



AGENDA
BELOIT CITY COUNCIL
100 State Street, Beloit WI 53511
City Hall Forum – 7:00 p.m.
Monday, March 18, 2013

1. CALL TO ORDER AND ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. SPECIAL ORDERS OF THE DAY/ANNOUNCEMENTS
4. PUBLIC HEARINGS
 - a. Proposed Ordinance amending the City of Beloit **Comprehensive Plan** for the properties located at 1500 and 1505 Gateway Boulevard from Mixed Residential use designation to the Business Park use designation (Christensen)
Plan Commission recommendation for approval 6-0
First Reading, suspend the rules for a Second Reading
 - b. Proposed Ordinance to amend various sections of the City of Beloit Municipal Code relating to the **Reorganization of the Community Development Department** (Christensen) Plan Commission recommendation for approval 5-0
First Reading, suspend the rules for a Second Reading
 - c. Proposed Resolution approving the **Vacation** of an Unnamed north-south alley in the block bound by North, Sixth, Olympian, and Fourth Streets in the City of Beloit, Rock County, Wisconsin (Christensen) Plan Commission recommendation for approval 5-0
 - d. Proposed Resolution approving a **Conditional Use Permit** to allow a self-service storage use in conjunction with the rental of trucks and trailers in a C-3, Community Commercial District, for the property located at 3022 Ford Street (Christensen)
Plan Commission recommendation for approval 3-2

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 March 4, 2013 (LeMire)
- b. Resolution approving a **Certified Survey Map** for the property located at 1650 Lee Lane (Christensen) Plan Commission recommendation for approval 5-0
- c. Resolution authorizing the Final Payment of **Public Works Contract C11-15**, Weiser Station (Flesch)

- d. Resolution awarding **Public Works Contract C13-03**, Portland Avenue Reconstruction (Flesch)
- e. Application for a **Conditional Use Permit** to allow indoor alcohol sales and limited vehicle service uses in a C-2, Neighborhood Commercial District, for the property located at 2240 Cranston Road, for a proposed Casey's General Store (Christensen) Refer to the Plan Commission
- f. Application for a **Certified Survey Map** for the property located at 2240 Cranston Road , for a proposed Casey's General Store (Christensen) Refer to the Plan Commission

7. LICENSES

- a. Consideration and action regarding the **Class "B" Beer and "Class B" Liquor License** for Thirsty Badger Bar & Grill, located at 2983 Prairie Avenue, Michael Draeving, Sr., Agent (LeMire)

8. ORDINANCES

- a. Second Reading of a proposed Ordinance to amend Section 15.06(1)(b) of the Code of General Ordinances of the City of Beloit as it relates to Alcohol in Parks to allow **Tailgating** in advance of Beloit Professional Baseball Association, Inc. Games (Ramsey)
- b. Proposed Ordinance to **Remove No-Parking Regulations** on Olympian Boulevard (Flesch) Traffic Review Committee Recommendation for approval 4-0 First Reading, suspend rules for Second Reading

9. APPOINTMENTS

10. COUNCILOR ACTIVITIES AND UPCOMING EVENTS

11. CITY MANAGER'S PRESENTATION

- a. City Manager's **Report to the Community** (Arft)

12. REPORTS FROM BOARD AND CITY OFFICERS

- a. Resolution authorizing the City Manager to apply for **Focus on Energy Grants** that Provide Energy Conservation (Walsh)
- b. Resolution approving the School Resource Officer Program **Agreement** (Jacobs)

13. ADJOURNMENT

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

Dated: March 13, 2013
Rebecca Houseman LeMire
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.

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE
CITY OF БЕЛОIT COMPREHENSIVE PLAN**

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

Section 1. The Future Land Use Map (Map 10) of the City of Beloit Comprehensive Plan, adopted in §12.015 of the Code of General Ordinances of the City of Beloit, is hereby amended as follows:

The future land use category of the following described land is hereby changed from Mixed Use Residential to Business Park:

LOT 5 OF GATEWAY BUSINESS PARK PLAT NUMBER 1, LOCATED IN THE CITY OF БЕЛОIT, ROCK COUNTY, WISCONSIN (ALSO KNOWN AS 1500 GATEWAY BOULEVARD, PARCEL NUMBER 22862000).

The future land use category of the following described land is hereby changed from Mixed Use Residential to Business Park:

LOT 7 OF GATEWAY BUSINESS PARK PLAT NUMBER 1, LOCATED IN THE CITY OF БЕЛОIT, ROCK COUNTY, WISCONSIN (ALSO KNOWN AS 1505 GATEWAY BOULEVARD, PARCEL NUMBER 22853000).

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

Adopted this _____ day of _____, 2013.

City Council of the City of Beloit

Charles M. Haynes, Council President

Attest:

Rebecca Houseman LeMire, City Clerk

Published this _____ day of _____, 2013.

Effective this _____ day of _____, 2013.

01-611100-5231-_____

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: Comprehensive Plan Amendments

Date: March 18, 2013

Presenter(s): Julie Christensen

Department(s): Community Development

Overview/Background Information:

Andrew Janke, on behalf of the Beloit Economic Development Corporation, has submitted an application requesting two amendments to the Future Land Use Map (Map 10) of the City of Beloit Comprehensive Plan. The history of the City's Comprehensive Plan, along with information on Wisconsin's Comprehensive Planning law, can be found in the attached Staff Report to the Plan Commission.

Key Issues (maximum of 5):

- The applicant is requesting the following amendments to the Future Land Use Map (Map 10) of the City's Comprehensive Plan:
 - 1500 Gateway Boulevard – From Mixed Residential to Business Park.
 - 1505 Gateway Boulevard – From Mixed Residential to Business Park
- The following table describes the status of the subject properties:

Property	Current Land Use	Zoning Class	Future Land Use	Proposed Future Land Use
1500 Gateway	Agricultural	R-3,Low Density Multi-Family Residential	Mixed Residential	Business Park
1505 Gateway	Agricultural	R-3,Low Density Multi-Family Residential	Mixed Residential	Business Park

- The properties that are the subject of this request are located in the Gateway Business Park. The applicant intends to market the subject properties as sites appropriate for manufacturing or commercial, however, manufacturing uses are not allowed in the R-3 District.
- If the requested amendments are approved, the applicant would be able to rezone the subject properties to M-1, Limited Manufacturing or M-2, General Manufacturing. The applicant has expressed interest in rezoning the subject properties to M-1, Limited Manufacturing, which would allow the applicant to engage in or lease space to businesses that operate *Manufacturing or Commercial* uses.
- The Plan Commission held a public hearing to consider the requested amendments on February 6, 2013, and voted unanimously (6-0) to adopt the attached Resolution, which recommends approval of the requested amendments to the Comprehensive Plan.

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

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

Sustainability:

- **Reduce dependence upon fossil fuels** – The proposed amendments may reduce dependence upon fossil fuels by increasing the likelihood of retail sales & service uses in close proximity to relatively dense housing and existing transportation routes.
- **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature** – N/A
- **Reduce dependence on activities that harm life sustaining eco-systems** – N/A
- **Meet the hierarchy of present and future human needs fairly and efficiently** – N/A

Action required/Recommendation:

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

Fiscal Note/Budget Impact: N/A

Attachments: Ordinance, Plan Commission Resolution, Public Notice, and Staff Report to the Plan Commission.

**RESOLUTION
RECOMMENDING APPROVAL OF AMENDMENTS TO THE
CITY OF БЕЛОIT COMPREHENSIVE PLAN**

WHEREAS, the Plan Commission of the City of Beloit recommended approval of the Comprehensive Plan of the City of Beloit (the Plan) on January 23, 2008, and the City Council of the City of Beloit approved an Ordinance adopting the Plan on March 17, 2008; and

WHEREAS, the Plan may be amended and changed in the years following adoption, particularly in instances where the Plan is becoming irrelevant or contradictory to emerging policies or trends, or does not provide specific advice or guidance on an emerging issue; and

WHEREAS, "Amendments" are generally defined as minor changes to the Plan's maps or text; and

WHEREAS, the City Council of the City of Beloit approved a Resolution to Adopt a Process for Amending the City of Beloit Comprehensive Plan on February 1, 2010; and

WHEREAS, the approved process directs the Plan Commission to hold a public meeting on the proposed amendments, and following said public meeting, make a recommendation by Resolution to the City Council by majority vote of the entire Commission.

NOW, THEREFORE, BE IT RESOLVED that the Plan Commission of the City of Beloit, Rock County, Wisconsin, hereby recommends approval of the following amendments to the Future Land Use Map (Map 10) of the City of Beloit Comprehensive Plan:


1. 1500 Gateway Boulevard (Parcel No. 22862000) – From Mixed Residential to Business Park.
2. 1505 Gateway Boulevard (Parcel No. 22853000) – From Mixed Residential to Business Park.

Adopted this 6th day of February, 2013.



Charles Ramsden, Plan Commission Chairman

ATTEST:



Julie Christensen,
Community Development Director



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

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NOTICE TO THE PUBLIC

February 7, 2013

To Whom It May Concern:

The City of Beloit Plan Commission has recommended approval of the following amendments to the Future Land Use Map (Map 10) of the City of Beloit Comprehensive Plan:

1. 1500 Gateway Boulevard – From Mixed Use Residential to Business Park
2. 1505 Gateway Boulevard – From Mixed Use Residential to Business Park

Information regarding the location, zoning, and land use of these properties is available for public review in the Planning & Building Services Division on the third floor of City Hall, 100 State Street.

The Plan Commission's recommendation will be reviewed by the City Council, which will hold the following public hearing regarding the proposed amendments:

City Council (Public Hearing): Monday, March 18, 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 THIS HEARING.

We are interested in your opinion.

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

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

CITY OF BELOIT

REPORT TO THE BELOIT CITY PLAN COMMISSION



Meeting Date: February 6, 2013

Agenda Item: 4

File Number: RPB-2013-04

Request Overview/Background Information:

Andrew Janke, on behalf of the Beloit Economic Development Corporation, has submitted an application requesting two amendments to the Future Land Use Map (Map 10) of the City of Beloit Comprehensive Plan.

Wisconsin's Comprehensive Planning Law, §66.1001 of the Wisconsin Statutes, was signed into law in 1999. This legislation is commonly known as Wisconsin's "smart growth" law, although the law does not prescribe or require a particular type of development pattern. The Comprehensive Planning law requires all cities, towns, and villages that regulate land use through land use ordinances (e.g. zoning) to adopt a Comprehensive Plan. Comprehensive Plans are intended to guide development and redevelopment over a 20-year timeframe. The law also requires that land use decisions be consistent with the adopted plan, a requirement that became effective in 2010.

The Beloit City Council approved the City's Comprehensive Plan in March 2008 after an extensive public participation program. All land use decisions made by the City of Beloit, including any actions regarding official mapping, local subdivision regulation, and zoning regulations, must be consistent with the plan. The Beloit City Council established a process for amendments (minor changes) to the Comprehensive Plan on February 1, 2010. The state law requires that the Plan be updated at least once every ten years. As opposed to an amendment, an update is often a substantial re-write of the entire document and maps.

This public meeting of the Plan Commission serves as the second step in the process to amend the Comprehensive Plan. If the Plan Commission votes to recommend approval of the proposed amendments, the attached Resolution will be forwarded to the City Council for consideration during the regularly scheduled meeting on March 18, 2013.

Key Issues:

- The applicant is requesting the following amendments to the Future Land Use Map (Map 10) of the City's Comprehensive Plan:
 - 1500 Gateway Boulevard – From Mixed Residential to Business Park.
 - 1505 Gateway Boulevard – From Mixed Residential to Business Park
 - The subject properties are vacant land, and are currently used for agricultural purposes. Lands surrounding the property at 1505 Gateway are currently used for agricultural purposes and are zoned for manufacturing. Moreover, the Town of Turtle bounds this property to the east. The property in the Town is also used for agricultural purposes. The same applies to the property at 1500 Gateway with the exception of the Gateway Apartments, which is located northeast of this property, and is zoned PUD, Planned Unit Development District.
 - The subject properties' current zoning district classifications of R-3, Low-Density Multifamily, are consistent with the Future Land Use Map. The R-3 District is intended to accommodate low-density multifamily and other low-density residential development.
 - The applicant intends to market the subject properties as sites appropriate for manufacturing, however, manufacturing uses are not allowed in the R-3 District.
 - Both properties were rezoned from M-2, General Manufacturing District to R-3, Low-Density Multifamily Residential District during 2005 when MLG owned the properties because there was a demand for land for multifamily residential in the general area (e.g. Gateway Apartments and Hawk's Ridge Apartments).
 - Since 2005, this demand in the area has subsided.
 - If the requested amendments are approved, the applicant will be able to rezone the subject properties to a manufacturing zoning district classification (M-1 or M-2), which is permitted by right in the Business Park future land use category. This will streamline the applicant's efforts to lease or sell the subject properties to an interested party.
 - Because of the significant frontage both properties have along Gateway Boulevard, the adjacent planned Business Park future land uses, and the Beloit Economic Development Corporation's mission, planning staff supports the proposed amendments.
 - A Location/Land Use/Zoning Map and the Future Land Use Map are attached to this report.
-

Consistency with Comprehensive Plan and Strategic Plan:

- The City's compliance with the Comprehensive Planning law's consistency requirement is the impetus for this request.
 - 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**

Staff Recommendation:

The Planning & Building Services Division recommends **approval** of the following proposed amendments to the Future Land Use Map (Map 10) of the City's Comprehensive Plan:

1. 1500 Gateway Boulevard – From Mixed Residential to Business Park.
2. 1505 Gateway Boulevard – From Mixed Residential to Business Park.

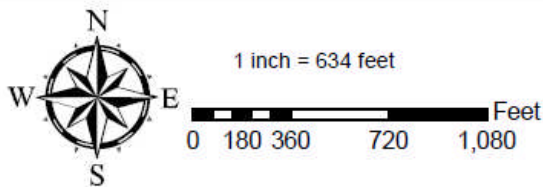
Fiscal Note/Budget Impact: N/A

Attachments: Location/Land Use/Zoning Map, Future Land Use Map, Public Notice, Mailing List, and Resolution.

Location, Land Use, & Zoning Map

1500 & 1505 Gateway Boulevard

RPB-2013-04

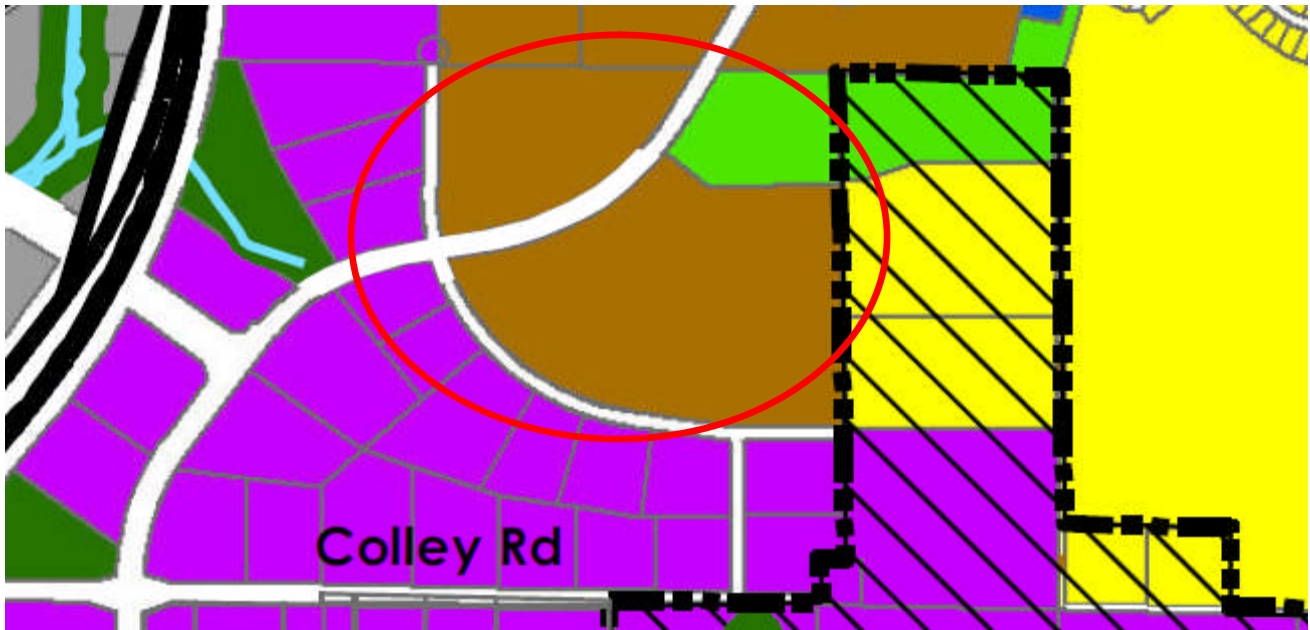


Legend	
	Zoning District
	City Limits
	COB Parcels

Map prepared by: Michael D. Lofton II
 Date: January 2013
 For: City of Beloit Planning & Building Services
 Date of Aerial Photography: March 2011

PLANNING & BUILDING SERVICES DIVISION

Map 10, Future Land Use (Narrowed to Subject Property)





City of
BELOIT, Wisconsin
Division of Planning and Building Services

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

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NOTICE TO THE PUBLIC

January 23, 2013

To Whom It May Concern:

Andrew Janke, on behalf of the Beloit Economic Development Corporation, has submitted an application requesting the following amendments to the Future Land Use Map (Map 10) of the City of Beloit Comprehensive Plan:

1. 1500 Gateway Boulevard – From Mixed Use Residential to Business Park
2. 1505 Gateway Boulevard – From Mixed Use Residential to Business Park

Information regarding the location, zoning, and land use of this property is available for public review in the Planning & Building Services Division on the third floor of City Hall, 100 State Street.

The following public meetings will be held regarding the proposed amendments:

City Plan Commission: Wednesday, February 6, 2013, 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 (Public Hearing): Monday, March 18, 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 MEETINGS.

We are interested in your opinion.

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

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

Karry DeVault, Clerk
Town of Beloit
2871 S. Afton Rd.,
Beloit 53511

Frank Management Inc.
2501 Morse Street
Janesville, WI 53545

Janelle Marotz
School District of Beloit
1633 Keeler Avenue
Beloit, WI 53511

Deb Bennett, Clerk
Town of Turtle
6916 S. County Rd. J.
Beloit, WI 53511

Paul Benjamin
Rock County Planning
Rock County Courthouse, Room 266
51 South Main Street,
Janesville, WI 53545

Dr. Dennis McCarthy
Beloit-Turner School District
1237 Inman Parkway
Beloit, WI 53511

City Clerk
City of South Beloit
519 Blackhawk Blvd. Suite 2
South Beloit, IL 61080

Dr. Pamela Kiefert, Superintendent
Clinton Community School District
112 Milwaukee Road
Clinton, WI 53525

Kristi Howe
Beloit Public Library
605 Eclipse Boulevard
Beloit, WI 53511

Peter Herreid, Grant Administrator
Department of Administration
101 E. Wilson Street, 10th Floor
Madison, WI 53702-0001

Brad Austin
Corporate Contractors Inc.
655 3rd Street, Suite 300
Beloit, WI 53511

CITY OF БЕЛОIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: Ordinance Amendment Relating to the Reorganization of the Community Development Department

Date: March 18, 2013

Presenters: Julie Christensen

Department: Community Development

Overview/Background Information:

In February, 2012, the City's Community Development Department was reorganized. Prior to this reorganization, the Community Development Department included the Beloit Housing Authority, the Division of Neighborhood Planning, and the Division of Housing Services. Following the reorganization, the Community Development Department consisted of the Beloit Housing Authority, the Division of Planning and Building Services, and the Division of Community and Housing Services.

Key Issues (maximum of 5):

- As a result of the reorganization of the Community Development Department, the titles of Director of Neighborhood Planning and Director of Housing Services had to be removed from the City's ordinances. The new titles of Director of Planning and Building Services and Director of Community and Housing Services had to be added to these same sections. These Division titles are included in various places throughout the City Ordinances.
 - Additionally, there were also a few references to other old job titles that needed to be updated to reflect the new job titles.
 - Section 1.50(3) was modified to reflect all the departments that are provided prosecutorial services from the Deputy City Attorney.
 - Section 1.54 was amended to reflect the actual duties and responsibilities of the three divisions contained within the Community Development Department.
 - Chapter 25 of the Code of General Ordinances that identifies who is authorized to issue municipal citations of City Ordinances was updated to include current titles of employees.
 - This ordinance amendment includes modifications to the Zoning Ordinance and Subdivision Ordinance which requires Plan Commission review and consideration and public hearings before both the Plan Commission and the City Council.
 - A public notice was published in the Beloit Daily News, notifying the public of this ordinance amendment and the dates of the public hearings.
 - The Plan Commission held a public hearing on this ordinance on May 6, 2013 and voted unanimously (5-0) to recommend approval of this Zoning Text Amendment.
-

Conformance to Strategic Plan:

- Consideration of this request supports Strategic Goal #5.
-

Sustainability:

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

Action required/Recommendation:

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

Fiscal Note/Budget Impact: N/A

Attachments: Proposed Ordinance and Public Notice

PUBLIC NOTICE

The City of Beloit has initiated amendments to various sections of the Code of General Ordinances of the City of Beloit pertaining to reorganization of the Department of Community Development. These amendments include the addition of new job titles and deletion of outdated job titles. The following public hearings will be held regarding the proposed amendment: **City Plan Commission**: Wednesday, March 6, 2013; and **City Council**: Monday, March 18, 2013, both at 7:00 PM, or as soon thereafter as the matter can be heard, in The Forum, Beloit City Hall, 100 State Street, Beloit, Wisconsin. The public is invited to attend these meetings. We are interested in your opinion. For additional information, contact Julie Christensen in the Community Development Department at (608) 364-6703.

Rebecca S. Houseman, City Clerk

#01-611100-5231-29

Published: February 23, 2013

Published: March 2, 2013

ORDINANCE NO. _____

AN ORDINANCE TO AMEND VARIOUS SECTIONS OF THE CODE OF GENERAL ORDINANCES OF THE CITY OF БЕЛОIT PERTAINING TO REORGANIZATION OF THE DEPARTMENT OF COMMUNITY DEVELOPMENT.

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

Section 1. Section 1.35(2) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(2) DUTIES. ~~The Electrical Inspector~~He shall serve under the direction of the Director of ~~Planning and Building Housing~~Services and perform such functions as are contained in this Municipal Code and such other duties as may from time to time be directed ~~to~~ ~~him~~by the Director of ~~Planning and Building Housing~~Services.”

Section 2. Section 1.36 of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“1.36 WEED COMMISSIONER. The Director of ~~Community and~~Housing Services shall serve as Weed Commissioner and fulfill the duties of such office as directed in §§66.0407 and 66.0517, Wis. Stats., and §7.235 of the Code of General Ordinances of the City of Beloit.”

Section 3. Section 1.50(3) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(3) ORGANIZATION AND DIVISIONS. The City Attorney's Office shall include the City Attorney, who shall serve as director of legal services, and ~~a~~~~Deputy City Attorney or~~ Assistant City Attorney, who shall also serve as City Prosecutor. The Department will have the following divisions:

(a) Legal Services. All general legal services of the City shall be provided by, or coordinated through, this Department, which shall be headed by the City Attorney. This Department will oversee not only legal services provided directly by the Department, but also will coordinate with outside counsel, including those contracted directly by the City, or by various insurance companies providing liability and casualty coverage for the City.

(b) ~~Prosecutorial Services~~. Under the direction of the ~~Deputy City Attorney or~~ Assistant City Attorney, this Department will provide all prosecutorial services required in support of the City's various enforcement activities, specifically to include Police Department, ~~Department of Community Development,~~ ~~Department of Public Works~~ ~~Division of Housing Services,~~ and Fire Department ~~operations~~, as well as other prosecutorial activities as required.”

Section 4. Section 1.54(3) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(3) ORGANIZATIONS ~~AND SECTIONS~~. The Department of Community Development shall include the following ~~divisions~~sections which are established to ensure the proper administration of all functions assigned to the Department:

(a) Community and Housing Services Division. This division shall be under control of the Director of Community and Housing Services. The Director of Community and Housing Services shall report to the Community Development Director and shall be responsible for the following activities:

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1. Neighborhood ~~Preservation~~Planning and Development. This division ~~shall be under control of a Division Head, and~~ shall be responsible for all neighborhood ~~planning and~~ preservation and development activities, including the Neighborhood Stabilization Program, Development Initiative~~the Housing Assistance p~~Program, as well as other activities associated with the City's neighborhood preservation efforts.

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2. Housing ~~Inspection~~ and Code Enforcement ~~Activities~~. ~~This~~ is ~~the~~ division shall be responsible for the enforcement and administration of overseeing all the code enforcement activities of the City, including plan review, and the City's Property Maintenance Code Enforcement Program and the Rental Dwelling Unit Permit Program. This division shall also work collaboratively with the Fire Department to conduct multi-family residential fire inspections. Further, this division will also coordinate the housing assistance program funded under the Community Development Block Grant program and assist with various elements of the Community Development Initiatives Program.

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3. Grants Administration~~Community Development Block Grant (CDBG) Program~~. This division ~~shall will~~ be responsible for the administration, allocation, and use of funding received through the Community Development Block Grant (CDBG) Program and the HOME Investment Partnership (HOME) Program~~funds received by the City each year~~

4. Fair Housing Enforcement and Administration. This division shall be responsible for fair housing activities as well as providing staff support and otherwise assisting the Equal Opportunities and Human Relations Commission in performing its powers and duties."

(b) Planning and Building Services Division. This division shall be under the control of the Director of Planning and Building Services. The Director of Planning and Building Services shall report to the Community Development Director and shall be responsible for the following activities:

1. City and Regional Planning. This division shall be responsible for the overall general planning throughout the City as well as regional planning activities. This division shall have direct responsibility for enforcement and administration of the City's zoning and subdivision regulations, site plan review, comprehensive plan updates and coordination with other departments and divisions as necessary to ensure the enforcement of all land use related regulations.

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2. Building Services. This division shall be responsible for the administration and enforcement of state and local building, heating and air conditioning, plumbing and electrical regulations.

3. Landmarks Commission/Historic Preservation. This division ~~will be headed by the Department Director and will~~ shall be responsible for ~~H~~historic ~~P~~reservation activities as well as ~~providing~~ staff support ~~and otherwise assisting to the City's~~ Landmarks Commission in performing its powers and duties.

(c) Housing Authority Division. This division shall be under the control of ~~a division head who shall be known as the~~ ~~d~~Director of the ~~h~~Housing ~~a~~Authority. The ~~d~~Director of the ~~h~~Housing ~~a~~Authority shall report to the Community Development Director and shall be responsible for providing staff support and otherwise assisting the Community Development Authority in performing its powers and duties ~~as a housing authority~~. The ~~d~~Director of the ~~h~~Housing ~~a~~Authority shall also perform such other duties as may be assigned by the Community Development Director, City Manager or the Community Development Authority."

Section 5. Section 1.77(8) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

"(8) OFFICERS AND DUTIES. The board shall elect a chair a vice chair and second vice chair annually at the board's first meeting in June. The board shall submit the chair's name to the City Clerk immediately after selection. The chair shall preside over all meetings of the board. The vice chair shall preside over the meetings in the chair's absence and the second vice chair shall preside in the absence of both the chair and vice chair. In the absence of the chair, vice chair and second vice chair, a president pro tem shall be chosen from those present and shall preside. The presiding officer may compel the attendance of witnesses and administer oaths. The ~~Director of Neighborhood Planning and Planning and Building Services Division~~the Division of Neighborhood Planning shall provide staff support services to the board, including secretarial services. The secretary shall record the minutes of each meeting, showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the ~~Department of Community Development~~office of the Division of Housing Services. The secretary shall transmit a written copy of the minutes and records of the board to the City Clerk. The City Clerk shall be the custodian of the records of the board."

Section 6. Section 7.05(1) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(1) ENFORCEMENT OFFICER. The Director of [Community and Housing Services](#) and his/[her](#) authorized representatives shall enforce the provisions of this code. The Director of [Community and Housing Services](#) and his/[her](#) authorized representatives are hereafter referred to as "building officials." City police officers may also enforce this code in accordance with the procedures set forth herein.”

Section 7. Section 7.06(2)(c)1 of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“1. Under a systematic cyclical schedule devised by the [Director of Community and Housing Services and Code Enforcement Division](#); and/or”

Section 8. Section 7.11(2) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(2) SERVICE OF ORDERS.

(a) Orders to correct violations shall be served upon the owner of record by first class mail at the address listed with the Director of [Community and Housing Services](#) or by delivering the order to ~~the owner~~[him](#) personally. When the owner of record does not have an address listed with the Director of [Community and Housing Services](#)' office, the order may be served:

1. By delivering the order to the owner personally; or
2. By first class mail addressed to the owner at ~~his~~[the](#) last known address as shown on the most recent property tax bill for the property affected by the order; or
3. By posting the order in a conspicuous place on the exterior of the structure affected by the order.”

Section 9. Section 7.13(1) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(1) ENFORCEMENT. The Chief of Police and the Director of [Community and Housing Services](#) shall enforce ~~these~~ provisions of this section that come within the jurisdiction of ~~their~~[his/her](#) offices, and they, or their designees, shall make periodic inspections, and inspections upon complaint, to ensure that such provisions are not violated. No action shall be taken under this section to abate a public nuisance unless the officer, or his/[her](#) designee, shall have inspected, or caused to be inspected, the premises where the nuisance is alleged to exist and shall have satisfied himself/[herself](#) that a nuisance does in fact exist. See §7.245(4) of this chapter relating to the abatement of public nuisances by boarding up of windows and door openings.”

Section 10. Sections 7.18(1)(c) and (d) of the Code of General Ordinances of the City of Beloit are hereby amended to read as follows:

“(1) Whoever does any of the following may be required to pay a forfeiture as provided below:

(a) Violates any provision of this chapter.

- (b) Fails to comply with a lawful order of a building official to correct a violation of this chapter.
- (c) Builds any structure in a manner inconsistent with the detailed statement of specifications or plans submitted to any division within the Department of Community Development, Housing and Code Enforcement Division and approved thereby.
- (d) Builds a structure in a manner inconsistent with any certificate or permit issued by any division within the Department of Community Development, Housing and Code Enforcement Division.

Section 11. Section 7.21(2) of the Code of General Ordinances of the City of Beloit insofar as it pertains to the definition of "building official" is hereby amended to read as follows:

"Building Official. The Director of Community and Housing Services and his/her authorized representatives."

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Section 12. Section 7.23(11)(a) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

"(a) Every accumulation or storage of logs, firewood, cut lumber, cut timber, etc. shall be neatly stacked and stored. If there is evidence of rodent infestation, the Director of Community and Housing Services shall have authority to order the property owner to raise the wood off the ground."

Section 13. Sections 7.24(12)(a)4 and 6 of the Code of General Ordinances of the City of Beloit are hereby amended to read as follows:

"4. *Notification of Violation.* Whenever the Division of Community and Housing Services Division determines that graffiti on any building or structure within the city is visible from the street or from other public or private property, the Division of Community and Housing Services Division shall issue an order to the owner of the property to abate the graffiti in a timely manner. Such order shall be issued in compliance with the requirements of §§7.10 to 7.12 of this chapter."

"6. *Failure to Comply.* If the property owner fails to comply with the order to abate the graffiti, the Division of Community and Housing Services Division may cause the graffiti to be abated either by city employees or by independent contractor. The city and the independent contractor are expressly authorized to enter upon the property and abate the graffiti upon exterior walls, fences, billboards and other structures abutting public streets, property or right of way. The city or private contractor will take all reasonable precautions to avoid causing damage to the property where the graffiti is abated. Any paint used to obliterate graffiti shall be as close as practicable to the background color or colors in the area where the graffiti is abated. The cost of abating the graffiti shall, pursuant to §66.0627, Wis. Stats., shall be imposed as a special charge against the real property for the cost of the services provided. If the special charge is not paid within 30 days, the special charge shall be deemed delinquent. A delinquent special charge shall be a lien against the property as of the date of delinquency. The delinquent special charge shall be included in the current or next tax roll for collection and settlement under Ch. 74, Wis. Stats."

Section 14. Section 7.24(12)(b)3 of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

"3. Graffiti on solid waste containers shall be removed within 3 working days following notification by the ~~Division of Community~~ Housing Services ~~Division~~ or within 3 working days of the last time the container is emptied, irrespective of any plan submitted under paragraph (b)."

Section 15. Section 7.243(2) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

"(2) BARN AND STABLES. In all places in the City where livestock is permitted to be kept, the premises where such animals are kept shall be maintained in a sanitary and clean condition at all times, which condition shall meet the approval of the Director of ~~Community and~~ Housing Services. The manure from such animals shall be daily removed from the coops, stalls or pens where such animals are kept and placed in flytight and waterproof barrels or boxes made either of cement or metallic construction which can be thoroughly washed and cleaned. Between April 15 and October 15, such receptacles for containing manure shall be entirely emptied at least once a week and shall be emptied at least once a month during the rest of the year. Such manure shall be removed from the City. No manure shall be left in any street, alley or open area or lot in the inhabited section of the City. However, manure may be used as fertilizer on lawns or gardens within the City when properly applied."

Section 16. Section 8.01(2) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

"(2) The position of Plumbing Inspector is hereby established. The Plumbing Inspector shall be certified by the State of Wisconsin as a commercial Plumbing Inspector who, under the direction of the Director of ~~Planning and Building~~ ~~Housing Services~~, shall be responsible for enforcement of this chapter, Chapter 26, Chapter 27 and the City's Water Utility Rules approved by the PSC. The Plumbing Inspector shall also be responsible for inspection of plumbing and other facilities as provided in §8.09 below."

Section 17. Section 8.07(1) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

"(1) APPLICATION FOR PLUMBING PERMIT. Any person desiring to do plumbing work in the City of Beloit shall file an application for a plumbing permit with the ~~Planning and Building Services Division~~ ~~Housing and Code Enforcement Division of the City of Beloit~~ before starting any work. The permit application shall be made on forms provided by the ~~Planning and Building Services Division~~ ~~Housing and Code Enforcement Division~~. No person may obtain a plumbing permit unless the permit application is completely and legibly filled out by a person holding a valid Wisconsin master plumber's license or by a person who is the owner and occupant of a single-family residence where plumbing work will be performed. The application shall bear the applicant's signature, and in the case of a master plumber, his or her license number. The ~~Planning and Building Services Division~~ ~~Housing and Code Enforcement Division~~ shall issue a plumbing permit to an

applicant who complies with all requirements imposed by this section and other applicable provisions of this chapter.”

Section 18. Section 8.09(1)(d) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(d) Such other duties as may be assigned by the Director of Planning and Building Housing Services.”

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Section 19. Sections 8.09(2) and (3) of the Code of General Ordinances of the City of Beloit are hereby amended to read as follows:

“(2) NOTIFICATION FOR INSPECTION. The plumber or owner/occupant to whom the permit has been issued, or his/her agent, shall notify the Planning and Building Services Division Housing and Code Enforcement Division in the manner prescribed by §COMM §SPS 382.21(1), Wis. Adm. Code, when the work is ready for inspection and shall specify the street address and permit number under which the work is being done. Unless otherwise permitted by the Plumbing Inspector, all plumbing work shall be left uncovered until inspected and approved. The person making the request for inspection shall make such arrangements as will enable the Plumbing Inspector to reach all parts of the building and shall provide the equipment and labor for making tests of the system.

(3) FINAL INSPECTION. The plumber to whom the permit is issued, or his/her agent, shall notify the Planning and Building Services Division Housing and Code Enforcement Division when the work is completed and ready for final inspection. The person making the request for final inspection shall make arrangements for entry into all parts of the building where the inspection is to be performed.”

Section 20. Section 8.10(2) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(2) INFORMATION REQUIRED. The plumber making any opening into or connection with the City's sewer or water utility shall provide the Plumbing Inspector with all pertinent data concerning the work, including the location, size, depth, material and date of the work. The Plumbing Inspector shall keep a record of such information in the offices of the Planning and Building Services Division Housing and Code Enforcement Division.”

Section 21. Section 8.20(4)(a) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(a) Orders to Correct Plumbing Violations. Orders to correct plumbing violations shall be served upon the owner of record by first class mail at the address listed with the Director of Planning and Building Housing Services or by delivering the order to the owner personally. When the owner of record does not have an address listed with the Director of Planning and Building Services Housing Services' office, the order may be served:

1. By delivering the order to the owner personally; or

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2. By first class mail addressed to the owner at ~~his~~the last known address as shown on the most recent property tax bill for the property affected by the order; or
3. By posting the order in a conspicuous place on the exterior of the structure affected by the order.

If an order is served by first class mail, the person serving the order shall execute an affidavit which should include the following:

1. The date upon which the order was mailed.
2. An allegation that the envelope was postpaid.
3. The name of the person to whom the envelope was addressed.
4. The address on the envelope.
5. That the order was enclosed within the envelope.”

Section 22. Section 9.06(2)(c)2 of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“2. The ~~Division of Planning and Building~~ ~~Housing~~ Services ~~Division~~ may approve any change in use of an existing building or structure, even though the building is not made to fully conform to the requirements of this chapter, when it is obvious that the change of use will not extend or increase any nonconformity or hazard.”

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Section 23. Section 9.06(2)(d) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(d) The ~~Division of Housing~~ ~~Planning and Building~~ Services ~~Division~~ may require that an existing building be made to conform to the requirements of this chapter regulating the number, location, lighting, widths, heights and means of exiting where, in its judgment, a hazard to the occupants, users, owners or the public exists.”

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Section 24. Section 9.07 of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“9.07 AUTHORITY.

The Director of ~~Housing~~ ~~Planning and Building~~ Services is hereby authorized and directed to administer and enforce all of the provisions of this chapter. The Director of ~~Planning and Building~~ ~~Housing~~ Services shall serve as the Building Inspector referred to in §1.34 of this Municipal Code and shall have such rights and powers ascribed to the Building Inspector in §1.34 of this Municipal Code.”

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Section 25. Section 9.11(1) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(1) Wherever any work is being done contrary to the provisions of this chapter or before having obtained a permit authorized by the ~~Division of Housing~~ ~~Planning and Building~~ Services ~~Division~~, the ~~Planning and Building~~ ~~Services~~ ~~Division~~ ~~of Housing~~ ~~Services~~ may order the work stopped by notice in writing served upon the permittee or his/~~her~~ agent or any contractor engaged in doing the work or causing such work to be done, or by

posting such stop order in a conspicuous place on the premises and any person shall stop such work until authorized by the [Planning and Building Services](#) Division ~~of Housing Services~~ to proceed with the work.”

Section 26. Section 9.12(1)(a) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(a) A permit shall be obtained before beginning construction, alteration, repair, improvement, demolition or moving any building or structure, including mobile homes, using application forms prescribed and furnished by the [Planning and Building](#) ~~Division of Housing Services~~ [Division](#).”

Section 27. Section 9.12(4) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(4) WEATHER RESISTANT CARD. The ~~Division of Housing~~ [Planning and Building](#) ~~Services~~ [Division](#) shall issue, with each permit, a weather resistant card which shall be posted in a conspicuous place on the front of the building or structure where the work is being done. Such card shall be placed not more than 15 feet above adjacent grade, shall be unobstructed from public view and shall remain in place during the entire period of the work. All police officers shall, at once, report to the [Planning and Building](#) ~~Division of Housing~~ [Services](#) [Division](#) any work which is being carried on without a permit.”

Section 28. Section 9.12(6) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(6) REVOCATION. If the ~~Planning and Building~~ [Division of Housing](#) ~~Services~~ [Division](#) shall find, at any time, that any of the ordinances of the City or the plans and specifications are not being complied with, the permit may be revoked by written notice to the owner or agent, or by posting a notice in a conspicuous place at the work site.”

Section 29. Section 9.12(7) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(7) REISSUANCE. If any such permit is revoked, no further work shall be done until the permit is reissued, excepting such work the [Planning and Building](#) ~~Division of Housing~~ [Services](#) [Division](#) may order done as a condition precedent to the reinstatement of the permit.”

Section 30. Section 9.13(2) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(2) Applications for permits other than for original construction of one- and 2-family dwellings shall be made upon a form prescribed by the [Planning and Building](#) ~~Services~~ [Division](#) ~~of Housing Services~~ and shall be signed by the owner or agent representing the owner. Each application, when deemed necessary by the [Planning and Building](#) ~~Services~~ [Division](#) ~~of Housing Services~~, shall be accompanied by plans drawn of sufficient clarity to indicate the nature and extent of the proposed work and shall include a plot plan

showing locations of existing and proposed buildings, property lines, adjacent grades, drainage facilities, easement, north arrow, street address and legal description. An application for permit to construct a wireless communication tower or equipment facility shall not be issued unless all of the requirements of §22.04 of the City ordinances have been met.”

Section 31. Section 9.14(2) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(2) For construction other than regulated by subsection (1) above, the [Planning and Building Services](#) Division ~~of Housing Services~~ shall, upon notification from the contractor or his/~~her~~ agent, make or cause to be made the following inspections and shall either approve that portion of the construction as completed or shall notify the permit holder or his/~~her~~ agent wherein the same fails to comply with this chapter.”

Section 32. Section 9.14(2)(a) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(a) *Footing Inspection.* Footings shall be inspected after completion of excavation and all shoring and reinforcing is in place and prior to the placing of concrete. No concrete shall be placed until authorized by the [Planning and Building Services](#) Division ~~of Housing Services~~ or 3 work hours have elapsed after notification that the work is ready for inspection.”

Section 33. Section 9.14(2)(e) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(e) *Final.* Upon completion of all of the work to be done, but prior to occupancy, the [Planning and Building Services](#) Division ~~of Housing Services~~ shall make, or cause to be made, a final inspection to determine compliance with code and all other applicable regulations. If no violations of this chapter or other applicable regulations are found, the [Planning and Building Services](#) Division ~~of Housing Services~~ shall issue a certificate of occupancy stating the purpose for which the building is to be used, the maximum load and the maximum number of people who may be accommodated on each floor.”

Section 34. Section 9.15(1) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(1) No building or part thereof shall be occupied until the [Planning and Building Services](#) Division ~~of Housing Services~~ has issued a certificate of occupancy certifying that no violation of this chapter or any other applicable regulation exists, nor shall any building be occupied in any manner conflicting with the conditions set forth in the certificate of occupancy.”

Section 35. Section 9.15(3) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(3) The [Planning and Building Services](#) Division ~~of Housing Services~~ may permit the occupancy of buildings, or part thereof, prior to completion where, in its judgment and discretion, a particular hardship exists. Such permission shall be in writing and may not be issued until the [Planning and Building Services](#) Division ~~of Housing Services~~ has inspected the building, or parts thereof, to be occupied and determined that there are no deficiencies that would be hazardous to the health, safety or welfare of the occupants. Such written permission shall state a time definite by which all required work shall be completed. Failure to complete the work during the time required or violations in such work, will cause the owner to be subject to penalties as provided in §25.04 of this Municipal Code and possible vacation of the building.”

Section 36. Section 9.16(2) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(2) The Director of [Planning and Building](#)~~Housing~~ Services and his/~~her~~ authorized representative is empowered to act for the City under §66.0413, Wis. Stats., relating to condemnation and razing of buildings.”

Section 37. Section 9.19 of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“9.19 ROOF DRAINAGE

All water shall be conveyed from buildings so as to prevent dampness in walls, floors and ceilings of all stories, including attics and basements. Water shall not be allowed to fall or flow upon any sidewalk. Where such condition exists in any existing structure, provisions shall be made to carry the water under the sidewalk to the gutter or storm sewer and such changes shall be made within 30 days after the owner of the premises has been notified by the [Planning and Building Services](#) Division ~~of Housing Services~~ to make such changes. If the owner fails to make such changes, the [Planning and Building Services](#) Division ~~of Housing Services~~ may order the work done and the costs thereof shall be assessed and collected as a special tax against the property.”

Section 38. Section 9.20(1) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(1) The provisions of this chapter are not intended to prevent the use of any material or method of construction not specifically prescribed by this chapter, provided such alternate has been approved. The [Planning and Building Services](#) Division ~~of Housing Services~~ may approve any such alternate provided it finds that the proposed design is satisfactory and complies with accepted design criteria. The [Planning and Building Services](#) Division ~~of Housing Services~~ may require evidence or proof be submitted to substantiate any claims that may be made regarding its use.”

Section 39. Section 9.23(2) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(2) TEMPORARY ENCROACHMENTS. Subject to the approval of the [Planning and Building Services](#) Division ~~of Housing Services~~, sidewalk sheds, underpinning and other protective

guards and devices may project beyond street right-of-way lines where required to insure the safety of adjoining property and the public.”

Section 40. Section 9.23(4) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(4) UNSAFE EQUIPMENT. Whenever any doubt arises as to the structural quality or strength of scaffolding plank or construction equipment such material shall be replaced, provided the [Planning and Building Services](#) Division ~~of Housing Services~~ may accept a strength test to 2½ times the super-imposed live load to which the structural member is to be subjected. The use of suspect scaffolding or construction equipment shall be prohibited until tested or replaced.”

Section 41. Section 9.23(5) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(5) UNSAFE CONDITIONS. Where any unsafe or illegal condition exists, the [Planning and Building Services](#) Division ~~of Housing Services~~ shall notify the owner and direct him/~~her~~ to take necessary action to remove the hazard or violation. Unless the owner shall take action to comply with the orders within 24 hours the [Planning and Building Services](#) Division ~~of Housing Services~~ shall have full power to correct the unsafe conditions and the expenses incurred shall be assessed and collected as a special tax upon the property.”

Section 42. Section 9.23(6)(d) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(d) Wherever a party wall is exposed the owner of the new or altered property shall preserve the party wall from damage and support it at his/~~her~~ own expense. The wall shall be made weatherproof and structurally safe by adequate bracing until such time as permanent structural supports have been provided. Beam holes in party walls, exposed as a result of the work, shall be bricked up and wall anchors bent over at beam ends at the expense of the owner of the building or structure under work. No party wall balcony or horizontal exit shall be destroyed or rendered useless until a substitute means of egress has been approved by the [Planning and Building Services](#) Division ~~of Housing Services~~.”

Section 43. Section 9.23(7)(b) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(b) *Fences.* Every construction operation located 5 feet or less from a street right-of-way line shall be enclosed with a fence not less than 8 feet in height. When located more than 5 feet from the street right-of-way line, a fence or other barrier shall be erected when required by the [Planning and Building Services](#) Division ~~of Housing Services~~. All fences shall be adequate in strength to withstand high winds.”

Section 44. Section 9.23(7)(c) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(c) Sidewalk Bridges. Whenever ground is excavated under a sidewalk, a sidewalk bridge shall be constructed not less than 4 feet wide, or a protected walkway of equal width shall be erected in the street, providing the [Planning and Building Services](#) Division ~~of Housing Services~~ has authorized the street occupancy.”

Section 45. Section 9.23(8)(b)4 of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“4. If the person who causes the work to be done has reason to believe that an adjoining building or structure is unsafe, he/she shall forthwith notify the [Planning and Building Services](#) Division ~~of Housing Services~~ in writing. The [Planning and Building Services](#) Division ~~of Housing Services~~ shall inspect such premises, and if the structure is found to be unsafe, the [inspector](#) shall order it repaired or razed.”

Section 46. Section 9.23(15)(a) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(a) Temporary Heating. Whenever salamanders or other heating devices are used for temporary heating, all regulations as to maximum temperature, distance from combustible materials, spark arrestors, removal of noxious gases and other requirements of the [Planning and Building Services](#) Division ~~of Housing Services~~ shall be fully observed. When the source of heat consists of salamanders or other open flame devices, temporary canvas enclosures shall be flame and fire retardant.”

Section 47. Section 9.25(2)(a) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(a) Required. Before a permit to move, demolish or reduce the size of a building is granted, the party applying for the permit shall file with the [Planning and Building Services](#) Division ~~of Housing Services~~ liability insurance and surety bonds as set forth below.”

Section 48. Section 9.25(2)(e) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(e) Additional Coverage. Where the [Planning and Building Services](#) Division ~~of Housing Services~~, City Engineer or City Attorney shall determine that the amounts of coverage provided in this section are insufficient, they may require additional coverage in amounts reasonable to protect public and private property.”

Section 49. Section 9.25(4)(b) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(b) Route. Every application to move a building or structure shall set forth, in detail, a description of the building proposed to be moved and the route to be followed in moving the building. No permit shall be issued until the [Planning and Building Services](#) Division ~~of Housing Services~~ and City Engineer have approved the route to be followed, in writing. Where the [Planning and Building Services](#) Division ~~of Housing Services~~ or City

Engineer shall determine that the size of the building will cause damage to trees, streets, highways or other property, the permit may be conditioned upon a reduction in the size of the building prior to the moving of the building.”

Section 50. Section 9.25(4)(c) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(c) *Time of Moving.* The moving of buildings or structures along streets or alleys shall be done during daylight hours and shall continue during that period without interruption. No building shall be allowed to remain overnight on any street, highway or bridge. Where the [Planning and Building Services](#) Division ~~of Housing Services~~ shall determine that the moving will interfere with the orderly movement of traffic along busy streets ~~the Division~~ may require that the moving be done during the night time as well as during daylight, or that the entire operation be conducted during the night time.”

Section 51. Section 9.25(4)(f) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(f) *Completion.* The [Planning and Building Services](#) Division ~~of Housing Services~~ shall be notified when the building has reached its destination, or has been removed from the City limits. Such notification shall be given within 24 hours and shall cause the [Planning and Building Services](#) Division ~~of Housing Services~~ to survey the route taken to determine any damage.”

Section 52. Section 9.26(9) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(9) INSPECTIONS. Public swimming pools shall be periodically inspected by the Health Department to determine compliance with ordinances regarding health, sanitation and safety, whether under this chapter or other applicable codes, ordinances, statutes or regulations. The provisions of this section shall not be deemed to prevent enforcement of the provisions of this section of the chapter by the [Planning and Building Services](#) Division ~~of Housing Services~~. ~~In this subsection, the phrase "public swimming pool" shall have the meaning prescribed by §17.17(3) of the City Ordinances.~~”

Section 53. Section 9.28(2)(a)2c of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“c. Park Facilities Needs Assessment. The impact fee imposed by this subsection is the result of:

- (i) A public parks facilities needs assessment prepared by R.H. Batterman & Co., Inc. and Mid-America Planning Services, Inc. dated November 4, 2003; and
- (ii) The 2001-2005 parks and open space plan of the City of Beloit.

Both documents are on file in the [Department of Community Development](#) ~~office of the Planning Division~~ and are available for inspection and/or copying. The public parks facilities needs assessment includes:

- (i)a An inventory of existing public park facilities, including an identification of any existing deficiencies in the quantity or quality of those park facilities for which an impact fee is imposed.
- (ii)b An identification of new park improvements or park expansions required to serve land developments for which impact fees may be imposed.
- (iii)c A detailed estimate of the capital costs for new park improvements and expansions identified in the park facilities needs assessment.”

Section 54. Section 10.02(6) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(6) ORDERS. If the Electrical Inspector determines that any electrical installation or appliance is dangerous or unsafe, the Electrical Inspector shall notify the person who owns, uses, operates or installs the same of the dangerous or unsafe condition. The written notice shall also contain an order specifying the time by which the dangerous or unsafe condition shall be corrected. The Electrical Inspector may order the discontinuance of electrical service to the dangerous or unsafe electrical insulation or appliance until that condition has been corrected. In all cases where a dangerous or unsafe condition is found, the Electrical Inspector shall provide a copy of the notice and order to the owner of the premises where the condition exists. The notice and order shall be served upon the owner personally or shall be left at the owner's usual place of residence with a person of suitable age and discretion. Alternatively, the notice and order may be served by certified or registered mail addressed to the owner at his/[her](#) last known address with postage prepaid. A copy of the notice and order shall also be posted in placard form in a conspicuous place on the premises where the unsafe or dangerous condition is found to exist. If the owner fails or refuses to make the required repairs, the Director of the ~~Planning and Building Services Division of Housing Services~~ or the Electrical Inspector may issue one or more municipal citations to the owner for failure to make such repairs. The municipal citation shall be issued in accordance with section 25.04 of this Municipal Code. The issuance of a municipal citation shall be in addition to any other remedy provided by this chapter.”

Section 55. Section 12.01(4)(c)3 of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“3. A Plat of Survey showing the parcel to be transferred has been submitted for approval of the ~~Director of Planning and Building Services~~~~Neighborhood Planning Director~~, including a signature certificate and indicating the location for monuments placed at all new lot corners.”

Section 56. Section 12.02(2) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(2) PRE-APPLICATION MEETING. On the completion of the documents specified in §12.02(1), a pre-application meeting shall be held with the ~~Director of Neighborhood Planning and Building Services~~~~Director~~ and City Engineer to assist the subdivider or

condominium developer in understanding the objectives of these regulations, the City's comprehensive plan and elements thereof, the City's official map and any pertinent ordinances and plans, and to reach conclusions regarding the objectives and general program for the proposed development.”

Section 57. Section 12.02(3)(a) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(a) Plan Commission Review. The [Director of Planning and Building Services](#)~~Neighborhood Planning Director~~ may require, or the subdivider or condominium developer may request, Plan Commission review and comment on the submitted site assessment checklist and/or concept plan. Ten (10) copies of all documents shall be submitted by the subdivider or condominium developer to the [Director of Planning and Building Services](#)~~City Neighborhood Planning Director~~ who shall distribute the copies to the Plan Commission for review and comment. Said copies must be submitted at least 28 days prior to the date of the Plan Commission meeting at which the matter is to be reviewed.”

Section 58. Section 12.02(4)(c) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(c) Site Assessment Checklist Form. The subdivider or condominium developer shall complete a site assessment checklist on a form provided by the [office of the Director of Planning and Building Services](#)~~Neighborhood Planning Director's office.~~”

Section 59. Section 12.02(5)(b) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(b) Hearing on Site Assessment Report. Following [receipt of the report from the subdivider or condominium developer, response to the written request to the Director of Planning and Building Services](#)~~City Neighborhood Planning Director, the City~~ shall distribute the report to all interested persons or agencies. The Plan Commission may schedule and hold a public hearing on the findings of the report. If scheduled, the hearing shall be preceded by a Class 1 notice under Ch. 985, Wis. Stats. Persons attending such hearing shall be afforded an opportunity to comment on the report.”

Section 60. Section 12.03(2)(a) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(a) Application. Prior to submitting a final plat or condominium plat for approval for all major subdivisions, or condominium developments, the subdivider or condominium developer shall prepare a preliminary plat and file a written application for its approval with the [Director of Planning and Building Services](#)~~Neighborhood Planning Director~~, along with 10 copies of the preliminary plat. The submittal shall include all data required by this section. A preliminary plat shall not be submitted prior to City review of the site assessment checklist, the site assessment report when required, or the concept plan. The preliminary plat shall be filed at least 30 days prior to the date of the Plan Commission meeting at which action is expected to allow adequate time for review and

recommendation by appropriate agencies, staff, commissions, consultants, and nearby property owners.”

Section 61. Section 12.03(2)(c) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(c) Public Notice.

1. Following submittal of the preliminary plat, the [Director of Planning and Building Services](#)~~Neighborhood Planning Director~~ shall direct the preparation of a written notice containing the following information:
 - a. The date that the subdivider or condominium developer filed a preliminary plat application with the Plan Commission.
 - b. A copy of the preliminary plat.
 - c. A map of the area adjacent to the platted land.
 - d. The date, time and location of the Plan Commission's hearing on the preliminary plat.
 - e. The proposed use of the land to be subdivided.
 - f. Contact information for the [Director of Planning and Building Services](#)~~Neighborhood Planning Director~~, for further inquiry.
2. The [Director of Planning and Building Services](#)~~Neighborhood Planning Director~~ shall direct the mailing of the notices to the owners of all City property within 150 feet of the proposed major subdivision as derived by City Assessor records. Such notice shall be sent by first class mail, not less than 15 days nor more than 30 days prior to the Plan Commission hearing on the preliminary plat. The notice is intended as a courtesy to neighboring property owners. Failure of a neighboring property owner to receive or accept the notice shall not invalidate any subsequent action taken by the Plan Commission with reference to the preliminary plat. The cost of mailing the notice shall be paid by the subdivider or developer prior to the Plan Commission hearing on the preliminary plat.”

Section 62. Section 12.03(2)(e) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(e) Plan Commission Action. The Plan Commission shall hold a public hearing on the preliminary plat. The Plan Commission, at its earliest available scheduling, but no longer than 90 days from the date of filing of a complete application for a preliminary plat with the [Director of Planning and Building Services](#)~~Neighborhood Planning Director~~, shall take action to approve, conditionally approve, or reject the preliminary plat. In the case of a rejection, the Plan Commission shall list reasons for said recommendation. The time period within which Plan Commission action is required shall not commence until the City has received all maps, plans, drawings, and related data necessary for review of the latest version of the preliminary plat. Failure of the Plan Commission to act within 90 days shall be interpreted as a recommended approval of the preliminary plat except

where the 90-day period has been extended by written agreement of the subdivider or condominium developer.”

Section 63. Section 12.03(2)(f) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(f) The [Director of Planning and Building Services](#)~~Neighborhood Planning Director~~ shall notify the subdivider or condominium developer, in writing, of the Plan Commission action within 10 business days.”

Section 64. Section 12.04(1) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(1) FINAL PLAT REVIEW PROCEDURE. For all major subdivisions of land within the City and within the City's extraterritorial jurisdiction, the subdivider or condominium developer shall prepare a final plat and written application for approval of the plat. The subdivider shall file the application and 10 copies of the final plat with the [Director of Planning and Building Services](#)~~Neighborhood Planning Director~~. The application and final plat shall include all data required by this section, including written confirmation that the subdivider or condominium developer submitted the approved preliminary plat to utility providers as required by §12.03(2). Except as provided below, a final plat shall not be submitted prior to Plan Commission approval of the preliminary plat. The final plat shall be filed at least 30 days prior to the date of the Plan Commission meeting at which a recommendation is expected. In the case of condominium developments, a preliminary condominium plat that conforms to §703.11, Wis. Stats., shall be processed as a final plat.”

Section 65. Section 12.04(1)(c) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(c) *Review by Agencies.* The [Director of Planning and Building Services](#)~~Neighborhood Planning Director~~ shall transmit an adequate number of copies to the Plan Commission; and copies to all affected City boards, commissions or departments, for their review and recommendations concerning matters within their jurisdiction. For the final plat, the subdivider shall be responsible for obtaining approval of the final plat by the state of Wisconsin, in accordance with §236.12, Wis. Stats.”

Section 66. Section 12.04(1)(d) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(d) *Plan Commission Recommendation.* Within 60 days of receiving a complete application for final plat approval and all associated documents, the Plan Commission shall recommend approval, denial or approval with conditions of the final plat and transmit that recommendation to the City Council. Such review period may be extended by written agreement of the subdivider or condominium developer. The [Director of Planning and Building Services](#)~~Neighborhood Planning Director~~ shall forward the final plat to the City Council without a recommendation from the Plan Commission in the event that the Commission fails to act within said review period.”

Section 67. Section 12.05(1)(a) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(a) Application. For all minor subdivisions of land within the City or within the City's extraterritorial jurisdiction, the subdivider shall file an application for approval of a minor subdivision with the [Director of Planning and Building Services](#)~~Neighborhood Planning Director~~, along with one copy of the proposed minor subdivision. The submittal shall include all data required by this section. A minor subdivision shall not be approved prior to Plan Commission review of the site assessment checklist, except as exempted under §§12.02(1) and 12.02(4). The proposed minor subdivision shall be filed at least 21 days prior to the date of the Plan Commission meeting at which a decision or recommendation is expected.”

Section 68. Section 12.05(1)(b) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(b) Final Decisions to be Made by Plan Commission. The Plan Commission shall, within not less than 21 days nor more than 60 days from the date a complete application is submitted, approve, conditionally approve or reject any minor subdivision of land located within the City's extraterritorial jurisdiction or minor subdivision of land within the corporate limits of the City where there is no dedication of land to the City. Conditions of approval or reasons for rejection shall be stated in writing. The Plan Commission's determination shall not conflict with the provisions of this chapter or other ordinances, or recommendations of other City committees and commissions which have reviewed the subdivision plans. In all cases, the time period within which Plan Commission action is required shall not commence until the City has received all maps, plans, drawings and other data necessary for review of the latest version of the minor subdivision. Such time may be extended by written agreement of the subdivider. If the Plan Commission fails to act within the 60-day period and the time for review has not been extended by written agreement of the subdivider, the minor subdivision shall be deemed approved. A certificate to that effect shall be made on the face of the minor subdivision document by the [Director of Planning and Building Services](#)~~Neighborhood Planning Director~~ upon demand for such certification by the subdivider.”

Section 69. Section 12.05(1)(c) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(c) Recommendations to be Made by Plan Commission. The Plan Commission shall, within not less than 21 days nor more than 60 days after the date the application for approval of the minor subdivision is submitted, recommend to the City Council approval, conditional approval or rejection of a minor subdivision that involves the dedication of public lands within the City's corporate limits. Such recommendation shall not conflict with the provisions of this chapter or other ordinances or recommendations of other City committees and commissions which have reviewed the subdivision plans. All minor subdivisions proposing to dedicate land for park and open space purposes shall be accompanied by a phase one environmental assessment indicating that such lands present no environmental hazard, and that they will not require environmental

mitigation or remediation measures. Said environmental assessment shall be produced at the subdivider's expense. In all cases, the time period within which the Plan Commission recommendation is required shall not commence until the City has received all maps, plans, drawings and other data necessary for review of the latest version of the minor subdivision. Such time may be extended by written agreement of the subdivider. If the Plan Commission fails to act within the 60-day period, and the time for such action has not been extended by written agreement of the subdivider, then the [Director of Planning and Building Services](#)~~Neighborhood Planning Director~~ shall forward the minor subdivision [documents] to the City Council without a recommendation from the Plan Commission."

Section 70. Section 12.05(1)(g) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

"(g) *Upon Recordation by the Subdivider*, two (2) copies of the recorded document shall be furnished to the [Director of Planning and Building Services](#)~~Neighborhood Planning Director~~ along with a digital copy in the format determined by the City Engineer."

Section 71. Section 12.07(4)(b)(intro) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

"(b) *Procedures*. Any person preparing or amending a plat or certified survey map that includes a public street or otherwise desirous of renaming an existing street or naming a new street or a street not previously named shall make application therefore to the City of Beloit. If a preliminary plat is required by this chapter, all street names shall be proposed on the face of the plat. The City may initiate said application for street naming on its own, should the City determine the need to name or rename a street. Said applications shall be in written form and be submitted to the Director of [Planning and Building Services](#)~~Neighborhood Planning~~. Except where street naming occurs through the platting or certified survey map process, all applications shall contain the following information:"

Section 72. Section 12.07(4)(c) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

"(c) *Determination*. The Director of [Planning and Building Services](#)~~Neighborhood Planning~~ shall review said proposal for street naming consistent with the standards contained in subsection (d) below, and shall also make a determination as to whether the proposed name or a similar name is already in use, and shall forward its recommendations and determinations to the Plan Commission. Except where street naming occurs through the platting or certified survey map process, the Plan Commission shall set the matter on its agenda for public hearing and shall make its recommendations in the form of a report to the City Council taking into consideration the standards contained in subsection (d) below. For subdivision plats and certified survey maps including new public street dedications, street naming shall instead be established through the platting or certified survey mapping processes. City Council approval of a final plat or certified survey map including proposed street names shall constitute City Council approval of said street names."

Section 73. Section 12.07(11) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(11) MULTIUSE PATHS AND WALKWAYS. The minimum width of a right-of-way or easement for a multiuse path shall be 20 feet, with a minimum pavement width of 10 feet. The minimum width of a right-of-way or easement for a pedestrian-only walkway shall be 10 feet, with a minimum surface width of 5 feet. The substitution of a multiuse path or walkway for a sidewalk, as required in Table 1, may be approved at the discretion of the [Director of Planning and Building Services](#)~~Neighborhood Planning Director~~ and City Engineer where it can be demonstrated that such provision will both better meet the needs of subdivision or condominium development residents and is consistent with the City’s park and open space and/or bikeways plans.”

Section 74. Section 14.06(2)(intro) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(2) ANNUAL PERMIT REQUIRED. No property owner shall lease any dwelling unit to another person unless, at the time the dwelling unit is let, the owner possesses a valid permit issued by the [Community and Housing Services](#) Division of the Department of Community Development for operation of that dwelling unit. No permit shall be issued if the owner of the dwelling unit has done any of the following:”

Section 75. Section 14.06(4)(a) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(a) *Application.* An application for a permit shall be filed with the [Community and Housing Services](#) Division of the Department of Community Development on a form provided by the [Community and Housing Services](#) Division.”

Section 76. Section 14.14(9) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(9) INSPECTION OF LICENSED PREMISES. The City Clerk shall notify the Chief of Police, Fire Chief, ~~and the~~ Director of [Planning and Building](#)~~Housing~~ Services ~~and Director of~~ [Neighborhood Planning](#) of each license application, including an application for license renewal, and these officials shall inspect or cause to be inspected the premises where the licensed activity will occur. These officials shall conduct such investigations as are necessary to determine whether the premises sought to be licensed comply with the regulations, ordinances and laws applicable thereto. These officials shall each furnish, in writing to the City Clerk, the information derived from, such investigation accompanied by a recommendation as to whether a public entertainment license shall be granted or refused.”

Section 77. Section 14.22(1)(b) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(b) Cafe Management and Review Committee (CMRC) means the ~~Planning~~ Director of Planning and Building Services, or his/her designee, and the Downtown Beloit Association.”

Section 78. Section 14.22(7)(c) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(c) If the City Clerk receives an application for a new sidewalk cafe license or an application to renew a prior sidewalk cafe license involving a change in the type or location of the sidewalk cafe furniture, furnishings and equipment, the City Clerk shall forward a copy of the application, together with the scale drawing, photographs, pictures and renderings to the ~~Planning~~ Director.”

Section 79. Section 14.22(7)(d) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(d) The ~~Planning~~ Director of Planning and Building Services shall notify the Cafe Management and Review Committee (CMRC) that the City has received an application for a new sidewalk cafe license or renewal of an existing cafe license with proposed changes.”

Section 80. Section 14.22(7)(e) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(e) The CMRC shall meet within 10 days of the receipt of the notice from the ~~Planning~~ Director of Planning and Building Services. The CMRC shall review the type of furniture, furnishings and equipment proposed by the applicant and determine whether they detract from the aesthetics of the area surrounding the proposed sidewalk cafe. The CMRC shall notify the applicant, in writing, of the CMRC's decision. If the CMRC denies the application for a sidewalk cafe license, the CMRC should state in writing:

1. The reason for denying the application.
2. What action on behalf of the applicant is necessary in order for CMRC approval.”

Section 81. Section 14.22(7)(f) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(f) The ~~Planning~~ Director of Planning and Building Services shall notify the applicant of the decision of the CMRC within 5 days of the meeting.”

Section 82. Section 15.21(2) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(2) RESPONSIBILITY OF OWNER/OCCUPANT. No owner or occupant of any premises shall store, or permit any other person to store, any junk, junk vehicle, debris, used, discarded or damaged construction material or other refuse from building renovation or repair upon the owner's or occupant's premises except in an enclosed building and out

of public view or upon permit issued by the City Council. The Director of [Community and Housing Services](#) or his/[her](#) authorized agent, may order the owner or the occupant violating this section to bring the premises into compliance.”

Section 83. Section 15.21(4) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(4) NONCOMPLIANCE OF ORDER. If the order is not complied with, the Director of [Community and Housing Services](#) may have the premises put into compliance and the cost thereof assessed as a special tax against the property. Such action shall not be taken without prior notice to the property owner.”

Section 84. Section 15.21(6) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(6) CITATION TO PERSON RESPONSIBLE FOR VIOLATION. In addition, the Director of [Community and Housing Services](#) or his/[her](#) authorized representative, may issue a citation to the person responsible for the violation of this section.”

Section 85. Section 21.17(1) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(1) WRECKED OR DAMAGED HOMES. Wrecked, damaged, or dilapidated mobile homes and travel trailers shall not be kept or stored in a mobile home park or a travel trailer park. The Director of [Community and Housing Services](#), or his/[her](#) designee, shall determine if a mobile home or travel trailer is damaged or dilapidated to a point which makes said mobile home or travel trailer unfit for human occupancy on either a temporary or permanent basis. Whenever such a determination is made, the mobile home or travel trailer shall be vacated and removed from the premises by the owner of the park, within 30 days of formal notice by the Director of [Community and Housing Services](#), or his/[her](#) designee.”

Section 86. Section 22.04(3)(b)3 of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“3. *List of other antenna facilities.* The applicant shall provide the ~~Planning~~ Director of [Planning and Building Services](#) with a list of the applicant's existing towers and antennas located within the City of Beloit or within one mile of the City limits. The list should identify the location, height and design of each tower and the location of each antenna. The ~~Planning~~ Director of [Planning and Building Services](#) may share such information with other applicants applying for a building permit to construct, install or alter wireless communication facilities.”

Section 87. Section 22.04(3)(b)5(intro) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

"5. *Co-location statement for towers.* The applicant shall demonstrate, to the reasonable satisfaction of the ~~Planning~~ Director of Planning and Building Services, that no existing tower or alternative tower structure can accommodate the applicant's proposed antenna. Upon a showing that any one of the following circumstances exists, the applicant shall be deemed to have satisfactorily demonstrated the need for a new tower:"

Section 88. Section 22.05(9) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

"(9) A wireless communications facility shall be enclosed by a security fence not less than 6 feet in height and secured so that it is not accessible by the general public. Fence design, materials and colors shall reflect the character of the surrounding area as determined by the ~~Planning~~ Director of Planning and Building Services."

Section 89. Section 22.06(2)(a) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

"(a) *Form and Contents.* The owner or operator of a wireless communication facility shall complete an application for a license on a form prescribed by the ~~Planning~~ Director of Planning and Building Services. The application form shall be signed by the owner or operator of the wireless communication facility and by the owner of the property on which that facility is located. The application form shall be submitted to the ~~Planning~~ Director of Planning and Building Services ~~together with a receipt for~~ payment of the applicable license fee. ~~The applicant shall pay the license fee to the City Treasurer.~~"

Section 90. Section 22.06(2)(e) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

"(e) *Annual Inspection.* The ~~Division of Housing~~ Planning and Building Services ~~Division~~ shall inspect each licensed wireless communication facility on an annual basis."

Section 91. Section 22.06(2)(f)1 of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

"1. If the Director of ~~Planning and Building Housing~~ Services, or his/~~her~~ designee, determines that a violation of this chapter exists, the Director ~~of Housing Services~~, or his/~~her~~ designee, shall issue an order requiring that each violation be corrected within a specified time. The compliance time shall not be more than 30 days, depending upon the nature of the violation and the hazard involved."

Section 92. Section 22.06(2)(g)1(intro) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

"1. *Contents of order.* Whenever the Director of ~~Planning and Building Housing~~ Services, or his/~~her~~ designee, determines that there are reasonable grounds to believe that a violation of any provision of this chapter exists, he/~~she~~ shall order the owner or

operator of the wireless communication facility to correct the violation. The order shall be in writing and shall:"

Section 93. Section 22.06(2)(h) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

"(h) Extension of Time To Comply With Orders. The owner or operator served with an order to correct a violation may, prior to the compliance time specified in the order, request an extension of the compliance time. If the owner or operator who was served with the order to correct the violation demonstrates that the owner or operator is making diligent effort to comply with the order, the Director of Planning and Building Housing Services, or his/her designee, may extend the time for compliance for not more than 90 days."

Section 94. Section 22.06(2)(i)(intro) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

"(i) Suspension, Revocation, Refusal to Issue or Renew License. The City Clerk shall refuse to issue or to renew a license issued pursuant to this section upon the grounds specified in subsection (9) of section 14.02 of this Municipal Code. The Director of Planning and Building Housing Services, or his/her designee, may commence a proceeding to suspend or revoke any license issued pursuant to this section. The proceedings shall be commenced by the filing of a sworn written complaint with the City Clerk alleging each of the following:"

Section 95. Section 22.08(2) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

"(2) NOTIFICATION OF ABANDONMENT. The owner or operator of a wireless communication facility shall notify the City Planning Director of Planning and Building Services whenever an antenna or tower is abandoned or its use discontinued. Such notice shall be given to the Planning Director within 30 days of such abandonment or discontinuance."

Section 96. Section 22.11 of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

"22.11 ENFORCEMENT; PENALTIES

The provisions of this chapter shall be enforced by the Planning and Building Services Division of Housing Services. Any person who violates any provision of this chapter shall, upon a conviction for a first violation within 12 months, be subject to a penalty of not less than \$250 nor more than \$500. Any person who commits a second or subsequent violation of any provision of this chapter within 12 months of the commission of a prior violation of that provision shall, upon conviction of such second or subsequent violation, be subject to a penalty of not less than \$500 nor more than \$2,000."

Section 97. 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 deletions and additions to the list of city employees authorized to issue municipal citations for violation of city ordinances:

Chapter	Title	Enforcement Official
6.15	Hazardous Materials	Fire Chief; Assistant Fire Chief; Deputy Fire Chief; Fire Captain; Fire Lieutenant; Acting Fire Lieutenant; Fire Department Inspection Officials; Housing Code Enforcement Inspector Inspection Official assigned to conduct Fire Inspections; Environmental Technician; Environmental Specialist; Environmental Coordinator; DPW Inspection Official
7	Property Maintenance Code	Director of Community and Housing Services ; Building Inspector; Plumbing Inspector; Electrical Inspector; Housing Code Enforcement Inspector Inspection Official
7.23(11)	Wood Piles	Director of Community and Housing Services ; Housing Code Enforcement Inspector Inspection Official ; Solid Waste Supervisor Public Works Sustainability and Safety Coordinator ; DPW Inspection Official
7.235	Weeds and Grasses	Director of Community and Housing Services ; Housing Code Enforcement Inspector Inspection Official ; Solid Waste Supervisor Public Works Sustainability and Safety Coordinator ; DPW Inspection Official
8	Plumbing Code	Director of Planning and Building Housing Services ; Plumbing Inspector
9	Building Code	Director of Planning and Building Housing Services ; Building Inspector
10	Electrical Code	Director of Planning and Building Housing Services ; Electrical Inspector
11	Streets and Sidewalks	Director of Public Works; Director of Community and Housing Services ; Housing Code Enforcement Inspector Inspection Official ; Solid Waste Supervisor Public Works Sustainability and Safety Coordinator ; DPW Inspection Official
11.25	Streets and Sidewalks (gutters and culverts)	Public Works Director; Solid Waste Supervisor Public Works Sustainability and Safety Coordinator ; DPW Inspection Official ; Environmental Technician; Environmental Specialist; Environmental Coordinator
12	Subdivision Ordinance	Director of Planning and Building Services ; Planner
14.06	Annual Rental Dwelling Permits	Director of Community and Housing Services ; Housing Code Enforcement Inspector Inspection Official ; Secretary to Director of Community and Housing Services
14.22	Sidewalk Cafes	Director of Planning and Building Services ; Planner
15.01(9)	Offenses against Animals	Community Services Officer ; Animal Control Officer

15.12	Noise	Community Services Officer; Animal Control Officer
15.14	Abandoned or Unattended Refrigerators, Ice Boxes, etc., Prohibited	Director of Community and Housing Services ; Housing Code Enforcement Inspector Inspection Official ; Solid Waste Supervisor Public Works Sustainability and Safety Coordinator ; DPW Inspection Official
15.15	Fences	Director of Housing Services; Housing Code Enforcement Inspector
15.165	Defecation of Dogs or Cats on Public and Private Property	Director of Community and Housing Services ; Housing Code Enforcement Inspector Inspection Official ; Solid Waste Supervisor Public Works Sustainability and Safety Coordinator ; DPW Inspection Official Community Services Officer ; Animal Control Officer
15.18	Handbills and Bill Posting	Director of Community and Housing Services ; Housing Code Enforcement Inspector Inspection Official ; Solid Waste Supervisor Public Works Sustainability and Safety Coordinator ; DPW Inspection Official
15.19	Cottonwood Trees Prohibited	Solid Waste Supervisor Public Works Sustainability and Safety Coordinator ; DPW Inspection Official
15.20	Littering Prohibited	Director of Community and Housing Services ; Housing Code Enforcement Inspector Inspection Official ; Solid Waste Supervisor Public Works Sustainability and Safety Coordinator ; DPW Inspection Official
15.21	Storage of Junk Regulated	Director of Community and Housing Services ; Housing Code Enforcement Inspector Inspection Official ; Solid Waste Supervisor Public Works Sustainability and Safety Coordinator ; DPW Inspection Official
16	Public Nuisances, except §§16.04, 16.07	Director of Community and Housing Services ; Housing Code Enforcement Inspector Inspection Official ; DPW Inspection Official
16.08	Smoking Prohibited	Fire Chief ; Assistant Fire Chief ; Deputy Fire Chief ; Fire Captain ; Fire Lieutenant ; Acting Fire Lieutenant ; Fire Department Inspection Officials ; Housing Code Enforcement Inspector Inspection Official assigned to conduct Fire Inspections; Director of Community and Housing Services ; Director of Planning and Building Services ; Housing Code Enforcement Inspector CHS Inspection Official ; Building Inspector
17	Regulation of Solid Waste	Public Works Director ; Director of Community and Housing Services ; Housing Code Enforcement Inspector Inspection Official ; Solid Waste

		Supervisor Public Works Sustainability and Safety Coordinator; DPW Inspection Official
19	Zoning Code	Director of Community Development; Director of Community and Housing Services; Director of Planning and Building Services ; Housing Code Enforcement Inspector Inspection Official; Community Planner
21	Mobile Homes and Travel Trailers	Director of Community and Housing Services; Building Inspector; Inspection Official
22	Wireless Communication Facilities	Director of Community and Housing Services; Director of Planning and Building Services ; Housing Code Enforcement Inspector Inspection Official; Building Inspector; Planner
24	Stormwater Management	Public Works Director; Director of Water Resources; City Engineer; Stormwater Engineer; Director of Planning and Building Services ; Building Inspector; Plumbing Inspector
26	Heating and Air Conditioning	Director of Planning and Building Housing Services; Plumbing Inspector
30	Sign Control Regulations	Director of Planning and Building Housing Services; Building Inspector; Director of Community and Housing Services ; Housing Code Enforcement Inspector Inspection Official; Planner
32	Historic Preservation	Director of Planning and Building Housing Services; Director of Community and Housing Services ; Building Inspector; Housing Code Enforcement Inspector Inspection Official; Community Planner
34	Architectural Review and Landscape	Director of Community Development; Director of Planning and Building Housing Services; Community Planner

Section 98. Section 27.14(6) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(6) FAILURE TO COMPLY WITH NOTICE. If the owner or occupant fails to discontinue the cross-connection after reasonable notice, the Public Works Director shall, in addition to discontinuing water service to the premises, inform the Director of ~~Planning and Building~~ ~~Housing~~ Services that the owner ~~and/or~~ occupant has failed to comply with the notice.”

Section 99. Section 27.14(7) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(7) REMOVAL OF CROSS-CONNECTION BY CITY. If the owner or occupant fails to remove a cross-connection within the time specified in the notice from the Public Works Director, the Director of [Planning and BuildingHousing](#) Services shall cause the cross-connection to be removed and shall certify the expense of removal to the City ~~TreasurerClerk~~ who shall assess the cost against the property as a special tax. The special tax shall be a lien on the property and shall be collected in the manner that other property taxes are collected.”

Section 100. Section 27.15(2)(a)4 of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“4. The property owner obtains a permit to drill or construct the new well from the Division of [Planning and BuildingHousing](#) Services of the City of Beloit.”

Section 101. Section 27.14(2)(b)4 of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“4. The property owner obtains a permit to drill or construct the new well from the Division of [Planning and BuildingHousing](#) Services of the City of Beloit.”

Section 102. Section 27.17(2) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(2) DEMOLITION OF BUILDING RECEIVING WATER UTILITY SERVICE. When the owner or other person intends to demolish a building served by the public water utility, that person must obtain a demolition permit from the Division of [Planning and BuildingHousing](#) Services and must comply with the requirements of §COMM 84.40, Wis. Adm. Code, pertaining to the removal of public water utility service.”

Section 103. Section 27.18(3) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(3) PERMIT TO ABANDON WELL. No owner of any private well located in the City of Beloit shall abandon the well unless the owner obtains a permit to do so from the Division of [Planning and Building Housing](#) Services and the abandonment is done by a well driller registered with the State of Wisconsin.”

Section 104. Section 27.18(5) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(5) INSPECTION AND REPORT OF ABANDONMENT. Immediately after the well is filled, the owner's well driller shall file a report of well abandonment with the Division of [Planning and Building Housing](#) Services. The report shall be made on a form prescribed by the Wisconsin Department of Natural Resources, ~~currently DNR Form 3300~~.”

Section 105. Section 30.03 of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(5) BUILDING OFFICIAL. Means the Director of [Planning and Building Services](#) ~~the Housing and Code Enforcement Division~~ of the City of Beloit, or his/[her](#) designee.”

Section 106. Section 30.05(1) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(1) SIGN PERMIT REQUIRED. Except as provided in subsection (2) of this section, no person shall erect, alter or relocate any outdoor sign in the City of Beloit without first obtaining a permit to do so from the Director of [Planning and Building Housing](#) Services, or his/[her](#) designee. Permits for temporary banner signs, inflatable signs, portable signs, and special event/temporary signs shall be issued for no more than 30 days and not more than twice in any calendar year, nor more than once during any 90-day period for signs on the same premises. No permit is required for a temporary, large-scale development sign regulated by §30.24. No sign permit shall be required for performing routine maintenance or minor repairs involving the replacement of light bulbs, changing of sign copy, repainting the sign or sign structure or similar maintenance and repairs.”

Section 107. Section 30.05(5) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(5) ARCHITECTURAL REVIEW. Before a permit can be issued for a permanent sign, an application for an architectural review certificate must be submitted to the Community Development Department for review in accordance with the site plan review process. The Director of [Planning and Building Housing](#) Services, or his/[her](#) designee, shall not issue a sign permit for which the architectural review certificate is required until the certificate has been issued.”

Section 108. Section 30.06 of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“30.06 ENFORCEMENT OFFICIAL. The Director of [Planning and Building Housing](#) Services, or his/[her](#) designee, is hereby authorized and directed to enforce the provisions of this chapter.”

Section 109. Section 30.24(2)(b)7 of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“7. Be allowed from the time that construction begins until the Director of [Planning and Building Housing](#) Services determines that construction is 90 percent complete.”

Section 110. Section 30.31(3)(b) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(b) If the on-premises sign is a freestanding sign, other than a pole sign, the maximum allowed sign area of the freestanding sign may be increased by an additional 10 percent

if the sign is in a landscaped area where there is a minimum of 2 square feet of landscaping approved by the [Director of Planning and Building Services](#)~~Neighborhood Planning Division~~ for each square foot of sign area.”

Section 111. Section 30.31(3)(c)2 of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

- “2. By an additional 10 percent if the wall sign is located within a shopping center where all business establishments use a uniform or complementary design and color scheme approved by the [Director of Planning and Building Services](#)~~Neighborhood Planning Division~~; and”

Section 112. Section 30.49 of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“30.49 APPEALS OF DECISIONS OR ORDERS OF THE DIRECTOR OF [PLANNING AND BUILDINGHOUSING](#) SERVICES. Any person aggrieved by the Director of [Planning and BuildingHousing](#) Services' interpretation of this chapter or order issued pursuant to this chapter may request review of that interpretation or order, or may appeal the same, within the time and in the manner provided by §1.15 of this Municipal Code. Any person who wishes to contest a municipal court citation issued by the Director of [Planning and Building_Housing](#)-Services, or his/[her](#) designee, alleging a violation of this chapter may contest the~~at~~ citation in municipal court.”

Section 113. Section 31.03(1)(a) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

- “(a) The City Clerk shall notify the Chief of Police, Chief of the Fire Department and Director of [Planning and BuildingHousing](#) Services of each application, and these officials, or their designees, shall inspect or cause to be inspected each application and the premises, together with such other investigations shall be necessary to determine whether the applicant and the premises sought to be licensed comply with the regulations, ordinances and laws applicable thereto, and whether the applicant is a proper person to be the recipient of the license.”

Section 114. Section 31.04(2) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

- “(2) Where the inspections required under §31.03(1) require corrections of deficiencies or the premises are to be renovated, the City Council may grant the license, but the license shall not be issued and delivered to the applicant until compliance with applicable codes and a certificate of occupancy is issued by the Director of [Planning and BuildingHousing](#) Services.”

Section 115. Section 32.02 of the Code of General Ordinances of the City of Beloit insofar as it pertains to the definitions of “Building Inspector” and “Planning Director” is hereby amended to read as follows:

“Building Inspector. The Director of [Planning and BuildingHousing](#) Services ~~of~~ the City of [Beloit](#).”

“Planning Director. The Director of Planning [and Building Services](#) for the City of Beloit.”

Section 116. Section 32.12(1)(intro) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(1) SELECTION. For preservation purposes, the Commission shall select geographically defined areas within the City to be designated as historic districts and shall with the assistance of the ~~City~~–Planning [and Building Services Division](#)~~Department~~ prepare an historic preservation plan in ordinance form for each area. An historic district may be designated for any geographic area of particular historic architectural or cultural significance to the City which:”

Section 117. Section 34.09 of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“34.09 ADMINISTRATION OF ARCHITECTURAL REVIEW CERTIFICATE BY THE DIVISION OF [PLANNING AND BUILDINGHOUSING](#) SERVICES. After the granting of an architectural review certificate, the Director of [Planning and BuildingHousing](#) Services or his or her designee shall review the progress of the project to insure that there are no unauthorized deviations from the plans upon which the approval of the architectural review certificate was based.”

Section 118. Section 2-602(d) of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit, is hereby amended to read as follows:

“(d) Issuance of Permits. No Certificate of Zoning Compliance shall be issued by the Zoning Officer and no final Certificate of Occupancy shall be issued by the Division of [Planning and BuildingHousing](#) Services unless all the provisions of the Code of General Ordinances of the City of Beloit, including the parking lot and landscaping improvements, have been completed according to the approved site plans.”

Section 119. Section 2-1101(b)(1) of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit, is hereby amended to read as follows:

“1. *Preapplication Conference*. Before submitting an application for a Traditional Neighborhood Development project, the applicant shall schedule an appointment and meet with ~~Neighborhood~~–Planning [and Building Services](#) Division ~~staff~~–to discuss the procedure for approval of a Traditional Neighborhood Development project, including submittal requirements and design standards.”

Section 120. Section 2-1101(b)(2)a of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit, is hereby amended to read as follows:

“a. Preliminary Development Plan Process. Following the preapplication conference, the applicant shall submit a preliminary development plan to the ~~Neighborhood~~ [Planning and Building Services](#) Division together with an application for a zoning map amendment to Traditional Neighborhood Development District.”

Section 121. Section 2-1101(b)(3)a of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit, is hereby amended to read as follows:

“a. Final Development Plan Process. Following approval of the Preliminary Development Plan, the applicant shall submit a Final Development Plan to the ~~Neighborhood~~ [Planning and Building Services](#) Division.

(1) Within 45 days following receipt of the Final Development Plan, the Plan Commission shall receive a report from the ~~Neighborhood~~ [Planning and Building Services](#) Division recommending approval, disapproval or approval with specified modifications. The Plan Commission shall determine that the proposed Final Development Plan is in substantial conformance with the approved Preliminary Development Plan. Upon due consideration, the Plan Commission shall recommend that the City Council either:

- a) Approve the Final Development Plan as being in substantial conformance with the Preliminary Development Plan;
- b) Approve the Final Development Plan as being in substantial conformance with the Preliminary Development Plan with specified modifications; or
- c) Deny the Final Development Plan.

(2) Following Plan Commission recommendation, the City Council shall receive the recommendation from the Plan Commission and the report from the City staff. Upon due consideration, the City Council shall either:

- a) Approve the Final Development Plan as being in substantial conformance with the Preliminary Development Plan;
- b) Approve the Final Development Plan as being in substantial conformance with the Preliminary Development Plan with specified modifications; or
- c) Deny the Final Development Plan.”

Section 122. Section 2-1101(b)(3)c of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit, is hereby amended to read as follows:

“c. Amendments to the Final Development Plan. Minor changes to the Final Development Plan adopted by the City Council may be approved by the ~~Neighborhood~~ [Planning and Building Services](#) Division, provided that the changes do not involve:

- (1) Increases or decreases of more than 10 percent in floor area of structures or number of dwelling units.
- (2) Change in exterior building material.
- (3) Alteration of any conditions attached or modification to the Final Development Plan made by the City Council.

A major change to a Final Development Plan, which is less restrictive than any conditions of approval for the initial Preliminary Development Plan, shall require approval by a majority vote of all members of the City Council.”

Section 123. Section 8-300(b)(intro) of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit, is hereby amended to read as follows:

“b. APPLICATION. An application shall be filed with the Division of [Planning and BuildingHousing](#) Services on a form provided by the City. An application shall be completed in full and include the following information:”

Section 124. Section 8-300(f) of the Zoning Ordinance, Chapter 19 of the Code of General Ordinances of the City of Beloit, is hereby amended to read as follows:

“f. PERMIT ISSUANCE. The Director of [Planning and BuildingHousing](#) Services, or [his/her](#) designee, shall review, approve and issue a fence permit provided the application and other submitted documentation is in compliance with this section. The fence permit may contain reasonable conditions stated in the permit.”

Section 125. This ordinance shall be in force and take effect upon passage and publication.

Adopted this ___ day of March, 2013.

BELOIT CITY COUNCIL

By: _____
Charles M. Haynes, President

ATTEST:

By: _____
Rebecca Houseman LeMire, City Clerk

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

tdh/ordinances/Department of Community Development Reorganization 2012 = ORD 130208 (13-1025)

RESOLUTION
APPROVING THE VACATION OF THE UNNAMED NORTH-SOUTH ALLEY LOCATED
IN THE BLOCK BOUND BY NORTH STREET, SIXTH STREET, OLYMPIAN
BOULEVARD, AND FOURTH STREET
IN THE CITY OF БЕЛОIT, ROCK COUNTY, WISCONSIN

WHEREAS, the City Council of the City of Beloit, Rock County, Wisconsin has considered whether to discontinue and vacate the unnamed north-south alley located in the block bound by North Street, Sixth Street, Olympian Boulevard, and Fourth Street in the City of Beloit, Rock County, Wisconsin; and

WHEREAS, the City Council of the City of Beloit deems such proposal to be in the public interest and a proper matter for consideration by the City Council, as provided by Wisconsin Statutes; and

WHEREAS, the City of Beloit will reserve and continue a utility easement for public utilities over the entire vacated right-of-way; and

WHEREAS, notice of public hearing has been given as provided by law, and proof of publication is now on file herein.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF БЕЛОIT, ROCK COUNTY, WISCONSIN:

1. That the public interest requires the vacation of the unnamed north-south alley located in the block bound by North Street, Sixth Street, Olympian Boulevard, and Fourth Street in the City of Beloit, Rock County, Wisconsin, described as follows:

All of the north-south alley lying adjacent to Lots 10, 15, 16, 17, 18, 19, 20, 21, 23, 24, 26, 27, 28, 29, 30, 31, 32, 33, 34, and 35 in Dow's Subdivision of Blocks 3 & 4 of Dow's Addition to the City of Beloit, Rock County, Wisconsin.

2. That said alley, afore described be, and hereby is, vacated as a public right-of-way.
3. That the City Clerk shall file a certified copy of this Resolution, along with the Plat of Vacation, with the Register of Deeds of Rock County, Wisconsin.

Adopted this 18th day of March, 2013.

BELOIT CITY COUNCIL

Charles M. Haynes, Council President

ATTEST:

Rebecca Houseman LeMire, City Clerk

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL

Topic: Petition for Vacation of an Unnamed North-South Alley Located in the Block Bound by North Street, Sixth Street, Olympian Boulevard, and Fourth Street

Date: March 18, 2013

Presenter(s): Julie Christensen

Department: Community Development

Overview/Background Information:

The Planning & Building Services Division has received a petition to vacate the unnamed north-south alley in the block bound by North Street, Sixth Street, Olympian Boulevard, and Fourth Street. The attached Plat of Vacation shows the proposed right-of-way to be vacated. The School District of Beloit has acquired all of the adjacent properties to the west of the alley, and is in the process of rezoning this block and demolishing the remaining houses in order to expand the BMHS campus to the west.

Key Issues (maximum of 5):

- This Vacation will return the entire alley land area to the adjacent property owners. In this case, all of the adjacent properties are owned by the School District of Beloit.
 - According to Wisconsin Statutes, the City Council may vacate an unpaved alley upon the written petition of the owners of more than 50% of the frontage of the lots abutting upon the portion of the unpaved alley to be vacated. The petition that has been submitted satisfies this requirement.
 - All required Public Notices have been distributed and published and the Notice of Pendency was recorded with the Rock County Register of Deeds on January 28, 2013.
 - AT&T has noted the presence of aerial facilities in the alley has requested a utility easement over the entire vacated alley. The City's other Review Agents did not submit any comments or concerns.
 - The Plan Commission reviewed this item on March 6, 2013 and voted unanimously (5-0) to recommend approval of this vacation, subject to the condition recommended by the Planning & Building Services Division.
-

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

- Consideration of this request supports Strategic Goal #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
-

Action required/Recommendation:

- City Council consideration and action on the proposed Resolution
-

Fiscal Note/Budget Impact: N/A

Attachments: Resolution and Staff Report to the Plan Commission

CITY OF BELOIT

REPORT TO THE BELOIT CITY PLAN COMMISSION

Meeting Date: March 6, 2013

Agenda Item: 6

File Number: VA-2013-01

Applicant: School District of Beloit

Adjacent Zoning: R-1B, Single-Family Residential & PLI, Public Lands/Instit.

Adjacent Land Use: Athletic Fields & Vacant Land

Request Overview/Background Information:

The Planning & Building Services Division has received a petition to vacate the unnamed north-south alley in the block bound by North Street, Sixth Street, Olympian Boulevard, and Fourth Street.

Key Issues:

- The School District of Beloit has acquired all of the adjacent properties to the west of the alley, and is the process of amending the Comprehensive Plan, rezoning this block, and demolishing the remaining houses in order to expand the BMHS campus to the west.
- The attached Plat of Vacation shows the proposed right-of-way to be vacated.
- This Vacation will return the entire land area to the adjacent property owners. In this case, all of the adjacent properties are owned by the School District of Beloit.
- According to Wisconsin Statutes, the City Council may vacate an unpaved alley upon the written petition of the owners of more than 50% of the frontage of the lots abutting upon the portion of the unpaved alley to be vacated. The petition that has been submitted satisfies this requirement.
- All required Public Notices have been distributed and published and the Notice of Pendency was recorded with the Rock County Register of Deeds on January 28, 2013.
- AT&T has noted the presence of aerial facilities in the alley has requested a utility easement over the entire vacated alley. The City's other Review Agents did not submit any comments or concerns.

Consistency with Strategic Plan:

- Consideration of this request supports City of Beloit 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

Staff Recommendation:

The Planning & Building Services Division recommends **approval** of the request to vacate the unnamed north-south alley in the block bound by North Street, Sixth Street, Olympian Boulevard, and Fourth Street, as described in the attached Plat of Vacation, returning the entire right-of-way to the adjacent property owners, subject to the following condition:

1. A utility easement over the entire vacated right-of-way shall be noted on the final Plat of Vacation before the document is signed and recorded.

Fiscal Note/Budget Impact: N/A

Attachments: Location Map, Vacation Petition, Plat of Vacation, Resolution Setting Public Hearing Date, & Public Notice.

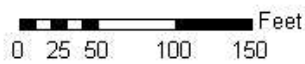
Location Map

Unnamed N-S Alley


VA-2013-01



1 inch = 107 feet



Legend

 COB Parcels

Map prepared by: Drew Pennington
Date: January 2013
For: City of Beloit Planning & Building Services
Date of Aerial Photography: March 2011

PLANNING & BUILDING SERVICES DIVISION

PETITION FOR VACATION OF A PUBLIC RIGHT-OF-WAY

We, the undersigned hereby petition the City of Beloit to vacate the following portion(s) of the public right-of-way know as: In between 1300 block of Sixth and 6th St
See Map ④ in between North St and Olympian Blvd
Space will be used for District Athletic fields and/or green space
 The portion of the right-of-way proposed to be vacated is further described on the attached Plat of Campus
Vacation prepared by Registered Land Surveyor: campus left

Print NAME and ADDRESS of PETITIONER:	SIGNATURE: (If jointly owned, both owners should sign petition.)	DATE SIGNED:
Name: School District of Beloit Address: 1633 Keeler Ave, Beloit WI 53511	Janelle Naratz	12/4/12
Name: School District of Beloit Address: 219 North St	Janelle Naratz	12/4/12
Name: School District of Beloit Address: 225 North St	Janelle Naratz	12/4/12
Name: School District of Beloit Address: 1313, 1317 6th St	Janelle Naratz	12/4/12
Name: School District of Beloit Address: 1323, 1327 6th St	Janelle Naratz	12/4/12
Name: School District of Beloit Address: 1339, 1343, 1349 6th St	Janelle Naratz	12/4/12
Name: School District of Beloit Address: 1353 Sixth	Janelle Naratz	12/4/12
Name: School District of Beloit Address: 1249, 1253, 1257 6th	Janelle Naratz	12/4/12
Name: School District of Beloit Address: 1203, 1233 Sixth	Janelle Naratz	12/4/12

Contact person responsible for circulating this petition: Janelle Naratz

Address of contact person: 1633 Keeler Ave, Beloit WI 53511

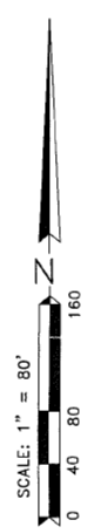
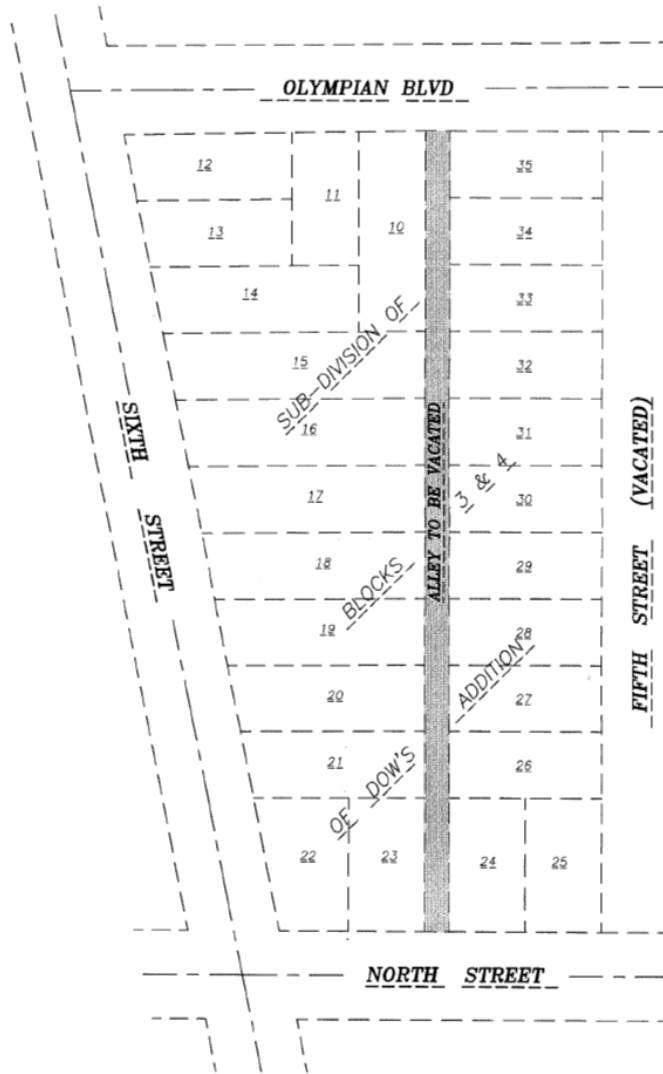
Phone number of contact person: 608-367-4615

Signature of contact person: Janelle Naratz

To be completed by Planning Staff		
Filing fee: <u>\$75.00</u> Amount paid: <u>\$75.00</u>	Meeting date:	PC: <u>March 6, 2013</u> CC: <u>March 18, 2013</u>
Application accepted by: <u>D. DeFornation</u>	Date:	<u>1/17/2013</u>

PLAT OF VACATION

OF ALL OF THE NORTH-SOUTH ALLEY AS PLATTED IN THE
THE SUB-DIVISION OF BLOCKS 3 & 4 OF DOW'S ADDITION,
TO THE CITY OF БЕЛОIT, ROCK COUNTY, WISCONSIN.



A RESOLUTION TO VACATE THE ALLEY AS SHOWN HEREON
WAS ADOPTED _____ 2013 AND IS REFERENCED AS CITY
OF БЕЛОIT CLERK FILE NO. _____

Jeffrey R. Garde
JEFFREY R. GARDE, R.L.S.
WISCONSIN LAND SURVEYOR S-2766
DATED THIS 17TH DAY OF JANUARY, 2013

ORDER NO. 31494
FOR THE EXCLUSIVE USE OF:
SCHOOL DISTRICT OF БЕЛОIT
SCALE: 1" = 80 FEET

File Name: c:\31451-31499\31494 SCHOOL DISTRICT OF БЕЛОIT ALLEY VACATION\31494.DWG
Plotted on 1/12/13 at 10:24:06.

Batterman
engineers surveyors planners

2857 Bartells Drive Beloit, Wisconsin 53511
608.365.4454 www.tbatterman.com

FILE# <i>3580</i>
FEB 4 2013
CITY OF БЕЛОIT CITY CLERK

RESOLUTION
SETTING A DATE FOR A PUBLIC HEARING FOR THE
VACATION OF AN UNNAMED NORTH-SOUTH ALLEY LOCATED IN THE
BLOCK BOUND BY NORTH STREET, SIXTH STREET,
OLYMPIAN BOULEVARD, AND FOURTH STREET
IN THE CITY OF БЕЛОIT, ROCK COUNTY, WISCONSIN

IT IS RESOLVED THAT a public hearing on the proposed Resolution to discontinue and vacate all of the north-south alley lying adjacent to Lots 10, 15, 16, 17, 18, 19, 20, 21, 23, 24, 26, 27, 28, 29, 30, 31, 32, 33, 34, and 35 in Dow's Subdivision of Blocks 3 & 4 of Dow's Addition to the City of Beloit, Rock County, Wisconsin, shall be held at the regular **City Council Meeting on Monday, March 18, 2013**, and the City Clerk is authorized and directed to give notices required under Section 66.1003, Wisconsin Statutes.

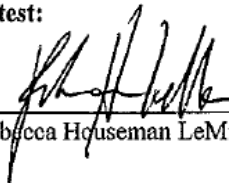
Adopted this 4th day of February, 2013.

City Council of the City of Beloit



Charles M. Haynes, Council President

Attest:



Rebecca Houseman LeMire, City Clerk



City of
BELOIT, Wisconsin
Division of Planning and Building Services

10110
DP

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

February 5, 2013

To Whom It May Concern:

The City of Beloit has received a petition requesting the vacation of the unnamed north-south alley located in the block bound by North Street, Sixth Street, Olympian Boulevard, and Fourth Street. The area that is proposed to be vacated is shown and described on the attached *Plat of Vacation*. This vacation will return the land area to the adjacent property owners and abandon the property as a public right-of-way.

This proposed vacation will be considered during the following meetings:

City Plan Commission: Wednesday, March 6, 2013, 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 (Public Hearing): Monday, March 18, 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 MEETINGS.

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.

VA-2013-01, Vacation of an Unnamed Alley

RESOLUTION

AUTHORIZING A CONDITIONAL USE PERMIT TO ALLOW A SELF-SERVICE STORAGE USE IN CONJUNCTION WITH THE RENTAL OF TRUCK AND EQUIPMENT IN A C-3, COMMUNITY COMMERCIAL DISTRICT AND MRO, MILWAUKEE ROAD OVERLAY DISTRICT, FOR THE PROPERTY LOCATED AT 3022 FORD STREET

WHEREAS, the application of Carlos Vizcarra of AMERCO Real Estate, on behalf of U-Haul, has filed an application for a Conditional Use Permit to allow a self-service storage use in conjunction with the rental of trucks and equipment in a C-3, Community Commercial District and MRO, Milwaukee Road Overlay District, for the property located at 3022 Ford Street, 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 a self-service storage use in conjunction with the rental of trucks and equipment in a C-3, Community Commercial District and MRO, Milwaukee Road Overlay District, for the property located at 3022 Ford Street in the City of Beloit, for the following described premises:

UNPLATTED LAND COMENCING ON NORTH LINE IN SECTION 29 792.36 FEET WEST OF NORTHEAST CORNER, THENCE SOUTH 294 FEET, THENCE SOUTH 435.93 FEET, THENCE WEST 628.95 FEET, THENCE NORTH 685.69 FEET, THENCE NORTH 128.21 FEET, THEN WEST 60 FEET, THENCE NORTH 186.10 FEET, THENCE SOUTH 184.93 FEET, THENCE SOUTH 379.87, THENCE SOUTHEAST 89.72 FEET TO THE POINT OF BEGINNING ALSO 60 FEET RIGHT-OF-WAY EASMENT FOR INGRESS AND EGRESS IN SECTION 20, ALSO EASEMENT FOR RAIL ROAD SPUR TRACK, CITY OF BELOIT, COUNTY OF ROCK, STATE OF WISCONSIN. SAID PARCEL CONTAINS 11.124 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 a self-service storage use in conjunction with the rental of trucks and equipment in a C-3, Community Commercial District and MRO, Milwaukee Road Overlay District, for the property located at 3022 Ford Street
2. All existing asphalt shall be removed from the subject property and a new off-street parking lot shall be paved in accordance off-street and loading standards in the Zoning Ordinance (Section 19.8-100) prior to the establishment of the conditional uses.
3. The off-street parking lot shall include curb and gutter along the northern and eastern perimeters of the lot.
4. Metal wall panels **shall not** be used to refinish the buildings on the subject property.

5. All buildings on the subject property shall be reroofed and refinished with appropriate building materials and colors in accordance with Section 19.5-606 of the Zoning Ordinance.
6. The existing chain-link fencing on the east and north perimeters of the subject property shall be removed and a new fence shall be installed in accordance with Section 19.8-300 of the Zoning Ordinance.
7. Trucks and equipment shall only be parked or displayed in designated areas shown on the final site plan. Trucks and equipment shall only be parked or displayed on paved surfaces.
8. No outdoor storage of equipment.
9. Prior to the establishment of the conditional uses, the property shall be connected to City sewer and water.
10. In accordance with Section 19.6.3.4(g), a separate Conditional Use Permit shall be required before the construction of any additional detached accessory structures on the subject property.
11. Prior to issuance of Building Permits for this project, the applicant shall submit detailed site & architectural plans for Planning staff review and approval.
12. 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 18th day of March, 2013.

BELOIT CITY COUNCIL

Charles M. Haynes, Council President

ATTEST:

Rebecca Houseman LeMire, City Clerk

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL

Topic: Conditional Use Permit Application for the property located at 3022 Ford Street

Date: March 18, 2013

Presenter(s): Julie Christensen

Department: Community Development

Overview/Background Information:

Carlos Vizcarra of AMERCO Real Estate, on behalf of U-Haul, has filed an application for a Conditional Use Permit to allow a self-service storage use in conjunction with the rental of trucks and equipment in a C-3, Community Commercial District and MRO, Milwaukee Road Overlay District, for the property located at 3022 Ford Street. The applicant has proposed to rehabilitate the subject property, which has been vacant for a number of years, to accommodate a U-Haul retail store in the near future.

Key Issues (maximum of 5):

- The subject property is located immediately west of the I-39/I-90 interchange, is approximately 11 acres in area, and includes one principal building and eight detached accessory structures (i.e. two detached buildings, two canopies, two sheds, and two garages). The applicant has proposed to rehabilitate the subject property, which has been vacant since 2008, to accommodate a U-Haul retail store with 577 self-storage units, rent moving trucks, trailers and equipment, and the storage of RVs.
 - Staff recommended denial of the Conditional Use Permit request because it contradicts the purpose of the MRO, Milwaukee Road Overlay District, which is intended “to encourage and better articulate positive visual experiences along Milwaukee Road, which serves as a major gateway to the City; and to provide for the continued safe and efficient use of Milwaukee Road.” In addition, the proposed use is similar to “equipment storage yards,” which is expressly prohibited in the MRO District (Section 19.503(a)).
 - A representative of the Beloit I-90 Business Group spoke in opposition to the proposed conditional use during the public hearing. The group believes that the proposed use for the subject property will detract from the Milwaukee Road corridor, cause a negative perception of Beloit to be implanted in the minds of travelers and visitors, and lastly, stave off commercial developers and national retailers who may be interested in establishing a broader scope of retail uses capable of meeting the needs and desires of consumers both locally and regionally.
 - Staff received comments from the public both supporting and opposing the proposed Conditional Use Permit.
 - Planning staff met with U-Haul representatives on March 4, 2013 (prior to the Plan Commission meeting) to discuss the subject property and conditions listed in the staff report. In concluding the meeting, the representatives agreed to meet all conditions if the Conditional Use Permit is granted.
 - The Plan Commission reviewed this item on March 6, 2013, and voted (3 to 2) to recommend approval of the Conditional Use Permit, subject to twelve conditions.
 - If the requested Conditional Use Permit is approved, the applicant will need to submit detailed site & architectural plans for staff review and approval.
 - Photographs of a readapted U-Haul Store in Janesville, Wisconsin are included to this report. The U-Haul is located at 1900 E. Milwaukee Street in Janesville, Wisconsin.
-

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.
-

Action required/Recommendation:

- City Council consideration and action on the proposed Resolution

Fiscal Note/Budget Impact: N/A

Attachments: Resolution, Example of Readapted U-Haul in Janesville, WI, and Staff Report to the Plan Commission





CITY OF BELOIT

REPORT TO THE BELOIT CITY PLAN COMMISSION

Meeting Date: March 6, 2013

Agenda Item: 5

File Number: CU-2013-01

Applicant: Carlos Vizcarra, AMERCO Real Estate Co.

Owner: Jenny TeStrake, LN Real Estate, LLC

Location: 3022 Ford Street

Existing Zoning: C-3, Community Commercial District & MRO, Milwaukee Road Overlay District

Existing Land Use: Vacant (Former Wickes Lumber Company property)

Parcel Size: 11.124 Acres

Request Overview/Background Information:

Carlos Vizcarra of AMERCO Real Estate, on behalf of U-Haul, has filed an application for a Conditional Use Permit to allow a self-service storage use in conjunction with the rental of trucks and equipment in a C-3, Community Commercial District and MRO, Milwaukee Road Overlay District, for the property located at 3022 Ford Street.

Key Issues:

- The attached **Location and Zoning Map** shows the location of the parcel involved in this application. The adjacent zoning and land uses are as follows:
 - North: C-3, Community Commercial District & MRO, Milwaukee Road Overlay District; Retail Store (Shell - Gas Station)
 - South: M2, General Manufacturing; Manufacturing (Hormel Foods)
 - East: M-1, Limited Manufacturing District; Office Building (Kerry, Inc.)
 - West: C-3, Community Commercial District & MRO, Milwaukee Road Overlay District; Motel (Econo Lodge)
- The applicant is in the process of acquiring the subject property from the property owner. The acquisition of the property is contingent upon receiving approval of the requested Conditional Use Permit (CUP). If the CUP request is granted, the applicant will establish a self-service storage use in conjunction with the rental of trucks and equipment that would be associated with a U-Haul retail store.
- Self-service storage uses are a conditional use in C-3, Community Commercial Districts.
- The property is also located in the MRO, Milwaukee Road Overlay District, which is intended to provide for and promote the orderly development and redevelopment of the Milwaukee Road corridor (Section 19.5-600). The property is near the entryway into the City and is adjacent to I-90/I-39, making it a prime location to operate a business. In addition, the Wisconsin Department of Transportation (WDOT) intends to reconstruct the interchange layout in the near future. The layout change will increase the visibility of the property.
- The Wickes Lumber Company formerly operated from this location until 2008. Since 2008, the property has remained unoccupied.
- The property is 11.124 acres in area and includes one principal building and eight detached accessory structures. The applicant intends to reuse the existing buildings and adapt them to suit the needs of U-Haul.
- The applicant has proposed to use the principal building (Building "A") as a showroom with 402 self-storage units, one detached accessory structure (Building "C") is proposed to be used for 175 self-storage units, and another detached accessory structure (Building "B") will be used for portable self-storage units. The two existing canopies are proposed for parking and storing RVs. An equipment staging area and display areas for rental trucks and trailers are also proposed.
- Existing paved areas on the property have deteriorated and are not suitable for parking. Due to deterioration and lack of maintenance, all existing paved areas need to be repaved. In addition, the areas under the canopies are not paved. The Zoning Ordinance requires all off-street parking areas, loading and driveway areas to be paved (Section 19.8-113(d)(1)).
- The applicant has proposed 169 parking stalls, including 6 accessible parking stalls, which meets the off-street parking requirements for all proposed uses.
- The applicant has also proposed the construction of a 9th detached accessory building for a future development (shown as "Phase II Proposed Building" on attached site plan). The property exceeds the two- structure limit requirement for accessory structures, which makes it legal nonconforming. In the future, if the applicant intends to construct the proposed accessory building a Conditional Use Permit along with a detailed site plan of the entire property must be reviewed and approved by the City Council, or the applicant may choose to demolish seven of the eight accessory structures (Section 19-6.3.4(g)).
- Metal wall paneling has been proposed as the exterior finishes for the principal building and two detached accessory structures (buildings "B" and "C"). Metal wall paneling is prohibited with the MRO District. If approved, the applicant

must choose a different exterior finish for the buildings. In addition, the applicant has chosen a color palette of different shades (i.e. brown, tan, orange, blue, and white) that exceeds the 4-color limit requirement in the MRO District. If approved, staff will assist the applicant in choosing an appropriate building material and color palette during the Architectural Review.

- Existing chain-link fencing is proposed to be removed and a new white split rail fence to be installed on the east and north perimeters of the property (the property edges that are highly visible from Milwaukee Road and I-90/I-39).
- Currently, the property is connected to a septic tank system, which is inadequate to serve the proposed uses.
- The City Engineer is requiring that all graveled areas proposed for parking be paved, and that storm water drainage be incorporated into the newly paved areas in accordance with Best Management Practices (BMPs) for storm water drainage. In addition, because of the extensive redevelopment of the property the applicant must connect to City sewer and water, which is available along the west side of the property on Ford Street (unpaved right-of-way). Other City Review Agents had no comments.
- A preliminary Site Plan and other supporting documents are attached to this report.
- If the requested Conditional Use Permit is approved, the applicant will need to submit detailed site & architectural plans for staff review and approval.
- The attached Public Notice was sent to five nearby property owners. As of this writing, staff received a comment from one concerned resident regarding the proposed use. The resident is opposed to the proposed use being established at this location, and believes that the site can be used for a better purpose.
- **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 uses will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare.
- b. *Whether the conditional use will be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted;*
 - The proposed conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted.
- c. *Whether the conditional use will substantially diminish or impair property values within the neighborhood of the subject property;*
 - The proposed uses may diminish and/or impair property values within the neighborhood.
 - As mentioned above, the property is located within the MRO, Milwaukee Road Overlay District. Two of the purposes of the District is “to encourage and better articulate positive visual experience along Milwaukee Road, which serves as a major gateway to the City; and to provide for the continued safe and efficient use of Milwaukee Road.”
 - The proposed self-storage use does not contribute to the efficient use of Milwaukee Road, nor do the proposed building materials and color palette advance a positive visual experience along Milwaukee Road.
- d. *Whether the establishment of the conditional use will impede the normal and orderly development and improvement of the surrounding property;*
 - The incompatibility of the conditional use may impede the normal development and improvement of surrounding property. As mentioned above, the subject property is located in the MRO, Milwaukee Road Overlay District, which is intended to provide for and promote the orderly development and redevelopment of the Milwaukee Road corridor. The proposed conditional uses are very similar to prohibited uses in the MRO District (i.e. equipment storage yards).
- 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 metal wall paneling and color palette described above is inharmonious and incompatible with the existing developments in the neighborhood. Metal wall paneling is prohibited in the MRO, Milwaukee Road Overlay District, and the property is within the gateway into the City and is highly visible from the interstate.
- 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 property is currently attached to a septic tank system, which is not adequate to serve the proposed uses, more specifically, waste from RVs stored on site.
- g. *Whether adequate measures will be taken to minimize traffic congestion; and*
 - Adequate measures will be taken to minimize traffic congestion.
- h. *Whether the conditional use will comply with all applicable regulations of the Zoning Ordinance.*
 - The proposed conditional use does not comply with all other applicable regulations of the Zoning Ordinance. While self-services storage uses may be allowed in C-3 Districts, pending review and

approval from the City Council, the MRO District prohibits similar uses (Section 19.5-603).

Consistency with Comprehensive Plan and Strategic Plan:

The City's Comprehensive Plan recommends Community Commercial for the subject property and the surrounding parcels. Consideration of this request supports City of Beloit Strategic Goal #5.

Sustainability:

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

Staff Recommendation:

The Planning & Building Services Division recommends **denial** of a Conditional Use Permit to allow a self-service storage use in conjunction with the rental of trucks and equipment in a C-3, Community Commercial District and MRO, Milwaukee Road Overlay District, for the property located at 3022 Ford Street, based on the above Findings of Fact.

However, in the event that the City Council decides to issue a Conditional Use Permit to allow a self-service storage use in conjunction with the rental of trucks and equipment in a C-3, Community Commercial District and MRO, Milwaukee Road Overlay District, for the property located at 3022 Ford Street, the Planning and Building Services Division recommends the following conditions of approval:

1. This Conditional Use Permit authorizes a self-service storage use in conjunction with the rental of trucks and equipment in a C-3, Community Commercial District and MRO, Milwaukee Road Overlay District, for the property located at 3022 Ford Street
2. All existing asphalt shall be removed from the subject property and a new off-street parking lot shall be paved in accordance off-street and loading standards in the Zoning Ordinance (Section 19.8-100) prior to the establishment of the conditional uses.
3. The off-street parking lot shall include curb and gutter along the northern and eastern perimeters of the lot.
4. Metal wall panels **shall not** be used to refinish the buildings on the subject property.
5. All buildings on the subject property shall be reroofed and refinished with appropriate building materials and colors in accordance with Section 19.5-606 of the Zoning Ordinance.
6. The existing chain-link fencing on the east and north perimeters of the subject property shall be removed and a new fence shall be installed in accordance with Section 19.8-300 of the Zoning Ordinance.
7. Trucks and equipment shall only be parked or displayed in designated areas shown on the final site plan. Trucks and equipment shall only be parked or displayed on paved surfaces.
8. No outdoor storage of equipment.
9. Prior to the establishment of the conditional uses, the property shall be connected to City sewer and water.
10. In accordance with Section 19.6.3.4(g), a separate Conditional Use Permit shall be required before the construction of any additional detached accessory structures on the subject property.
11. Prior to issuance of Building Permits for this project, the applicant shall submit detailed site & architectural plans for Planning staff review and approval.
12. 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.

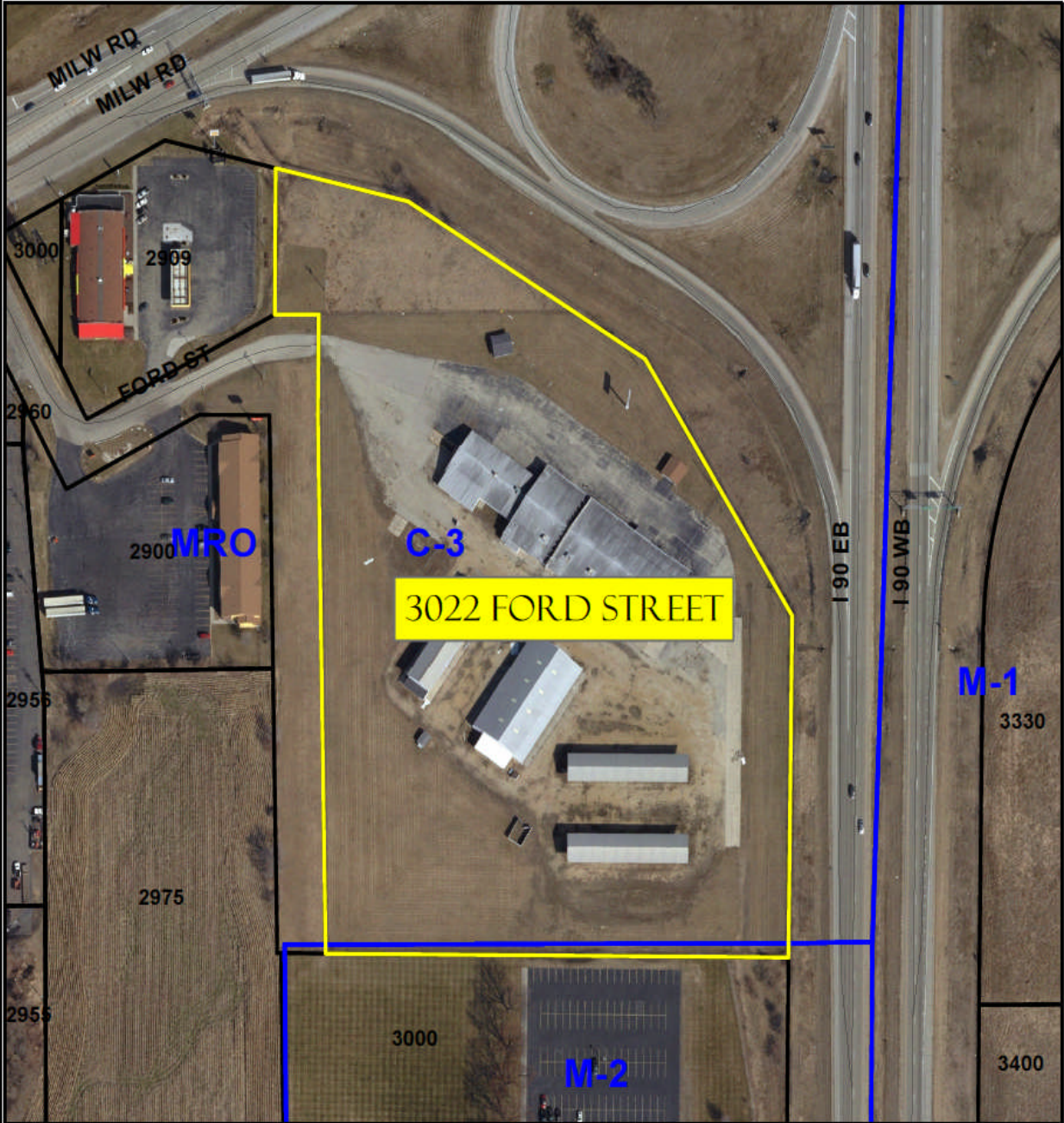
Fiscal Note/Budget Impact: N/A

Attachments: Location & Zoning Map, Photographs, Conceptual Plans, Rendering, Site Plan, Application, Public Notice, and Mailing List.

Location & Zoning Map

3022 Ford Street

CU-2013-01



1 inch = 187 feet
0 40 80 160 240 Feet

Legend

- Zoning District
- Parcels

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

PLANNING & BUILDING SERVICES DIVISION



Principal Building a/k/a Building "A"

Detached Accessory Structure a/k/a Building "B"





Detached Accessory Structure a/k/a Building “C”

1 of 2 Canopies for Proposed RV Parking





Accessory Structures





Accessory Structures



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-2013-01

1. Address of subject property: 3022 Milwaukee Road Ford Street

2. Legal description: See attached ALTA Survey

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: 11.2 acres _____ acres.

3. Tax Parcel Number(s): 22910015 (Parcel Number)

4. Owner of record: LN Real Estate LLC - Jerry TeStake Testate [4305doentm.com] Phone: (206) 501-4520

801 Second Ave., Ste. 1300 Seattle WA 98104
(Address) (City) (State) (Zip)

5. Applicant's Name: AMERCO Real Estate Company - Carlos Vizcarra, President

2727 N. Central Ave., Ste. 500 Phoenix AZ 85004
(Address) (City) (State) (Zip)

(602) 263-8555 / daniela_warren @uhaul.com
(Office Phone #) (Cell Phone #) (E-mail Address)

6. All existing use(s) on this property are: _____
Vacant home improvement stores

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

A Conditional Use Permit for: Self-Storage
_____ in a(n) 'C-3' Community Commercial _____ Zoning District.

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

Principal use: _____
Truck & Trailer Rental & Self-Storage

Secondary use: _____

Accessory use: _____

City of Beloit Conditional Use Permit Application Form (continued)

9. Project timetable: Start date: 1/31/2013 Completion date: 7/31/2013

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

- Owner
- Leasehold, length of lease: _____
- Contractual, nature of contract: Acquisition
- 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.

Jenny TeStrake, Jenny TeStrake, 12/6/12
(Signature of Owner) (Print name) (Date)

Carlos Vizcarra, Carlos Vizcarra, 11/21/2012
(Signature of Applicant, if different) (Print name) (Date)

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

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

To be completed by Planning Staff	
Filing fee: <u>\$275.00</u>	Amount paid: <u>\$275.00</u> Meeting date: <u>Jan. 9, 2013</u>
No. of notices: _____	x mailing cost (\$0.50) = cost of mailing notices: \$ _____
Application accepted by: <u>Dou Farrington</u>	Date: <u>12/14/12</u>



NOTICE TO THE PUBLIC

February 21, 2013

To Whom It May Concern:

AMERCO Real Estate Company, on behalf of U-Haul, has filed an application for a Conditional Use Permit to allow a Self-Service Storage use in a C-3, Community Commercial District and MRO, Milwaukee Road Overlay District, for the property located at:

3022 Ford Street.

The applicant has proposed to rehabilitate the subject property, which has been vacant for a number of years, to accommodate a U-Haul Store in the near future. Self-Service Storage uses require a Conditional Use Permit in C-3, Community Commercial Districts.

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

City Plan Commission: Wednesday, March 6, 2013, 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, March 18, 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 Michael Lofton in the Planning & Building Services Division at (608) 364-6708 or loftonm@ci.beloit.wi.us. Comments will be accepted via telephone, email, and U.S. Mail.

GEORGE A HORMEL & CO HORMEL
FOODS CORP
1 HORMEL PL
AUSTIN, MN 559123680

LN REAL ESTATE LLC
801 SECOND AVE STE 1300
SEATTLE, WA 98104

MCBAIN ENTERPRISES INC
2951 KENNEDY DR
BELOIT, WI 53511

CORNELLIER LIMITED
2909 FORD ST
BELOIT, WI 53511

SUN LODGING INC
2900 FORD ST
BELOIT, WI 53511



PROCEEDINGS OF THE BELOIT CITY COUNCIL
100 State Street, Beloit WI 53511
Monday, March 4, 2013

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

1. The meeting was called to order at 7:07 p.m. in the Forum at Beloit City Hall.
2. PLEDGE OF ALLEGIANCE
3. SPECIAL ORDERS OF THE DAY/ANNOUNCEMENTS – none.
4. PUBLIC HEARINGS
 - a. Water Resources Director Harry Mathos presented a proposed **Zoning Text Amendment** creating Section 5-800 of the Zoning Ordinance, Article V, Chapter 19 of the Code of General Ordinances of the City of Beloit, to be known as the Wellhead Protection Ordinance. It was noted that the Plan Commission recommended approval 4-0. Mr. Mathos presented some of the history the ordinance, which was mandated by the Wisconsin Department of Natural Resources after the approval of Well 14. He said that the ordinance has changed since the introduction at the February 18th meeting and that, after discussions with the DNR and some of the local business owners, staff moved some of the conditional uses into the permitted use category within this overlay district. Councilor Haynes opened the public hearing.
 - Mike Zoril, 1756 Carlyle Road, said that he is concerned that this ordinance requires monitoring and compliance at the expense of business owners. He said that protecting the water supply is a great idea but that fluoride should not be added.
 - Tom Holmen, 2785 Park Avenue, said that he is supportive of the ordinance and that Mr. Mathos has provided him with a lot of information. He also said that he is concerned with the vagueness of the ordinance and that the additional restrictions from the overlay district may be overly burdensome and reduce the value of his property.
 - Roger Kemman, President of Ryeco located at 2549 Park Avenue, said that his business is located near Well 14. He said that the City should have determined how many businesses would be impacted by the ordinance and how each one would be impacted. He said that the ordinance is an unfunded mandate on businesses and that his property will be worth less is the ordinance is approved.

Councilor Haynes closed the public hearing. Councilor Leavy made a motion to suspend the rules and offer a second reading of the ordinance, and Councilor Kincaid seconded. Councilor De Forest requested that a second reading not take place at this meeting because she would like more time to understand the financial ramifications for business owners. Councilor Leavy asked if there is a template for the Spill Plan required, and Mr. Mathos said that there a template included in the City's Business Permit program. Councilor Van De Bogart asked how many other municipalities in Wisconsin have a Wellhead Protection Plan, and Mr. Mathos said that 336 municipalities have adopted an ordinance. Councilor Spreitzer asked about notification of impacted business owners, and Mr. Mathos said that he would personally notify all of them. Councilor Van De Bogart asked why the proposed ordinance is based on a five-year watershed and not a 10 or 20-year watershed. Mr. Mathos said that the five-year ordinance is the gold standard recommended by the DNR. The motion to suspend the rules for a second reading failed

by a vote of 0-7. Councilor Luebke made a motion to lay this item over until the first meeting in April, and Councilor Leavy seconded. The motion carried 7-0. File 7724

5. CITIZENS PARTICIPATION

- Mike Zoril, 1756 Carlyle Road, said that fluoride is a drug and should not be added to the City's water supply. With regard to the project at 501 Prospect Street, he said that parking is a large concern for the neighbors but that the building could be used for church services right now which would create a parking problem. He said that the Council should move forward with the proposed Comprehensive Plan amendment.
- Patrick Engleston, 903 Vernon Avenue, said that parking is a big problem in the area around 501 Prospect Street. He said that there are many venues that use the limited number of on-street parking spaces in the area.
- Joan Wootton spoke representing 514 Prospect Street and the Daughters of the American Revolution organization. She said that she commends the new owners of 501 Prospect Street for their enthusiasm and vigor. However, she said that the building is not appropriate for the uses proposed because of parking and handicap accessibility issues.
- Dave Winters, 13807 Mary Drive, Rockton, Illinois, said that the Comprehensive Plan amendment is unnecessary because the current zoning and land use are appropriate for the building. He said that parking is an issue and that the property owner should look at obtaining a conditional use permit within the existing zoning.
- Rich Bach, 12887 Vivian Court, Rockton, Illinois, said that he is concerned with the parking in the area of 501 Prospect Street. He said that he presented a petition with over 140 signatures opposing the Comprehensive Plan amendment. He said that he appreciates the owner's investment in the building but said that there may be other buildings in the area more appropriate for the proposed uses.
- Stephen Hawkins, 717 Harrison Avenue, said that he is the Pastor at First Baptist Church and that leadership of the church does not have a formal opinion about the proposed amendment for the property located at 501 Prospect Street. He said that the concerns shared by individual members of the church do not necessarily reflect that of the entire church membership. He asked the Council to table this issue until the Wittnebels are able to meet with the Church leadership.
- Debbie Fischer, 416 College Street/1338 McKinley Avenue, representing Rock County Youth to Youth, said that she has concerns about the proposed ordinance to allow tailgating at the Beloit Snappers baseball games. She said that she is concerned about the proximity between the skate park and the area where tailgating is proposed, and she asked the Council to lay the item over until citizens have time to express their concerns.
- Arlene Masear, 865 Cranston Road, said that she is a member of First Baptist Church and that she is opposed to the Comprehensive Plan amendment for 501 Prospect Street. She said she is concerned about the lack of parking and the use of alcohol at this location,
- John Wittnebel, 10320 W. County Road K, Beloit, said that he is the owner of the building located at 501 Prospect Street. He said that he is excited that his proposal has engaged the community and that he counted 395 parking spaces within four blocks of the building. He said that a vibrant community performing arts center will give much more to the community than it will take away and that if the plan amendment is not approved, the building will likely be demolished.
- Rick McGrath, 1747 Sherwood Drive, said that he supports the proposed project at 501 Prospect Street. He said that he could not think of another use for this building that would not create parking problems and that this is a positive use for the building.
- Kim Mork, 1822 Sun Valley, spoke against the addition of fluoride to the City's drinking water. She said that fluoride in toothpaste is not meant to be swallowed and if the City is concerned about ground water, then they should not be putting fluoride in the water.

6. CONSENT AGENDA

Councilor Leavy made a motion to adopt the Consent Agenda, which consists of items 6.a. through 6.d. Councilor Van De Bogart 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 7-0.

- a. The **Minutes** of the Special Meeting of February 12, 2013, and Regular and Special Meetings of February 18, 2013 were approved.
- b. The proposed ordinance amending the City of Beloit Municipal Code relating to the **Community Development Reorganization** was referred to the Plan Commission. File 6543
- c. The application for a **Conditional Use Permit** to allow a self-storage use in a C-3, Community Commercial District and MRO, Milwaukee Road Overlay District, for the property located at 3022 Ford Street was referred to the Plan Commission. File 8582
- d. The resolution authorizing **Final Payment** of Public Works Contract C12-02R, New Telecommunication Hut Foundation, was adopted. File 8551

7. ORDINANCES

- a. Community Development Director Julie Christensen presented the Second Reading of a proposed Ordinance amending the City of Beloit **Comprehensive Plan** for the properties located at 545 and 549 W. Grand Avenue; 615, 619, 625, and 629 Eighth Street; 548 Locust Street; 1203, 1233, 1249, 1253, and 1257 Sixth Street; 219 and 225 North Street; and 1313, 1317, 1323, 1327, 1333, 1339, 1343, 1349, and 1353 Sixth Street, from the Neighborhood Commercial, Two-family, and Single-family Residential-Urban use designations, to the Institutional and Community Service use designation. It was noted that the Plan Commission recommended approval 5-0. Councilor Luebke made a motion to enact the ordinance, and Councilor Van De Bogart seconded. Councilor De Forest asked if any residents voiced concern at the Plan Commission meeting, and Ms. Christensen said they did not. The motion carried 7-0. Ord. 3748 File 8247
- b. Ms. Christensen presented the Second Reading of a proposed Ordinance amending the City of Beloit **Comprehensive Plan** for the property located at 501 Prospect Street, from the Institutional and Community Service use designation, to the Neighborhood Commercial use designation. It was noted that the Plan Commission recommended approval 5-0. Ms. Christensen described the project and the variety of proposed uses including liquor sales. She said that the proposed office space, restaurant, and private performing arts center are not permitted within the current zoning classification. Councilor Luebke asked about the steps necessary to allow the proposed uses associated with this project, and Ms. Christensen said that additional steps including a zoning map amendment to change the zoning of the property and a conditional use permit. Councilor De Forest made a motion to lay this item over in order to speak to the residents at Scoville and give the First Baptist Church leadership and the Wittnebels a chance to meet. Councilor Spreitzer seconded. The motion failed 3-4, with Councilors Haynes, Leavy, Luebke, and Van De Bogart voting in opposition. Councilor Van De Bogart made a motion to enact the ordinance, and Councilor Kincaid seconded. The motion carried by a vote of 5-1-1, with Councilor Leavy voting in opposition and Councilor De Forest abstaining from the vote. Ord. 3479 File 8247
- c. Parks and Leisure Services Director Brian Ramsey presented a proposed Ordinance to amend Section 15.06(1)(b) of the Code of General Ordinances of the City of Beloit as it relates to Alcohol in Parks to allow **Tailgating** in advance of Beloit Professional Baseball Association, Inc. Games. Councilor De Forest said that the Parks and Recreation Commission members voted to recommend approval of this ordinance with the understanding that it would only occur at home games on Saturday nights and that this proposal is different. She asked why the tailgating area is located directly in front of the skate park, and Mr. Ramsey indicated that staff recommended this area because it is easy to barricade and leaves the rest of the lot available for parking. Councilor Van De Bogart asked how the Snappers would measure whether this is successful and said that they may be competing against themselves. Mr. Ramsey said that many teams in the Snappers' league permit tailgating and that it consists of much more than consuming alcohol. Councilor Spreitzer asked questions about how the area will be enclosed, bathroom facilities, and supervision; and Mr. Ramsey stated that these issues are addressed in the lease agreement and the operational details will be determined at a later date. Councilor Luebke expressed concern with the potential for excess drinking and proximity to the skate park. Mr. Ramsey said that this is

an experiment and that the City or the Snappers can stop allowing tailgating at any time. Councilor Leavy asked if the Police Department has expressed concern about this, and Mr. Ramsey said that the matter was discussed at the Department Director meeting but that he was not present. Councilor De Forest said that she would like to lay this item over because a resident requested it and because she is not happy with the lack of operational details in the lease agreement. Councilor Spreitzer made a motion to lay this item over to the March 18, 2013 meeting, and Councilor De Forest seconded. The motion carried 7-0. File 5663

8. APPOINTMENTS – none

9. COUNCILOR ACTIVITIES AND UPCOMING EVENTS

- Councilor De Forest recognized Jenny, Susan, and Athena for their work at the Empty Bowl fundraiser, and she congratulated the winners of the Downtown Beloit Association Awards Ceremony. She said that she continues to advocate for a construction training site in Beloit for the I-90/I-39 expansion project, and she requested that Mr. Zoril provide her the sources of his information regarding fluoride.
- Councilor Luebke thanked Rick McGrath and Anna Kelly for all of their work volunteering at the Beloit International Film Festival and around the community in general.
- Councilor Kincaid said that the Empty Bowl and Rise and Shine events were great experiences. He said that he attended a show at the Arts Incubator and was impressed by the skill and artistry of City Attorney Tom Casper's photography.
- Councilor Spreitzer said that he attended the DBA Awards Ceremony, the Empty Bowl fundraiser, the Rise and Shine event, and the Chamber of Commerce Annual Dinner.

10. CITY MANAGER'S PRESENTATION

- a. Landmarks Commission Chairman Rick McGrath presented the Annual **Landmarks Commission Report** for 2012. He described the number and type of historic properties in the City and outlined the number of Certificates of Appropriateness issued by the Landmarks Commission and staff. He said that there were tours of some of Beloit's historic properties during Beloit Heritage Days in September 2012. He also said that the City will not be hosting the Wisconsin Association of Historic Preservation Commissions 2013 Spring Conference but that he hopes to bring this conference to Beloit in 2014. Councilor De Forest reminded staff to provide information about the City's revolving loan programs to owners of historic homes.
- b. The City Manager's **Report to the Community** will be presented at the March 18, 2013 City Council meeting.

11. REPORTS FROM BOARD AND CITY OFFICERS

- a. Ms. Christensen presented a resolution adopting the **Connections: City Center Plan**. It was noted that the Plan Commission recommended approval 4-0. Ms. Christensen described how the document was developed and how it impacts the City of Beloit. Councilor Van De Bogart made a motion to adopt the resolution approving the Plan, and Councilor De Forest seconded. Councilor Spreitzer asked if there is a periodic review process associated with the Plan, and Ms. Christensen said that this Plan is not incorporated into the City's Comprehensive Plan and that there is not a review process because it is an advisory document. Councilor Kincaid said that this document provides a great vision of the south end of the Rock River. Councilor De Forest said that there were many meetings and much collaboration to develop and implement this plan, and she thanked everyone involved. Councilor Luebke thanked staff for the setting this great example of cooperation between jurisdictions. Councilor Haynes said that the document presents a splendid vision, and he thanked Beloit 2020 for supporting South Beloit with the project. The motion carried 7-0. File 8168
- b. Transit Director Michelle Gavin presented a resolution approving the 2013 Urban Mass Transit Paratransit Assistance **Contract** between the State of Wisconsin and the City of Beloit. She said that we are required by law to provide paratransit services for people who are disabled and not

able to use regular handicap-accessible buses. Ms. Gavin stated that this is a grant over and above the regular transit aid from the State to provide paratransit services. She said that the proposed resolution authorizes the City Manager to enter into this contract and additional contracts in the future provided they are substantially similar. Councilor Van De Bogart made a motion to adopt the resolution, and Councilor Leavy seconded. The motion carried 7-0. File 8050

- c. Mr. Ramsey presented a resolution approving **Lease Agreement** between the City of Beloit and the Beloit Professional Baseball Association, Inc. Councilor Luebke made a motion to adopt the resolution, and Councilor Leavy seconded. The motion carried 7-0. File 8110

12. At 9:27 p.m., Councilor Leavy made a motion to adjourn the meeting, and Councilor Spreitzer seconded. The motion carried 7-0.

Rebecca Houseman LeMire, City Clerk

www.ci.beloit.wi.us

Date approved by Council:

**RESOLUTION
APPROVING A TWO-LOT CERTIFIED SURVEY MAP
FOR THE PROPERTY LOCATED AT
1650 LEE LANE**

WHEREAS, Section 12.05(1)(c) of Chapter 12 of the Code of General Ordinances of the City of Beloit entitled “*Subdivision and Official Map Ordinance*” authorizes the City Council of the City of Beloit to approve, conditionally approve, or reject any minor subdivision of land within the City that involves the dedication of land to the public; and

WHEREAS, the attached two-lot Certified Survey Map for the property located at 1650 Lee Lane, containing 16.19 acres, more or less, is located within the jurisdiction of the City of Beloit and includes a perpetual public sidewalk easement; and

WHEREAS, the Plan Commission of the City of Beloit has heretofore recommended approval of the attached two-lot Certified Survey Map, along with the perpetual public sidewalk easement, which pertains to the following described land:

Lot 1 of Certified Survey Map, Document No. 1728315, Recorded in Volume 29 on Pages 126-128 of Certified Survey Maps, Being a Part of the S.W. ¼ of the N.W. ¼ of Section 29, T. 1 N., R. 13 E. of the 4th P.M., City of Beloit, Rock County, Wisconsin.

NOW, THEREFORE, BE IT RESOLVED THAT, the City Council of the City of Beloit does hereby approve the attached two-lot Certified Survey Map for the property located at 1650 Lee Lane, subject to the following conditions:

1. Lot 1 shall be addressed as 1670 Lee Lane and Lot 2 shall be addressed as 1650 Lee Lane.
2. The final CSM shall be recorded with the Rock County Register of Deeds by December 31, 2013.

Adopted this 18th day of March, 2013.

BELOIT CITY COUNCIL

Charles M. Haynes, Council President

ATTEST:

Rebecca Houseman LeMire, City Clerk

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL

Topic: Certified Survey Map (CSM) for the property located at 1650 Lee Lane

Date: March 18, 2013

Presenter(s): Julie Christensen

Department: Community Development

Overview/Background Information:

R.H. Batterman & Co., Inc. has submitted an Application for the Review of a Minor Subdivision and a 2-Lot Certified Survey Map (CSM) for the property located at 1650 Lee Lane. According to Section 12.05(1)(c) of the Subdivision Ordinance, the Plan Commission shall recommend to the City Council approval, conditional approval, or rejection of any minor subdivision of land within the City that involves the dedication of land to the public.

Key Issues:

- The intent of the proposed CSM is to create a buildable parcel (Lot 1) for a proposed cancer center that will be operated by Beloit Memorial Hospital and UW Health. Planning staff is currently reviewing site plans for this project. Proposed Lot 2 includes the existing clinic building and parking lot and several acres of vacant land.
 - Proposed Lot 1 is 5.288 acres in area and includes 496.84 feet of frontage on Lee Lane, 333.65 feet of frontage on Milwaukee Road, and a public sidewalk easement near the stoplight that is 8 feet wide and approximately 114 feet long. The proposed CSM must be reviewed by the City Council because of the perpetual public sidewalk easement.
 - Proposed Lot 2 is 10.898 acres in area and includes 639.23 feet of frontage on Lee Lane.
 - Both proposed lots meet the minimum development standards for properties zoned C-1, Office District.
 - The City Assessor's Office has reviewed the proposed CSM and has noted that proposed Lot 1 will be addressed as 1670 Lee Lane, with proposed Lot 2 retaining an address of 1650 Lee Lane.
 - The Plan Commission reviewed this item on March 6, 2013 and voted unanimously (5-0) to recommend approval of this CSM, subject to the two conditions recommended by the Planning & Building Services Division.
-

Consistency with Comprehensive Plan and Strategic Plan:

- The Comprehensive Plan recommends Community Commercial uses, which includes larger office uses serving the entire community and nearby communities. This proposed land division is consistent with the Comprehensive Plan. Consideration of this request supports City of Beloit Strategic Goal #5.
-

Sustainability:

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

Action required/Recommendation:

- City Council consideration and action on the proposed Resolution
-

Fiscal Note/Budget Impact: N/A

Attachments: Resolution and Staff Report to the Plan Commission

CITY OF BELOIT

REPORT TO THE BELOIT CITY PLAN COMMISSION

Meeting Date: March 6, 2013

Agenda Item: 3

File Number: CSM-2013-02

Applicant: R.H. Batterman & Co., Inc.

Owner: Beloit Memorial Hospital

Location: 1650 Lee Lane

Existing Zoning: C-1, Office District

Existing Land Use: Vacant & Office

Total Area: 16.19 Acres

Request Overview/Background Information:

R.H. Batterman & Co., Inc. has submitted an Application for the Review of a Minor Subdivision and a 2-Lot Certified Survey Map (CSM) for the property located at 1650 Lee Lane. According to Section 12.05(1)(c) of the Subdivision Ordinance, the Plan Commission shall recommend to the City Council approval, conditional approval, or rejection of any minor subdivision of land within the City that involves the dedication of land to the public.

Key Issues:

- The intent of the proposed CSM is to create a buildable parcel (Lot 1) for a proposed cancer center that will be operated by Beloit Memorial Hospital and UW Health. Planning staff is currently reviewing site plans for this project.
 - Proposed Lot 2 includes the existing clinic building and parking lot and several acres of vacant land.
 - Proposed Lot 1 is 5.288 acres in area and includes 496.84 feet of frontage on Lee Lane, 333.65 feet of frontage on Milwaukee Road, and a public sidewalk easement near the stoplight that is 8 feet wide and approximately 114 feet long.
 - Proposed Lot 2 is 10.898 acres in area and includes 639.23 feet of frontage on Lee Lane.
 - Both proposed lots meet the minimum development standards for properties zoned C-1, Office District.
 - The proposed CSM must be reviewed by the City Council because of the perpetual public sidewalk easement.
 - The City Assessor's Office has reviewed the proposed CSM and has noted that proposed Lot 1 will be addressed as 1670 Lee Lane, with proposed Lot 2 retaining an address of 1650 Lee Lane.
 - AT&T has reviewed the proposed CSM and has noted the presence of buried cable in the right-of-way adjacent to proposed Lot 1. The City's other Review Agents did not submit any comments.
-

Consistency with Comprehensive Plan and Strategic Plan:

The Comprehensive Plan recommends Community Commercial uses, which includes larger office uses serving the entire community and nearby communities. This proposed land division is consistent with the Comprehensive Plan. Consideration of this request supports City of Beloit Strategic Goal #5.

Sustainability:

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

Staff Recommendation:

The Planning & Building Services Division recommends **approval** of the attached two-lot Certified Survey Map (CSM) for the property located at 1650 Lee Lane, subject to the following conditions:

1. Lot 1 shall be addressed as 1670 Lee Lane and Lot 2 shall be addressed as 1650 Lee Lane.
 2. The final CSM shall be recorded with the Rock County Register of Deeds by December 31, 2013.
-

Fiscal Note/Budget Impact: N/A

Attachments: CSM, Application, and Proposed Site Plan.

CERTIFIED SURVEY MAP OF

LOT 1 OF CERTIFIED SURVEY MAP, DOCUMENT NO. 1728315, RECORDED IN VOLUME 29 ON PAGES 126-128 OF CERTIFIED SURVEY MAPS, BEING A PART OF THE S.W. 1/4 OF THE N.W. 1/4 OF SECTION 29, T. 1 N., R. 13 E. OF THE 4TH P.M., CITY OF BELOIT, ROCK COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE OF COMPLIANCE WITH STATUTE

State of Wisconsin) I, Robert H. Leuenberger, a Registered Land Surveyor, do hereby
County of Rock)^{ss} certify that I have surveyed and mapped Lot 1 of Certified Survey Map, Document No. 1728315, Recorded in Volume 29 on Pages 126-128 of Certified Survey Maps, Being a Part of the S.W. 1/4 of the N.W. 1/4 of Section 29, T. 1 N., R. 13 E. of the 4th P.M., City of Beloit, Rock County, Wisconsin.

DESCRIBED AS FOLLOWS: Commencing at the West 1/4 corner of Section 29, aforesaid; thence South 89°28'34" East 362.72 feet to the Southwest corner of said Lot 1 and the point of beginning; thence North 0°36'45" West 1164.98 feet; thence North 62°39'21" East 333.65 feet; thence South 28°20'39" East 1136.07 feet; thence South 61°40'27" West 685.86 feet; thence North 89°28'34" West 216.84 feet to the place of beginning. Containing 16.186 acres more or less.

That such map is a correct representation of all exterior boundaries of the land surveyed and the division of that land. That I have made such survey and map by the direction of the Owner of said land, and that I have complied fully with the provisions of Section 236.34 of the Wisconsin Statutes in surveying and mapping the same. Given under my hand and seal, this 28th day of January, 2013 at Beloit, Wisconsin.

EASEMENT NOTE:

A perpetual sidewalk easement 8 feet in equal width is hereby granted to the City of Beloit to install, lay, construct, renew, operate and maintain a public sidewalk and necessary appurtenances thereto and the right to enter upon the land at all times to install, lay, construct, renew, operate and maintain within the easement area as shown hereon said public sidewalk and appurtenances. No permanent building or trees shall be placed on said easement except with the written permission of the City of Beloit, but the same may be used for gardens, shrubs, landscaping and other purposes that do not interfere with the aforesaid use or rights herein granted.

The City of Beloit does hereby covenant and agree to replace any disturbed topsoil and to fertilize, reseed or restore areas arising out of the City of Beloit's construction or subsequent repair or renewal of the sidewalk.

Approved by the City Council of the City of Beloit, this
_____ day of _____, 2013.

By: _____

ORDER NO. 31431
DATE: JANUARY 28, 2013
FOR: BELOIT MEMORIAL HOSPITAL

SHEET 2 OF 3



CERTIFIED SURVEY MAP OF

LOT 1 OF CERTIFIED SURVEY MAP, DOCUMENT NO. 1728315, RECORDED IN VOLUME 29 ON PAGES 126-128 OF CERTIFIED SURVEY MAPS, BEING A PART OF THE S.W. 1/4 OF THE N.W. 1/4 OF SECTION 29, T. 1 N., R. 13 E. OF THE 4TH P.M., CITY OF BELOIT, ROCK COUNTY, WISCONSIN.

CORPORATE OWNERS CERTIFICATE OF DEDICATION

Beloit Memorial Hospital, Inc., a Wisconsin corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, as Owner, does hereby certify that said corporation caused the land described on this plat to be surveyed, divided, mapped and dedicated as represented on this plat.

Beloit Memorial Hospital, Inc. does further certify that this plat is required by Sections 236.10 or 236.12 to be submitted to the following for approval or objection: the City of Beloit Planning Commission and the Beloit City Council.

IN WITNESS WHEREOF, Beloit Memorial Hospital, Inc. has caused these presents to be signed by Gregory Britton, its President and CEO, this _____ day of _____, 2013.

Gregory Britton, President and CEO
Beloit Memorial Hospital

State of Wisconsin) Personally came before me, this _____ day of _____, 2013, Gregory
County of Rock)^{ss} Britton of the above-named corporation, to me known to be
the person who executed the foregoing instrument, and to me known to be
such President and CEO of said corporation, and acknowledged that he executed the foregoing
instrument as such officer as the deed of such corporation, by its authority.

Notary Public, Rock County, Wisconsin

My Commission Expires: _____

I hereby certify that the property taxes on the parent parcel are current and have been paid as of _____, 2013.

By: _____
Rock County Treasurer

DOCUMENT NO. _____ RECEIVED FOR RECORD THIS _____ DAY OF _____ A.D. 2013
AT _____ O'CLOCK ____M. AND RECORDED IN VOLUME _____, PAGES _____ OF
CERTIFIED SURVEY MAPS OF ROCK COUNTY, WISCONSIN.

REGISTER OF DEEDS

ORDER NO. 31431
DATE: JANUARY 28, 2013
FOR: BELOIT MEMORIAL HOSPITAL

SHEET 3 OF 3



City of Beloit

Neighborhood Planning Division

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

Application for Review of a Minor Subdivision

(Please Type or Print)

File Number: CSM-2013-02

1. Address of property: 1650 & 1670 Lee Lane
2. Tax Parcel Number(s): 2297 0900
3. Property is located in (circle one): City of Beloit or Town of: Turtle; Beloit; Rock or LaPrairie
In the nw Quarter of Section 2, Township 1 North, Range 1 East of the 4th P.M.
4. Owner of Record: Beloit Memorial Hospital Phone: 364-5011
1969 Hart Road BELOI WI 53511
(Address) (City) (State) (Zip)
5. Surveyor's name: RH Batterman & Co., Inc. Phone: 365-4464
2857 Bartells Drive Beloit WI 53511
(Address) (City) (State) (Zip)
6. Number of new lots proposed with this land division is 2 lot(s).
7. Total area of land included in this map: 16.19 Acres
8. Total area of land remaining in parent parcel: NA
9. Is there a proposed dedication of any land to the City of Beloit? Yes (Easement only)
10. The present zoning classification of this property is: C 1
11. Is the proposed use permitted in this zoning district: YES
12. **THE FOLLOWING ITEMS MAY NEED TO BE COMPLETED AND/OR ATTACHED:**
 - Site Assessment Checklist;** is required if the total area of CSM is over 5 acres.
 - Pre-application meeting;** pre-application meeting was held on 1/9/13 with City of Beloit Staff.
 - Developer's Statement;** as required by section 12.02(7) of the Subdivision Ordinance.
 - Phase One Environmental Assessment;** as per section 12.05(1)(c) of the Subdivision Ordinance.
 - Certified Survey Map;** one copy as required by section 12.05(1) of the Subdivision Ordinance.

The applicant's signature below indicates the information contained in this application and on all accompanying documents is true and correct. The undersigned does hereby respectfully make application for and petition the City Plan Commission or City Council for approval of this Certified Survey Map for the purpose stated herein. The undersigned also agrees to abide by all applicable federal, state and local laws, rules, and regulations.

[Signature] / RH BATTERMAN CO. / 1/29/13
(Signature of applicant) (Name of applicant) (Date)

This application must be submitted at least 21 days prior to the Plan Commission meeting date.

Review fee: <u>\$150 plus \$10 per lot</u>	Amount Paid: <u>\$170.00</u>
Scheduled meeting date: <u>Feb. 20, 2013</u>	
Application accepted by: <u>[Signature]</u>	Date: <u>1/30/13</u>

LEGEND

- F — EXISTING SITE
- G — EXISTING GAS
- T — EXISTING SURFACE TRENCH
- E — EXISTING P. PREL. ELEVATION
- EXISTING DRAINAGE
- EXISTING IRRIGUOUS TIE
- EXISTING CONVEYOUS TIE
- EXISTING TULIP PIPE
- EXISTING SIGN
- EXISTING TELEPHONE SIGN
- REPAIR
- X — TIE REMOVAL
- PROPOSED CALL OUT
- SIGN MARK
- LF — LF TIE

DIGGERS HOTLINE
 SIMPLY CALL
 800-368-5838
 OR CALL FREE TOLL FREE 800-368-5838
 OUT OF STATE
 A SERVICE AVAILABLE ONLY IN
 WISCONSIN
 www.diggershotline.com



2807 Barnes Drive
 Suite 1000
 Rock County, WI 53151
 www.batterman.com

Batterman
 engineers architects planners

NOTES: CONSULT ALL DRAWINGS FOR THE LATEST REVISIONS AND RECORDS. ALL DIMENSIONS ARE IN FEET AND INCHES UNLESS OTHERWISE NOTED.

DESIGNED BY:	DATE:
DRAWN BY:	DATE:
CHECKED BY:	DATE:
APPROVED BY:	DATE:

SITE PLAN

BHS CANCER CARE CENTER
 18XX LEE LANE
 ROCK COUNTY, WISCONSIN

SHEET NO:
C400

**RESOLUTION
AUTHORIZING FINAL PAYMENT OF
PUBLIC WORKS CONTRACT C11-15
WEISER STATION**

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

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

THEREFORE, BE IT RESOLVED, that Magill Construction Co., Inc. be paid \$10,000.00 as the final payment for Contract C11-15, Weiser Reservoir, as recommended by the City Engineer.

Dated at Beloit, Wisconsin this 18th day of March, 2013.

City Council of the City of Beloit

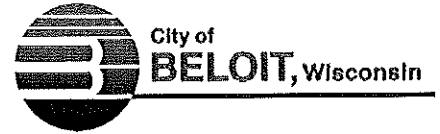
Charles M. Haynes, President

ATTEST:

Rebecca Houseman LeMire, City Clerk

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: Award Final Pay for C11-15, Weiser Station

Date: March 18, 2013

Presenter(s) Michael Flesch, City Engineer

Department(s): Public Works/Engineering

Overview/Background Information:

Magill Construction Co., Inc. has completed construction of project C11-15 Weiser Reservoir, and has submitted all of the required paperwork and bonds. Final payment now needs to be issued.

Key Issues (maximum of 5):

1. Magill Construction Co., Inc. was the low bidder for this project, and they have completed construction to the satisfaction of Engineering.
 2. The contractor is due \$10,000.00 for the completion of the project.
-

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

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

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

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

Action required/Recommendation:

The Engineering Division recommends approval of the final payment to Magill Construction Co., Inc. for \$10,000.00

Fiscal Note/Budget Impact:

Funds are available in the 2011 CIP budget.

CITY OF BELOIT
DEPARTMENTAL CORRESPONDENCE

TO: Michael Flesch, City Engineer

FROM: Bill Frisbee, Storm Water Engineer

DATE: February 19, 2013

SUBJECT: Final Payment Contract C11-15
Weiser Station

The work on this project was completed on July 1, 2012. I have inspected the work and find it to be satisfactory and in compliance with the requirements of the contract. The contractor has asked for final payment. The project was inspected by Baxter & Woodman. The final payment quantities have been approved by the contractor.

The original contract amount was for \$1,815,668.00, and the final contract amount is \$1,815,366.81. The decrease in cost was primarily due to quantity changes. Payments to date under this contract total \$1,805,366.81. All lien waivers from subcontractors are on file.

Therefore, I recommend a final payment in the amount of \$10,000.00 be made to Magill Construction Co., Inc..

CITY OF BELOIT
DEPARTMENTAL CORRESPONDENCE

TO: Bill Frisbee

FROM: Thomas R. Casper *Tom*

DATE: March 5, 2013

SUBJECT: **Final Payment Public Works Contract C11-15**
Magill Construction Co., Inc.
Weiser Station

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

/tdh
encs.

**RESOLUTION
AWARDING CONTRACT C13-03
PORTLAND AVENUE RECONSTRUCTION**

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

WHEREAS, this project will rehabilitate three blocks of Portland Avenue from Bluff Street to Fourth Street. The existing pavement will be milled to the underlying concrete and overlaid with 3" of new asphalt. New concrete curb and gutter, driveway approaches, drainage improvements and sod restoration will also be part of the project; and,

WHEREAS, three competitive bids were received, the low bid being from Rock Road, Companies Inc.; and,

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

THEREFORE, IT IS RESOLVED, that Contract C13-03 Portland Avenue Reconstruction, be, and hereby is, awarded to Rock Road Companies Inc., Janesville, Wisconsin, in the following amounts:

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

Base Bid	\$ 127,989.05
Allowance for Change Orders and/or Extra Work	<u>\$ 19,197.95</u>
TOTAL PROJECT COST	\$ 147,187.00

AND IT IS FURTHER RESOLVED, that the amount of \$147,187.00, be, and hereby is, funded as follows:

<u>P2903467-5514-2013</u>	<u>West Side Neighborhood Initiative - Streets</u>	<u>\$147,187.00</u>
TOTAL		\$147,187.00

Dated at Beloit, Wisconsin this 18th day of March, 2013.

City Council of the City of Beloit

Charles M. Haynes, President

ATTEST:

Rebecca Houseman LeMire, City Clerk

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: Award of Construction Contract for C13-03 Portland Avenue Reconstruction

Date: March 18, 2013

Presenter(s): Michael Flesch, City Engineer

Department(s): Public Works/Engineering

Overview/Background Information:

This project will rehabilitate three blocks of Portland Avenue from Bluff Street to Fourth Street. The existing pavement will be milled to the underlying concrete and overlaid with 3" of new asphalt. New concrete curb and gutter, driveway approaches, drainage improvements and sod restoration will also be part of the project.

Key Issues (maximum of 5):

1. Three bids were received for this project. The low bid of \$127,989.05 was from Rock Road Companies, Inc. and is 16.1% less than the engineer's estimate of \$152,540.50
2. Rock Road Companies, Inc. is considered a responsible bidder for this project.
3. The costs for this project are as follows: \$127,989.05 for construction, \$ 19,197.95 for Change Orders or extra work, for a total of \$147,187.00.
4. No properties will be special assessed for this project.

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

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

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

- **Reduce dependence upon fossil fuels**
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**
The improved pavement will reduce airborne dust and noise.
- **Meet the hierarchy of present and future human needs fairly and efficiently**
N/A

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

Action required/Recommendation:

The Engineering Division recommends awarding this Public Works Contract to Rock Road Companies, Inc. in the amount of \$147,187.00

Fiscal Note/Budget Impact:

Adequate funding is available in the 2013 Capital Improvement Budget.

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL

Topic: Conditional Use Permit Application for the property located at 2240 Cranston Road – Council Referral to the Plan Commission

Date: March 18, 2013

Presenter(s): Julie Christensen

Department: Community Development

Overview/Background Information:

Ryan Swanson of Arc Design Resources, Inc., on behalf of Casey's General Stores, Inc., has filed an application for a Conditional Use Permit to allow a limited vehicle service use (gas station) and indoor alcohol sales in a C-2, Neighborhood Commercial District for the property located at 2240 Cranston Road.

Key Issues (maximum of 5):

- The subject property is located at the intersection of Cranston Road and Shopiere Road, and is adjacent to residential properties to the south and east, and commercial offices to the north and west.
 - The subject property is approximately 8- acres in area and is vacant land. The applicant will subdivide the parcel to create a 2.6-acre lot to accommodate the proposed Casey's General Store gas station. The subdivision is simultaneously being review along with this Conditional Use Permit request.
 - In addition to the proposed gas station, the applicant is proposing indoor alcohol sales.
 - The applicant intends to operate the proposed gas station 24-hours every day if the Conditional Use request is granted.
 - A Site Plan of the proposal is attached to this report.
-

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**
-

Action required/Recommendation:

- Referral to the Plan Commission for the March 20, 2013 meeting
 - This item will most likely return to the City Council for a public hearing and possible action on April 1, 2013
-

Fiscal Note/Budget Impact: N/A

Attachments: Location and Zoning Map, Site Plan, and Application

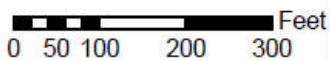
Location & Zoning Map

2240 Cranston Road

CU-2013-03



1 inch = 202 feet

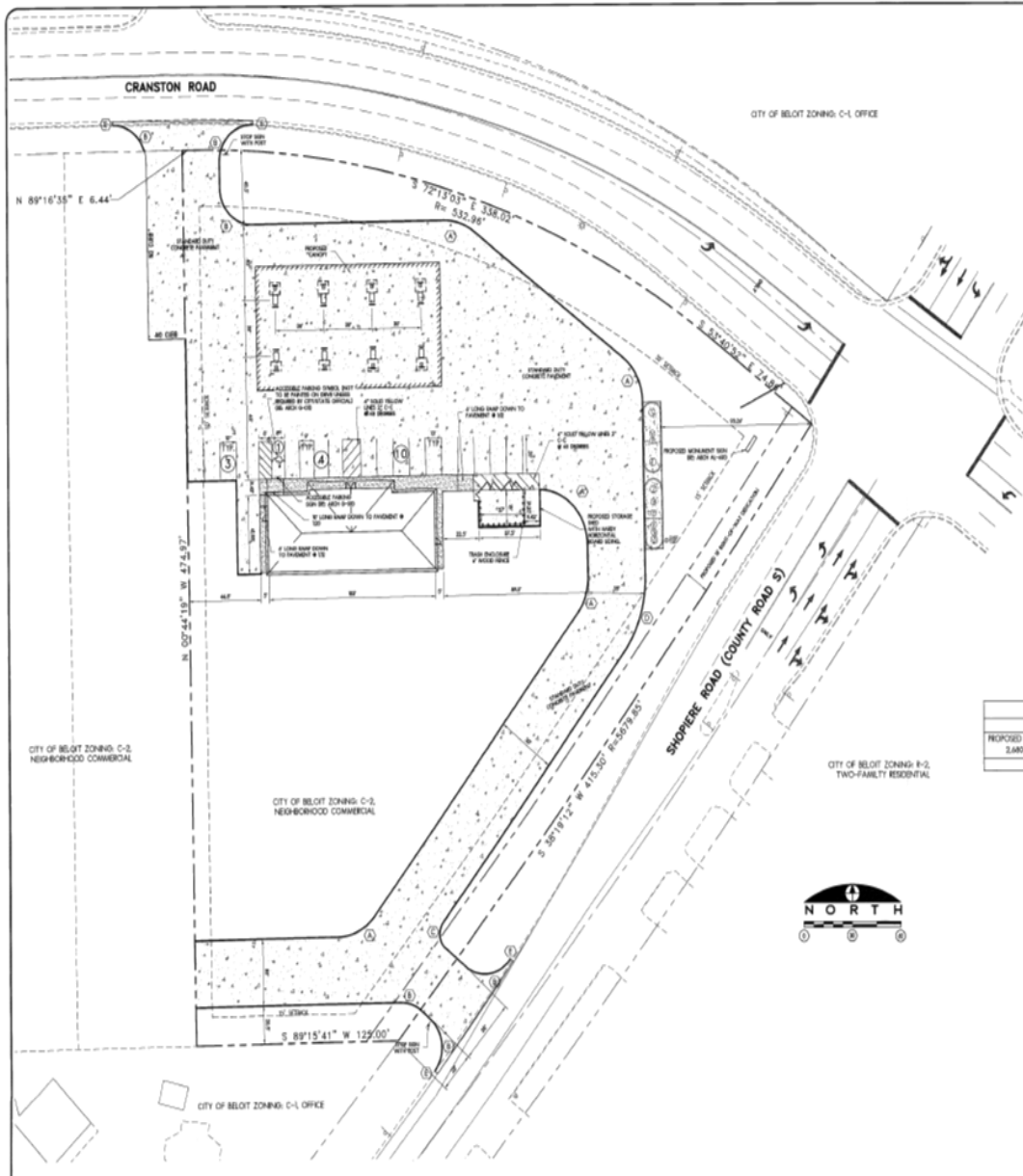


Legend

- Zoning District
- Parcels

Map prepared by: Michael D. Lofton II
Date: February 2013
For: City of Beloit, Planning & Building Services
Date of Aerial Photography: April 2011

PLANNING & BUILDING SERVICES DIVISION



LEGEND

- PROPERTY LINE
- - - EXISTING RIGHT-OF-WAY
- - - PROPOSED SETBACK LINE
- - - PROPOSED EASEMENT
- ▭ SIDEWALK PAVEMENT
- ▭ CONCRETE PAVEMENT
- ▭ PROPOSED CONCRETE CURB AND GUTTER
- ▭ EXISTING CONCRETE CURB AND GUTTER
- ▭ PROPOSED STRIPING
- 28 MARKED PARKING SPACES (PAINT LINES AS INDICATED)
- 123 PROPOSED DETAIL NUMBER
- ♿ PROPOSED HANDICAP PARKING SYMBOLS
- ⚡ EXISTING UTILITY POLE
- ⊕ EXISTING MANHOLE
- ☀ EXISTING LIGHT POLE
- ⬇ PROPOSED SIGN
- ⬆ EXISTING SIGN

KEYED CONSTRUCTION NOTES

- NOTES: ALL WORK WITHIN THE REGULATORY AREA IS SUBJECT TO THE CITY OF BELOIT APPROVAL AND SPECIFICATIONS.
- ① PROPOSED BY RAKAS (POC)
 - ② PROPOSED BY RAKAS (POC)
 - ③ PROPOSED BY RAKAS (POC)
 - ④ PROPOSED BY RAKAS (POC)
 - ⑤ TIE INTO AND MATCH EXISTING CURB & GUTTER FLOW LINE.

PARKING RATIOS

BUILDING AREA	NO. OF SPACES REQUIRED	PROVIDED
PROPOSED CASEY'S C-STORE	14250 SF SALES FLOOR + EMPLOYEE (04 TOTAL)	14250 SF SALES FLOOR + 3 (04 TOTAL)
ACCESSIBLE PARKING	1 ADA REQUIRED	1 ADA PROVIDED

ARC DESIGN
RESOURCES INC.

8801 ZENITH PARKWAY
LEWISVILLE, IA 50111
VOICE: (515) 484-4330
FAX: (515) 484-4331
WWW.ARCDESIGN.COM
Design Firm License No. 04-03304

PROJECT NAME
OWNER'S NAME

CASEY'S GENERAL STORE

BELOIT, WI
COUNTY ROAD 5 &
CRANSTON ROAD

CASEY'S RETAIL COMPANY
ONE CONVENTENCE BLVD
AMHERST, IA 50001

CONSULTANTS

ISSUED FOR

REVISION	DATE
1	
2	
3	
4	
5	
6	
7	

REVISIONS

NO.	ITEM	DATE
1		
2		
3		
4		
5		
6		
7		

SHEET TITLE

LAYOUT PLAN

DRAWN: LND
CHECKED: EWS
P.M. EWS

PROJECT NUMBER
SHEET NUMBER

12125
C4

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Revised 3/12/13

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-2013-03

1. Address of subject property: 2240 Cranston Road
2. Legal description: Part of Lot 2 of a Certified Survey Map recorded in Vol. 12 on Pages 239-240 as Document No. 1015689
If property has not been subdivided, attach a copy of the complete legal description from deed.
Property dimensions are: 450 feet by 400 feet = _____ square feet.
If more than two acres, give area in acres: 2.8 acres.
3. Tax Parcel Number(s): 21970500
4. Owner of record: CRANSTON DEVELOPMENT COMPANY, LLP Phone: (719) 659-7896
1211 Fillmore St. DENVER CO 80206
(Address) (City) (State) (Zip)
5. Applicant's Name: Arc Design Resources, Inc./Ryan Swanson
5291 Zenith Parkway Loves Park IL 61111
(Address) (City) (State) (Zip)
(815) 484-4300 / ryans@arcdesign.com
(Office Phone #) (Cell Phone #) (E-mail Address)
6. All existing use(s) on this property are: _____
Vacant land
7. **THE FOLLOWING ACTION IS REQUESTED:**
A Conditional Use Permit for: Fuel sales (gas station), minor food preparation and services, alcohol sales, tobacco sales
_____ in a(n) C-2 Neighborhood Commercial Zoning District.
8. All the proposed use(s) for this property will be:
Principal use: Fuel Sales (Gas Station)
Sale of fuel to cars and small trucks

Secondary use: Convenience Store
Sale of mixed goods and groceries including alcohol (beer, wine, liquor), and tobacco.

Accessory use: Food Services
Minor food preparation and services including breakfast sandwiches, pizza, sandwiches, burgers, chicken tenders, miscellaneous appetizers and bakery items such as cookies and donuts.

City of Beloit Conditional Use Permit Application Form (continued)

9. Project timetable: Start date: 4/1/2013 Completion date: 11/1/2013

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

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

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

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

David W. Francis DAVID W. FRANCIS TRUSTEE FOR PARTNER
 (Signature of Owner) of Cranston Development, CO, LLP, (Print name) 02/05/13 (Date)

Ryan Swanson Ara Design Resources, Inc.-Ryan Swanson, (Signature of Applicant, if different) (Print name) 2-8-13 (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: March 20, 2013

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

Application accepted by: Michael D. Lofton Date: 2-12-13

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL

Topic: Certified Survey Map (CSM) for the property located at 2240 Cranston Road – Council Referral to the Plan Commission

Date: March 18, 2013

Presenter(s): Julie Christensen

Department: Community Development

Overview/Background Information:

Arc Design Resources, Inc., on behalf of Casey's General Stores, Inc., has submitted an Application for the Review of a 1-Lot Certified Survey Map (CSM) for the property located at 2240 Cranston Road.

Key Issues (maximum of 5):

- The intent of the proposed CSM is to create a buildable parcel for a proposed Casey's General Store gas station.
- Proposed Lot 1 is 2.842 acres in area and includes 413 feet of frontage on Cranston Road and 415 feet of frontage on Shopiere Road.
- The proposed CSM must be reviewed by the City Council because of the 15-foot dedication of right-of-way along Shopiere Road.

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

Action required/Recommendation:

- Referral to the Plan Commission for the March 20, 2013 meeting
- This item will most likely return to the City Council for consideration on April 1, 2013

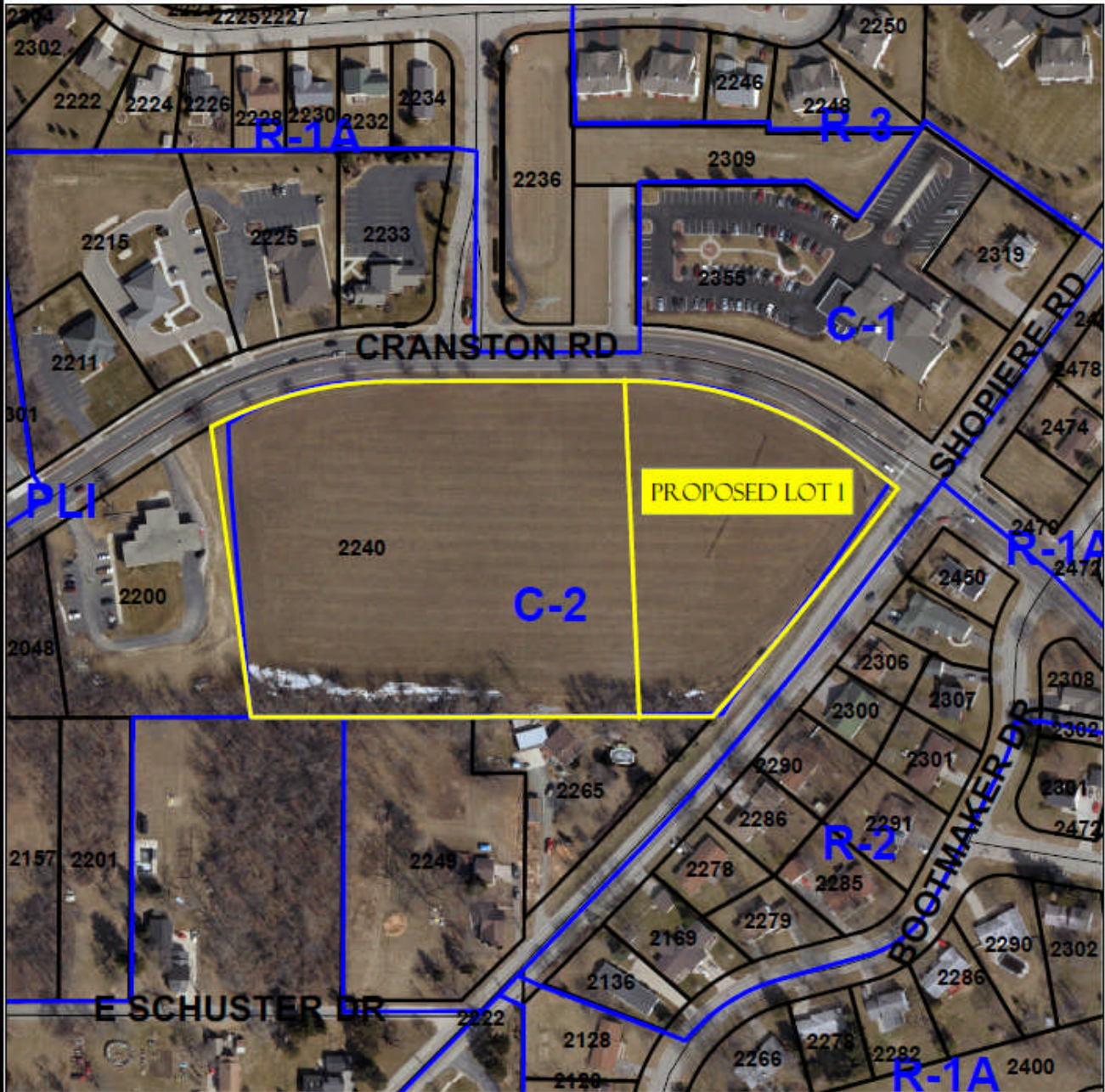
Fiscal Note/Budget Impact: N/A

Attachments: Location and Zoning Map, Proposed CSM and Application

Location & Zoning Map

2240 Cranston Road

CSM-2013-04



1 inch = 202 feet



Legend

- Zoning District
- Parcels

Map prepared by: Michael D. Lofton II

Date: February 2013

For: City of Beloit, Planning & Building Services

Date of Aerial Photography: April 2011

PLANNING & BUILDING SERVICES DIVISION

ROCK COUNTY CERTIFIED SURVEY MAP No. _____ SHEET 2 OF 3

OF

PART OF LOT 2 OF A CERTIFIED SURVEY MAP RECORDED IN VOL. 12 ON PAGES 239-240 AS DOCUMENT NO. 1015699, BEING PART OF A CERTIFIED SURVEY MAP OF LOT 2, RECORDED IN VOL. 4, PAGES 324-326 AS DOCUMENT NO. 828694 AND BEING ALSO PART OF THE SW 1/4 OF THE NE 1/4 AND PART OF THE SE 1/4 OF THE NW 1/4 OF SECTION 19, T.1N., R.13E., CITY OF BELOIT, COUNTY OF ROCK, STATE OF WISCONSIN

I, Ronald J. Larson, Jr., Wisconsin Registered Land Surveyor #S-2752, do hereby certify:

THAT I have surveyed Lot 2 as designated upon Rock County Certified Survey Map recorded in Vol. 12 on Pages 239-240 as Document No. 1015699 in the Office of the Register of Deeds for Rock County, Wisconsin; being part of a Certified Survey Map of Lot 2, recorded in Vol. 4, Pages 324-326 as Document No. 828694 and being also part of the SW 1/4 of the NE 1/4 and part of the SE 1/4 of the NW 1/4 of Section 19, T.1N., R.13E., City of Beloit, County of Rock, State of Wisconsin.

Beginning at the Northwest corner of the Northeast Quarter of said Section 19; thence North 89°12'44" East along the North line of the Northeast Quarter of said Section 19, a distance of 131.15 feet; thence South 00°03'20" West, parallel with the West line of the Northeast Quarter of said Section 19, a distance of 2171.82 feet to a point on the Southerly right-of-way line of East Cranston Road, said point also being the Point of Beginning of this description; thence North 89°16'35" East along the Southerly right-of-way line of said East Cranston Road, a distance of 6.44 feet; thence Southeasterly along the curved Southerly right-of-way line of said East Cranston Road, said curve to the right having a radius of 532.96 feet and a central angle of 36°58'36" (the chord of which bears South 72°13'03" East, a distance of 338.02 feet); thence South 53°40'52" East along the Southerly right-of-way line of said East Cranston Road, a distance of 74.86 feet to the Westerly right-of-way line of Shopiere Road; thence Southwesterly along the curved Westerly right-of-way line of Shopiere Road, said curve to the right having a radius of 5679.85 feet and a central angle of 04°11'25" (the chord of which bears South 38°19'12" West, a distance of 415.30 feet) to the South line of said Lot 2; thence South 89°15'41" West along the South line of said Lot 2, a distance of 125.00 feet; thence North 00°44'19" West, a distance of 474.97 feet to the Point of Beginning, containing 2.842 acres (123,784 square feet), more or less, all being situated in the County of Rock and the State of Wisconsin.

THAT I have made such survey, land division and Certified Survey Map by the direction of Casey's Marketing Company.

THAT such Certified Survey Map is a correct representation of all exterior boundaries of the land surveyed and the Certified Survey Map thereof made.

THAT I have fully complied with the Provisions of Chapter 236.34 of the Wisconsin Statutes.

THAT the above described property is subject to all encumbrances, liens, and third party claims, if any.

Dated this _____ day of _____, 2013.

Ronald J. Larson, Jr.
Wisconsin Registered Land Surveyor No. S-2752
Arc Design Resources, Inc.
5291 Zenith Parkway
Loves Park, IL 61111
(815) 484-4300

CITY of BELOIT
Neighborhood Planning Division

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

Application for Review of a Minor Subdivision

(Please Type or Print)

File Number: CSM-2013-04

1. Address of property: 2240 Cranston Road
2. Tax Parcel Number(s): 21970500
3. Property is located in (circle one): City of Beloit or Town of: Turtle; Beloit; Rock or LaPrairie
In the NW Quarter of Section 19, Township 1N North, Range 13E East of the 4th P.M.
4. Owner of record: Cranston Development Company, LLP Phone: (719) 657-7896
1211 Fillmore St Denver CO 80206
(Address) (City) (State) (Zip)
5. Surveyor's name: Ronald J. Larson, Jr. Phone: (815) 484-4300
5291 Zenith Parkway Loves Park IL 61111
(Address) (City) (State) (Zip)
6. Number of new lots proposed with this land division is 1 lot(s).
7. Total area of land included in this map: 2.842 Acres
8. Total area of land remaining in parent parcel: 5.9782 Acres
9. Is there a proposed dedication of any land to the City of Beloit? yes
10. The present zoning classification of this property is: C-2, Neighborhood Commercial
11. Is the proposed use permitted in this zoning district: C-2, Neighborhood Commercial
12. **THE FOLLOWING ITEMS MAY NEED TO BE COMPLETED AND/OR ATTACHED:**

- Site Assessment Checklist; is required if the total area of CSM is over 5 acres.
- Pre-application meeting; a pre-application meeting was held on 1/3/2013 with City of Beloit Staff.
- Developer's Statement; as required by section 12.02(7) of the Subdivision Ordinance.
- Phase One Environmental Assessment; as per section 12.05(1)(c) of the Subdivision Ordinance.
- Certified Survey Map; one copy as required by section 12.05(1) of the Subdivision Ordinance.

The applicant's signature below indicates the information contained in this application and on all accompanying documents is true and correct. The undersigned does hereby respectfully make application for and petition the City Plan Commission or City Council for approval of this Certified Survey Map for the purpose stated herein. The undersigned also agrees to abide by all applicable federal, state and local laws, rules, and regulations.

[Signature] / Ryan C Swanson / 2-13-13
(Signature of applicant) (Name of applicant) (Date)

This application must be submitted at least 21 days prior to the Plan Commission meeting date.

Review fee: <u>\$150 plus \$10 per lot</u> Amount paid: <u>\$160.00</u>
Scheduled meeting date: <u>March 20, 2013</u>
Application accepted by: <u>Michael D. Lofton II</u> Date: <u>2-18-2013</u>

RESOLUTION
REAFFIRMING THE CLASS “B” BEER AND “CLASS B” LIQUOR LICENSE
FOR THIRSTY BADGER BAR & GRILL, 2983 PRAIRIE AVENUE,
AND ESTABLISHING A TIMELINE FOR COMPLETION

WHEREAS, the Beloit City Council granted a Class “B” Beer and “Class B” Liquor License on April 16, 2012, to Thirsty Badger Bar and Grill, located at 2983 Prairie Avenue in the City of Beloit, Michael Draeving, Sr., Agent; and

WHEREAS, the License was not issued by the City Clerk because the building was under construction and the business was not ready to open; and

WHEREAS, the Beloit City Council renewed the License on June 4, 2012 for the 2012-2013 license year, and the License has not been issued because the building remains under construction and the business is not ready to open; and

WHEREAS, Section 31.04(3) of the City of Beloit Municipal Code indicates that the City Council may rescind a license previously granted if the license has not been issued because of incomplete construction, renovation, or code compliance for more than six month after the original approval; and

WHEREAS, the Code allows an opportunity for the Licensee to be heard prior to any decision regarding the License, and State Statutes require a revocation hearing if the decision is made to rescind; and

WHEREAS, the Agent appeared in front of the Alcohol Beverage License Control Committee on February 12, 2013, and March 12, 2013, and presented a written timeline for the completion of construction; and

WHEREAS, the ABLCC recommended that the City Council allow the Agent to continue his efforts to remodel the building and open his business with a deadline of May 29, 2013 to fulfill the inspection requirements and obtain the License from the City Clerk.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Beloit reaffirm the License and set a deadline of May 29, 2013 for the Agent to complete construction and obtain the License from the City Clerk and that failure of the Agent to obtain the License by the deadline may result in non-renewal of this License for the 2013-2014 license year.

Adopted this 18th Day of March, 2013.

City Council of the City of Beloit

Charles M. Haynes, President

Attest:

Rebecca Houseman LeMire, City Clerk

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL

Topic: Thirsty Badger Bar & Grill Liquor License

Date: March 18, 2013

Presenter(s): Rebecca Houseman LeMire

Department: City Clerk

Overview/Background Information:

In April 2012, the City Council granted a Class "B" Beer and "Class B" Liquor License to Thirsty Badger Bar & Grill, located at 2983 Prairie Avenue in the City of Beloit, Michael Draeving, Sr., Agent. The license was not issued by the Clerk's office at that time because the Agent was in the process of remodeling the building. The City Council renewed this license on June 4, 2012 for the 2012-2013 license year, which expires on June 30, 2013. The license has not issued by the Clerk's office because the Agent has not completed the remodeling project and is not ready to open the business.

Section 31.04(3) of the City of Beloit Municipal Code states that the City Council may rescind a license previously granted if the license has not been issued because of incomplete construction, renovation, or code compliance for more than six months after the original approval. However, the code allows an opportunity for the licensee to be heard prior to any decision regarding the license, and State Statutes require a due process revocation proceeding should it be recommended that any granted but unissued license be rescinded.

On January 28, 2013, the Clerk's office sent a letter to the Agent of the Thirsty Badger requesting that he appear before the Alcohol Beverage License Control Committee on February 12, 2013 to discuss the status of the license. At the February 12th meeting, the ABLCC requested that the agent return to the March 12, 2013 ABLCC meeting with a written explanation of the timelines for construction and completion. An excerpt of the draft minutes from the February 12, 2013 ABLCC meeting are attached.

At the March 12th ABLCC meeting, the Agent presented the attached timeline for construction and set a deadline of May 29, 2013 to fulfill the inspection requirements and obtain the license from the City Clerk. The Committee reviewed his request and unanimously recommended that the City Council adopt a resolution reaffirming the license and establishing a timeline for completion.

Key Issues (maximum of 5):

1. The City Council has granted a regular Class "B" Beer and "Class B" Liquor License to Thirsty Badger Bar and Grill; however, the license has not been issued by the City Clerk's office because the building is under construction. Since this license has been granted but unissued, another company has been granted and issued a Reserve Class "B" Beer and "Class B" Liquor License at a greater expense. Thirsty Badger's granted but unissued license is the only unissued regular Class "B" Beer and "Class B" Liquor License within in the City's quota system regulated by the State of Wisconsin.
2. The Clerk made phone contact with Mr. Draeving on January 7, 2013 informing him of Section 31.04(3) of the Municipal Code. The Clerk sent a letter to Mr. Draeving on January 28, 2013 requesting his presence at the February 12, 2013 ALBCC meeting to discuss the status of the license. At this meeting, the ABLCC requested that Mr. Draeving return to the March 12th meeting with a written explanation of the timeline for completion of construction.
3. At the March 12th meeting, the ALBCC recommended that the Council adopt a resolution reaffirming the license and establishing a timeline for completion with a May 29, 2013 deadline for issuance of the license.

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

Taking action regarding this license conforms to the City's Strategic Plan by encouraging economic development in the entrepreneurial community while applying sound, sustainable practices to promote high quality development.

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

- Reduce dependence upon fossil fuels – N/A
- Reduce dependence on chemicals and other manufacturing substances that accumulate in nature – N/A

- **Reduce dependence on activities that harm life sustaining eco-systems – N/A**
 - **Meet the hierarchy of present and future human needs fairly and efficiently – N/A**
-

Action required/Recommendation:

Staff recommends that the City Council follow the recommendation of the Alcohol Beverage License Control Committee and adopt the attached resolution.

Fiscal Note/Budget Impact:

Action on this item will not have a significant impact on the City's budget.

Attachments:

Resolution; Draft ABLCC meeting minutes from February 12, 2013; Timeline from Thirsty Badger Bar & Grill

Excerpt from the Draft of the Minutes from the February 12, 2013 ABLCC Meeting:

Alcohol Beverage License Control Committee
February 12, 2013
Page Two

would be sending officers out to check the store, and Attorney Krueger said she will send a letter to Mr. Eyster. Ms. Thomas suggested the Police Department also check the other CVS store in Beloit.

5. Consideration of the status of the Class "B" Beer and "Class B" Liquor License for Draeving Companies, LLC, d/b/a Thirsty Badger Bar & Grill, 2683 Prairie Avenue. Agent Michael Draeving, Sr. appeared.

Mr. Draeving stated he did not know he had six months to open his business after being granted a liquor license and was shocked when the City Clerk called him about this. Mr. Draeving stated that the project is a total renovation and that he has been meeting with city inspectors regarding the water damage and the electrical service had to be replaced. Mr. Draeving further explained that the work is lined up and that he is meeting Drew Pennington on February 14th regarding architectural review and permits. Mr. Draeving stated that the roof has to be repaired, roof units had to be replaced and then windows, doors, and siding can be installed. Mr. Draeving said he met with his contractor and they are projecting that the business will open in June 2013.

Attorney Krueger asked if there were interior renovations to be done yet. Mr. Draeving stated they had to demolish the inside because of the damage, and that they have been doing the work themselves but would have hired contractors to complete the work if he had known about the time limit. Councilor Leavy said the Council members are receiving calls about this valuable license not being used, and if he says he will be open by June, he should make certain this work is done by then.

Chairman Berkley asked Mr. Draeving for the written explanation and timeline that was requested in the letter he received from the City Clerk. Mr. Draeving stated he did not have a written statement but would get one to the City Clerk right away.

Mr. Metter moved that Mr. Draeving submit a detailed report of the demolition and renovation in writing with timelines of completion and submit it to the City Clerk by March 6th for the March 12th ABLCC meeting, second by Mr. Vickerman. Motion carried.

Timeline from Thirsty Badger presented at the March 12th ABLCC Meeting:

Thirsty Badger Bar & Grill
2683 Prairie Avenue
Beloit, WI 53511

To: City of Beloit ABLCC Members

Here is the timeline for 2683 Prairie Avenue per your request:

Since our last meeting on February 12, 2013 here is what has been done:

- Demolition completed
- Roughed in underground plumbing completed
- Window installation completed
- Bar cooler area finished, needs to be painted
- HVAC contractor hired and materials are ordered
- Electrical contractor hired for new service and materials are ordered
- Exterior doors are ordered
- Exterior siding is ordered
- Interior floor grinding in progress

By the end of March 2013 we plan to do the following:

- Exterior siding & trim will be in progress
- Electrical service will be in progress

By the end of April 2013 we plan to do the following:

- New roof will be installed
- Exterior doors will be installed
- Exterior siding & trim will be completed
- New HVAC roof top units will be installed
- Electrical service will be completed
- Interior walls will be roughed in
- Interior electrical & plumbing will be roughed in

In May 2013 we plan to do the following:

Interior will be completed

Walk in coolers will be installed

Equipment will be installed

By May 29, 2013 construction will be completed, inspections will be completed; liquor license will be in hand.

Respectfully Submitted,

Mike Draeving

Thirsty Badger Bar & Grill

2683 Prairie Avenue

Beloit, WI 53511

ORDINANCE NO. _____

AN ORDINANCE TO AMEND SECTION 15.06(1)(b) OF THE CODE OF GENERAL ORDINANCES OF THE CITY OF БЕЛОIT AS IS RELATES TO ALCOHOL IN PARKS TO ALLOW TAILGATING IN ADVANCE OF БЕЛОIT PROFESSIONAL BASEBALL ASSOCIATION, INC. GAMES

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

Section 1. Section 15.06(1)(b) of the Code of General Ordinances of the City of Beloit is hereby amended to read as follows:

“(b) Fermented malt beverages may be possessed and consumed at Krueger Park and Telfer Park by spectators 21 years of age or older during game time and 15 minutes thereafter at City sponsored adult baseball or softball league games. No fermented malt beverages may be possessed or consumed on the field of play and no baseball player may consume fermented malt beverages while participating in a softball or hardball game. Fermented malt beverages may also be possessed and consumed in Pohlman Field during Beloit Professional Baseball Association, Inc. games. Fermented malt beverages may also be possessed or consumed in designated areas of the parking lots located at Telfer Park for 3 hours preceding game time of any scheduled Beloit Professional Baseball Association, Inc. game. Such possession and consumption of fermented malt beverages shall be exempt from the requirement of obtaining a permit as set out in subsection (2) of this section.”

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

Enacted this 4th day of March, 2013.

BELOIT CITY COUNCIL

By: _____
Charles M. Haynes, President

ATTEST:

By: _____
Rebecca Houseman LeMire, City Clerk

PUBLISHED: _____

EFFECTIVE DATE: _____

01-611100-5231- _____

CITY OF БЕЛОIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: Consideration and approval of an Ordinance to Amend Section 15.06(1)(b) of the Code of General Ordinances of the City of Beloit as it relates to Alcohol in Parks to allow Tailgating in Advance of the Beloit Professional Baseball Association, Inc. Games.

Date: March 18, 2013

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

Department(s): Public Works

Overview/Background Information:

In order to allow Tailgating activities in designated areas of the Telfer Park parking lot in conjunction with home games for the Beloit Professional Baseball Association ("Association"), revisions to the Ordinance have been proposed and presented for Councils consideration and approval. This amendment to the Ordinance specifies the where and when tailgating activities can take place in Telfer Park, and provides for an exemption in obtaining a permit that would be based upon the Snappers home game schedule.

Key Issues (maximum of 5): The main components that have been addressed for revisions are highlighted below:

- 1.) The Association shall be allowed to conduct "tailgating" activities in designated areas of the parking lot in Telfer Park. However, the City shall retain the right to discontinue this event upon appropriate notice to the Association.
- 2.) The amended Ordinances specify where and when the tailgating activities can be held in Telfer Park.
- 3.) Provides the Association and tailgating participants an exemption of obtaining a permit for possession and consumption of Fermented malt beverages while participating in tailgating activities at these specified times and location.

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, Strategic Goal #4, and 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 - 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 the amended City Ordinance.

Fiscal Note/Budget Impact:

Minimal assistance may be required from the City in terms of providing additional resources; trash cans, hot coal waste containers, etc... These resources could be accommodated within the Parks General Fund at minimal cost to the City.

ORDINANCE NO. _____

AN ORDINANCE TO REMOVE NO-PARKING REGULATIONS ON OLYMPIAN BOULEVARD

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

Section 1: Section 13.02 of the Code of General Ordinances of the City of Beloit, Rock County, Wisconsin, is hereby amended by removing from Section II, Index of Special Locations, Parking Prohibited At All Times On Certain Streets, the following:

Olympian Boulevard – Bluff Street to Sixth Street – SOUTH SIDE
Olympian Boulevard – Eighth Street to Sixth Street – NORTH SIDE
Olympian Boulevard – Oak Street to Bluff Street – SOUTH SIDE, excluding Sundays and Holidays

Section 2: Section 13.02 of the Code of General Ordinances of the City of Beloit, Rock County, Wisconsin, is hereby amended by adding to Section II, Index of Special Locations, Parking Prohibited At All Times On Certain Streets, the following:

Olympian Boulevard – Vine Street to Sixth Street – BOTH SIDES

Section 3: This ordinance shall take effect and be in force upon its passage and publication.

Adopted this 18th day of March, 2013.

BELOIT CITY COUNCIL:

By: _____
Charles M. Haynes, Council President

ATTEST:

Rebecca Houseman LeMire, City Clerk

Published this _____ day of _____, 2013

Effective this _____ day of _____, 2013

01-611100-5231-_____

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: Ordinance to remove the No-Parking restrictions along Olympian Boulevard between Vine Street and Eight Street on the north side and between Vine Street and Oak Street on the south side.

Date: March 18, 2013

Presenter(s): Mike Flesch

Department(s): Public Works/Engineering

Overview/Background Information:

The need for alternate side parking throughout the City was discussed at the June, 2012 TRC meeting and this specific area was brought forward as an item of discussion at the November, 2012 TRC meeting.

Key Issues (maximum of 5):

1. The Traffic Review Committee reviewed this request during the February 25, 2013 meeting. The Committee voted (4-0) in favor of removing the No-Parking regulations.
2. Currently, parking is allowed only on the north side of Olympian Boulevard between 8th Street and Hackett Street and on the south side between Oak Street and Hackett Street. Hackett Street is classified as a minor arterial with a posted speed limit of 25 MPH.
3. I spoke with the Director of Operations and the Parks Director regarding the need for parking along Olympian Boulevard. The Director of Operations stated that alternate side parking helps with the snowplow and street sweeping operations along this corridor.
4. The Parks Director stated that on-street parking helps relieve congestion during the winter time when the sledding hill is used since the parking lot is small and has a gate.
5. The change would provide better consistency throughout the corridor with the only No-Parking areas in front of Burdge School and at the corner of Hackett Street.

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

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

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

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

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

Action required/Recommendation:

The Engineering Division recommends removing the No-Parking regulations on the north side of Olympian Boulevard between Vine Street and Eighth Street and on the south side of Olympian Boulevard between Vine Street and Oak Street.

Fiscal Note/Budget Impact:



OLYMPIAN BOULEVARD



City of
BELOIT, Wisconsin



LOCATION: Olympian/Boulevard

CITY OF BELOIT, WISCONSIN

SCALE: None

DRAWN BY: JRD (2012)

March 18, 2013

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

The undersigned Charles M. Haynes, duly elected President of the Beloit City Council, subject to confirmation by the Beloit City Council, does hereby appoint the following citizen members to the vacancies and terms indicated below, said appointments being pursuant to nominations made and approved by the Appointment Review Committee at the regular meeting held March 11, 2013:

Charles M. Haynes, President
Beloit City Council

Appointments

Equal Opportunities and Human Relations Commission

Mike Zoril, 1756 Carlyle Road (replacing Max Bosshart) for a term ending June 30, 2014.

Municipal Library Board

Maribeth Miller, 2481 Oxford Lane (replacing Steve Vavrus) for a term ending June 30, 2015.

PLEASE ANNOUNCE THE FOLLOWING VACANCIES

Alcohol Beverage License Control Committee (2 vacancies for residents)
Appointment Review Committee (2 vacancies for residents)
Board of Appeals (2 vacancies [Alternates] for residents)
Board of Ethics (1 vacancy for former City Councilor, 3 vacancies for residents)
Board of Review (1 vacancy [Alternate] for resident)
Business Improvement District (1 vacancy [Owner Occupant])
Community Development Authority (1 vacancy for resident)
Equal Opportunities & Human Relations Commission (1 vacancy for resident)
Municipal Golf Committee (1 vacancy for youth representative)
Park, Recreation & Conservation Advisory Commission (1 vacancy for youth)
Plan Commission (1 vacancy for resident)
Police and Fire Commission (1 vacancy for resident)
Traffic Review Committee (1 vacancy for resident)

**RESOLUTION
AUTHORIZING THE CITY MANAGER TO APPLY FOR FOCUS ON
ENERGY GRANTS THAT PROVIDE FOR
ENERGY CONSERVATION**

WHEREAS, the Beloit City Council supports the development of cost saving innovation applications in renewable energy technology within the City of Beloit; and

WHEREAS, Focus on Energy is accepting grant applications that address renewable energy within city governments to be of mutual benefit; and

WHEREAS, the maximum grant amount is \$33,632.

IT IS, THEREFORE, RESOLVED that the City Council of the City of Beloit, Rock County, Wisconsin, does hereby approve that the City Manager, or his designee, be hereby authorized to apply for grants from Focus on Energy that enhance energy conservation.

Adopted this 18th day of March 2013.

City Council of the City of Beloit

Charles M. Haynes, Council President

Attest:

Rebecca Houseman LeMire, City Clerk

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: Permission to apply for Focus on Energy Renewable Energy Competitive Incentive Program Grants

Date: March 18, 2013

Presenter(s): Chris Walsh

Department(s): Public Works/Operations

Overview/Background Information:

Focus on Energy, who is affiliated with Alliant Energy has a Renewable Energy Competitive Incentive Grant Program that promotes the use of Biomass to reduce the volume of natural gas used. The application would provide the Operations Facility garage and equipment storage with (2) Biomass Heaters and (1) Biomass Heater for the Utilities and Engineering equipment garage. The use of biomass in heating is beneficial because it uses our urban forest residuals or waste stream from regular operations to produce heat with less effect on our environment than fossil fuels.

Key Issues (maximum of 5):

1. The grants from Focus on Energy are available to business customers including local governments in the State of Wisconsin.
 2. The resolution would authorize the City Manager to apply for this Grant.
 3. The project would reduce the Natural gas consumption for the Operations Facility by 70% and the Utilities Facility by 75%.
 4. The project would assist the City of Beloit and surrounding communities to reduce the costs of disposal of Emerald Ash Borer wood waste and also utilize the City's Urban Forestry waste wood.
 5. The grant would provide 40% of the costs, amount of the grants could be as much as \$33,632.
 6. The Return on Investment (ROI) is approximately 2 years at the Operations Facility and 5 years for the Utilities and Engineering Facility.
 7. No additional staff would be required to feed the heaters, as Operations during the winter has a third shift employee.
 8. The furnaces will be installed inside the buildings and therefore will meet all requirements of the City ordinance.
-

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

1. As an eco-friendly 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.
 - The opportunity to apply for the Focus on Energy Grant allows both facilities to focus on sustainable stewardship as a means of heating both facilities while reducing costs to the facilities.
-

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
This Incentive program will reduce our gas consumption for both facilities thereby reducing our use of fossil fuels.
 - Reduce dependence on chemicals and other manufacturing substances that accumulate in nature
This type of energy production has positive effect on our environment because it reduces our carbon footprint.
 - Reduce dependence on activities that harm life sustaining eco-systems
The program will reduce the use of fossil fuels while at the same time utilizing our waste stream and residuals generated from our urban forest.
 - Meet the hierarchy of present and future human needs fairly and efficiently
Biomass heating can offset fossil fuels and promote the sustainable use of natural resources.
-

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 that the Council vote in favor of authorizing the City Manger to precede with the grant applications to Focus on Energy.

Fiscal Note/Budget Impact:

There is no application fee associated with this grant or matching dollars required.

**RESOLUTION APPROVING
SCHOOL RESOURCE OFFICER PROGRAM AGREEMENT**

The City Council of the City of Beloit, Rock County, Wisconsin, hereby resolves that the attached "School Resource Officer Program Agreement" be, and the same is hereby, approved.

BE IT FURTHER RESOLVED that the City Manager of the City of Beloit be, and he is hereby, authorized to execute the agreement on behalf of the City.

Adopted this 18th day of March, 2013.

City Council of the City of Beloit

Charles M. Haynes, President

Attest:

Rebecca Houseman LeMire, City Clerk

tdh\resolution\SRO Agr=res=130307 (2012)(12-1088)

CITY OF БЕЛОIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL



Topic: School Resource Officer agreement between City of Beloit and School District of Beloit.

Date: March 18, 2013

Presenter(s): Chief Norm Jacobs

Department(s): Police

Overview/Background Information:

This is an update to the current School Resource Officer agreement. There are no substantive changes. A change in administration in the school district made this request tardy, and the document is authorized by the School District of Beloit.

Key Issues (maximum of 5):

- 1) Council approval requested.
- 2) This is not a new initiative, only a renewal.

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

1. Proactively partner with individuals and businesses to promote a safe and healthy community, minimize personal injury, prevent loss of life, and protect property and natural 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:

Recommend Council approval of School Resource Officer agreement with School District of Beloit.

Fiscal Note/Budget Impact:

The School District of Beloit pays 75% each School Resource Officer wages and benefits for 180 school days, and a supervisor fee.

Attachments:

School Resource Officer Agreement

SCHOOL RESOURCE OFFICER PROGRAM

AGREEMENT

This Agreement made this 1st day of August, 2012, by and between the City of Beloit, Wisconsin, a municipal corporation, 100 State Street, Beloit, Wisconsin, hereinafter referred to as "City," and the School District of Beloit, 1633 Keeler Avenue, Beloit, Wisconsin, hereinafter referred to as "School District."

FINDINGS

The parties make the following findings:

1. Because society expects schools to meet the needs of youth that range far beyond their education, community resources, such as law enforcement, must reach into the schools to provide expertise in dealing with youth involvement in crime, alcohol and other drugs.
2. The school setting provides the police department with an educational environment to offer preventive programs in deterring youth from involvement in crime, alcohol and other drugs.
3. Through a School Resource Officer Program, community resources can be coordinated and focused in an ideal setting for education.
4. The primary goal of a School Resource Officer Program is the prevention of crime and the reduction of delinquency.
5. A School Resource Officer (hereinafter "SRO") is primarily a law enforcement officer with full arrest powers.
6. It is necessary and desirable to continue to refine the School Resource Officer Program for the School District.
7. A properly organized and conducted School Resource Officer Program will result in decreases in school incidents involving violations of the law.

NOW, THEREFORE, the parties agree as follows:

1. **PURPOSE.** The purpose of this Agreement is to define the financial commitments of the City and the School District in the operation of a School Resource Officer Program in the School District of Beloit.

2. **TERM.**

- (a) Initial Term. The initial term of this Agreement shall be for the 2012-2013 school year and shall commence as of August 1, 2012 and continue until June 30, 2013.
- (b) Renewal Term(s). This Agreement shall be automatically renewed for two successive school-year terms from August 1, 2013 to June 30, 2014 and August 1, 2014 to June 30, 2015, unless either party shall give notice of its election not to renew this Agreement.
- (c) Termination. Either party may terminate this Agreement by giving written notice to the other party no later than March 1, 2013 as to the August 1, 2013 renewal and March 1, 2014 as to the August 1, 2014 renewal.

3. **GOALS AND OBJECTIVES.** The goals and objectives for the School Resource Officer Program for the School District are outlined in the School Resource Officer Manual. The five highest areas of emphasis are: 1) weapons, 2) drugs, 3) physical fights, 4) child welfare, abuse neglect and assault, and 5) truancy.

4. **PERSONNEL.** The Police Chief shall assign one police officer to Beloit Memorial High School, and one police officer to cover both Aldrich and McNeel Middle Schools. Nothing in this Agreement shall be construed to alter the authority of the Police Chief to select, assign and supervise police officers to duty in the School Resource Officer Program. The Police Chief will consult with the Superintendent, or designee(s), in selection of SRO's. The School District may for cause and in writing request the removal of an officer from the School Resource Officer Program. (The SRO may serve in this assignment up to five (5) years.)

5. **CHAIN OF COMMAND.** SRO's will report to their sergeant in Patrol as their direct supervisor for the police department. In the absence of their Patrol Sergeant, the SRO should seek direction from the on-duty supervisor.

In matters of school operations, the School Principal will be the direct line supervisor for the SRO. In any case of conflict with orders that would deviate from acceptable police procedures or practices, the SRO will follow the general orders and procedures of the Beloit Police Department. Upon realization of the conflict, the SRO will, without delay, notify his/her direct supervisor who will mediate the conflict with school administration.

It is recognized that during the school assignment, the SRO will work closely with the school administrative staff. The SRO will meet weekly with the School Principal, or designee, to establish a weekly work plan. The work plan is designed to specify areas of concern, operational direction, and/or any other items of significance for the area for that week. For the middle school SRO, this meeting will take place with middle school administrative staff.

6. **WORK DAYS.** The police officers assigned to the School Resource Officer Program at the three schools shall be available for 180 days of duty at the schools for the school year. On those days when the students are not in school, the officer will be assigned to regular police duty with police hours as assigned by the Police Chief. The officers may take advantage of this time for vacation time or monthly administrative days. Days taken off by an officer for vacation time or monthly administrative days shall not be counted as part of the 180 days for which the School District is responsible for compensating the officer while on SRO duty, unless mutually agreed upon.

The middle school SRO will generally work alternating days at each of the middle schools. In a two-week period of school, each school will have the presence of the SRO in equal amounts. In this manner, staff at each school will have a general idea of when to expect the SRO to be in each of the middle schools. The schedule may be flexible as necessary, and with notification/agreement of each principal, the SRO may alter this guideline.

Those days when the officers would not be assigned to SRO activities and would be returned for regular police activity are defined by the school calendar and include, but are not limited to:

- Wisconsin Education Association (WEA) Convention
- Winter Recess
- In-Service Training
- Spring Recess

SRO's are expected to avoid absences from school during the first and last weeks of school, and the weeks preceding and following winter break. The officers will return to regular police duty at the end of the school year. At the start of each school year the School District will provide the Beloit Police Department with a copy of the school calendar.

7. **TRAINING.** If at all possible, the Beloit Police Department will make officers available for trainings that occur on non-contact days during the school year. Such training shall not count against the 180 days compensation paid for the SRO by the School District. The Beloit Police Department will make every effort to make

SRO's available for training that occur continuous with the start or ending of the school year. The Beloit Police Department reserves the right to determine the summer time-line when SRO's would not be available for training.

8. **HOURS OF EMPLOYMENT.** While performing SRO duties, the officers will report for duty to their schools during the hours of 7:30 a.m. to 4:00 p.m. The workday will consist of 8½ hours with a ½ hour lunch period, Monday through Friday, as consistent with the school calendar. The SRO, if required to work a special event, will adjust their hours during the school day, with the approval of their Patrol Sergeant.

9. **SPECIAL PROGRAMS.** Upon availability, the SRO may work with school officials to schedule and participate in programs to eradicate substance abuse at all assigned schools.

10. **ABSENCES.** The SRO shall notify their assigned School Principal and their Patrol Sergeant as to any days in which they are not available by reason of illness or for any other reason. If absences are to be planned and known in advance, the SRO will notify the School Principal(s) without delay.

11. **ACTIVITY REPORTS.** The SRO shall be responsible on a monthly basis for providing to the School Principal and their Patrol Sergeant a report on the activities related to the performance of the SRO's duties. These reports shall include an accounting of days served as further outlined in Article 20. The SRO shall make such reports available within ten (10) days of the last day of each month. The Patrol Sergeant shall make these reports available to the Captain of Patrol. The School Principals shall make these reports available to the Supervisor of Student Services.

12. **OFFICER EVALUATION.** The School Principal shall provide the Superintendent of Schools and Police Chief on an annual basis a draft evaluation of the SRO's performance. Such evaluation shall take place prior to December 15th. These evaluations will be the basis upon which the principal(s) and the Patrol Sergeant will jointly evaluate the SRO prior to January 31st.

13. **INCIDENTS.** Incidents occurring on school premises that require police intervention shall be investigated by the assigned SRO and he/she shall prepare normal police investigation and incident reports and complete all investigations in accordance with law enforcement standards.

14. **OVERTIME.** In the event a SRO is engaged in work in excess of the work hours stated above, this time shall be approved by their Patrol Sergeant, or his/her designee, and the overtime shall be paid by the City.

15. **EXTRACURRICULAR ACTIVITIES.** Extracurricular activities of the school, such as athletic events, dances, etc., shall not be part of the School Resource Officer Program, except as scheduled by the principal by modifying the workday. Additional officers may be utilized in these extracurricular activities by a hiring program in which the City is reimbursed by the School District and will not be considered a part of the School Resource Officer Program.

16. **GUIDANCE COUNSELING.** The SRO shall not engage in guidance counseling activities and shall refer any students who may require guidance counseling to the school administration.

17. **SCHOOL DISCIPLINE RULES.** The SRO is not to enforce school disciplinary rules, but may engage in law enforcement activities to enforce the criminal code of the State of Wisconsin or local ordinances.

18. **CHILD ABUSE OR NEGLECT.** The SRO shall act as required by law, when investigating or reporting alleged child abuse or neglect which comes to their attention in the course of their duties as a SRO.

19. **SCHOOL RESOURCE OFFICER MANUAL.** The School Resource Officer Manual jointly developed by the Beloit Police Department and the School District shall serve as a guide for the day-to-day operations for the School Resource Officer Program for the School District. The Supervisor of Student Services has overall authority for the School District's participation in the development of the School Resource Officer Manual.

The SRO is expected to be in uniform during his/her assignment. Upon occasion, the SRO, with prior notification to and consent of the School Principal(s), may wear casual attire. Casual attire will always include full duty equipment as required by police department general orders.

20. **COST SHARING.** The parties have reviewed the costs of operating the School Resource Officer Program and have determined that the estimated cost shall be shared as follows, based on correct cost. School Resource Officer Supervisory cost shall be \$10,000 per year in each year of this Agreement.

The estimated change will be computed as follows:

	Officer High School	Officer Middle School
Actual school calendar days	180	180
Less: Actual sick days exceeding nine (9) during school calendar		
Less: Actual training days not related to SRO assignment*		
Less: Actual reassigned day pursuant to emergency needs of the police department		
Days of compensable service		
Officer's Daily Rate**		
Officer Cost to be billed	\$	\$

* "Related" shall be inclusive of general training that contributes to investigations, interpersonal skills, etc.

** Individual officer's salary, employee benefits and clothing allowance divided by 260 days; details will be provided on invoice. Costs will reflect increases each January.

Year	Estimated Charge to School
2012-2013	\$140,075
2013-2014	\$144,506
2014-2015	\$150,045

Mileage for travel between schools and for officer activities related to school functions will be paid to the City by the School District at the City's approved rate.

21. **COMPENSATION.** The compensation to the SRO, including wages and fringe benefits shall be paid by the City.

22. **LIABILITY.** Each party shall be liable for the acts of its own officers, employees, and agents. Each party hereby agrees to indemnify and hold the other party harmless from liability from any claims arising out of any acts or omissions of its officers, employees, or agents. Each party shall maintain policies of commercial general liability insurance to cover its obligations in this regard.

23. **EQUIPMENT AND FACILITIES.** The Beloit Police Department will provide the equipment normally provided to a patrol officer for officers assigned to SRO duties. The School District will provide the facility and related furnishings.

Property purchased by either the School District or the Police Department will remain the property of the specific provider.

24. **AMENDMENTS.** This Agreement may be modified in writing by the mutual agreement of the parties.

CITY OF BELOIT

SCHOOL DISTRICT OF BELOIT

By: _____
Larry N. Arft, City Manager

By: _____
Steve McNeel, Superintendent

Dated _____

Dated _____

ATTEST:

ATTEST:

By: _____
Rebecca Houseman LeMire, City Clerk

By: _____
Shannon Scharmer, School Board President

Dated _____

Dated _____

APPROVED AS TO FORM:

By: _____
Thomas R. Casper, City Attorney

Dated _____

I hereby certify that sufficient funds have been provided to pay the liability that the City may incur hereunder.

By: _____
Paul York, City Comptroller

Dated _____

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