u>	_____	_____

3. Trade Name Thirsty Budget Bar & Grill Business Phone Number 608.365.6014
4. Address of Premises 2683 Prairie Avenue Post Office & Zip Code Beloit, WI 53511

5. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? Yes No
6. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant? Yes No
7. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? Yes No
8. (a) Corporate/limited liability company applicants only: Insert state Wisconsin and date 11/29/2001 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.) 2683 Prairie Avenue, Beloit, WI 53511 consume inside building sell bar (restaurant area) store in storage area (SEE ATTACHED SHEET) →

10. Legal description (omit if street address is given above): _____
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 21 day of MARCH, 20 12

Sherry Westbrook
(Clerk/Notary Public)

Michael J. Draeving Sr. - Member
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner/Individual)
Robert L. Draeving Jr. Member
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner)

My commission expires 10-27-2013

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

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk <u>4-23-12</u>	Date reported to council/board <u>4-2-12</u>	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>456-0000279599-02</u>	
Federal Employer Identification Number (FEIN): <u>39-2071267</u>	
LICENSE REQUESTED	
TYPE	FEE
<input type="checkbox"/> Class A beer	\$
<input checked="" type="checkbox"/> Class B beer	\$
<input type="checkbox"/> Wholesale beer	\$
<input type="checkbox"/> Class C wine	\$
<input type="checkbox"/> Class A liquor	\$
<input checked="" type="checkbox"/> Class B liquor	\$
<input type="checkbox"/> Reserve Class B liquor	\$
Publication fee	<u>\$50. Pd 4-23-12</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 City of Beloit County of Rock

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

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as

Beer Thirsty Budget Bar & Grill
(trade name)

located at 2683 Prairie Avenue, Beloit, WI 53511

appoints Michael J. Draering Sr.
(name of appointed agent)

11836 S. County Road H, 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? 45 years

Place of residence last year 11836 S. County Road H, Beloit, WI 53511

For: Draering Companies LLC
(name of corporation/organization/limited liability company)

By: Michael J. Draering
(signature of Officer/Member/Manager)

And: Robert Draering
(signature of Officer/Member/Manager)

ACCEPTANCE BY AGENT

I, Michael J. Draering Sr., 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.

Michael J. Draering 3/21/12 Agent's age _____
(signature of agent) (date)

11836 S. County Road H, Beloit, WI 53511 Date of birth _____
(home address of agent)

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

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

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

AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

Individual's Full Name (please print) (last name)		(first name)	(middle name)	Social Security Number	
Draeving Sr.		Michael	Jon		
Home Address (street/route)		Post Office	City	State	Zip Code
11836 S. County Road H			Beloit	WI	53511
Home Phone Number		Age	Date of Birth	Place of Birth	
608 362 3303				Beloit, WI	

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

- Applying for an alcohol beverage license as an individual.
- A member of a partnership which is making application for an alcohol beverage license.
- Member & Agent of Draeving Companies, 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? 45 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	Employer's Address	Employed From:	To
Draeving Machine & Tool, Inc	2715 Prairie Avenue Beloit, WI 53511	1985	Present
Employer's Name	Employer's Address	Employed From	To

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 21 day of MARCH, 2012

Sherry Westbrook
(Clerk/Notary Public)

My commission expires 10-27-2013

[Signature]
(Signature of Named Individual)



Printed on Recycled Paper

Wisconsin Department of Revenue

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	
Draeving Jr.		Robert	Leroy		
Home Address (street/route)		Post Office	City	State	Zip Code
6107 W. Cleophas Road			Beloit	WI	53511
Home Phone Number			Age	Date of Birth	Place of Birth
608 3622550					Beloit, WI

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

- Applying for an alcohol beverage license as an **Individual**.
- A member of a partnership which is making application for an alcohol beverage license.
- Member of Draeving Companies, 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? 47 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 employee 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	Employer's Address	Employed From	To
Draeving Machine Tool, Inc	2710 Prairie Avenue Beloit, WI 53511	1982	Present
Employer's Name	Employer's Address	Employed From	To

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 21 day of MARCH, 20 12

Sherry Westbrook
(Clerk/Notary Public)

Robert Draeving Jr.
(Signature of Named Individual)

My commission expires 10-27-2013



Printed on Recycled Paper

Wisconsin Department of Revenue

**RESOLUTION
APPROVING FARM LEASES
BETWEEN THE CITY OF БЕЛОIT
AND JOE AND ERICA REBOUT FARMS**

The City Council of the City of Beloit, Rock County, Wisconsin, hereby resolves that the attached Farm Leases between the City of Beloit and Joe and Erica Rebout Farms be, and the same is hereby, approved.

BE IT FURTHER RESOLVED that the City Manager of the City of Beloit be, and he is hereby, authorized to enter into the Farm Leases on behalf of the City of Beloit.

Adopted at Beloit, Wisconsin this 2nd day of April, 2012.

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: Award of Farm Lease for Woodman Property

Date: April 2, 2012

Presenter(s): Mike Flesch, City Engineer

Department(s): Public Works/Engineering

Overview/Background Information:

This item is for the award of a farm lease for the Woodman property on the north side of Burton Street between Sun Valley Drive and Frederick Street. Leasing the property for farming will save approximately \$5,400 per year in mowing costs, and will generate rental income from the property of approximately \$3,185 to \$5,390 per year. The lease is set for a 5 year term to allow the Lessee to recover upfront costs such as tree clearing and soil modifications associated with initiating farming operations on land that has not been previously farmed.

An alternate proposal was received to maintain the land as grass, which would be bailed for the farmer's use. Please refer to the attached letter from Dan and Ashlea Hughes for details. The alternate proposal would not involve any monetary payments, so it can be handled administratively by the City Manager and would not need a Council Resolution. The benefit to the City is some cost savings in mowing expenses, and the benefit to the farmer is the use of the bailed grass. The City could still be responsible for mowing the terraces, depending on the details of the final agreement. This option would result in less potential for dust and debris during planting and harvest, while reducing the savings and income potential compared with the farming proposal.

Key Issues (maximum of 5):

1. Three (3) proposals were received for this farm lease. The high proposal of \$20,335.00 was from Joe Rebout of Janesville Wisconsin.
2. An alternate proposal was received from Dan and Ashlea Hughes of Janesville Wisconsin to mow the existing grass instead of farming the land.
3. The costs for the farm lease are as follows: \$20,335.00 in rental revenue over 5 years, approximately \$27,000.00 in savings to the mowing maintenance budget, for a total of \$47,335.00 net benefit to the City.
4. The costs for the alternate mowing proposal are as follows: approximately \$18,000.00 to \$27,000.00 in savings to the mowing maintenance budget net benefit to the City.

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

1. **As an eco-municipality, focus on the sustainable stewardship of City resources, services and infrastructure; to protect both our built and natural environment and enhance the quality of life for current and future generations.**
 - This project will promote sustainable stewardship by utilizing an existing natural resource in an environmentally friendly and renewable manner to reduce costs and increase revenues for the benefit of the citizens of Beloit.

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 proposed land use will benefit the present and future human needs by reducing maintenance costs and increasing revenue for City of Beloit citizens.

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 Department of Public Works recommends awarding this Farm Lease to Joe Rebout for a total 5 year lease of \$20,335.00.

The alternate mowing proposal may be administratively negotiated by the City Manager by rejecting all farming proposals.

Fiscal Note/Budget Impact:

Awarding the Farm Lease will result in a net benefit to the City of Beloit of \$47,335.00. Rejecting all proposals and administratively negotiating an agreement to mow the property will result in a net benefit to the City of Beloit of approximately \$18,000.00 to \$27,000.00. Rejecting all proposals and continuing to maintain the property with City Forces will have no impact on the adopted budget.

WOODMAN PROPERTY

FARM LEASE

THIS LEASE is made this 2nd day of April, 2012, by and between the **City of Beloit**, a Wisconsin municipal corporation, with its principal place of business located at 100 State Street, Beloit, Wisconsin 53511 (hereinafter referred to as "**Lessor**"), and Joe Rebout and Erica Rebout, husband and wife, d/b/a Joe and Erica Rebout Farms, 6740 West Hanover Road, Janesville, Wisconsin 53548 (hereinafter referred to as "**Lessee**").

1. **Leased Premises:** **Lessor** hereby leases to **Lessee** the properties described on Exhibit A (map) which is attached hereto. The leased premises consist of approximately 24.5 tillable acres of farmland. There are no buildings on the leased premises as shown on Exhibit A. **Lessee** acknowledges that **Lessee** has had ample opportunity to inspect the leased premises and is satisfied with the amount of tillable acres and agrees that lease payments will be calculated based on a lease of 24.5 acres.

2. **Term:** This Lease shall commence upon the date of execution hereof and end on December 31, 2016.

3. **Rent:** The **Lessee** shall pay to the **Lessor** as rent for the leased premises described above the sum of \$20,335.00 payable at the Office of the City Treasurer, City Hall (Attn: Finance), 100 State Street, Beloit, Wisconsin, as follows:

\$3,185.00 on or before Friday, May 18, 2012; and
\$3,185.00 on or before Friday, May 17, 2013; and
\$3,920.00 on or before Friday, May 16, 2014; and
\$2,327.50 on or before Friday, May 15, 2015; and
\$2,327.50 on or before Friday, November 20, 2015; and
\$2,695.00 on or before Friday, May 20, 2016; and
\$2,695.00 on or before Friday, November 18, 2016.

4. **Rent Abatement:** **Lessor** shall have the right to sell any portion of the leased premises during the term of this Lease, and upon closing of such sale, this Lease shall automatically terminate with respect to that portion of the leased premises that is sold. **Lessee** hereby permits the **Lessor** and any prospective buyer or their agents or designees of the leased premises to enter upon the same for the purpose of conducting soil borings and/or surveying the leased premises; provided that buyer gives **Lessee** five days' notice of buyer's intent to enter thereon. Neither **Lessor** nor the prospective buyer shall be liable for any crop damage resulting from soil borings or surveying activities; provided that such damage is kept to the minimum amount necessary to accomplish the same. If **Lessor** sells any portion of the leased premises during the term of this Lease, **Lessor** shall require the buyer, as a condition of sale, to either:

- (a) Permit **Lessee** to harvest the crops during the term of this Lease; or
- (b) Pay **Lessee** for any crops damaged by buyer upon such terms and conditions the **Lessee** and buyer shall agree.

5. **Condition of Premises:** **Lessee** has examined the leased premises and knows the condition thereof. No representations have been made to **Lessee** by **Lessor** regarding the condition of the leased premises, and **Lessor** shall not make any improvements to the leased premises or perform any maintenance on the leased premises. **Lessee** shall perform maintenance as required to comply with local ordinances, including maintenance of sidewalks and terrace areas adjacent to the leased premises. Such maintenance will include, but is not limited to: mowing grass terrace areas, snow removal from any adjacent sidewalks, repair or replacement of sidewalks damaged by farming operations, and removal of litter and other debris from the property. **Lessee** may make limited improvements, at the **Lessee's** expense, to the suitability of the leased premises for the purposes of growing crops. Such improvements can be, but are not

limited to: removal of trees and weeds, application of commercial fertilizers, herbicides, insecticides, or any other product in the planting of all crops in a manner, quality and quantity consistent with all applicable laws, ordinances, regulations, and manufacturer's specifications.

6. **Permitted Uses:** The leased premises shall be used solely for the purpose of growing crops. **Lessee** agrees that it will not permit any hazardous substance or hazardous materials to be discharged upon the leased premises and will not commit waste upon the leased premises.

7. **Indemnification:** The **Lessee** shall indemnify and hold the City, its officers, agents and employees harmless from any and all claims, including claims for damages to property, personal injury, consequential and incidental damages, loss of income or revenue, costs and expenses, including reasonable attorneys' fees, arising out of any acts or omissions of the **Lessee**, its employees, agents and subcontractors during the performance of this Lease.

8. **Sublease and Assignment Prohibited:** **Lessee** may not assign this Lease or sublet the leased premises without the written consent of the **Lessor**.

9. **Best Management Practices:** **Lessee** agrees to follow the Soil Conservation Plan for the land or otherwise engage in such soil conservation and soil improvement practices that shall comply with any and all government regulations, rules, and requirements.

10. **Insurance - Certificate of Insurance:** **Lessee** shall, at **Lessee's** expense, procure the following insurance policies from insurance companies licensed to do business in the State of Wisconsin, in amounts and coverages not less than hereinafter set forth:

(a) **General Liability Insurance:**

(1) Each Occurrence Limit \$1,000,000.00

- (b) **Automobile Liability Insurance:** The **Lessee** shall provide Automobile Liability insurance covering all vehicles used by **Lessee** in the amount of \$500,000.00.

Lessee shall provide **Lessor** with a certificate of insurance and shall name **Lessor** as an additional insured. The certificate shall name the **Lessor** as certificate holder and shall unequivocally provide that the policies of insurance shall not be canceled or altered without sixty (60) days prior written notice to **Lessor**. Said certificate shall be provided to **Lessor** at the time of execution hereof and further certificates shall be provided immediately upon expiration of any policy or policies subject to the initial certificate.

11. **Removal of Crops:** **Lessee** shall remove all crops from the leased premises prior to the expiration of this Lease. Any crops or equipment remaining on the leased premises at the time of expiration of this Lease shall be deemed abandoned and become the property of the **Lessor**.

12. **Storage of Farm Equipment:** **Lessee** shall not store farm equipment or other moveable property on the leased premises at any time. However, during the planting and harvesting seasons, farm equipment may be kept on the leased premises overnight, but only while the **Lessee** is actively engaged in planting or harvesting.

13. **Hunting Prohibited:** Neither party shall permit any person to enter the leased premises for the purpose of hunting, shooting or capturing any wild animals during the term of this Lease. **Lessee** may, as **Lessor's** agent, post "No Hunting" signs on the property.

14. **Default:** If **Lessee** commits waste, fails to repair damage to adjacent terraces or sidewalks, or stores any farm equipment or moveable property upon the leased premises in violation of this Lease, **Lessor** shall give **Lessee** five (5) days' notice to cure **Lessee's** default.

If **Lessee** does not cure the default within five (5) days, **Lessee** shall pay to **Lessor** a penalty of \$100.00 per day for each day that **Lessee** continues to commit waste, fails to repair damage, or continues to store equipment or moveable property on the leased premises in violation of this Lease.

15. **Access To Property:** **Lessee** shall access the leased premises from the north end of Fir Drive adjacent to the leased premises on Burton Street. Any damage resulting from farming operations to terrace areas or sidewalks adjacent to the premises shall be restored by the **Lessee** within 15 calendar days.

16. **Affirmative Action:** **Lessee** agrees to adopt an affirmative action plan to increase in its partners, associates, and employees members of under-represented groups in all of its departments, job classifications, and salary categories. In the event that **Lessee** subcontracts any portion of this Lease, **Lessee** will include, in its subcontracts, a requirement that its subcontractors adopt an affirmative action plan. **Lessee** will also include a requirement that its subcontractors include a similar requirement in their contracts with their subcontractors. This provision is inserted herein in compliance with Section 1.09 of the Code of General Ordinances of the City of Beloit, and shall be interpreted so as to carry out the intent of that ordinance.

17. **Nondiscrimination:** **Lessee** will not discriminate against any qualified employee or qualified applicant for employment because of race, color, national origin, ancestry, religion, age, marital status, disability, sex, or sexual orientation. In the event any portion of this Lease is subcontracted by **Lessee**, **Lessee** shall include in such subcontract, a provision prohibiting the subcontractor from discriminating against any qualified employee or qualified applicant for employment because of race, color, national origin, ancestry, religion, age, marital status, disability, sex, or sexual orientation. This provision is inserted herein in compliance with

Section 1.09 of the Code of General Ordinances of the City of Beloit, and shall be interpreted so as to carry out the intent of said ordinance.

18. **Amendments**: This Lease may be amended only by written mutual agreement of the **Lessor** and **Lessee**.

19. **Notices**: Notices to the parties to this Lease shall be as follows:

To **Lessor**: City of Beloit
 Attn: Andrew L. Janke, CPM
 100 State Street
 Beloit WI 53511

To **Lessee**: Joe and Erica Rebout Farms
 6740 West Hanover Road
 Janesville, WI 53548

IN WITNESS WHEREOF, the parties have executed this Lease as of the date first written above.

LESSOR:

CITY OF BELOIT

By: _____
Larry N. Arft, City Manager

ATTEST:

By: _____
Rebecca S. Houseman, City Clerk

APPROVED AS TO FORM:

By: _____
Thomas R. Casper, City Attorney
tdh/files/12-1054/farm lease=120326 1523 (c1n)

LESSEE:

JOE REBOUT AND ERICA REBOUT d/b/a
JOE AND ERICA REBOUT FARMS

By: _____
Joe Rebout

By: _____
Erica Rebout

Woodman Property Farm Lease



24.5 Acres +/-

1 inch = 200 feet