



**AGENDA  
BELOIT CITY COUNCIL  
100 State Street, Beloit WI 53511  
City Hall Forum – 7:00 p.m.  
Monday, January 7, 2013**

1. CALL TO ORDER AND ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. SPECIAL ORDERS OF THE DAY/ANNOUNCEMENTS – none
4. PUBLIC HEARINGS
  - a. Public Hearing and Resolution Authorizing a **Conditional Use Permit** to allow expansion of a Warehouse and Freight movement use in a C-3, Community Commercial District, for the property located at 1877 Madison Road (Christensen) Plan Commission recommendation for approval 7-0
5. CITIZENS' PARTICIPATION
6. CONSENT AGENDA

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

  - a. Approval of the **Minutes** of the Regular Meeting of December 17, 2012 (Houseman)
  - b. Resolution approving an **Office of Justice Assistance Law Enforcement Officer Grant Award** – Beat Patrol (Tyler/Casper)
7. ORDINANCES
  - a. Proposed Ordinance to amend Sections 25.04(4)(d) and 18.02(4)(b) and to create Sections 18.02(23) and 15.15 of the Code of General Ordinances of the City of Beloit pertaining to **Animal Control Enforcement and Dog Park Regulations** (Krueger) First reading, suspend the rules for a second reading
  - b. Proposed Ordinance to repeal section 1.81 of the Code of General Ordinances of the City of Beloit as it relates to disbanding the **Disabled Parking Enforcement Assistance Council** (Jacobs) First reading, suspend the rules for a second reading
8. APPOINTMENTS – none
9. COUNCILOR ACTIVITIES AND UPCOMING EVENTS
10. CITY MANAGER'S PRESENTATION – none
11. REPORTS FROM BOARD AND CITY OFFICERS

- a. Resolution approving the **Naming of the Auditorium at Grinnell Hall** in Honor of John Kalkirtz (Ramsey)
- b. Resolution authorizing **Schedule of Fees and Charges for the City of Beloit Dog Park** in the City of Beloit, Wisconsin (Ramsey)
- c. Resolution amending the **2013 Capital Equipment Replacement Budget** and Appropriating Funds for the Replacement of Pickup Truck 431 (Flesch)
- d. Resolution approving an Amendment of the **Agreement** between the City of Beloit and VantageCare Retirement Health Savings (RHS) Plan (York)
- e. Resolution authorizing and approving a **Cost of Living Adjustment** for Non-Represented City employees (Arft/York)

## 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: January 3, 2013  
Rebecca S. Houseman  
City of Beloit City Clerk  
<http://www.ci.beloit.wi.us>

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

**RESOLUTION**  
**AUTHORIZING A CONDITIONAL USE PERMIT TO**  
**ALLOW THE EXPANSION OF A WAREHOUSE & FREIGHT MOVEMENT USE**  
**IN A C-3, COMMUNITY COMMERCIAL DISTRICT,**  
**FOR THE PROPERTY LOCATED AT 1877 MADISON ROAD**

**WHEREAS**, the application of Building Systems General Corp., on behalf of Woodman's Food Markets Inc. for a Conditional Use Permit to allow the expansion of a Warehouse & Freight Movement Use in a C-3, Community Commercial District, for the property located at 1877 Madison Road, having been considered by the City Council of the City of Beloit, Wisconsin at a public hearing held for that purpose and due notice of said hearing having been given by publication as appears by the Proof of Publication on file in the office of the City Clerk.

**NOW, THEREFORE, BE IT RESOLVED THAT**, the City Council of the City of Beloit, Rock County, Wisconsin does hereby grant a Conditional Use Permit to allow the expansion of a Warehouse & Freight Movement Use in a C-3, Community Commercial District, for the property located at 1877 Madison Road in the City of Beloit, for the following described premises:

Lot 1 of a Certified Survey Map as recorded in Volume 29, Pages 83-86 in the Certified Survey Maps of Rock County, located in the City of Beloit, Rock County, Wisconsin. Said parcel contains 17.05 acres, more or less.

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

1. This Conditional Use Permit authorizes the demolition & replacement of the existing (attached) 71,678 square-foot warehouse with an expanded 91,546 square-foot warehouse that will connect the grocery store to the warehouse buildings along Madison Road.
2. The applicant, at their expense, shall relocate the existing sanitary sewer main under the east-west driveway to Burton Street prior to beginning construction of the warehouse addition. All work shall comply with City of Beloit standards.
3. The applicant shall install a Landscape Strip consisting of at least ten (10) landscape units per linear foot of right-of-way frontage between the Burton Street driveway and the northern limits of this addition. All landscaping shall be installed along the perimeter of the site on the outside of the chainlink fence. Trees and shrubs may be installed in the public right-of-way if there is no room on the subject property.
4. The property owner is responsible for storing trucks & trailers in appropriate locations. Short and long-term storage of trucks & trailers along the private Madison Road frontage road and adjacent public streets is expressly prohibited.
5. Prior to issuance of a Building Permit for this project, the applicant shall obtain an

Architectural Review Certificate and a Certificate of Zoning Compliance.

6. Any major changes in the adopted conditions or use of the property shall be approved by the Plan Commission and City Council by amending this Conditional Use Permit. The Director of Planning & Building Services may approve minor changes administratively.

Adopted this 7<sup>th</sup> day of January, 2013.

**BELOIT CITY COUNCIL**

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Charles M. Haynes, Council President

ATTEST:

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Rebecca S. Houseman, City Clerk

# CITY OF BELOIT

## REPORTS AND PRESENTATIONS TO CITY COUNCIL

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**Topic:** Conditional Use Permit Application for the property located at 1877 Madison Road

**Date:** January 7, 2013

**Presenter(s):** Julie Christensen

**Department:** Community Development

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**Overview/Background Information:**

Building Systems General Corp., on behalf of Woodman's Food Markets Inc., has filed an application for a Conditional Use Permit to allow the expansion of a Warehouse & Freight Movement Use in a C-3, Community Commercial District, for the property located at 1877 Madison Road.

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**Key Issues (maximum of 5):**

- This large parcel includes the Woodman's grocery store & parking lot, a warehouse attached to the store, a massive detached warehouse building along Madison Road, and a small gas station with quick lube & car wash services. Because the Woodman's warehouses at this site serve their grocery stores throughout the region, they are classified as an Industrial use (Warehouse & Freight Movement), which requires a Conditional Use Permit in the C-3 district.
  - The applicant has proposed the demolition & replacement of the existing (attached) 71,678 square-foot warehouse with an expanded 91,546 square-foot warehouse that will connect the grocery store to the warehouse building. The proposed addition includes six loading docks and will eliminate the existing east-west driveway through this site. The existing sanitary sewer main under the driveway will be relocated to Burton Street at the applicant's expense.
  - If this proposed addition is approved and constructed, the total floor area of the combined building will be 362,642 square feet or 8.33 acres, which amounts to 49% of the area of the entire parcel.
  - Planning staff and the Plan Commission have recommended conditions of approval that address the utility relocation, landscaping along Burton Street, and the short- and long-term storage of trucks and trailers on site.
  - The Plan Commission reviewed this item on December 19, 2012 and voted unanimously (7-0) to recommend approval of the Conditional Use Permit, subject to the six conditions recommended by Planning staff.
- 

**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 #5.
- 

**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
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**Action required/Recommendation:**

- City Council consideration and action on the proposed Resolution
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**Fiscal Note/Budget Impact:** N/A

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**Attachments:** Resolution and Staff Report to the Plan Commission

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# CITY OF BELOIT

## REPORT TO THE BELOIT CITY PLAN COMMISSION



**Meeting Date:** December 19, 2012

**Agenda Item:** 3

**File Number:** CU-2012-08

**Applicant:** Building Systems General Corp.

**Owner:** Woodman's Food Markets Inc.

**Location:** 1877 Madison Road

**Existing Zoning:** C-3, Community Commercial District

**Existing Land Use:** Grocery Store and Warehouse & Freight Movement

**Parcel Size:** 17.05 Acres

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### Request Overview/Background Information:

Building Systems General Corp., on behalf of Woodman's Food Markets Inc., has filed an application for a Conditional Use Permit to allow the expansion of a Warehouse & Freight Movement Use in a C-3, Community Commercial District, for the property located at 1877 Madison Road.

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### Key Issues:

- This large parcel includes the Woodman's grocery store & parking lot, a warehouse attached to the store, a massive detached warehouse building along Madison Road, and a small gas station with quick lube & car wash services.
- Because the Woodman's warehouses at this site serve their grocery stores throughout the region, they are classified as an Industrial use (Warehouse & Freight Movement), which requires a Conditional Use Permit in the C-3 district.
- Woodman's constructed a 32,639 square-foot addition to the detached warehouse building in 2011. At the time of that addition, the floor area of the grocery store still exceeded the floor area of the detached warehouse building.
- The applicant has proposed the demolition & replacement of the existing (attached) 71,678 square-foot warehouse with an expanded 91,546 square-foot warehouse that will connect the grocery store to the warehouse buildings.
- The proposed addition includes six loading docks and will eliminate the existing east-west driveway through this site. The existing sanitary sewer main under the driveway will be relocated to Burton Street at the applicant's expense.
- If this proposed addition is approved and constructed, the total floor area of the combined building will be 362,642 square feet or 8.33 acres, which amounts to 49% of the area of the entire parcel.
- The attached **Location and Zoning Map** shows the various zoning districts and land uses surrounding the subject property. Uses adjacent to the proposed addition include a self-service storage facility, a church, a park, and single-family dwellings. There is a significant grade change between the subject property and the adjacent uses to the north. The subject property has a much lower elevation, as shown in the attached photographs.
- The applicant has already submitted detailed site & architectural plans for Planning staff review and approval.
- A preliminary Site Plan and other supporting documents are attached to this report.
- The City's Review Agents have reviewed this application and have not submitted any comments or concerns.
- The attached Public Notice was sent to fifteen nearby property owners. As of this writing, staff has not received any comments or concerns.
- **Findings of Fact**

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

- a. *Whether the establishment, maintenance, or operation of the conditional use will be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;*
  - Subject to certain conditions of approval, the proposed conditional use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare.
- b. *Whether the conditional use will be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted;*
  - Due to the immediately adjacent commercial & institutional uses, the grade change of the site, the orientation of the loading docks, and the travel path to/from Madison Road, the proposed warehouse expansion will not be injurious to the use and enjoyment of surrounding properties.
- c. *Whether the conditional use will substantially diminish or impair property values within the neighborhood of the subject property;*
  - On the contrary, the proposed improvement of this commercial property is likely to enhance

- property values within the area.
- d. *Whether the establishment of the conditional use will impede the normal and orderly development and improvement of the surrounding property;*
    - The establishment of the conditional use will not impede the development and improvement of surrounding property.
  - e. *Whether the exterior architectural design or site layout of the proposed conditional use is so dissimilar or otherwise incompatible with existing or proposed development in the immediate neighborhood that it will cause a depreciation in property values;*
    - The proposed architectural design and site layout are compatible with the existing development with respect to design, materials, and function.
  - f. *Whether adequate utilities, access roads, drainage or other necessary facilities will be available to serve the proposed use at the time of its occupancy or use;*
    - The applicant is responsible for relocating the existing sanitary sewer main that is in conflict with the proposed addition.
    - Adequate facilities and infrastructure are available to serve the conditional use.
  - g. *Whether adequate measures will be taken to minimize traffic congestion; and*
    - The proposed addition is not expected to result in a significant increase in truck traffic.
    - Staff is recommending a condition of approval that prohibits the short or long-term storage of trucks & trailers along the private frontage road along Madison Road and adjacent public streets.
  - h. *Whether the conditional use will comply with all applicable regulations of the Zoning Ordinance.*
    - The conditional use will comply with all other applicable regulations of the Zoning Ordinance.

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**Consistency with Comprehensive Plan and Strategic Plan:**

The City's Comprehensive Plan recommends Community Commercial uses for the subject property, and the underlying C-3 zoning district classification is consistent with this recommendation. Consideration of this request supports City of Beloit Strategic Goal #4.

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**Sustainability:**

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

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**Staff Recommendation:**

The Planning & Building Services Division recommends **approval** of a Conditional Use Permit to allow the expansion of a Warehouse & Freight Movement Use in a C-3, Community Commercial District, for the property located at 1877 Madison Road, based on the above Findings of Fact and subject to the following conditions:

1. This Conditional Use Permit authorizes the demolition & replacement of the existing (attached) 71,678 square-foot warehouse with an expanded 91,546 square-foot warehouse that will connect the grocery store to the warehouse buildings along Madison Road.
2. The applicant, at their expense, shall relocate the existing sanitary sewer main under the east-west driveway to Burton Street prior to beginning construction of the warehouse addition. All work shall comply with City of Beloit standards.
3. The applicant shall install a Landscape Strip consisting of at least ten (10) landscape units per linear foot of right-of-way frontage between the Burton Street driveway and the northern limits of this addition. All landscaping shall be installed along the perimeter of the site on the outside of the chainlink fence. Trees and shrubs may be installed in the public right-of-way if there is no room on the subject property.
4. The property owner is responsible for storing trucks & trailers in appropriate locations. Short and long-term storage of trucks & trailers along the private Madison Road frontage road and adjacent public streets is expressly prohibited.
5. Prior to issuance of a Building Permit for this project, the applicant shall obtain an Architectural Review Certificate and a Certificate of Zoning Compliance.
6. Any major changes in the adopted conditions or use of the property shall be approved by the Plan Commission and City Council by amending this Conditional Use Permit. The Director of Planning & Building Services may approve minor changes administratively.

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**Fiscal Note/Budget Impact:** N/A

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**Attachments:** Location & Zoning Map, Photos, Site Plans (2), Application, Public Notice, and Mailing List.

# Location & Zoning Map

1877 Madison Road

CU-2012-08



1 inch = 208 feet  
0 45 90 180 270 Feet

**Legend**

- COB Parcels
- Zoning District

Map prepared by: Drew Pennington  
Date: December 2012  
For: City of Beloit Planning & Building Services  
Date of Aerial Photography: March 2011

## PLANNING & BUILDING SERVICES DIVISION





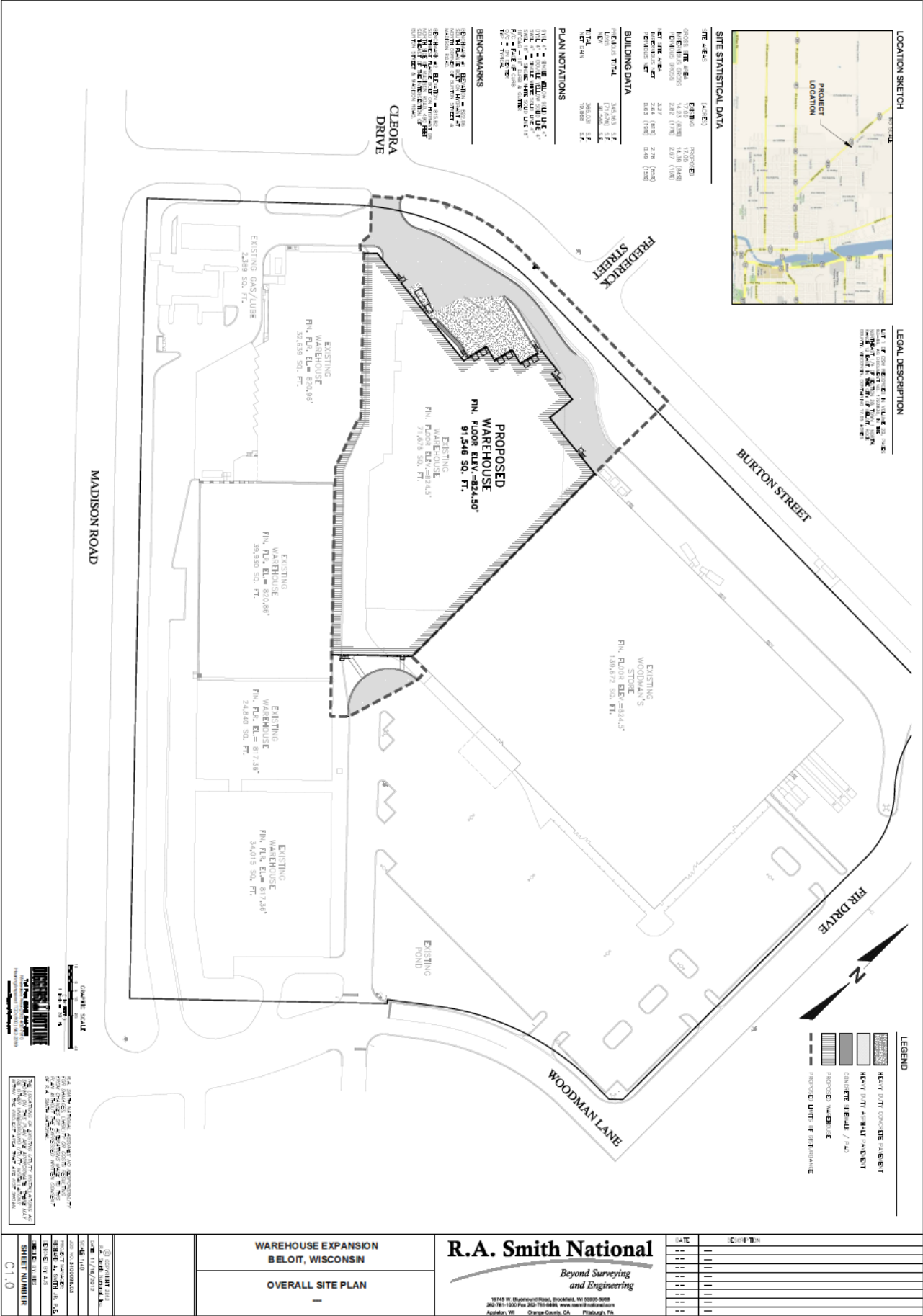
To Be  
Replaced/Expanded

12/04/2012 10:35



View from Frederick Street

12/04/2012 10:42



**LOCATION SKETCH**

**LEGAL DESCRIPTION**  
 LOT 17 OF COMMERCIAL INDUSTRIAL TRACT NO. 110, SUBDIVISION NO. 1, BELOIT, WISCONSIN, AS SHOWN ON THE PLAT THEREOF, COMMENCED IN 1913, CORNER TO WEST SIDE OF MADISON ROAD AND NORTH SIDE OF BURTON STREET, COMMENCED IN 1939, COUNTY OF WAUKESHA, WISCONSIN

**SITE STATISTICAL DATA**

NET A.C. (L&E)	3.44	PROPOSED E.	10.84
GROSS NET A.C.	17.00	IMPROVED E.	17.00
F.C. (G.C.)	3.44	IMPROVED E.	10.84
F.C. (G.C.)	3.44	IMPROVED E.	10.84
G.C. (G.C.)	3.44	IMPROVED E.	10.84
PERMITS	2.24	2.24	2.24
PERMITS	2.24	2.24	2.24
PERMITS	2.24	2.24	2.24
PERMITS	2.24	2.24	2.24
PERMITS	2.24	2.24	2.24

**BUILDING DATA**

EXISTING TOTAL	365,500	S.F.
NEW	721,000	S.F.
TOTAL	1,086,500	S.F.
TOTAL	10,865	S.F.
TOTAL	10,865	S.F.

**PLAN NOTATIONS**

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE 2015 INTERNATIONAL BUILDING CODE (IBC) AS AMENDED BY THE 2018 CITY OF BELOIT ORDINANCES.

**BENCHMARKS**

1. BELOIT CITY BENCHMARKS  
 2. WISCONSIN STATE BENCHMARKS

**LEGEND**

- HEAVY DUTY CONCRETE M-E-B-E-T
- HEAVY DUTY ASPHALT M-E-B-E-T
- CONCRETE (E-B-U / P-A-S)
- PROPOSED MAINTENANCE
- PROPERTY LIMIT (F-1735 OR IMA)

**SCALE**

GRAPHIC SCALE  
 1" = 40 FT.  
 1" = 20 FT.

1" = 40 FT.  
 1" = 20 FT.

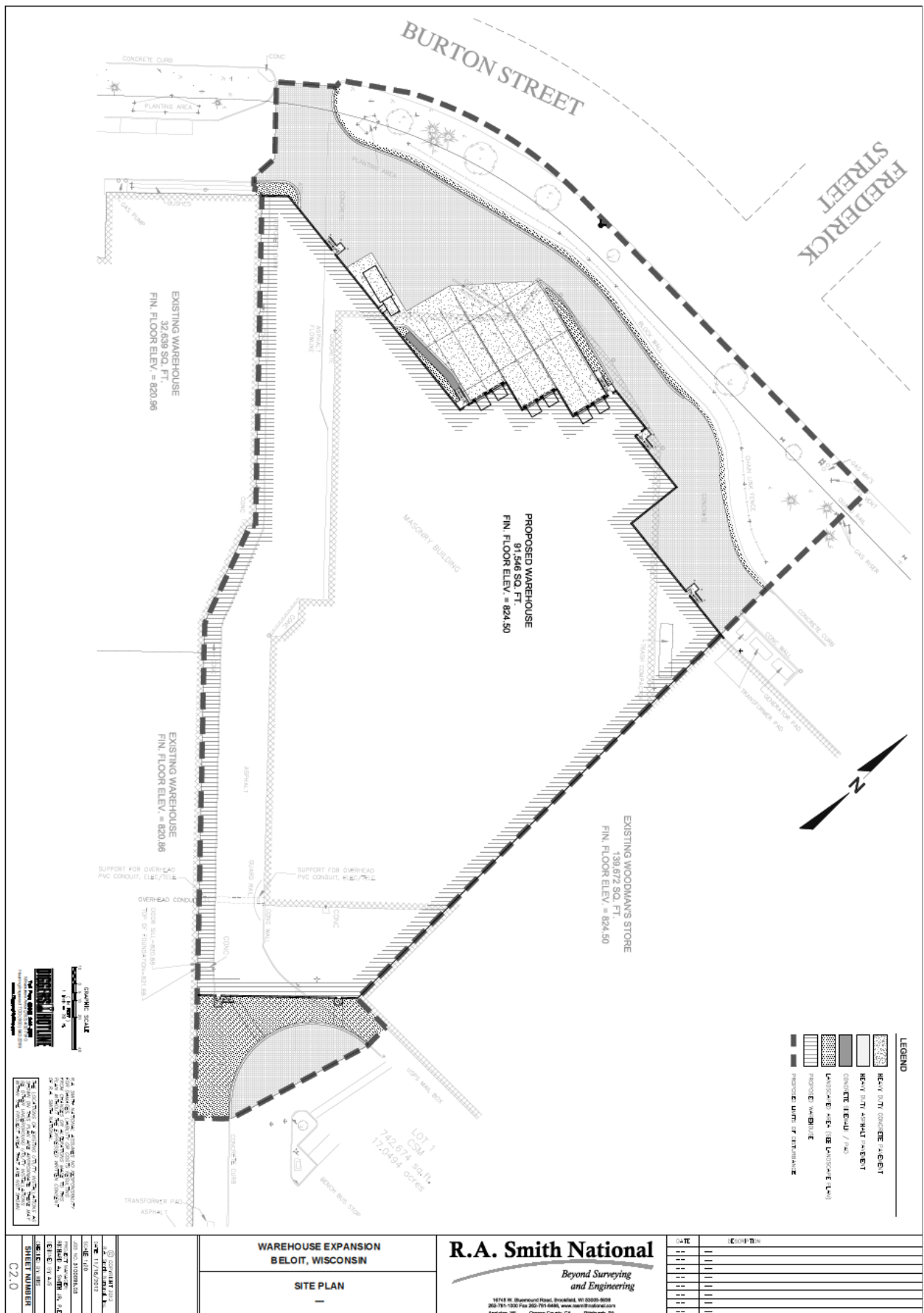
<b>WAREHOUSE EXPANSION BELOIT, WISCONSIN</b>	
<b>OVERALL SITE PLAN</b>	
-	

**R.A. Smith National**  
*Beyond Surveying  
and Engineering*

16716 W. Brookwood Road, Brookfield, WI 53005-9028  
 262-781-2200 Fax: 262-781-6688, www.raftersurvey.com  
 Appleton, WI Orange County, CA Pittsburgh, PA

DATE	DESCRIPTION

PROJECT NO. 1877  
 SHEET NO. 001 OF 001  
 DATE 05/21/2018  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 SCALE: AS SHOWN  
 SHEET NUMBER  
 C1.0



# CITY of BELOIT

## Neighborhood Planning Division

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

### Conditional Use Permit Application

(Please Type or Print)

File Number: CU-2012-08

1. Address of subject property: 1877 MADISON ROAD
2. Legal description: \_\_\_\_\_  
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): 12810060
4. Owner of record: WOODMAN'S FOOD MARKET INC Phone: 6087548382  
2631 LIBERTY LANE JANEVILLE WI 53719 53719 53545  
(Address) (City) (State) (Zip)
5. Applicant's Name: BUILDING SYSTEMS GENERAL CORP  
5972 EXECUTIVE DR MADISON WI 53719  
(Address) (City) (State) (Zip)  
6082764400 16085757503 1GFOX@BSGLWI.COM  
(Office Phone #) (Cell Phone #) (E-mail Address)
6. All existing use(s) on this property are: GROCERY STORE, GAS STATION/LUBE, CAR WASH AND WAREHOUSE
7. **THE FOLLOWING ACTION IS REQUESTED:**  
A Conditional Use Permit for: TO EXPAND WAREHOUSE USE  
\_\_\_\_\_ in a(n) C-3 Zoning District.
8. All the proposed use(s) for this property will be:  
Principal use: SAME AS 6. ABOVE  
\_\_\_\_\_  
\_\_\_\_\_  
Secondary use: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Accessory use: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

9. Project timetable: Start date: 3/2013 Completion date: 12/2013

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

- ( ) Owner
- ( ) Leasehold, length of lease: \_\_\_\_\_
- (X) Contractual, nature of contract: CONSTRUCTION MANAGER
- ( ) 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.

(Signature of Owner)	(Print name)	(Date)
<i>Philip A. Weigertman</i>	PHILIP A. WEIGERTMAN	11/20/12
(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 one copy of a scaled drawing showing the layout of the proposed development in accordance with all code requirements, and the \$275.00 application fee. Applicants will also be charged a fee for mailing public notices at the rate of \$0.50 per notice. An invoice for this fee will be sent to the applicant and these costs are typically between \$5.00 and \$15.00.

**To be completed by Planning Staff**

Filing fee: \$275.00 Amount paid: \$275.00 Meeting date: Dec. 19, 2012

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

Application accepted by: Douglas Date: 11/20/12



City of  
**BELOIT**, Wisconsin  
Division of Planning and Building Services

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

*Equal Opportunity Employer*

## **NOTICE TO THE PUBLIC**

December 5, 2012

To Whom It May Concern:

Building Systems General Corp., on behalf of Woodman's Food Markets Inc., has filed an application for a Conditional Use Permit to allow the expansion of a Warehouse & Freight Movement Use in a C-3, Community Commercial District, for the property located at:

**1877 Madison Road.**

The applicant has proposed the demolition & replacement of an existing 71,678 square-foot warehouse with an expanded 91,546 square-foot warehouse. The proposed warehouse includes six loading docks and will connect the existing Woodman's grocery store to the warehouse addition along Madison Road that was constructed in 2011. The existing east-west driveway that separates the store & accessory warehouse from the freestanding warehouse buildings along Madison Road will be eliminated. A copy of the applicant's site plan is attached to this notice.

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

**City Plan Commission:** Wednesday, December 19, 2012, at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

**City Council:** Monday, January 7, 2013, at 7:00 PM, or as soon thereafter as the matter can be heard in The Forum, Beloit City Hall, 100 State Street.

## **THE PUBLIC IS INVITED TO ATTEND THESE HEARINGS.**

### **We are interested in your opinion.**

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

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

CU-2012-08, Woodman's Warehouse Expansion, 1877 Madison Road

STATELINE VETERINARY  
HOSPITAL  
P O BOX 100  
CLINTON, WI 53525

FIRST NATIONAL BANK &  
TRUST CO  
P O BOX 818  
BELOIT, WI 535120818

BELOIT HEALTH SYSTEMS  
INC  
1969 WEST HART RD  
BELOIT, WI 53511  
PAUL SUNDE  
2545 S VICTORY DR  
BELOIT, WI 53511

ALBERT ENGLESON  
1904 FREDERICK ST  
BELOIT, WI 535112710

FREE METHODIST CHURCH OF  
BELOIT  
1919 CLEORA DR  
BELOIT, WI 535120385

THOMAS & LAUREN HARTUNG  
1804 MADISON RD  
BELOIT, WI 53511

THOMAS H & MARY M  
SWEZEY  
2450 S CLOVER LN  
BELOIT, WI 53511

MUKESHBHAI V &  
HINABAHEN M PATEL  
1850 MADISON RD  
BELOIT, WI 53511  
FOUR STAR PARTNERSHIP  
P O BOX 253  
BELOIT, WI 535120253

SHIRLEY SHEAR  
2013 GRANT ST  
BELOIT, WI 535112837

DENISE HOWARD  
1812 MADISON RD  
BELOIT, WI 53511

JOHNSON BANK  
1 SOUTH MAIN ST  
JANESVILLE, WI 53545

WOODMANS FOOD MARKETS  
INC  
2631 LIBERTY LN  
JANESVILLE, WI 535450319  
LAYMON BLAKE  
1903 FREDERICK ST  
BELOIT, WI 535112709

SUMMERSET LLC  
7447 UNIVERSITY AVE #210  
MIDDLETON, WI 53562



**PROCEEDINGS OF THE BELOIT CITY COUNCIL**  
**100 State Street, Beloit WI 53511**  
**Monday, December 17, 2012**

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

1. The meeting was called to order at 7:06 p.m. in the Forum at Beloit City Hall.
2. PLEDGE OF ALLEGIANCE
3. SPECIAL ORDERS OF THE DAY/ANNOUNCEMENTS – none
4. PUBLIC HEARINGS – none
5. CITIZENS' PARTICIPATION – none
6. CONSENT AGENDA

Councilor Leavy made a motion to adopt the Consent Agenda, which consists of items 6.a. through 6.f. Councilor Spreitzer seconded, and the motion carried that the Consent Agenda be accepted, approved, adopted, or referred and acted upon as required by state and local codes by a vote of 6-0.

- a. The **Minutes** of the Special Meeting of November 27, 2012 and the Special and Regular Meetings of December 3, 2012 were approved.
  - b. The resolution approving **Change of Agent** for the Board of Trustees for Beloit College, Beloit College Coughy Haus, located at 708 Clary Street, from John Winkelmann to Steven Oliveri, was adopted. File 8542
  - c. The application for a **Conditional Use Permit** to allow the expansion of a Warehouse and Freight Movement Use in a C-3, Community Commercial District, for the property located at 1877 Madison Road was referred to the Plan Commission. File 7614
  - d. A resolution approving **Farm Leases** between the City of Beloit and Walsh Agricultural Holdings, LLC, was adopted. File 7834
  - e. A resolution authorizing the City Manager to enter into an **Ambulance Service Agreement** with the Town of Turtle was adopted. File 8051
  - f. A resolution authorizing the City Manager to enter into an **Ambulance Service Agreement** with the Town of LaPrairie was adopted. File 8051
7. ORDINANCES – none
  8. APPOINTMENTS

President Haynes announced openings and submitted the following appointments to the City Committees, Boards, and Commissions for approval. The appointments were approved on a motion by Councilor Van De Bogart and a second by Councilor De Forest. The motion carried 6-0.

- a. **Appointment Review Committee:** Henry Clement for a term ending December 31, 2015, and Marlene Erickson for a term ending December 31, 2015. File 6261
- b. **Board of Review:** Bobby Beamon for a term ending December 31, 2017. File 6063
- c. **Business Improvement District:** Tiffany Warn to a term ending December 31, 2015; Richard F. Hulburt to a term ending December 31, 2015; Tom Hankins to a term ending December 31, 2015; Douglas Kelley to a term ending December 31, 2014; Jeff Redieske to a term ending December 31, 2015; and Betsy Schmiechen to a term ending December 31, 2014. File 6716
- d. **Community Development Authority:** Nailah Adama for a term ending December 31, 2016. File 6054



## 9. COUNCILOR ACTIVITIES AND UPCOMING EVENTS

- Councilor De Forest welcomed the students in the audience and reminded them of the openings for youth representatives on City committees. She also said that she attended Grinnell Hall's holiday show celebrating John Kalkirtz's retirement.
- Councilor Van De Bogart congratulated everyone who participated in Holidazzle and reminded the public to drive carefully on snow and ice.
- Councilor Kincaid said that the City's new website was launched that day and that Holidazzle was a great success.
- Councilor Leavy echoed the praises for Holidazzle. He welcomed the students in the audience and reminded them that they can be part of the City.

## 10. CITY MANAGER'S PRESENTATION – none

## 11. REPORTS FROM BOARD AND CITY OFFICERS

- a. Assistant to the City Manager Beth Jacobsen presented a resolution approving the **2013 Stray Animal Contract** between the City of Beloit and the Dane County Humane Society and authorizing the execution thereof. She indicated that this service was previously provided by the Rock County Humane Society, and that staff is recommending that stray animals be sheltered through a dual contract at both the Rock County and Dane County Humane Societies. Councilor Leavy made a motion to adopt the resolution, and Councilor De Forest seconded. Councilor De Forest said that she appreciates the work done to come to this solution, and she requested that the Council be kept informed of any efforts to build a holding facility in Janesville. The motion carried 6-0. File 8578
- b. Ms. Jacobsen presented a resolution approving the **2013 Stray Animal Contract** between the City of Beloit and the Rock County Humane Society and authorizing the execution thereof. Councilor Leavy made a motion to adopt the resolution, and Councilor Kincaid seconded. The motion carried 6-0. File 5956
- c. Economic Development Director Andrew Janke presented a resolution authorizing the City Manager to enter into an amended **Development Agreement** with Northstar Medical Radioisotopes, LLC. Mr. Janke introduced George Messina, President and CEO of Northstar. Mr. Messina said that the project has been delayed because they are in the process of redesigning the building based on upgraded technology. He said that they are currently sending applications to the FDA for approval while working to reduce the costs associated with the facility. Mr. Janke said that the scope and scale of the project has changed; therefore, the development agreement must be amended. Councilor Van De Bogart disclosed that his wife has done legal work related to intellectual property for Northstar, and City Attorney Tom Casper said that this does not constitute a conflict of interest for this project. Councilor Van De Bogart made a motion to adopt the resolution, and Councilor De Forest seconded. Councilor De Forest asked Mr. Messina to address the 150 jobs promised in the original development agreement. Mr. Messina responded that even though technology has made their process more efficient, they will still need to staff the facility 24 hours per day. He said that he hopes there will be more than 150 jobs created by this project. Councilor Van De Bogart asked about the future of the facility if Northstar were to leave, and Mr. Messina stated that they will be using a very safe isotope and the facility will be clean after 90 days of nonuse. The motion carried 6-0. File 8505
- d. City Manager Larry Arft presented a resolution approving Sixth Amendment to **Development Agreement** between the City, et al and MLG and further approving Purchase Agreement, authorizing execution of the same and providing for Budget Amendment and Supplemental Appropriation. Mr. Arft explained that this resolution facilitates the purchase of 65 acres of land; buys the brokerage rights to the property; and appropriates the funds necessary. He indicated that this will be funded through Tax Increment District 10 without any borrowing. Councilor Leavy made a motion to adopt the resolution, and Councilor Spreitzer seconded. Councilor Spreitzer asked about the single payment, and Mr. Arft said that the single payment allows the City to reduce the overall cost and eliminate interest payments. Councilor De Forest said that she will be voting in opposition to this resolution because she cannot approve a payment of this magnitude for land the City already owns. Councilor Van De Bogart inquired about the public/private development partnership that was created in the original agreement in 2000. Mr. Arft explained that the way business park land is marketed and sold has changed significantly since the original agreement. He said that now companies go directly to the City or the local economic development corporation for incentives, and that this deal will allow the City more flexibility in marketing the land. Councilor Spreitzer said that he does not like that the City has been put in this

position by a previous development agreement but that this will assist in development of the area in the future. Councilor Haynes said that he is happy to remove MLG from the table when making land acquisition and development decisions. The motion carried 5-1 with Councilor De Forest voting in opposition. File 8306/7938/8514

- e. Finance and Administrative Services Director Paul York presented a resolution authorizing the **Transfer of Funds** from the General Fund Contingency Reserve Fund for 2012. He said that funds must be transferred into the Clerk's office budget and the Community Development budget. He said that there were two unbudgeted elections in 2012 in the Clerk's office, and that additional funds are needed in Code Enforcement due to a HUD finding in a recent audit. Councilor Spreitzer made a motion to adopt the resolution, and Councilor Leavy seconded. The motion carried 6-0. File 8514
  - f. Mr. York presented a resolution declaring **Doubtful Accounts**, authorizing amounts to be written off, and receiving and filing the 2012 Report of the Comptroller. Councilor Leavy made a motion to adopt the resolution, and Councilor De Forest seconded. Councilor De Forest asked if the Neighborhood Housing Revolving loan fund will be negatively impacted, and Mr. Arft said that there is program income coming into the fund each year and the amount written off through this resolution is a small percent of the total amount loaned. Mr. York said that the City's collection agency will still attempt to collect this debt. Councilor Van De Bogart asked if the Beloit Country Market had a personal loan guarantee, and Mr. Janke said that the City is going to trial on the loan and that the personal property taxes will be written off if the resolution is adopted. The motion carried 6-0. File 7779
  - g. Mr. York presented a resolution providing for the Sale of approximately \$7,565,000 **General Obligation Refunding Bonds**, Series 2013A. He introduced Jim Mann from Ehlers and Associates, who explained the three series of bond issues and the money to be saved by refunding them. Councilor Leavy made a motion to adopt the resolution, and Councilor De Forest seconded. The motion carried by roll call vote 6-0. File 8570
  - h. Mr. York presented a resolution providing for the Sale of approximately \$6,040,000 **Water System Refunding Revenue Bonds**, Series 2013B. Councilor Spreitzer made a motion to adopt the resolution, and Councilor Leavy seconded. The motion carried by roll call vote 6-0. File 8570
  - i. Mr. York presented a resolution providing for the Sale of approximately \$895,000 **Taxable General Obligation Refunding Bonds**, Series 2013C. Councilor Van De Bogart made a motion to adopt the resolution, and Councilor Kincaid seconded. The motion carried by roll call vote 6-0. File 8570
12. At 8:23 p.m., Councilor Leavy made a motion to adjourn the meeting, and Councilor De Forest seconded. The motion carried 6-0.

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Rebecca S. Houseman, City Clerk

[www.ci.beloit.wi.us](http://www.ci.beloit.wi.us)

Date approved by Council:

**RESOLUTION APPROVING OFFICE OF JUSTICE ASSISTANCE  
LAW ENFORCEMENT OFFICER GRANT AWARD – BEAT PATROL**

WHEREAS, the City of Beloit has annually received Law Enforcement Beat Patrol Grants from the Office of Justice Assistance going back to approximately 1994; and

WHEREAS, attached is a grant offered by the State of Wisconsin Office of Justice Assistance for the year 2013 in the amount of \$161,912.00; and

WHEREAS, said amount has been included in the approved 2013 budget document.

NOW, THEREFORE, the City Council of the City of Beloit, Rock County, Wisconsin, hereby resolves that the attached Office of Justice Assistance Law Enforcement Officer Grant Award – Beat Patrol be accepted 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 execute the grant document and do all other things necessary to implement the City's acceptance of said grant.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to sign future OJA Beat Patrol grants without further City Council action so long as there are no substantive changes in the terms and conditions of said grants other than possible annual variations in the grant amount.

Adopted this 7<sup>th</sup> day of January, 2013.

**City Council of the City of Beloit**

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**Charles M. Haynes, President**

**Attest:**

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**Rebecca S. Houseman, City Clerk**

# CITY OF BELOIT

## REPORTS AND PRESENTATIONS TO CITY COUNCIL

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**Topic:** 2013 Beat Patrol Grant

**Date:** January 7, 2013

**Presenter(s):** Chief Norm Jacobs

**Department(s):** Police

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**Overview/Background Information:**

This is an ongoing grant that is funded by the Office of Justice Assistance. It provides supplemental funding to communities for additional patrol officers based upon crime statistics over a three-year period. The city and department have received funding via this program since 1994. This 2013 grant is the first year of a three-year cycle of grant awards. Although the funding level has reduced drastically over time, it still partially funds two patrol positions. Our sworn officer numbers cannot decrease from their current levels or the continued funding may not be available for future years. Our sworn staff reductions this past year nearly caused us to be ineligible for this supplemental funding in 2013.

---

**Key Issues (maximum of 5):**

- OJA Federally Funded Grant Support Program for the City and the Department
- Without these funds, we would not be able to fund upwards of two sworn police positions
- Consistent with Agency Goals and Objectives in regards to addressing crime in neighborhoods

---

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

Partial Funding for Patrol Officer Positions.

---

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

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

---

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

**Action required/Recommendation:**

Staff recommends approval.

---

**Fiscal Note/Budget Impact:**

Local match of \$40,478.00 which is consistent with other previous grant awards.

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**Attachments:**



State of Wisconsin

SCOTT WALKER  
Governor

JOHN MURRAY  
Executive Director

1 S Pinckney Street  
Suite 615  
Madison WI 53703-3220

Phone: (608) 266-3323  
Fax: (608) 266-6676  
<http://oja.wi.us>

**LAW ENFORCEMENT OFFICER GRANT AWARD**  
**Beat Patrol**  
**2013-BP-01-9958**

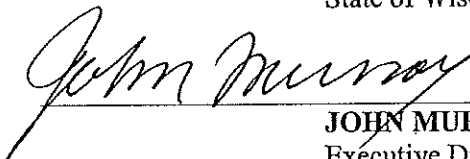
The Office of Justice Assistance (OJA), hereby awards to the **City of Beloit**, (hereinafter referred to as the **Grantee**), the amount of **\$161,912** for programs or projects pursuant to Wisconsin Statute S. 16.964.

This grant may be used until **December 31, 2013** for the programs consistent with the budget and general conditions in Attachment A, subject to any limitations or conditions set forth in Attachments B and/or C, if included.

The Grantee shall administer the programs or projects for which this grant is awarded in accordance with the applicable rules, regulations, and conditions of the Office of Justice Assistance. The submitted application is hereby incorporated as reference into this award.

*This grant shall become effective, and funds may be obligated (unless otherwise specified in Attachments A and/or B) when the Grantee signs and returns one copy of this grant award to the Office of Justice Assistance.*

SCOTT WALKER  
Governor  
State of Wisconsin


BY:   
\_\_\_\_\_  
JOHN MURRAY  
Executive Director  
Office of Justice Assistance

11/27/2012

Date

The (Grantee), **City of Beloit**, hereby signifies its acceptance of the above-described grant on the terms and conditions set forth above or incorporated by reference therein.

GRANTEE: **City of Beloit**

BY:   
\_\_\_\_\_  
NAME: **Larry Arft**  
TITLE: **City Manager**

12-18-12

Date

**OFFICE OF JUSTICE ASSISTANCE  
ATTACHMENT A**

Grantee: City of Beloit  
Project Title: Beat Patrol  
Grant Period: From January 1, 2013 To December 31, 2013  
Grant Number: 2013-BP-01-9958 Program Area: 01

---

**APPROVED BUDGET**

		<u>State GPR &amp; Local Match</u>
Personnel		\$96,034
Employee Benefits		\$65,878
Travel (Including Training)		
Equipment		
Supplies & Operating Expenses		
Consultants		
Other		
<b>STATE GPR TOTAL</b>	<u>\$121,434</u>	
<b>LOCAL CASH MATCH</b>	<u>\$40,478</u>	
<b>TOTAL APPROVED BUDGET</b>	<u>\$161,912</u>	<u>\$161,912</u>

**Special Notes:**

1. Grant monies that a city receives under this grant may be used for salary and fringe benefits only. Overtime is unallowable.
2. The positions funded must be created on or after April 20, 1994 and result in a net increase in the number of uniformed law enforcement officers assigned to beat patrol duties.
3. This grant may not supplant existing local resources.
4. For each year that a city receives a grant, the city shall provide matching funds of at least 25% of the amount of the grant.
5. The grantee will provide OJA with the date of hire, the name of each person hired, and the date of termination.
6. **Based on the final financial report due on January 31, 2014, the grantee shall reimburse OJA any funds paid to the grantee in excess of the actual allowable salary and fringe benefit costs for calendar year 2013.**
7. If officer funded changes from what is approved in your application, you should notify OJA.



**LAW ENFORCEMENT OFFICER PROGRAM  
ACKNOWLEDGEMENT NOTICE**

Date November 2012

Grantee: City of Beloit

Grant No. 2013-BP-01-9958

Project Title: Beat Patrol

The following reporting requirements apply to your grant award. The Financial Report (G2) form can be found on the OJA website: <http://www.oja.wi.gov>

**PROGRESS REPORTS (QPR)** must be submitted on a scheduled basis into the OJA Egrants system. Narrative reports on the status of your project are due to OJA on:

<u>4/12/2013</u>	<u>7/12/2013</u>	<u>10/12/2013</u>	<u>1/31/2014 Final</u>
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NOTE: Reports due 4/12 include January, February and March program activity.  
Reports due 7/12 include April, May and June program activity.  
Reports due 10/12 include July, August and September program activity.  
Reports due 1/12 include October, November and December program activity.

**FINANCIAL REPORTS** serve two functions: to report fiscal status and to request funds. Reports may be submitted monthly but, at a minimum, are due to OJA on:

<u>4/12/2013</u>	<u>7/12/2013</u>	<u>10/12/2013</u>	<u>1/31/2014 Final</u>
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G-2 forms may be found on our website at <http://www.oja.wi.gov/> under Document Search – Criminal Justice - Forms.

NOTE: Reports due 4/12 include January, February and March program activity.  
Reports due 7/12 include April, May and June program activity.  
Reports due 10/12 include July, August and September program activity.  
Reports due 1/12 include October, November and December program activity.

OTHER: \_\_\_\_\_  
\_\_\_\_\_

**ACKNOWLEDGEMENT**

The materials referenced above were received and reviewed by the appropriate members of this organization. I also acknowledge receipt of the Grant Award and any attached Special Conditions, as well as receipt of the General Conditions which were previously provided in the Instructions for Filing and Application. I understand that this grant is awarded subject to our compliance with all Conditions, Regulations, and Obligations described in the above materials.

12/18/12  
Date

William Tyler *W. Tyler* CAPTAIN, Project Director

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE TO AMEND SECTIONS 25.04(4)(d), 18.02(4)(b), 15.16(3) AND 15.17(1) AND TO CREATE SECTIONS 18.02(23) AND 15.15 OF THE CODE OF GENERAL ORDINANCES OF THE CITY OF БЕЛОIT PERTAINING TO ANIMAL CONTROL ENFORCEMENT AND DOG PARK REGULATIONS.**

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

Section 1. Section 25.04(4)(d) of the Code of General Ordinances of the City of Beloit is hereby amended to include, in numerical order, the following additions to the list of city employees authorized to issue municipal citations for violation of city ordinances:

<b>Chapter</b>	<b>Title</b>	<b>Enforcement Official</b>
14.17	Dogs and Cats	Community Services Officer; Animal Control Officer
15.15	Livestock Prohibited	Community Service Officer; Animal Control Officer
15.16	Animals Not to Run at Large	Community Services Officer; Animal Control Officer
15.165	Defecation by Dogs or Cats on Public and Private Property Prohibited	Community Services Officer; Animal Control Officer
15.17	Dangerous Animals and Potentially Dangerous Animals	Community Services Officer; Animal Control Officer
18.02(4) and 18.02(23)	Park Regulations relating to Animals and Dog Parks	Community Services Officer; Animal Control Officer

Section 2. Section 18.02(4)(b) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(b) *Animals Not to Run at Large.* No person shall allow any animal to run at large in a City park in violation of §15.16 of this Municipal Code except as provided in (23) of this section.”

Section 3. Section 15.16(3) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:



- “(3) IMPOUNDING AND RELATED FEES. Except as provided in §15.17(2), (7) and (11), any person who owns, harbors, or keeps an animal which has been impounded for running at large or for failure to display license or rabies tags, may reclaim the animal from the impoundment facility upon payment of the following:
- (a) A Redemption Fee specified by the impoundment facility~~Rock County Humane Society or the Rock County Board~~.
  - (b) A Boarding Fee specified by the impoundment facility~~Rock County Humane Society or the Rock County Board~~.
  - (c) A Rabies Inoculation Fee (if required).
  - (d) A Dog License Fee (if required).”

Section 4. The term “officer” found in section 15.17(1) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“Officer. Any law enforcement~~peace~~ officer, or Rock County Humane Society community services officer, or animal control officer.”

Section 5. Section 18.02(23) of the Code of General Ordinances of the City of Beloit is hereby created to read as follows:

“(23) DOG PARKS.

- (a) A dog park is an enclosed fence facility designated by the City for the purpose of allowing dogs, under the control of their owner or keeper, to exercise and socialize unleashed.
- (b) The Director shall have authority to control dog parks and to make reasonable rules for the operation of dog parks that are consistent with this ordinance. Such rules shall be approved by the Parks and Recreation Advisory Commission and shall be posted in a conspicuous place at the dog park. A person found to be in violation of such rules shall be subject to removal from the dog park.
- (c) Dog parks may be operated year-round on a daily basis from sunrise to sunset, unless closed for maintenance or severe weather.
- (d) Dogs are permitted to run unleashed in areas designated and posted by the city as a dog park under the following conditions:
  - 1. The owner or keeper of the dog must be present; and
  - 2. The dog must be under the voice control of the owner or keeper at all times; and
  - 3. Current rabies vaccination tag and dog license as required by section 14.17 of this Municipal Code must be displayed on the dog’s collar; and
  - 4. Feces must be properly removed and disposed of in compliance with section 15.165 of this Municipal Code; and
  - 5. The owner of the dog must have secured a permit for use of dog parks within the city. The permit fee shall be established by city council resolution.
- (e) Dogs that are engaged fighting with other dogs shall immediately be removed from the dog park.
- (f) Commercial use of a dog park is prohibited without written consent of the Director.
- (g) Any person convicted of violating any provision of this section shall be subject to a penalty as provided in §25.04 of the Code of General Ordinances of the City of Beloit.”

Section 6. Section 15.15 of the Code of General Ordinances of the City of Beloit is hereby created to read as follows:

“15.15 LIVESTOCK. No person may keep any livestock on any lands in the City which the person owns, occupies or controls, unless the livestock is permitted under §7.243 of this Code.”

Section 7. This ordinance shall be in force and take effect upon passage and publication.

Adopted this \_\_\_\_\_ day of January, 2013.

BELOIT CITY COUNCIL

By: \_\_\_\_\_  
Charles M. Haynes, President

ATTEST:

By: \_\_\_\_\_  
Rebecca S. Houseman, City Clerk

PUBLISHED: \_\_\_\_\_  
EFFECTIVE DATE: \_\_\_\_\_  
01-611100-5231- \_\_\_\_\_

tdh/ordinances/25.04(4)(d), 18.02(4)(b), 15.16(3), 15.17(1), 18.02(23) & 15.15 = ord 121231 (12-1234)

# CITY OF БЕЛОIT



## REPORTS AND PRESENTATIONS TO CITY COUNCIL

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**Topic:** ANIMAL CONTROL ENFORCEMENT / DOG PARK REGULATIONS

**Date:** JANUARY 7, 2013

**Presenter(s):** ELIZABETH KRUEGER, DEPUTY CITY ATTORNEY

**Department(s):** ATTORNEY

---

### Overview/Background Information:

#### Animal Control Program

Animal Control services will now be handled in-house by the Beloit Police Department. In order to accomplish the enforcement program, community service officers (CSOs) and animal control officers must be given the authority to issue citations for certain animal-related ordinances. The proposed ordinance authorizes CSOs and animal control officers to issue citations of those ordinances. CSOs and animal control officers will be certified as humane officers under state law and receive training in humane animal handling techniques, sanitation methods and animal diseases. The CSOs and animal control officers will also receive training in animal control laws and procedures found in the Wisconsin state statutes and city ordinances.

#### Dog Park

In order to enforce rules and regulations relating to the dog park, minor ordinance changes are needed. The first such change relates to exempting dogs from the ordinance that prohibits animals from running at large within city parks provided certain conditions are met, including the provision that the dog be within the fenced-in area designated and posted as a dog park. The proposed ordinance further authorizes the Director of Parks and Leisure Services to create reasonable rules and regulations relating to the use of the dog park and provides for a mechanism for enforcement.

---

### Key Issues (maximum of 5):

1. The proposed ordinance will give CSOs and animal control officers the authority to enforce certain animal-related ordinances, including ordinances relating to animals running at large, dangerous animals, dog licensing and vaccination.
  2. The proposed ordinance provides law enforcement officers, CSOs and animal control officers the authority to issue citations for livestock kept within the city contrary to section 7.243 of the Code of General Ordinances for the City of Beloit.
  3. The proposed ordinance makes minor amendments necessitated by the change in vendors for impoundment facilities.
  4. The proposed ordinance exempts dogs from section 18.02(4) of the Code of General Ordinances for the City of Beloit which prohibits animals from running at large within city parks provided certain conditions are met.
  5. The proposed ordinance allows the Director of Parks and Leisure Services to create reasonable rules and regulations relating to the use of the dog park and provides a mechanism for enforcement. Such rules and regulations must be approved by the Park, Recreation and Conservation Advisory Commission and posted in a conspicuous area of the dog park.
- 

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

Adoption of the proposed ordinance would conform to the stated purpose of goal #1 in furthering the responsible stewardship and enhancement of City resources.

---

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

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

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

---

### Action required/Recommendation:

The proposed ordinance has been reviewed by staff of the affected departments and is recommended for approval.

---

### Fiscal Note/Budget Impact:

The proposed ordinance should not obligate any additional City funds other than what has already been budgeted for these programs.

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE TO REPEAL SECTION 1.81 OF THE CODE OF  
GENERAL ORDINANCES OF THE CITY OF БЕЛОIT AS IT RELATES  
TO DISBANDING THE DISABLED PARKING ENFORCEMENT  
ASSISTANCE COUNCIL**

WHEREAS, the purpose of the Disabled Parking Enforcement Assistance Council is to assist the City of Beloit Police Department in the enforcement of the disabled parking regulations found in the Wisconsin Statutes adopted by Beloit Ordinances; and

WHEREAS, the Disabled Parking Enforcement Assistance Council requires six citizen members to serve 3-year terms, thereby requiring four voting members to constitute a quorum; and

WHEREAS, the Appointment Review Committee has had difficulty staffing the Disabled Parking Enforcement Assistance Council with citizen members; and

WHEREAS, the Disabled Parking Enforcement Assistance Council has not formally met since April, 2010 due to difficulties in achieving a quorum; and

WHEREAS, the Appointment Review Committee is recommending that the City Council of the City of Beloit disband the Disabled Parking Enforcement Assistance Council due to staffing difficulties; and

WHEREAS, there is no statutory requirement for a municipality to have a Disabled Parking Committee.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Beloit, Rock County, Wisconsin, do ordain as follows:

Section 1. Section 1.81 of the Code of General Ordinances of the City of Beloit is hereby repealed.

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

Adopted this 7<sup>th</sup> day of January, 2013.

BELOIT CITY COUNCIL

By: \_\_\_\_\_  
Charles M. Haynes, President

ATTEST:

By: \_\_\_\_\_  
Rebecca S. Houseman, City Clerk

PUBLISHED: \_\_\_\_\_

EFFECTIVE DATE: \_\_\_\_\_

01-611100-5231-\_\_\_\_\_  
tdh/ord/1 81=ORD=121206 (disabled parking council) (12-1239)

# CITY OF BELOIT

## REPORTS AND PRESENTATIONS TO CITY COUNCIL

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**Topic:** Disbanding the Disabled Parking Enforcement Assistance Council

**Date:** January 7, 2013

**Presenter(s):** Thomas Casper

**Department(s):** City Attorney

---

**Overview/Background Information:**

Section 1.81 of the Code of General Ordinances of the City of Beloit established a Disabled Parking Enforcement Assistance Council. According to the attached November 12, 2012 letter to Council President Charles Haynes from Henry Clement, Chairman of the Appointment Review Committee, the City Council is being asked to repeal the ordinance creating the council and to disband the same. As outlined in that letter, it has been a significant time since the council has met with a quorum, there is no statutory requirement mandating such a council, and no adverse consequences are expected should the council be disbanded. The community service officers actively enforce the disabled parking ordinance as well as other parking regulations. In addition, one of the members of the City Disabled Parking Enforcement Assistance Council is also a member of a similar group established by the county board and may choose to remain active. Elimination of the council will not prevent the police department from taking violation reports from former council members or any citizen (council members never had authority to issue tickets directly).

It should also be noted that there have been repeated efforts to recruit new council members by both City staff and the Appointment Review Committee, which have not been successful.

---

**Key Issues (maximum of 5):**

Should the Disabled Parking Enforcement Assistance Council be disbanded and the ordinance implementing the same be repealed?

---

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

Adoption of the proposed ordinance would conform to the stated purpose of Goal #1 in furthering the responsible stewardship and enforcement of city ordinances.

---

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

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

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

---

**Action required/Recommendation:**

The proposed ordinance has been reviewed by staff, affected departments, and the Appointment Review Committee and is recommended for approval.

---

**Fiscal Note/Budget Impact:** N/A

**RESOLUTION  
APPROVING THE NAMING OF THE AUDITORIUM AT GRINNELL HALL IN  
HONOR OF JOHN KALKIRTZ**

**WHEREAS**, on January 11, 2013, John Kalkirtz will be retiring as a city employee after completing 24 years of dedicated service to the City of Beloit as the Center Supervisor at Grinnell Hall, and

**WHEREAS**, the Grinnell Hall Senior Advisory Committee has presented a request to name the Auditorium within Grinnell Hall in honor of John Kalkirtz for his numerous years of valuable and dedicated to service to the Seniors that use Grinnell Hall, and

**WHEREAS**, for numerous years the Auditorium in Grinnell Hall has been used for countless recreational programs and annual special events, and

**WHEREAS**, no other official name has been designated for the Auditorium in Grinnell Hall, and

**WHEREAS**, the Parks, Recreation, and Conservation Advisory Commission has supported and recommends naming this facility within Grinnell Hall in recognition of John Kalkirtz, and has assured that the administrative policies and guidelines for naming public lands, parks, and recreation facilities has been appropriately executed.

**NOW, THEREFORE, BE IT RESOLVED THAT** the City Council of the City of Beloit, Rock County, Wisconsin, hereby adopts the name of the Auditorium in Grinnell Hall, located at 631 Bluff Street in Beloit, to be known as the John Kalkirtz Memorial Auditorium.

Adopted this 7<sup>th</sup> day of January, 2013

City Council of the City of Beloit

\_\_\_\_\_  
Charles M. Haynes, Council President

Attest:

\_\_\_\_\_  
Rebecca S. Houseman, City Clerk

# CITY OF БЕЛОIT

## REPORTS AND PRESENTATIONS TO CITY COUNCIL



**Topic:** Consideration and approval of naming the Auditorium at Grinnell Hall in honor of John Kalkirtz.

**Date:** January 7, 2013

**Presenter(s):** Brian Ramsey, Director of Parks & Leisure Services    **Department(s):** Public Works

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### Overview/Background Information:

At the request of the Grinnell Hall Senior Advisory Committee, the Parks & Recreation Commission recently reviewed their request to name Grinnell Hall in honor of John Kalkirtz. John has been the Senior Center Supervisor for over 24 years (since October, 1988) and will be retiring from his position as of January 12, 2013. Over this period of time, John has not only been admired as a stabilizing force in managing the Center, but he has been a key element in regards to developing many of the programs and activities that the Center is known for today. Therefore, based upon City's policy for Naming Parks & Recreational Facilities, the Parks & Recreation Commission supports and recommends naming the Auditorium at Grinnell Hall in honor of John Kalkirtz.

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### Key Issues (maximum of 5):

1. John has been a valued employee managing Grinnell Hall for over 24 years.
2. The recommendation for naming the Auditorium was presented by the Grinnell Hall Senior Advisory Board.
3. As indicated in the Guidelines for Naming a Recreational Facility; to show gratitude to a person who, over a long period of time, has devoted outstanding amounts of time, talent, and effort to the advancement of the Beloit Park Program or the Beloit Community.
4. Currently, the Auditorium has not been designated or a name given in reference to this room in Grinnell Hall.
5. The recommendation for naming this facility in honor of John Kalkirtz has been unanimously approved at the November, 2012 meeting by the Parks & Recreation Commission.

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### 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 #1 and Strategic Goal #5:

- 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.
- Apply sound, sustainable practices to promote a high quality community through historic preservation, community revitalization, and new development.

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### 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 – NA
- Reduce dependence on chemicals and other manufacturing substances that accumulate in nature – NA
- Reduce dependence on activities that harm life sustaining eco-systems - NA
- Meet the hierarchy of present and future human needs fairly and efficiently - NA

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:

**Consideration and approval of Naming the Auditorium at Grinnell Hall in Honor of John Kalkirtz**

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### Fiscal Note/Budget Impact:

A plaque will be purchased and appropriately placed in the Auditorium in Honor of John, plus a second identical plaque presented to John at an official dedication ceremony in January of 2013. It's estimated that this purchase would be less than \$200 and funding will be allocated from the Parks Operational Fund.



**RESOLUTION AUTHORIZING SCHEDULE OF FEES AND CHARGES  
FOR CITY OF BELOIT DOG PARK IN THE CITY OF BELOIT, WISCONSIN**

**WHEREAS**, the City of Beloit has the authority to establish reasonable fees for services provided or costs incurred in the administration of government, and;

**WHEREAS**, the Municipal Code provides that fees shall be established by City Council resolution, and;

**WHEREAS**, the City as part of the budget preparation process annually reviews municipal fees, charges, and rates related to costs and services provided by the various departments of the City, and;

**WHEREAS**, the City manages numerous enterprise operations which are either fully or primarily supported through the establishment of user fees necessary to cover related costs for those services, and;

**WHEREAS**, the Parks, Recreation, and Conservation Commission has determined that these fees and charges set forth hereinafter are reasonable, equitable and necessary to cover the operational cost of maintaining this facility, and recommend the establishment of these rates within the 2013 FY Budget.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council adopts and approves the recommended schedule of fees, charges, and rates as outlined in the following fee schedules, effective January 8, 2013.

**SECTION 1. THE 2013 DOG PARK SCHEDULE OF FEES, CHARGES, AND RATES FOR SERVICES PROVIDED BY THE DEPARTMENT OF PUBLIC WORKS DIVISION OF PARKS AND LEISURE SERVICES.**

**A. PARKS – CITY OF BELOIT DOG PARK**

	<u>2012 Rate</u>	<u>2013 Rate</u>
Resident – Daily Fee	N/A	\$5.00/visit
Non Resident – Daily Fee	N/A	\$5.00/visit
Resident – Annual User ID Pass	N/A	\$20.00/Year
Non Resident – Annual User ID Pass	N/A	\$30.00/Year
Resident – Additional Dog	N/A	\$10.00/Year
Non Resident – Additional Dog	N/A	\$10.00/Year
Resident – Dog Park ID & Dog License Combo*	N/A	\$25.00/Year

- Dog Park ID & Dog License combo must be purchased at the same time and is only available at the Beloit City Treasurer’s Office.

Dated at Beloit, Wisconsin this 7th day of January, 2013.

\_\_\_\_\_  
Charles M. Haynes  
Council President

Attest:

\_\_\_\_\_  
Rebecca S. Houseman  
City Clerk

# CITY OF БЕЛОIT

## REPORTS AND PRESENTATIONS TO CITY COUNCIL



**Topic:** Authorizing Schedule of Fees, Charges, and Rates for the City of Beloit Dog Park in the City of Beloit, Wisconsin

**Date:** January 7, 2013

**Presenter(s):** Brian Ramsey, Director of Parks & Leisure Services

**Department(s):** DPW

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### Overview/Background Information:

In preparation of opening the Dog Park, the proposed Fee Schedule related to the use of this facility were absently omitted in the previous review of proposed Fees for the 2013 Fiscal Year. The Fees that are proposed have been previous reviewed and recommend by the Parks & Recreation Commission based upon similar fee structures at similar facilities, and a comparison of those fees has been evaluated in determining this recommendation.

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### Key Issues (maximum of 5):

- 1.) The Parks & Recreation Commission reviewed a comparison list of fees for 10 other regional Dog Parks in order before determining their recommendation for the new Dog Park Fees.
- 2.) In comparing user fees for Dog Parks, the average fees are as follow:
  - Resident Fees @ \$22.20/Dog
  - Non-Resident Fees @ \$30.83/ Dog
  - Additional Dog Fee @ \$9.07/ Dog
  - Daily Fee @ \$3.60 / Dog
- 3.) Only 1 out of 10 communities on the comparison list charged an additional cost to non-residents in regards to the daily fee.
- 4.) It is unknown how many Dog owners will purchase a Dog Tag for the Dog Park in the first year, however for the purpose of budgeting for this new facility, it is anticipated that if 50% of the dog owners who purchased Dog Licenses in 2012 also purchased a Dog Tag, it may generate approximately \$6,000 annually, and approximately 300 Dog Tags sold.
- 5.) The purpose of charging Fees for the Dog Park is to off-set general maintenance cost of operating this facility; including trash removal, mowing, and any necessary repairs to fencing and/or additional equipment needed to enhance the new facility.

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### 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 #1, #3, and #5

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### 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 - NA
- Reduce dependence on chemicals and other manufacturing substances that accumulate in nature - NA
- Reduce dependence on activities that harm life sustaining eco-systems - NA
- Meet the hierarchy of present and future human needs fairly and efficiently

The development of the Dog Park was a direct result as a priority established by the Parks & Recreation Commission in response to the public's request for this type of facility within the City Parks system.

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

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### Action required/Recommendation:

- City Council consideration and action on the proposed fees as presented within the Fee Resolution.

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### Fiscal Note/Budget Impact:

The development of the Dog Park was funded within the 2012 CIP Budget, and Dog Park Revenue Fees will enhance the General Fund balance.

**RESOLUTION AMENDING THE 2013 CAPITAL EQUIPMENT REPLACEMENT  
BUDGET AND APPROPRIATING FUNDS  
FOR THE REPLACEMENT OF PICKUP TRUCK 431**

**WHEREAS**, the City adopted the 2013 Capital Equipment Replacement Budget on November 5, 2012; and,

**WHEREAS**, truck number 431 was totaled in an accident in October 2012; and,

**WHEREAS**, the city's insurance coverage on truck 431 paid \$5,969.25 to the City of Beloit as the insured value of the totaled truck which is now part of the fund balance of the equipment replacement fund; and,

**WHEREAS**, the cost of replacing truck 431 with a new pickup truck is \$18,278.00 and sufficient funds are available in the Capital Equipment Replacement Fund to cover this cost.

**NOW, THEREFORE, BE IT RESOLVED** that the 2013 Capital Equipment Replacement Budget is hereby amended and additional funds are appropriated, as follows:

**FUNDING:**

Fund Balance (Equipment Replacement Fund)	<u>\$18,278.00</u>
Total	<u>\$18,278.00</u>

**EXPENDITURES:**

<u>Project Name</u>	<u>Original</u>	<u>Amended</u>	<u>Difference</u>
431 Truck Replacement – 33707192-5531-2013	\$0	\$18,278.00	\$18,278.00
Total			<u>\$18,278.00</u>

Dated at Beloit, Wisconsin, this 7<sup>th</sup> day of January, 2013

\_\_\_\_\_  
Charles M. Haynes  
President of the Council

ATTEST:

\_\_\_\_\_  
Rebecca S. Houseman  
City Clerk

# CITY OF BELOIT

## REPORTS AND PRESENTATIONS TO CITY COUNCIL

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**Topic:** Resolution amending the 2013 Capital Equipment Replacement Budget for the purchase of a replacement truck for truck 431

**Date:** January 7, 2013

**Presenter(s):** Michael Flesch, City Engineer      Department(s): Public Works/Engineering

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**Overview/Background Information:**

Truck 431 was totaled in an accident in October, 2012. A replacement vehicle is needed. The budget must be amended to allow for the purchase of the replacement truck. Insurance payout that was received from the accident is less than the new vehicle.

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**Key Issues (maximum of 5):**

1. Truck 431 was totaled in an accident in October 2012.
  2. Insurance has paid \$5,969.25 to the City of Beloit as the insured value of the totaled truck 431.
  3. The insurance money has been deposited into the Capital Equipment Replacement Account.
  4. The cost of replacing truck 431 with a new pickup truck is \$18,278.00
- 

**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.
  2. Purchasing the replacement vehicle will allow engineering to continue to provide services to the citizens in a timely and cost effective manner.
- 

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

- **Reduce dependence upon fossil fuels**  
The replacement truck will have a smaller more fuel efficient engine than truck 431.
  - **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature**  
More fuel efficiency will reduce greenhouse gases and carbon footprint
  - **Reduce dependence on activities that harm life sustaining eco-systems**  
With a more fuel efficient engine, less fossil fuels will be needed and greenhouse gases reduced.
  - **Meet the hierarchy of present and future human needs fairly and efficiently**  
N/A
- 

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

---

**Action required/Recommendation:**

Engineering recommends approval of the budget amendment for the purchase of the replacement truck.

---

**Fiscal Note/Budget Impact:**

Adequate funds are available in the Equipment Replacement Account for this purchase.

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**RESOLUTION**  
**APPROVING AN AMENDMENT OF THE AGREEMENT BETWEEN**  
**THE CITY OF БЕЛОIT AND**  
**VANTAGECARE RETIREMENT HEALTH SAVINGS (RHS) PLAN**

**WHEREAS**, the City of Beloit has administrative, supervisory, professional, confidential and bargaining unit employees that have rendered valuable services to the City during their careers; and

**WHEREAS**, the City of Beloit adopted various terms and conditions of its retirement health savings plan #801351 with VantageCare Retirement Solutions in 2007 one of which requires retirees to be age 55 or older to access their account; and

**WHEREAS**, it is recommended that the plan be amended to allow retirees to access their accounts at age 50 rather than 55 to accommodate those employees retiring early; and

**WHEREAS**, the amendment of its existing retiree health savings plan for such employees serves the interests of the Employer and Employees.

**NOW, THEREFORE, BE IT RESOLVED** by the Beloit City Council that the City Manager be, and he hereby is, authorized to amend the Plan in the form of the ICMA Retirement Corporation's VantageCare Retirement Health Savings program.

Adopted this 7<sup>th</sup> day of January, 2013

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Charles M. Haynes, President

Attest:

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Rebecca S. Houseman, City Clerk

# CITY OF BELOIT

## REPORTS AND PRESENTATIONS TO CITY COUNCIL

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**Topic:** Amendment of the VantageCare Retirement Health Savings Plan.

**Date:** January 7, 2013

**Presenter(s):** Larry Arft

**Department:** Finance and Administrative Services/Human Resources

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**Overview/Background Information:**

The City of Beloit established a health savings retirement (801351) plan in 2007 to provide security for protective service employees' health care needs during retirement. The former plan document restricted access to funds by retirees until they were age 55. There have been recent retirements prior to age 55 by plan members and this amendment will make their funds available to them for medical expenses as early as age 50.

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**Key Issues (maximum of 5):**

- Amend plan 801351 to allow retirees to access their funds at age 50.

---

**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 #1.

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**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

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**Action required/Recommendation:**

- Approval authorizing City Manager to amend the City's plan.

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**Fiscal Note/Budget Impact:**

There is no fiscal impact.

**EMPLOYER VANTAGECARE RETIREMENT HEALTH SAVINGS (RHS )PLAN  
ADOPTION AGREEMENT**

Amendment to Existing Plan Number: 801351

Employer Retirement Health Savings Plan Name:

I. Employer Name: City of Beloit State: WI

II. The Employer hereby attests that it is a unit of a state or local government or an agency or instrumentality of one or more units of a state or local government.

III. Effective Date of the Amendment: 1-7-13

IV. The Employer intends to utilize the Trust to fund only welfare benefits pursuant to the following welfare benefit plan(s) established by the Employer:

V. Eligible Groups, Participation and Participant Eligibility Requirements

A. Eligible Groups

The following group or groups of Employees are eligible to participate in the VantageCare Retirement Health Savings Plan (check all applicable boxes):

- All Employees
- All Full-Time Employees
- Non-Union Employees
- Public Safety Employees – Police
- Public Safety Employees – Firefighters
- General Employees
- Collectively-Bargained Employees (Specify unit(s))
- Other (specify group(s))

The Employee group(s) specified must correspond to a group(s) of the same designation that is defined in the statutes, ordinances, rules, regulations, personnel manuals or other documents or provisions in effect in the state or locality of the Employer.

B. Participation

**Mandatory Participation:** All Employees in the covered group(s) are required to participate in the Plan and shall receive contributions pursuant to Section VI.

C. Participant Eligibility Requirements

1. Minimum service: The minimum period of service required for participation is N/A (write N/A if an Employee is eligible to participate immediately upon employment).
2. Minimum age: The minimum age required for eligibility to participate is N/A (write N/A if no minimum age is required).

VI. Contribution Sources and Amounts

A. Definition of Earnings

The definition of Earnings will apply to all RHS Contribution Features that reference "Earnings", including Direct Employer Contributions (Section VI.B.1.) and Mandatory Employee Compensation Contributions (Section VI.B.2.)

Definition of earnings: \_\_\_\_\_

B. Direct Employer Contributions and Mandatory Contributions

1. Direct Employer Contributions

The Employer shall contribute on behalf of each Participant

- % of Earnings
- \$ each Plan Year
- A discretionary amount to be determined each Plan Year
- Other (describe):

2. Mandatory Employee Compensation Contributions

The Employer will make mandatory contributions of Employee compensation as follows:

- Reduction in Salary - \_\_\_\_\_ % of Earnings or \$ \_\_\_\_\_ will be contributed for the Plan Year.
- Decreased Merit or Pay Plan Adjustment - All or a portion of the Employees' annual merit or pay plan adjustment will be contributed as follows:

An Employee shall not have the right to discontinue or vary the rate of Mandatory Contributions of Employee Compensation.

3. Mandatory Employee Leave Contributions

The Employer will make mandatory contributions of accrued leave as follows (provide formula for determining Mandatory Employee Leave contributions):

- Accrued Sick Leave 2/3 of accumulated sick leave to a maximum of eighty days or 960
- Accrued Vacation Leave \_\_\_\_\_
- Other (specify type of leave) Accrued Leave \_\_\_\_\_

An Employee shall not have the right to discontinue or vary the rate of mandatory leave contributions.

C. Limits on Total Contributions (check one box)

The total contribution by the Employer on behalf of each Participant (including Direct Employer and Mandatory Employee Contributions) for each Plan Year shall not exceed the following limit(s) below.

- There is no Plan-defined limit on the percentage or dollar amount of earnings that may be contributed.
- \_\_\_\_\_ % of earnings\*
- \*Definition of earnings:  Same as Section VI.A..  Other
- \$ \_\_\_\_\_ for the Plan year.

See Section V.B. for a discussion of nondiscrimination rules that may apply to non-collectively bargained self-insured Plans.



**VII. Vesting for Direct Employer Contributions**

**A. Vesting Schedule** (check one box)

- The account is 100% vested at all times.
- The following vesting schedule shall apply to Direct Employer Contributions as outlined in Section VI.A.1.:

Years of Service Completed	Vesting Percentage
_____	_____ %
_____	_____ %
_____	_____ %
_____	_____ %
_____	_____ %
_____	_____ %
_____	_____ %
_____	_____ %
_____	_____ %
_____	_____ %
_____	_____ %

**B. The account will become 100% vested upon the death, disability, retirement\*, or attainment of benefit eligibility (as outlined in Section IX) by a Participant.**

\*Definition of retirement (check one box):

- Retirement as defined in the primary retirement plan of the Employer
- Separation from service
- Other

**C. Any period of service by a Participant prior to a rehire of the Participant by the Employer shall not count toward the vesting schedule outlined in A above.**

**VIII. Forfeiture Provisions**

Upon separation from the service of the Employer prior to attainment of benefit eligibility (as outlined in Section IX), or upon reversion to the Trust of a Participant's account assets remaining upon the participant's death (as outlined in Section XI), a Participant's non-vested funds shall (check one box):

- Remain in the Trust to be reallocated among all remaining Employees participating in the Plan as Direct Employer Contributions for the next and succeeding contribution cycle(s).
- Remain in the Trust to be reallocated on an equal dollar basis among all Plan Participants.
- Remain in the Trust to be reallocated among all Plan Participants based upon Participant account balances.
- Revert to the Employer.

**IX. Eligibility Requirements to Receive Medical Benefit Payments from the VantageCare Retirement Health Savings Plan**

**A. A Participant is eligible to receive benefits:**

- At retirement only (also complete Section B.)  
Definition of retirement:
  - Same as Section VII.B.
  - Other \_\_\_\_\_
  
- At separation from service with the following restrictions
  - No restrictions
  - Other \_\_\_\_\_

- At age only
- At retirement and age (also complete section B)  
Definition of retirement:
  - Same as Section VII.B.
  - Other separation of employment and age 50.
- At retirement or age Definition of retirement:
  - Same as Section VII.B.
  - Other \_\_\_\_\_
- Other, specified as follows (also complete Section B if applicable): \_\_\_\_\_

**B. Termination prior to general benefit eligibility: In the case where the general benefit eligibility as outlined in Section IX.A includes a retirement component, a Participant who separates from the service of the Employer prior to retirement will be eligible to receive benefits:**

- Immediately upon separation from service.
- At age 50

**C. A Participant that becomes totally and permanently disabled will become immediately eligible to receive medical benefit payments from his/her VantageCare Retirement Health Savings Plan account.**

- as defined by the Social Security Administration
- as defined by the Employer's primary retirement plan
- other \_\_\_\_\_

**D. Upon the death of the Participant, benefits shall become payable as outlined in Section XI.**

**X. Permissible Medical Benefit Payments**

Benefits eligible for reimbursement consist of:

- All Medical Expenses eligible under IRC Section 213\* other than (i) direct long-term care expenses, and (ii) expenses for medicines or drugs which are not prescribed drugs (other than insulin).
- The following Medical Expenses (eligible under IRC Section 213\* other than (i) direct long-term care expenses, and (ii) expenses for medicines or drugs which are not prescribed drugs (other than insulin). Select only the expenses you wish to cover under the VantageCare Retirement Health Savings Plan:
  - Medical Insurance Premiums
  - Medical Out-of-Pocket Expenses\*
  - Medicare Part B Insurance Premiums
  - Medicare Part D Insurance Premiums
  - Medicare Supplemental Insurance Premiums
  - Prescription Drug Insurance Premiums
  - COBRA Insurance Premiums
  - Dental Insurance Premiums
  - Dental Out-of-Pocket Expenses\*
  - Vision Insurance Premiums
  - Vision Out-of-Pocket Expenses\*
  - Qualified Long-Term Care Insurance Premiums
  - Non-Prescription medications allowed under IRS guidance\*
  - Other qualifying medical expenses (describe)\*

\* Nondiscrimination rules may apply to non-collectively bargained, self-insured Plans.

## **XI. Benefits After the Death of the Participant**

In the event of a Participant's death, the following shall apply:

### **A. Surviving Spouse and/or Surviving Dependents**

The surviving spouse and/or surviving eligible dependents (as defined in Section XII.D.) of the deceased Participant are immediately eligible to maintain the account and utilize it to fund eligible medical benefits specified in Section X above.

Upon notification of a Participant's death, the Participant's account balance will be transferred into Dreyfus Cash Management fund\* (or another fund selected by the Employer). The account balance may be reallocated by the surviving spouse or dependents.

<sup>1</sup> *An investment in the Dreyfus Cash Management money market fund is not insured or guaranteed by the Federal Deposit Insurance Corporation or any other government agency. Although the fund seeks to preserve the value of your investment at \$1.00 per share, it is possible to lose money by investing in the fund. Investors should consider the investment objectives, risks, charges, and expenses of the fund carefully before investing. You may visit us at [www.icmarc.org](http://www.icmarc.org) or call 800-669-7400 to obtain a prospectus that contains this and other information about the fund. Read the prospectus carefully before investing.*

<sup>2</sup> *ICMA-RC and its affiliate, ICMA-RC Services, Inc. ("RC Services"), receive payments from the Dreyfus Cash Management fund or its service providers in the form of 12b-1 fees, service fees, compensation for sub-accounting, and other services provided by ICMA-RC or RC Services.*

If a Participant's account balance has not been fully utilized upon the death of the eligible spouse, the account balance may continue to be utilized to pay benefits of eligible dependents. Upon the death of all eligible dependents, the account will revert to the Plan to be applied as specified in Section VIII.

### **B. No Surviving Spouse or Surviving Dependents**

If there are no living spouse or dependents at the time of death of the Participant, the account will revert to the Plan to be applied as specified in Section VIII.

## **XII. The Plan will operate according to the following provisions:**

### **A. Employer Responsibilities**

1. The Employer will submit all VantageCare Retirement Health Savings Plan contribution data via electronic submission.
2. The Employer will submit all VantageCare Retirement Health Savings Plan Participant status updates or personal information updates via electronic submission. This includes but is not limited to termination notification and benefit eligibility notification.

**B.** Participant account administration and asset-based fees will be paid through the redemption of Participant account shares, unless agreed upon otherwise in the Administrative Services Agreement.

**C.** Assignment of benefits is not permitted. Benefits will be paid only to the Participant, his/her Survivors, the Employer, or an insurance provider (as allowed by the claims administrator). Payments to a third-party payee (e.g., medical service provider) are not permitted with the exception of reimbursement to the Employer or insurance provider (as allowed by the claims administrator).

**D.** An eligible dependent is (a) the Participant's lawful spouse, (b) the Participant's child under the age of 27, as defined by IRC Section 152(f)(1) and Internal Revenue Service Notice 2010-38, or (c) any other individual who is a person described in IRC Section 152(a), as clarified by Internal Revenue Service Notice 2004-79.

**E.** The Employer will be responsible for withholding, reporting and remitting any applicable taxes for payments which are deemed to be discriminatory under IRC Section 105(h), as outlined in the VantageCare Retirement Health Savings Plan Employer Manual.

**XIII. Employer Acknowledgements**

A. The Employer hereby acknowledges it understands that failure to properly fill out this Employer VantageCare Retirement Health Savings Plan Adoption Agreement may result in the loss of tax exemption of the Trust and/or loss of tax-deferred status for Employer contributions.

B. Check this box if you are including supporting documents that include plan provisions.

**EMPLOYER SIGNATURE**

By: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_

Accepted: VANTAGEPOINT TRANSFER AGENTS, LLC

By: Gregory C. Montez Date: \_\_\_\_\_  
Assistant Secretary

**RESOLUTION AUTHORIZING AND APPROVING SALARY ADJUSTMENTS FOR  
NON-REPRESENTED CITY EMPLOYEES**

**WHEREAS**, on August 20, 2012, the City of Beloit awarded a contract to McGrath Consulting Group, Inc. for the purpose of conducting a comprehensive position classification, compensation study and pay plan for all of the City's non-represented employees; and

**WHEREAS**, the study being prepared by McGrath, while in its final stages was not completed in time to implement the full salary adjustments by the start of 2013 and is not expected to be fully implemented prior to March 1, 2013; and

**WHEREAS**, the approved Budget for 2013 set aside an allocation in the General Fund totaling \$160,000 with corresponding amounts in other funds equaling 2.75% of payroll for the purpose of implementing the position classification, compensation study and pay plan plus providing an across the board increase for all of the City's non-represented employees; and

**WHEREAS**, the budget adoption resolution while it authorized the appropriation, did not authorize any salary adjustments related to across the board increases or merit adjustments for non-represented employees pending completion of the pay plan; and

**WHEREAS**, it has been determined that the estimated cost to implement the pay plan will be \$50,000 for all funds leaving a sum adequate for a 2.25% cost of living adjustment for employees; and

**WHEREAS** following consultation with the consultant, Human Resources recommends that this across the board increase along with warranted merit adjustments be authorized using the current salary schedules in effect for all non-represented employees effective January 1, 2013; and

**WHEREAS**, those changes in salary ranges will be incorporated into the new proposed pay plan prior to completion, with only the changes required to move employees that need adjustments to be made at the time of implementation, which is currently scheduled for March 1, 2013.

**THEREFORE, BE IT RESOLVED** that the City Manager is hereby authorized to implement a cost of living adjustment equal to 2.25% for all non-represented employees along with warranted merit increases, with implementation completed by adjusting the ranges for all current non-represented classifications by that amount effective January 1, 2013.

**THEREFORE BE IT FURTHER REOLVED** that having recently completed the annual evaluation for the City Manager, the City Council further authorizes the same 2.25% across the board increase to be effective for the City Manager on January 1, 2013 as well.

Dated at Beloit, Wisconsin, this 7<sup>th</sup> day of January, 2013.

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Charles M. Haynes  
City Council President

Attest:

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Rebecca S. Houseman  
City Clerk

# CITY OF BELOIT

## REPORTS AND PRESENTATIONS TO CITY COUNCIL

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**Topic:** Authorization and approval of salary adjustments for Non-represented City employees.

**Date:** January 7, 2013

**Presenter(s):** Larry Arft/Paul York

**Department:** Finance and Administrative  
Services / Human Resources

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### **Overview/Background Information:**

On August 20, 2013 the City of Beloit awarded a contract to McGrath Consulting Group, Inc. for the purpose of conducting a comprehensive position classification, compensation study plan and pay plan for the City's non-represented employees. The study is in its final stages and is not expected to be fully implemented prior to March 1, 2013. However, it has been determined that the cost to implement the pay plan will be approximately \$50,000 leaving a sum adequate for a 2.25% cost of living adjustment and warranted merit increases for non-represented employees to be effective January 1, 2013.

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### **Key Issues (maximum of 5):**

Authorize 2.25% cost of living adjustment and warranted merit increases for non-represented employees to be effective January 1, 2013.

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### **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 #1.

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

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

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

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### **Action required/Recommendation:**

- Approval authorizing salary adjustments and warranted merit increases for non-represented City employees.

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### **Fiscal Note/Budget Impact:**

The approved budget for 2013 set aside an allocation in the General Fund with corresponding amounts in other funds equaling 2.75% of payroll for the purpose of implementing the position classification, compensation study and pay plan plus providing an across the board increase for all of the City's non-represented employees. Therefore there is no budget impact.